


Cabinet 5 February 2014	 TOWER HAMLETS
Report of: Robert McCulloch-Graham, Corporate Director, Education, Social Care & Wellbeing	Classification: Unrestricted
Proposed Expansion of Olga Primary School	

Lead Member	Cllr Oliur Rahman
Wards affected	Bow West
Community Plan Theme	A Prosperous Community
Key Decision?	Yes

Executive Summary

This report explains the background to the proposals and informs Cabinet of the consultation that has taken place to date. The report recommends that statutory proposals are now published for the enlargement of the school.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Agree that statutory proposals should be published for the enlargement of Olga Primary School to admit 90 pupils in each year from September 2016.

1. REASONS FOR THE DECISIONS

- 1.1 Proposals have been developed to expand Olga Primary School to assist in the LA's programme to provide primary school places to meet growing local need. Initial consultation on the proposals has been held. Cabinet is asked to consider the proposed expansion, the response to the initial consultation and the recommendation that statutory proposals for the expansion should be published. The publication of statutory proposals is required in order to implement this change to the school.

2. ALTERNATIVE OPTIONS

- 2.1 In order to meet the rising need for school places, the Council has implemented a number of school expansion projects and continues to develop further schemes to meet need. Longer term development plans for the

borough include proposals for new primary schools. However, further expansion proposals are needed to keep pace with the need, so taking no action would leave the Council at risk of being unable to discharge its statutory functions. The options for expansion have been considered having regard to the factors set out in paragraphs 3.7 to 3.10 of the report.

- 2.2 As referred to in paragraph 3.20, Olga School is included in the Grouped Schools PFI contract. The contractor has a long term interest in the site (until 2027). The cooperation and consent of the PFI contractor and its funders is required in order to carry out the building works and so the PFI contractor will act as the Council's agent to procure the works. This ensures that the scheme is jointly developed. Using an alternative contractor for the works would take more time and create additional costs for the Council in obtaining the relevant consents. It could also lead to potential contractual disputes during the works and in the subsequent delivery of ongoing facilities management services.

3. DETAILS OF REPORT

- 3.1 In September 2013 the Mayor in Cabinet received a report, Planning for School Places, 2013/14 Review. The report set out the projected need for school places and actions in place to meet the need. There is a steeply rising need for additional primary and secondary school places.
- 3.2 Olga Primary School is in Lanfranc Road, E3 . At present it admits 30 pupils in each year group (1 form of entry) and has a maximum capacity of 210 pupils, plus a nursery class. There is a rising need for primary school places in the borough. The greatest pressure for admission to primary schools is being experienced in the central and eastern areas of the borough, including Bow. The Local Authority has to ensure that there are sufficient school places available to meet the needs of the population.

Decision-making on school expansion proposals

- 3.3 There is a statutory framework for implementing certain alterations to schools, including enlargements. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For community schools, the Local Authority (LA) can propose certain alterations, including enlargements.
- 3.4 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and, if the LA agrees, statutory proposals are published for a specified period (usually four weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not to implement the proposals, or modify them in the light of the consultation.
- 3.5 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.

3.6 The timetable for the process is shown in paragraph 3.32, taking into account the legal requirements of the consultation and decision-making process.

THE NEED FOR ADDITIONAL PRIMARY SCHOOL PLACES

3.7 The Planning for School Places – 2013/14 Review report referred to above includes details of the need for additional primary school places and options considered to meet the need.

3.8 The LA keeps the need for additional school places under regular review to ensure that there are sufficient places to meet need. Annual school roll information is used to project the need for places in future years. The projection methodology takes into account the trend in school rolls, actual birth data and population projections. This information is compared with data on the capacity of existing schools and the extent of unfilled places in schools in order to assess if additional capacity has to be planned for, or if there is excess capacity which can be reduced.

3.9 The LA continues to experience pressure on admission to Reception year particularly in the areas in the centre and east of the borough where new residential development has been taking place. Options continue to be developed to meet the steeply rising need for additional places.

3.10 The position for the current year and in the medium term is as follows:

	Places available 2013/14	
Reception	3,476	
	January 2015 projected roll	January 2017 projected roll
Reception	3,581	3,734
Total R-Y6	23,468	24,926

IDENTIFICATION OF POTENTIAL SITES FOR EXPANSION

3.11 The Local Development Framework and Core Strategy indicated that some new primary schools are likely to be required, even after allowing for some schools which are not now completely full and that some schools could be expanded on their existing sites. In managing the best use of its assets and the available finance, the LA has first considered which of the existing school sites could be expanded. Proposals have been or are being implemented to expand a number of primary schools and further options will continue to be investigated.

