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**REPORT FOR: CABINET**

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**Date of Meeting:** 15 June 2017

**Subject:** Pinner Wood Primary School

**Key Decision:** Yes  
*[Likely to be significant in terms of its effects on communities living or working in an area of two or more wards of the Borough and the decision involves expenditure in excess of £1m for capital expenditure and £500,000 for revenue expenditure]*

**Responsible Officer:** Michael Lockwood, Chief Executive

**Portfolio Holder:** Councillor Sachin Shah, Leader of the Council and Portfolio Holder for Strategy, Partnership and Devolution  
Councillor Adam Swersky, Portfolio Holder for Finance and Commercialisation  
Councillor Christine Robson, Portfolio Holder for Children, Young People and Schools

**Exempt:** No

**Decision subject to Call-in:** No – as the decision is considered to be urgent to the extent that call-in would seriously prejudice the interests of the Council or the public  
*[Detailed reasons are set out Public Notice 1 and a waiver of call-in has been obtained from the Chair of the Overview and Scrutiny Committee]*

**Wards affected:** Marlborough and Pinner

**Enclosures:**

None

**Section 1 – Summary and Recommendations**

This report provides Cabinet with an update on the issues at Pinner Wood Primary School including the site investigations, the interim location for September 2017 and financial implications.

**Recommendations:**

Cabinet is requested to:

1. Note the current site issues and location for Pinner Wood Primary School during the Summer Term 2017, including the financial implications of the decant and site investigation works.
2. Agree the site solution for the relocation of Pinner Wood Primary School for September 2017 as set out in paragraphs 32 – 35.
3. Agree the remediation works required to the Pinner Wood Primary School site to allow the school to return to the site.
4. Agree direct awards to Wilmott Dixon Construction Ltd and Forkers Ltd and a waiver from compliance with the Council's contract standing orders in regard to these awards.
5. To delegate authority to the Chief Executive, following consultation with Leader of the Council, Portfolio Holder for Finance and Commercialisation and the Director of Finance (section 151 officer), to set the capital and revenue budget for the relocation of Pinner Wood for September 2017 and the site investigation and remediation works including to affect any virements required.

**Reason: (For recommendations)**

To enable the Local Authority to complete site investigations and remediation works on the Pinner Wood Primary School site and secure an interim location from September 2017 to fulfil its statutory duties to provide sufficient school places in its area

**Section 2 – Report****Introductory paragraph**

1. This report provides Cabinet with information about the decision to decant Pinner Wood Primary School, the decant locations for the Summer Term and the preferred option for the decant from September 2017. Details about the site investigation and rectification works are

provided along with the actual and estimated financial implications for the Council.

## **Options considered**

2. The local authority has a statutory duty to provide sufficient school places in its area. Pinner Wood Primary School serves the local community with 630 places plus a nursery class. The school is popular and successful and judged Outstanding by OfSTED. The school was expanded in September 2013 to meet the growing demand for places in its area.
3. Pinner Wood Primary School makes a valuable and essential contribution to the provision of places in Harrow and the local authority needs to retain the provision.
4. The primary aim is to remediate the land issues at Pinner Wood School site following the surveys and for the school to return to its site. Alternative permanent locations would only be considered if, following the surveys, a return to its site is not feasible.
5. Options to relocate the school while extensive ground investigations are undertaken were explored for the Summer Term 2017 and from September 2017. A solution for the Summer Term was implemented within a short timescale to enable the school to operate from after the School Easter Holiday on two sites. A location is required from September 2017 and the preferred option is set out in the report. The site investigations have continued on Pinner Wood site and this report outlines the implications.
6. This situation has required considerable planning on behalf of the Council including significant collaboration across departments with Pinner Wood and a positive response from Whitefriars Primary School to be part of the solution. The collective achievements should be acknowledged because they have delivered an interim solution for the Summer Term including the decanting of Pinner Wood Primary School onto three sites, minor works on sites to ensure suitability for school occupation, the organisation of complex logistics in providing transport, continuous communication with parents and stakeholders as well as making extensive progress on the site investigations on the Pinner Wood site.

## **Background**

7. During the course of the works to expand the existing Pinner Wood Primary School from 2 forms of entry to 3 forms of entry as part of the School Expansion Programme Phase 1, a hole appeared in the school car park in August 2015. This led to the building works being suspended whilst ground investigations were undertaken.

