

MUNICIPAL YEAR 2011/12 REPORT NO. 158

MEETING TITLE AND DATE

Cabinet: 14 December 2011

REPORT OF:

Director of Schools and Children's Services

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Agenda – Part: 1

Item: 8

Subject: Primary Pupil Places - Revised Ten Year Strategy

Ward: All

Cabinet Member consulted:

Councillor Ayfer Orhan

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the most recent pupil projections together with the implications of these projections from 2012/13. The revised ten year strategy presents options for providing additional primary places during this period through measures that aim to provide quality teaching spaces which will support a flexible and innovative modern curriculum whilst keeping costs to a minimum.
- 1.2 This report supersedes all previous reports in relation to Primary Places.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 note the progress made in relation to the implementation of the previous strategy including the Partner School initiative.
- 2.2 formally adopt the Revised 10 Year Strategy for the provision of Primary Pupil Places, as outlined in this report.
- 2.3 give priority, where possible, to recycling additional capacity that has already been provided.
- 2.4 note that a flexible strategy is required in order to react swiftly to the creation of any new Academies developed as part of the Department for Education's free school initiative.
- 2.5 increase the level of flexibility for pupil place planning to 3% in order to ensure that there is more capacity available to react to unpredicted demand.

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| 2.6 | approve further feasibility studies being commissioned in order to develop expansion project options at three primary schools as a further contingency for managing the risk of unpredicted demand. |
| 2.7 | note that planning applications will be submitted for a number of options in order to ensure that any issues related to planning and traffic and transportation are identified at an early stage. |
| 2.8 | note that Statutory Proposals will be published where there is a planned permanent expansion and increase to the Admission Number for a particular school. |

3. BACKGROUND

- 3.1. In common with the majority of education authorities in London, Enfield subscribes to the School Roll Projections Service of the GLA. The basic components of the projections are population data from the Office for National Statistics, particularly that relating to births, plus information on new housing and trends in national and international migration. The projections are reviewed annually following the January Schools Census, and interim forecasts are provided in the light of new information that could affect the projected pupil numbers such as revisions to the Strategic Housing Land Availability Assessment (SHLAA).
- 3.2 The implementation of the Primary Strategy has shown that a previously agreed flexibility of 1% between the forecast demand and planned supply of places was not sufficient to provide sufficient places for September 2011. It is therefore recommended that flexibility of 3% is adopted in relation to this revised strategy in order to provide a level of contingency to react to demand uncertainty beyond the control of the Local Authority. This level of flexibility will need to be monitored and reviewed regularly to ensure the appropriate overall balance of supply and demand. The demand uncertainty is associated with:
- Migration – particularly the implications relating to the economic situation across Europe.
 - Implications of the Housing Benefit cap and other welfare benefit changes.
 - new academies.
 - the performance of schools in neighbouring boroughs and the balance of supply and demand in neighbouring authorities.
- 3.3 An independent review of the school roll projections process was undertaken earlier this year and the findings, entitled "London Borough of Enfield: Review of School Pupil Projections", were produced in a report in April. The key recommendations were:

- That Enfield should continue to use the GLA's pupil projection service as it offers good value for money.
- To explore some recommendations to continue to test the accuracy to ensure that the best data is provided in relation to pupil projections.

Some of the recommendations were actioned immediately and are reflected in the revised projections received during the summer.

3.4 At the request of the Children's Service Scrutiny Panel, the Working Group created in order to review and monitor the work in relation to the planning of pupil places in Enfield has continued to meet regularly. At the meeting on the 23 November 2011 the Group considered the contents of this report. The Group were supportive of the strategy, and have recommended that the following further actions be taken:

- To evaluate the strategy of the partner school initiative sites by measuring pupil attainment and standards.
- That future revised strategies present data which shows whether the objective to reduce mobility has been successful.
- That there should continue to be early discussions in relation to traffic management as part of the development process.
- To ask London Councils to consider reviewing the causes and potential solutions to the spike of demand for primary school places which is particularly affecting outer London Boroughs, including Enfield.