3.12 In identifying potential sites for expansion, the following factors have been considered:

- the physical capacity of the existing site and buildings to be expanded;
- the location of the school – is it in an area where the need is rising;

- the practical implications of the scheme – can it be implemented with an acceptable level of disruption to the school;
- 3.13 In addition to the above factors, in taking the decision to proceed with the proposals at any site, the LA will consider the strength of the individual school, its popularity and success, and its capacity to adapt to the increase in size.
- 3.14 Having regard to all these factors, expansion at Olga School is considered a suitable option as set out below.

Olga School

- 3.15 The opportunity for Olga School to be expanded was identified as part of the ongoing estate review that the Directorate has undertaken. The school site has capacity for the school to be rebuilt within the site to increase the school size. It is an area of the borough where there is pressure on admission to reception year. There has been considerable redevelopment activity in the area local to the school and more is planned.
- 3.16 A planning application for the new school building has been approved. It is proposed to build a new school to the west of the site. This will create the additional capacity for pupils in significantly enhanced accommodation which will provide an excellent learning environment. The existing pupils will be accommodated in temporary classrooms on the site during the works. It is proposed that work will start in early 2015 to allow occupation of the new school in September 2016.
- 3.17 The proposal has been developed in consultation with the Headteacher and governing body who support the proposal.

Funding Implications

- 3.18 The estimated capital cost of the scheme is £10.7m. At its September meeting, Cabinet agreed a recommendation to adopt a capital estimate of £10.7m for the scheme. The capital costs will be funded from the Basic Need grant from the DfE.
- 3.19 Additional revenue funding will be provided to the school through the LA's funding formula to reflect the increased roll.
- 3.20 Olga School is included in the Grouped Schools PFI contract. The works to implement the expansion are being agreed as a variation to the contract (as in other projects at schools in the contract). The PFI contractor, Tower Hamlets Schools Ltd will act as the agent for the Council to appoint the construction contractor by a competitive process. There will be additional running costs for FM services for the new building which will be agreed and funded through the school's running costs.

Implementation of the Expansion

- 3.21 It is proposed that the increase should take effect from September 2016, subject to the approval of the statutory proposals. This means that the first

increased year group of 90 will be admitted in September 2016. The school will have three nursery classes.

- 3.22 It is proposed to admit the extra pupils to the school at reception year only until all year groups are full to three forms of entry. This will mean that the school has time to gradually adapt to the increase in size and introduce any new management arrangements as the pupil numbers increase.

CONSULTATION

- 3.23 The initial consultation period was from 18 November to 13 December 2013. The proposed building design was on display in the school for parents and children to see. There had been earlier meetings with governors, parents and staff about the proposals before the planning application was submitted and views were positive. Neighbours of the school were also consulted before the planning application was made and as part of the process of the planning application being determined.

- 3.24 A copy of the consultation paper issued is included as Appendix A. The consultation paper was sent to:
- all parents and carers of children now at Olga School
 - all staff at Olga School
 - all governors of Olga School
 - all headteachers and chairs of governors of primary schools in Tower Hamlets
 - local MPs
 - the London Boroughs of Newham and Hackney
 - the London Diocesan Board for Schools and the Westminster Diocese Education Service
 - local trades unions

- 3.25 The consultation list was determined having regard to the requirements of the Prescribed Alterations Regulations. It is not considered that there are any schools affected by the proposal, but the head teachers and governors of other schools were notified so that they would have an opportunity to provide input.

- 3.26 Consultation meetings were held to discuss the proposals with parents.

- 3.27 The overall response to the proposed expansion of the school was positive. Some of those indicating support for the proposal did comment that they wanted the “family feel” of Olga to be maintained in the expanded school. The consultation paper included a form to return and the analysis of those returned is as follows:

For	Against
14	3

- 3.28 Two parents’ meetings were arranged at the school during the consultation period although the second of these had no attendance. The response from parents who attended the meeting was generally positive and they welcomed the proposal to invest in the school. At the parents’ meeting there were

questions and discussion on a number of issues which were responded to by the LA officers and the headteacher in the meetings:

- impact on the playground during the works
- how will the school be affected by the works on site

Response to matters raised in the consultation

- 3.29 On the response forms, 3 responders indicated they supported the proposals but said that they wanted to retain the family feel of the school. This is a high priority for the governing body and Headteacher and they have confirmed this in the meetings with parents. The LA and governing body therefore support the proposed expansion.
- 3.30 There were 3 response forms stating that the responder did not agree with the proposal but no supporting reasons were given.
- 3.31 The planning for the works on site takes into account how the school will continue to operate in the meantime. Proposals are in place to ensure the safety of children, staff and visitors during works. These matters were explained to parents at the meeting. Parents will be kept up to date with changes to the site arrangements (eg. access points to the school) and progress once works commence. The LA has significant experience of managing such arrangements on a temporary basis during works to schools.

