

MUNICIPAL YEAR 2012/2013 REPORT NO. 122

MEETING TITLE AND DATE:
CABINET
5 December 2012

REPORT OF:
Directors of Schools and
Children's Services and
Finance, Resources and
Customer Services

Agenda – Part: 1	Item: 9
Subject: PRIMARY EXPANSION PROGRAMME (PEP) Wards: Southgate Green, Jubilee, Southbury, Highlands, Winchmore Hill, Upper Edmonton, Enfield Lock, Chase	
Cabinet Members consulted: Cllr Orhan, Cllr Stafford, Cllr Georgiou	

Contact officer and telephone number:
Bridget Evans: (020) 8379 3304
e-mail: bridget.evans@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report describes the work that has been carried out to implement the Strategy agreed in the Cabinet Reports of December 2011 and June 2012. The Portfolio Report of August 2012 updated the Strategy following feasibility studies and the receipt of updated information on pupil number projections. The budget for the programme of £24.993 million requires approval in order to proceed to the award of contracts to Kier and Willmott Dixon to complete the initial phase of the Primary Expansion Programme (PEP). The pre-construction works, currently estimated to cost £1.8 million, are for noting and are included in this overall budget. The pre-construction costs payable to Kier and Willmott Dixon have been approved through a Portfolio report (KD3599) under the rule 16 (special urgency) procedure;
- 1.2 The EU compliant Scape framework contract has been used to procure Willmott Dixon and Kier for construction works associated with each school expansion. Project orders will be made with each company for each school where expansion is planned;
- 1.3 All payments to Kier and Willmott Dixon will be made after activity has been completed and invoiced. There will be no payments in advance to either contractor;
- 1.4 The budget for the programme is £24.993 million, which is being submitted for approval at the 5th December Cabinet meeting. The Education Funding Agency's (EFA) national guidance regarding value for money (vfm), which is used for the Priority Schools Building Programme and includes external works, project particulars, fees and the location factor, has a guide cost of £1,635 per m². The budgeted comparable cost for Enfield's PEP is £1,620 per m². Costs are finalised on a scheme by scheme basis as the contracts are signed.
- 1.5 Any schools not proceeding in phase one of the programme, monies will be used for phase two.

2. RECOMMENDATIONS

- 2.1 That Cabinet approve the budget of £24.993 million to proceed with the PEP through to completion and note that the £1.8 million of pre-construction costs included in this total has been approved through a Portfolio report (KD3599) under the rule 16 (special urgency) procedures;
- 2.2 That the Cabinet Members for Finance and Property and Children and Young People and the Directors of Schools and Children's Services and Finance, Resources and Customer Services continue to have delegated powers to approve the construction contracts as the programme progresses;
- 2.3 That following Cabinet Member approval (as per para 2.2 above), the Directors of Schools and Children's Services and Finance, Resources and Customer Services are given delegated authority to sign the individual contracts for works at each Phase One PEP school;
- 2.4 To note that following the Portfolio report of 14th August 2012 and the completion of the informal consultation phase regarding proposed expansions, statutory notices have been published for expansions at Garfield, Walker, Prince of Wales, Grange Park, Worcesters, George Spicer, Highfield, Houndsfield and Edmonton County schools. Portfolio decisions in December and early January will be made following the end of the statutory consultation process.

3. BACKGROUND

- 3.1 Enfield subscribes to the Greater London Authority's School Roll Projections Service, which are updated and reviewed annually;
- 3.2 Demand for reception school places has increased significantly in recent years. To address this rise in demand Enfield Council provided an additional 1,615 places between May 2010 and Sept 2012. The PEP will provide an additional 2,100 permanent school places beginning in 2013/14 across nine schools. This differs from the 2,400 announced at the start of the programme in September 2012, which referred to 11 schools: two are currently not being progressed for 2013/14, they are Broomfield and Oakthorpe. Following discussions with both schools it was concluded that the timing was not right for expansion. Together these schools would have provided an extra 80 permanent Reception places. Provision for years 2014/15 onwards will be kept under review.
- 3.3 The current GLA projections are much higher than earlier forecasts and indicate that the demand for reception places will continue to increase until September 2018 when 4,969 children will require a school place;
- 3.4 In order to keep abreast of demand and provide enough places, we need to increase the flexibility we allow in our projections;

