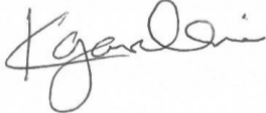



## London Borough of Waltham Forest

Report Title	<b>Schools Capital Programme 2024 – 2028</b>
Meeting / Date	Cabinet, 3 <sup>rd</sup> December 2024
Cabinet portfolio	Councillor Kizzy Gardiner, Portfolio Lead Member for Children and Young People 
	Councillor Ahsan Khan, Deputy Leader (Housing and Regeneration) 
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Wards affected	All
Public access	Open except for Appendices 2 and 3 which are exempt in accordance with Section 100(A-H) of the Local Government Act 1972 and Schedule 12A as amended, on the grounds that they involve the likely disclosure of exempt information as defined in Part 1, paragraph 3, they contain information relating to the financial or business affairs of any particular person (including the authority holding the information) and disclosure would not be in the public interest.
Appendices	Appendix 1 - Resources Summary Appendix 2 - Committed Projects (Exempt) Appendix 3 - Proposed Projects (Exempt) Appendix 4 - Sustainability Matrix Appendix 5 - Equalities Screening

### 1. Summary

- 1.1 This report sets out the Schools Capital Programme for the financial years 2024-2028. Investment will support the Council's statutory duties to provide enough pupil places, support school improvement and maintain community school buildings. By providing high quality school places within local communities, investment supports the Council's Mission Waltham Forest priority; Ensure every family and every child are given every opportunity.

- 1.2 The Schools' Capital Programme is supported by capital allocations from the Department for Education (DfE) and the Council's own resources. These are supplemented by third-party developer contributions, including Section 106 and the Community Infrastructure Levy.

## **2. Recommendations**

- 2.1 Cabinet is recommended to:
- 2.2 Approve the allocation of the available resources of £52.65m to the Schools Capital Programme to financial year end 2027/28, as outlined in Appendix 1, and for this funding to be made available to deliver the projects identified in Appendix 2 and Appendix 3.
- 2.3 Note the total resource of £31.50m currently committed against projects previously approved by Cabinet and by delegated authority, as detailed in Appendix 2.
- 2.4 Delegate authority to finalise this programme, within identified financial resources, to the Strategic Director of Children, in consultation with the Portfolio Lead Member for Children and Young People and the Strategic Director of Resources.
- 2.5 Delegate authority to the Corporate Director – Property and Delivery, in consultation with the Portfolio Lead Member for Children and Young People and Strategic Director of Resources:
  - To proceed with the procurement of projects and maintenance and improvement works included in the programme, subject to Strategic Commissioning Board Approval
  - To award contracts provided they are within the resources available in the Schools Capital Programme to meet such commitments.

## **3. Proposals**

### Background

- 3.1 The Schools Capital Programme provides infrastructure investment in the school estate to meet the Council's statutory duty for the provision of pupil places, to support implementation of key Education strategies and to maintain community school premises. By providing high quality school places within local communities, the investment will support the realisation of the Council's Mission Waltham Forest priority; Ensure every family and every child are given every opportunity.
- 3.2 The following criteria has been used to determine the programme, based on the need for school places and the condition of the existing school estate:
  - Provision of identified additional primary and secondary places between 2024 and 2028

