

CABINET

18 December 2013

Title: Transfer of Abbey Road Depot Site to Facilitate Expansion of Gascoigne Primary School	
Report of the Cabinet Member for Children's Services	
Open Report	For Decision
Wards Affected: Gascoigne	Key Decision: Yes
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Accountable Divisional Director: Jane Hargreaves, Divisional Director Education	
Accountable Director: Helen Jenner, Corporate Director Children's Services	
Summary: This report seeks a decision from Cabinet about the potential use of land located in Gascoigne Ward on The Shaftesburys and currently largely being used as a repairs depot and car park and depicted on the attached Appendix A, Plan No. Abb181213. The Abbey Road (The Shaftesburys) site would then be redeveloped to form a school site to be linked to the current Gascoigne Primary School with the intention of reducing the current overdevelopment and overcrowding of the existing school but also providing much needed additional classroom accommodation to create school places in the locality.	
Recommendation(s) The Cabinet is recommended to: (i) Agree the appropriation of the site shown hatched red on Plan No. Abb181213 attached at Appendix A to the report from the Housing Revenue Account (HRA) to Children's Services in order to provide additional primary school pupil places and improve the existing provision at Gascoigne Primary School, subject to the land transfer agreement with the School Governing Body being on a 125 year lease at an initial peppercorn rent and subject to five year rent reviews; and (ii) Agree the appropriate funding adjustment between budgets of £520,000 in relation to the site transfer of Abbey Depot, as referred to in section 4 of the report.	
Reason(s) The decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and support the intention of the Community Strategy 2013-16 to "Ensure every child is valued so that they can succeed" ensure children and young people are safe, healthy and well educated. It is part of the mitigation of Corporate Risk 31 – Inability to Provide School Places.	

1. Introduction and Background

- 1.1 Cabinet have received regular reports about the continuing demand for school places and the need to develop additional provision. Since the academic year 2007/08 to the present, some 4,500 additional primary aged pupils have had to be accommodated.
- 1.2 One of the areas of biggest demand has been the Barking Town Centre area and particularly in the Gascoigne Ward, where the Gascoigne Primary School has expanded from being a 3/4 forms of entry (fe) primary school to now being a primary school for 5fe, and is currently the largest primary school in the country – this will change as other schools across the country are being expanded.
- 1.3 For Gascoigne Primary there have been a number of issues which have been well documented over the years and one of the prime issues is the amount of outdoor space which has been used to accommodate building for class spaces.

2. Proposed Solution and School Development

- 2.1 The development of the current Abbey Road Depot site to rebuild a new school provision would allow the development of 630 primary school places, plus 39 full time equivalent nursery places and an additional resources provision for up to 6 pupils. This development would be linked through management to the current Gascoigne Primary School in a similar way to other arrangements that have recently been developed in the borough.
- 2.2 In providing this new facility the opportunity will be taken to explore the removal from the current Gascoigne Primary School of some of the temporary buildings which were added there in recent years to create the current 5fe capacity which, including nursery provision caters for a pupil population of circa 1200. This will improve the lost opportunities on the current site for external play.
- 2.3 Overall the two schools would in future cater for the following;

Gascoigne Primary -	Gascoigne Road	-	840 pupils
	(existing)	-	104 nursery

Gascoigne Primary -	The Shaftesburys	-	630 pupils
	(new provision)	-	78 nursery (39fte)
		-	6 ARP

Overall spread over the two sites this would increase the capacity by 420 main school provision plus 26 full-time education (fte) nursery places and make provision for 6 places in an additional resource provision.

3. Budget Provision

- 3.1 A provisional budget has been set aside of £12.5m to carry out the works including demolitions and new construction, external works plus establishing new boundaries. This budget will also need to meet all fixtures, fitting, furniture and large items of equipments including IT.

- 3.2 It is proposed to develop a plan for the existing Gascoigne Primary School site that would see the removal of temporary accommodation and improvement of the external areas, particularly for pupil use. Once the new building on The Shaftesburys has been completed it will be possible to begin to execute this plan.
- 3.3 It is recognised that there will also be costs in moving from the current depot site to an alternative site as well as some capital costs for land transfers between the Housing Revenue Account and the General Fund Account under the supervision of the Divisional Director of Finance and as set out in 4 below.

