

REPORT FOR: **CABINET**

Date of Meeting:	12 December 2013
Subject:	School Expansion Programme
Key Decision:	Yes
Responsible Officer:	Catherine Doran, Corporate Director of Children and Families
Portfolio Holder:	Councillor Janet Mote, Portfolio Holder for Children and Schools
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Appendix 1 - summary of consultation responses and comments

Section 1 – Summary and Recommendations

This report provides details of the outcomes of the statutory consultation on the proposals to expand Whitefriars Community School by one form of entry and extend the age range to make provision for secondary aged pupils. Also included is an update on Phase 2 of the Primary School Expansion Programme and increase the intake in the primary phase.

Recommendations:

Cabinet is requested to:

1. Note the outcomes of the statutory consultation.
2. Agree to the publication of statutory notices to expand permanently and extend the age range of Whitefriars Community School to include provision for secondary aged pupils.

Reason: (For recommendation)

To enable the Local Authority to fulfil its statutory duties to provide sufficient school places in its area.

Section 2 – Report

Introduction

1. Like many boroughs, Harrow is experiencing significant growth in the pupil population and has a school place planning strategy to increase the number primary school places. Phase 1 of the primary school expansion programme was implemented in September 2013 with 8 schools in the borough permanently increasing their Reception intakes. In July 2013 Cabinet also agreed its Special School SEN Placements Planning Framework for bringing forward proposals to increase provision for children and young people with special educational needs. In November 2013 Cabinet decided the schools that will have statutory proposals published for determination by Cabinet in March 2014. A Phase 3 will be planned to meet demand beyond 2016.
2. As the additional primary pupils progress through to the secondary phase, there will be pressure on the number of secondary school places. A Secondary School Place Planning Strategy was considered by Cabinet at their meeting in November 2013. The strategy outlines three strands in the first phase to meet the increased demand in September 2018. A second phase would be planned for in due course depending on developments. The strategy recognises the contribution of expanding existing schools, the opportunities offered to expand Whitefriars Community School and to develop the Harrow Teachers' Centre site, and the Government's free school programme
3. Harrow submitted a bid to the Government's Targeted Basic Need Programme (TBNP) for the development of the Whitefriars Community School and Harrow Teachers' Centre site by one form of entry for the primary school and the provision of 750 secondary places plus sixth form. The bid was successful and secured £12.4m funding. In accordance with the TBNP funding conditions the funding has to be spent and places available by September 2015. These additional places will contribute to the primary school and secondary school expansion strategies.
4. Heathland Whitefriars Governing Body have resolved that the two schools will become academy schools and the local authority has

received the Academy Orders from the Department for Education (DfE).

Options considered

5. The Secondary School Place Planning Strategy identifies the need for additional secondary school places. The provision of secondary places at the Whitefriars Community School and Harrow Teachers' Centre sites would contribute to meeting a projected shortfall of places and is one of three strands in the first phase of the strategy to bring forward additional provision.
6. As the commissioner of school places, Harrow Council would not expect to provide the school places, but to commission a provider, although this provider can be an existing maintained school. There are several options to bring forward secondary provision on the Whitefriars Harrow Teachers' Centre site. For example, a new free school with DfE selected sponsor, an annexe of an existing high school, a successful bid from Harrow based schools to sponsor a free school, or the extension of the age range of Whitefriars Community School.
7. The DfE previously considered the suitability of the Harrow Teachers' Centre site for an all through school in conjunction with the Avanti House free school proposal. It was concluded that the site was too small to accommodate the free school with the existing Whitefriars Community School. The most appropriate response is to consider the site as a whole to make best use of the land and resources.
8. Any proposal to invite a free school proposal for the whole site would require the closure of the existing Whitefriars Community School, which is a good school in a federation with Heathland School.
9. In accordance with Harrow Council's vision for education with a focus on high quality local provision and Harrow solutions for Harrow residents, the preferred approach would be for the local authority to work with Whitefriars Community School and the local high schools to shape the education provision.
10. By developing the provision in partnership with Whitefriars Community School, the existing high schools and the Council, Harrow Council would be able to facilitate the delivery of additional places in accordance with the TBNP timescale.
11. The delivery of the secondary places will require the complete redevelopment of the Whitefriars Community School site and Teachers' Centre site. This is a complex site to deliver but there is real potential to secure a very positive development in the area.
12. There will be the opportunity to improve the current layout of Whitefriars Community School. The site is disparate with some inadequate accommodation that would benefit from consolidation. The

holistic development of the site would contribute to the regeneration of the Wealdstone area.

Heathland Whitefriars Proposed Conversion to Academy Status

13. The governors of the Heathland Whitefriars Federation have received Academy Orders for the conversion of the schools to academy status. The governors have confirmed the planned date for the transfer is April 2014. The Governing Body are required to consult before the conversion and the consultation was held until 22 November 2013.
14. As part of the academy conversion process there is a land transfer to the Academy Trust. In accordance with the standard academy documentation, all land that the school has had sole access to for the last 8 years would transfer. This would mean that a large part of the site would transfer and there would be licence arrangements to secure access for the school to those shared spaces in council ownership. In the event that conversion happens prior to completion of the building works, an alternative arrangement will need to be reached to ensure the primary school can operate whilst the building works progress.
15. There have been several meetings with the headteacher to discuss the academy conversion and the school's interest in realising their ambitions around expansion, secondary provision and pre-school provision. The Council's preferred approach would be for the academy conversion to happen after the building works were complete (estimated to be September 2015). However, whilst the Council has confirmed this to the Heathland Whitefriars Chair of Governors and Headteacher and can make representations to the Department for Education, the decision on the conversion date lies with the Department for Education, upon receipt of a proposal from the Governing Body of the schools. The Council has submitted a formal response to the Governing Body as part of the consultation and has confirmed that it may also write directly to the Department for Education in relation to a suitable conversion date.

