

**MUNICIPAL YEAR 2014/2015 REPORT NO.**

**ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY:**

**REPORT OF:**  
Assistant Director:

**PORTFOLIO DECISION OF:**

Director of Schools and Children's Services in conjunction with the Director of Finance, Resources & Customer Services and the Cabinet Member for Finance

**Contact officer and telephone number:**

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<b>Agenda – Part: 1</b>	<b>Item: -</b>
<b>Subject:</b> Approval to enter into Short term lease – Minchenden School	
<b>Wards: Southgate</b>	
<b>Key Decision No: - 3960</b>	
<b>Cabinet Member consulted: - Councillors Ayfer Orhan &amp; Andrew Stafford</b>	

**1. EXECUTIVE SUMMARY**

- 1.1 An opportunity to add a substantial building to the Education portfolio by way of a lease of part of Minchenden School, Southgate, N14 from Barnet and Southgate College.
- 1.2 The lease is for a two year period from the 1<sup>st</sup> September 2014 to 31<sup>st</sup> August 2016.
- 1.3 The delivery of this Additionally Resourced Provision (ARPs) will enable Schools and Children's Services to provide the specialist provision that will enable an additional 100-150 places to be met within the Borough.

**2. RECOMMENDATIONS**

**Cabinet Member for Finance in consultation with the Directors of Schools and Children's Services and Finance, Resources and Customer Services approve, as per the Property Procedure Rules and the Finance Procedure Rules:**

- 2.1 A two year lease with Barnet and Southgate College on the terms as described in the Part II report.

### **3. BACKGROUND**

- 3.1** An opportunity has arisen to acquire and add a substantial purpose built educational facility to the Schools and Children's Services operational educational portfolio by way of a lease of part of the former Minchenden School, Southgate, N14 6LA, 'The Property'. The boundary is marked for identification purposes at appendix 1.
- 3.2** The Property is located just south of the Southgate Shopping Centre and Tube Station, being approached off the A1004 High Street. The College complex is situated south of Southgate Fire Station and a municipal car park being otherwise surrounded by private housing.
- 3.3** Access to the subject property, is from High Street, via a gated entrance between the Lodge House and Stable Block. The access road leads to a rather makeshift car parking area spread around the grounds of the college which would accommodate in total about 50 vehicles.
- 3.4** Part of the site which includes the Mansion House and Wall has Grade II\* listing attached to it and refurbishment or redevelopment of the site will require a Listed Building Consent.
- 3.5** The Farbey Building is a substantial purpose built educational structure which dates back to the 1930s. The buildings are constructed of brick on two levels plus a small basement under flat felt and pitched slated roof coverings. On the northern side of the building is a covered yard with a corrugated metal roof covering.
- 3.6** The gross internal area of the building measures 1,851sqm (19,914sqft)
- 3.7** There has been some modernisation of the classrooms and facilities; however a refurbishment of the lower levels will be required to support the provision.
- 3.8** The proposed two year lease includes the 1930's built Farbey building, the 50 space car park adjacent and outdoor play area to the rear.
- 3.9** The building is owned freehold by Barnet and Southgate College.
- 3.10** The Council's Special Education Needs strategy identifies a significant increasing need for the provision of special places, especially at the higher scale with regards to Autism.