3.5 At their meeting in October 2011 Cabinet considered a report in relation to the future use of the site of Oasis Academy Hadley, in Bell Lane, Enfield Highway which will become vacant when the Academy moves to new premises in South Street, Ponders End. Cabinet agreed the establishment of a new all-age academy admitting secondary pupils from September 2014 and also admitting 2FE of primary pupils from Autumn 2012. This additional capacity is included in the table in paragraph 6.4.

3.6 The Department for Education has made it clear that all new schools will be Academies. It is therefore assumed that the new primary schools required for the Meridian Water development will be academies.

3.7 At their meeting on 23rd November 2011, Cabinet agreed a strategy to provide additional secondary school places.

3.8 A further strategy will be developed in relation to the provision of special school places across the primary and secondary age groups.

4. THE STRATEGY – basic principles

4.1 There are currently considerable uncertainties associated with the implementation of the 10 Year Strategy for the Provision of Primary Places. The creation of new free schools will have direct implications in

relation to the planning of pupil places, and the Department for Education has yet to confirm how the future funding of pupil places (basic need) will be allocated for 2012 and later years. Various recommendations have been made following the 2010/11 Review of Education Capital (The James Review) but following consultation it is not yet clear whether the recommendations will be implemented.

4.2 The Strategy has therefore been revised based on the following basic principles:

- **Quality and standards** – the strategy should not only provide the necessary places, but must also ensure that that schools continue to deliver high quality teaching and learning and that new accommodation provides an environment that will facilitate the further raising of standards.
- **New Schools** - All new schools will be academies or free schools. The Local Authority is aware of two Free School projects in the borough which aim to provide a total of 56 reception places from September 2012. Free schools have also been approved to open at the same time in neighbouring boroughs (1FE each in both Barnet and Waltham Forest and 2 FE in Haringey).
- **Location of schools and additional places** – in order to minimise pupil mobility, to reduce the implications for traffic and transportation and to help to stabilise communities, it is important to continue to prioritise the provision of places in the areas of highest demand.
- **Value for money** The aim of the revised strategy is to keep costs to the Council to an absolute minimum and to avoid unsupported borrowing. The objective is to fund the implementation of the strategy solely from external funding sources, including basic need funding, Section 106/Community Infrastructure Levy (CIL) and disposals in order to avoid unsupported borrowing by the Council.
- **Demand** The key objective of the Strategy is to ensure that there is sufficient capacity to meet demand. Paragraph 3.2 above refers to the level of flexibility that has been incorporated in the strategy to ensure that there is sufficient capacity to allow for local demand, error and parental choice. Current projections also indicate that after stabilising towards the end of the decade, primary numbers are projected to decline slightly. It is therefore important not to build in surplus places and to provide places in the areas of highest demand.
- **Adaptability** – the current uncertainties mean that the Strategy must be sufficiently flexible to adapt to future changes.
- **Balance and stability** – Given the scarcity of available, appropriate and vacant sites within the Borough, the need to provide local places for local children and the projected longer term decline in numbers, it is very important that there is a balanced and carefully planned approach to the delivery of pupil places. The Local Authority needs to be working in partnership with schools to

ensure that high quality education is maintained whilst continuing to address the demand for additional pupil places.

- **Regeneration and community needs** – the strategy must include additional school place provision in relation to the Local Development Framework and regeneration projects, and continue to reflect the needs of the local community by providing pupil places in the areas of demand.
- **Size of schools** – Enfield currently has some the largest Primary Schools in the country at 4 forms of entry, and with some Infant/Junior schools admitting 5 forms of entry. It is widely considered that it would not be appropriate to increase the admission number beyond these levels in the primary sector to ensure that the facilities are sufficient and suitable to deliver quality teaching, and there is a safe and secure environment for pupils and staff.
- **Review and monitoring** – The Strategy will be regularly monitored, reviewed and updated.

