

DETERMINATION OF STATUTORY PROPOSALS TO ENLARGE THE PREMISES OF HILLSIDE INFANT SCHOOL, HILLSIDE JUNIOR SCHOOL AND WARRENDER PRIMARY

Cabinet Member(s)	Cllr David Simmonds CBE, Deputy Leader of the Council.
Cabinet Portfolio(s)	Education & Children's Services.
Officer Contact(s)	Venetia Rogers, Residents Services.
Papers with report	Copy of proposals (Appendix 1). Responses to consultation (Appendix 2).

1. HEADLINE INFORMATION

Summary	Statutory proposals have been published to enlarge the premises of three schools; Hillside Infant, Hillside Junior and Warrender Primary. The purpose of this report is to set out the process followed and responses to consultation so that the Cabinet may determine (decide) the proposals.
Putting our Residents First	This report supports the following Council objectives of: <i>Our People; Our Built Environment</i>
Financial Cost	<p>The cost of expanding both Hillside and Warrender Primary Schools is estimated to cost £16,300k and will be funded from the overall £27,400k Phase 4 Primary School Expansions budget approved by Council in February 2016.</p> <p>The enlargement of Hillside Infant School from September 2017 will initially be provisioned by way of a modular classroom that was installed over the summer of 2016 at a forecast cost of £154k which was funded from the unallocated Phase 3A budget for temporary classrooms.</p>
Relevant Policy Overview Committee	Children, Young People & Learning
Ward(s) affected	Northwood Hills, Eastcote & West Ruislip

2. RECOMMENDATIONS

That the Cabinet:

- 1. Approves the proposal to enlarge the premises of Hillside Infant school, from 1 September 2017.**
- 2. Approves the proposal to enlarge the premises of Hillside Junior school, from 1 September 2019.**
- 3. Approves the proposal to enlarge the premises of Warrender Primary school, from 1 September 2018.**

Reasons for recommendation

- To ensure sufficient primary school places for local children are available.

Alternative options considered / risk management

Legally, there are a number of possible options. These are to:

- Approve proposals without modification.
- Approve proposals with modifications (having consulted the school governing bodies).
- Approve the proposals (with or without modification), subject to certain prescribed conditions e.g. planning permission being granted.
- Reject one or more of the proposals. However, it would not be a practical option to approve only one of the Hillside schools proposals, given that they are related.

If no decision is made within two months of the end of the Representation Period, the decision defaults to the Schools Adjudicator. However, this would delay the decisions and would be likely to affect project delivery timescales.

A proposal can be withdrawn at any point before a decision is taken. A prescribed procedure must be followed.

Policy Overview Committee comments

None at this stage.

3. INFORMATION

Supporting Information

3.1 Summary of Proposals

It is proposed to enlarge the premises of three schools - Hillside Infant, Hillside Junior and Warrender Primary in order for the schools to expand. Hillside Infant and Junior schools would expand by one form of entry to three forms of entry and Warrender Primary by one form of entry to two forms of entry. In the case of Hillside Infant School, a temporary expansion (involving making available an additional 30 Reception places i.e. 90 in total) took place in 2016. The effect of the current proposals would be to make this change permanent, so that the school can

continue to admit 90 children a year in future. In the case of Hillside Junior school, the implementation date for the expansion would be September 2019 i.e. the year in which the first year-group of 90 transfers from the infant school. In the case of Warrender Primary, the implementation date would be following completion of the building works for expansion i.e. September 2018. The proposals for Hillside Infant and Hillside Junior are 'linked' and therefore should be considered and decided together.

3.2 Statutory Process

Many changes to maintained schools require a statutory process, as set out in the School Organisation Regulations 2013 and related statutory guidance (published by the Department for Education (DfE)). This includes significant enlargements to school premises. The stages of the statutory process are as follows:

Stage 1	Publication (of proposals)	
Stage 2	Representation (formal consultation)	Four weeks
Stage 3	Decision	The decision-maker must decide proposals within two months of the end of Representation Period or the decision defaults to the Schools Adjudicator
Stage 4	Implementation	As specified in the statutory notice, subject to any modifications agreed by the decision-maker

In addition, the statutory guidance states that there is a 'strong expectation' that pre-publication consultation will also take place.

Under the Council's Constitution, decisions on school organisation proposals are to be taken by Cabinet if objections to the proposals are received. Legal Services has advised that some of the responses received constitute objections or potentially constitute objections (this is the case in relation to all of the proposals).

Within four weeks of the decision, the following bodies have the right to appeal to the Schools Adjudicator against a local authority decision - the local Church of England and Roman Catholic dioceses and the governing bodies of Hillside Infant and Hillside Junior schools (this is due to their status as Foundation schools). The right of appeal does not apply to Warrender Primary, as it is a community school.

