

LONDON BOROUGH OF WALTHAM FOREST

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Report Title	Schools Capital Programme 2018-2022	
Cabinet Portfolio	Councillor Grace Williams, Portfolio Lead Member for Children, Young People and Families	
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Wards affected	All	
Public Access	Report Open Except for Appendices 2 and 3 which are exempt in accordance with Section 100(A-H) of the Local Government Act 1972 and Schedule 12A as amended, on the grounds that they involve the likely disclosure of exempt information as defined in Part 1, paragraph 3, they contain information relating to the financial or business affairs of any particular person (including the authority holding the information) and disclosure would not be in the public interest.	
Appendices	Appendix 1 Schools Capital Programme 2018-2022 - Resources Summary Appendix 2 - Schools Capital Programme 2018-2022 - Committed Projects (Exempt) Appendix 3 - Schools Capital Programme 2018-2022 - Proposed Projects (Exempt) Appendix 4 - Climate Change Matrix	

1. SUMMARY

- 1.1 This report sets out the Council's proposed Schools Capital Programme for the financial years 2018-2022 to support its statutory duties and priorities to provide sufficient pupil places in Waltham Forest schools and maintain community school buildings.

- 1.2 The programme is supported by various funding streams which include capital allocations from the Education and Skills Funding Agency (ESFA), the Council's own resources and third party developer contributions.

2. RECOMMENDATIONS

- 2.1 Cabinet is recommended to:
- 2.2 Approve the allocation of the available resource of £19.80 million to the Schools Capital Programme.
- 2.3 Delegate authority to finalise this programme, within identified available financial resources to the Deputy Chief Executive (Families & Homes), in consultation with the Portfolio Lead for Children, Young People and Families and the Director of Finance.
- 2.4 Delegate authority to the Director of Property and Asset Management, in consultation with the Portfolio Lead for Children, Young People and Families, the Director of Finance and Director of Supply Chain:
 - 2.4.1 To proceed with the procurement of projects and maintenance and improvement works included in the Programme subject to Strategic Commissioning Board Approval;
 - 2.4.2 To award contracts provided they are within the resources available in the Council's Capital programme to meet such contractual commitments.
- 2.5 Note the total anticipated Schools Capital Programme resources of £110.24 million that is available for projects to be delivered to the end of the financial year 2021/22 in Appendix 1.
- 2.6 Note the total resource of £90.43 million currently committed against projects previously approved by Cabinet, and by delegated authority in Appendix 2.

3. PROPOSALS

3.1 Background

- 3.1.1 The Schools Capital Programme provides infrastructure investment in the school estate to meet the Council's statutory duties for the provision of pupil places, to support school improvement and to maintain school buildings.
- 3.1.2 The following criteria have been used to determine the future programme:
 - **Basic need** – Provision of additional Primary and Secondary places for 2018/22
 - **Basic need** – Provision of places in suitable and compliant premises for pupils with Special Educational Needs and Disability (SEND), and pupils at risk of exclusion

- **Basic need** – expansion of existing specialist educational facilities and enhancing the curriculum offer with outdoor learning activities for school groups of all ages.
 - **Building Condition** – Undertaking maintenance, improvement and compliance works to school buildings.
- 3.1.3 Officers continuously monitor progress and development of the Schools Capital Programme against assessed future demand and this report informs Cabinet of:
- Additional funding received since the December 2017 Cabinet Report and forecast to be received for the period to March 2022.
 - The forecast out-turn costs for current projects.
 - An update on school place needs and priorities identified by the Families and Homes Directorate in line with the Growth aspirations of the Borough.
- 3.1.4 To set this in context, it should be noted that from 2007 to September 2018, the Council expanded Waltham Forest Primary Schools by 36 forms of entry (FE) with an additional 73 additional temporary classes being incorporated. The Secondary School estate has been expanded by 10FE during the same period. (Eden 4FE, Willowfield 2FE, Holy Family and Heathcote 2FE). As pupils move into the secondary phase, the net result of this is that, unless additional provision opens by September 2019, there will be insufficient places for local children seeking school places in the borough. On National Offer Day this year, the borough received an additional 137 application for secondary places.
- 3.1.5 It is therefore proposed that works to support existing schools to accommodate 'bulge' (temporary expansion for 5 years by one class) are undertaken and proposals to develop a minimum of five forms of permanent expansion are developed and subject to demand materialising and free school activity in the borough, delivered.
- 3.2 Schools Capital Programme Delivery in 2017/18**
- 3.2.1 In December 2017 Cabinet approved a Capital Programme of £107.27 million to be allocated on projects planned for delivery until the financial year 2020/21
- 3.2.2 £24.72 million of this sum was spent in the financial year 2017-18 on current projects, and additional resources were received, with the net result that the total available to spend to the years to 2021/22 is £110.24 million, of which £90.43 million is already allocated to projects that Cabinet has approved in recent years (See Appendices 1 and 2).
- 3.2.3 The balance of £19.80 million may be considered to meet future needs identified elsewhere in this report.
- 3.2.4 Key successes delivered since the Programme was last reported to Cabinet, include the following:

