

CABINET

30 June 2014

Title: Review of School Places and Capital Investment									
Report of the Cabinet Member for Education and Schools									
Open Report	For Decision								
Wards Affected: All Wards	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 <p>This report sets out the latest information regarding forecast demand for education places across the Borough's schools, together with a detailed Strategy for Ensuring Sufficient School Places and School Modernisation through to 2020/21 (Appendix 1) and Future Planning Programme to meet Basic Need (including SEN places) 2013 to 2020 (Appendix 2).</p> <p>The report includes details about new capital allocations from the Department for Education (DfE) and how it is intended to utilise these resources, which will be subject to the Capital Appraisal Process and the development of an appropriate procurement route approved by the Procurement Board as indicated in the report. Furthermore, the report gives an update on the Targeted Basic Need Programme and includes the proposal to increase the opportunities at Jo Richardson Community School by offering the facilities located on the site at Castle Green to the school in an attempt to increase the school's capacity but, at the same time, protecting the community opportunities.</p>									
Recommendation(s) <p>The Cabinet is recommended to:</p> <p>(i) Approve the Strategy for Ensuring Sufficient School Places and School Modernisation and Future Planning Programme to meet Basic Need (including SEN places) 2013 to 2020 as set out at Appendices 1 and 2 to the report;</p> <p>(ii) Include in the Capital Programme for 2014/15 the following sums allocated by the DfE and attributable to the Local Authority for the projects set out in section 4 of the report:</p> <table><tr><td>Universal Infant Free School Meals Capital Investment</td><td>£ 708,101</td></tr><tr><td>Basic Need Grant for School Places</td><td>£14,052,409</td></tr><tr><td>Devolved Formula Capital</td><td>£ 628,342</td></tr><tr><td>Maintenance/Modernisation 2014/15</td><td>£ 3,557,629</td></tr></table>		Universal Infant Free School Meals Capital Investment	£ 708,101	Basic Need Grant for School Places	£14,052,409	Devolved Formula Capital	£ 628,342	Maintenance/Modernisation 2014/15	£ 3,557,629
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- (iii) Approve the use of £9.3m of Targeted Basic Need Programme funding to be directed to the project to increase capacity at Sydney Russell School and extend the age range of the School to cover 3 to 19 years of age, the DfE having agreed to support this project in principle, as detailed in paragraphs 5.1 and 5.2 of the report;
- (iv) Approve a change in procurement route for the project at Robert Clack School, for the reasons set out in paragraph 5.3 of the report, in favour of the Government's Crown Commercial Service (CCS) Lot 7 Framework for Modularised Construction;
- (v) Approve a change in procurement route for the project at Barking Riverside, for the reasons set out in section 6 of the report, in favour of the Government's Crown Commercial Service (CCS) Lot 7 Framework for Modularised Construction, subject to securing appropriate land;
- (vi) Support the proposed transfer of the management of the community facilities at Castle Green from April 2015 on the terms detailed in section 7 of the report and to authorise the Corporate Director of Children's Services, in consultation with the Chief Finance Officer, the Head of Legal and Democratic Services and the Cabinet Members for Finance and Education and Schools, to enter into all necessary agreements to facilitate the transfer;
- (vii) Support the inclusion in the Capital Programme of the projects identified in section 8 of the report up to a value of £15m;
- (viii) Authorise the Chief Finance Officer to confirm to the DfE and EfA the decision to support the increased classroom sizes as part of the projects at Eastbury Comprehensive School and Eastbrook Comprehensive School, subject to confirmation from the School Governing Bodies; and
- (ix) Indicate support for the procurement principles as set out in section 13.2 of the report and whether the Cabinet wishes to be further informed or consulted on the progress of the various procurement processes and award of the contracts for the projects, or whether it is content for the Corporate Director of Children's Services, in consultation with the Chief Finance Officer, the Head of Legal and Democratic Services and the Cabinet Member for Education and Schools, to award the respective project contracts set out in this report based on the checked and independently validated prices.

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 and the Community Priorities 2013-14, specifically 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 It has been the practice since 2010 to report regularly to Cabinet, usually six monthly, on the issue of the forecast for pupil numbers. These reports have also

covered a programme of proposed works necessary to ensure that children in the Borough have the opportunity to attend school. The last report presented to Cabinet on this subject was on 18 December 2013, Minute 72 refers.

- 1.2 This report sets out the most up to date information on the projected demand for education places to 2020 and reports on support now agreed by the Department for Education through the Education Funding Agency (DfE/EFA). Further, the report will cover a number of initiatives which build on existing arrangements to develop the use of accommodation.
- 1.3 The third aspect of the report is to provide an updated Strategy for Sufficient School Places and the Programme of School Development through to 2020 to match the pupil demand.