- 3.5 Projected reception demand and capacity, not including all PEP permanent expansion places are set out below;

Year	Demand	Current agreed capacity	Demand plus higher level of flexibility (%)	Further capacity required represented as additional FE
2013/14	4,544	4,459 ^c	4,771 (5%)	11 FE
2014/15	4,586	4,459 ^d	5,045 (10%)	20 FE
2015/16	4,687	4,429	5,203 (11%)	26 FE
2016/17	4,847 ^a	4,429	5,361 (12%)	32 FE
2017/18	4,895	4,429	5,464 (12%)	35 FE
2018/19	4,969 ^b	4,429	5,479 (13%)	35 FE

Notes

^a includes additional 60 pupils from Meridian Water development;

^b includes further 60 pupils from Meridian Water development;

^c includes 30 places at St Matthew's Annex. Free School provision will provide an additional 90 places;

^d includes 30 places at Worcesters.

- 3.6 On 20th June 2012, Cabinet approved a revised Primary Strategy that will provide further additional school places from September 2013. The Primary Strategy was further updated by a Portfolio holder report on the 14th August, which provided further detail on additional school places and the supporting funding;
- 3.7 The total programme budget for which approval is being sought covers the estimated costs of works and internal programme management required for the proposed developments for September 2013, and later, to provide additional places and/or capacity at these schools:

3.7.1 Chesterfield School

This project will rationalise the existing entrance and reception area and provide a new two storey classroom block to accommodate previous bulge classes that have been housed in temporary accommodation, and allow for the removal of older hutted classrooms. This will increase the amount of play space on a constrained site. The new build classroom block will sustain the previous expansion by providing fit for purpose accommodation;

3.7.2 Prince of Wales Primary School

This project will complete the accommodation requirements of the school's permanent expansion from 2 FE to 3 FE;

3.7.3 Worcesters Primary School

This project will provide the remaining additional building capacity for the School to permanently expand from 2 FE. to 3 FE. Statutory notices for the proposed expansion have been posted. The new build will be subject to planning permission;

3.7.4 Garfield Primary School

This project increases the capacity of the school, to allow for the the development in progress of the Ladderswood Regeneration Project and the North Circular improvements. The project is for a permanent expansion from 2FE to 3FE with additional places available from September 2013. Statutory notices for the proposed expansion have been posted. The new build will be subject to planning permission;

3.7.5 Walker Primary School

This project increases the capacity of the School to permanently expand the school from a 2FE to 3FE. The proposed expansion will commence with both Reception and Year 1 in September 2013. Statutory notices for the proposed expansion have been posted. The new build will be subject to planning permission;

3.7.6 Highfield Primary School

This project will provide the additional accommodation to permanently expand the school from 2fE to 3FE. Statutory notices for the proposed expansion have been posted. The new build will be subject to planning permission;

3.7.7 George Spicer Primary School

This project has have been developed to accommodate a permanent additional 2FE for the school, with reception and KS1 in a new building on the Kimberly Gardens Site, and Key stage 2 on the George Spicer site. Statutory notices for the proposed expansion have been posted. The new build will be subject to planning permission;

3.7.8 Grange Park Primary School

This project has been developed to provide the accommodation required by the School to permanently expand from 3 to 4FE. Statutory notices for the proposed expansion have been posted. The new build will be subject to planning permission;

3.7.9 Edmonton County, Bury Campus, all age school

This project has been developed to provide primary school accommodation at Bury Campus. Edmonton County School will become all age school catering for pupils from aged 4 to 19. Accommodation for a 2FE Primary School has been designed for the site. Designs have been developed for this project that integrate the primary accommodation into the site and remodels existing accommodation. New build will add to school improvement by improving science laboratories in the secondary school accommodation. Statutory notices for the proposed expansion have been posted. The new build will be subject to planning permission;

3.8 Additional feasibility studies are underway at other schools in the Borough with a view to increasing capacity. As a result of reviewing the

school projections these projects may be brought forward for 2014/15. This will be the subject of a future report;