- Completion of the project to expand Holy Family Catholic School and Sixth Form providing a new teaching block and sports hall, new classrooms, and refurbishment and associated works to address condition issues across the two sites. The first additional cohort of students was received in September 2017.
- Completion of another phase of work to adapt Parkside Primary School to take the first cohort of its additional form of entry in September 2018. Construction work continues to complete the project by September 2019
- The successful completion of a Priority Schools Building Programme project at St Joseph's Infants School. Waltham Forest is one of the first local authorities nationally to be entrusted with the delivery of a project by the ESFA from a national schools development programme that has to date been delivered by central government.
- Conversion of the Outset Centre and relocation of Forest Pathways School, to provide improved facilities for Year 11 students who have had a disrupted educational pathway.
- A programme of maintenance works including window replacements, roof renewals, boiler renewals, toilet refurbishment, emergency lighting, lightning protection and other general improvements. In total there are 60 separate projects being delivered in 24 Schools that will be delivered in the financial year to March 2019.

3.2.5 The £90.43 million committed against projects already in the Schools Capital Programme includes allowances for projects approved by Cabinet and by delegated authority, but yet to be completed. Design and consultation work presently underway will deliver further projects that will complete during the next four years, including:

- Constructing new facilities to support vocational training and widening the curriculum at Belmont Park Special School as part of the Leyton Green Partnership Project.
- Construction and adaptations to build capacity by temporary and permanent expansions at Parkside Primary School and two other primaries.
- Design development on proposals to facilitate temporary and permanent secondary school expansions.
- Expansion and improvements at Suntrap Forest Centre with outdoor learning activities to enhance the curriculum offer to all ages and secure a sustainable business model for its future operation.
- Developing a further programme of planned maintenance works at Waltham Forest's community schools.
- Developing proposals to provide SEND facilities in mainstream schools.

- Developing proposals to meet demand for places in alternative provision (including but not limited to pupil referral units).

3.3 Capital Programme 2018-22

- 3.3.1 There are plans to meet anticipated demand between now and September 2022. The strategy of developing a mix of bulge and permanent expansions has been developed in recognition of the fact that demand for places in schools fluctuate. A further issue is the unpredictability of free schools activities, which is managed by central government and we are planning to meet peak demand without expanding schools permanently. This is to avoid the risk of over expanding the estate and placing revenue strains upon schools.
- 3.3.2 Before a school's planned admission number is permanently expanded, the school must have taken two bulge classes which filled. This strategy has been consulted on at Schools Organisation and Admissions Board (SOAB) and agreed at Strategic Education Asset Management Board (SEAM) and is aligned with a revenue protection strategy for schools which has been adopted by the Schools Forum.

Primary Schools

- 3.3.3 Parkside Primary School in Chingford took three consecutive bulge classes prior to the decision at Cabinet on the 24th of January 2018 to permanently increase its planned admission number from 2FE to 3FE.
- 3.3.4 Coppermill Primary School took a bulge class in September 2017, which filled without negatively impacting on other local schools. A second bulge class has not yet been required. However, given the current housing development proposals in the area by Blackhorse station and ongoing construction at South Grove, demand is being monitored and additional places may be required by 2020.
- 3.3.5 The projected increase in demand for places in the north of the borough is being closely monitored and funds have been identified in the Capital Programme to meet the demand via a further 1FE expansion. Development and design proposals are likely to be brought forward in 2019 (for delivery by 2021/22).

Secondary Schools

- 3.3.6 Two secondary schools were expanded and took additional pupils in September 2017 (Holy Family & Heathcote), providing an additional 4 Forms of Entry.
- 3.3.7 Without additional capacity being created, the Council is at risk of not meeting its statutory obligation to provide sufficient school places. Currently there are around 90 additional Year 6 pupils on roll compared to last year. Current pupil place planning projections anticipate that an additional 2FE (60 places) will be required by September 2019, rising to an additional 8FE by September 2022, and continuing on an upward trajectory to 2025.
- 3.3.8 The delivery of additional capacity in the secondary phase by the ESFA is uncertain. An 8FE Barclay Secondary Free School (BSFS)

school proposal has been approved by the DFE. The ESFA, its delivery agency, has stated that the increased demand for secondary places in Waltham Forest will be met by BSFS, which it proposes to deliver on the former Thames Water Depot on Lea Bridge Road that it has acquired. The project is funded and delivered directly by the ESFA. A planning application for temporary and permanent accommodation has been submitted and informal consultation is underway. The application is likely to go before the Planning Committee in December 2018, however, there are inherent planning issues relating to this site.

