



Haringey Council

Report for:	Lead Member Signing	Item Number:	
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Title:	Muswell Hill primary schools consultation - Future primary school places in the Muswell Hill area
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Report Authorised by:	Anji Phillips, Interim Director, Schools and Learning
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Lead Officer:	Jennifer Duxbury, Head of Education Services Eveleen Riordan, Deputy Head of Education Services
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Ward(s) affected: Muswell Hill, Fortis Green, Alexandra and Bounds Green wards, but also surrounding wards because the demand for and supply of school places does not limit itself to ward boundaries and the provision of additional places in one ward will ripple out in its effects to surrounding wards and beyond.	Report for Key/Non Key Decisions: Key
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1. Describe the issue under consideration

- 1.1. Demand for primary reception places in our borough is rising and the data in our annual School Place Planning report (SPPR) sets out that we will need additional places from 2015 if we are to continue to meet our statutory duty to provide enough school places. The 2014 SPPR is available to view on line at www.haringey.gov.uk/schoolplaceplanning and provides detailed information and data to underpin this projected rising demand.
- 1.2. We have previously (September to November 2014) consulted on the possible expansion of St James' C of E Primary school from one form of entry (30 places) to three forms of entry (90 places) to meet projected future demand in the Muswell Hill Planning Area (PA1 – see Appendix 1). The results of the consultation last set out that a wider consultation with the parents, carers and schools across the Muswell Hill area would best inform agreed and sustainable proposals (s) for school place provision in the longer term in this area.
- 1.3. This report provides information on the outcome of the wider consultation and makes recommendations on the next steps required to ensure that we can continue to ensure school place sufficiency in the local area in years to come.

2. Recommendations



1) To undertake further feasibility at:

- Coldfall Primary - to determine whether it is possible to physically expand the school from 3 to 5 forms of entry
- Muswell Hill - to determine whether it is possible to physically expand the school from 2 to 3 or 4 forms of entry
- St James – to determine whether it is possible to expand the school from 1 to 2 forms of entry within a prescribed budget

This feasibility work will provide information relating to the school place planning principles of space and cost.

2) For the results of this feasibility work to inform a report to be considered in July setting out where it is proposed that additional places could be delivered.

This timing will also allow for decision to be informed by:

- the latest pupil projections (published in July 2015),
- any information about any potential free school applications made in the current round of free school applications.

3. Alternative options considered

- 3.1. **A free school** - The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the academy/free school presumption) to the Education and Inspections Act 2006. Local authorities are not able to set up new schools in this way and there are currently no known free school providers proposing a school in this area. Any proposals would be subject to central government approval and subject to a site being identified. The current Free school window is Wave 9. The period during which a Free schools provider can apply to open a free school is from Friday 22 May until midday on Friday 29 May 2015.
- 3.2. **A through school** – this would entail expanding the age range of one of the existing local secondary schools or a new through school provided by a free school provider. The two local secondary schools are not maintained and any decision to expand their age range would need to come from their respective governing bodies. Again, a free school provider has not proposed a free school in the area and further, the paucity of suitable sites to accommodate such a school would make this very challenging for any provider who did.
- 3.3. **Take no action** – if plans are not implemented to provide additional local places our projections show that we will not be able to meet future demand. therefore the option to do nothing at this stage is not viable.



- 3.4. This report makes recommendations based on the representations we have received and having regard to our Place Planning Principles and the previous feasibility work. The report recommends further consultation and does not make a final recommendation on how and where any new places will be provided.