Wealdstone Community and Learning Campus Proposal

16. It is proposed that the local authority develops the combined site as the Wealdstone Community and Learning Campus. The community campus could combine the current local authority provision of the Children's Centre and the primary school places and the proposed secondary school provision. The campus would be a place that offers provision and facilities for the community as well as education and learning.
17. Harrow Council would commission Heathland Whitefriars Federation to provide an additional 210 primary, 750 secondary and 75 sixth form places starting in September 2015. It would work with the school to develop the campus and in particular the secondary provision and assuring this for the future.
18. As part of the commission, the Council would manage the statutory process to expand Whitefriars Community School by one form of entry

and extend the age range before the conversion to academy status. This is the action that the local authority would be taking with the school to deliver the site even if the Governing Body had not resolved to academy conversion from April 2014. To secure the permanent expansion of the School, it is necessary for this process to be completed and a decision made on the expansion proposal prior to the conversion to an academy. With the initial proposal being to convert in April 2014, the timescale is very tight and the land transfer will be more complicated, as the Council will not be able to transfer the existing land on a long lease due to the proposed plans for the site. Whilst the Council can negotiate an appropriate use arrangement in the interim, if this is not agreed, the Secretary of State has powers to compel the transfer of land. The Council can make representations to the Department for Education to ensure that future plans are known and clearly understood to avoid this situation.

Portfolio Holder Decision

19. In order to meet the challenging timescales to deliver this project in accordance with the conditions of the Targeted Basic Need Programme for the new places to be available by September 2015, a Portfolio Holder Decision was made in October 2013 to undertake a statutory consultation on the proposal to expand Whitefriars Community School by one form of entry and extend the age range to make provision for secondary aged pupils. This decision enabled the timeline to be aligned to the other Phase 2 schools proposed for expansion and the funding timescales for the Targeted Basic Need Programme.

Statutory consultation

20. The statutory consultation was held from Monday 4 November for four weeks closing on 29 November 2013. The consultation was wide ranging and conducted in accordance with the Department for Education School Organisation and Competitions Unit guidance. Consultation papers were sent to all parents, members of staff and governors of Whitefriars Community School and information was delivered to residents living close to the current school and Harrow Teachers' Centre sites. Open consultation meetings were held on 20 November 2013 for parents and residents to present information and enable discussion of the proposals. Harrow Council sent the consultation paper to interested parties including schools, neighbouring local authorities, diocesan authorities, local MPs and elected members, trade unions, voluntary and community organisations, and Harrow Youth Council.

Outcomes of the Statutory Consultation

21. 49 responses were received to the consultation. Respondents were primarily parents/carers and residents. A number of comments were included with the responses given and the spreadsheet setting out the summary of responses and comments is included in Appendix 1. The full consultation responses and comments are available in Background Papers to this report. The consultation responses include separate

written responses from the Heathland Whitefriars Federation and the High School Heads Group.

22. Two questions were asked in the consultation. They were:
- “Do you agree with the proposal to permanently expand Whitefriars Community School to become a three forms of entry primary school?”
 - “Do you agree with the proposal to extend the age range of Whitefriars Community School to include secondary school provision?”

Both questions offered the option to respond ‘Yes’, ‘No’, or ‘Not Sure’ to each question. Opportunity was given for comments to be added after each question if the respondent wished to do so.

23. The following tables provide overall responses to the consultation questions.
24. The overall responses to Question 1 were

Question 1: “Do you agree with the proposal to permanently expand Whitefriars Community School to become a three forms of entry primary school?”

Response	Number	Percentage
Yes	31	63.27%
No	13	26.53%
Not Sure	05	10.20%
Total	49	100.00%

25. The overall responses to Question 2 were

Question 2: “Do you agree with the proposal to extend the age range of Whitefriars Community School to include secondary school provision?”

Response	Number	Percentage
Yes	26	53.06%
No	15	30.61%
Not Sure	08	16.33%
Total	49	100.00%

26. The response to the statutory consultation questions by respondent type is as follows.

Numbers Overall	
Harrow Resident	21
Parent/Carer	25
Pupil	1
School Staff	0
School Governor	0
Other/Blank	2
Total	49

27. The responses by respondent type for the first consultation question were as follows:

Do you agree with the proposal to permanently expand Whitefriars Community School to become a three forms of entry primary school?	Harrow Resident	Other	Parent / carer	Pupil	Total
Yes	6	2	22	1	31
No	10	0	3	0	13
Not Sure	5	0	0	0	5
Totals	21	2	25	1	49

28. The responses by respondent type for the second consultation question were as follows:

Do you agree with the proposal to extend the age range of Whitefriars Community School to include secondary school provision?	Harrow Resident	Other	Parent / carer	Pupil	Total
Yes	4	0	21	1	26
No	13	0	2	0	15
Not Sure	4	2	2	0	8
Totals	21	2	25	1	49

Monitoring information

29. When completing their responses to the consultation, respondents were invited to provide information about how they perceive their social identity to assist with monitoring the effectiveness of the consultation outreach. Anonymous information was requested under the following categories: disability; ethnic group; and religion. The following tables show the responses received under these categories.