2. Update on Pupil Numbers and Capacity

- 2.1 Cabinet has received regular reports about the continuing demand for school places and the need to develop additional provision. It is worth noting that providing sufficient school places is a national issue and in particular regional to London due to rising population. For Barking and Dagenham it has been a major priority for investment since 2007. In the report to Cabinet provided on 18 December 2013 the following was included, and has been provided as an extract to remind Members of the impending position, and slightly updated following a review of pupil numbers.
- 2.2 Since the academic year 2007/08 to the present, 4,500 additional primary aged pupils have been accommodated. This is equivalent to 150 new classes across all year groups in the primary phase.
- 2.3 The current primary pupil count at January 2014 is 22,581. The forecast for pupil numbers in 2020/2021 is 29,256 which, allowing for 3% spare capacity, makes the forecast 30,135 pupils, which represents an additional 7,554 primary pupils required in our development plan. This forecast is based on birth data supported by the GLA, migration trends and projected new house building occupation. Overall this forecast would be equivalent to 252 new primary classes over the primary phase in that 7 year period. This requirement is explored further later in this section of the report.
- 2.4 Turning now to places for secondary aged pupils, there has been an increase in secondary school demand over the period 2007 to 2013 of 640 pupils, equivalent to 21 classes, and has largely been accommodated through existing provision.
- 2.5 However, the forecast demand for secondary school places to 2020/21 is an additional 6,174 pupils in the secondary phase Yr7 to Yr11, and allowing for some spare capacity, this is equivalent to 206 classes, largely generated from pupils passing through the primary phase.
- 2.6 In respect of places for pupils identified with special educational needs the forecast is demand for 66 places in additional resource provisions across the Borough, and a 160 place special needs school to open from September 2015. This latter provision is to be provided through the development of the Barking Riverside Free School SEN element. Officers are also exploring the opportunity to provide some very

specific support in provision for pupils with Social, Emotional and Behavioural Difficulties (SEBD) in the Borough.

2.7 It is therefore important to plan to provide these additional places having due regard to: the work already undertaken and in place; those expansions of schools which are currently underway and on site; the work which Cabinet has agreed in principle, is funded and is in development.

2.8 The current capacity of schools through the primary phase is 25,346 places which includes the following works which are currently on site:

Expansion of Manor Infants and Junior Schools
Expansion of Marsh Green Primary School
Expansion of William Bellamy Primary
Expansion of Richard Alibon Primary
Expansion of Godwin Primary

2.9 Taking these primary places of 25,346 from the projected primary forecast of 30,135, it shows a need to create by 2020/21 4,789 places (160 classes) across the primary phase. This gap in provision will be augmented by the need to examine very specific areas to prevent excessive travel by young students, particularly in the Barking Town Centre area including the Gascoigne, but also the area south of the A13 where there is some significant redevelopment and regeneration works underway.

2.10 This extra demand is equivalent to 23/24 forms of entry at YrR (Reception). It is planned to be met through the following:

United Learning Free School at Goresbrook – 630 primary places (3fe)
Sydney Russell at Fanshawe - 630 primary places (3fe)
Eastbury Secondary Primary provision – 420 primary places (2fe)
Eastbrook Secondary Primary Provision - 630 primary places (3fe)
Robert Clack Primary Provision at Lymington - 630 primary places (3fe)
Gascoigne Primary – Abbey Depot - 630 primary places (3fe)
Thames Road – City Farm Primary - 630 primary places (3fe)
Barking Riverside Free School Primary Provision - 630 primary places (3fe)
New Primary Free School – Dagenham - 420 primary places (2fe)
New Primary School – Barking Retail - 630 primary places (3fe)
New Primary School Gascoigne Estate Renewal - 630 primary places (3fe)

2.11 Experience has proven a need to provide above the minimum level to manage the high number of casual admissions and to give parents the opportunity to express a preference. The aim is to meet the DfE minimum recommended 3% spare capacity. These forecasts are kept under review on an annual basis to maximise opportunities for seeking investment when opportunities arise.

2.12 Turning now to provision for secondary pupils as indicated above, the demand amounts to 206 classes across the age range Yr7 to Yr11. This is equivalent to 41/42 forms of entry at Yr7 in the period to 2020/21. There are some external influences here as mentioned in relation to primary places, but particularly in respect of secondary places it is known that at transfer level to secondary school Yr6 to Yr7 a number of pupils seek places outside of the Borough for a range of

reasons. The recent history of pupils securing places outside the Borough is summarised below with particular reference to the immediate neighbouring boroughs of Redbridge and Havering which have traditionally attracted pupils.