- 3.3.9 Although BSFS's website states the school will open in 2020, given the uncertainty of the delivery date of the 8FE BSFS and the Council's statutory obligation, money has been identified in the Capital Programme as a contingency to meet the cost of a secondary schools bulge strategy (where schools are temporarily increased by an additional Year 7 class) for September 2019. Capacity has been identified within the existing estate to open two bulge classes and to have a 'safety valve' bulge ready if required. The creation of physical capacity to accommodate bulge classes in secondary schools for 5 years has a cost, which is reflected in the appendices.
- 3.3.10 Should the proposed new 8FE school not be ready to meet the steep rise in demand projected for 2020, then capacity of the secondary school estate will be increased through further bulges and expansions of existing secondary schools.

Special Educational Needs and Disability

- 3.3.11 Concurrent with the increased demand for school places in mainstream schools, has been an increase in demand for places for pupils with SEND. A sufficiency study has been undertaken, which identifies a need for an increased number of places for pupils both in special schools and additionally resourced places within mainstream schools. Funds have been identified within the capital programme to meet this demand. Consultation on the SEND Plan is ongoing currently.
- 3.3.12 There has also been an increase in demand for places for pupils at risk of exclusion in alternative provision. Burnside Pupil Referral Unit (PRU), the secondary PRU, is struggling to meet the demand for places. The secondary school age accommodation at Burnside is an adaptation of part of a 1967-built primary school. The Capital Programme includes provision to address the condition and suitability issues at Burnside and to support a recent bid for an Alternative Provision Free School made by the Council.

3.4 Future medium/ Long term Demand

- 3.4.1 Officers will continue to undertake further analysis of future mid to long term basic need projections in order to inform the development of sustainable expansion plans for the primary and secondary schools estate.
- 3.4.2 The potential impact on school place demand resulting from the borough's Housing Growth Strategy has been examined and the current projected outcomes are included in pupil place planning.

Officers are working across directorates to identify the areas of housing growth; these are monitored and incorporated in school place projections. Some housing growth (those schemes at pre-application and later stages) has been factored into the submission to central government statutory returns, and known development locations are factored into the pupil place planning.

- 3.4.3 Feasibility studies into potential expansions across the school estate have informed the strategy for meeting increased demand. This is seen in the planned proposal to develop bulge classes followed by expansions. Work to develop the strategy of safety valve bulges, bulges and expansions is ongoing with five secondary schools and it is anticipated that two bulge classes and one “safety valve” bulge need to be in place for September 2019 to ensure sufficient places are available for local children and a degree of parental choice. Work is underway to develop construction projects to support the bulge strategy and allow for a minimum of 5FE of permanent expansion within the existing secondary estate over the next three years to ensure the authority is in a position to meet its statutory duty to provide places.

Strategic Education Projects

- 3.4.4 In order to ensure that education assets are efficient, fit for purpose and sustainable, we have looked to maximise efficiencies via a collaborative approach between schools, social care, and housing. The Leyton Green Project develops the Summerfield Site to deliver a new respite care facility, generating revenue savings; a joint therapeutic offer with Belmont Park Special School; an improved educational offer at Belmont Park School; and releases a site for new housing.
- 3.4.5 Developing a sustainable educational offer at the Suntrap Forest Education Centre is progressing towards planning and delivery and funds have been identified in the Capital Programme to support this.
- 3.4.6 To celebrate the Borough of Culture a small project at Parkside School has been initiated. The school, including pupils, are engaging with a local artist to design hoarding round the site which reflect and share the history of the school. These art works will be relocated within the site when the new block is completed. A small sum has been set aside to support other match funded schools projects that celebrate Borough of Culture status.

3.5 Priority Schools Building Programme

- 3.5.1 The Council has been successful in attracting funding from the Priority Schools Building Programme (PSBP), a national initiative funded by central government and delivered by the ESFA to invest in schools that are in very poor condition. PSBP contributes only to improving the condition of existing schools rather than building additional capacity to support expansions. There have been five successful bids in Round 1 of the programme and one successful bid in Round 2. Only 3 other London boroughs secured a high number of successful bids.

