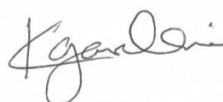



## LONDON BOROUGH OF WALTHAM FOREST

Meeting / Date	<b>Cabinet</b> <b>7<sup>th</sup> December 2023</b>	
Report Title	<b>Schools Capital Programme 2023-2027</b>	
Cabinet Portfolio	Councillor Kizzy Gardiner, Portfolio Lead Member for Children and Young People  Councillor Ahsan Khan, Deputy Leader (Housing and Regeneration)	  
Report Author/ Contact details	Heather Flinders, Strategic Director of People 020 8496 3206, heather.flinders@walthamforest.gov.uk  Stewart Murray, Strategic Director of Place 020 8496 4660, stewart.murray@walthamforest.gov.uk	
Wards affected	All	
Public Access	<b>Open except for Appendices 2 and 3</b> 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 - Schools Capital Programme 2023-2027 - Resources Summary  Appendix 2 - Schools Capital Programme 2023-2027 - Committed Projects (Exempt)  Appendix 3 - Schools Capital Programme 2023-2027 - Proposed Projects (Exempt)  Appendix 4 - Climate Change Matrix  Appendix 5 - Equalities Impact Assessment Screening	

### 1. SUMMARY

- 1.1 This report sets out the Schools Capital Programme for the financial years 2023-2027. 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 Council's Public Service Strategy priority of 'our 15-minute neighbourhoods' and focuses on inclusion as prioritised in the Council's Inclusion and Alternative Provision Strategy and Making a Living Strategy.

- 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 £60.61m to the Schools Capital Programme to financial year end 2026/27, 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 £43.79m 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 People, 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. 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. Through investment in special needs places and accessibility across the school estate, the programme also supports inclusion as prioritised in the Council's Inclusion and Alternative Provision strategy and Making a Living Strategy.

- 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 2023 and 2027
  - 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 2022 and forecast to be received for the period to March 2027
  - The forecast out-turn costs for current projects
  - An update on school place needs and priorities, identified by the People Directorate, in line with the growth aspirations of the borough, the Public Service Strategy 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 36 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 2021-36 is currently being refreshed but continues to aim to hold surplus place capacity across mainstream schools at 5% 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 appropriately. A further reduction of 3FE is being implemented across these areas over the next few years.

- 3.7 However, it was anticipated that a bulge class of 30 pupils would be needed in the north of the borough and a capital budget was committed in earlier programmes. This forecast need was identified as families continue to move further out of London. Work has commenced to address this, with early feasibility work undertaken at Yardley Primary School. The school took an initial bulge class in September 2023, which filled to capacity, and will take further bulge classes in September 2024 and September 2025, with full expansion anticipated to follow from 2027.
- 3.8 Since 2018 the secondary phase has had four capital expansion projects which have increased the overall PAN by 5FE. These expansions projects were Leytonstone School 1FE, Norlington Boys School 1FE, Kelmscott 2FE and Willowfield School 1FE. These secondary expansion project added to previous expansions to ensure there are sufficient places in readiness for the primary peak to move through into the secondary phase.
- 3.9 In 2023, 90% of Reception pupils got their 1<sup>st</sup> preference school and 98% obtained one of the top 3 preferences. In the Secondary phase 76% of Year 7 students got their 1<sup>st</sup> preference school and 92% obtained one of their top 3 preferences in 2023. In both primary and secondary Waltham Forest exceeded the London average for parental preference.

### **Schools Capital Programme Delivery in 2022/23**

- 3.10 In December 2022, Cabinet approved the Schools Capital Programme of £71.18m, to be allocated to projects planned for delivery until the financial year 2025/26. £13.46m of this sum was spent in the financial year 2022-23 on current projects, and additional resources of £2.88m were received. The net result is that the total available to spend to 2026/27 is £60.61m, of which £43.79m is already allocated to Cabinet approved projects (See Appendices 1 and 2). The balance of £16.82m will be allocated to meet future needs.
- 3.11 Key successes delivered since the Programme was last reported to Cabinet, include:
- Completion of phase 2 of the 2FE expansion project at Kelmscott School in September 2023, providing a new modular building to extend the number of classrooms and provide a Social Inclusion satellite Unit as part of the Alternative Provision offer.
  - Completion of the last phase of the Leyton Green Partnership Project, to deliver 47 new homes that will partly fund the social care aspect of the project.
  - Commencement of the rolling programme of school capital improvement works, including window replacements, roof renewals, heating renewals, toilet refurbishment, emergency lighting, lightning protection and other improvements, with projects already completed over the summer or underway.

### **Previously Approved Projects**

- 3.12 The £43.79m 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:
- Feasibility design development of proposals to facilitate school expansion at Yardley Primary School. The school successfully took an initial bulge class in September 2023.
  - A further programme of planned maintenance works at community schools.
  - Commencement of the Willowfield School 1FE expansion project on site, to provide an extension to the main building for additional classrooms, rooftop play and an extended activity studio.
  - Commencement of the High Needs and Family Resilience Centre on site at North Birkbeck Road, to provide a brand new 20 place High Needs Centre combined with shared services with the Youth Offending Service.