Respondents by Disability

	Number	Percentage
Not Disabled	43	87.76%
Yes, affecting mobility	0	0%
Yes, affecting hearing	1	2.04%
Yes, affecting vision	0	0%
Yes, a learning disability	0	0%
Yes, mental ill-health	0	0%
Yes, another form of disability	0	0%
Not Stated	5	10.20%

Ethnic Group	Number	% of total response
Asian Or Asian British	20	40.82%
Black or Black British	2	4.08%
Other Ethnic Group	4	8.16%

Mixed ethnic background	1	2.04%
White	20	40.82%
Did Not Specify	2	4.08%

Respondents by Religion

	Number	Percentage
Buddhism	2	4.08%
Christianity	21	42.86%
Hinduism	10	20.41%
Islam	7	14.29%
Jainism	1	2.04%
Judaism	1	2.04%
Sikh	0	0%
Zoroastrian	0	0%
Other	0	0%
No Religion	1	2.04%
Not Stated	6	12.24%

Themed analysis of comments received

30. The responses made to the first consultation question (“Do you agree with the proposal to permanently expand Whitefriars Community School to become a three forms of entry primary school?”) indicate broad agreement with the proposal to permanently expand Whitefriars Community School from parents/carers to become a three forms of entry primary school. There was less agreement from residents. The comments made by respondents to this question include the following main themes:

- The area is already congested and overcrowded;
- Too many schools in one small area;
- The site is too small for the numbers of children;
- Traffic is already a problem in the area and this will be made worse;
- Concerns about the quality of the education at a larger school and at Whitefriars Community School currently;
- The safety of children on already busy roads.

Comments from respondents in favour of the proposal included:

- More places are needed to cope with the growing demand, including in good and outstanding schools;
- It will be good for the community as long as the school maintains a very good standard.

31. Half the responses made to the second consultation question (“Do you agree with the proposal to extend the age range of Whitefriars Community School to include secondary school provision?”) agreed with the proposal to extend the age range of Whitefriars Community

School to include secondary school provision. Again, there was more support to the proposal from parents and strong disagreement to the proposal from residents. The comments made by respondents to this question include the following main themes (additional to those that were the same as made to the first question):

- Concerns about existing traffic to commercial premises in Cecil Road, especially GFL;
- There was not enough room for Avanti House, so why is this proposal acceptable?
- Anti-social behaviour in the High Street is a problem;
- Community gains need to be identified;
- Concern about lack of secondary expertise in the 'sponsors' and whether the post-16 numbers are sustainable.
- Existing high schools in the vicinity of the school;
- Concern that green space would be lost as a result of the development.

Some alternative suggestions were made:

- Could the Winsor & Newton factory site be used?
- All high schools should be expanded to cope with the extra demand.

Comments from respondents in favour of the proposal included:

- This school should cater for all age ranges due to the growing population;
- As long as education standards are kept.

32. A number of questions were raised by respondents, including:
- Will the intake be for children within walking distance of the school?
 - Will there be serious consideration for ESL?
 - Will there be Headteachers for each section of the proposed school?
 - What outdoor space is envisaged?
 - Will children have a choice of secondary schools?
 - Will more public transport be provided at essential times?

Response to the consultation from the High School Heads Group

33. Response to the consultation has been received from the High School Heads Group and is available in Background Papers. Key points made in the response include:
- Recognition of the medium term need for additional secondary phase places within the Borough and the appropriateness of the Teachers Centre as a location for additional secondary phase places in a borough where it is difficult to find appropriate sites.
 - The high schools would want to work with Whitefriars on the development of the curriculum and staffing to ensure that students have access to appropriate specialist teachers during the growth of the school when staffing may be a challenge.
 - Suggested approaches to phasing the introduction of the secondary phase places prior to the need for all the additional places in the borough.

- The group would welcome confirmation from Whitefriars as to their intentions regarding over-subscription criteria. The schools strongly believe that it is in parents' interests for over-subscription criteria for secular, co-educational provision within the borough to remain as consistent as possible.
- Concern that a sixth form capacity of 75 is unsustainable, even with inclusion into the Sixth Form Collegiate.

Response to the consultation from Heathland Whitefriars Federation

34. The Heathland Whitefriars Federation has responded to the consultation as follows: "The Federation is very positive about the expansion proposals. Our team looks forward to being a key partner, with the Harrow Council, in delivering outstanding provision for more young people in the local community. Our children's families tell us that they are very excited by this opportunity to build on the success of Whitefriars School since the federation with Heathland."

Officer response to the consultation comments

35. Officer responses to the consultation comments are given below under five main headings that encompass the themes: Traffic; Site; Area; School Places; Education Standards.

Traffic

The concerns expressed about traffic congestion and road safety in the area are fully recognised and detailed response is given in the 'Traffic and congestion issues' section below.

Site

The Harrow Teachers' Centre site has been identified for additional secondary school provision in the Council's Area Action Plan. The proposal is consistent with the planning contained in that plan which was the subject of extensive consultation.

The proposal has fewer pupil numbers than would have been the case if Avanti House free school had been permanently located at the Harrow Teachers' Centre site. Also, taking a holistic approach to the development of the combined school and teacher centre sites maximises the opportunities to make best use of available facilities and land.

