



City of Westminster

Cabinet Report

Decision Maker:	Cabinet
Date:	29 June 2015
Classification:	Open
Title:	Secondary School Expansion
Wards Affected:	All
Key Decision:	Yes
Financial Summary:	The projected cost of the proposed expansion schemes is £18.4M, which is planned to be met by a combination of Basic Need grant, a Land Securities contribution, and s106 funding.
Report of:	Director of Schools

1. Executive Summary

- 1.1 In order to meet the projected rise in demand as set out in the accompanying School Organisation and Investment Strategy 2015, additional secondary school places are required in Westminster. The Council has consulted with all secondary schools and is now working with four schools where additional places can be delivered and feasibility studies have been developed. Approval in principle is sought to commit the Basic Need grant available, together with s106 contributions, to these projects. A further report will be brought before the Cabinet Member for Children and Young People for approval when schemes have been finalised.

2. Recommendations

- 2.1 Cabinet is recommended to:
- (i) Endorse the need for additional secondary school places as detailed in the School Organisation Strategy 2015.
 - (ii) Approve in principle the Council's contribution of £17.2M for the proposed expansions.

- (iii) Delegate authority to the Director of Schools, the Executive Director of Growth, Housing and Property and the Tri-Borough Director of Law in consultation with the Cabinet Member for Children and Young People, to take such measures as necessary to give effect to the proposals set out in this report.

3. Reasons for Decision

- 3.1 Additional secondary school places are required in Westminster as detailed in the School Organisation and Investment Strategy 2015. The expansion of four schools as detailed in this report is sufficient to meet the projected need for the next 5-10 years.

4. Background

- 4.1 Many local authorities throughout the country are reporting growing pressures on secondary school places as a result of the growth at primary level in the last 5 years. In Westminster, the primary school population rose by 8.37% from 9,865 to 10,691 between 2010 and 2014, and is projected to rise further. The secondary school population rose by 8% in the same period from 7,086 to 7,654 (excluding 6th form). The growth in the primary school population was anticipated in 2010 when a strategy was developed to provide the additional spaces required. As a result of the additional primary population, more places are now required in the secondary sector. Over the next ten years, the projected secondary school population will rise by 19.23% to 9,258.
- 4.2 The Council's ability to meet the projected increase is dependent on the completion of the new Marylebone Boys' School, and the Sir Simon Milton University Technical College, together with the other proposed expansions detailed in this report. However, the Marylebone Boys' School only meets the demand for places for boys, whereas the UTC provides specialist places for 14-16 year-olds. Therefore, the greatest need for places is in the younger secondary school age groups. The DfE recommends local authorities to maintain a margin of 5% of 'surplus' places for flexibility. The Council has responded to immediate pressures by creating a bulge class at Quintin Kynaston School for September 2015.
- 4.3 The School Organisation and Investment Strategy is reviewed annually, enabling a frequent review of policy trends and updated projections, so that proposals for new provision can be planned within a realistic timescale as well as avoiding over-provision due to currently unforeseen circumstances.
- 4.4 In anticipation of the need for expansion, the Council invited all existing secondary schools and academies to express interest in expansion. The Council also appointed 3BM (an employee-led mutual), to develop business cases for the expansion of the secondary schools. An early decision was taken that the number of places required was less than a whole new school, particularly given

the opening of Marylebone Boys' School and the planned UTC, and that expansions offered a more cost-effective delivery model and is more straightforward than creating a new school. Four schools came forward to participate in the expansion programme.

- 4.5 The outcome of detailed appraisals of the schools including their previous history of expansion and related issues is set out in paragraph 5 below.

5. **Scheme Options**

- 5.1 As part of the business case development, 3BM have considered and prepared a number of potential site development options, in order to establish the most effective proposal for each of the four school sites and provide sufficient accommodation to deliver the minimum benefit of 1 form entry (30 places per year) expansion at each site. The recommended options are summarised as follows:

1. **Pimlico Academy**

The Academy will expand from **210 to 240** places per year group.

The recommended option is to extend the existing sports hall building along the southern boundary of the site facing Chichester Street to provide additional classrooms, as well as an additional floor above the sports hall itself.

Key considerations: Any new development will need to maintain the existing vehicular access and quality of open spaces on site. The Planning Officer advises that this is a sensitive site with a history of additional development and therefore a careful planning strategy with comprehensive pre-application community consultation is essential.

Outline Cost Estimate: £5,173,882

**Programme: Commission Professional Team July 2015
Completion February 2017**

2. **King Solomon Academy**

The Academy will expand from **60 to 90** places per year group.

KSA also put forward a proposal to expand the whole of this all-through school from 2 to 3 forms of entry. This cannot currently be justified in the light of current available primary provision in the locality. However the Council has agreed to

consider this option as part of a later phase in the regeneration of the Church Street area, subject to evidence of demand.

The programme for a 1 form entry expansion of King Solomon Academy has been extended to allow for extensive engagement through the planning process with both the Council and English Heritage.

The recommended option is to create a single storey infill extension between the main school building and the North Building, a partial ground floor extension to the Sports Building (enabling some covered open space to remain under the block), and some internal reconfiguration to classrooms in the main block.

This option delivers the required 1 form entry expansion and best meets the constraints associated with planning guidance for development within the curtilage of a Grade II* listed building, as it minimises works to existing buildings.

