
REPORT FOR: CABINET

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| Date of Meeting: | 15 October 2015 |
| Subject: | Proposal to expand the Stag Lane schools |
| Key Decision: | Yes |
| Responsible Officer: | Chris Spencer, Interim Corporate Director of People |
| Portfolio Holder: | Councillor Simon Brown, Portfolio Holder Children, Schools and Young People |
| Exempt: | No |
| Decision subject to Call-in: | Yes |
| Wards affected: | Edgware, Queensbury |
| Enclosures: | Appendix 1 – Considerations about the proposal in relation to the Decision-Makers Guidance |

Section 1 – Summary and Recommendations

This report provides information and recommendations to enable Cabinet to determine the statutory proposals to expand permanently the Stag Lane schools.

Recommendations:

Cabinet is requested to approve the statutory proposals to expand permanently Stag Lane Infant and Nursery School by one form of entry (30 pupils) from 1 September 2016 and Stag Lane Junior School by one form of

entry (30 pupils) from 1 September 2019.

Reason: (For recommendations)

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

Section 2 – Report

Introductory paragraph

1. The Local Authority has a statutory responsibility to provide sufficient school places for its area. Like many boroughs, Harrow is experiencing significant growth in the pupil population and has been creating additional school places to meet the increased demand since September 2009.
2. The latest school roll projections predict that the increased demand for Reception places will continue to increase until 2022/23, at which point Reception numbers are projected to plateau.
3. In July 2014, Cabinet agreed to:
 - the publication of statutory proposals to expand permanently a third phase of primary schools;
 - delegate to the interim Corporate Director of Children and Families, following consultation with the Portfolio Holder for Children, Schools and Young People, the decision about: the final list of schools that should be moved to the statutory process for permanent expansion.
4. The decision sought to expand the Stag Lane schools will help the Council meet its corporate priorities to make a difference for families, communities and the vulnerable by ensuring sufficient school places in its area.

Options considered

5. Consultation about the proposal to expand the Stag Lane schools was held from Monday 24 November to Tuesday 16 December 2014. Almost two thirds of the respondents to the consultation agree with the Council's proposal to expand the Stag Lane schools and under one third disagree. Two thirds of respondents were parents, 75% of whom supported expansion of the schools. On 16 July 2015, following consideration of the consultation outcomes, the interim Corporate Director People approved the publication of statutory proposals. Information about the consultation outcomes is included in Appendix 1 to this report.
6. Statutory proposals to expand the Stag Lane schools were published on 24 August 2015 for a four week representation period which closed on 21 September 2015. The local authority received two

representations: a statement from the Governing Body, and; a letter from Bob Blackman MP Harrow East.

7. At its meeting on 15 September 2015 the Governing Body of the Stag Lane Schools agreed the following statement:
“Governors recognise the need for the Local authority to provide additional school spaces in this area and accept that expansion would take place on the Stag Lane schools site. They also recognise the inadequacy of some of the present buildings, which would exasperate current crowded school working arrangement if major adjustments were not carried out. They ask that the LA, the architects and contractors make every effort to work closely with the staff of both schools taking into account their key knowledge, expertise and commitment for the best interests of the children including those children attending the school now. The Governors would like to ensure that all agreed and signed contracts are kept to by both parties and agreed plans are carried out fully once agreed at the outset. They are also concerned about the current problems faced by many of the other schools in Harrow where the current building works have over run or been problematic which has impacted on budgets. They ask that the LA also take into account the concerns of the wider local community.”
8. Bob Blackman MP’s letter dated 17 September 2015 stated “Based on the information provided in the document and the clear benefit to families locally for more school places to be provided, it is my view that the suggestion is a sensible one and I am therefore writing in support of the measures outlined in both instances”.
9. Cabinet has the following options:
 - a. Reject the proposals;
 - b. Approve the proposals without modification;
 - c. Approve the proposals with modification;
 - d. Approve the proposals, with or without modification, subject to certain conditions being met.

Recommendation

10. The interim Corporate Director of People recommends that Cabinet approves the statutory expansion proposals as published to effect the permanent expansion of the Stag Lane schools. The schools would fill incrementally from the point of admission into the infant school. The infant school would expand from September 2016 and the junior school would expand from September 2019.
11. The Stag Lane schools are located in the South East Primary Planning Area which is an area of considerable pupil growth. There are 7 primary schools in the South East Primary Planning Area: 5 community schools; one voluntary aided school, and; one academy school. From September 2015, 4 of the 5 community schools will have been expanded and the academy school has also increased its size by one form of entry.