	All Out Borough	LB Redbridge	LB Havering
2011/12	376	73	237
2012/13	466	99	269
2013/14	451	92	271

2.13 At September 2013 there were 451 pupils who secured an Out Borough School place in Y7, this included 271 to Havering and 92 to Redbridge. For Havering the expectation is their own demand will rise significantly with a deficit of places in Yr7 by 2018/19. However, for Redbridge this scenario happens sooner and by 2015/16 their forecast shows a shortage. These changes in the neighbouring Boroughs will therefore have an impact on demand in Barking and Dagenham.

2.14 In responding to meet the demand a development plan beyond September 2014 has been established which includes the following schemes:

- Expansion of Jo Richardson Community School – 300 places (2fe)
- Expansion of Barking Riverside School – 600 places (4fe)
- Expansion of Robert Clack – 600 places (4fe)
- Expansion of Eastbrook - 300 places (2fe)
- New Secondary School on Gascoigne – 1200 places (8fe)
- Expansion of Barking Riverside School (phase 2) - 300 places (2fe)
- Expansion of Dagenham Park – 150 places (1fe)
- Expansion of New Secondary School on Gascoigne – 300 places (2fe)
- New Free School East Dagenham - 600 places (4fe)
- Expansion of Warren Comprehensive - 300 places (2fe)
- Expansion of New Free School East Dagenham – 900 places (6fe)

2.15 This will mean that the revised capacity at secondary school level will be an additional 37 forms of entry, slightly below the anticipated demand for 42 forms of entry. Some further work is necessary to identify opportunities for this capacity to be provided.

2.16 The pressure to create additional capacity for 2 year olds continues in order for the target of 2,065 places to be met by September 2014. After the development of Arden House, Halbutt Street and Markyate Road there will still be a shortfall of approximately 400 full-time equivalent (FTE) places. There is a significant shortage of places for 2 year olds in Heath and Village Wards. An application has been made to the Schools Forum to allow some unspent 2 year old revenue to be used to help with re-furbishment costs but the identification of premises in key locations continues to be challenging.

3. Strategy for Ensuring Sufficient School Places and School Modernisation

3.1 In order to demonstrate how this is to be delivered and the priorities which go with the development of a programme to provide the places needed, the 'Strategy for Ensuring Sufficient School Places and School Modernisation' has been updated

and is attached to this report at **Appendix 1**. Accompanying it at **Appendix 2** is a 'Future Planning Programme to meet Basic Need (including SEN places) 2013 to 2020' which sets out a programme of works proposed to meet the place demand identified in the report.

4. Department for Education Grant Allocations

4.1 New advice has been received from the DfE about funding being made available to support capital schemes in 2014/15. These include the following sums:

Universal Infant Free School Meals Capital Investment:

Local Authority	£	708,101
Voluntary Aided	£	92,428

Basic Need Grant for School Places

2014/15	£	14,052,409	
2015/16	£	2,414,236	provisional
2016/17	£	2,534,947	provisional

Devolved Formula Capital

Local Authority	£	628,342
Voluntary Aided	£	91,016

(provisional figures)

Maintenance/Modernisation 2014/15

Local Authority	£	3,557,629
Voluntary Aided	£	516,974

4.2 These allocations are explored and explained in the following paragraphs.

4.2.1 Universal Infant Free School Meals Capital Investment:

From September 2014, all pupils in key stage 1 (Reception, Year 1 and Year 2) in state-funded schools in England will be entitled to receive a healthy, nutritionally balanced, hot school lunch through the introduction of the Government's Universal Infant Free School Meals (UIFSM) policy.

The independent School Food Plan commissioned by Government and published by the DfE in July 2013 recommended this course of action based on the findings from free school meal pilot programmes held between 2009 and 2011. Pupils in the pilot areas were found to eat more healthily and perform better academically and these improvements were most pronounced among the poorest pupils.

The policy aims to:

- Increase the number of pupils who eat a tasty and nutritious school lunch and develop positive eating habits.
- Improve pupils' health, attainment and behaviour through better nutrition and socialisation
- Ease pressure on family budgets
- Support the economic viability of school meals

Legislation to enable the provision of UIFSM was put into place as part of the Children and Families Act 2014 which received Royal Assent in March and comes into force in September this year. The Act places a legal duty on all state-funded schools in England, including academies and free schools, to offer a free school lunch to all pupils in reception, year 1 and year 2.

Currently, around 4,700 infant pupils take a school lunch. This is expected to rise to around 10,500 in September, based on the Government's estimated uptake (87%) for UIFSM.