Area

The Wealdstone area is densely populated and is located in the central area of the borough for development. Harrow Council is creating additional school places as close as possible to where the additional demand is and this helps to reduce the need for reliance on vehicular transport to and from school.

The proposed development would seek to maximise any opportunities to enhance and improve facilities for local residents. A sub-group of the School Expansion Stakeholder Reference Group, a representative group of elected member and stakeholders, is being established to promote community engagement in the development of the proposal to the benefit of the local community.

Planning policy requirements would ensure full consideration is given to the preservation of green spaces in any development.

School Places

In November Harrow Cabinet agreed its Secondary School Place Planning Strategy to achieve sufficient school places to meet the increased demand. There are three strands to the first phase of the strategy: expansion of existing high schools; support for free school bids to create new schools; and this proposal. It is acknowledged that there are two existing high schools in the area located on the high street and the movement of pupils to and from the site would need to be planned and monitored to minimise any issues that may arise. The filling of places at the all-through school would happen incrementally and in phases which would assist planning.

The existing school's over-subscription criteria relates primarily to distance and it is envisaged that the admission criteria for the secondary school would be similar. There is no plan to allow selection by academic ability or by faith for the additional school places. If the school converted to an academy in the future, the school would be able to change its admission arrangements. However schools which do not have selection by academic ability are not allowed to add in this criteria.

The intake to the secondary provision would be phased and increase over time with the first Year 7 intake occurring in September 2015.

This is because the full number of additional secondary school places will not be required in 2015 and to minimise any impact on other secondary schools in the borough.

Education standards

Whitefriars Community School and Heathland School formed a Federated Governing Body in August 2012. This formalised the cooperative working that has been in place since January 2012 to bring about improvements in educational achievement. The federation ensures the best practice from both schools is built upon, and has put in place leadership arrangements that are driving that improvement. The Federated Governing Body supports the proposal to expand and extend the age range of the Whitefriars Community School and representatives from the school were involved in the presentation and discussion at the open consultation meeting. The Federated Governing Body and senior leadership of the school would develop more detailed planning to establish the all through school including curriculum and staffing arrangements.

Whilst the all through school would have one headteacher, it would be possible to have deputy headteachers who focused on different phases of education. Staffing decisions are generally a matter for the Governing Body.

Traffic and congestion issues

36. Increased traffic and congestion at the start and end of the school day is a characteristic of many schools and has been the major theme of concern in the consultation responses about expansion proposals in the school expansion programme consultations. The proposal for the all through school at the Whitefriars Community School and Harrow Teachers' Centre development would generate a significant increase in journeys to the school with a consequent impact on the highway network due to the additional traffic. Particularly, there will be potential

for increased congestion and road safety problems due to additional vehicle trips.

37. The area around Whitefriars Community School and Harrow Teachers' Centre already has a degree of traffic and congestion issues from the current school intake and from through traffic along Cecil Road. The increase would exacerbate the problems if no mitigating measures are taken. To minimise the impact of the additional pupils attending the schools proposed for expansion in Phase 2 of the school expansion programme including this proposal, a cross-council approach is being implemented. This approach brings officers together from Children and Families, Enterprise and Environment and Communications to co-ordinate work.
38. Additional resource is being committed to ensure an appropriate profile to all the Phase 2 expansion projects in particular.

This additional resource will ensure:

- Transport Assessments are undertaken at each of the schools proposed for expansion. The assessments will provide an independent view of the proposals by reviewing baseline information about current traffic volumes and current issues and make recommendations about any impact as well as setting out any actions required. This assessment will take account of the consultation responses already received.
 - Appointment of a Transport and Travel Planner Officer for the expansion projects to develop and implement effective travel strategies in conjunction with the schools. This position will also coordinate inputs and actions from other council departments to assist the change process. This is a key role in influencing and engaging with all stakeholders to change attitudes to travel through the review and the development of School Travel Plans in order to minimise the use of private car travel to the school, particularly by parents. This role will also liaise with the Highways, Traffic Management and Enforcement teams to ensure that any necessary engineering work and enforcement action, including Safer Neighbourhood Teams, is provided in line with the travel plans developed. This officer will also be involved in the pre-planning engagement activities and input into the planning applications.
 - There will be a communication strategy for the Phase 2 expansion projects to raise the profile of school travel planning. An additional Communications Officer will be engaged to give this work a high profile.
39. The congestion that occurs around schools at the beginning and end of the school day has been a national problem over many years. Caused by the high use of private cars as the dominant travel choice by parents, it is currently an issue across most schools in the borough. The Council's policies on addressing the proliferation of vehicular traffic and congestion are set out in the Council's Transport Local Implementation Plan (LIP). The current LIP was adopted in July 2011

in order to take account of the current London Mayor's Transport strategy.