12. The most recent projections presented to Cabinet in July 2015 indicated that there would continue to be growth in this planning area and that an additional 4 forms of entry will be required by September 2016. The expansion of the Stag Lane schools would contribute to meeting the increased projected demand.
13. Pupils live locally to the school. Over 90% of September 2014's Reception intake into Stag Lane Infant and Nursery School live within half a mile of the school. The September 2014 Reception intake was 120 pupils because of a temporary additional (bulge) Reception class and was therefore at the level of intake that would apply if the school was expanded permanently.
14. The two representations received support the expansion of the Stag Lane schools. The response of the Governing Body of the Stag Lane Schools to the statutory proposals, which accepts the need to expand the schools, is welcomed. Officer response to the points raised by the governors in their response is as follows:
 - Harrow Council, the architects and contractors will make every effort to work closely with the schools drawing on their key knowledge, expertise and commitment. Harrow Council has worked closely with the Stag Lane schools throughout the consultation and site scoping processes prior to the publication of the statutory proposals and will continue to do so.
 - If the statutory proposals are approved, contractors will be procured to draw up detailed design proposals and undertake the construction work. Plans would be agreed and carried out. The governors' concerns about current construction over runs are fully understood and shared by the Council. The procurement for the Phase 3 schools is being undertaken using a tight contractual framework that will provide confidence about design and construction delivery.
 - The concerns of the wider local community expressed during the consultation primarily relate to traffic congestion and parking difficulties. Concerted actions are being taken forward by the schools and Council to address these concerns and are set out in detail in Appendix 1 to this report. Actions include:
 - initiatives by the schools to reduce car journeys to and from the schools and patrols outside the schools' site at drop off and pick up times;
 - work to achieve Gold level of accreditation by the time the schools would be fully expanded;
 - increased traffic enforcement activity during this half term;
 - improvements to the site access arrangements to the schools;
 - pre-Planning public engagement would be undertaken prior to the submission of the planning application. This would enable residents to view and comment on design proposals, to contribute ideas to refine the design and to enable discussion with residents about the initiatives being taken forward, their ideas and any concerns.

15. At its meeting on 16 October 2014, Cabinet delegated authority to use suitable national or local public sector Framework(s) to:
 - a) undertake feasibility studies, surveys and provide professional costs and technical services, and;
 - b) design and build / refurbish school facilities.Feasibility study will be completed to develop design proposals and develop costings if the statutory proposals are approved. This work will need to ensure that any necessary interim accommodation requirements could be made for the intake of additional children in September 2016.
16. At its meeting on 23 April 2015, Cabinet delegated authority to the Corporate Director of Children and Families, following consultation with the Corporate Director of Resources and the Portfolio Holders for Children, Schools and Young People and Finance and Major Contracts, to appoint contractors for works on projects in the Capital Programme, including for school expansions, amalgamation, capital maintenance and bulge class works.
17. The SCAPE framework will be used to appoint Willmott Dixon as the contractor that will deliver the Phase 3 school expansions. The Schools Capital Team will manage the contractor and the programme delivery.

Performance Issues

18. 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. As at 31st March 2015 88% of Harrow's primary and secondary schools are judged 'good' or 'outstanding', compared to 86% in London and 82% nationally (Source: Ofsted Data View).
19. The Education Act 2011 maintains a focus on driving up standards in schools, and places 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.
20. 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 Department for Education.
21. 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, and all these

considerations are taken into account in assessing school expansion proposals.

Environmental Implications

22. 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. However there is a significant risk that the expansion programme will increase emissions rather than reduce them. Phase 3 of the School Expansion Programme will have an impact on carbon emissions that will need to be carefully considered in this context.
23. 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. Of particular importance will be the use of low carbon technologies – particularly for space heating – and these will need to be thoroughly investigated during the design phase.
24. For many of the projects in the school expansion, programme, 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

25. The directorate and corporate risk management implications for the Council arising from school place planning are included on the directorate and corporate risk registers and are reported regularly to Cabinet in quarterly update reports on the School Expansion Programme.

Legal Implications

26. 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.
27. For maintained schools, there are prescribed requirements in order to make specific alterations. This includes expanding existing schools to add additional form groups. The requirements are set out in the Education and Inspections Act 2006 and associated regulations. The statutory requirements and national guidance have been followed when publishing the statutory proposals for the expansion of the Stag Lane schools.
28. The statutory guidance on expansion of schools confirms factors which should be taken into account by local authorities when determining proposals. Appendix 1 to this report sets out considerations about the proposal in relation to the Department for Education School Organisation Guidance for proposers and decision-makers.