- 3.9 The PEP programme is currently proposing to increase permanent reception capacity by 300 places. This equates to an increase in capacity of 2,100 through the full seven primary school years. This differs from the 2,400 announced at the start of the programme in September 2012, which referred to 11 schools: two are currently not being progressed for 2013/14, they are Broomfield and Oakthorpe. Provision for years 2014/15 onwards will be kept under review;
- 3.10 If all proposed school expansions go ahead the new higher capacity (column O) will meet the GLA projected demand for new reception places (column P) for the next three years. However, as with all projections a margin of error has to be allowed for. The approach to pupil place planning is to build in a percentage of flexibility, previously 3% in Enfield. In the light of continuing increased demand for primary places this was reviewed by a Scrutiny Panel Working Group in the summer and a higher percentage of 6-8% was recommended. The new levels of flexibility sought are shown in column A of the table and will be kept under review as part of pupil place planning which takes place annually each Spring;
- 3.11 Column Q shows the capacity we would like to provide so there is enough flexibility to cover changes in demand. However, from 2014/15 onwards we will need to identify other avenues of expanding capacity if we are to achieve the higher levels of flexibility in place provision we aspire to;

3.11.1 Table showing planned programming of provision of additional reception capacity

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
Flexibility %	Year	Chesterfield improved accommodation ¹	Houndsfield perm expansion ²	Prince of Wales expansion	Worcesters expansion	Garfield Primary	Walker Primary	Highfield Primary	George Spicer Primary	Grange Park	Edmonton County	Total additional reception places in PEP schools each year ³	Current borough-wide reception provision: no expansion	Current borough-wide reception provision + proposed additional places	Projected demand (GLA)	Projected demand plus flexibility
N/A	2013/14	-	30	30	30	30	30	30	60	30	60	300	4,459	4,759	4,544	
10%	2014/15	-	30	30	30	30	30	30	60	30	60	300	4,429	4,729	4,586	5,045
11%	2015/16	-	30	30	30	30	30	30	60	30	60	300	4,429	4,729	4,687	5,203

This table updates the version provided in the 14th August 2012 Portfolio Holder report and key decision. The main changes are that:

- Oakthorpe and Broomfield schools have been removed as they are no longer being proposed for permanent expansion from September 2013/14. Following discussions with the schools it was concluded that the timing was not right for expansion. Together these schools would have provided an extra 80 permanent reception places;
- The time horizon of the table has been shortened to reflect a timescale where the demand projections are more likely to be accurate. As a result of this the Meridian Water school has been removed as development is not expected to come forward in sufficient quantity before 2016/17 to create demand for pupil places;
- Chesterfield school is included as the PEP programme is funding accommodation improvements to maintain current capacity. No expansion is planned for September 2013;
- The flexibility percentages have been increased as a result of a Scrutiny Panel Working Group report in the summer of 2012.

¹ The PEP programme is providing improved accommodation (six classrooms) for Chesterfield school to ensure the current reception intake of 120 can be maintained.

² Building work has already been completed that allowed Houndsfield School to permanently expand by an extra 30 reception places from September 2013. The cost of works for this school is not part of the PEP programme and the extra places provided are not included in PEP cost calculations.

³ Two columns covering additional places in central Enfield that featured in earlier reports have been removed. This change removes 120 permanent reception places from previous potential increased capacity available with the timeframe of the table.

Procurement

3.12 Scape System Build Limited is a Local Authority controlled company. Scape undertook a procurement process to set up a framework for works that comply with the Public Contract Regulations 2006 in a two stage selection process under OJEU (Restricted procedure). The selection criteria contained in the tender documents was as follows:

- Quality Submission;
- Office Visits;
- Interviews;
- Price.

