

## LONDON BOROUGH OF WALTHAM FOREST

Meeting / Date	<b>Cabinet</b> <b>2 December 2021</b>	
Report Title	<b>Schools Capital Programme 2021-2025</b>	
Cabinet Portfolio	Councillor Alistair Strathern, Portfolio Lead Member for Children and Young People  Councillor Simon Miller, Portfolio Lead Member for Economic Prosperity	  
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Wards affected	All	
Public Access	Open <b>except for Appendices 2 and 3 which are EXEMPT</b> 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 - Schools Capital Programme 2021-2025 - Resources Summary  Appendix 2 - Schools Capital Programme 2021-2025 - Committed Projects (Exempt)  Appendix 3 - Schools Capital Programme 2021-2025 - Proposed Projects (Exempt)  Appendix 4 - Climate Change Matrix  Appendix 5 - EA Screening	

### 1. SUMMARY

- 1.1 This report sets out the Schools Capital Programme for the financial years 2021-2025. Investment will support our statutory duties to

provide enough pupil places, support school improvement and maintain community school buildings. Further, by providing high quality school places within local communities, the investment supports the realisation of the Council's Public Service Strategy priority of 'our 15-minute neighbourhoods' and the Reset priority of 'Outstanding outcomes for children'.

- 1.2 The Schools Capital Programme is supported by capital allocations from the Education and Skills Funding Agency (ESFA) 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 £73.9m to the Schools Capital Programme to financial year end 2024/25, 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 £60.93m 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 Families, in consultation with the Portfolio Lead Member for Children and Young People and the Strategic Director of Finance and Governance.
- 2.5 Delegate authority to the Commercial Director – Property and Delivery, in consultation with the Portfolio Lead Member for Children and Young People and Strategic Director of Finance and Governance:
  - 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 duties for the provision of pupil places, to support school improvement and to maintain school buildings. Further, by providing high quality school places within local communities, the investment will support the realisation of the Council's Public Service Strategy priority of 'our 15-

minute neighbourhoods', which aims to enable residents to meet most of their needs within a short walk or bike ride from home.

- 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 additional primary and secondary places between 2021 and 2025
  - Provision of high-quality places for pupils with special educational needs and disability (SEND), and pupils at risk of exclusion
  - Expansion of existing specialist educational facilities and enhancing the curriculum offer, with outdoor learning activities for school groups of all ages
  - Maintenance, improvement and compliance works to community school buildings
  - Consideration of emerging priorities around climate change.
- 3.3 Officers continuously 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 2020 and forecast to be received for the period to March 2025
  - The forecast out-turn costs for current projects
  - An update on school place needs and priorities, identified by the Families Directorate, in line with the growth aspirations of the borough, the Public Service Strategy and draft Local Plan.
- 3.4 Since 2007, the Council expanded Waltham Forest primary schools by 36 permanent forms of entry (FE), with an additional 73 temporary classes being incorporated. The secondary school estate has been expanded by 11FE during the same period (Eden 4FE, Willowfield 2FE, Holy Family 2FE, Heathcote 2FE and Leytonstone 1FE).
- 3.5 Approximately 100 additional Year 7 pupil places are estimated to be needed by 2023. To meet this demand, bulge classes were incorporated at Norlington School and Kelmscott School both in September 2020 and September 2021 and at Willowfield School in September 2021. The secondary expansion programme will continue to be delivered over the next three years.
- 3.6 To meet future demand, it is proposed that works are undertaken to support existing secondary schools to accommodate 'bulge classes' (temporary expansion for 5 years by one class). This is proposed as there is no demand for permanent expansions beyond those identified and is in line with emerging data. Implementation of further bulge classes would be subject to demand materialising and future free school activity in the borough.

