

 <p>Brent</p>	<p style="text-align: center;">Cabinet 26 August 2014</p> <p>Report from the Strategic Director of Regeneration and Growth & the Strategic Director of Children and Young People</p>
For Action	Ward(s) affected: Wembley Central
<p>Copland Community School – Update and Plans for a New Build School and Associated Costs</p>	

Not for publication ('below the line')

Appendices 2 (EFA option plan), 3 (Brent option plan) and 4, 4A & 4B (commercial matters) are Not for Publication.

1. Summary

- 1.1. Copland Community School (CCS), which is currently a foundation school governed by an Interim Executive Board (IEB), is scheduled to become a sponsored Academy on 1 September 2014, transferring to ARK Schools (ARK) operating in close relationship with ARK Wembley.
- 1.2. It has been confirmed that CCS will receive capital funding as part of the Priority Schools Building Programme (PSBP), funded by the Education Funding Authority (EFA). It is anticipated that a new school will be completed by September 2016 and at that point the school will expand by an additional one Form of Entry (FE).
- 1.3. To facilitate the best possible solution for a new school, Brent Executive in April 2014 approved arrangements to rationalise current land ownership as set out in Appendix 1, facilitating delivery of additional primary school places at Elsley Primary School and supporting wider regeneration in line with the Wembley Area Action Plan.
- 1.4. Officers have been working with the EFA and ARK to agree a 'red line' plan for the proposed new school building. There are currently two design options, a

baseline EFA design (appendix 2) and a Brent formulated design that aims to optimise the fit with and delivery of the aspirations in the Wembley Area Action Plan (appendix 3).

- 1.5. Subject to agreement on costs and Cabinet approval, the Brent design option is preferred.

2.0 Recommendations

- 2.1 That the Cabinet approve the Brent design option and associated costs as set out in appendix 4 of this report.
- 2.2 That the Cabinet notes that works in connection with the Brent design option will be undertaken by the Education Funding Agency under the Priority School Building Programme.
- 2.3 That the Cabinet delegate authority to the Operational Director of Regeneration and Growth (Property and Projects), in consultation with the Chief Finance Officer and the Operational Director of Children and Young People to agree the full scope and detail of the Brent design option and final additional costs.

3.0 Detail - Background

- 3.1 CCS is a large secondary school in Brent. Following an Ofsted inspection in March 2013, the school was placed into special measures and Brent appointed the IEB who put in place an interim Head Teacher. The Secretary of State (SoS) issued an Academy Order in October 2013 enabling CCS to join the ARK network from 1 September 2014. Funded by the Department of Education, the PSBP programme will fund and seek to deliver a much needed new school by September 2016 (this date may be subject to change).
- 3.2 In order to facilitate the best possible solution for the new build school Brent officers proposed arrangements to rationalise land ownership, in order to ensure an optimum footprint for the new school building and support the wider regeneration of the area in line with the Wembley Area Action Plan resulting in a report to the Executive in April 2014 and approval.
- 3.3 The report proposed the delivery of much a needed new and expanded secondary school, providing a significantly improved learning environment for the students and helping meet the medium term demand for secondary school places, the proposals also enabled the delivery of additional primary school places at the adjacent Elsley Primary School which is critical to meeting additional demand for primary school places.
- 3.4 Additionally, the proposals sought to facilitate the delivery of new homes including affordable homes, commercial and community space at the frontage of the existing CCS in line with the aspirations set out in the Wembley Area Action Plan.

April 2014 approvals and update

- 3.5 The Executive, in April 2014, approved various recommendations. Detailed below is a summary of detailed recommendations and the updated position on implementing them:
1. Agree to assist CCS's IEB with removal of the title restriction, this is complete.
 2. Agree to the Council entering into a deed of indemnity with CCS IEB, this is complete.
 3. Agree to the land transfers as outlined in the report and for the Council to seek appropriate approvals from CCS IEB, the SoS and ARK as required, this is part complete subject to consents and agreement on the location of the new build school as further detailed in this report.
 4. Agree that the Council will underwrite costs arising from the build of the new school and associated costs with transitional liabilities of the current school see appendix 4 for detailed cost approvals and an update.
 5. Agree that officers work with CCS IEB, the ARK, the EFA (in relation to both conversion issues and the PSBP), the SoS for Education as well as Sport England to secure appropriate agreements and consents, this is ongoing and remains a significant risk.
 6. Authority be delegated to the Operational Director of Regeneration and Growth (Property and Projects) in consultation with the Chief Finance Officer and the Operational Director of Children and Young People to agree the scope and detailed terms of the land rationalisation proposals outlined.

Location and options of the new build school

- 3.6 A new school building for CCS is seen as essential in the drive to improve educational standards. The building is no longer fit for purpose. In addition to improving conditions for the current students, the PSBP project will provide a one FE expansion. The expansion has been part of the scheme from the application stage and is built into the EFA funding package.
- 3.7 A new school could be provided solely within the footprint of the existing school. However, this could result in a sub-optimal solution and will entail considerable disruption to the learning environment during the two year construction period. Working with the EFA and ARK, Brent officers have looked to find a better solution.
- 3.8 The EFA's objectives have firmly focused solely on delivering a new school at minimal development costs, whereas Brent officers have been keen to ensure delivery of the Wembley Area Action Plan and a sustainable locally well integrated new school design with connectivity to the local community. ARK is

focused on delivering an environment which, through good design, provides for a quality educational experience both for students and those working in the building.