### **Capital Programme 2023-27**

- 3.13 There are plans in place to meet forecast demand between now and September 2027. 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 agreed at Strategic Education Asset Management Board (SEAM) and is aligned with the revenue protection strategy for schools adopted by Schools Forum.

### **Primary Schools**

- 3.14 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 9.5 forms of entry have been reduced across the primary estate along with a cap on 47-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 several years. The first bulge reception class was provided at Yardley Primary School in September 2023 with the second bulge class added in September 2024. Currently working with the school on feasibility and planning for a permanent 1FE expansion anticipated for completion in September 2027. 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 2 expansion works at Kelmscott School have recently been delivered with Phase 3 anticipated to be the final works phase for completion during summer 2024. 1FE expansion works at Willowfield School have commenced on site and are anticipated to complete during autumn 2024.
- 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 The need for additional temporary capacity is projected to continue beyond the period of this programme (financial year 2026/27). However, funding further expansion works beyond this programme will be dependent on receiving further basic need allocations from the DfE.

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

- 3.19 Increased demand continues for high quality alternative provision to meet the range of needs in this vulnerable cohort. Funding committed within previous Capital Programmes supported the implementation of Alternative Provision Capital Delivery Plan, this included the creation of four Social Inclusion satellite units attached to mainstream secondary schools and a High Dependency Unit at North Birkbeck Road.
- 3.20 Works for the High Dependency Unit at 23-25 North Birkbeck Road have commenced on site and will provide a 20-place unit attached to Belmont Park Special School and a co-located Family Resilience Centre. It is anticipated to be completed by early summer 2024. Of the final two of the four Social Inclusion Satellite Units, Kelmscott School's was completed as part of their Phase 2 works in September 2023. The Willowfield School Social Inclusion Satellite Unit is anticipated to be in use by September 2024.
- 3.21 The People Directorate are currently formulating a SEND Place Commissioning plan to clarify the current and arising needs for children with special educational needs and disabilities. This plan is due to be completed in Spring 2024. Analysis is currently highlighting place pressures within the secondary phase, with the top three primary needs of students with EHCPs being Social, Emotional, Mental Health (SEMH), Autism, or Speech, Language and Communication.
- 3.22 Funding within the Capital Budget is allocated for investment in SEND places within special schools and Specially Resourced Provision units in mainstream primary and secondary schools to ensure that provision is appropriately resourced and located to meet the needs of children.
- 3.23 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. In 2023 projects have been commissioned in two primary schools: Whitehall Primary School have had classrooms

extended to support access requirements, which is due for completion in summer 2024, and The Jenny Hammond Primary School have had works to provide an accessible WC and platform lift which was completed in October 2023.

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

- 3.24 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. Consideration will continue regarding climate change initiatives in line with local and national guidance and context, including the DfE's Sustainability & Climate Change strategy.
- 3.25 To ensure that education assets are efficient, fit for purpose and sustainable, the Council maximised 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 were delivered in March 2020 and the housing scheme was completed in March 2023.
- 3.26 Burnside School remains part of Phase 2 of the DfE's School Rebuilding Programme. The project is at pre-planning stage. 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.
- 3.27 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. 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 known at this stage.

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

- 3.28 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.
- 3.29 Sustainability projects continue across the schools' estate. A project to provide enhanced provision to a green space at George Tomlinson

Primary School to maximise use is an early stage and will be subject to viability and funding. 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.

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

- 3.30 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 the SOAB Board, People's PLM and integrates with the wider corporate Capital Strategy.
- 3.31 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.
- 3.32 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.
- 3.33 Delivery of the programme is led by the Corporate Director – Property & Delivery and Strategic Director of People, 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 2027. 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 £60.61m 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 in the financial years 2025/26 and 2026/27 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 local neighbourhoods in line with the Waltham Forest Public Service Strategy priority: our 15-minute neighbourhood.
- 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 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.

## **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 2022 Cabinet report of £71.18m. After adjustments for expenditure incurred in 2022/23 (£13.46m) and additional resources received in the last year, the total financial resources for the Schools' Capital programme are £60.61m of which £43.79m (see Appendix 2) is committed against existing projects leaving £16.82m 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 for 2025/26 were announced in March 2023 and 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 had an unprecedented impact on the construction industry over the last two years, with impact on scheme 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 6% of the overall programme due to increased cost risk. f

## **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* (January 2023). Where required, statutory notices of the proposals are published, interested parties are consulted and any 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). 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.
- 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 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).
- 7.4.2 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 DM11 seeking 35% reduction on 2022 building regulation carbon emissions.
- 7.4.3 The London Plan was adopted in March 2021 and the net zero carbon requirement now applies. This will 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.
- 7.4.4 A programme wide Climate Change Matrix has been completed (see 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.
- 7.4.5 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.

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

- 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 both in terms of expanding and maintaining existing schools.
- 7.5.2 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 within this programme,  
attributed to approved schemes.

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

None