5. Previous strategy – update and progress

A report submitted to Cabinet on November 3rd 2010 outlined proposals for the Partner School initiative, an innovative strategy with a key objective to provide additional primary places in the areas of greatest demand, whilst keeping costs to a minimum. Cabinet approved this report. A subsequent Portfolio Report was agreed by the Lead Member for Children and Young People 27 May 2011, titled “Implementation of the Primary Pupil Places Strategy and the development of Partner Schools”.

- 5.1 Cabinet agreed to proceed with the creation of a reception class at St Georges RC Primary School in order to admit an additional form of entry from September 2011. An additional class was admitted for September 11 and proposals were explored with the Governing Body and the Diocese to develop a partner school on the site. However, at a meeting of the Governing Body on the 15 November and primarily due to constraints of the existing site, Governors resolved not to pursue this proposal. Alternative options to provide additional capacity in the Enfield Town area are now being pursued.
- 5.2 In accordance with the recommendations, works have also been completed at Prince of Wales Primary School and an additional class of Reception children was admitted in September 2011. Proposals to provide additional classes from September 2012 are currently under development.
- 5.3 Cabinet agreed to proceed with the creation of an additional class at Worcesters Primary School for September 2011, and to further develop proposals to create a partner school. It was not possible to progress this option in order to provide the additional accommodation (on or off site) by September 2011. Lavender Primary School agreed to admit a one-off reception class to alleviate pressure in this area in September 2011.

The main reason for the delay at Worcesters Primary School has been the level of concern from local residents in relation to traffic issues in the local area. A

public meeting was held on 29 September 2011 when the issues were discussed with local residents and parents. Since then a Working Group has been set up including representatives from the school, local residents and officers. This Group have been actively contributing to the revised Traffic Impact Study. Feedback from residents has been extremely positive to this approach. Work is continuing with a view to progressing the partner school to admit 30 children in September 2012, 2013, and 2014, subject to planning approval.

- 5.4 Cabinet agreed to proceed with the development of a partner school at Houndsfield Primary School with accommodation ready from September 2011. An additional reception class was admitted in September 2011 and development of the partner school is underway.
- 5.5 A further proposal was to progress the development of a partner school to be located in a vacant retail premises in Edmonton, by entering in to a lease for a period of at least 10 years in order to admit additional pupils from September 2011. Unfortunately it has not been possible to bring negotiations with the landlord to a satisfactory conclusion and it is therefore recommended that this option is no longer pursued.

In order to accommodate additional pupils this context, a partner school was opened at the former City Learning Centre in Nightingale Road. This is known as the Bowes Edmonton Annexe and is managed by the Executive Headteacher of the Chesterfield and Bowes Federation.

The building now accommodates 60 Reception and 30 Year One children. Until or unless suitable premises are identified in the Edmonton /Angel area, the pupils will continue to attend Bowes Edmonton Annexe. A further temporary classroom and a multi-use teaching area are being planned for September 2012 at Bowes Edmonton Annexe in order to admit an additional reception class.

- 5.6 Woodpecker Hall Primary Academy opened in September 2011 providing two reception classes. The Academy will admit 2 FE on a permanent basis. Subject to planning permission, the new building in Nightingale Road, Edmonton will be completed at the end of 2012.
- 5.7 Projections had indicated that eight additional reception classes would be required in September 2011 and these were put in place. However, it became clear during the late spring that a further reception class would be needed in the west of the Borough. Highfield Primary School agreed to admit an additional reception class and it is anticipated that the accommodation will be ready for occupation early in the Spring Term 2012.
- 5.8 Applications (requiring the opening of a tenth additional reception class) have continued to be received and it has been possible to admit a further class has been identified at Freezywater St. Georges Primary School which was opened mid-November 2011.

6. PROJECTIONS

- 6.1 The table below shows the projections presented to Cabinet in November 2010 which indicated that demand would peak in 2012/13 with a steady decline towards the end of the decade.