8. Specialist geotechnical consultants Peter Brett Associates (PBA) were appointed to complete a series of extensive specialist geotechnical surveys and intrusive investigations including; ground penetrating radar and dynamic probing of the site; drilling of boreholes around the areas affected and to provide a report on the remedial works required to correct the structural integrity of the land around the school.
9. The investigations identified the hole to be the crown hole of a mine shaft and indicated that the school site was located over unidentified historical chalk mines. A further area of ground was also found to be a mine shaft which, while it had not opened up, was highly likely to create a crown hole of its own.
10. PBA prepared a scope of works for remedial ground stabilisation to the identified areas and tendered these works on behalf of Harrow Council.
11. During the rectification works the voids were found to be considerably larger than expected originally. Following stabilisation, Harrow Council requested additional borehole investigations around the affected areas. These investigations identified a much wider network of a Pillar and Stall mine complex, with areas where the roof of some tunnels had degraded and as a result the tunnels were beginning to collapse, with the ground above ravelling to the surface.
12. Site surveys and investigations are being progressed on the Pinner Wood Primary School site. These will inform the remediation works for the site. The aspiration is for the ground to be stabilised and the school to return to the existing building for January 2018. The final details will be confirmed on the completion of the investigations.

## **Current situation**

13. The decant sites for the Summer Term were confirmed before the Easter School Holidays and on 18<sup>th</sup> April pupils returned to Pinner Wood School at the following sites;
  - Nursery at Pinner Hill Community Centre,
  - Key Stage 1 at the Civic Centre, and
  - Key Stage 2 at Whitefriars School.
14. Transport is being provided through a combination of supervised coaches, shuttle buses and mileage payments to parents. The transport logistics are extremely challenging and during the Easter holiday period pupil numbers were collated, seats allocated, staff and volunteers appointed and a temporary collection and drop off point created at Montesole Playing Field.
15. Work has been undertaken to identify a location for the school from September 2017. Although the site on the Civic Centre is available for the next academic year, Whitefriars School is not.

16. A communication strategy was implemented for the parents and school community as well as local residents. The strategy has included joint meetings for parents with the Chief Executive and Corporate Director People Services and the Headteacher and Governors from Pinner Wood School. Meetings have also been held for local residents and there has been extensive mailshots to local residents and up-dates via emails to parents and on the council and school websites. Once the location for September 2017 is confirmed there will be a communication strategy for parents, future parents whose children will start in reception in September 2017 and local residents to Pinner Wood School and the Civic Centre.

### **Financial Implications of the Summer Term Decant**

17. Table 1 summarises the costs incurred by the council for the Summer Term 2017 decant. The capital costs include removals, minor refurbishment of the buildings on the Civic Centre site and Pinner Hill Community Centre. Transport costs are shown separately and these are a combination of revenue costs to transport children and costs for ground works to create a temporary coach park.

**Table 1 Summer Term 2017 - estimates**

<b>Costs</b>	<b>£'000</b>
Emergency Relocation of Pinner Wood School and Summer Term Costs	£220
Transport and transport related costs (including projected costs up to the end of the Summer Term)	£454
Infrastructure costs related to transport solution	£206
<b>Total</b>	<b>£879</b>

18. The school will be funding its costs of operating for example utilities, rates, staffing costs etc.

### **Site Investigations at Pinner Wood**

19. Further intrusive investigations have been commissioned on the Pinner Wood School site. Investigations focussed initially around the perimeter of the school building, including the courtyard, and the grass playing field.
20. Waivers have been agreed for the additional works and services being carried out by both PBA and Forkers. Given the time constraints there was insufficient time to retender the works. If PBA and/or Forkers do not complete the works, the Council would have to retender the works at additional cost. Retendering the works will require a minimum three month period in which to tender the works, review the returned tenders and respond accordingly, this would greatly impact on the progress of stabilising the land under and around the School. There is a further risk that no tenders would be received for the remaining works.