4. Background information

- 4.1. This report proposes how the next steps to ensure sufficient school places are available in the coming years. Previous reports (July 2013 and July 2014 and a Cabinet member signing report dated 11 December 2014) have set out why additional school place are required in this area, and the December 2014 report sets out why we have sought a wider consultation with Muswell Hill stakeholders on how additional places could be provided. This consultation supports our agreed Place Planning Principles
- 4.2. Our SPPR report sets out that we need more places (see para 1.1 above). Where we seek to expand existing schools we will use our agreed Place Planning Principles (Appendix 2) to ensure that we are seeking to expand schools in areas where there is proven demand, and that the schools we select have proven standards, leadership and management to drive through a successful expansion that meets the needs of local families and does not unnecessarily impact on the demand for other local schools. We also need to ensure that there is space to provide additional places and that the indicative cost of building provides value for money.
- 4.3. In 2013 we carried out feasibility work and identified three schools (Bounds Green Infant and Junior School, St James C of E Primary School and St Mary's CE Primary School) that were capable, having regard to the Place Planning Principles, of meeting identified unmet local demand for reception places, and without which, we projected there would be families who would not be able to secure a local school place in the coming years. Consultation on the possible expansion of these schools was carried out between September and November 2015 and a Cabinet member report prepared outlining the feedback from the consultation and recommending next steps.
- 4.4. The 11 December 2014 Cabinet member signing report (Appendix 1) made recommendations (which were agreed) to proceed to the issuing of statutory notices for the expansion of Bounds Green Infant and Junior School and St Mary's CE Primary School setting out the local authority's intention to expand both schools by one form of entry each, meaning they both move from two form entry to three form entry schools (beginning in with the September 2015 reception entry for St Mary's and the September 2016 reception entry for Bounds Green).
- 4.5. The December report sets out the reasons for undertaking a broader consultation on place planning provision in and around the Muswell Hill area, that such consultation to be open minded about how and where additional places would be provided, with no specified steer on the location(s) of such additional provision or the type of places provided.



- 4.6. In particular paras 5.16.2 to 5.16.5 of the report provide information on the feedback received during the consultation, and paras 5.27 to 5.50 provide an outline of the analysis of the responses and why a recommendation was proposed to broaden out the conversation in a more open ended way, without specifying one single school for expansion.

How we engaged stakeholders on school place provision in Muswell Hill

- 4.7. The consultation was held between Monday 19 January and Tuesday 24 February 2015. During this period we consulted in the following ways:
- A consultation document sent to all the schools in the Muswell Hill area and was also available to download from <http://www.haringey.gov.uk/muswell-hill-primary-schools-consultation>. Copies of the consultation document were also sent electronically to all Muswell Hill schools and hard copies were made available in the Muswell Hill Library and at the public meeting held in February 2015 (see below)
 - Information was sent to every school and nursery provision in the Muswell Hill area
 - A public meeting was held at Alexandra Park School on Tuesday 3 February between 6pm and 8pm to allow interested stakeholders to hear about demand for school places and to question a panel of officers on , among other things, demand for places, projected school rolls, options for how places might be increased, how any expansion is physically delivered, the role of free schools, local site availability and the local authority's duty to ensure school place sufficiency and its duty under the provisions of the London Plan to meet an annual housing target of new homes in the borough
 - Drop in sessions were held in Muswell Hill Toy Library on Tuesday 17 February 3pm-5pm, Wednesday 11 February 5pm-7pm and Thursday 5 February 3pm-5pm with Place Planning Officers available to answer questions and provide additional information on a face to face basis
- 4.8. Full details of how the consultation was carried out and a breakdown and analysis of the representations received is available to view at Appendices 5.

What the feedback from the consultation told us

- 4.9. There was a wide ranging number of both general and more specific views and opinions expressed through the consultation including:
- a new local authority school should be built,
 - a new free school should be built,
 - utilising vacant or near end of life buildings in the local area to either expand an existing school into or to provide a new school,
 - address the issue of renting to secure a school place which drives up demand,



- expanding a school in Barnet (Archer Academy) to become a through school to provide places for Haringey children,
- improve the quality of educational provision in some other schools in the borough so that they are more attractive,
- liaise with Barnet and Enfield as school place planning is not limited to borough boundaries,
- expand Rhodes Avenue to four forms,
- the best schools are one or one and a half forms of entry,
- expanding any school where there are less than three forms of entry
- utilise the whole of the Cranwood site to expand St James
- there are bigger issues in the borough like Sure Start closures
- that schools with a faith element are not expanded
- expand St James by one class, Muswell Hill Primary by one, St Martin's by one and Eden by one
- expand Our Lady of Muswell School (assuming any data held setting out religious preference is available)

4.10. In addition to these views and comments, we received representations from local schools expressing interest in delivering the additional forms of entry. These schools were:

- St James C of E Primary
- Coldfall Primary
- Muswell Hill Primary

4.11. The proposals are set out in Appendix 5 of this report.

4.12. The themes of the views expressed as part of the representation period are explored in more detail below.

4.13. **Expanding an existing school** - We have previously expanded primary schools in the borough, and we will continue to look at expansion as a realistic and sustainable option of responding to increasing demand for school places.

4.14. We have previously carried out work across the borough to look at where there is projected unmet demand, which schools are capable of expansion/further expansion and any physical site limitations, and which schools meet the requirements as set out in our agreed School Place Planning Principles (Appendices 2). It was the results of this work that led us to select Bounds Green Infant and Junior School, St James C of E Primary School and St Mary's CE Primary School to for potential expansion to meet projected demand in the short term.