Conclusion

- 3.32 The comments raised in the consultation on the proposed expansion have been noted. The governing body remains committed to maintaining the ethos and character of the school. Temporary disruption to the school during works is manageable. The school places are needed in this area to meet the rising need and Olga School has the capacity to expand. Taking all this into account, it is recommended that the expansion proposal should proceed to the publication of statutory proposals.

FURTHER ACTION NOW PROPOSED FOR OLGA SCHOOL

- 3.33 The consultation that has been conducted complies with the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 and the Secretary of State's guidance on consultation. The outcome of the consultation has been reviewed and there is support for the proposals.
- 3.34 The Mayor in Cabinet is recommended to agree to publication of statutory proposals for the expansion of Olga Primary School. The statutory proposals will be published in East End Life and made available at the school. Any comments or representations on the proposals should be submitted to the Council by the end of the four week period.

3.35 If there are no objections to the statutory proposals in the four week period, the decision to implement will be dealt with by the Corporate Director, Education, Social Care & Wellbeing in accordance with the scheme of delegation. If there are objections to the proposals, the decision will be referred to Cabinet.

3.36 The timetable for the process is set out below:

Cabinet receives a report on the initial consultation and decides on publishing formal statutory proposals	5 February 2014
Statutory proposals published with 4 weeks allowed for comments	24 February to 21 March 2014
The decision will be taken to implement the proposals either by Cabinet if there are objections; or, if there are no objections, by the Corporate Director, Education, Social Care & Wellbeing	By 20 May 2014
Building works commence	Spring 2015
Additional pupils admitted to Reception year	September 2016
Building works complete	January 2017

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. The capital works for Olga School expansion are due to cost £10.7m in total, with most of the work taking place during 2015/16 – 2016/17 financial years. This will be funded from Department for Education capital grant for basic need.
- 4.2. Future revenue costs of the expanded school will be funded through the school enrolling more pupils and attracting more formula funding through the Dedicated Schools Grant.

5. LEGAL COMMENTS

- 5.1. One of the Council's duties in respect of education is to secure that sufficient schools are available for primary and secondary education in Tower Hamlets. This obligation arises under section 14 of the Education Act 1996. The schools must be sufficient in number, character and equipment to provide all pupils with the opportunity of appropriate education.
- 5.2. In deciding what provision to make in respect of primary and secondary schools, the Council is required to consider the need to secure diversity in the provision of schools and increasing opportunities for parental choice. This sits alongside the Council's general equality duty, which requires it to have due

regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who don't. Equalities analysis will need to be carried out alongside the development of proposals.

- 5.3. Section 19 of the Education and Inspections Act 2006 provides that where a local authority proposes to make prescribed alterations to a maintained school, it must publish its proposals. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations") specify what alterations made by local authorities are prescribed alterations and specify the procedure to be followed when publishing and determining such proposals. The enlargement of a school's premises so as to increase the school's capacity by: (a) more than 30 pupils; and (b) 25% or 200 pupils (whichever is the lesser) is a prescribed alteration. The proposals described in this report fall within that definition so the procedure in the Prescribed Alterations Regulations must be followed.
- 5.4. The Prescribed Alterations Regulations require the Council to follow a two stage process involving consultation prior to publication of a proposal, followed (assuming the Council wishes to proceed) by publication of the proposal. The Council is required to carry out initial consultation with categories of persons specified in the Regulations. The list of persons consulted, as set out in paragraph 3.21 of the report, appears to meet the requirements of the Regulations.
- 5.5. The Council is required to have regard to the Secretary of State's guidance as to consultation on proposals. The guidance recommends that the consultation allows adequate time, provides sufficient information for those being consulted to form a considered view and makes clear how the views can be made known. Proposers must be able to demonstrate how they have taken into account the views expressed during the consultation in reaching any subsequent decision as to the publication of proposals.
- 5.6. The Council will need to consider the results of initial consultation and decide whether to publish a statutory proposal, which would be the second stage of the process prescribed by the Prescribed Alterations Regulations. The Regulations prescribe what information must be specified in a proposal and how it should be publicised. The proposal should be published within a reasonable timeframe following consultation so that it is informed by up to date feedback. A statutory notice containing specified information and stating how complete copies of the proposals can be obtained must be published in a local newspaper, and also posted at the main entrance to the school (and all the entrances if there are more than one) and at some other conspicuous place in the area served by the school (e.g. local library, community centre). It is essential that the published notice complies with the statutory requirements as set out in the Regulations.
- 5.7. The level of spend for this scheme is above the European threshold for works contracts. This means that the Public Contracts Regulations 2006 apply to

