

**BIRMINGHAM CITY COUNCIL**

**PUBLIC REPORT**

**Report to:** Cabinet  
**Report of:** Corporate Director, Children & Young People  
**Date of Decision:** 13<sup>th</sup> February 2018  
**SUBJECT:** PROVISION OF ADDITIONAL SCHOOL PLACES:  
HARBORNE ANNEXE – FULL BUSINESS CASE &  
CONTRACT AWARD

**Key Decision:** Yes      **Relevant Forward Plan Ref:** 004629/2018

**If not in the Forward Plan:** Chief Executive approved   
(please "X" box)      O&S Chair approved

**Relevant Cabinet Member(s) or Relevant Executive Member:** Councillor Carl Rice – Children, Families and Schools  
Councillor Majid Mahmood – Commercialism, Commissioning and Contract Management

**Relevant O&S Chair:** Cllr Susan Barnett – Schools, Children and Families  
Cllr Mohammed Aikhlaq – Corporate Resources and Governance

**Wards affected:** Harborne

**1. Purpose of report:**

- 1.1 To set out the Full Business Case for capital investment works to create a 1 Form Entry (FE) annexe to Harborne Primary School to enable the school to expand from a 3 to a 4FE primary school (an additional 210 pupils).
- 1.2 The accompanying private report contains further financial information and seeks approval to the Full Business case and to place orders for works with the preferred contractor.

**2. Decision(s) recommended:**

That Cabinet:

- 2.1 Notes the content of this report.

**Lead Contact Officer(s):** Jaswinder Didiaily      Head of Education Infrastructure  
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### **3. Consultation:**

#### **3.1 Internal**

Consultation with the Leader, Ward Members for Harborne and the Executive Member for Edgbaston is in progress at the time of report publication. Officers from City Finance, Procurement, Legal & Governance and Birmingham Property Services have been involved in the preparation of this report.

#### **3.2 External**

All pupils, parents, Governors, teaching and non-teaching staff have been sent a consultation document pack regarding expansion proposals. In addition all Teaching Associations, Trade Unions and all neighbouring authorities have been advised of the consultation and how to obtain the consultation packs. The School Organisation proposal document was uploaded to Birmingham Be Heard on 11<sup>th</sup> January 2018 with a deadline for responses of 8<sup>th</sup> February 2018. A decision is expected by 8<sup>th</sup> April 2018.

### **4. Compliance Issues:**

#### **4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?**

4.1.1 These works are required to enable the Local Authority to meet its statutory duty to not only provide pupil places but also to promote diversity and increase parental choice in planning and securing the provision of school places (Section 14 Education Act 1996 and Education & Inspections Act 2006). The spending priorities proposed are in accordance with the Schools' Capital Programme 2017-18 and the Council's Vision and Forward Plan priorities for Children, particularly 'A great place to grow up in through the provision of an environment where children have the best start in life and are able to realise their full potential through great education'. The delivery of these school places is also beneficial to the safeguarding of children.

#### **4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)**

The selected contractor is a certified signatory to the BBC4SR. Prior to contract award, commitments proportionate to the contract sum, and relevant to the school and local community, will be agreed with the contractor for inclusion into their Action Plan. These commitments will be monitored and managed for each school during the contract period.

#### **4.2 Financial Implications**

4.2.1 The capital cost of the proposed works at Harborne Annexe will not exceed £6,552,545. This will be funded from the Department for Education (DfE) Basic Need Grant, APP7 Stage 4. The detailed breakdown of this cost is included in Appendix A of the Private Report.

4.2.2 Consequential revenue costs arising, including additional staffing and any on-going day to day repair and maintenance of the asset, will be the responsibility of Harborne Primary School and funded from the school's delegated budget.

4.2.3 The rental income received from the NHS will cease once their obligations for surrender of the lease have been met. This is likely to be at the end of March 2018. This reduction

in income will be contained within the currently approved Commercial Property portfolio budget.

#### 4.3 Legal Implications

4.3.1 This report exercises legal powers which are contained within Section 14 of the Education Act 1996 and Section 22 of the School Standards and Framework Act 1998, by which the Authority has a responsibility to provide places and maintain schools - this includes expenses relating to premises.

#### 4.4 Public Sector Equality Duty

4.4.1 A Full Equality Analysis (EA0001202) was carried out in May 2016 for Education and Skills Infrastructure's Education Development Plan and Schools' Capital Programme 2016–2017. The outcomes from consultation demonstrate that proposed capital developments support positive outcomes for children, young people, their families and carers. No negative impact on people with Protected Characteristics was identified. It was concluded that sufficiency of educational places and opportunities for all children and young people contributes to providing positive life chances, and supports a positive approach to Safeguarding in Birmingham: actively reducing the number of children and young people out of school helps to mitigate risk to their safety and wellbeing.

### **5. Relevant background/chronology of key events:**

5.1 The Local Authority has a statutory duty to not only provide pupil places but also to promote diversity and increase parental choice in planning and securing the provision of school places (Section 14, Education Act 1996 and Education & Inspections Act 2006).