3.5.2 Round 1 and 2 projects are all completed. The following schools have been completely or substantially rebuilt in the last two years:

- Buxton All-through School
- George Mitchell All-through School
- Hawkswood PRU
- Selwyn Primary School
- St Joseph's RC Infants School has been fully refurbished; the project was delivered by the Council with funding from the Education and Skills Funding Agency.

3.6 Management of the Schools Programme

3.6.1 The Schools Capital Programme is driven by strategic education needs. The Education Capital and Planning Team (EC&P) monitor demand by using data from the Greater London Authority, adjacent boroughs, local housing projections, and birth data to develop and monitor projected need. This is reported at SEAM.

3.6.2 Decisions to expand particular schools are based on criteria, including educational, leadership and governing body support, delivery, risk and cost. Much of the information that informs the strategy is derived from feasibilities commissioned by the EC&P, to determine where future demand can be most economically met. The Schools team in Capital Delivery appoint and manage the consultants to deliver these.

3.6.3 The Council will commission further feasibility studies to respond to changes in forecasted demand for pupil places.

3.6.4 Delivery of the programme will be managed by the Director of Property and Asset Management and Deputy Chief Executive Families and Homes, in consultation with the Director of Finance, and Portfolio Lead for Children and Young People. Cabinet approval will enable officers to commence development of these schemes at the earliest opportunity.

3.6.5 For schools that are both suitable and agreeable to expansion, consultation and engagement is undertaken with each school to consider the implications of the expansion to ensure that high quality and effective education provision is not compromised by any development. Officers will ensure effective communication from the start of the project and that risks are identified and mitigated

4. OPTIONS & ALTERNATIVES CONSIDERED

4.1 It is a statutory obligation for the Council to ensure that a sufficient number and sufficient type of school places are available within the Borough for pupils of statutory school age.

4.2 In determining which secondary schools to expand, the Council has carried out feasibility studies and option appraisals at six secondary schools and this report recommends proceeding with expansions at Leytonstone School, Kelmscott, Norlington School for Boys and Buxton All-through School, as the delivery of an expansion project at these

schools are more likely to be delivered for lower costs and with fewer risks.

- 4.3 The available financial resources of £19.80 million identified in Appendix 1, are proposed to be prioritised on projects to meet the growing demand for SEND facilities, and to continue a planned maintenance programme in the financial years 2020/21 and 2021/22 as no School Condition Allocation Funding for these years has been confirmed by the ESFA.
- 4.4 Should the Council not plan to make this investment in SEND facilities, or to develop its planned maintenance programme across the school estate, it risks not meeting its statutory duty to provide a sufficient number of safe and suitable school places to all of its young residents.

5. SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)

- 5.1 Capital investment can play a key part in delivering the Council's priorities. The Schools Capital Programme will make a significant contribution to improve the life chances of our residents, to increase their opportunities and to protecting the most vulnerable and to the regeneration of the borough.
- 5.2 Our work supports schools and the borough to provide a good education for every child; to support young people to be resilient, confident and healthy, and to give them the opportunities to flourish.

6. CONSULTATION

- 6.1 In determining the strategy to meet the increased demand for places, the School Organisation and Admissions Board (SOAB) and Strategic Education and Asset Management Board (SEAM) were consulted and responses included in the pupil place planning methodology. For all school expansions a statutory consultation process is carried out. School representatives were consulted prior to the finalisation of the maintenance programme.

7. IMPLICATIONS

7.1 Finance, Value for Money and Risk

- 7.1.1 The committed and proposed programme will be financed from capital resources carried forward from those approved in the December 2017 Cabinet report of £107.27 million. After adjustments for expenditure incurred in 2017/18 (£24.72m) and additional resources received in the last year, the total financial resources for the Schools Capital programme are £110.24 million of which £90.43 million (see Appendix 2) is committed against existing projects leaving £19.80 million unallocated (see Appendix 1). Allocations for both the Basic Needs Grant for 2021/22 and Capital Maintenance Grant for 2020/21 and 2021/22 have not been shown in the resource totals as indications of an allocation for these years are not yet available from DFES.

7.1.2 Appendix 3 outlines some proposed future schemes which could be set against the unallocated resources. These will be further developed and reported on separately during the next financial years.

7.1.3 Procurement of proposed schemes will be subject to approval by the Council's Strategic Commissioning Board where contracts exceed a value of £1,000,000. Existing construction frameworks will be utilised where they represent value for money.

7.2 Brexit

7.2.1 The impact of Britain's withdrawal from the European Union and any effects on the delivery of the School's Capital Programme are not known, however officers anticipate that following risks will need to be managed.