3.13 Corporate Procurement conducted due diligence of the Scape frameworks and have confirmed that it is set up in line with EU requirements. The most economically advantageous tenders were provided by Kier and Willmott Dixon;

3.14 The Council has entered into an Access Agreement with Scape enabling the Council to call off in accordance with the framework terms. The call off for all works with Kier and Willmott Dixon are in accordance with the terms of the framework;

3.15 The Scape Framework has a value for money (vfm) component where the contractors have to demonstrate as costs are firmed up in preparation for signing contracts;

3.16 Contract will be the NEC3, as set out under the framework terms. All payments to contractors will be made in arrears in the usual way.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Enfield Council has a statutory responsibility to provide the necessary school places. This revised strategy provides the additional capacity and expertise to ensure that this programme is delivered on time and provides best value for the Council. Not providing places cannot be considered an option;

4.2 The following proposals have been considered but rejected:

- 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. This option has been explored with a number of head teachers in relation to the development of the Partner School initiative.

However, the revised strategy seeks to deliver a programme of permanent expansions.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The Council has an overriding statutory duty to provide sufficient pupil places to meet anticipated demand. The strategy will deliver the additional places required in the areas of the highest demand;
- 5.2 It is recommended that Cabinet approve the financial funding envelope for delivering the PEP, delegated authority to the Cabinet members for Finance and Corporate Resources and Children and Young People to approve each individual school construction project and the Director of Schools and Children's Services to sign the construction contract for each school. These approvals will enable the PEP to be delivered and ensure the Council meets its statutory duty to provide sufficient pupil places to meet the demand anticipated for September 2013 – 2018. The provision includes a higher level of flexibility built in to counter potential sudden increases in demand.

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

6.1 Financial Implications

- 6.1.1 The latest estimated cost of the PEP is £24.993m. These estimated costs are still subject to change as the individual primary school schemes are developed over the coming months and more accurate cost estimates are established during the pre-construction activity. The overall cost includes the £1.8 million pre-contract activity that has been approved through a Portfolio report (KD3599) under the rule 16 (special urgency) procedures;
- 6.1.2 The budget for the programme is £24.993 million, which is being submitted for approval at the 5th December Cabinet meeting. The Education Funding Agency's (EFA) national guidance regarding value for money (vfm), which is used for the Priority Schools Building Programme and includes external works, project particulars, fees and the location factor, has a guide cost of £1,635 per m². The budgeted comparable cost for Enfield's PEP is £1,620 per m². Costs are finalised on a scheme by scheme basis as the contracts are signed;
- 6.1.3 The overall estimated cost of the PEP and the various funding sources are detailed in the table below:

Latest PEP 2013 Expenditure Estimate	Estimated Total Cost £000's
Pre Contract Activity Costs (Payable to Scape contractors Kier and Willmott Dixon)	1,800
Construction, Demolition & Design Costs (Payable to Scape contractors Kier and Willmott Dixon)	20,711
Client Project Management Costs (Internal costs covering: PEP Project Team, Highways, Planning & Architectural Services)	925
Highways & Traffic Improvements (Internal costs paid to Highways & Transportation)	1,035
George Spicer Kimberley Gardens Environmental Improvements – School related expenditure (Internal budget transfer to Environment)	522
Total Expenditure	24,993
Funded By	
Basic Need Capital Grant	(18,171)
14-19 Capital Grant	(1,287)
Devolved Formula Grant	(35)
Dedicated Schools Grant	(1,500)
Capital Receipts	(4,000)
Total Funding	(24,993)

6.1.4 Any schools not proceeding in phase one of the programme, monies will be used for phase two.

6.1.5 The table above includes the school related elements (£522k) of additional environmental works required in the Kimberley Gardens vicinity as a result of the proposed expansion of the George Spicer School. The overall cost of the scheme is £900k with the non school related elements being funded by a capital receipt (£300k) and a small allocation from the Corporate Capital Contingency (£78k).

6.2 Legal Implications

6.2.1 Section 14 of the Education Act 1996 requires that an authority 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.

6.2.2 The Council entered into the Access Agreement with Scape on 20th September 2012, enabling the Council to call off from the EU compliant frameworks set up by Scape. The call off from the frameworks will be in accordance with the framework terms, raising the appropriate orders.

6.2.3 Contracts for the works/services/supplies to the schools will need to be in a form as set out under the framework terms (NEC 3 contracts), approved by the Assistant Director of Legal Services and under Seal.