5.2 Birmingham has seen a 21% increase in birth rates since 2001. The number of children and young people in the city has increased over that time as a result of birth rates, as well as more pupils moving in, out and around the city. This increased demand is particularly prominent in some areas of the city and has an impact on the availability of school places. There is specific need for additional Primary age places in Harborne Ward; with on average 320 births per year (for Reception entry in 2017 to 2020) compared to 270 available Reception places. This area does not replicate the city trend which shows a reduction in demand for Reception entry in 2017, 2018 and 2019. Currently the shortfall in Reception places in the Harborne Ward means that some pupils are being displaced to neighbouring school planning areas. The Local Authority considers that an expansion of 210 primary places in this local area for 2019 is sufficient to meet current need. Detailed reports on the impact of birth rate and net-migration, including cohort growth, are regularly provided to the Overview and Scrutiny Committee for Schools, Children and Families.

5.3 The Schools' Capital Programme 2017-2018, approved by Cabinet on 18<sup>th</sup> April 2017 identified funding that would increase the capacity of Birmingham schools to help address the current shortfall of pupil places. This scheme will help fulfil the Council's statutory obligation to provide sufficient primary school places, promote diversity and increase parental choice as well as maximising the impact on pupils' learning outcomes and addressing barriers to learning.

5.4 In 2014 Harborne Primary and Lordwood Girls' Schools, submitted a joint expression of interest in expansion. This was successfully evaluated by Education Infrastructure

officers in conjunction with representatives from the Head teachers' fora, Highways and Birmingham Education Partnership.

- 5.5 Harborne Primary School is a 3FE primary school situated in Station Road, Harborne. Because the existing Harborne site was not suitable for expansion, the proposal was to create an annexe to the primary school on the Lordswood Girls' School site. However, due to Highways concerns on the impact of additional traffic, the initial scheme was shelved and a new site has now been identified in Court Oak Road, Harborne, B17 9AB. Costs of £251,434 were incurred in relation to the initial scheme (2014/15 to 2016/17) and funded from Basic Need. The proposed site is currently in the Education portfolio of properties (Yewcroft) but is under lease to the NHS. However, the building was damaged as a result of a fire and the NHS wish to surrender the lease. As part of the surrender agreement between the NHS and Birmingham Property Services (BPS), the NHS has agreed to fund demolition of the existing building and make good the land before it is transferred back to the Local Authority at the end of January.
- 5.6 Education Infrastructure have been working closely with the School and Governors on the new proposal and they are in agreement with the timeframes and location of the proposed site. In order to meet local demand, the School has agreed to accommodate a temporary increase of 30 Reception places in existing accommodation at the Station Road site from September 2018. Minor works (at an estimated value of £70,000) to prepare the School for the additional pupils is included in the Chief Officer delegation for development works, approved on the 21<sup>st</sup> November 2017.
- 5.7 Subject to School Organisation, Planning and FBC approval, the additional pupils will be absorbed into the total Published Admission Number (PAN) of Harborne Primary School, which will be 840 places. The additional pupils are likely to move to the new Harborne Primary School annexe, approximately 1km from the main school site, from September 2019. The annexe will be operated as a satellite 1FE primary school. If the proposal for permanent expansion is not approved, the additional temporary class will remain at the Station Road site and move through the school until they leave after Year 6 in 2024.
- 5.8 The School Organisation consultation process began on 11<sup>th</sup> January 2018 with a decision expected in April 2018.
- 5.9 The Full Business Case (FBC) to progress this scheme is included in Appendix A. The scope of works includes the erection of a one form entry primary school with associated parking, landscaping and access from Court Oak Road which addresses the Highways concerns related to the previous scheme. The project team have worked closely with the School and Governors who have participated in the design process as strategic partners of the City council and as representatives of the end users.
- 5.10 Procurement Strategy
- 5.10.1 In line with the recommendations of the Lean Review Pilot Scheme, carried out in 2015 in conjunction with Acivico and with input from Procurement and BPS colleagues, a Constructing West Midlands partner, was selected via a mini-competition for the pilot schemes using approved criteria to achieve best value for money based on DfE education space guidelines and industry benchmark rates. The contract award allowed for the original pilot schemes and for follow-up pipeline projects, of which Harborne Primary Annexe is one to be delivered through this route. Acivico will provide Project Management for the schemes.

5.11 A Planning Application was submitted on 5<sup>th</sup> December 2017 with approval anticipated by March 2018.

5.12 Subject to FBC, School Organisation and Planning approvals, work is due to begin in April 2018 with completion expected in April 2019.

**6. Evaluation of alternative option(s):**

6.1 The option of doing nothing would mean the City Council would fail to meet its statutory obligation in providing sufficient primary school places.

**7. Reasons for Decision(s):**

7.1 To ensure that the City Council meets its statutory duty to provide sufficient primary school places.

**Signatures**

Cabinet Member, Children, Families and Schools:  
Cllr Carl Rice

..... Date: .....

Cabinet Member, Commercialism, Commissioning  
and Contract Management:  
Cllr Majid Mahmood

..... Date: .....

Corporate Director for Children & Young People:  
Colin Diamond

..... Date: .....

**List of Background Documents used to compile this Report:**

1. Education & Vulnerable Children Overview and Scrutiny Report on Sufficiency – September 2017
2. Schools Capital Programme 2017-18 - Cabinet 18<sup>th</sup> April 2017.

**List of Appendices accompanying this Report (if any):**

- Appendix A FBC
- Appendix B Risk Assessment
- Appendix C Stakeholder Analysis
- Appendix D Milestones and Resources
- Appendix E Ward Councillors Consultation