

MEETING TITLE AND DATE:**CABINET – 24th April 2013****COUNCIL – 17th July****2013****JOINT REPORT OF:**

Director of Schools and Children's Services

Director of Finance, Resources and Customer Services

Agenda – Part: 1**Item: 9****Subject: Garfield School Reprovision of a 3FE School****Wards: Southgate Green****Key Decision No: 3698****Cabinet Members consulted: Cllr Ayfer Orhan and Cllr Andrew Stafford**

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This report details proposals for the reprovision of Garfield Primary School rather than the originally proposed expansion. The reprovision will not only provide the necessary expansion required to meet the additional school places need, but enhance the teaching environment for all pupils in the school. The new facilities including a multi-use games area (MUGA) will enable the school to become a focal point for the local community and will enhance the planned Ladderswood estate regeneration.

2. RECOMMENDATIONS

- 2.1 Council is asked to consider the approval and adoption of the scheme in the Council's capital programme
- 2.2 Council is asked to note that Cabinet agreed to:
- (a) The reprovision of the school rather than the expansion of the site.
 - (b) Approve funding for developing and submission of a new planning application to Planning Committee.
 - (c) Approval to seek, at an appropriate time, the approval of the Secretary of State to the disposal of Education land to delegate the detail of the extent of the land to be disposed of to the Cabinet Members for Children & Young Children and Finance & Property; and Directors of Schools & Children's Services and Finance, Resources and Customer Services.

- (d) The funding of the reprovision of the school as detailed in the Part 2 report.
- (e) Approve the tendering of the building works and disposal of any surplus land on the open market and delegate to the Cabinet Members for Children & Young Children and Finance & Property; and Directors of Schools & Children's Services and Finance, Resources and

3. BACKGROUND

- 3.1 The Garfield school site is situated in the south west corner of the Borough. The site is 4.066 acres and bordered by Upper Park and Springfield roads.
- 3.2 Currently Garfield school has been included within the Council's Primary Schools Expansion Programme (PEP). The proposal is to expand the current school site from a 2FE to a 3FE available as soon after the beginning of September 13 as possible. To this end as part of the PEP programme a planning application was submitted to the Council's Planning Committee on the 28th February 2013 detailing the expansion to the school, which was subsequently approved.
- 3.3 However, due to the complexities of the site and the need to schedule the school buildings expansion within the confines of the current build, the expected completion date for the expansion is now estimated for April 2014. In addition the original estimated development costs have increased; full details of the original cost estimates together with the revised estimates are included within the Part 2 report on this agenda.
- 3.4 Although the Governing Body have been very supportive of the Council's proposal to expand the school, they highlighted their concerns as to the current difficulties in managing and teaching on the site due to the difference in levels across the site. These variations in levels mean that it is difficult to access parts of the sites without traversing large numbers of stairs. Their concerns were that by expanding the school these issues would be exacerbated increasing the difficulty of managing the education process within the school. In addition the current accommodation is made up of a number of sprawling buildings of varying age, quality and design, with poor outdoor facilities particularly for the younger pupils.
- 3.5 The current site has a large soft play area of some 1.06 acres however, due to land falls and levels, a substantial elements of the area are unusable for extended times during the year.

- 3.6 The school is located adjacent to the proposed Ladderswood estate which is currently part of a regeneration programme.
- 3.7 Based on the above, officers were asked to consider the option of rebuilding the school within the current site rather than the agreed proposed school expansion. A new build option would not only improve the site in terms of education but would also be a new focal for the Ladderswood community.
- 3.8 A proposal outlining general land requirements for the new school including the size of land required for disposal (see Appendix 1) was submitted to the Governing Body on 16th April and was agreed in principle. Subject to Cabinet approval officers from Schools and Children's Services and Architectural Services will meet with representatives from the school to formalise a detailed proposal and agree a design brief.
- 3.9 To enable the additional costs of the build to be minimised, it is proposed to introduce a MUGA as well as a soft play area this will enable the school to increase its community focus by offering the facilities outside of school hours. In addition the intensification of use of the MUGA will enable the release of approximately 3800 square meters of land for disposal for residential development. Income from the disposal will be used to offset the additional cost of the new build compared to the original cost of the proposed expansion. The cost estimates both in terms of build and disposal values together with other agreed funding streams are detailed in the Part 2 report on this agenda.
- 3.10 Subject to approval of the proposals detailed in this report it is expected that the new build will be completed by September 2014, however, there is a need for additional school places from September 2013

4. ALTERNATIVE OPTIONS CONSIDERED

To provide the necessary additional school places via the addition of new classrooms whilst retaining the current school buildings.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The Council has an overriding statutory duty to provide sufficient pupil places to meet anticipated demand. The redevelopment of the school will provide cost effective strategy to deliver the additional places required in the area.
- 5.2 It is recommended that Cabinet approve the proposed redevelopment of the school not only to provide the needed additional places but also

to improve the teaching environment at the site and to enhance the school as a focal point for the local community.

- 5.3 The school has made every effort to reduce any negative impact on the pupil learning experience from the poor quality environment, however a recent Ofsted inspection highlighted the additional pressure placed on staff due to the builds they are required to work in and recommended the need for improvements to the site.