### **Schools Capital Programme Delivery in 2020/21**

- 3.7 In December 2020, Cabinet approved the Schools Capital Programme of £86.00m, to be allocated to projects planned for delivery until the financial year 2023/24. £17.24m of this sum was spent in the financial year 2020-21 on current projects, and additional resources of £5.14m were received. The net result is that the total available to spend to 2024/25 is £73.9m, of which £60.93m is already allocated to Cabinet approved projects (See Appendices 1 and 2). The balance of £13.01m will be allocated to meet future needs.
- 3.8 Key successes delivered since the Programme was last reported to Cabinet, include:
- Completion of phase 1 of the 2FE expansion project at Kelmscott School, consisting of extension and remodelling of internal spaces to provide dining and curriculum areas.
  - Completion of three phases of work at Norlington School to support 1FE expansion through remodelling of existing facilities.
  - Completion of remodelled internal facilities to deliver an Alternative Provision Satellite Unit at Holy Family Catholic School & Sixth Form. External works are to follow.
  - Completion of improvement and expansion works at the Suntrap Forest Education Centre to enhance the curriculum offer.
  - A programme of school based maintenance works, including window replacements, roof renewals, boiler renewals, toilet refurbishment, emergency lighting, lightning protection and other improvements.
  - Commencement of a further phase of work as part of the Leyton Green Partnership Project, to deliver 47 new homes that will partly fund the overall project. The scheme is ongoing and should be delivered during late summer 2022.
  - Delivery of an ICT digital divide project, to provide a rollout of laptops to schools for those in need and a match funding pot for schools to bid to improve their ICT infrastructure.

### **Previously Approved Projects**

- 3.9 The £60.93m 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 and procurement of proposals to facilitate permanent and temporary (bulge classes) secondary school expansions. This will include procurement of a contractor to deliver the Willowfield School expansion project and appointment of a contractor to deliver phase 2 of the Kelmscott School expansion project in 2022 (see Appendix 2).

- A further programme of planned maintenance works at community schools.
- Proposals to provide SEND and Alternative Provision facilities in mainstream schools and a new High Needs Unit, with a co-located Family Resilience Centre at North Birkbeck Road. This includes delivery of a Social Inclusion Unit at Holy Family School and similar units to be provided as part of expansion works at Kelmscott School and Willowfield School.

### **Capital Programme 2021-25**

- 3.10 There are plans in place to meet anticipated demand between now and September 2025. In line with the Waltham Forest Pupil Place Plan 2021-2036, the Council will meet demand through a mix of temporary and permanent expansions of existing secondary schools. The strategy of developing a mix of bulge and permanent expansions has been developed in recognition of the fact that demand for places in schools fluctuate. A further issue is the unpredictability of academy and free school activity, which is managed by central government. The strategy is designed to avoid the risk of over expanding the estate and placing additional revenue pressure upon schools.
- 3.11 Before a school's Planned Admission Number (PAN) is permanently expanded, the school must take two bulge classes which subsequently fill. This strategy has been consulted on at Schools Organisation and Admissions Board (SOAB) and agreed at Strategic Education Asset Management Board (SEAM) and is aligned with the revenue protection strategy for schools adopted by Schools Forum.

#### *Primary Schools*

- 3.12 The projected increase in demand for places in the north of the borough is being closely monitored and funds have been identified in the Schools Capital Programme for a further 1FE expansion, if required in line with the Council's 15-minute neighbourhoods' priority.
- 3.13 Design proposals may be considered for anticipated delivery by 2025/26, subject to housing growth and demand. Predicted demand in the south and centre of the borough is being closely monitored. Although there is currently a PAN reduction exercise being implemented, it is anticipated this will only be for a temporary period, due to anticipated increases in population and housing growth. It is projected that further provision will be required once many of larger housing schemes are completed after 2025/26.

#### *Secondary Schools*

- 3.14 The secondary school expansion programme continues to be delivered. The 1FE expansion at Norlington School is anticipated to complete in the new year. Phase 2 works at Kelmscott School are due to be delivered by Autumn 2022. A planning application for expansion works at Willowfield School is due to be submitted imminently and the school is anticipated to expand permanently in September 2023.

- 3.15 Demand has not materialised as first anticipated in the secondary sector, therefore one of the later 1FE secondary expansion projects at Buxton School has been withdrawn. Capital has been reallocated in the programme to meet short or medium term future demand through temporary expansions (bulge classes) across the existing school estate (as listed in the Appendices).
- 3.16 The need for additional temporary capacity is projected to continue beyond the period of this programme (financial year 2024/25). However, funding further expansions beyond this programme will be dependent on receiving further basic need allocations from the DFE.