the scheme. The Council is negotiating with one supplier only (the PFI Contractor) to provide the works rather than subject this spend to a competitive tender exercise. This is permissible in the circumstances, pursuant to regulation 14, having regard to the PFI contract which is in place and the rights of the Contractor under that contract. However, the Council is still under a legal duty to ensure that best value is obtained when agreeing the final price and scope of the works and must ensure that this is achieved throughout the negotiation. Within the negotiation the Council has the opportunity to ensure that appropriate levels of local benefits are included in the performance of the contract such as ensuring that there is the provision of apprenticeships and local suppliers within the supply chain

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The expansion of schools is necessary to ensure the Council meets its legal obligation to secure sufficient schools for Tower Hamlets, but will also promote equality of opportunity for children and young people (including within the meaning of the Equality Act 2010).
- 6.2. The provision of school places and the LA's admission arrangements aim to promote fair access to schools particularly in terms of the distance from home and to allow siblings to attend the same school.
- 6.3. The new school building will be fully accessible which will enhance the range of provision available in mainstream schools for children with physical disabilities. The school will be inclusive for children with special education needs.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The design of the building and materials proposed to be used for Olga School have taken account of sustainability and energy efficiency. Products to be chosen will offer significant energy saving values; insulation products that have an approved environmental profile; and timber from certified sustainable sources.
- 7.2 The design must comply with Building Regulations, Part L which has strict guidelines in respect of carbon emission levels and energy efficiency.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1 The project at Olga School has a high capital value and close monitoring of the project through the preparatory stages is in place and will continue through implementation stages with appropriate, experienced project management resources. If the proposals do not proceed, there will be a risk to be managed that some children will be without a school place local to their home.

8.2 Procuring the works using Tower Hamlets Schools Ltd (the PFI contractor) ensures that the risks associated with using a separate, external contractor and the associated potential delays are avoided.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

9.1 There are no specific implications arising.

10. EFFICIENCY STATEMENT

10.1 The Council is using its assets efficiently by seeking to extend and expand existing school sites to meet the needs of the rising school age population before acquiring land to build a new school

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix A - Olga School Consultation Document

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

LB TOWER HAMLETS

CONSULTATION ON PROPOSALS TO EXPAND OLGA PRIMARY SCHOOL

Introduction

In Tower Hamlets there is a rising school age population. The Council has to ensure there are sufficient school places so that all resident children can attend school locally. The Council considers that Olga Primary School can be successfully developed to improve facilities and accommodate additional places and this paper is published for consultation on this proposal.

This expansion will allow Olga School to increase from 30 pupils in each year to 90 pupils in each year. The first additional children will be admitted from September 2016.

Consultation Process

This paper is being sent to:

- all parents and carers of children now at Olga School
- all staff at Olga School
- all governors of Olga School
- all headteachers and chairs of governors of primary schools in Tower Hamlets
- local MPs
- the London Boroughs of Newham and Hackney
- the London Diocesan Board for Schools and the Westminster Diocese Education Service
- local trades unions

This consultation period runs from 18 November to 13 December 2013. A form is included at the end of this paper for the return of your views.

There will be parents' meetings at the school on Wednesday November 27th at 9.00 a.m. and again at 6.00 p.m. on the same day. We hope as many parents as possible will be able to come to one of the meetings to hear about the proposals and let the Council know your views.

Why are more school places needed?

In Tower Hamlets there has been considerable development to provide new homes and this is anticipated to continue for some years to come. It is projected that nearly 3,000 new homes will be built on average each year until 2025. The birth rate is rising and it is clear that the population trend will continue to rise. The Council needs to plan for the services that the population will need, including schools.

The Council has already carried out schemes to increase the size of some primary schools to ensure that there are enough places for all the children who need a place. Between 2012 and 2022 the total number of children at primary schools will increase by approximately 7,500 pupils, a rise of 34%. The Council therefore has to continue to make plans for providing extra places.

The main areas where the need for school places is rising are in the central and eastern areas of the borough, including Bow, Poplar and the Isle of Dogs. These areas will benefit from a large amount of the new residential development. In time, the projections of the increase in the school roll will require new primary schools to be built.