3.3 Consideration of Proposals - Department for Education Guidance for Decision-Makers

Statutory guidance includes specific guidance for decision-makers, to which they must have regard. All proposals must be considered on their individual merits.

Factors (i) to (xii) are those that the DfE considers relevant to all proposals and therefore each has been addressed in turn. The DfE guidance also contains a section on proposals to enlarge school premises. However, this refers to specific situations e.g. expansion on to an additional site that are not relevant to the Hillside Infant & Junior and Warrender proposals.

Proposals that are 'related'/linked to another proposal (in this case the proposals for Hillside Infant and Hillside Junior) must be considered together. Decisions for 'related' proposals should be compatible.

(i) **Consideration of consultation & representation period**

The decision-maker needs to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and requirements complied with. Full consideration must be given to all responses received, whether support, objections or comments. The decision-maker must consider the views of those affected by the proposal, or who have an interest in it, including cross-LA (local authority) border interests. The decision-maker should give greatest weight to stakeholders most directly affected by the proposal, especially the parents of children at the affected school(s).

Comment:

Both pre-statutory consultation and representation periods were held for all three proposals. Legal requirements were complied with. Further details of the consultations are included at Section 4. Copies of the published notices and full proposals are appended to the report.

Details of the responses to the consultations are appended to the report (with respondents' personal details removed or any related information would could lead to an individual being identified). A summary of the matters raised in the responses to the consultation is set out below. As can be seen, the majority of comments for all proposals relate to the impact of the proposals on traffic and parking. In some cases, responses included more than one area of concern and/or support for a proposal.

Three responses related specifically to the Hillside Infant and Hillside Junior proposals, five responses related to the Warrender Primary proposal (two were information requests) and one response related to all three proposals.

Responses were acknowledged and, where relevant, further information sent to respondents. Responses that appeared relevant to Planning matters were also forwarded to the Local Planning Authority.

Hillside Infant & Hillside Junior School (related proposals)

Three responses specific to the above, two of which included support for the proposals, whilst expressing some concerns.

The areas of concern can be summarised as follows:

- Impact on traffic flow and parking, concerns regarding local road infrastructure and local journey times.
- Losing the small school 'feel' as a result of expansion.
- Safety - including control of drop-off & collection of pupils, management of buildings works, road safety.
- Suitability and layout of school grounds, especially the infant school.

Comments on responses:

Traffic assessments were undertaken in relation to the planning application and school travel plans are also required. Revisions to the existing parking arrangements will also contribute to addressing some of the concerns related to traffic at the start and end of the school day.

Although the schools will grow in size by 50%, this change will take place gradually by 30 places with each new admission year. The Hillside schools will still be medium-sized following expansion.

The scheme includes a one way drop off system, with a new entrance and improvements to the existing vehicle access point to form an improved exit. Internally, a series of paths will link the drop off spaces with the schools. Where these cross the access roads, traffic tables will provide additional safety for the children. Car park and delivery management plans will also be submitted to the Local Planning Authority for approval prior to implementation by the schools' management. All safety requirements will be complied with during the buildings works.

The proposed development reconfigures the playing field to maximise the use of available space, while retaining the majority of mature tree planting to the boundary, to provide equal summer and winter sports provision to that which can currently be accommodated. Sculpting of existing banking, provision of limited log retaining features in the vicinity of existing trees (in accordance with the arboriculturalist's recommendations), and works to levels across the middle of the site, would ensure the usable space is maximised. Overall 3,150 m² of usable playing field space would be retained. Additionally, significant land drainage improvements will resolve current issues of water logging, ensuring the playing fields can be used all year round.

Alterations and improvements will be made to the existing school building in order to make the necessary provision associated with the proposed expansion. This work will not be limited to the classroom areas and will include remodelling of the entrance and reception areas, thereby creating a more welcoming environment for users.

Warrender Primary

Five responses specific to the Warrender proposal were received, of which two were information requests.

Areas of concern included the following:

- Whether there was a need for extra school places in that locality. Could it be ensured that only local children, who would not need transport, would be admitted? Consideration of other schools for expansion is required.
- Traffic and parking impacts, for local residents, pupils and others, given existing congestion in the local area and beyond. Request for overall plan to discourage travel to school by car.
- Concern expressed by one local head teacher that additional places at Warrender Primary School would have a negative impact on pupil numbers at their school.
- Flooding - including aggravation of existing problems with drainage. Impact of run-off to local properties. Need for these issues to be addressed.

Comments on responses:

Under the School Admissions Code, parents can express a preference for any school. However, the Admissions criteria for community schools (of which Warrender is one) has recently been changed to introduce priority admission areas to make it easier for residents to access places at their local school.