21. Contractors have made good progress and have been able to complete the investigations faster than initially expected. There are currently four rigs on site with approximately 690 boreholes drilled to date. The boreholes on the playing field have been completed; with numerous soft patches at depth. Seven locations have encountered voids at depth on the playing field, one of which indicates the void is migrating towards the surface. A mini rig is working in the courtyard area.
22. Two of the large drilling rigs have completed works around the perimeter of the school building and the car park area. Two rigs are working on the west side of the school, the third large rig is continuing to chase the known mine workings, as anticipated further voids have been encountered consistent with the mine workings already discovered.
23. Now provisional investigations and analysis of results have been completed, the options to remediate can be established.
24. The costs of the investigation and surveys are presented in Table 2. The costs of the remediation works have been estimated based on the provisional investigation results and are presented in Table 3

**Table 2 Pinner Wood School Site Investigations**

<b>Costs</b>	<b>£'000</b>
Initial site investigations	£87
Initial Ground Stabilisation remediation works	£358
<b>Total costs already incurred 2016-17</b>	<b>£445</b>
Further Site/Chalk Mine Investigations	£502
<b>Further costs anticipated 2017-18</b>	<b>£502</b>

**Table 3 Pinner Wood School Site Remediation Works**

<b>Costs</b>	<b>£'000</b>
Initial estimate Geotechnical and contractor fees	£2,303
Other costs	£55
<b>Total</b>	<b>£2,358</b>

25. It should be noted that costs for the site remediation are based on what is currently considered to be the extent of the remediation works, this is likely to change once the laser scanning surveys have been completed and the results interpreted and could be up to £4m.

#### **Options for September 2017**

26. A range of locations have been explored for September 2017. The original expectation was that a site would be required for a minimum of one year and up-to two years. Two important principles for the school are to be located close to the existing Pinner Wood School site and to be on one site to maintain the community of the school.

27. It is proposed that the nursery class will remain located at the Pinner Hill Community Centre. The pupils attend part time either a morning or afternoon session and by maintaining its location at the community hall a presence of the school will be retained in the Pinner Wood area and parents will be able to walk to the nursery.
28. The options under investigation have been grouped into broad categories:
  - Category 1: Existing Buildings
  - Category 2: Existing buildings and additional temporary accommodation
  - Category 3: Open spaces with a 'pop up' school in temporary accommodation
  - Category 4: Continued use of the Civic Centre as a single or split site option.
29. There are challenges with all options so to inform the process to identify a preferred option consideration has been given to a range of factors including the best fit in terms of the school's operation, deliverability and value for money.
30. The limited timescale to deliver the location for September 2017 means that planning applications will need to be submitted retrospectively and the procurement process will have to commence soon after the end of May 2017.
31. The assumption has been applied that if the location is over 2 miles, then transport will need to continue to be provided. The temporary location was initially planned to be for at least one academic year depending on the outcome of the site investigations and remediation works to the Pinner Wood School site.
32. Some of the options investigated included Harrow Arts Centre, use of Hatch End Playing Fields for a temporary "Pop-Up" school and partial use of Harrow Arts Centre facilities; Montesole Playing Fields as a 'pop up' site and the Civic Centre. The costs vary significantly for the options with the most expensive being the single site 'pop up' school.

#### **Proposed Location from September 2017**

33. PBA have been able to progress the site investigations on the Pinner Wood Primary school site faster than expected. The initial analysis of the boreholes surveys have indicated a small number of voids across the field and around parts of the school building. These voids will be accessed with a laser camera to confirm if they are part of mine workings and this information will be used to develop the remediation solutions.
34. At this stage there is no evidence across the majority of the site that there are extensive mine workings. PBA have confirmed that as long as the mine workings are not that much more extensive than found to date, after

the laser survey, and that Forkers can commence grouting immediately, the remediation works should be able to be completed by Christmas break to enable school reoccupation in January 2018 or Easter at the latest.

35. This is a significant change to the assumptions that were being made in the original site searches and an important factor in determining the requirements for the decant of Pinner Wood School from September 2017. On the basis of this change to expected timescales, a decant site is required for one term or two terms maximum.
36. In this context, the school's preferred option is to remain at the Civic Centre site as a whole school. By utilising the former Civic 3 building in addition to the current accommodation there is sufficient accommodation for the whole school to be located at the Civic Centre.
37. Although the site is not close to Pinner which was one of the schools priorities, all Key Stage 1 and 2 pupils will be on one site which is of critical importance to the school. The Key Stage 1 pupils have settled at the Civic Centre and the staff are familiar with the site. This will mean that the current transport arrangements from Pinner Wood to the Civic Centre will continue. The nursery class will remain at the Pinner Hill Community Centre.
38. Some further works are required to the Civic Centre site and these will commence in July for completion by September for the start of the new academic year.
39. Table 4 indicates the costs of the decant location at the Civic Centre Site from September 2017 for one term only. If the remediation works are not completed in time for the school to return to Pinner Wood for January 2018 then the costs will be increased.