- 3.9 The EFA's PSBP splits projects into batches, the programme is carefully controlled through the use of standard contracting provisions, which include national contractor framework arrangements that are split into regions, the use of baseline designs and templates, standard facilities and services output specification and the use of template project documents.
- 3.10 Using the PSBP baseline design, the EFA has developed a design option (appendix 2) for CCS that has some regard to the Wembley Area Action Plan. Brent officers feel this option is a compromised solution as it reduces wider regeneration outcomes. It focuses heavily on delivering the new school while minimising costs, compromising on a sustainable well connected and integrated local solution without regard to the financial benefits of an improved regeneration area.
- 3.11 As guided by Brent's Planning Officer and ARK, both the EFA and the Brent option propose a new boulevard entrance and relocating a public right of way that currently dissects the school playing fields aiming to resolve issues with on-going security and safety compromising educational standards, while improving the walking experience of members of the public.
- 3.12 In order to optimise the site, Brent officers appointed Curl la Tourelle Architects to develop an alternative scheme using the PSBP design option while maximising the fit with the Wembley Area Action Plan (appendix 3) providing for the following benefits:
- Provision for community sport facilities;
 - Phasing of the new school build with no temporary buildings;
 - Improved redevelopment on the High Road;
 - Improved school aspect and orientation;
 - Independent school vehicular access;
 - Increased school privacy yet still embedded in the community;
 - Optimising of teaching space orientation;
 - Independent school facilities access if required;
 - Improved school environmental development; and
 - Possible better fit with commercial space in regeneration area.

- 3.13 The Brent option results in increased costs, the detail of which is subject to agreement with the EFA, an indicative schedule is included in appendix 4. The EFA is expecting Brent to fund additional costs resulting from the adoption of the Brent design option, if approved works will be undertaken by the EFA under the PSBP programme.
- 3.14 The EFA option would results in a reduction of development/regeneration land at the High Road, the EFA option provides for 4,150 sqm and the Brent option 7,770 sqm, an indication of value is detailed in appendix 4 and any sale would be subject to SoS consent (site areas might change as the design is further developed).

Secretary of State for Education

- 3.15 The proposals in the report are dependent on the Secretary of State for Education agreeing to disposal of education land.

4.0 Financial Implications

- 4.1 In April 2014, Brent Executive approved arrangements to rationalise the land ownership at Copland Community School facilitating delivery of additional primary school places at Elsley Primary School and support wider regeneration in line with the Wembley Area Action Plan. This report updates Cabinet on the preferred design option and seeks Cabinet approval for updated associated costs as set out in confidential appendix 4 of this report.
- 4.2 The benefits of this transaction as outlined above are the delivery of a new and expanded secondary school and an expanded primary school, along with new homes (including affordable housing) retail, commercial and community floor space in line with the ambitions of the Wembley Area Action Plan. The transactions may generate a capital receipt that will help offset the costs of this proposal as outlined in appendix 4, some of which will be incurred irrespective of whether the freehold transfer proceeds or not.
- 4.3 However there are significant financial risks associated with agreeing the proposals set out in this report. These include:
- The expenditure and income items in appendix 4 are estimated and subject to negotiation and or/tender;
 - That significant expenditure as set out in appendix 4 may need to be committed/incurred before funding for that expenditure is secured; and
 - That the proposed freehold transfer is subject to SoS approval.

5.0 Legal Implications

- 5.1 In summary any disposal of any land which is used or has been used recently for school purposes in the last 8 years requires the consent of SoS for

Education under the Academies Act 2010, this now includes disposals at no consideration to an Academy.

- 5.2 The DCLG advice on The Protection of School Playing Fields and Public Land (November 2012) states the SoS will consider the suitability of the land for use by an existing or potential Academy.
- 5.3 The phrase “Academy” now includes “Free Schools, University Technical Colleges and most Studio Schools”.
- 5.4 The DCLG advice states that the applicant for consent must provide confirmation that the school site is not needed for an existing or potential Free School proposal and that no group has expressed an interest in retaining the site for a Free School.
- 5.5 In addition generally a separate SoS consent is required under the School Standards Act 1998 for the disposal or change of use of land which is used or has been used in the last 10 years as school playing fields

6.0 Diversity Implications

- 6.1 As per the April 2014 report. The majority of pupils at CCS are from BME communities and many are from families with social disadvantage. This work will ensure a successful future for CCS and will directly contribute to promoting improved educational outcomes and therefore equality.
- 6.2 If proposals contained in this paper are approved, we anticipate the changes will provide increased access by the community to the new sporting facilities at CCS.

7.0 Staffing/Accommodation Implications

- 7.1 As per the April 2014 report, in addition proposals contained in this report will provide opportunity for the community to access new school facilities in particular new sporting provision.

8.0 Background Papers

- 8.1 April 2014 Copland School Executive paper and approval.

9.0 Appendices

- 1. Current landownership & existing school buildings plan
- 2. Design option EFA plan CONFIDENTIAL
- 3. Design option Brent plan CONFIDENTIAL
- 4. Commercial Matters CONFIDENTIAL

4A Valuation plan CONFIDENTIAL

4B Costs CONFIDENTIAL

5. Equality Analysis

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