- Provision of high-quality places for pupils with special educational needs and disability (SEND), and pupils at risk of exclusion
  - Maintenance, improvement, and compliance works to community school buildings, including consideration of priorities regarding climate change.
- 3.3 Officers continuously and regularly monitor progress of the Schools Capital Programme against confirmed growth and predicted future demand. This report informs Cabinet of:
- Additional funding received since the programme last reported to Cabinet in December 2023 and forecast to be received for the period to March 2028
  - The forecast out-turn costs for current projects
  - An update on school place needs and priorities, identified by the Children's Services Directorate, in line with the growth aspirations of the borough and Local Plan.
- 3.4 Capital investment has, and continues to be, needed to ensure that there is capacity within our schools to meet the peak in school place demands. Since 2007, the Council expanded Waltham Forest primary phase schools by 37 permanent forms of entry (FE), with an additional 74 temporary classes being incorporated. This was to support the significant increase in pupil numbers arising from peaks in birth rates and net migration. The peak reception intake year was in 2016/17.
- 3.5 As schools are funded by the number of children they have on roll, proactive management of surplus school places is critical to protect the financial sustainability of our schools. The Waltham Forest Pupil Place Plan 2024–30 was published in October 2024 and continues to aim to hold surplus place capacity across mainstream schools at 5-10% to support financial stability whilst also protecting parental preference.
- 3.6 Since the peak of reception demand in 2016/17, demand in the Leyton/Leytonstone and Walthamstow areas – which had the majority of expansion works – has fallen and the Pupil Place Planning team has worked with individual primary schools to reduce their place offer in these areas accordingly. 13.5FE has already been reduced since 2020 and a further reduction of 2FE is being implemented across these areas over the next few years.
- 3.7 There has been limited primary growth in the north of the borough, with recent bulge classes implemented at Yardley Primary School, including associated works. It is anticipated the school will formally expand from September 2026, with design proposals and an associated planning application for works due to be submitted in early 2025.
- 3.8 The secondary phase expansion programme is due to complete during 2025, with completion of Willowfield School 1FE expansion project due to finish during spring 2025 and Kelmscott 2FE expansion project phase 3 internal works due to finish during summer 2025.

- 3.9 In 2024, 93% of Reception pupils got their 1<sup>st</sup> preference school and 99% obtained one of the top 3 preferences. In the Secondary phase 77% of Year 7 students got their 1<sup>st</sup> preference school and 94% obtained one of their top 3 preferences in 2024. In both primary and secondary Waltham Forest exceeded the London average for parental preference.

### **Schools Capital Programme Delivery in 2023/24**

- 3.10 In December 2023, Cabinet approved the Schools Capital Programme of £60.61m, to be allocated to projects planned for delivery until the financial year 2026/27. £14.79m of this sum was spent in the financial year 2023-24 on current projects, and additional resources of £6.83m were received. The net result is that the total available to spend to 2027/28 is £52.65m, of which £31.50m is already allocated to Cabinet approved projects (See Appendices 1 and 2). The balance of £21.15m will be allocated to meet future needs.

- 3.11 Key successes delivered since the Programme was last reported to Cabinet, include:

- Commencement of bulge class works to Yardley Primary School. Existing accommodation has been extended and remodelled to facilitate bulge classes efficiently pending formal expansion. An early phase of work has been handed over to ensure the school can operate with an additional 30 pupils from September 2024, with works due to be completed by end of autumn 2024.
- Completion of a new teaching block at Willowfield School as part of the 1FE expansion project. This includes a rooftop play area that maximises the available footprint of the school site.
- Completion of the Whitehall accessibility project. This has seen four classrooms, two in Key Stage 1 and two in Key Stage 2 to ensure that mainstream education is accessible to all.
- Completion of the North Birkbeck Road construction phase. The buildings have been completed and are pending some fit out installations prior to school and Youth Offending Services occupants moving into the facilities, which are due to start during autumn 2024.
- Commencement of the rolling programme of school capital improvement works for 2024/25, including window replacements, roof renewals, heating renewals, toilet refurbishment, emergency lighting, lightning protection and other improvements, with projects underway or completed over the summer.

### **Previously Approved Projects**

- 3.12 The £31.50m committed against projects already in the Schools Capital Programme includes allowances for projects approved by Cabinet but that are yet to be completed. Design and construction work presently underway will deliver further projects, which will complete over the next four years. These include:

- Design development of proposals to facilitate school expansion at Yardley Primary School. The school successfully took a second bulge class in September 2024 following completion of related works and it's anticipated a planning application will be submitted for the main expansion project in the new year.
- A further programme of planned maintenance works at community schools.
- Full completion of the Willowfield School 1FE expansion project, to extend the activity studio. An earlier phase of work to provide an extension to the main building for additional classrooms and rooftop play completed during summer 2024.
- Full completion of the Kelmscott School 2FE expansion project, to undertake a final phase work to remodel and appropriately suite accommodation.

### **Capital Programme 2024-28**

- 3.13 There are plans in place to meet forecast demand between now and September 2028. Before Waltham Forest looks to permanently increase a school's Planned Admission Number (PAN), the school must take two bulge classes which subsequently fill. The strategy is designed to avoid the risk of over expanding the school estate and placing additional revenue pressure upon expanding schools whilst also delivering on parental preference by expanding 1<sup>st</sup> preference schools. This strategy has been previously consulted on at Schools Organisation and Admissions Board (SOAB) and is aligned with the revenue protection strategy for schools adopted by Schools Forum.