**Table 4 Autumn Term 2017 – estimates**

<b>Costs</b>	<b>£'000</b>
Relocation of Key Stage 2 pupils and works to Civic Centre site	£535
Estimated Transport and transport related costs	£426
<b>Total</b>	<b>£961</b>

#### **Procurement Routes**

40. Two contractors are required to deliver the decant location at the Civic Centre for September 2017 and the remediation works at the Pinner Wood School site. It was agreed with Procurement that due to the short period available to deliver these projects there was insufficient time to carry out a normal tender process.
41. The preferred procurement route for the Civic Centre works is to appoint Wilmott Dixon Construction Ltd to provide works associated with the Civic



Centre site. Wilmott Dixon are currently the appointed contractor on SEP3 and providing temporary mobile classrooms and all associated works at Stag Lane Primary school. In addition Wilmott Dixon Construction Ltd has shown on the 3 completed SEP3 schools to date, they have performed well in completing these schools on time and to budget.

42. By using Wilmott Dixon Construction Ltd the Council is able to compare their current rates utilising information that is held on SEP3 as a comparator for the works on the Civic Centre site. In the timescale it is essential that the Council appoint a contractor that has the capabilities to act swiftly and has the relevant resources both economical and physically to carry out these works in the short period of time to ensure Harrow meets its statutory requirements in providing educational facilities for Pinner Wood School for September 2017.
43. It is recommended that a direct award is issued to Wilmott Dixon Construction Ltd to deliver the required accommodation for September 2017.
44. Forker Ltd were appointed by PBA to undertake the site investigations and remediation works on the Pinner Wood site. It is proposed to directly award Forkers Ltd to undertake the remediation works. Forkers Ltd are mobilised on the site and with a direct award will be able to commence the remediation work avoiding the costs and time to remobilise on site. The remediation works will be agreed with Forkers Ltd once the laser surveys are completed. On this basis the remediation work is expected to be completed in time for the school to return for January 2018.
45. It is recommended that a direct award is issued to Forkers Ltd to deliver the required remediation works.
46. A second opinion on the investigation outcomes has been commissioned to ensure that the Council is receiving cost effective and quality advice on the long term options.

### **Risk Management Implications**

47. Risk included on Directorate risk register? Not at this time but the risk relating to school provision will be included in the next quarter. Is a separate risk register in place? A project risk register will be put in place.
48. 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 reviewed by the Programme Board.
49. The highest priority risk for this programme is financial in respect of the programme being unaffordable to the Council. Control actions to mitigate against this risk include:

- Decanting of the school to remove risks of further sink holes appearing creating risk to pupils, staff and parents
- Extensive surveys commissioned to assess risk
- A second opinion commissioned to review the survey and investigation data.

## **Legal Implications**

50. 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.
51. Under s.14 of the Education Act 1996, a local authority shall secure that sufficient schools for providing primary and secondary education are available in their area. Sufficient means sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education.
52. In meeting this duty, a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.
53. Due to the need for the works to be commenced on the Civic Centre site to allow the school to open from September 2017 and for the remediation works to commence immediately after the completion of the site surveys once agreed with officers, it is not possible to run a full procurement process. In urgency situations, the Council is permitted to make a direct award to a suitable contractor. The proposed contractor, Willmott Dixon Construction Ltd., has previously been selected by the Council for similar works under a competitive process and therefore has demonstrated that it can deliver value for money works. This contractor also has the capacity to deliver this complex project within an extremely tight timescale. For this reason the recommendation is to make a direct award to Willmott Dixon. Forkers Ltd have been appointed previously by PBA on a competitive basis. They are mobilised on site and by continuing their appointment mobilisation costs and time will be avoided.
54. Cabinet has authority to agree a waiver from the Council's contract standing orders for awards over £500,000 to allow for a direct award without a competitive tender process.
55. The Council's legal team considered the legal restrictions on all proposed temporary sites, including site constraints and planning issues. Delivering a temporary school on the Civic Centre is considered achievable from a legal perspective. The use of part of the Civic Centre site as a school is a temporary measure only, with the intention that the school will return to its main site once remedial works have been complete and the site will be developed in accordance with the Council's regeneration programme.