4.15. Our projections show that further additional provision of places will be required over the coming years, with an additional 310 places provided borough wide by 2024. You will have read elsewhere in this report that the expansions of Bounds Green and St Mary's have progressed to a first statutory stage with the publication of statutory notices setting out our intention to expand both schools. By the date of the signing of this report Cabinet



will have made a decision (17 March) on whether or not either or both of these schools should be permanently expanded.

- 4.16. Initial consultation work on the possible expansion of St James met with substantial opposition, not least because parents and carers (as well as some local residents) did not support an expansion of the school from its current one form to three forms of entry. The consultation that we have just completed is a more open ended look at how additional places might be delivered locally in Muswell Hill and expansion proposals have indeed been put forward for local schools (see para 5.22 below). Expanding local schools outside of the local area to meet Muswell Hill demand is not sustainable. Parents and carers want local school places and want certainty in where and how they will be provided. Making provision outside of the local area will not address unmet need in Muswell Hill and may have a negative impact on other schools in areas where demand is currently sufficient.
- 4.17. **Providing a new local authority school** - The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the academy/free school presumption) to the Education and Inspections Act 2006. Where a local authority thinks there is a need for a new school in its area it must seek proposals to establish an academy/free school.
- 4.18. **Providing a new free school** - The Education Act 2011 allows free school providers to put proposals forward to the Secretary of State for Education to open a free school in any area. At the time of writing no free school provider had submitted a proposal to open a new free school in the local area that would meet future unmet demand. There is an added difficulty for Muswell Hill and indeed for London. There are a limited number of brownfield or open sites that could accommodate a school that meets twenty first century curriculum and play needs. While free schools don't have to have outdoor space in practice, particularly at primary level, outdoor space is seen as an important factor in supporting the development of a child through both formal recreation (PE etc) and more informal play (play time and breaks). There are every few sites locally that could accommodate a school and ancillary facilities in the local area. The St Luke's site has been mentioned through the consultation as a potential site for a) a free school, or b) as a second site to allow the expansion of St James. The site is not in the Council's gift. This site is now being developed by Hanover Housing Association.
- 4.19. **Improving the standards at other schools** - The Council's Schools and Learning Service supports schools in terms of school improvement offering a lighter touch to good and outstanding schools where standards and year on year data show the school is maintaining and driving up standards., The service intervenes in those schools where there is underachievement and improvement is required to meet the borough's overall vision of Outstanding for All across the schools estate. The work of the School Improvement team is ongoing and is progressed irrespective of the work of the School Place Planning team. There is very little surplus capacity in any of our reception classes across the borough (55 surplus places as of 13 February, well below the recommended 2% surplus to allow for parental choice and movement) and projections indicate that there



will be unmet demand in the coming years. Even where standards are raised, this will mean that additional places will still be required through expansion or bulge work, or through the provision of a new school.

- 4.20. **A through school in Barnet** – as part of our planning work we talk to our neighbouring boroughs, including Barnet. Barnet’s demand for additional reception places is not as pressing in the area close to Haringey. Further a free school, Archer Academy, has recently opened in East Finchley, close to the Haringey border and which provides places for any unmet demand in the secondary phase moving forward. Furthest distance offered in the primary sector is much smaller than at secondary level and provision of additional primary places may meet a very small proportion of unmet demand in Muswell Hill but cannot be relied on to meet the identified unmet need for Haringey over the next ten years.
- 4.21. **Sure Start provision** – the provision of three and four year old places is a critical part of planning but must be balanced against the identified need for future reception places as those three and four year olds move into the primary phase.

Conclusions on consultation period

- 4.22. This consultation was designed to be deliberately broad. Representations made to a previous consultation on the Council’s preferred option in this area (see Appendix 1) expressed the opinion that the proposal was too narrow and that a wider opportunity to set out views would be welcome.
- 4.23. Although a wide range of views were made, there were key themes that did emerge including quality of provision and the importance of providing local places and continuity of education. We also heard views relating to:
- the expansion of St James and how this might be achieved
 - the expansion of other local schools
 - the expansion of other specific schools
 - to not expand any schools
 - building of new schools (free schools)
- 4.24. Full details of all of the responses we received are available to view in the Consultation Report at Appendix 5. The views heard will be referred to and referenced in any future proposals that are set forward so the stakeholders who have responded to this consultation can be assured that their voice has helped to shape the future local school landscape.
- 4.25. We heard representations from stakeholders at St James expressing their desire to deliver additional places at the school and we also heard from those would not support this. A number of local parents expressed an interest in additional places being delivered at one of each of several primary schools.