Olga School

Olga School is in an area of the borough where the school age population is rising. The Council has considered the existing school site and buildings and, working with the headteacher and governing body, we have shown that it is possible to build a new building on the site which will allow the school to expand. The Council considers this to be an exciting development opportunity for the school.

The Council believes that a new Headteacher will be able work the school staff to effectively include the increased roll whilst continuing to improve the standards for all children and maintaining the character of the school which parents value. The admissions criteria for the school will not change and so the children at the school will continue to be those who live in the local area.

The Council will spend about £10 million on the expanded facilities for Olga School. This will be a great new opportunity for the local community to ensure that local children have excellent facilities and the best education for their start in life.

Expanding the school will bring additional resources and facilities to the school, so that the range of opportunities for children will be expanded. There will be more teaching and support staff and increased professional development opportunities for existing staff which will help to recruit and retain good quality teaching and non-teaching staff.

The school will get a larger budget for the additional children and to support the extended building.

The building plans for the school

The Council has been working with the Headteacher and governing body to develop the plans for the school. The building plans are on display in the school during the consultation period.

The new school will enable the Headteacher and staff to build on the character and ethos of Olga. They want to ensure that what parents and children value about the school is maintained as the school expands.

The new school building will provide up to date facilities for the children. There will be new classrooms, a new large hall on the first floor, studio and resources spaces and a parents' room. The new building will be fully accessible. When the new building is completed, the school will move in and the final phase of works will be to create the new playground area.

The construction work will be planned with the highest priority given to the safety of everyone at the school and carried out by a contractor who is very experienced in working on occupied school sites. The Council is working with the Headteacher on the plans for how the works are carried.

Size of the increase in roll

The school now has 30 places in each year group and a nursery classes. Under the new proposals, there will be 90 places in each year and three nursery classes. The total school roll over time will eventually be 630, plus the nursery classes. There will be no change to the admissions arrangements to the school.

How will the increase take effect

The extra children will be admitted to the school in Reception year only from September 2016, so that the full increase will arise after 7 years. Additional children will not be admitted above the total of 30 for a year group where 30 was the original year group number, but there may be admissions where there are vacancies in any year group.

Effect on children now at the school

The increase in roll will happen over a 7 year period which will allow the school to gradually absorb the changes. The children now on roll of the school will be in the existing school during the building works to create the new school. Very careful planning is continuing by the Authority and the Headteacher to ensure that the disruption to school life is kept to the minimum possible. Temporary classrooms will be needed whilst the works are in progress. Some of the existing play area will not be in use during the works and the Headteacher will work out the best way to make sure children can still have good play opportunities during the works.

Other expansion proposals in the area

The Council is considering other options for schools where it may be possible to expand. Consultation on proposals will take place as they are developed. The eastern part of the borough is one of the areas where the highest levels of new housing are anticipated and it is likely that one or more new primary schools will eventually be built.

Timing

This consultation runs from 18 November to 13 December 2013. The timetable for consultation and taking decisions following this stage of consultation is:

Initial consultation	18 November to 13 December 2013
The Council's Cabinet receives a report on the consultation and decides on publishing formal statutory proposals	5 February 2014
Statutory proposals published with 4 weeks allowed for comments	24 February to 21 March 2014
The decision will be taken to implement the proposals either by the Council's Cabinet if there are objections; or, if there are no objections, by the Executive Director of Education, Social Care & Wellbeing	By 20 May 2014
Main building works commence	Summer 2015
First additional Reception year pupils are admitted	September 2016
Works completed	Spring 2017

Next steps

During this current consultation period, the Council wants to hear from as many people as possible. Please let us know your views by completing and returning the form on the next page.

There will be parents' meetings at the school on Wednesday November 27th at 9.00 a.m. and again at 6.00 p.m. on the same day. We hope as many parents as possible will be able to come to one of the meetings to hear about the proposals and let the Council know your views.

OLGA PRIMARY SCHOOL

CONSULTATION ON THE PROPOSED EXPANSION OF OLGA SCHOOL

	Please tick as appropriate
I agree with the proposal to expand the school	<input type="radio"/>
I do not agree with the proposal to expand the school	<input type="radio"/>

Other comments

NAME	
PARENT, GOVERNOR, OTHER (please state)	
DATE	

Please return this page by 13 December 2013 to:

The school office; or

Pat Watson, Head of Building Development, Children's Services, Town Hall,
Mulberry Place, 5 Clove Crescent, E14 2BG, or

e-mail to: pat.watson@towerhamlets.gov.uk