#### ***Primary Schools***

- 3.14 Predicted demand in the south and centre of the borough continues to be monitored and the PAN reduction programme continues to be implemented. To date 12.5 forms of entry have been reduced across the primary estate along with a cap on 48 year groups. A further net reduction in these areas of the borough are being implemented over the next few academic years.
- 3.15 The forecast increase in demand for places in the north of the borough has been closely monitored over the last few years. The first bulge reception class was provided at Yardley Primary School in September 2023 with the second bulge class added in September 2024. Design and planning works for a permanent 1FE expansion are underway and funds for this scheme had previously been identified and allocated within the capital programme.

#### ***Secondary Schools***

- 3.16 The secondary school expansion programme continues to be delivered. Phase 3 expansion works at Kelmscott School are in design and are anticipated to be the final works phase for completion by summer 2025. 1FE expansion works at Willowfield School have commenced on site, with an initial phase handed over and are anticipated to fully complete during spring 2025.

- 3.17 Funding has been allocated in the programme to meet short or medium term future demand through temporary expansions (bulge classes) across the existing school estate if required (as listed in the Appendices).
- 3.18 Funding any further expansion works beyond this programme will be dependent on further need materialising and receiving associated basic need allocations from the DfE.

#### ***Alternative Provision, Special Educational Needs and Disability***

- 3.19 Increased demand continues for high quality alternative provision and SEND places to meet the range of needs in this vulnerable cohort. Funding committed within previous Capital Programmes supported the implementation of the Alternative Provision Capital Delivery Plan, including the creation of four Social Inclusion satellite units attached to mainstream secondary schools and the High Needs Centre at North Birkbeck Road.
- 3.20 The Children's Services Directorate are currently formulating a SEND Place Commissioning plan and will shortly be appointing a resource to undertake relevant communications and consultation with the school community. Funding within the capital programme is allocated for investment in SEND places within special schools and mainstream primary and secondary schools to ensure that provision is appropriately resourced and located to meet the needs of children.
- 3.21 Reasonable adjustment works continue to support inclusion across the schools' estate. Funding is also allocated within the Capital Programme to ensure that all mainstream schools support the full inclusion of students. Works at Whitehall Primary School to extend classrooms to support access requirements completed during summer 2024.

#### ***Strategic Education Projects and School Rebuilding Programme***

- 3.22 Funding has been identified within existing resources to help the Council prioritise approach against the existing estate baseline with an emphasis on decarbonisation and energy efficiency measures, including a fabric first approach. Consideration will continue regarding climate change initiatives in line with local and national guidance and context, including the DfE's Sustainability & Climate Change strategy.
- 3.23 Burnside School remains part of Phase 2 of the DfE's School Rebuilding Programme. A planning application is due to be submitted during autumn 2024. The Council has supported the project by formally allocating the adjacent Burwood building to Burnside's site area. This will aid project delivery and benefit the school with enhanced external area. A budget has been allocated within the capital programme for project enhancement, including new furniture and ICT. Officers continue to monitor and support the scheme as required.
- 3.24 There are also other projects that have been announced within the School Rebuilding Programme at Highams Park School, Chingford Foundation School and Eden Girls' School. The Highams Park project

gained planning assent during summer 2024. Whilst the Council doesn't have direct involvement in these projects due to these schools being academies, there are commitments on the Council regarding planning liabilities associated to Section 106 or Section 278 works. Funding has been built into the capital programme to cover potential sums, which are not all known at this stage.

### **Medium and Long Term Demand**

- 3.25 Officers are working interdepartmentally to identify the areas of housing growth, and these are monitored and incorporated in school place projections. Some housing growth (schemes at pre-application and later stages) has been factored into the submission to central government statutory returns and known development locations are considered as part of pupil place planning.
- 3.26 Sustainability projects continue across the schools' estate. The Schools Delivery Team continues to pursue opportunities linked to decarbonising the schools' estate and to mitigate the impact of climate change, including flood reduction works and considers bidding round opportunities linked to known priorities where identified.