## Financial Implications

56. A cost centre has been established to bring all of the costs together however there is no capital or revenue budget provision for this work.
57. In relation to the revenue costs it is recommended that the Contingency for Unforeseen Items within the overall council budget totalling £1.329m in 2017-18, which is usually used to manage in year revenue pressures, will need to be earmarked for Pinner Wood School. This will mean that there will therefore be no capacity for any additional departmental pressures and directorates will have to balance their budgets. The estimated revenue costs are higher than the contingency provision by £511k and further centrally held budgets will need to be identified to fund the remaining costs. For any revenue costs over and above this figure will need to be funded from additional revenue savings
58. The capital costs associated with the emergency relocation and future site investigation works are estimated at £2.860m which includes an indicative cost of remediation works. It is proposed that these are funded from underspends on the 2016-17 capital programme which are set out in the Revenue and Capital Outturn 2016-17 report (paragraph 53). Any capital costs associated with Pinner Wood will need to be contained within the existing capital programme to prevent additional capital financing cost to be funded from revenue.
59. In addition, the Council has investigated the availability of emergency funds from Central Government departments. There are suitable funds available from both DCLG and DfE. The Council has also spoken to another local authority with experience of managing ground stabilisation works at a school and applying for Central Government funding. Officers are preparing bids for submission to DCLG and DfE to cover the cost of these emergency works.
60. Table 5 shows the proposed sources of funding and revenue and capital estimated costs for the different phases of this work.

**Table 5 – Revenue & Capital costs and proposed sources of funding**

Funding and Costs	Capital	Revenue	Total
	£'000	£'000	£'000
<b>Funding</b>			
Revenue contingency for unforeseen items		£1,329	£1,329
Virement 2016-17 capital underspends tbc June 2017 Cabinet	£5,847		£5,847
<b>Total Proposed Funding Available</b>	<b>£5,847</b>	<b>£1,329</b>	<b>£7,176</b>
<b>Estimated Costs</b>			
Table 1: Emergency Relocation of Pinner Wood School Summer Term 2017 Costs, including Transportation costs	£0	£879	£879
Table 2: Further Site/Chalk Mine Investigations (2017-18 costs only)	£502	£0	£502
Table 3: Site remediation works	£2,358*		£2,358
Table 4: Autumn Term 2017 estimated costs including transportation		£961	£961
<b>Total actual and estimated costs 2017-18</b>	<b>£2,860</b>	<b>£1,840</b>	<b>£4,700</b>

\*this is an estimated figure which could increase further dependent on the completion of the laser scanning surveys and this could be to approx. £4m.

### **Equalities implications / Public Sector Equality Duty**

61. 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.
62. An initial Equalities Impact Assessment has indicated that the implications are either positive or neutral in that the continuation of the operational school will help to ensure sufficient school places. The provision of transport for vulnerable families is positive on reducing the impact of further travel times to the location for the Summer Term. The assessments have not identified any potential for unlawful conduct or disproportionate impact and conclude that all opportunities to advance equality are being addressed.

### **Council Priorities**

The Council's vision:

**Working Together to Make a Difference for Harrow**

63. 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
64. The Council Strategic Themes are to:
- Build a Better Harrow.
  - Be More Business-like and Business Friendly.
  - Protect the Most Vulnerable and Support Families
65. The recommendation supports these priorities and strategic themes by:
- Ensuring Harrow Council fulfils its statutory duties to provide sufficient school places in its area.
  - Ensuring that the school remains part of the local community that it serves.

### Section 3 - Statutory Officer Clearance

Name: Jo Frost	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 12 May 2017		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 12 May 2017		
<b>Ward Councillors notified:</b>	<b>Yes</b>	
<b>EqIA carried out:</b>	No – see para 61	
<b>EqIA cleared by:</b>	N/A	

## **Section 4 - Contact Details and Background Papers**

**Contact:** Johanna Morgan, Divisional Director People Services Strategy,  
020 8736 6841 [johanna.morgan@harrow.gov.uk](mailto:johanna.morgan@harrow.gov.uk)

**Background Papers:** None.

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

**YES**

*[Call-in does not apply as a  
waiver of Call-in has been  
obtained from the Chair of  
Overview and Scrutiny  
Committee]*