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

6.1 Financial Implications

Please see the Part 2 report for financial implications

6.2 Legal Implications

6.2.1 Localism Act 2011 brought the general power of competence into force for principal local authorities and states that "A local authority has power to do anything that individuals generally may do" subject to the limitations set out in s.2 of the Localism Act.

6.2.2 Under s.14 of the Education Act 1996 to ensure that sufficient school places for both primary and secondary education are available within its area for children of compulsory school age. Section 111 of the Local Government Act 1972 further gives the Council the power to do anything ancillary to, incidental to or conducive to the discharge of its statutory functions. Together with responsibilities to ensure Council buildings are accessible the re-provision of the school will provide an opportunity to provide a modern facility.

6.2.3 Where the re-provision leads to surplus land Schedule 1 to the Academies Act 2010 extends the requirement to obtain Secretary of State consent to dispose of education land which has been used for any school in the last 8 years. In addition where disposal includes school playing fields a separate consent is also required under s.77 of the School Standards and Framework Act.

6.2.4 Should the consent of the secretary of state be obtained the Council has the power to dispose of land held by them in any manner they wish pursuant to Section 123 of the Local Government Act 1972, subject to certain provisions. The land will need to be identified as surplus and disposal will need to be in accordance with the Council's Property Procedure Rules. The Property Procedure Rules require that all disposals should be

made on a competitive basis. This will demonstrate that the Council are achieving the best price reasonably obtainable for each property.

- 6.2.5 Planning Permission will be required in respect of the re-provision of the school site and an application must be made in accordance with the Town and Country Planning Act 1990 (as amended). This will require statutory and public consultation including consultation in respect of the loss of playing field. Pursuant to the Council's constitution this matter will be required to be considered at planning committee. Works should not commence until such time as approval is given and any pre-commencement conditions (if required) by the planning permissions are discharged.
- 6.2.6 Any contract for the development of a suitable design and the contracts for the construction of the building will need to be tendered in accordance with the Council's Contract Procedure Rules and all agreements entered into will need to be in a form approved by the Assistant Director of Legal Services

6.3 Property Implications

- 6.3.1 The proposal as set out in this report will provide the additional primary places required within the immediate area. The proposal is a significant improvement on the PEP. Not only will it provide an enhanced learning environment but will also provide modern fit for purpose facilities.
- 6.3.2 The bulk of the current school site (including classrooms, playing fields and playgrounds) are not fully compliant with the Disability Discrimination Act (DDA) 2005 or the Equalities Act 2010 and place an added burden on the school in ensuring compliance which comes at an additional cost. Creating a new school will enable the school to function effectively and be inclusive and accessible to all.
- 6.3.3 The existing school will require investment into the fabric and its systems over the coming years. With the primary expansion programme of works for this school going over budget by 30%, a complete new build of the school will create financial savings over the longer term and enhance the school's longevity and sustainability.
- 6.3.4 The proposal to redevelop the school site and provide a new build school will result in the site's optimisation. The better site layout will allow some land to be released for alternative development that will command a positive capital receipt from its disposal. This receipt would be used towards the partial funding of the new school.

- 6.3.5 Disposal of land will need to be in accordance with the Council's Property Procedure Rules.
- 6.3.6 The current school building is located on a tight site, as shown in the appendices, and is constrained by differing land levels. Any new development will have to take account of this with regards to the design and cost implications of the development.
- 6.3.7 This proposal presents a challenging timetable; however, it could be achieved using modern methods of construction.
- 6.3.8 Once planning permission is gained Building Regulations will need to be adhered to as part of the enabling and construction works.
- 6.3.9 Further property implications are highlighted in Part 2.

7. KEY RISKS

7.1 Opposition to permanent expansion

It is possible that the local community could be a concern about the expansion of the school; however, this was not raised by stakeholders when the original planning application was submitted as part of the PEP programme. It is also proposed to form a stakeholder consultation group to ensure all parties are aware of involved in the redevelopment of the school

7.2 Delivery Timescales

The delivery of the new school for September 2014 will be challenging however, a detailed programme has been developed with clear programme milestones and progress of the scheme will be closely monitored closely by the Architects who will be managing the project, the Head Teacher and the Governing body, the Cabinet Member and Council officers at a senior level.

7.3 Planning Consent

Although Planning Committee approved the original planning application as part of the PEP programme it will be necessary to submit a new application which will require planning consent. The architects will follow pre-application 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 that any application would be rejected.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

This proposal will result in pupil places being created in the area in order to meet demand which will also create employment opportunities for teaching and support staff. The proposed improvement to the will provide greater opportunities for enhanced community use.

8.2 Growth and Sustainability

By ensuring that places are provided in area will ensure that pupil mobility in the area 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 the area which will support the agreed regeneration of the Ladderswood estate which has already commenced, and will ensure that young children will not have to travel unmanageable distances to and from school.

9. EQUALITIES IMPACT IMPLICATIONS

An equality impact assessment was completed for approval as part of the Primary School Expansion Programme 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 school identified in this report will enable the Authority to meet its statutory duty to ensure the availability of sufficient pupil places to meet demand.

11. HEALTH AND SAFETY IMPLICATIONS

As the project will involve contractors working on existing school site, 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 school. Working with Highways, funding has been included in the cost summary to allow for traffic mitigation measures on the roads around the school. As part of the planning approval process a traffic impact assessment has to be submitted 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