*Alternative Provision, Special Educational Needs and Disability*

- 3.17 There has been an increased demand for high quality alternative provision to meet the range of needs in this vulnerable cohort. Funds are contained within the Capital Programme to meet current and future demand in line with the Alternative Provision Capital Delivery Plan approved by Cabinet in November 2020.
- 3.18 Two Social Inclusion Satellite Units at Heathcote School and Holy Family School have been delivered and provide a short-term therapeutic intervention for pupils who are no longer able to engage in education due to trauma or poor mental health. The High Needs Centre, co-located with a Family Resilience Centre, at 23-25 North Birkbeck Road is pending planning approval. Further Social Inclusion Satellite Units are planned to be delivered at both Kelmscott School and Willowfield School as part of wider mainstream expansion works.
- 3.19 Funding is allocated for investment in future Specially Resourced Provision in mainstream primary and secondary schools in ensuring current and new units are appropriately placed to provide specialist SEND services where required.
- 3.20 Works continue to survey for reasonable adjustments and undertake associated improvements to support inclusion across the schools' estate.
- 3.21 Burnside School was identified as part of Phase 2 of the Schools Rebuilding Programme in July 2021. Officers are engaging with the DFE and school regarding the early stages of this project which will see the school refurbished or rebuilt.

*Strategic Education Projects*

- 3.22 Funding has been identified within existing resources to help us prioritise our approach against our baseline in the existing estate with an emphasis on decarbonisation and energy efficiency measures, including a fabric first approach. An implementation plan will be developed by the Families Directorate to monitor the impact of measures across the schools' capital programme, which will be reported to the Strategic Education and Asset Management Board. Consideration will continue regarding climate change initiatives in line with local and national guidance and context, including the DFE's recently launched draft Sustainability & Climate Change strategy.

- 3.23 To ensure that education assets are efficient, fit for purpose and sustainable, the Council maximises efficiencies via a collaborative approach between schools, social care, and housing. The Leyton Green Project redeveloped the Summerfield Site to deliver a new respite care facility and an improved educational offer at Belmont Park School and will be part funded via an enabling residential development of 47 homes on the former respite centre site. The school and social care facilities have been delivered and construction of the housing scheme will be delivered by late summer 2022.
- 3.24 Works to develop a sustainable educational offer at the Suntrap Forest Education Centre completed during summer 2021, supported by funding from the Capital Programme.
- 3.25 Delivery of an ICT digital divide project, to provide a rollout of laptops to schools for children without access during early 2021. A match funding round for schools has also been held to improve schools' ICT infrastructure.

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

- 3.26 Officers will continue to undertake further analysis of basic need projections to inform the development of sustainable expansion plans for the school estate. The potential impact on school places resulting from the implementation of the Waltham Forest Housing Strategy is monitored carefully to gauge the population yield from new developments.
- 3.27 Officers are working across directorates 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.
- 3.28 Previous feasibility studies into potential secondary expansions across the school estate have informed the strategy for meeting increased demand, including the planned proposal to develop bulge classes followed by expansion. Work to deliver the strategy of bulges and expansions within the existing school estate continues, including construction works at Norlington School and development work at Kelmscott and Willowfield Schools.
- 3.29 It is anticipated that a bulge class needs to be in place for September 2022 at Willowfield School to ensure enough places are available for local children, including a degree of parental choice. Buxton School is no longer considered to be required as part of the secondary expansions programme but may be considered for a bulge class in the future if need materialises.
- 3.30 Consideration is being given to sustainability projects across the schools' estate. Design work is continuing to a small environmental project at Newport Primary School Habitat Area, which will promote the drive for sustainability as a core educational focus with links to the

Suntrap Centre. The Schools Team actively pursues grant to support schools in the context of decarbonisation.

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

- 3.31 The Schools Capital Programme is driven by strategic education needs. The Education Business Effectiveness 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 SEAM Board and integrates with the wider corporate Capital Strategy.
- 3.32 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 Capital Delivery team appoint and manage consultants to deliver these studies.
- 3.33 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.
- 3.34 Delivery of the programme is managed by the Commercial Director – Property & Delivery and Strategic Director of Families, in consultation with the Strategic Director of Finance and Governance, 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. In determining which secondary schools to expand, the Council has carried out feasibility studies and option appraisals at seven schools. Schools have been selected where delivery of an expansion project is more likely to be achievable for lower cost and with fewer risks combined with determined best educational outcomes. This report relates to confirmed need and known demands up until 2025. 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 £73.9m identified in Appendix 1, are proposed to be prioritised on projects to meet the growing demand for SEND/Alternative Provision facilities, and to continue a planned maintenance programme in the financial years 2022/23, 2023/24 and 2024/25 as School Condition Allocation Funding for these years has not as yet been confirmed by the ESFA.
- 4.3 Should the Council not plan to make this investment in SEND/Alternative Provision accommodation, or to develop its planned maintenance programme across the school estate, it risks not meeting



its statutory duty to provide a sufficient number of safe and suitable school places to all of its young residents.