Projections July 2010					
	Projection of demand (year of projection)	Planned Capacity as at Oct 2010	Surplus/ Deficit	Surplus/ Deficit (FE)	% of flexibility / shortage
2011/12	4410	4223	-187	-7	-4.4
2012/13	4595	4223	-372	-13	-8.8
2013/14	4564	4223	-341	-12	-8.0
2014/15	4437	4223	-214	-8	-5.0
2015/16	4329	4223	-106	-4	-2.5
2016/17	4231	4223	-8	-1	-0.1
2017/18	4150	4223	73	3	1.7
2018/19	4083	4223	140	5	3.3
2019/20	4032	4223	191	7	4.5

- 6.2 The revised projections in paragraph 6.4 show a change in the demand pattern in comparison to the revised projections produced in July 2010 above. The most recent projections suggest that peak demand is sustained in later years, declining only at the very end of the decade. The current forecasts indicate that 2012/13 remains the peak year, but the peak year forecasts are lower than previously indicated. However, the actual pupil numbers for 2011/12 will not be known until the January Census process has been completed. They will in turn inform the next set of projections which the GLA will produce in the early spring.
- 6.3 The projections associated with the Meridian Water development indicate that the proposed plan for medium to high density housing will produce demand for an additional 4 FE in relation to the primary sector. It is proposed that two, 2 form of entry primary schools are provided to service this development. – one of which may be as part of an all through Academy with an 8 form of entry secondary phase. Paragraph 7.1.6 of this report proposes the use of a vacant site on Dyson’s Road, currently owned by the London Diocesan Fund, for the location of a temporary school to provide primary places in an area close to Meridian Water, with a view to relocating or reproviding once the housing development is underway.

6.4 Projected Reception Places

Year	Current agreed capacity	Demand based on GLA forecast and including Meridian Water	Capacity required inc 3% flexibility	Additional capacity required (Capacity required less capacity agreed represented as additional FE)	FE to be provided at Bell Lane	FE to be provided at Meridian Water	Proposed free schools as agreed by DfE	Further capacity to be provided through this strategy (see para 7)
11/12	4531 ^c	4341	4472	-				
12/13	4403 ^d	4467	4601	7 FE	2 FE		2 FE	3 FE
13/14	4373 ^e	4419	4552	6 FE	2 FE		2 FE	2 FE
14/15	4313 ^f	4402	4534	8 FE	2FE		2 FE	4 FE
15/16	4283	4392	4524	9 FE	2 FE		2 FE	5 FE
16/17	4283	4454 ^a	4588	11 FE	2 FE	2 FE	2 FE	5 FE
17/18	4283	4441	4575	10 FE	2 FE	2 FE	2 FE	4 FE
18/19	4283	4486 ^b	4621	12 FE	2 FE	4 FE	2 FE	4 FE
19/20	4283	4421	4554	10 FE	2 FE	4 FE	2 FE	3 FE
20/21	4283	4375	4507	8 FE	2 FE	4 FE	2 FE	0 FE

^a includes additional 60 pupils from Meridian Water development

^b includes further 60 pupils from Meridian Water development

^c includes 30 places at Houndsfield, Prince of Wales, Highfield, Lavender, St George's, Freezywater St. George's, 8 places at Oakthorpe and 60 places at Bowes Edmonton Annexe

^d includes 30 places at Houndsfield, Prince of Wales, Bowes Edmonton Annexe and Worcesters

^e includes 30 places at Houndsfield, Prince of Wales and Worcesters

^f includes 30 places at Worcesters

6.5 The two free schools have yet to identify appropriate accommodation and officers are meeting with Partnership for Schools in order to help identify accommodation for these academies to open for September 2012. If unable to do so, the responsibility to provide these places will fall back to the Local Authority. Additional contingency is included as part of the forward planning for September 2012.

6.6 The projections are based on assumptions about higher new housing targets as set out in the Strategic Housing Land Availability Assessment (SHLAA) and Enfield's Strategic Housing Trajectory and there is still uncertainty as to whether the very high recent birth rate has peaked. In addition, migration patterns could change. The unpredictability of such factors means that it is important to build flexibility into schemes to provide additional places to deal with any fluctuations in long term demand. The SHLAA currently identifies major housing developments in the Central Leaside, North East Enfield, North Circular Road and Enfield Town/Bush Hill Park areas. However, it is difficult to analyse child product data as the quantity and type of housing has yet to be determined and it

has only been possible to make assumptions relating to the split between private and affordable housing. The SHLAA takes account of all potential development sites, but estimates are used for those sites that do not have a planning permission.