In order to help schools prepare for this significant increase in uptake, a steering group has been established to guide the implementation programme. The group has representation from schools and Unions as well as council officers and is chaired by the Catering Services Manager.

The DfE has allocated £150m of capital funding to support UIFSM in England in 2014-15 of which Barking and Dagenham has received an allocation of £708,101 to support LA schools. Voluntary Aided Schools have been allocated £92,428. Allocation of funds has been discussed with the Steering Group and will be based on two main factors:

1. The identified need in each school as a first priority, and
2. Infant pupil numbers for any balance of funding

These principles have been agreed as representing the fairest and most reasonable way of distributing funds.

In addition to the capital funding, schools will receive revenue funding at a flat rate of £2.30 for each meal taken by pupils who will become newly eligible for a free meal as a result of the UIFSM policy. It should be noted that schools will be expected to continue to fund meals for pupils eligible for FSM under the existing criteria in the same way that they do currently.

All schools affected by the UIFSM policy have been visited as a first step to assessing the need in each school. Information about existing facilities has been gathered and a preliminary assessment of likely additional kitchen equipment, light equipment, furniture and minor building works has been made.

It is expected that most schools will be able to accommodate the increase in meal numbers with some enhancement of existing kitchen and dining facilities and, most significantly, changes to the organisation of the school day to allow for, perhaps, phased lunchtimes or the use of classrooms for dining. Each school has its own particular needs and will decide on a solution that is most suitable for its situation. A few schools will require more significant building works, some of which have already been identified and are part of existing enhancement programmes, any others will be identified and addressed according to need.

The Steering Group will monitor schools progress towards complete readiness to deliver additional meals in September and will provide additional help and guidance where schools are not progressing sufficiently well to meet this deadline.

All procurement will take place through individual schools and invoices for capital equipment will be checked and processed by the Schools Finance Team in the normal way. Schools will be reimbursed for actual spend up to the limit of funding agreed based on the methodology indicated above.

4.2.2 Basic Need Grant for School Places:

In the financial year 2013/14 the Basic Need allocation was £14m and this is the same in 2014/15. On top of this there is funding under Free School provision to support the ULT Free School at Goresbrook and the Secondary and Special School at Barking Riverside and the funding of £20.5m under the Targeted Basic Need Programme. However, the projected funding for 2016 to 2018 is £4.9m (2015/16 £2.4m and 2016/17 £2.5m) and this is significantly below the level of funding required to maintain the Council's building programme, particularly as the demand at secondary level will grow.

As the settlement for Basic Need is a cause for concern in coming years particularly, the Corporate Director of Children's Services has made representation on a number of fronts both for the Borough but also on behalf of London Councils along with colleague Corporate Children's Services Directors. The particular concerns from Barking and Dagenham relate to the timing of funding and the way numbers are counted. In response, to make more information available the DfE has issued to each Local Authority the Basic Need Scorecard of information which has been used to formulate the allocation. Officers are in discussion with other London Boroughs to compare implications and check results. This is the first time that scorecard information has been made available to LA's and it has started to generate debate and clarify how resources are being allocated.

The sum of £ 14,052,409 has already been included in the Council's Capital Programme (Cabinet 25 June 2013, minute 15 refers). It is not proposed to ask Cabinet to include the sums for the next two years (£2,414,236 for 2015/16 and £2,534,947 for 2016/17) in the Capital Programme until these figures are verified by the DfE.

4.2.3 Devolved Formula Capital:

This is a fund of money from the Government which has been allocated now for a number of years (2006/7) and is designed to be passed to all schools in the Borough – academy and free schools receive a separate allocation direct through their own funding allocation by the DfE.

The funds indicated above are usually passported directly through the Schools Finance Team under the direction of the Chief Finance Officer to the Borough's schools, and the funds for Voluntary Aided Schools are advised directly by the DfE to the schools concerned. This sum of £628,342 would need to be shown in the Council's Capital Programme.

4.2.4 Maintenance/Modernisation 2014/15:

There are two aspects to this fund. The sum of £516,974 is known as LCVAP (Locally Controlled Voluntary Aided Programme) and this sum is a programme developed with the Diocese of Brentwood and the Diocese of Chelmsford and the

voluntary aided schools in the Borough based on agreed priorities. The programme is then advised to the DfE who reimburse schools in the programme once accounts are presented.