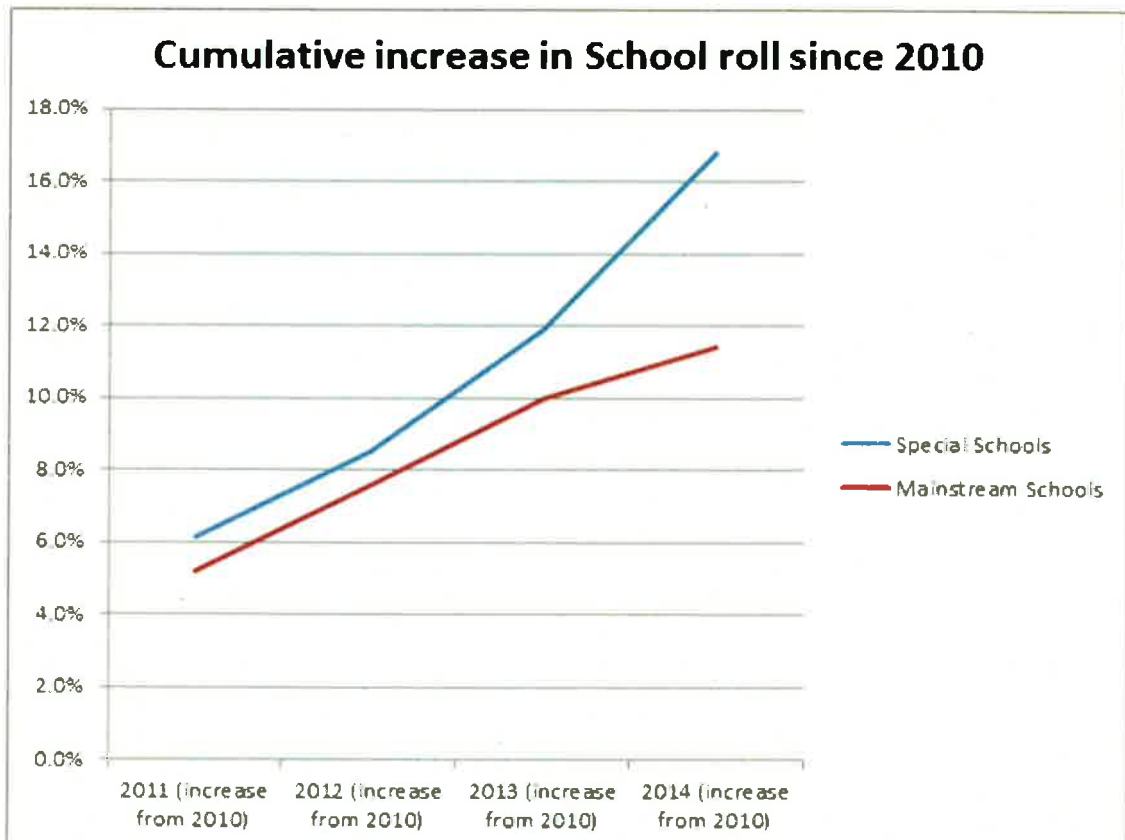
#### **The Educational Need**

- 3.11** In common with the Majority of London Council's, Enfield subscribes to the GLA's School Roll Projection Service. The basic components of the projections are population data from the Office for National Statistics, particularly that relating to births, together with information on new housing and trends in national and international migration.

- 3.12** The projections are reviewed annually following the January School's 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 Land Availability Assessment (SHLAA).
- 3.13** The rise in numbers is reflected across the primary age pupils in mainstream and even more so within the special provision.
- 3.14** The SEN/Inclusion strategy is currently being reviewed and has identified that meeting the needs of pupils with Autism and Emotional Behavioural Difficulties were the main priorities required to support the increasing number with complex behavioural needs. It is clear that this position remains the same in 2014 and that demand continues to rise.

As shown below the need and requirement for places for the Autistic Spectrum Disorder has steadily increased year on year

	2014	2013	2012	2011
Primary	260	244	231	209
Secondary	130	141	120	103
Special	212	198	180	172
<b>TOTAL</b>	<b>602</b>	<b>583</b>	<b>531</b>	<b>484</b>
<b>Percentage increase from 2010 -2014 = 16.8% increase in Special Needs Pupils</b>				



**3.15** Autism is of particular concern and even though Schools and Children's Services have increased the amount and quality of provision and expertise in both mainstream and special settings, the Council is faced with a growing number of young people with complex needs and their families who need more than just a mainstream placement.

**3.16** There are an increasing number of primary age pupils, who are exhibiting high levels of need, some who are in mainstream schools but some who are not in any provision yet. The feedback from mainstream schools is that they;

- need help and assistance regarding these pupils,
- do not feel that they can cope,
- feel the placements are at risk of breaking down.

The number of places at Russett House have been increased to meet the growing demand and although is now full the school has agreed to take an emergency provision of additional pupils.

**3.17** As secondary transfers for 2014 approach, the current information shows that the number of leavers in Year 6 from Russett House is double the number of places available at Durrants. In addition, there are Year 6 pupils in mainstream whose needs cannot be met in mainstream secondary schools.

**3.18** There are also increasing numbers of referrals for support for secondary aged pupils with Autism who are exhibiting mental health difficulties as they go through puberty and make the transition into adulthood.

**3.19** Barnet and Southgate College offer training and life coaching to vulnerable pupils with Autism and severe behavioural needs. The Council provision at Minchenden could benefit with knowledge sharing between the Authority and the College and vice versa. They could complement each holistically in the longer term.

**3.20** There is an urgent need to develop some emergency / short term specialist provision and support for the numbers of primary pupils without appropriate placements. Education Officers are working closely with Russett House and Durrants School to prioritise those most at risk of losing their school place.

**3.21** The numbers of pupils that are exhibiting Autism at the higher end of the spectrum will immediately benefit from the provision that will be provided. The school will be providing circa 70 pupil places at inception and capable of holding up to 300 pupils when fully adapted.