- 4.26. The material representations from three individual schools provided some new ideas for providing the places that will be required in the future.
- 4.27. However these proposals require further feasibility work to establish which projects are best able to deliver high quality, value for money places and to ensure that any proposals meet our Place Planning Principles.
- 4.28. For the Lead Member to note that a further public consultation and or representation will take place in accordance with the School Organisation guidance produced by the Department for Education.

Possible next steps

- 4.29. **Free schools** – at the present time there is no proposal from a free school provider to provide additional places in the Muswell Hill area.
- 4.30. **A through school** – this would entail expanding the age range of one of the existing local secondary schools or a new through school provided by a free school provider.
- 4.31. **Take no action** – if plans are not implemented to provide additional local places our projections show that we will not be able to meet future demand. Therefore the option to do nothing at this stage is not viable.
- 4.32. **Expansion of St James by one form on the existing site** – some parents and carers of children currently attending St James were very clear that they would support an expansion to two form entry in the way that they could not support an expansion to three forms. Further work could be carried out to see how this might be possible with known budgetary restraints and having regard to all of our Place Planning Principles, including the need to make the best use of scarce capital resources whilst ensuring the education delivered is enriched.
- 4.33. **Expansion of Muswell Hill Primary** – governors at Muswell Hill Primary have set out their in principle desire to expand their school from its current two forms to either three or four form entry. Details of the governors’ submission are available to view in the Consultation Report at Appendix 5. Before any further steps could be taken on such a proposal there would need to be detailed feasibility work to understand the physical and financial constraints of how this might be achieved and how any work would meet the five Place Planning Principles.
- 4.34. **Expansion of Coldfall Primary from three to five forms of entry** – the governors of Coldfall have submitted a representation setting out their desire to expand their school from three to five forms of entry. As with Muswell Hill Primary, feasibility work would be required to see how this might be achieved on the existing site and what the financial cost would be. Any feasibility would also need to be measured against our agreed Place Planning Principles.



- 4.35. The school place planning principles (see Appendix 2) will provide the framework to ensure that the final proposals that go forward to consultation will provide high quality, value for money places. The proposals from local schools have been made by schools that are judged Outstanding by Ofsted and the demand element of the planning principles is set out in our School Place Planning Report and has already been discussed.
- 4.36. The key elements to space and indicative cost have been determined to a certain extent with the work already carried out at St James C of E School however the proposal put forward by the school is asking the Council to consider a far simpler proposed expansion and some additional work would need to be carried out to determine whether a smaller building project could provide some or all of the required places, whilst not compromising government space standards.
- 4.37. The proposal submitted by Muswell Hill Primary requires an indicative feasibility study to provide information on proposed cost of an expansion and to establish if there is sufficient space to provide the additional places required in the area and the Coldfall site would require a similar assessment.
- 4.38. It is proposed that this work is concluded and reported to the Lead Member in July so any consultation or representation can take place in September 2015.

5. Comments of the Chief Finance Officer and financial implications

Revenue Funding

- 5.1. **Maintained Schools** – The Dedicated Schools Grant (DSG) will provide for the revenue implications of school expansions. The Schools Block of the DSG is determined by the October school census preceding the financial year and therefore will not reflect September increases in roll until the following financial year. Individual school budgets are based on the same data but the School and Early Years Finance Regulations allow a schools forum to set aside a growth fund for in-year planned expansions covering the unfunded period from September to March for maintained schools.
- 5.2. Haringey's Schools Forum have previously approved funding criteria for expanding maintained schools on the basis of 7/12th of the relevant Age Weighted Pupil Unit (AWPU) funding plus £500 multiplied by the standard class number (30 in primary schools). The report sets out the constraints on new local authority schools but in the event of one being established regulations allow for pre-opening costs to be met from the Growth Fund. Arrangements for academies and free schools are more complex involving a longer unfunded period for the school. The Education Funding Agency make recoupment adjustments to boost the Growth Fund to provide for this in academies and make interim funding arrangements for new free schools.