In terms of the funding for the Borough maintained schools, the sum of £3,557,629 needs to be included in the Capital Programme. This sum will be the subject of the Capital Appraisal Process and will comply with the provisions of the Strategy for Ensuring Sufficient School Places and School Modernisation. The programme of works will be derived from technical advice and the content of the School Estate Asset Management Plan Database, and will be approved by the Corporate Director of Children's Services and the Divisional Director of Education.

5. Progress and Changes to Targeted Basic Need Programme (TBNP)

- 5.1 Cabinet received a report at the meeting on 18 December 2013 regarding the success of securing funding under the DfE Targeted Basic Need Programme of £11.2m to support a project at Robert Clack School which includes a new 630 place primary school and 6FE secondary school to be built upon land gained from a Section 106 Agreement for housing development on Lymington Fields and the redundant warehousing site on the Eldonwall industrial estate being purchased from the GLA (Minute 72 refers). In addition a sum of £9.3 million has been secured under the same programme and the DfE has agreed that this fund can be used to help with the expansion of the Sydney Russell School and to extend the age range. This will mean that the School will become a school for 3 to 19 year olds catering for 630 primary pupils plus nursery, and 1,800 Yr7 to Yr11 pupils plus sixth form.
- 5.2 Cabinet is asked to endorse this proposal and note that funding will need to be spent by September 2015. Furthermore, the Council will need to demonstrate additional pupils will be admitted to the schools. Any issues which arise that prevent Children's Services from being able to meet the timescale will need to be reported back to Cabinet in the future and may result in funding being reclaimed by the DfE.
- 5.3 With regard to the project at Robert Clack referred to in paragraph 5.1 above, protracted negotiations for the acquisition of land and delays to the developer's programme for housing on the adjoining Lymington Fields have significantly reduced the available timeframe for building the new schools. The project was to have been procured by competitive tendering through the Council's construction framework agreement. However, the Client Manager - Education, Assets and Commercial Services, has since recommended seeking a design and build contract using the Government's Crown Commercial Service, (CCS) Lot 7 framework for modularised construction, and this has been discussed with the Council's Procurement Advisers. The time and budget available are considered inadequate to realise a conventionally constructed scheme and it is now considered imperative that one "turn key" contract is offered to undertake the entire project, beginning with demolishing existing buildings, remediating and securing the site, laying up service connections and building out the new school together with associated external sports facilities and landscape works. Again the conditions relating to timescales and the need to have spent these resources apply for September 2015. Discussions with the DfE are continuing on this matter.

- 5.4 Securing the project to increase the School's capacity is very much dependent on land availability and every consideration is being made about alternatives. If a different location is possible or identified in the right locality near to Robert Clack existing sites then these will be explored for feasibility and delivery and reported back to Cabinet.

6 Provision of Free School Facilities at Barking Riverside

- 6.1 Previous Cabinet reports (Minute 98, 12 February 2013, and Minute 72, 18 December 2013) referred to school facilities to be constructed for the Riverside Free School on Barking Riverside. Funding is provided directly by the Education Funding Agency (EFA).
- 6.2 The Free School Trustees requested that the Council carry out the procurement in order to secure facilities that are comparable to those enjoyed by students at other schools in the Borough – principally classroom sizes. The EFA standard classrooms are small at 55sqm, compared to the Borough's minimum standard of 70 sqm. The Free School proposals are in line with the Council's former Building Schools for the Future (BSF) objectives to meet Basic Need for school places in the area south of the A13 road which includes Thames View as well as Barking Riverside.
- 6.3 These proposals are for a 10 form of entry secondary school, partnered with The Sydney Russell School, a 160 place special school partnered with Trinity Special School and a primary school partnered with Warren and Furze federation of schools. The Free School Trustees have achieved funding approval for both the secondary school and the special school and have submitted a bid for funding for the primary school. The development proposed comprises all three facilities to ensure an effective use of site available for these schools. The proposed scheme has been submitted for Town Planning consideration.
- 6.4 The EFA has stated funding of £21.5m for the secondary school, £7.5m for the special school, and has indicated £5m for the primary school. It would be most efficient to procure these schools in one lot. Should funding not be available for any reason for the primary school it would be possible to build this element at a later date.
- 6.5 Since the scheme's inception, procurement routes have been explored to obtain best value. Originally, under BSF the procurement would be via the Council's Local Education Partnership (LEP) (Thames Partnership for Learning) which had been procured for this purpose. It is noted that other procurement routes could be used: the Council's Framework as well as the Crown Commercial Service [CCS]. The most cost effective hitherto has been found to be via the CCS framework using a modularised constructor. After discussion with Procurement Officers, it is proposed to run a mini competition amongst CCS framework modularised constructors: this will increase competitive tension. Cabinet are asked to approve this variation in procurement route.