7. The Primary Strategy

7.1 September 2012 and 2013

- 7.1.1 Subject to planning approval, the projects at Prince of Wales, Houndsfield, Worcesters and the Bowes Edmonton Annexe/ Partner school will provide sufficient accommodation for 4 FE for September 2012.
- 7.1.2 2 FE will be provided at the new school on the Bell Lane site during the Spring Term 2013.
- 7.1.3 The Department of Education have also recently announced that there are expected to be two new Free Schools in Enfield. Although locations have yet to be identified, it is understood that the proposed Enfield Heights Free School will admit 26 pupils per year and will be located in the North East of the Borough. Kingfisher School, part of the Cuckoo Hall Academy Trust, aims to open a 1FE school in the Edmonton area. Both intend to open for September 2012.
- 7.1.4 Projections therefore indicate that the Local Authority will need to provide 3 FE for September 2012 and 2 FE for September 2013. Due to the uncertainties relating to the opening of the two free schools, it is recommended that work proceeds to identify an additional 5 classrooms for September 2012 in order to mitigate the risk should the free schools fail to open. Once confirmation has been received from the Department for Education that either of these schools will open, the Local Authority can take a view whether to proceed with the additional two classrooms that may be required.
- 7.1.5 It is proposed that a Partner School is developed at Oasis Academy Enfield to provide additional places in the North East. The intention is to provide a minimum of two classrooms for September 2012, admitting either 1 or 2FE depending on demand.
- 7.1.6 The London Diocesan Fund own a site to the rear of the Hanlon Centre in Dysons Road, within the Angel Planning Area and adjacent to the proposed Meridian Water Development site. The Diocese are keen to work in partnership with the Local Authority by providing use of their land to accommodate a temporary partner school in order to address the serious shortfall of places in the Edmonton/ Angel areas. It is proposed that a minimum of two classrooms are provided for September 2012, admitting either 1 or 2 FE depending on demand.
- 7.1.7 It is proposed that an additional reception class is available in the west of the Borough, to admit 1FE in September 2012. The arrangements for this one-off class are currently being finalised.

7.2 Re-use of existing one-off classes from 2014.

There are currently 27 one-off classes operating in schools (not including all of those associated with Partner Schools.) These classrooms/ teaching bases will become vacant over successive years as children transfer to secondary school, the first of which is released in 2014.15. A key element of this strategy is therefore to reuse those classrooms where appropriate when they become vacant . Although there may be some minor refurbishment required and re-provision of appropriate furniture and equipment, this will be an extremely cost-effective solution to providing additional places at minimum cost, by recycling additional capacity that has already been provided. These classrooms have been provided all across the Borough, so this proposal will continue to provide places in the areas of highest demand.

7.3 Further Contingency

The ongoing uncertainties relating to the population growth, implications and the effect of international and national migration (e.g. changes to welfare benefits) means that it will be prudent to ensure that there is identified contingency, over and above the 3% flexibility. It is therefore proposed that outline feasibility studies are carried out at three primary schools with a view to developing options for permanent expansions across the borough.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Not pursuing the recommendations in this report will mean that the Authority will have insufficient primary school places available in those areas of the Borough where demand is projected to exceed supply. The Authority will therefore be unable to meet its statutory duty in this respect. Not providing the places cannot be considered as an option.
- 8.2 Officers have been exploring all possible options to increase the provision of places to meet the short term demand and anticipated long term needs, using desk top studies, site visits and feasibility studies. In accordance with the previous Primary Strategy, priority has been given to providing additional places where the demand for additional places is highest.
- 8.3 Further consideration has also been given to the following proposals:
 - **Increasing class sizes to over 30 pupils.** Current legislation stipulates that Key Stage One classes cannot exceed 30 pupils with only one qualified teacher. This does not apply to Key Stage Two. However, school accommodation does not normally allow for more than 30 pupils in one class base.
 - **The use of community halls as emergency class bases.** Many community halls are extensively used during the day and this option would reduce community use. In addition, there would be insufficient toilet, welfare and staff facilities and not all community halls are located close to existing schools to enable the sharing of facilities. There could

also be concerns in relation to the security of pupils. However, this option may need to be considered further if pupil numbers continue to increase.