40. The policies in the LIP align with current regional and national policies to encourage modal shift and discourage private car use. The strategy recognises that the capacity of the network cannot keep pace with the increasing levels of public car ownership and usage and, that the use of other transport modes is the only viable alternative. Therefore schools in the borough are encouraged to create a travel plan document. The document identifies travel behaviour and barriers that prevent sustainable travel modes. A package of measures is then created to mitigate these barriers and can include a wide range of different aspects as follows:
 - Sustainable transport promotions / communications, providing best practice guidance from other schools.
 - Interactive workshops and theatre group shows / presentations with pupils, parents and teachers.
 - Road safety education and advice.
 - Cycle / Scooter training.
 - Organising walking buses, park and stride, walking reward schemes.
 - Provision of user friendly or tailored travel maps and public transport information.
 - Highway engineering improvements such as for example, crossing points or provision of cycle storage facilities.
 - Enforcement action against traffic / parking offences.
 - Self monitoring of travel plan performance and identifying improvements.
41. There are on-going discussions, yet to be concluded, between Transport for London, London Councils and the London Boroughs about the impact of potential LIP funding reductions in future years. It is not expected that the policies will be affected but in the event that there is a budget reduction the Council will need to adjust its programme of works accordingly.
42. Given the Council's transport policies, it is unlikely measures that facilitate driving would be included in the development of the schools. For example; drop off zones or car parks. These types of facilities would only exacerbate the existing problems.
43. The travel plans for the proposed schools for expansion will be amended as part of the School Expansion Programme. The success of the travel plan is largely dependent on the level of engagement and ownership by the school and their parents. It will be extremely important for officers to engage proactively with Headteachers and their school community to encourage positive changes in travel choices.
44. As well as encouraging changes in transport behaviour, it will also be necessary to regulate the highway environment to discourage obstructive and inconsiderate parking. It is inevitable that a proportion

of parents will drive to school and restrict traffic flow at or near the school frontage. Each site will be reviewed to see where parking restrictions are required to limit the worst effects. Parking restrictions will need to be supported by an appropriate level of enforcement. It must be noted that as a standalone measure this would not be effective and can only work as a part of a package of measures identified in the travel plan.

45. This proposal would require a substantial building programme, for which planning permission would be needed. If an application is submitted, a decision on this will be a matter for the Planning Committee. This committee will consider highways and traffic concerns, the use of green space and impact of the development on the local area. Residents and parents who believe they are impacted by this decision are entitled to make representations to the planning committee during the statutory planning consent timescales.

Next steps

Statutory proposals

46. If Cabinet decides to publish statutory proposals, these would be published for a six week representation period from Thursday 9 January 2014 to Thursday 20 February 2014.

Decision making

47. A further report will be presented to Cabinet in March 2014 to determine the statutory proposals. Cabinet will have the following options when considering the statutory proposals:
 - a. Reject the proposals.
 - b. Approve the proposals.
 - c. Approve the proposals with modification e.g. in relation to the implementation date.
 - d. Approve the proposals subject to meeting a separate condition.

Stakeholder Reference Group

48. A School Expansion Stakeholder Reference Group has been established which is a cross party representative group to provide advice and guidance on the implementation of the school expansion programme and Priority School Building Programme projects. The first meeting of the reference group was held on 6 November 2013 and the group will meet again in January 2014.
49. It is proposed to set up a sub-group of the SRG for the Whitefriars Community School / Harrow Teachers' Centre development. This group would help to ensure effective community engagement and involvement in the development of the project and help to maximise opportunities to enhance provision for the community and to address issues and concerns. The group will include representatives from the school, local community and ward councillors.

Preparatory school expansion work

50. During the publication of the statutory proposals, officers will continue to work with the school to plan for the potential expansion and extension of age range and addressing points or issues raised in the consultation. Officers will provide support to the Headteacher and Governors as required to consider school organisation and management issues.
51. The development of the site requires the relocation of the Pupil Referral Unit. Consideration will need to be given to the needs and location of the Pupil Referral Unit which is currently located in the classroom block at the Harrow Teachers' Centre site. Funding would need to be identified to implement decisions that are made because the Targeted Basic Need Programme allocation is specifically for the new school places that are created. Other considerations include the position of the Harrow Teachers' Centre staff and relocation of users of the office space.
52. Capital building work will be needed to deliver the additional primary and secondary school places on the combined site. Whitefriars Community School will need to continue to operate on the site during the construction phases with the minimal possible impact on the children's learning. The site feasibility study for these works is largely complete and the aim is to start design work for the project in December. The urgency of the design work followed by planning application and construction for the scheme is twofold.
 - Firstly the need for necessary accommodation to be delivered in time for when the school begins to take additional classes.
 - Secondly due to grant conditions that mean much of the grant for the project needs to be fully spent by September 2015.
53. Therefore, initial design and planning work and planning application will be completed in parallel to the statutory processes. This will be at a level of financial risk to the Council, as it is prior to the final decision Cabinet will make in March. This risk is considered to be low because the views expressed during the statutory consultation processes in relation to the proposals will be taken into account. The risk will also be mitigated by on-going discussions where the cost is high or there is uncertainty about the level of support for the expansion before developing the designs further. Pre-Planning community engagement activity will also be undertaken prior to the submission of any planning application. In the event that a decision to agree the statutory proposals is made in advance of a planning decision, this can be made subject to planning permission, which means that the proposals do not have to be implemented if planning permission is not obtained.

Update on Phase 2 of the Primary School Expansion Programme

54. At its meeting on 21 November 2013, Cabinet approved the publication of statutory notices to expand permanently nine schools that had been subject to statutory expansion consultations. This decision has not been subject to call-in and statutory proposals in relation to these

schools will be published for a four week representation period from Thursday 9 January 2014 to Thursday 6 February 2014.

