

HERTFORDSHIRE COUNTY COUNCIL

**CABINET
MONDAY, 18 JUNE 2018 AT 2.00PM**

Agenda Item
No.

6

**ENLARGEMENT AND RELOCATION OF WESTFIELD PRIMARY SCHOOL,
HODDESDON, OUTCOME OF PUBLIC CONSULTATION**

Report of the Director of Children's Services

Report Author: Brenda Dennett, School Planning Officer
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Executive Member: Terry Douris, Education, Libraries & Localism

Local Members: Paul Mason (Hoddesdon South), Tim Hutchings (Hoddesdon North)

1. Purpose of report

- 1.1 To inform Cabinet of the outcome of the public consultation on the proposal to relocate and enlarge the 1 form of entry (f.e.), Westfield Community Primary School ("the School") which currently has 210 places to a new 2 f.e., 420 place School located within a new housing development at High Leigh, Hoddesdon, which would provide an additional 1 f.e. to meet demand from the new housing.
- 1.2 To also update Cabinet on progress with background work regarding the financial viability of the proposal.

2. Summary

- 2.1 On 18 December 2017, Cabinet gave approval to pursue the proposal to relocate and enlarge Westfield Community Primary School and agreed that the Director of Children's Services was authorised to proceed with a statutory consultation, commencing in January 2018. The Consultation ended on 27 February 2018 and there has been a relatively low online response with only 26 responses received. A consultation event held at the School was well attended and a further 23 written responses were collected on the day. Almost half, 24 (49%) of the combined responses were in favour of the proposals, including the Governing Body's response. The remaining responses were split, 15 (30.6%) disagree and 10 (20.4%) undecided.
- 2.2 Consideration of the issues and concerns raised are contained in Appendix 1, attached to the report.
- 2.3 The developer has recently provided projected delivery and housing occupation timescales that are significantly later than previously anticipated. This delay impacts upon various trigger points within the s.106 agreement, including transfer of the school site to the County Council. In light of this, the revised programme for delivery

of the new school is now September 2022, two years later than the indicative date of 2020 stated in the consultation.

- 2.4 A delay in the granting of rights for the County Council to access the school site to undertake survey work means it has not been possible to progress further feasibility work at this stage. An update is now expected in July/August 2018. This means that the financial implications remain as previously reported to Cabinet in December 2017.

3. Recommendation

- 3.1 The Education, Libraries & Localism Cabinet Panel considered a report on this item of business at its meeting on 5 June 2018. The Panel recommended to Cabinet that Cabinet authorises the Director of Children's Services to publish a statutory notice to enlarge Westfield Community Primary School, Hoddesdon by relocating it to a school building located within the housing development at High Leigh, Hoddesdon from 1 September 2022.

4. Background

- 4.1 On 18 December 2017, Cabinet approved (with final terms to be agreed by the Director of Resources in consultation with Executive Members) use of Basic Need grant and Repairs and Maintenance funding to enable site acquisition and bridge any funding gap. It also indicated that Cabinet would receive a financial update as part of the subsequent report on the outcome of the public consultation.
- 4.2 The public consultation was held over a seven week period to take into account the February half-term holidays. The consultation began on 10 January 2018 and ended on 27 February 2018.
- 4.3 The consultation letter attached at Appendix 2 was sent to all parents, governors and staff at the School, as well as all schools in the area, and to all other statutory consultees. Copies of the consultation letter were sent or emailed to:
- (i) Residents local to the school;
 - (ii) MPs, County Councillors, District Councillors, Parish and Town Councils and Local Authority Chief Executives;
 - (iii) Trade Union representatives;
 - (iv) Church Diocese representatives;
 - (v) NHS representatives;
 - (vi) Parent Governor representatives;
 - (vii) Pre-schools, playgroups, children's centres, toddler groups and day nurseries;
 - (viii) Libraries and Citizen's Advice Bureaux.
- 4.4 The letter and response form were also available on the County Council's Hertfordshire.gov.uk website. A total of 2313 letters/emails were sent out for the consultation.
- 4.5 The consultation proposed that the expansion would take place on 1 September 2020 (and the earliest) and that the School would be located within the housing

development at High Leigh, Hoddesdon and would offer additional places in all year groups, growing gradually from 1 fe (30 places) to 2fe (60 places) as necessary, to meet demand for places generated by the new housing.

Response to the consultation

- 4.6 A total of 26 online responses have been received. A further 23 handwritten responses were collected at a consultation event held at the School on Tuesday 23 January 2018 at which 81 people recorded their attendance (some people chose not to sign in). Copies of all responses received are available to Members in the Members' Lounge and will also be available to Cabinet at the meeting 18 June 2018..
- 4.7 A detailed analysis of the responses is attached at Appendix 1 to the report, which includes:
- (i) a breakdown of the number of responses received, and who they are from;
 - (ii) an analysis of the key issues raised and the response to them;
 - (iii) a copy of the governing body's response;

A summary of the responses received is shown below.