- **Restructuring the school day and using the building for two separate sessions.** Although there would be a clear advantage in being able to double the use of the school building, there are many implications (operational and financial) that are currently difficult to quantify. These include reducing the availability of the building for community and extended school use, staffing and recruitment issues, how to manage which pupil attends either session, problems for parents around working hours and increased maintenance and energy costs. This would be particularly difficult in relation to primary age pupils, as these children are dependant on parents and carers being available during hours outside of a 'normal' school day. It is therefore not considered to be an option at this time.

9. REASONS FOR RECOMMENDATIONS

The local authority has an overriding statutory duty to provide sufficient pupil places to meet anticipated demand as near as possible to the areas of this demand. This duty cannot be discharged with the current capacity of the Borough's primary schools.

The recommendation to adopt this Revised Primary Strategy will allow the authority to maximise opportunities to secure funding from central government for new schools, whilst also keeping investment in new places to a minimum through the re-use of one-off classes and the continuation of the partner school initiative.

10. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES, AND OTHER DEPARTMENTS

10.1 Financial Implications

The approved SCS Capital Programme currently includes total provision of £65m for the primary places programme of which £28m is funded from unsupported borrowing. However the latest review of the estimated costs shows that the total is now £66.7m. This is after the deletion of the scheme to lease and refurbish the former retail premises for use by the Bowes at Edmonton Partnership project. Abortive professional and technical expenses on this scheme will have to be written off to revenue and will be included in the next financial monitoring report.

This updated figure is still subject to challenge, scrutiny and value engineering to ensure cost effectiveness

The latest cost estimate of £66.7m does not include the full cost of additional one off classes being proposed for 2012/13 and 2013/14 as options to meet this demand are still being developed. Once the options have been developed and costed this will increase the call on the Council's capital resources. However the

figures do include for the more significant proposals involving permanent expansions across the Borough together with more informed budget costs for schemes previously identified and being currently developed eg the modular buildings and associated works at Houndsfield and Worcesters Schools and the second phase of additional accommodation at Prince of Wales School.

In his Autumn Statement the Chancellor announced an additional £600m to provide an extra 40,000 pupil places as well as £600m to provide free schools. Also, the annual announcement of schools' capital allocations is due to be made in December. Taken together, the Council should receive a reasonable level of funding from these to reduce the level of unsupported borrowing associated with the primary capital programme.

The latest pupil projections shown in paragraph 6.4 above include a flexibility provision of 3% compared to the current provision of 1%.

As described in paragraph 7.2 above, the continued use of classrooms for longer than their original planned use is a particularly cost effective way of meeting the new demand. As these are only available from 2014/15, it will be necessary to meet the additional demand in 2012/13 and 2013/14.

10.2 VAT Implications

The report outlines the proposed strategy for providing additional pupil places in primary schools within the Borough. A general overview of the potential VAT implications is being given and a further review of each project should be carried out when further details are available.

VAT Recovery: The council is able to recover VAT under normal VAT rules and S33 of VAT Act 1994. Therefore, VAT is generally recoverable when the council places an order (enters into a contract), receives the order, receives a VAT invoice in its own name, and pays using its own funds. The Council must have incurred the VAT for the purpose of its activities; in this case, the supplies of or relating to statutory education. VAT will not be recoverable when one or more of these conditions are not satisfied. There may be limited scope for VAT recovery on expenditure relating to partner schools. For example, the governors of a Voluntary Aided body are responsible for capital expenditure other than the playing fields and exceeding £2000 and therefore will be responsible for the VAT costs incurred on this expenditure. Also, Academies and free schools are independent bodies for VAT and have to account for any VAT incurred towards their supplies. These bodies are able to recover VAT under provisions in VAT Act 1994, if they are registered for VAT.