**3.22** If no provision or places are found for these pupils within the Borough, several high level specialist schools such as Tree House in Muswell

Hill which is out of Borough will have to be sought. These places come at a considerable cost and per pupil roughly equates to between £70,000 - £80,000 per annum including transportation to and from the setting.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1** Not to lease the property will incur significant ongoing revenue costs and Officer Time in negotiating places and the paperwork that comes with sending the pupil out of the Borough.
- 4.2** Officers have considered using other properties owned by the Council for education uses. Many of these are too small and some sites were earmarked for other types of development. Several sites not in the Council's ownership were also considered, but many of these were too costly given their residential potential.
- 4.3** A lease of the whole site was considered, however the initial financial outlay for such a short period of time could not be justified and the space utilisation especially within the Mansion House and other areas of buildings would not be used.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1** It is recommended that the Council enter into the lease with Barnet and Southgate College for two years to provide the SEN/Higher Spectrum Autism pupil places within the Borough.
- 5.2** Not trying to acquire The Property is considered a lost opportunity to add flexibility to the education portfolio at a reasonable cost.
- 5.3** External valuation consultants (Jones Lang LaSalle) have completed market Rental appraisals that estimate the market rent of the Property. These independent valuations state the maximum that should be offered for the leasehold interest of the Property.
- 5.4** It is the view of our external consultants that the rent negotiated by the Council offers best value and represents value for money savings.
- 5.5** On the basis of the valuation work completed by Jones Lang LaSalle, Strategic Property Services support the proposed acquisition.

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

### **6.1 Financial Implications**

6.1.1 The cost of the lease will be met from within existing SCS budgets.

### **6.2 Legal Implications**

6.2.1 Under s.316 of the Education Act 1996 the Council has a duty to educate children with special educational needs. By virtue of s.120 of the Local Government Act 1972 the Council has the power to acquire an interest in land for the purpose of any their functions whether inside or outside their borough.

6.2.2 By virtue of the Council's constitution the Council is obligated to obtain the Cabinet Member's approval to an acquisition of the value set out in the Part 2 report.

6.2.3 It is confirmed at paragraph 3.23 above that the proposed transaction will deliver best value achievable for the provision of the services and as such the recommendation contained within the report complies with the Council's powers and duties to provide education for children with special educational needs and the obligation to ensure best value is achieved.

### **6.3 Property Implications**

6.3.1 As included within the report.

6.3.2 The Council has undertaken the necessary due diligence such as reports on title, condition surveys and data collection of rooms and services.

6.3.3 The lease granted will be outside of the Landlord and Tenant Act (1954) for a term of two years on a Full Insuring Only lease.

6.3.4 Barnet and Southgate College have agreed that all repairs and maintenance will be carried out by them over the course of the two year term with the Council having to insure only.

6.3.5 The Council will also have access to the College's grounds people and repairs and maintenance teams.

6.3.6 Internally, the Farbey Building is generally presented in reasonable decorative order apart from the damp staining.

6.3.7 Floor plans have been created by CAD capture and will assist in the redesign and layout changes, if required.

6.3.8 A photographic schedule of condition will be appended to the short term lease and any modifications or alterations will be made good, subject to negotiation at the end of the lease.

6.3.9 The plan at appendix 1 shows the site boundary and access. A fence will be erected around the site for security and safeguarding purposes.

6.3.10 The erection of a 6ft fence will require Listed Building Consent as it is within the curtilage of a listed building.

6.3.11 A health and safety inspection, a fire safety inspection, all services (electrical, water-in/out and gas), water supplies, asbestos testing will all need to be undertaken before occupation or remodelling takes place.

6.3.12 If the whole of the building is not to be used for the special provision adequate security measures will need to be taken to prevent break ins and vandalism.

## **5. KEY RISKS**

5.1 Not agreeing to the lease will result in the loss pupil places for the most in need of specialist education.

## **6. IMPACT ON COUNCIL PRIORITIES**

### **6.1 Fairness for All**

The result of leasing the Property will mean school places for the most vulnerable pupils will stay within the Borough.

### **6.2 Growth and Sustainability**

The purchase of the Property will lead to increased flexibility of the education portfolio.

### **6.3 Strong Communities**

Improving educational outcomes assists in the creation of a stronger community

## **7. EQUALITIES IMPACT IMPLICATIONS**

9.1 It is not relevant to carry out an equality impact assessment for this proposal

## **8. PERFORMANCE MANAGEMENT IMPLICATIONS**

Not Applicable.

**9. HEALTH AND SAFETY IMPLICATIONS**

A full Health & safety audit of the Property will be carried out prior to occupation, including a full range of surveys.