6.3 Property Implications

6.3.1 The Strategy set out in this report will provides additional primary places in local areas of need.

6.3.2 Once planning permission is gained Building Regulations will need to be adhered to as part of the enabling and construction works.

7. KEY RISKS

Additional capacity and contingency

7.1 The revised Provision of Primary Places Strategy - June 2012, which the PEP is a part of, aims to deliver additional capacity to meet the projected demand for reception places with a higher level of flexibility. The PEP provides additional capacity of up to 5% in 2013/14. The next set of pupil number projections will be available in the early Spring following the January School Census. However, in the light of recent sudden population growth, a detailed review of the school roll number projections is to be undertaken. This will be available from Spring 2013 and will allow a further review of our strategy for Pupil Place Provision. Our aim is to improve parental choice, and minimises the risk of providing insufficient pupil places;

7.2 It is recommended that the actual pupil numbers are very carefully monitored against projections, to ensure that the Council strives to provide places in the actual areas of demand (i.e. local places for local children);

Opposition to permanent expansion

- 7.3 A number of factors are likely to cause concern to some stakeholders, such as primarily around car parking and increased traffic flows. Architects and Client Project Officers have worked closely with schools and Governing Bodies to ensure that designs are of high quality and that issues of concern are addressed in the design proposals;
- 7.4 The PEP team have provided a large number of consultation opportunities for both the expansion proposals and the pre-planning process in order to meet stakeholder engagement requirements;

Basic Need

- 7.5 The annual submission to the Department for Education (DfE) is based on identifying existing capacity in the system. Thus, close monitoring of pupil numbers and a review of projections will ensure that the Council is best placed to maximise any Basic Need Funding for the provision of school places;

Delivery Timescales

- 7.6 By September 2013 the Council will have fulfilled its statutory duty to provide school places. Programme milestones have been clearly identified and programme progress is monitored closely by the PEP Board which is made up of stakeholders, Cabinet Members, Headteachers, Governors and Council officers at the most senior level. The programme timescales are extremely challenging. However, close involvement at Board level and an experienced dedicated team have and will ensure that the programme is delivered on time and on budget;

Planning Consent

- 7.7 Each PEP project within the programme will require Planning consent. During the initial design and pre-planning processes, the architects have carefully followed pre-application advice that has been provided, so that designs presented to the Planning Committee are of a high quality and best placed for approval. However, there is clearly a risk at this stage. Some flexibility regarding Pupil numbers has been provided within the proposed provision to ensure that the Council meets its statutory duty to provide sufficient school places.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

This proposal will result in pupil places being created across the Borough in order to meet demand in the relevant geographical areas which will also create employment opportunities for

teaching and support staff. Further improvement and investment in school buildings will provide greater opportunities for enhanced community use.

8.2 Growth and Sustainability

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

8.3 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 full control over the provision (and potential future reduction) of pupil places, allowing more opportunities to stabilise local communities and ensure that there are local places for local children.

9. EQUALITIES IMPACT IMPLICATIONS

An equality impact assessment was completed for approval of the strategy in June 2012. The strategy was developed to ensure that there are sufficient places across the Borough to meet demand, that these places are not discriminatory and to ensure that all children have access to high quality education. In accordance with the publication of statutory notices, it will be necessary to complete full consultation with residents and parents where there is a proposal to permanently expand a school.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

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.

The strategy presented in this report is consistent with the national agenda for expanding popular and successful schools.

11. HEALTH AND SAFETY IMPLICATIONS

As all of the PEP projects will involve contractors working on existing school sites, the Council will ensure that contractors provide the highest level of Health and Safety on site.

There are no specific health and safety implications other than the impact of additional traffic, generated by increased numbers at the PEP

schools. Working with Highways, funding has been included in the cost summary to allow for traffic mitigation measures on each of the schemes. As part of the planning approvals process, traffic impact assessments have to be submitted for each scheme, and the Planning committee will have to give approval.

12. PUBLIC HEALTH IMPLICATIONS

Providing primary school places in the areas where there is demand will encourage parents and carers to walk to school. This will impact on the health and well-being of the public in Enfield. Walking to school will encourage healthy lifestyles, and reduce pollution caused by traffic.

Background Papers

None.