55. The Corporate Directors of Children & Families and Environment & Enterprise are putting in place strong governance, programme management and community engagement processes for delivery of the programme to tight timescales and conditions. A Programme Board has been established and the Children's Capital Project Team is being strengthened with relevant expertise. The School Expansion Stakeholder Reference Group, a representative group of elected members and stakeholders, held its first meeting in November and a sub-group for the proposal to establish an all-through school on the Whitefriars Community School and Harrow Teachers' Centre sites will hold its first meeting in December.
56. Site feasibility work is being progressed on all the proposals in the programme to create more mainstream and special educational needs places in Harrow. The sites vary in their complexity and range of issues. The expansion proposal at St Anselm's Catholic Primary School, a voluntary aided school that was a successful application to the Targeted Basic Need Programme, is proving to be particularly challenging on cost, Planning and considerations relating to use of other land around the school site. Discussions are continuing about these issues and contingency thinking is being progressed in case this proposal is unable to proceed. The estimated cost has risen to approximately £6m and despite considerable review there are few options to reduce this cost to a better value for money solution or reduce Planning concerns.
57. The Governing Body of Cannon Lane Primary School responded formally in support of permanent expansion in 2015, and the Corporate Director of Children & Families, in consultation with the Portfolio Holder for Children and Schools, has exercised the delegation made by Cabinet and decided to publish statutory proposals to permanently expand the school.

Financial implications

Revenue

58. Any school expansion will inevitably have significant financial implications and clarity about funding is essential to maintain commitment to the School Expansion Programme. School revenue budgets are funded from the Dedicated Schools Grant (DSG). As the Department for Education (DfE) allocates DSG based on pupil numbers, any increase in pupil numbers results in additional revenue funding for the expanding school. The revenue funding is allocated to schools based on the Harrow Schools' Funding Formula. School budgets are based on pupil numbers in the October prior to the start of the financial year, so there is always a funding lag when schools increase their pupil numbers. To ensure that schools who agree to an additional class are not financially penalised, the Harrow School Funding Formula provides 'Additional Class Funding' for the period

from September to the end of March, following which the mainstream funding formula will take effect. This ensures that schools have adequate funding for at least the average costs of a teacher.

Capital

59. Harrow received £12.4m for this project under the Government's Targeted Basic Need Programme (TBNP). In accordance with the grant condition, this has to be expended by September 2015.
60. Officers are considering the procurement route for this project and it is expected the Education Funding Agency (EFA) Framework Agreement will be used to procure a contractor for the project.
61. A feasibility study for the school is currently underway and early stage estimates indicate the cost of the scheme is likely to be in the region of £15m – £20m depending on the options chosen. This current estimate is above the TBNP funding of £12.4m and officers will need to ensure an affordable solution is achieved. The cost of the scheme will also need to cover the relocation costs of Harrow Tuition Service.
62. If the project cannot be reduced to the TBNP level of funding, resources from other school funding streams will need to be identified so that it is affordable within the overall School Expansion Programme.
63. The School Expansion Programme costs were considered as part of setting the Capital Programme for this financial year (13/14), but the Capital Programme has been subject to change following success in the TBNP bids. In October 2013, Cabinet agreed an increase to the Capital Programme for 13/14 due to additional funds being allocated by the EFA in this financial year. Bids have been submitted via the Capital Strategy capital bid process for the remainder of the school expansion programme which will come to Cabinet for approval in due course, although at that stage the feasibility study was not underway and the current estimate was not known, and so the bid was based on £12.4m.
64. The breakdown of the indicative costs for the project and the funding is detailed in the table below:

School	13/14 £,000	14/15 £,000	15/16 £,000	Totals (initial cost estimates) £,000
Whitefriars	2,250	8,250	4,500	15,000
	–	–	–	–
	3,000	11,000	6,000	20,000

65. At this stage the figures are indicative and provided for illustrative purposes. They will be refined and modified as the project is

developed. Detailed feasibility stage cost planning is currently underway. If there are major site anomalies or key planning issues then these costs could increase. There will be close monitoring of the affordability of the project through the Programme Board.

66. Based on current estimates for the cost of the school expansion projects and some basic assumptions about further yearly allocations from the EFA, it is still expected that it is possible to deliver the overall expansion programme with EFA capital grants, without the need for council capital funding. This will continue to be reviewed and updated as each scheme progresses and reported to the Programme board and quarterly to Cabinet.

Legal implications

67. The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for the provision of primary and secondary education in their area.
68. There is a statutory process for permanently expanding maintained schools. This process includes statutory consultation and the publication of proposals with a formal representation period. The statutory requirements and national guidance will be followed when progressing any proposals of expansion of an individual school.
69. The Local Authority has a statutory entitlement under Sections 15 and 19 of the Education and Inspections Act 2006, to issue statutory proposals in respect of school reorganisation.
70. The statutory process for making alterations to a school include extending the age range and size of a school and extending the upper age limit of a school.
71. Section 6A of the 2006 Act requires a local authority to invite academy proposals when it has determined that there is a “need” for a new school. Therefore, if there is a clear need for a new school, this should be done via s.6A. In this case, the pupil projection figures show a possible future need for a new school for secondary provision, but there are places in Year 7 and 8 based on current roll numbers. In addition other options to create secondary places exist, for example expansions of existing schools. The Harrow Teachers’ Centre site has been identified in area planning for additional secondary places in the future and it is appropriate to consider an all through school on the Whitefriars Community School and Harrow Teachers’ Centre sites, because it is a good use of the whole site and it may address future need.
72. The Council has good evidence that the site itself is not suitable for two separate schools, based on the Education Funding Agency assessment in relation to the previous Avanti House proposal. For this reason, the most appropriate option is to seek to use the site for one

school and based on the size of the site and the current primary school, an all through school is the most appropriate option.