Partial Exemption: The supply of land is generally exempt from VAT. Exempt income will contribute to the partial exemption calculation and will put the council at risk of exceeding the 5% de minimis limit. Therefore, where land is made available to schools other than council controlled schools (particularly Academies, Voluntary Aided Schools, Free schools) it is essential that the Council opts to tax or grants a non-business peppercorn lease. By Opting-to-Tax, the land transaction becomes taxable and there is little partial exemption

implications for the next 20 years when the option expires. The Option-to-tax could be disapplied if the transferee will be deemed to be carrying on activities of a Relevant Charitable purpose. The alternative to opting-to-tax is the grant of a Non-Business peppercorn lease. However it is essential that the conditions for these be satisfied; this includes the receipt of nothing other than the peppercorn, whether monetary or otherwise.

It is imperative that we carry out further review of each project to ensure that the VAT costs are minimised while optimizing VAT recovery.

10.3 Legal Implications

Section 14 of the Education Act 1996 requires that Enfield ensures that sufficient school places are available within its area for children of compulsory school age. Case law upon this statutory duty confirms that compliance with the duty requires an education authority to actively plan to remedy any shortfall. Section 111 of the Local Government Act 1972, includes the power to do anything ancillary to, incidental to or conducive to the discharge of any of its statutory functions. The recommendations within this report are in accordance with these powers.

In addition, regard must be had to the Councils Constitution, in particular Contract Procedure Rules and EU law for the procurement of any goods, works or services. Any such procurements will need to have contracts in a form approved by Assistant Director of Legal Services.

10.4 Best Value Implications and Sustainability Implications

10.4.1 The proposals outlined in this report demonstrate the need to provide planned but flexible accommodation to meet the increased demand in primary pupil numbers, whilst considering the ongoing and unknown implications in relation to future free schools, academies and the uncertainties of pupil place planning relating to academies and schools outside the control of the Council.

10.4.2 The proposals outlined in this report how flexible accommodation will be provided to meet demand for pupil places whilst keeping costs to a minimum. These proposals provide best value for the Council as this minimises the risks of building in too much surplus, which would not be cost-effective in future years and could potentially put the viability of existing schools at risk. Providing pupil places in the neighbourhoods where the demand is highest will also mitigate the risk of having to provide 'bulge' and temporary additional classrooms in future years.

10.4.3 The provision of places in the areas of highest demand means that mobility across the Borough can be minimised. By providing places in the areas of demand, this can help to stabilise local communities and will potentially indirectly benefit local shops and businesses.

10.5 Property Implications

Property Services continues to support SCS in seeking temporary and permanent solutions for those localities where pressure on places has been identified. Opportunities from within the council corporate portfolio from changing the use or remodelling of accommodation will be explored as will market searches to seek the acquisition of land or leasehold interests. Options will be analysed with colleagues in Architectural Services in respect of cost and with Environment planning and transportation teams as necessary and with schools premises officers regarding local communications and consultation. Property officers have achieved recent successes in resolving local traffic issues with nearby residents for several school extensions

11. KEY RISKS

- 11.1 The risk of not pursuing the recommendations in this report is that the Authority will not have sufficient primary school places available to meet projected demand and will be unable to meet its statutory duty .

The DfE are yet to confirm how capital to fund basic needs projects will be provided in the future, therefore the final level of any DfE capital allocation is unknown at this stage, and the Council's budget planning for 2011/12 will not be decided until Spring 2012.