7 Transferring Castle Green to Jo Richardson Community School (JRCS)

- 7.1 As part of the Private Finance Initiative (PFI) arrangement at Jo Richardson Community School (JRCS) additional provision was made to support community

resources and these areas are managed as part of the Castle Green estate on the site. There are separate staff on site and a budget, some of which is charged out to users of the site including JRCS and the on site childcare provider, and this would also have been true of the library facilities that were on site.

- 7.2 With the closure of the public library it has been necessary to reconfigure the room arrangements and budgets to try to balance the funds available. Also, there are staff vacancies at Castle Green and there is a need to think about a different, more cost efficient staffing arrangement on the site.
- 7.3 The agreement for JRCS to expand and make better use of the accommodation on site as approved by Cabinet on 13 November 2012 (Minute 51), gives an opportunity to make a new arrangement and encourage the School to take on the management of the community facilities at Castle Green running the enterprise as part of JRCS. This gives the School the opportunity to meet the needs of pupils and maintain the community aspect of the site in a more streamlined management structure.
- 7.4 It is proposed that officers from Children's Services and Financial Services are authorised to enter into discussion with the Headteacher and the Governing Body to bring about this change at an appropriate time, probably April 2015. It is also proposed that the Corporate Director of Children's Services be authorised to approve the transfer once agreement has been reached and there is assurance about protecting the annual PFI credits linked to community facilities.

8. Support for New Projects

- 8.1 As part of the programme agreed by Cabinet 13 November 2012 (Minute 51) a sum of £15m was approved to expand Barking Abbey by 5 forms of entry. This project cannot now progress and this funding can now be redirected to support other pressing schemes which need to be taken forward in line with the Future Planning Programme to meet Basic Need (including SEN places) 2013 to 2020 attached at Appendix 2 to this report.

- 8.2 In particular the following schemes need to be funded:

8.2.1 Eastbury Secondary

Progress on the project at Eastbury which is funded through a joint DfE programme – Priority Schools Building Programme/ Targeted Basic Need Programme. This scheme provides for the replacement of extensive amount of temporary classrooms and the demolition of some of the older buildings on site. It will also provide a new 2 form entry primary school. The budget which is set by the DfE limits the size of rooms and thus the flexibility we would like to see in the new building. Further, as part of the provisions for the Targeted Basic Needs Programme it is necessary to have some additional places on site for September 2015, and we are in discussion with the School about making some temporary places available ahead of the new construction. Procurement is to be managed by the DfE. However the School has indicated a desire to have classroom provision for the pupils at a size which is comparable to the existing provision and have set aside a sum of £1,378,726 to support the scheme. The Council will need to meet other costs related to the improved provision of primary classes and the conversion

of existing facilities to house the start up of reception classes from September 2015. The DfE has asked for written confirmation from the Council's Chief Finance Officer with Cabinet's approval to proceed, and this will be subject to a written confirmation from the School's Governing Body.

The estimated cost for this scheme is **£480,000**.

8.2.2 Eastbrook School

Progress on the project at Eastbrook which is funded through a DfE programme – Priority Schools Building Programme is being made with design proposals well in hand. The School has indicated a desire to have improved classroom sizes and a cost is being sought. It is intended to reserve £600,000 to support this proposal in the same fashion as the Eastbury scheme.

The estimated cost for this scheme is **£600,000**.

8.2.3 Dagenham Park

The School has agreed to invest over £1m of their funding to provide additional facilities at the School to develop sixth form provision and Children's Services has agreed to support this scheme on the understanding that an additional form of entry can be accommodated at the school. Such funding is subject to agreement by Cabinet, and an appropriate procurement route which is likely to have to be linked to the existing PFI project on site, and appraisal under the officer led Capital Appraisal Process.

The estimated cost for this scheme is **£2,000,000**.

8.2.4 Barking Riverside Free School – Temporary Site at City Farm

Extending the provision at City Farm to enable the continued occupation of the site by the Barking Riverside Free School and developing some additional provision for SEN ahead of the works to move the school to its new permanent site in the area of the new District Centre at Barking Riverside. This building will later convert to become a new primary provision once vacated by Barking Riverside School.

The estimated cost for this scheme is **£5,500,000**.

8.2.5 New Primary School Abbey Retail Park

Provision needs to be made to allocate some funding to secure the land at the Abbey Retail Park to accommodate the proposed new primary school. In the event that it is not possible to secure the land through agreement under a Section 106 planning gain, then the Council will need to fund the purchase from the basic need grant allocation.

The estimated purchase price for the land could be **£2,000,000**.