29. The Council must ensure it meets its public law duties when making decisions, including meeting its public sector equality duty. It must consider all relevant information, including consultation responses and representations, disregard irrelevant information, act in accordance with the statutory requirements and make its decision in a fair and transparent manner.
30. The appendix sets out the responses received to the consultation, which highlight concerns around the physical capacity of the school and traffic issues around the site. In particular, the majority of residents who responded were against the expansion proposal. It is fair to say that traffic issues are amongst the most common concerns raised for all the school expansion proposals. The appendix confirms how traffic congestion issues are addressed by the Stag Lane schools and by schools in general. In relation to specific factors at this individual school, these will be considered as part of the planning application for any new building programme. If a planning application is submitted, local residents will be consulted as required and will be able to submit representations. The planning committee will determine any planning application.
31. It is important that Cabinet recognise the different decisions to be made around school expansion proposals and planning permission for new school buildings. When making decisions on school expansion proposals, the Department for Education has published guidance for decision makers. This highlights the need to particularly consider:
 - (1) education standards and diversity of provision;
 - (2) demand;
 - (3) school size in relation to financial viability and cost effectiveness;
 - (4) proposed admission arrangements;
 - (5) national curriculum;
 - (6) equality issues;
 - (7) community cohesion;
 - (8) travel and accessibility;
 - (9) capital;
 - (10) use of school premises and playing fields;
 - (11) views submitted during the expansion consultation and
 - (12) representations about the statutory proposals.
32. This report sets out the representations made to the statutory proposals and officer comments.

Financial Implications

Revenue

33. Any school expansion programme will inevitably have significant financial implications. All schools proposed for expansion have raised concerns about available funding and clarity about funding is essential to maintain their 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 and some set up costs.

Capital

34. The budget for the school expansion programme through to 2018-19 is £124.944m.
35. The current construction market in the UK and in particular in London is extremely buoyant with many construction firms working to capacity and with full order books. Because of this, the cost of construction related materials, labour and professional services are at a premium. In order to ensure sufficient funds are available to deliver the Phase 3 projects, including the Stag Lane schools if approved for expansion, on 17 September Cabinet approved a virement to the Capital Programme transferring £5.465m of funding from the as yet uncommitted Phase 4 School Expansion Programme to Phase 3 to fund these increasing costs from within the overall approved capital programme. The financial risks to the school expansion programme are being monitored closely in consultation with Cabinet Members.
36. The full cost of the Phase 3 projects will be confirmed with the completion of the feasibility study process undertaken by EC Harris, Schools Capital Team and Willmott Dixon. All costs provided by the contractor will be reviewed by the Council to ensure that they are competitive in the market before agreement.

Equalities implications / Public Sector Equality Duty

37. 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.
38. Equalities Impact Assessments have been undertaken on the proposals to permanently expand the Stag Lane schools. The Equalities Impact Assessments are included as Background Papers to this report. The conclusions of these assessments are that the implications are either positive or neutral in that the expansion of the schools will help to ensure sufficient school places for the increasing numbers of children in Harrow. The assessments have not identified

any potential for unlawful conduct or disproportionate impact and conclude that all opportunities to advance equality are being addressed.

39. 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. By acting to ensure all children in Harrow have access to a high quality school place, Harrow is promoting equality of opportunity for all children and young people.

Council Priorities

40. The Council's vision is: **Working Together to Make a Difference for Harrow.**

41. The Council Priorities are as follows:

- Making a difference for the vulnerable
- Making a difference for communities
- Making a difference for local businesses
- Making a difference for families

42. The recommendation supports these priorities by:

- Ensuring Harrow Council fulfils its statutory duties to provide sufficient school places in its area.
- Providing high quality local mainstream and special educational need provision in schools for children close to where they live.

Section 3 - Statutory Officer Clearance

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| Name: Jo Frost | <input checked="" type="checkbox"/> | on behalf of the Chief Financial Officer |
| Date: 1 October 2015 | | |

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|----------------------|-------------------------------------|--|
| Name: Sarah Wilson | <input checked="" type="checkbox"/> | on behalf of the Monitoring Officer |
| Date: 1 October 2015 | | |

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| Ward Councillors notified: | YES |
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EqIA carried out:

YES

EqIA cleared by:

Corporate Equalities
Impact Assessment
Quality Assurance Group

Section 4 - Contact Details and Background Papers

Contact: Johanna Morgan, Education Lead School Organisation,
020 8736 6841 johanna.morgan@harrow.gov.uk

Background Papers:

Equalities Impact Assessments on the proposed expansions of the Stag Lane schools

Comments made in the responses to the Stag Lane schools expansion consultation

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

(Call-in applies)