

Meeting:	Cabinet
Meeting date:	Thursday 18 January 2018
Title of report:	Marlbrook Primary extension, feasibility and interim works
Report by:	Cabinet member young people and children's wellbeing

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

Redhill;

Purpose and summary

To authorise the undertaking of interim works to provide additional classroom space for use by Marlbrook Primary School in Hereford from September 2018 and as a consequence end the use of the site as a multi agency office (MAO).

Recommendation(s)

That:

- (a) **funding of up to £300k be approved from the capital budget allocated to Marlbrook school to fund the works necessary to create an additional classroom for use by the school in September 2018;**
- (b) **Greencroft ceases to be used as a Multi-Agency Office (MAO) area from 1 March 2018, and**
- (c) **the director for children's wellbeing be authorised to take all operational decisions necessary to implement the above works, including the appointment of a contractor.**

Alternative options

1. No capital investment is made. Additional places for 30 children in reception could not be accommodated at Marlbrook in September 2018. The children would have to be accommodated at another school in South Wye, Hereford. For a number of years there have been more children whose parents have requested a place at Marlbrook than there are places available at the school. While there are other schools in the area that might accommodate these children there are not sufficient places in the appropriate year groups to enable this and parental preference over a number of years has been for places at Marlbrook. There are also indications of a longer term need for places.
2. Provide a permanent build to make Marlbrook a full three form entry school accommodating 630 children. Whilst this may be the long term solution, agreed under the schools capital investment strategy, there is insufficient time to implement this for September 2018.
3. Another mobile could be installed to provide an additional classroom. This would not enable any works to be done to assist with pressures on nursery places at the school, which would be addressed as part of the interim works. The siting of a mobile would also not be considered best value, as it would only be in place for one year, before it is disposed of. The interim solution will continue to be used as the main nursery area for the school even after the extension has been built.
4. The MAO continues to operate from Greencroft. There is insufficient space in the entire Greencroft building (including children's centre) to provide the required facilities and services. There is already a private nursery operating from the site; the school need additional classroom and nursery space and there is an agreement for some children's centre services to continue to operate from the building. There is also a concern that non-DBS checked staff could mix with potentially vulnerable children.

Key considerations

5. Marlbrook Primary School is a council maintained school located in the South of Hereford. It is currently rated Outstanding by Ofsted, and is also a teaching school. The school is a two form entry school with a planned admission number of 60 pupils per year, but has been consistently oversubscribed since 2011.

6. In line with the council's schools capital investment strategy (SCIS) principles, the council has supported the school in its expansion plans through making provision in the 2015 and 2016 capital programme for one permanent and one temporary double classroom respectively, providing sufficient capacity to enable the school to have a third entry class in 2016 and 2017. In approving these arrangements, it was noted that feasibility work would need to be carried out to establish a longer term solution for September 2018.
7. The council's capital programme for 2017/18 includes provision of £2.776m to enable Marlbrook to become a full three form entry school. This provision was based on a provisional estimate of costs, recognising that more detailed feasibility work would need to be carried out to inform any decision to proceed. The feasibility work was authorised by a Cabinet member decision on 30 August 2017.
8. An increase to full three form entry would require six additional permanent classrooms with associated support spaces, increased hall area, staffroom and improved transport arrangements. In doing this, a number of temporary mobiles would also be removed from site. The exact detail for this and solutions in terms of possible transport issues would be considered as part of the feasibility works.
9. Arrangements are required for an additional intake in September 2018 and plans have been drafted to show how this could be accommodated using the Greencroft building. The works would include turning the current Marlbrook nursery areas into a classroom and converting the MAO space into nursery provision, including creating a dedicated outdoor play area. The building works associated with these alterations have been estimated to cost £300k and would continue to be used as nursery classrooms if the permanent build solution went ahead following consideration of feasibility work.
10. The plans will be finalised and tendered in line with the council's contract procedure rules, in January/February 2018 to enable a contractor to be appointed and work on site to commence by April 2018. This will enable completion and occupation of the areas by the school for September 2018.
11. The Multi-Agency Office provides hot desk office space for Herefordshire Council staff. There are approximately twelve workstations organised on traditional office desks and a counter. There are some small meeting rooms. The space is mainly used by children's wellbeing staff working in south Hereford to avoid unnecessary travel time getting to and from offices north of the river and to reduce pressure on office space in main council buildings. However, the workstations are rarely fully utilised. Children's wellbeing and property services officers are working to identify other suitable Herefordshire Council office space, which will enable staff to continue to have access to desk space south of the river

Community impact

12. Marlbrook Primary School is highly valued by the local and surrounding community. It provides high quality education for its children, whilst also supporting adult learning, including for the parents of the school's children. Marlbrook was judged outstanding by Ofsted in 2009, and because of its very positive report no further inspection has been required since then. The school is directly involved in early years provision and works closely with the children's centre and private day nursery based in the Greencroft building. All these activities support the council's Corporate Plan priority and Children and Young People's Plan objective of keeping children and young people safe and giving them a great start in life.