8.2.6 New Gascoigne Secondary School

To reserve the balance of the available funding of £4,420,000 as a contribution towards the provision of the proposed new school at Gascoigne which is likely to be in the region of £25,000,000 in total.

A sum of **£4,420,000** is being reserved for this scheme.

9. Options Appraisal

- 9.1 Current strategy is formulated against a backdrop on the demand side of continuing increase in demand for school places for the foreseeable future; short run surges of demand for school places e.g. over the summer period and on the supply side: limited funding on short time horizons; shortage of sites in areas of high demand; and timescales for new providers e.g. timescales for Free Schools to be established may be two years.
- 9.2 Investment strategy (see Strategy for Ensuring Sufficient School Places and School Modernisation and Future Planning Programme to meet Basic Need [including SEN places] 2013 to 2020 which is attached to this report) is first, to expand provision on existing school sites as far as practicable to meet local demand on a forward looking basis (i.e. to seek value for money solutions which have longevity); then subsequently to seek and build on sites in areas of demand in Council or other public ownership that are suitable for development as a school and which also offer value for money and longevity; to support those external providers that have access to further capital funding and are capable and willing to provide high quality inclusive education places that comply with the Council's Admissions Policies.
- 9.3 The variables that influence the delivery of this strategy are: demand fluctuations; the willingness of governing bodies to accede to expansion plans; funding limitations; cost variances – specific to sites; timescales to achieve cost efficient/ competitive prices in short timescales.
- 9.4 The proposed delivery of the strategy is set out in Appendix 1 and Appendix 2 sets out proposed projects. Specific projects may be subject to change for the reasons set above, and other projects substituted. The overall strategy is robust and remains the same: individual project specifics may change but will remain in the overall strategic framework.
- 9.5 Options exist for any specific scheme and are explored to ensure that the overall strategic outcomes sought are achieved. Other overall strategies e.g. to rely on outside providers to meet the prospective short fall of school places would not be effective on their own: timescales and speed of reaction are too short.

10. Consultation

- 10.1 These proposals are not Ward specific. There has been consultation with a range of officers throughout the Council in order that appropriate matters are considered including financial, legal, risk management and others mentioned in section 14 of this report.

11. Financial Implications

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

- 11.1 This report informs Members of the Council's Strategy of ensuring sufficient school places. The report also seeks approval for the projects listed in section 8 of this report. The indicative budget allocations are from the total basic need funding.
- 11.2 The projects identified above have yet to go through an in depth capital appraisal process. The appraisal process will be undertaken on the individual projects above, reviewing the full financial implications including any revenue implications that may arise. The projects will only commence once the full appraisal process has been carried out.
- 11.3 Any major risks/financial impact identified through the appraisal process will be notified to Members through subsequent Cabinet reports.
- 11.4 There are ongoing discussions with procurement on the schemes to ensure value for money and that procurement is appropriate, and this is in line with the legal implications set out below.

12. Legal Implications

Implications completed by: Lucinda Bell Education Lawyer

- 12.1 The Council has a duty under section 14 of the Education Act 1996 to ensure the provision of "sufficient schools" for the provision of primary and secondary education in their area. Paragraph 6 of section 14 requires the Council to have regard to the need to secure that special education provision is made for pupils who have special educational needs.
- 12.2 Legal advice must be obtained in relation to the planned procurement.

13. Other Implications

13.1 Risk Management

- 13.1.1 Risk that funding levels will not be sufficient to meet demand to create new education 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.
- 13.1.2 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.
- 13.1.3 Primary schools: risk that site availability would prevent delivery of school places in the areas where demand is highest. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being mitigated, as far as practicable, by expanding

all available sites in high demand areas, and reviewing other buildings for potential school use. Post control the risk is still high impact (4) and medium (3) probability = 12 red.

13.1.4 Risk that the cost of the rate of deterioration of the school estate will outrun the funding available to maintain it. This risk is high impact (4) and high (4) probability = 16 red. This risk is being mitigated as far as practicable by lobbying DfE for improvements in funding. Post control the risk is high impact (4) and medium (3) probability = 12 red.

13.1.5 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.

13.1.6 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.

13.1.7 The programme for Universal Infant Free School Meals Capital Investment represents a very significant increase in meal numbers for most of our schools and consequently carries some risk. There are many individual risks as part of the programme – e.g. the non availability of kitchen equipment due to the significant additional national demand that will occur as schools try to upgrade their facilities in time for September. However, the overarching risk is that some schools are not ready, for whatever reason, to deliver extra meals in September and this has been addressed.