Traffic assessments were undertaken in relation to the planning application and school travel plans are also required.

An assessment of the impact of the expansion on Warrender Primary on other schools was undertaken, based on parental preference data. This showed that the effect on any individual schools is likely to be very limited.

During the design phase it became apparent that during extreme storm events, surface runoff from the paved courts within the school boundary flowed over the grassed area to the north of the school, and towards the residential houses on Eastcote Road. This was identified as flooding to gardens only and no cases of properties flooding was brought to the attention of the Design Team.

To mitigate this issue, the surfacing of the proposed MUGA (multi-use games area) will be porous. Additional surface water storage is provided beneath the MUGA in the form of modular storage crates. A bund has been provided at the northern end of the MUGA to intercept surface water runoff thus keeping it within the site. Stone filled cut off trenches including a filter geotextile are to be provided within the design at the toe of the steep slope between the existing school and playing field. These trenches will discharge into a stone blanket beneath the playing field. A second stone filled cut off trench will be provided at the northern end of the playing field to intercept surface water runoff. This also discharges to the modular storage crates beneath the MUGA. A bund has been provided at the top of the bank to prevent direct surface water runoff and excessive flows leaving the site and entering the residential properties in Eastcote Road.

All Proposals

One response was received which commended all of the proposals.

(ii) Educational Standards & Diversity of Provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the aspirations of parents; raise local standards and narrow attainment gaps.

Comment:

Two of the schools (Hillside Junior and Warrender Primary) are already 'good' schools (OFSTED report). Although Hillside Infant was assessed at its last OFSTED inspection as requiring improvement, significant progress has been made, as set out by OFSTED in its latest monitoring report. The additional accommodation and improved facilities to be provided at both sites has been designed with reference to Department for Education (DfE) design standards

and will support the raising of standards. Warrender Primary is over-subscribed and all three proposals will meet parents' aspirations for high quality provision in their local communities.

(iii) **A school-led system with every school an academy**

Comment:

The proposals are not considered to be inconsistent with the above. All three schools remain able to convert to academy status should they wish to do so. It was not possible to seek to establish a new academy in these areas to meet school place needs as no suitable sites are available.

(iv) **Demand v need**

In assessing demand for school places, the decision-maker should consider the evidence for any projected increase in the pupil population, the quality and popularity of schools in which spare capacity exists (the existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places) and evidence of parents' aspirations for places in a school proposed for expansion.

Comment:

There has been a sustained increase in the primary age population in recent years, reflected in higher school rolls. A number of primary schools in these areas have already expanded to meet rising demand for places. The proposals for enlarging Hillside Infant & Junior schools and Warrender Primary have been brought forward to address the remaining capacity issues. In bringing forward the proposals, consideration has been given to the availability of alternative options and demand for places. The expansion of Hillside schools and Warrender Primary is expected to ensure that there will be sufficient places in these areas for the foreseeable future and that the geographical distribution of school places will better reflect local needs.

(v) **School size**

Decision-makers should not make blanket assumptions that schools should be of a certain size in order to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration.

Comment:

Primary school sizes in the Borough range from one form of entry to five. School expansion proposals are considered on their individual merits.

(vi) **Proposed admission arrangements**

In assessing demand, the decision-maker should consider all expected admissions, including those from out-borough residents. Before approving a proposal likely to affect admissions to the school, the decision-maker should confirm that the admission arrangements of the school are compliant with the School Admissions Code.

Comment:

In assessing demand, account has been taken of expected applications, including out-borough applications. The criteria for admission to all of the schools will remain unchanged and compliant with the School Admissions Code.

(vii) **National Curriculum**

All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community.

Comment:

This will continue to be complied with.

(viii) **Equal opportunity Issues**

The decision-maker must have regard to the Public Sector Equality Duty of LAs/governing bodies. The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the proposed changes. There should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that opportunities are open to all.

Comment:

No issues arise from the proposals. New accommodation will be accessible.

(ix) **Community cohesion**

When considering a proposal, decision-makers must consider its impact on community cohesion, taking into account the community served by the school and the views of different sections within the community.

Comment:

No impacts have been identified.

(x) **Travel & accessibility**

Decision-makers should satisfy themselves that accessibility planning has been taken into account and the proposed changes will not adversely impact on disadvantaged groups; a proposal should not unreasonably extend journey times or result in too many children being prevented from travelling sustainably; the proposal should be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Comment:

The proposals increase local provision for pupils and therefore it is not expected that there will be an adverse impact on journey times or prevent children from travelling sustainably. The

additional accommodation provided will be accessible. School Travel plans will be in place for all schools to encourage the use of sustainable forms of travel.