## **5. SUSTAINABLE COMMUNITY STRATEGY 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 local neighbourhoods.
- 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 and SEAM were consulted, and responses included in the pupil place planning methodology. For school expansions a statutory consultation process is carried out.

## **7. RESET**

- 7.1 In July 2021, the Council approved its Strategic Reset priorities and delivery programme to recover from the pandemic and build a bright future for all residents in Waltham Forest.
- 7.2 The Schools Capital Programme is pivotal to our local vision and priority as a Council to tackle the inequality that holds some of our residents back, through delivering high quality school places within our borough.
- 7.3 In providing school places and infrastructure investment, it supports the realisation of our *15 minute neighbourhoods*' theme in delivering outcomes that matter to individual communities, as well as *Achieving Outstanding outcomes for children* in managing school demand and meeting Council's statutory duties.

## **8. IMPLICATIONS**

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

- 8.1.1 The committed and proposed programme will be financed from capital resources carried forward from those approved in the December 2020 Cabinet report of £86.00m. After adjustments for expenditure incurred in 2020/21 (£17.24m) and additional resources received in the last year, the total financial resources for the Schools Capital programme are £73.9m of which £60.93m (see Appendix 2) is committed against existing projects leaving £13.01m unallocated (see Appendix 1).

- 8.1.2 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.
- 8.1.3 Basic Need allocations for 2024 have not yet been announced and have therefore not been factored into available resources. Waltham Forest did not receive an allocation of Basic Need funding for 2021/22 or 2022/23 which was expected.
- 8.1.4 The Autumn Budget and Spending Review 2021 announced a national allocation of £2.6 billion for new school places for children with special educational needs and disabilities (SEND) in England, more than tripling current capital funding levels to over £900 million by 2024-25. Details of allocations are awaited and will be reported as part of the next programme update to Cabinet.
- 8.1.5 Procurement of proposed schemes will be subject to approval by the Council's Strategic Commissioning Board where contracts exceed a value of £1m. Existing construction frameworks will be utilised where they represent value for money and can meet the need of project requirements.
- 8.1.6 Construction industry journals have warned of potential cost increases due to labour shortages and any tariffs on material imports. To mitigate this, allowances have been made for inflation and a revised financial forecast will be prepared at each project gateway. Programme contingency remains at 5% of the overall programme.

## **8.2 Legal**

- 8.2.1 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.
- 8.2.2 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.
- 8.2.3 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.
- 8.2.4 The expansion of schools must be carried out in accordance with DFE published statutory guidance *Making significant changes ('prescribed alterations') to maintained schools* (October 2018). Where required,

statutory notices of the proposals are published, interested parties are consulted and any representations made are duly considered.

### **8.3 Equalities and Diversity**

- 8.3.1 An Equalities Analysis screening template has been completed and there are no negative or adverse impact identified (see Appendix 5). The rationale for capital investment has been based on need for additional school places and need to invest in 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.
- 8.3.2 The following measures will be introduced to maximise the positive equalities impacts and to minimise any potential negative impacts:
- The proposed expansion of secondary schools will be planned to maintain a gender balance as far as is possible.
  - Access to sites during building 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.

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

- 8.4.1 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).
- 8.4.2 As part of the statutory approval process, capital schemes will comply with Building Regulations Part L (conservation of fuel and power) 2013 and the Council's Planning and Development Management policy DM11 seeking 35% reduction on 2013 building regulation carbon emissions.
- 8.4.3 The London Plan was adopted in March 2021 and the net zero carbon requirement now applies. This could mean making carbon offset payments where this cannot be achieved. 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.
- 8.4.4 A programme wide Climate Change Matrix has been completed at Appendix 4 and this sets out sustainability issues to be addressed. These vary from site to site and include site contamination, better insulation, sustainable urban drainage systems and recycling.
- 8.4.5 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.

**8.5 Council Infrastructure (e.g. Human Resources, Accommodation or IT issues)**

- 8.5.1 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 both in terms of expanding and maintaining existing schools.
- 8.5.2 The resources required within the Property and Delivery division has been identified as part of the annual resource plan and will be resourced from available capital funding.

**BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)**

None