Risk	Mitigation
Schools are not ready to deliver increased numbers of meals in time for September 1 st	<p>Additional meals produced elsewhere (e.g. in secondary school production kitchens) and shipped to affected schools as a temporary measure until school capacity is sufficient for its needs</p> <p>Temporary adjustments made to the structure of the school day to accommodate several sittings until capacity is sufficient to meet the demand</p> <p>Temporary reallocation of classroom or other space to accommodate additional numbers until planned expansion works etc. are complete.</p>
Additional contributory risks	Mitigation
Supplier Infrastructure not able to meet additional volume for equipment needs	Utilise alternative suppliers within LCSG
Agency unable to supply sufficient additional trained staff	Adecco to utilise second tier agency

	Recruitment directly from other B&D employed staff e.g. cleaning Upgrade existing staff where possible
Schools not adhering to time lines re purchase of light equipment	Use of disposables until correct equipment arrives Temporary alternative menu options

13.2 Contractual Issues

- 13.2.1 It is anticipated that projects will be procured through options related either to the Local Education Partnership or through the Council's Framework of Contractors. It will also be necessary to explore other specialist providers where there is value for money and a clear support from the Government or its agents to secure projects in this way for schemes which they are funding directly.
- 13.2.2 Legal, procurement and other professional advice will be sought regarding the appropriate procurement routes and contractual agreements to procure and secure the individual projects which fall within the second phase, consisting of the secondary and primary school schemes.
- 13.2.3 Projects will be subject to the Capital Appraisal Process and the agreement of the Procurement Board to progress schemes. However the Cabinet is asked to approve procurement principles as set out below to avoid the need to report back to Cabinet as these procurements are either beyond our control or need to happen quickly within pressing timescales because pupils need to be accommodated.

Eastbury Secondary

This project is to support the addition of primary classroom space up to 68 square metres as the project is being managed and procured by the EfA/DfE who are only authorised to provide classrooms of a standard size up to 55 metres square. This will not allow the flexibility that the Council has supported in other schemes to allow pupils to be taught in a variety of room layouts and styles. The school have also made a commitment to invest in larger classrooms for the secondary school provision and this is in excess of £1m. Procurement and all finances to be managed by the DfE.

Dagenham Park

The School has agreed to invest over £1m of their own funding to provide additional facilities at the School to develop sixth form provision and Children's Services has agreed to support this scheme in principle providing that an additional form of entry can be accommodated at the school. As this project is on the existing PFI site there are legal restrictions why the PFI contractor Laing O'Rourke should be the preferred contractor and the project will be supervised by the Local Education Partnership.

Barking Riverside Free School – Temporary Site at City Farm

Extending the provision at City Farm to enable the continued occupation of the site by the Barking Riverside Free School and developing some additional provision for SEN ahead of the works to move the school to its new permanent site. As the first phase of this building was constructed using the Government Procurement Service,

the Council to secure procurement of the scheme through a two stage tender process using the Government Procurement Service framework which has been competitively tendered through the relevant EU procurement rules. This is in line with the report to Cabinet 18 December 2013, Minute 72 refers.

- 14.3 **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.
- 14.4 **Corporate Policy and Customer Impact** - 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 and the Community Priorities 2013-14, specifically 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.

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.

The longer term outlook is unlikely to be positive on the proposed funding levels as it will be difficult to address need on current budget levels.

- 14.5 **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.
- 14.6 **Health Issues** - The health and well being board and JSNA highlight the importance of investing in early intervention and education to support children’s and young people’s long term well being. The evidence and analysis set out in Fair Society, Healthy Lives (Marmot Review) has been developed and strengthened by the report of the Independent Review on Poverty and Life Chances. The reports draw attention to the impact of family background, parental education, good parenting and school based education, as what matters most in preventing poor children becoming poor adults.
- 14.7 **Crime and Disorder Issues** - Appropriate consideration of the development of individual projects will take into account the need to design out potential crime problems and to protect users of the building facilities.
- 14.8 **Property / Asset Issues** - This proposed decision would facilitate the improvement and renewal of Council assets. The specific proposal for JRCS/Castle Green will provide improved management opportunities at the centre to enhance the use of accommodation and other resources for pupils and the wider community.

Public Background Papers Used in the Preparation of the Report:

- Capital Allocations: Basic need in financial years 2014-15, 2015-16 and 2016-17, and Universal infant free school meals capital in financial year 2014-15 published December 2013
- Capital Allocations: Maintenance and DFC in financial year 2014-15 published January 2014

List of appendices

- **Appendix 1** - Strategy for Ensuring Sufficient School Places and School Modernisation
- **Appendix 2** - Future Planning Programme to meet Basic Need (including SEN places) 2013 to 2020.