13. The proposal to expand Marlbrook has been prioritised according to the principles set out in the schools capital investment strategy. The requirement for a three form entry school and the data that supported this was considered by Cabinet in the April 2016 report. The total number of reception year (YR) children admitted to schools in south Hereford increased from a low of 174 in autumn 2010 to a current high of 255 in autumn 2017 – an increase of 47%. The total number of statutory age children – that is, those from reception year to year 6 – increased from a low of 1224 in 2010 to a current high of 1625 in autumn 2017 – an increase of 33%.
14. Marlbrook previously had an admissions number of 60 – equivalent to two forms of entry. The school agreed to expand its admissions number to 90 to accommodate a “bulge year” in 2014. Subsequently its admission number has been formally increased to 90. It has filled its reception class to capacity each year. At the same time, Our Lady’s RC Primary School and St Martin’s Primary School in south Hereford have maintained their numbers, and Riverside Primary School has seen significant growth. Marlbrook continues to be a school in high demand and the surrounding primary schools are also experiencing growth in the number of pupils in their early age groups. Previous growth at Marlbrook has been accommodated mainly by the use of mobile classrooms. These have been jointly funded by the school and the council. The intake of next year’s reception will require an additional classroom, and the best way of providing this is by modifying the existing Greencroft building to provide a new classroom and to address serious suitability issues in relation to the current nursery accommodation.
15. The Greencroft building is a free standing building within the school site. It is currently used by the school where its nursery class is situated, by a private day nursery which is a tenant, by Herefordshire Council for the purposes of a Multi-Agency Office, and by a children’s centre.
16. In its decision on the future use of children’s centre buildings agreed by Cabinet on 14 September 2017, the management of the Greencroft Children’s Centre was transferred to Marlbrook Primary School. The children’s centre space will continue to host children’s centre services under the new management arrangements.
17. The day nursery occupies a discrete part of the building and will not be directly affected by the proposed modifications.
18. The school nursery space is not entirely suitable in its current form mainly because of inappropriate toilet facilities for children of that age.
19. The building project proposed in this report will convert the current MultiAgency Office space into improved nursery accommodation with appropriate toilets for pre-school children. The current nursery space will be converted to general teaching space which will be used by statutory age children. The works will comprise internal remodelling and refurbishment. Only minor changes to the external appearance of the building will be required as entrances are modified. Some external works related to access and play space will also be included in the scheme. It is intended the scheme will be completed for handover and occupation before the end of the summer term 2018 for occupation from the start of autumn term 2018.
20. Concerns expressed about vehicle management within the site and the impact on the public highway, are recognised. The works will require access by the contractor’s vehicles. This will be managed by the contractor under the supervision of the council. There may be additional pressure arising from parents delivering and collecting their

children from school, however this is mainly as a result of the expansion of the school rather than the works to the Greencroft building. The council will work with the school on further developing travel plans to minimise the impact of vehicles either on the school site or the surrounding roads.

21. Responsibility for health and safety during the project will lie with the contractor once appointed and on site who will have their own method statements and risk assessments for the work they will undertake. The site will be kept separated, as far as possible once work has started, from the school and will be kept secured at all times to prevent unauthorised access.

Equality duty

22. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
23. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation. Marlbrook serves communities where there is a relatively high percentage of children with special needs. The interim works will be fully compliant with disability legislation and the feasibility work will take into account the needs of pupils with protected characteristics.

Resource implications

24. £2.776m has been approved by full Council for the expansion of Marlbrook. £210k has been committed against the feasibility works for the main extension. A further £300k of this will be used to undertake all the necessary works to provide an additional classroom required for September 2018.

Estimated build cost	£ 250k
Professional fees	£ 25k
Contingency	£ 25k
Total cost	£ 300k

25. Any potential further capital works associated with the expansion of Marlbrook Primary School in future years, including the replacement of temporary mobile classrooms, will be subject to a separate decision.

Legal implications

26. The council has a duty to secure sufficient schools in its area, such schools will not be regarded as sufficient unless they are able to provide pupils with the opportunity to receive an appropriate education; this includes having appropriate classroom space. Additionally the council has a duty to exercise its functions with regard to providing sufficient schools while taking into account increased options for meeting parental choice (S14 Education Act 1996).
27. Marlbrook Primary School is a community school, which falls within the statutory definition of maintained schools. The duty to provide adequate classroom space is further set out in S22 of the School Standards and Framework Act 1998 which states that the council's duty to main schools extends to making premises available to be used for the purposes of the school. It is an executive decision to decide how to discharge this duty and it is appropriate for cabinet to delegate the operational management of the build to an officer.
28. The building of an additional classroom at this site will be carefully managed in accordance with the council's contract procedure rules, which will require the procurement of a suitable contractor, evaluation award and contract management.

Risk management

29. There is a risk that sufficient classroom space is not made available for September 2018. This will be considered as part of the feasibility work and recommendations will be made on a value for money basis. There is a potential to temporarily use existing building space on site, although the spaces may not be large enough to accommodate an entire class. More than one space could be used per class, at an additional cost of a teacher or teaching assistant to cover the extra spaces.
30. There is a risk that work will have to be done to address transport issues to satisfy planning requirements. This will be identified in the feasibility work.
31. There is a risk that other users of the site, such as the nursery and a residents' association, will be affected by the work. These parties have already been consulted about the proposed extension and will continue to be kept informed as the scheme progresses. Any changes required to their accommodation will be identified in the feasibility work.

Consultees

32. Some consultation work has already begun and included school headteachers, staff and governors, the local ward member Councillor Paul Rone (who is supportive of the scheme), and members of the community.
33. The main comments received referred to the improved provision that would be provided for the school and potential difficulties in terms of an increase in car usage and parking. These will inform the options put forward through the feasibility work.
34. Political groups have also been consulted and no comments have been received

Appendices

None.

Background papers

None identified.