7.2.2 Construction industry journals have warned of potential cost increases due to labour shortages and any tariffs on materials imports. To mitigate this allowances have been made for inflation, a revised financial forecast will be prepared at each project gateway.

7.2.3 It should be noted that no major construction or development contracts will be entered into until after the UK's anticipated withdrawal date from the EU of 29th March 2019. This means that the Council will have a better understanding of the withdrawal arrangements and any consequential impacts prior to these commitments being made.

7.3 Legal

7.3.1 Under section 14 of the Education Act 1996 a local authority must secure that sufficient (in number, character and equipment to provide for all pupils the opportunity of appropriate education) primary and secondary schools are available for its area.

7.3.2 Schedule 11 of the Education Act 2011 amends the Education and Inspections Act 2006 such that if a local authority thinks that a new school needs to be established in its area it must seek proposals for the establishment of an Academy. The proposals in the capital programme intend to extend existing schools rather than seek to establish any new schools. Each project in the programme that involves new buildings on a new site is considered on an individual basis at the appropriate time.

7.3.3 The procurement of the individual projects will be carried out in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015. Some projects may be individually advertised, some may be procured through frameworks which the Council may lawfully use and some may be carried out under contracts already entered into by the Council.

7.3.4 The expansion of schools must be carried out in accordance with the prescribed procedures set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007. The regulations require that statutory notices of the proposals are published, interested parties are consulted and any representations made are duly considered.

7.4 Equalities and Diversity

- 7.4.1 An Equalities Analysis screening template has been completed and there are no negative or adverse impacts.
- 7.4.2 The rationale for capital investment has been based on need for additional school places and need to invest in the school infrastructure. The greatest need for places is in the secondary school estate to meet the growing demand for place from that age group and the proposed capital investment aligns with this need.
- 7.4.3 Previously a number of potential negative impacts were identified:
- Access to sites during building work could be impaired; to mitigate this risk contractors will be required to ensure accessibility at all times, and utilise methods of construction that minimise disruption on occupied sites.
 - Operating schools over split sites; to mitigate against this risk the Council will work with schools to ensure that their operating model minimises this potential issue and
 - The proposed expansions of secondary schools will be planned to maintain a gender balance as far as is practicable.
 - The programme seeks to positively address employment opportunities for vulnerable children through the development of specialist teaching facilities to support vocational subjects at Belmont Park Special School, and the development of projects with facilities for Children with Special Needs, children who are at risk of exclusion, and alternative provision to mainstream education.

7.5 Sustainability (including climate change, health, crime and disorder)

- 7.5.1 Where schemes in the capital programme relate to the improvement of a council asset, during the development stage due regard will be given to sustainability. The Council sets itself a target of meeting at least the “very good” standard as assessed by the Building Research Establishment Environmental Assessment Method (BREEAM). As part of the statutory approval process all capital schemes will comply with Building Regulations Part L (conservation of fuel and power) 2013 and the Council’s planning and Development Management policy DM11 seeking 35% reduction on 2013 building regulation carbon emissions. When the new London Plan is adopted (expected in 2019) the net zero carbon requirement will also apply. This may mean making carbon offset payments where this cannot be achieved.
- 7.5.2 A programme wide Climate Change Matrix has been completed at Appendix 4 and this sets out sustainability issues to be addressed. These vary from site to site and include site contamination, better insulation, sustainable urban drainage systems and recycling.
- 7.5.3 To comply with the Council’s Sustainable Procurement Policy, the economic, environmental and social impact of each project will be

separately considered. Where possible, opportunities to increase apprenticeships and use a local supply chain will be taken. 10% of the weighting of evaluation criteria will be attributed to sustainability in accordance with the Policy.

- 7.5.4 The Greater London Authority is expected to publish an updated version of its London Plan in January 2019, which is likely to introduce new planning requirements requiring non-residential projects such as schools to meet its zero carbon target. This is not achievable without incurring some additional cost in building performance or in paying a carbon offset tariff. Information on the cost of meeting this requirement is presently limited and not yet quantifiable, and so the programme carries the risk of some additional cost. Officers will engage with technical advisors to determine the impact of this and revise proposals where necessary to be managed within existing resources.

7.6 Council Infrastructure (e.g. Human Resources, Accommodation or IT issues)

- 7.6.1 The Council has identified a priority to invest in the Council's infrastructure to facilitate improved utilisation of sites and buildings. The Schools Capital Programme fulfils this objective both in terms of expanding existing schools and provision of new schools.

- 7.6.2 The resources required within the Property and Asset Management Team has been identified as part of the annual resource plan and will be resourced from the capital funding available.

BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)

None