6. Comments of the Assistant Director of Corporate Governance and legal implications



- 6.1. The Assistant Director of Corporate Governance has been consulted on the content of this report and comments as follows.
- 6.2. Section 13(1) of the Education Act 1996 imposes on the Council an obligation to contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education is available to meet the needs of the population of their area.
- 6.3. Section 14 of the Education Act 1996 provides that the authority must secure that there are sufficient schools for providing primary education in its area. The School Admissions Code dated 19 December 2014 states that admission authorities must provide for the admission of all children in the September following their fourth birthday.
- 6.4. If the Lead Member approves recommendation 1 then the implications flowing are that a feasibility study would be undertaken which would require procurement of consultant/s in compliance with EU Competition requirements under the new Public Contracts Regulations 2015 which are effective from 26 February 2015 and the Councils' Contract Procedure Rules including Contract Standing Orders.
- 6.5. It is proposed that the outcome of the feasibility report will form the basis of a representation and consultation on the expansion of one or more of the schools. Any consultation in relation to expansion of a school should be undertaken in accordance with The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ("Regulations") under which the authority must, when bringing forward proposals to which the regulations apply, to expand a school, consult with interested parties and in doing so have due regard to the Secretary of State guidance as issued from time to time. The relevant guidance is for the School Organisation Maintained Schools, Guidance proposers and decision - makers issued January 2014 (the Guidance). The authority must also have regard to the Guidance when considering or determining proposals and making decisions in relation to their implementation.

7. Equalities and Community Cohesion Comments

- 7.1. The Council has a statutory duty to secure sufficient education provision within Haringey to promote higher standards of attainment and must ensure that all Haringey children of Reception age have a place at school. In this statutory role, the Council must respond to changes in demand for school places over time by increasing or removing capacity as the case may be.
- 7.2. Evidence set out in this report clearly demonstrates the need for additional reception places in the Muswell Hill Planning Area.
- 7.3. The Council also has a general equality duty under section 149 of the Equality Act 2010 to have due regard to the need to, among other things, advance equality of opportunity and foster good relations between groups in Haringey.



- 7.4. Ensuring there is sufficient provision to enable all Haringey children of Reception age to have a school place is consistent with this duty. However, the duty also requires that the Council demonstrate due regard to the wider impact the proposal might have on persons or groups who might share any of the characteristics protected by sections 4 – 12 and 17 of the Equality Act 2010. To comply with this duty, the Council must seek to identify what impact the proposals may have and take steps to address any adverse impact they may have on any relevant protected characteristics.
- 7.5. It is advised therefore that the final decision as to where any further consultation should take place should be informed by a full equality impact assessment.
- 7.6. **Policy Implication** - Our continued assessment of actual demand and projection for school places across all of our schools and settings helps to ensure that we are contributing towards planning to meet the projected demand for future places from both children who have already been born and for those children that it has been projected will be born over the coming years.
- 7.7. Our place planning principles contribute towards ensuring that this process is robust and considered. This underpins the Children and Young People Strategic Plan 2009 - 2020 which seeks to develop sustainable schooling (under the priority of Enjoy and Achieve) and empower families and communities through the provision of local school places (under the priority of achieving economic wellbeing). The provision of additional reception places to meet identified future unmet demand also contributes towards the 'Outstanding for All' outcomes and priorities as outlined in Haringey's Corporate Plan.

8. Head of Procurement Comments

- 8.1. **Policy Implication** - Our continued assessment of actual demand and projection for school places across all of our schools and settings helps to ensure that we are contributing towards planning to meet the projected demand for future places from both children who have already been born and for those children that it has been projected will be born over the coming years.
- 8.2. Our place planning principles contribute towards ensuring that this process is robust and considered. This underpins the Children and Young People Strategic Plan 2009 - 2020 which seeks to develop sustainable schooling (under the priority of Enjoy and Achieve) and empower families and communities through the provision of local school places (under the priority of achieving economic wellbeing). The provision of additional reception places to meet identified future unmet demand also contributes towards the 'Outstanding for All' outcomes and priorities as outlined in Haringey's Corporate Plan.

9. Reasons for Decision

- 9.1. This report considers how two additional forms of entry can best be delivered in the Muswell Hill area (Planning Area 1). It provides representations from stakeholders and sets out that some proposed next steps. The decision to undertake some additional further



Haringey Council

time limited feasibility will ensure that the future school places in this area will best meet the published Place Planning Principles.

10. Use of Appendices

10.1. See below for full list of appendices

11. Local Government (Access to Information) Act 1985

- Appendix 1: Dec 11 Cabinet member signing report (without appendices)
- Appendix 2: School Place Planning Principles
- Appendix 3: The Statutory process
- Appendix 4: Demand for reception places
- Appendix 5: Muswell Hill Consultation Report