73. The added complication is the fact that the two schools in the Heathland Whitefriars Federation are the subject of Academy Orders. However, the Academies Act clearly confirms that the school does not convert to an academy until the academy arrangements are entered into and this will only happen on signing of the funding agreement (or similar financial arrangement). The funding agreement is between the Department for Education and the Governing Body of a school and the Council is not a party to this. In theory, following consultation and the making of an academy order, this could be signed at any time.
74. During the consultation on the proposed conversion to an academy, the Council has had meetings and sent correspondence to Whitefriars Community School to seek to ensure the alignment of the timescales for the proposals for statutory alteration of the school, Targeted Basic Need Programme completion and the proposed academy conversion.
75. If appropriate the Council may consider whether to ask the Secretary of State to consider timescales for the Academy conversion that enable the alteration to take place, building works to be completed and the enlarged school to open as academy.
76. In relation to the process for alteration, as this is the first all through school and provides new provision for secondary education, the consultation should include all secondary schools in the area, as well as local primary schools. Due to the constraints on the site and the large increase in number of pupils and complete rebuild, local residents and businesses should be consulted. The residential area should cover any likely transport routes near the school. The consultation documentation must clearly set out the statutory process for altering a school and the separate planning process for the building works.
77. Cabinet must take account of all consultation responses when deciding whether to publish statutory proposals. It should also bear in mind that some responses may be related to issues that should properly be considered as part of the planning process, such as traffic and highway matters. Whilst these issues can still be taken into account, it is for the planning committee to determine the appropriate response to these matters when determining the planning application. When considering consultation responses, the Council must take into account the number of responses, including the number for and against the proposals as well as the detailed comments, where relevant to the proposal. However, even if there is a strong response against proposals, the Council can still decide to proceed if it has proper policy reasons for doing so.
78. When making public law decisions, the Council must take account of all relevant information, including consultation responses, equality implications, crime and disorder concerns, financial implications and its statutory duty to provide school places.

79. The statutory guidance on expansion and extending the age range of community schools confirms matters which should be taken into account by local authorities when determining proposals. This will be a matter for Cabinet to consider in March when it is asked to determine the proposals. However, for completeness, it includes the need to deliver excellence and equity in school place planning, the need to include parents in decisions around provision of schools, the need to maintain and increase local standards of education, diversity of provision, options for extended services, journey times and travel options for pupils attending the school and that land, premises and capital are in place to implement the proposals.
80. As the detailed plans for the site have not been finalised, it is not possible to confirm whether there is a need for any statutory consents in relation to any open space. Information on this, if required, will be provided in the March Cabinet report.
81. As the proposal is dependent on planning permission, the local authority can make the decision conditional on grant of planning permission. It can also consider whether to make it conditional on the continuation of the existing federation with Heathland.

Equalities implications

82. Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.
83. Equalities Impact Assessment has been undertaken on Phase 2 of the Primary School Expansion Programme. The conclusion of this assessment is that the implications are either positive or neutral. If Cabinet decides to publish statutory proposals it is proposed that a full Equality Impact Assessment will be undertaken on this proposal and include consideration of secondary provision.
84. Harrow's schools are successful, inclusive and provide a diversity of provision. The school expansion programme will ensure sufficient school places for the increasing numbers of children in Harrow and will build on the successful provision that already exists in Harrow's schools.

Performance Issues

85. Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged 'good' or 'outstanding' by OfSTED. 92% of Harrow's primary and secondary schools are judged 'good' or 'outstanding', compared to 85% in London and 78%

nationally. Whitefriars Community School's most recent inspection resulted in a judgement of 'Good'.

86. The table below includes the 2012 Key Stage 2 results of Whitefriars Community School. The table compares the school's performance in English and Maths at Level 4+, English Expected Progress and Maths Expected Progress results to the Harrow and national averages.

2012 Key Stage 2	English & Maths L4+	KS1-KS2 Expected Progress - English	KS1-KS2 Expected Progress - Maths
Whitefriars	61%	97%	77%
Harrow	83%	91%	90%
National	79%	89%	87%

Source: DfE Performance Tables

87. The Schools White Paper and Education Act 2011 maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring performance and driving improvement has changed significantly and is reduced from its previous level. However, the Local Authority maintains a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The Local Authority is also statutorily responsible for supporting and improving underperforming schools.

88. The Local Authority continues to monitor key education indicators. The indicators are used locally to monitor, improve and support education at both school and local authority level. They are also used within information provided to the DfE.

89. The indicators fall within the following areas:
- Attendance and exclusions - remain a statutory duty for the Local Authority to monitor and improve.
 - Underperforming schools – schools are assessed at Key Stage 2 & Key Stage 4 against defined floor standards.
 - Narrowing the Gap - is a fundamental part of Ofsted's school inspection process, and accordingly, the Local Authority monitors the attainment of identified groups of pupils in its schools. The table below includes the gap at key stage 2 between pupils eligible for free school meals and their peers and the gap between Harrow's SEN children and their peers – children with a SEN provision includes School Action, School Action Plus or a Statement.