4. The Abbey Road Depot

- 4.1 The HRA's Abbey Road site extends to some 0.93 acre. It includes the depot building at its western end, a surfaced area with temporary buildings, a car park and a grassed area with mature trees.
- 4.2 In its existing use, which is comparable to a general warehouse use, the developed part of the freehold site has recently been valued for the Council by a firm of Chartered Surveyors in the sum of £520,000.
- 4.3 This is a residential neighbourhood and regard has therefore been had to development of the site with homes in the medium term.
- 4.4 Assuming a favourable planning permission for a medium-density, three-storey development of apartments, the Council's valuers have indicated a value of the order of £1.2 million for the site. This also assumes 40% affordable housing.
- 4.5 The valuers concede that planning permission for such a development is not a foregone conclusion, particularly as regards the green space at the eastern end, and accept that the Council (and hence the Local Planning Authority) has it in mind to locate a new school on the site.
- 4.6 The valuation of such a site for educational purposes, assuming it needed to be cleared for the development of a school of the kind proposed, would not exceed the £520,000 existing use value.
- 4.7 Under the circumstances, the value of the site is likely to fall between £520,000 and £1.2 million, depending upon if and when it was capable of development and its ultimate use.

5. Options Appraisal

- 5.1 The development of additional school places in the Borough has been a feature of the priorities for the Council in its primary school provision. This proposal has been carefully considered in relation to future demand and the need to satisfy that demand over the next five years to provide an additional 6,130 primary pupil places by 2017/18. Further expansion and new school proposals will need to come to Cabinet for approval but the do nothing option is not one which can be entertained.

6. Consultation

- 6.1 This report in draft format has been shared with Gascoigne Ward Councillors, the Headteacher and some School Governors. The matter of designating the land for the provision of school places has been discussed at informal meetings by Councillors and officers over the past few months. The current occupiers, Housing Repairs, are making arrangements to relocate their operations.

7. Financial Implications

Implications completed by: Patricia Harvey, Interim Group Manager, Children's Finance

- 7.1 Cabinet approved the total capital spends of £75.567m at the meeting of the 13 November 2012 in support of future school place demand.
- 7.2 This funding has been received by the Council from the Department for Education (DfE) as capital grant in support of the proposed spending programme already approved.

8. Legal Implications

Implications completed by: Jason Ofosu, Acting Senior Property Lawyer

- 8.1 This report seeks approval to commence land appropriation. Under section 122 of the Local Government Act 1972 a council has a general power to appropriate land. This section states that a council may appropriate for any purpose any land that belongs to them and the land is no longer required for the purpose for which it is held immediately before the appropriation. At the moment the current purpose of the land is housing. In making the decision the Council would need to consider the public need within the locality for the existing use. If the land is no longer needed for housing then the land may be appropriated.
- 8.2 Special rules apply to appropriation of land held under the Housing Act 1985. Section 19 (2) of the Housing Act 1985 requires that when a local housing authority has acquired or appropriated land for the purposes of Part II of the Housing Act it will require the consent of the Secretary of State to appropriate any part of the land consisting of a house, or any part of a house, to any other purpose.

9. Other Implications

- 9.1 **Risk Management** - Risk that funding levels will not be sufficient to meet demand to create new school places needed. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by purchasing the most affordable accommodation which is system build where possible. Post control the risk is high impact (4) and low (2) probability = 8 amber. For this proposal it is felt that the risk can be managed within the designated budget of £12.5m.

Risk that funding levels will not be sufficient to create suitable new school places. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by purchasing the most affordable accommodation which is system build,

and blending it with site specific proposals. Post control the risk is high impact (4) and low (2) probability = 8 amber.

The provision of school places is a matter which is directly identified in the Corporate Risk Register and listed at Corporate Risks 31 – Provision of School Places.

Risk that final costs will be higher than estimate costs. This risk is high impact (4) and high (4) probability = 16 red. This risk is managed through monthly CPMO meetings and initial planning figures that architects and schools are asked to work within being set below the highest estimate to allow for unforeseen challenges.

- 9.2 **Contractual Issues** - Legal, procurement and other professional advice will be sought regarding the appropriate procurement routes and contractual agreements to procure and secure the project, and the procurement route is included as a proposal on another report for this Cabinet's agenda. This project to be two stage design and build contract, secured through appropriate framework arrangements.
- 9.3 **Staffing Issues** - There are no specific staffing issues although the growing demand for school places will create additional opportunities in schools for both teaching and non-teaching staff.
- 9.4 **Customer Impact** - The short term impact of the recommendations for the coming year would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion.
- 9.5 **Safeguarding Children** - Adoption of the recommendations in the short term would contribute to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Children Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.
- 9.6 **Health Issues** - In the short term there are no specific implications, but in the longer term the outlook is unlikely to be positive on the proposed funding levels.
- 9.7 **Crime and Disorder Issues** - In the short term there are no specific implications. However, appropriate consideration of the development of this project will take into account the need to design out potential crime problems and to protect users of the building facilities.
- 9.8 **Property / Asset Issues** - This proposed decision would facilitate the improvement and renewal of Council assets, and the development of a new asset.

Background Papers Used in the Preparation of the Report: None

List of appendices:

- **Appendix A** - Plan No Abb181213