(xi) **Funding**

The decision-maker should be satisfied that any land, premises or capital required to implement the proposal will be available and that all relevant parties have given their agreement. A proposal cannot be approved conditional to funding being made available.

Comment:

Budget provision is in place to meet the capital costs of the projects. The schools will receive revenue funding through the Dedicated Schools Budget (DSB) in respect of additional pupils. Building works will be taking place within the boundaries of the existing sites. The Council owns the freehold of Warrender Primary. Hillside Infant and Hillside Junior schools are in agreement with the proposals. As Foundation schools, they are the freeholder and therefore a Development Agreement will be put in place.

(xii) **School premises & playing fields**

All schools are required to provide suitable outdoor space for physical education and safe outside play.

Comment:

The proposals for building works and facilities have been developed with regard to the School Premises Regulations and DfE guidelines for physical education spaces. The schools will continue to have sufficient outdoor spaces.

Financial Implications

The demand for school places in Hillingdon has been rising in recent years and is forecast to continue to rise in line with national and London-wide predictions. To meet this demand it has been proposed to expand both Hillside and Warrender Primary Schools by 1 Form of Entry.

Recommendation 1 seeks approval to enlarge the premises of Hillside Infant school from 1 September 2017. This will initially be provisioned from one of the double modular classrooms that were installed over the summer of 2016 at the school. The cost of the installation is forecast to be £154k and is being funded from the unallocated Phase 3A temporary classroom budget, financed from Council resources.

Recommendations 2 and 3 seek approval to permanently enlarge the premises of both Hillside Infants & Juniors and Warrender Primary Schools. The estimated cost of the expansions at this early stage of the construction process is £16,300k. This will be subject to change upon the completion of the tendering process and the appointment of a contractor. The projects will be funded from the £27,400k set aside for the Phase 4 permanent expansions as approved by Cabinet in February 2016. This is also entirely financed from Council resources. Planning consent has now been received for both expansions.

If the expansions do not proceed as planned, there is the risk that any costs incurred and committed to date will represent abortive costs that will require absorbing through the Council's

revenue account. Estimates indicate that this could be up to £1,200k which includes committed costs towards the appointed multi-disciplinary consultants up to the tender stage.

Revenue funding will be provided to each school in the year that they will expand for the expansion based on the increase in the number of Forms of Entry. This will be determined based on an average Age Weighted Pupil Unit Rate and allocated to the school from the relevant September (effectively covering 7 months of funding up to the end of the relevant financial year). For 2017/18, the expansion growth fund provided has been set at £61,411 and is fully funded from the Dedicated Schools Grant.

4. EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The effect of the recommendations will be to ensure that there are sufficient primary school places to meet local needs and will increase parental choice. Children attending the schools will benefit from the new accommodation to be provided.

Consultation Carried Out or Required

Pre-statutory consultation was undertaken in December 2016 in relation to the proposals for Hillside schools and in January 2017 in relation to Warrender Primary.

On 18th January 2017, notices of statutory proposals were published in a local newspaper and the full proposals were published on the Council website, following which the required four week representation period took place. Information on the proposals was provided to parents and pupils via the schools concerned and provided to the governing bodies. Information was also provided to all Hillingdon head teachers, the two local diocesan bodies and to neighbouring authorities.

In addition, consultation also took place with the schools themselves regarding the scope of the building works and their design. Residents have also been consulted through the Planning application process.

5. CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and confirms the financial implications outlined above, noting that the proposed expansions of Hillside and Warrender Schools are to be funded from within existing approved capital programme budgets. The Council's significant programme of investment in school places continues to be funded from a combination of Department for Education grants, developer contributions and locally financed Prudential Borrowing, the on-going costs of which are reflected in the latest iteration of the Medium Term Financial Forecast. Revenue operating costs associated with the expanded schools will be met from the Dedicated Schools Grant and not impact upon the General Fund.

Legal

Local authorities are under a statutory duty to ensure the sufficiency of school places in their area. Where a proposed permanent enlargement of a school (including making permanent any temporary expansion) would increase its capacity by more than 30 pupils, and 25% or 200 pupils (whichever is the lesser), the statutory process as set out at paragraph 3.2 of the report must be followed. Decision makers must have regard to all relevant considerations including responses to formal consultation. There are no other legal issues arising out this report.

Corporate Property and Construction

The proposal to enlarge the three schools does not require an increase in the area of the school sites. Other specific Corporate Property and Construction comments concerning points raised during the consultation are included within the body of the report.

Relevant Service Groups

Not applicable

6. BACKGROUND PAPERS

Department for Education statutory guidance April 2016:

- Making 'prescribed alterations' to maintained schools
- Guidance for decision-makers.