2012 Key Stage 2 - Narrowing the Gap	Harrow	National
Achievement gap between pupils eligible for free school meals and their peers, based on pupils achieving level 4 or above in both English and mathematics at Key Stage 2.	16%	17%

Achievement gap between pupils with special educational needs and their peers, based on pupils achieving level 4 or above in both English and mathematics at Key Stage 2.	44%	49%
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90. There is a complex interrelationship between a number of other performance issues such as traffic congestion, road safety, traffic and parking enforcement and travel plan performance, as referred to earlier in the report, and all these considerations are taken into account in assessing school expansion proposals

Environmental Impact

91. The Council's over-arching climate change strategy sets a target to reduce carbon emissions by 4% a year. Schools account for 50% of the council's total carbon emissions. Reducing emissions from schools is therefore a vital component in meeting the Council's target. Phase 2 of the School Expansion Programme will have an impact on carbon emissions that will need to be carefully considered in this context.
92. The RE:FIT Schools Programme will be available to retrofit existing school buildings to improve their energy efficiency. For new-build schools, the design standards will need to ensure that they meet high energy use efficiency standards.
93. For this proposed expansion, planning applications will be required and part of the application will be a school travel plan. Through this process and the development of the solutions for the schools, the impact of the additional pupils and their travel modes will be addressed.

Risk Management Implications

94. The directorate and corporate risk management implications for the Council arising from school place planning are included on the directorate and corporate risk registers. A Programme Risk Register is also being formulated and this will be reviewed by the School Expansion Programme Board.
95. The key high level risks for this programme are set out below:

High Level Risks	Consequences	Mitigating/Control Actions
Planning	Planning permission not granted creating delays to project.	<p>Informal discussions with Planners during feasibility regarding planning polices.</p> <p>Planning Performance Agreement to be agreed.</p> <p>Community engagement through the statutory consultation and the pre-planning engagement activities. School community and local residents invited to meetings and</p>

		<p>provided with information about the proposals.</p> <p>Traffic Assessment being commissioned to inform School Travel Plan and highways mitigation measures.</p>
Finance	<p>Costs of the project exceed the TBNP allocation leading to additional costs to Council.</p> <p>Relocation of the Pupil Referral Unit</p> <p>Winding down costs of the Harrow Teachers' Centre</p>	<p>Procurement through EFA Framework Agreement is being considered to ensure the construction meets EFA requirements.</p> <p>Indicative costs calculated from feasibility study to inform programme budget.</p> <p>Robust financial and programme monitoring through the Programme Board, Capital Forum and Cabinet reports.</p> <p>Decisions to be made about the needs and location of the PRU and funding identified.</p> <p>Planning and provision for the position of the Harrow Teachers' Centre staff and relocation of users of the office space</p>
Project delivery	<p>Delays to project – school places not available, additional costs.</p>	<p>Capital Team established with appropriate skills, experience and expertise in major construction projects to deliver programme.</p> <p>Programme Board established with Corporate Director and senior officer membership.</p> <p>The contract with the constructor will safeguard the Council's liabilities.</p>
Pupil Projections	<p>Over or under estimate of pupil growth leading to a mismatch of provision – shortage of places or over provision of places leading to high levels of vacancies.</p>	<p>GLA commissioned to provide school roll projections. Review of projections against admissions, applications, In-Year movement of pupils. Close working with schools.</p> <p>This project is part of the school expansion programme planned to achieve a sustainable level of school places to meet the growth as indicated by the pupil projections. The additional permanent places are created as the demand grows over the years.</p> <p>The peak and variations in demand for school places will be met by continued use of temporary additional places. This approach will minimise the risk of having to</p>

		remove permanent capacity in the years following the peak in demand.
Community engagement	Lack of understanding of the need for school places and of the proposals leading to delays and complaints.	<p>Letters sent to Whitefriars parents and 1,200 resident households around the school and HTC sites with information and invitation to consultation meetings.</p> <p>Promote the vision for a Wealdstone community learning campus.</p> <p>Establish a sub-group of the School Expansion Stakeholder Reference Group.</p> <p>Communication strategy will be developed for the overall programme and for this project.</p> <p>Programme communications officer to develop and co-ordinate communications.</p>

Corporate Priorities

96. This report incorporates the administration's priority to deliver a cleaner, safer and fairer Harrow by:
- Ensuring it fulfils its statutory duties to provide sufficient school places in its area.
 - Providing high quality local educational provision in schools for children close to where they live.

Section 3 - Statutory Officer Clearance

Name: Jo Frost	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 22 November 2013		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 2 December 2013		

Section 4 – Performance Officer Clearance

Name: David Harrington	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date: 21 November 2013		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Corporate Director (Environment & Enterprise)
Date: 27 November 2013		

Section 6 - Contact Details and Background Papers

Contact: Johanna Morgan, Education Professional Lead, Education Strategy and School Organisation, 020 8736 6841.

Background Papers:

- Primary School Expansion Programme report to Cabinet 21 November 2013. Item 10 <http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=249&MId=61433&Ver=4>
- Whitefriars Community School consultation papers http://www.harrow.gov.uk/info/200086/nursery_school_and_college/1057/whitefriars_community_school_proposal/2
- Equality Impact Assessment on Phase 2 of the primary school expansion programme
- Full Consultation Responses (Contact 020 8420 9270 to view the consultation responses) – Whitefriars HSH Consultation response is published with the agenda as a background paper

Call-In Waived by the Chairman of Overview and Scrutiny Committee	NOT APPLICABLE <i>[Call-in applies]</i>
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