### **Development and Delivery of the Schools Capital Programme**

- 3.27 The Schools' Capital Programme is driven by strategic education need. The Pupil Place Planning team monitor demand by using data from the Greater London Authority, adjacent boroughs, local housing projections, and birth data to develop and monitor projected need. This is reported at SOAB, to the Children's Services Portfolio Lead Member and integrates with the wider corporate Capital Strategy.
- 3.28 Decisions to expand schools are based on a range of criteria, including educational outcomes, leadership and governing body support, delivery, cost and risk. Information to inform the strategy is derived from commissioned feasibility studies to determine where future demand can be most economically met. The Schools Delivery team appoint and manage consultants to deliver these studies.
- 3.29 For schools that are suitable and agreeable to expansion, consultation and engagement is undertaken to consider the implications of the expansion to ensure that high quality and effective education provision is not compromised by any development. Officers ensure effective communication from the start of the project to identify and mitigate risks.
- 3.30 Delivery of the programme is led by the Corporate Director – Property & Delivery and Strategic Director of Children, in consultation with the Strategic Director of Resources, and Portfolio Lead Member for Children and Young People.

## **4. Options & Alternatives Considered**

- 4.1 It is a statutory obligation for the Council to ensure that enough school places of the appropriate type are available within the borough.

Schools are selected for inclusion in programmes of work where delivery of a project is more likely to be achievable economically and with fewer risks combined with determined best educational outcomes. This report relates to confirmed need and known demands up until 2028. It is possible that demand after this period will require new provision and proposals will be developed should this need materialise.

- 4.2 The available financial resources of £52.65m identified in Appendix 1, are proposed to be prioritised on projects to meet the growing demand for SEND/Alternative Provision facilities, potential future secondary need and to continue a planned maintenance programme for financial years 2025/26 until 2027/28 as School Condition Allocation Funding for these years has not yet been confirmed by the DfE.
- 4.3 Should the Council fail to invest in creating mainstream places, SEND/Alternative Provision accommodation, or to develop its planned maintenance programme across the school estate, it risks not meeting its statutory duty to provide enough safe and suitable school places for all of its young residents.

## **5. Council Strategic Priorities (and other National or Local Policies or Strategies)**

- 5.1 Capital investment will play a key part in delivering the Council's priorities. The Schools Capital Programme will make a significant contribution to connecting people with jobs, safe and healthy lives and to provide confidence in our future. Providing additional pupil places and facilities will contribute to delivering the Council's priorities in line with the Mission Waltham Forest objective:
  - Ensure every family and every child are given every opportunity.
- 5.2 Our work supports schools and the borough to provide a good education for every child; to support young people to be resilient, confident and healthy, and to give them opportunities to flourish.

## **6. Consultation**

- 6.1 In determining the strategy to meet the increased demand for places, SOAB were consulted, and responses included in the pupil place planning methodology. For expansion of maintained schools, a statutory consultation process is undertaken where there is an increase of more than 10% of the existing roll, in line with DfE Prescribed Alterations statutory guidance.
- 6.2 Individual projects are subject to planning consultation where significant building work is to be undertaken.



## **7. Implications**

### **7.1 Finance, Value for Money and Risk**

- 7.1.1 The committed and proposed programme will be financed from capital resources carried forward from those approved in the December 2023 Cabinet report of £60.61m. After adjustments for expenditure incurred in 2023/24 (£14.79m) and additional resources received in the last year, the total financial resources for the Schools' Capital programme are £52.65m of which £31.50m (see Appendix 2) is committed against existing projects leaving £21.15m unallocated to utilise against future projects (see Appendix 1).
- 7.1.2 Appendix 3 outlines proposed future schemes which could be set against the unallocated resources. These will be further developed and reported on separately during the next financial year.
- 7.1.3 Basic Need allocations until 2025/26 were announced in March 2023 and updated in March 2024. Waltham Forest did not receive an allocation for this round, commensurate with expectations regarding lack of growth in mainstream place creation.
- 7.1.4 Procurement of proposed schemes will be subject to approval by the Council's Strategic Commissioning Board where contracts are anticipated to exceed a value of £1m. Construction frameworks will be utilised where they represent value for money and can meet the need of project requirements.
- 7.1.5 Inflation has impacted the construction industry over the last few years, affecting project viability due to associated costs. To mitigate this, allowances have been made for inflation at a project level and a revised financial forecast will be prepared at each project gateway, which align to RIBA stages. Programme contingency has been set at 9% of the overall programme due to increased cost risk.