Key Considerations: The proposed development areas are consistent with the informal guidance of the Planning Officer. The progression of this option does not preclude further future expansion of the School, and the scope of the planning submission could encapsulate options for further development in future.

Outline Cost Estimate: £1,656,565

**Programme: Commission Professional Team July 2015 –
Completion January 2018**

3. St George's RC School

The School will expand from **150 to 180** places per year group.

The recommended option involves a strategy to resolve a number of separate historic but inter-connected issues within a single solution:

- Provision of all of the accommodation the school required for a 1 form entry expansion.
- Provision of space required as a result of the need to vacate the Lanark Road Annexe in July 2015. In order to meet this timetable, imposed by the Council's own development, the school have already drawn up their own independent projects which will take the form of additional temporary classroom units together with the construction of a 'hanging' extension to the existing original school building. It is understood that the budget for these projects is in the region £650,000, which remains the school's responsibility.

Key Considerations: Due to the nature of the works, especially at roof level, between existing accommodation and new construction, careful consideration of the phasing of the works will be required to ensure the on-going operation of the school as well as protecting the structural integrity of the existing building.

Outline Cost Estimate: £5,850,000

**Programme: Commission Professional Team July 2015 –
Completion June 2017**

4. Westminster City School

The School will expand from **130 to 150** places per year group.

The recommended option involves the demolition and reconstruction of the existing Religious Education and Arts block in the south-east corner of the site. Two stories are required to provide additional accommodation, but the building will be constructed to enable a third storey to be added at a later date.

Further discussions will take place with the school to explore whether Land Securities, who are developing the adjoining commercial and residential building on Victoria Street, are prepared to switch an earlier offer to invest in the school, to meet the cost of internal reconfiguration of the main building to create a more efficient layout. These works are additional to the Council's proposed contribution shown below.

Key Considerations: The proposed development provides value for money and creates the opportunity for further discussions with Land Securities as well as the United Westminster Trust to enhance the infrastructure of the school in subsequent works.

Outline Cost Estimate: £5,747,317

Proposed WCC Contribution: £4,500,000

**Programme: Commission of Professional Team July 2015
Completion August 2017**

None of the above cost estimates include VAT. It is recommended that the implications of VAT on these projects should be carefully considered by the Council's VAT advisers.

6. Financial Implications

- 6.1 The total outline estimated cost of recommended options is £18.4M, with a total Council contribution of £17.2M.

The following capital funding has been identified for the schemes detailed above:

- I. £16.1M Basic Need grant (to 2017) from the Department for Education for new school places. No Basic Need has been allocated to the Council for 2018.
 - II. £1.2M Land Securities contribution to Westminster City School.
 - III. Uncommitted s106 funds secured for education use. These funds are currently being verified.
- 6.2 The outline appraisals indicate that the necessary places can be delivered with these resources, however some phasing may be required depending on the availability of the Land Securities and s106 funding, and other priorities. The costs shown in this report are subject to variation through the procurement process. The progress of the schemes will need to be monitored to ensure that they can be delivered within the allocated resources.
- 6.3 No capital contribution is required for Marylebone Boys' School, as the Council has enabled the school to be built within the Dudley House redevelopment in Paddington.
- 6.4 The Sir Simon Milton UTC is being provided as part of the redevelopment of the former Ebury Bridge Adult Education Centre (previously a school site). The scheme will deliver a range of education and community facilities. If capital investment is required for the scheme a case will need to be submitted to the Council.

7. Legal Implications

- 7.1 Local authorities are under a statutory duty to provide sufficient school places for all children who require one in their area. In practice, some school places are allocated to pupils who are not resident in the area, and there is limited scope to control this. The School Admissions Code imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions. As the majority of schools are now their own admissions authorities, the Council has no control over how they decide to allocate places.

- 7.2 The Code stipulates that catchment areas must be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school. This enshrines the outcome of the Greenwich Judgment, as follows:

R v Greenwich London Borough Council, ex parte John Ball Primary School (1989) 88 LGR 589 [1990] Fam Law 469 held that pupils should not be discriminated against in relation to admission to the school simply because they reside outside the local authority area in which the school is situated. Section 86(8) of the SSFA 1998 places an equal duty on local authorities to comply with parental preference in respect of parents living within and outside their boundary.

- 7.3 The Council has sought where possible to focus investment at schools serving the highest proportion of resident pupils.
- 7.4 The Basic Need funding allocation for new places is not dependent on the schools only receiving pupils who are resident in the area. It would also be unlawful to seek capital contributions from local authorities where pupils are resident.

8. Consultation

- 8.1 The individual schemes will be subject to initial consultation with ward members and schools prior to approval of the programme in principle by Cabinet.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Alan Wharton, Head of Asset Strategy, email: awharton@westminster.gov.uk, tel: 020 7641 2911

APPENDICES

- A. Other implications
B. 3BM report on options

Appendix A

Other Implications

- 1. Resources Implications - none**
- 2. Business Plan Implications - please see main report**
- 3. Risk Management Implications – risks will be identified as schemes progress**
- 4. Health and Wellbeing Impact Assessment including Health and Safety Implications - none**
- 5. Crime and Disorder Implications - none**
- 6. Impact on the Environment - none**
- 7. Equalities Implications - none**
- 8. Staffing Implications - none**
- 9. Human Rights Implications - none**
- 10. Energy Measure Implications - none**
- 11. Communications Implications – implications will be reported as schemes progress**