Westfield Community Primary School	Total Responses	Agree	%	Disagree	%	Don't Know	%	Governing Body Response
Online responses	26	12	46.2%	8	30.8%	6	23.1%	Agree
Event responses	23	12	52.2%	7	30.4%	4	17.4%	
Total responses	49	24	49%	15	30.6%	10	20.4%	

- 4.8 Almost half (49%) of the respondents agreed with the proposal. Of the 30% who disagreed, the most common concern was about the possible change to the small school ethos at Westfield, a response to this has been provided in Appendix 1. Of the 20% who were undecided, much of the concern was about the proposal to dispose of the vacated site for housing development rather than specifically about the relocation of the school.
- 4.9 The concern raised about the future use of the vacated current school site will be the subject of a future town planning application which will involve formal consultation with local residents through the Borough of Broxbourne's town planning process.
- 4.10 The enlargement and relocation will be conditional upon the granting of town planning permission for the new school building and the housing scheme for the subsequently vacated school site.
- 4.11 Having analysed all of the responses, it is the Officer's view that in light of:
- the full agreement of the Governing Body to the enlargement and relocation; and

- the advantages relocation to new enlarged premises will offer to the children;

the enlargement of Westfield Community Primary School is the right solution to provide the additional 1 f.e. of school places needed to serve the new housing at High Leigh, subject to the outcome of further financial viability updates expected in July/August 2018.

Developer Programme

- 4.12 The developer has provided an updated anticipated timeframe for the delivery and occupation of the housing at this site. The timeframe is slower than previously anticipated and impacts on the timing of the transfer of the school site to the County Council. In view of this, the revised programme for delivery of the new school is now September 2022, two years later than the indicative date of 2020 stated in the consultation.
- 4.13 In addition, a delay in granting rights for the County Council to access the proposed school site to undertake survey work means it has not been possible to progress further feasibility work at this stage. An update is now expected in July/August 2018. The financial implications therefore remain as previously reported in the report approved by Cabinet in December 2017, <https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/656/Committee/8/SelectedTab/Documents/Default.aspx> .
- 4.14 Whilst this reported change to the programme would mean the delayed delivery date of the school, it is recommended that Cabinet endorses the publication of a statutory notice at this stage for the following reasons:
- it follows the process set out in in the public consultation and reduces uncertainty for the school. This would be beneficial for the school when discussing proposals with prospective parents and aid in its future financial and capacity planning;
 - it will ensure the County Council is able to meet all necessary obligations within the s106. It is important to note that should the programme change again (brought forward or further delayed), it would be necessary to seek a post determination modification to the implementation date stated in the Statutory Notice;
 - a financial update will be available prior to the final decision being made.
- 4.15 Cabinet can choose whether to:
- authorise the Director of Childrens Services to publish a statutory notice to enlarge Westfield Community Primary School by relocating it to a school building located within the housing development at High Leigh, Hoddesdon from September 2022;
 - take no further action;
 - initiate fresh consultation on any alternative suggestion(s); or
 - take alternative action.

- 4.16 Cabinet will be asked to consider this and the recommendations of the Panel at its meeting on 18 June 2018 and will be requested to decide how it wishes to proceed.
- 4.17 Subject to Cabinet's subsequent agreement to publish a notice, the final decision will be referred back to Cabinet along with a financial update within two months of the end of the statutory notice period.
- 4.18 The proposed timetable for the remainder of the statutory process is:

Statutory notice period	3 rd – 30 th September 2018
Decision by Cabinet	26 th November 2018

5. Financial Implications

- 5.1 On 18 December 2017, Cabinet, link provided in paragraph 4.13 above, gave approval to pursue the proposal to relocate and enlarge Westfield Community Primary School, with final terms to be agreed by the Director of Resources in consultation with the Executive Members for Resources, Property and the Economy and Education, Libraries and Localism for:
- the acquisition of additional land at High Leigh, Hoddesdon
 - the application of indexed s106 funds as detailed in the formal s106 agreement relating to the High Leigh housing development, Hoddesdon
 - the use of County Council funding equivalent to the value of the eventual disposal receipt to part-fund the acquisition of additional land at High Leigh, Hoddesdon and additional building costs
 - the use of schools Repairs and Maintenance budget and Basic Need funding to bridge the funding gap
 - the submission of a planning application for housing on the Westfield School site and completion of any planning agreement
 - the submission of a planning application for the proposed new school
 - the procurement of the new school premises, and
 - the subsequent disposal of the Westfield School site;
- 5.2 Currently, the financial implications remain as set out in that report. Cabinet will be provided with an update on the financial viability of the proposal for consideration following publication of the Statutory Notice but prior to making its final decision.

6. Equality Implications

- 6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the Equality implications of the decision that they are making.
- 6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

- 6.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 6.4 An Equalities Impact Assessment (EqIA) has been carried out, attached at Appendix 3 to the report, on this proposal and has been updated where necessary. The EqIA will be reviewed and updated as part of any future public consultation.
- 6.5 Consideration has been given to the likely impact of the proposal, and current assessments conclude that it is not anticipated that people with protected characteristics will be affected disproportionately.
- 6.6 The County Council is also bound by the Admissions Code and Regulations and this does not allow for any discrimination.
- 6.7 Officers are of the view that the relocation and expansion of the school will enable:-
- additional school places to be made available in new facilities at a more sustainably sized school that are well located to meet demand from the new development and to continue to serve the existing community;
 - enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community;
 - the opportunity for improved facilities for disabled access in the new building.

Background Information

Cabinet Minutes December 2017

<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/656/Committee/8/SelectedTab/Documents/Default.aspx>