### **7.2 Legal**

- 7.2.1 Under section 14 of the Education Act 1996 a local authority must ensure that enough (in number, character and equipment to provide for all pupils the opportunity of appropriate education) primary and secondary schools are available for its area.
- 7.2.2 Schedule 11 of the Education Act 2011 amends the Education and Inspections Act 2006 such that if a local authority thinks that a new school needs to be established in its area it must seek proposals for the establishment of an academy. The proposals in the capital programme intend to extend existing schools rather than seek to establish any new schools. Each project in the programme that involves new buildings on a new site is considered on an individual basis at the appropriate time.
- 7.2.3 The procurement of individual projects will be carried out in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015. Some projects may be individually advertised, some may be procured through frameworks which the Council may lawfully

use, and some may be carried out under contracts already entered into by the Council.

- 7.2.4 The expansion of schools must be carried out in accordance with DfE published statutory guidance *Making significant changes ('prescribed alterations') to maintained schools* (October 2024). Where required, statutory notices of the proposals are published, interested parties are consulted and representations made are duly considered.

### 7.3 **Equalities and Diversity**

- 7.3.1 An Equalities Analysis screening template has been completed and there are no negative or adverse impact identified (see Appendix 5). Capital investment is based on need for additional school places and to maintain school infrastructure. The greatest need for places remains in the secondary school estate, with an emerging need for SEND based places. Proposed capital investment aligns with this need.

- 7.3.2 The following measures will be introduced to maximise the positive equalities impacts and to minimise any potential negative impacts:

- Access to school sites during construction work could be impaired. To mitigate against this, contractors will ensure that sites remain accessible and utilise methods of construction that minimise disruption.
- The programme seeks to positively develop projects with facilities for children with SEND and children who are at risk of exclusion.

### 7.4 **Sustainability (including climate change, health, crime and disorder)**

- 7.4.1 A sustainability matrix has been compiled and is detailed as Appendix 4.

- 7.4.2 It is anticipated that the North Birkbeck Road project would support attitudinal behaviour change to reduce violence and crime.

- 7.4.3 Continuing to invest and deliver in high quality school places contributes positively to giving every child the best start in life and enabling all children, young people and adults to maximise their capabilities and have control over their lives

- 7.4.4 Where schemes in the Capital Programme relate to the improvement of a Council asset, due regard will be given to sustainability as part of the Council's response to the declared Climate Emergency. The Council sets itself a target of meeting at least the "Very Good" standard as assessed by the Building Research Establishment Environmental Assessment Method (BREEAM).

- 7.4.5 As part of the statutory approval process, capital schemes will comply with Building Regulations Part L (conservation of fuel and power) 2022 and the Council's Planning and Development Management policy 87 – Sustainable Design and Construction, with consideration to Carbon Net Zero as part of each development.

- 7.4.6 The London Plan was adopted in March 2021 and the net zero carbon requirement now applies. Contributions for remaining emissions above the baseline of 35% reduction will need to be made to the Carbon Offset Fund (COF) at £95 a tonne over 30 years. This will need to be factored into each scheme's budget and will vary by site, subject to how well a building is performing. Where this cannot be achieved, carbon offset payments will be due and it is therefore desirable for schemes to strive to be Carbon Net Zero.
- 7.4.7 A programme wide Climate Change Matrix has been completed (see Appendix 4) and this sets out sustainability issues to be addressed. These vary between projects and include site contamination, better insulation, sustainable urban drainage systems and recycling.
- 7.4.8 To comply with the Council's Sustainable Procurement Policy, the economic, environmental and social impact of each project will be separately considered. Where possible, opportunities to increase apprenticeships and use a local supply chain will be taken. Consideration will also be given to working with local providers who can provide pre-employment training schemes. 10% of the weighting of evaluation criteria will be attributed to sustainability in accordance with the policy.

## **7.5 Council Infrastructure**

- 7.5.1 The Council has identified a priority to invest in the Council's infrastructure to facilitate improved utilisation of sites and buildings. The Schools Capital Programme fulfils this objective in terms of rationalising, expanding and maintaining existing schools and their sites.
- 7.5.2 Resources required within the Capital Delivery Division have been identified as part of annual resource planning and will be financially resourced from available capital funding within this programme, attributed to approved schemes.

## **Background Information (as defined by Local Government (Access to Information) Act 1985)**

None