- 11.2 The proposals outlined in this report have been developed to minimise risk and to provide flexible and adaptable accommodation in order to respond to fluctuating pupil numbers in the most cost-effective way possible, particularly when taking into consideration the future implications of academies opening in Enfield or in adjacent Boroughs. This Strategy will need to be updated annually in order to mitigate this risk.
- 11.3 The level of flexibility used to calculate projections will need to be carefully monitored to ensure that surplus accommodation is not provided, as this could result in unnecessary cost and could potentially destabilise other schools and academies in the vicinity.
- 11.4 In early Spring it will be necessary to carry out a risk assessment in order to determine whether the planned free schools will be able to provide the additional places for September 12. If not, it will be necessary to identify a further two reception classes. However, there is a risk that, if either of the free schools successfully open in time, the Local Authority may have already built in surplus capacity for September 12.
- 11.5 According to current legislation, it becomes necessary to publish statutory proposals if the proposed enlargement of a school would increase its capacity by both:
- a) more than 30 pupils; and
 - b) by 25% of its capacity or 200 pupils (whichever is the lesser).

This requirement excludes any temporary enlargements in place for less than three years and while the additional places provided by the Partner School concept are regarded as “temporary”, the cumulative enlargement of a school as a result of becoming a Partner School must be carefully monitored in this respect.

- 11.6 The Council’s Traffic and Transportation Service has raised concerns over the potential traffic issues that could arise from the need to accommodate additional pupils and therefore seeks early detailed discussions to examine the implications and how they may be mitigated

New schools/school expansions do generate traffic concerns for nearby residents as well as the need to ensure pupil safety. Physical mitigation measures may be required to assist and this will need to be considered as part of the options appraisal process and in more detail at feasibility study stage. The use of a new site will need early scrutiny to review its suitability in relation to accessibility / public transport provision etc. It will be particularly important to avoid locations close to existing schools.

12. IMPACT ON COUNCIL PRIORITIES

12.1 Fairness for All

This proposal will result in pupil places being created across the Borough in order to meet demand in all geographical areas which will also create employment opportunities for teaching and support staff. Further improvement and investment to school buildings will provide greater opportunities for enhanced community use.

12.2 Growth and Sustainability

By ensuring that places are provided in the areas of highest demand, this will ensure that pupil mobility across the Borough is stabilised and kept to a minimum. This therefore means that increase road travel is minimised and families can be encouraged to walk to school.

Through its Climate Change Programme and the Strategy for Developing Sustainable Enfield Schools, the Council is committed to achieving a very good BREEAM rating (Building Research Establishment Environmental Assessment Method) on new buildings and building extensions. The use of modular and pre-designed schools as described in this report will enable existing best practice to be used and make use of cost effective solutions in terms of sustainable buildings.

12.3 Strong Communities

The proposals outlined in this report will provide additional places in parts of the Borough where pressure on local schools is forecast to be greatest. The extra places provided in the neighbourhoods of highest demand will help satisfy

demand in these specific areas and will ensure that young children will not have to travel unmanageable distances to and from school.

The proposals in this Strategy will allow the Authority to have greater control over the provision (and potential future reduction) of pupil places, allowing more opportunities to stabilise local communities and ensure that there are local pupil places for local children.

13. PERFORMANCE MANAGEMENT IMPLICATIONS

- 13.1 The provision of additional places at the schools identified in this report will enable the Authority to meet its statutory duty to ensure the availability of sufficient pupil places to meet demand.
- 13.2 The strategy presented in this report is consistent with the national agenda for expanding popular and successful schools.

14. HEALTH AND SAFETY IMPLICATIONS

There are no specific health and safety implications at this stage.

BACKGROUND PAPERS

Cabinet – October 2011 “Proposed future use of the site of Oasis Academy Hadley in Bell Lane, Enfield Highway.”

Cabinet 4th November 2009: “Primary Pupil Places – Proposed Ten Year Strategy and Funding Implications”

Cabinet 3rd November 2010: Primary Pupil Places – Revised Ten Year Strategy”

"London Borough of Enfield: Review of School Pupil Projections", independent review, May 2011

Portfolio Report 27th May 2011: “Implementation of the Primary Pupil Places Strategy and the development of Partner Schools”.

Cabinet 23rd November 2011 “Secondary Pupil Places – Ten Year Strategy “