

	<p align="center"><b>London Borough of Hammersmith &amp; Fulham</b></p> <p align="center"><b>CABINET</b></p> <p align="center"><b>1 SEPTEMBER 2014</b></p>
<p><b>PROPOSED REVOCATION OF DECISIONS TO DISCONTINUE SULIVAN PRIMARY SCHOOL AND ENLARGE NEW KING'S PRIMARY SCHOOL: OUTCOME OF STATUTORY REPRESENTATION PERIOD REGARDING THE REVOCATION PROPOSALS</b></p>	
<p><b>Report of the Cabinet Member for Children and Education : Councillor Sue Macmillan</b></p>	
<p><b>Open Report</b></p>	
<p><b>Classification - For Decision</b>  <b>Key Decision: Yes</b></p>	
<p><b>Wards Affected:</b> Town, Sands End, Parsons Green and Walham</p>	
<p><b>Accountable Executive Director:</b> Andrew Christie, Tri-Borough Executive Director of Children's Services</p>	
<p><b>Report Author:</b> Ian Heggs, Tri-Borough Director of Schools Commissioning</p>	<p><b>Contact Details:</b>  Tel: 020 7645 6458  E-mail:  ian.heggs@lbhf.gov.uk</p>

## 1. EXECUTIVE SUMMARY

- 1.1. Cabinet on 23 June 2014 approved the publication of statutory proposals to revoke the decisions of 10 February 2014 to discontinue Sullivan Primary School and enlarge New King's Primary School with effect from 1 September 2014. A statutory notice about the revocation proposals was published on 30 June and the six-week statutory representation period ended on 12 August 2014. This report summarises all representations received during that six-week period and also provides copies of all representations received in Appendix 2.
- 1.2. Cabinet also decided on 23 June to modify the current proposals to discontinue Sullivan Primary School and enlarge New King's Primary School by delaying implementation of the proposals to 1 September 2015. This recommendation arose because the 10 February 2014 decision otherwise had to be implemented by the start of the 2014/15 academic year. There

was insufficient time before September 2014 to publish the revocation proposals and consider them after the statutory six-week representation period.

- 1.3. The Council is now required to consider all representations received and the equality impact assessment attached in Appendix D and then make a decision on whether or not to implement the revocation proposals.

## **2. RECOMMENDATIONS**

- 2.1. That, following full consideration of all representations received and other relevant information including the public sector equality duty and Equality Impact Assessment, and in light of the fact that, due to the change in housing policy with the aim of providing more affordable rented housing and the resultant increased demand for school places, circumstances have so altered since approval was given on 10 February 2014 that implementation of the proposals to discontinue Sullivan School and enlarge New King's Primary School would now be inappropriate, the Council therefore resolves to revoke its earlier decisions to discontinue Sullivan Primary School and enlarge New King's Primary School with effect from 1 September 2015 as set out in Option 2 in section 5.2 of this report.

## **3. REASONS FOR DECISION**

- 3.1 The Council is required by law to publish statutory proposals to revoke its earlier decisions to discontinue Sullivan Primary School and enlarge New King's Primary School. Following the end of the period for representations on 12 August, the Council must consider the representations received and the equality impact assessment and make a decision on whether or not to implement the revocation proposals. It can revoke the earlier decisions, since the decisions were taken, if circumstances have so altered to make it inappropriate to implement the decisions.

## **4. INTRODUCTION AND BACKGROUND**

### **4.1 Original Decision**

On 10 February 2014, Cabinet agreed to implement the proposals for the discontinuance of Sullivan Primary School and the enlargement of New King's Primary School, subject to the following conditions being met by 1 August 2014:

- i) Planning permissions being granted for both the interim accommodation at the Sullivan site and the proposed extension and remodelling of the New King's Primary School buildings, and
- ii) The making of an agreement under section 1 of the Academies Act 2010 for the establishment of the enlarged New King's Primary School as an academy.

Neither condition has been fulfilled.

On 5 February 2014 the Education and Children's Services Select Committee considered the call-in of this decision, and agreed that the Cabinet decisions of 20 January be referred back to Cabinet on 10 February 2014. This referral was considered and then reaffirmed by Cabinet on 10 February, at which the reason for their decision was stated as follows:

*The primary reason for this decision is historical as well as current surplus places at both New King's Primary School and Sullivan Primary School.*

*Cabinet is also of the view that the decision to close Sullivan Primary School will ensure the Council does not continue to fund two sites with on-going surplus places and the associated costs attached to those two sites. There is economic sense to having a single school on a single site and ensuring that the savings that will be made can be reinvested directly into children's education in the borough.*

*Cabinet is of the further view that the final move to the New King's site will ensure an improved educational offer, particularly in the light of its collaboration plans with Thomas' Schools.*

#### **4.2 Review of Housing Strategy**

On 23 June 2014, the new Cabinet agreed to review and make an amendment to the Housing Strategy. The following recommendation was agreed:

*That Cabinet confirms with immediate effect the priority to provide more affordable rented housing and low cost home ownership opportunities in the borough*

This decision is likely to have a particular impact on the South Fulham Riverside development as set out in paragraph 4.6 below.

#### **4.3 Revocation Proposals**

Cabinet also agreed to publish proposals to revoke the decisions of 10 February 2014 in the light of the anticipated increase of affordable rented housing within the South Fulham area in future years, and to modify the existing proposals by delaying implementation from 1 September 2014 to 1 September 2015 in order to provide sufficient time for Cabinet to decide whether to revoke the current proposals. This delay also provided some certainty to staff, parents and pupils at Sullivan Primary School for the coming academic year, so that staffing and admissions arrangements for September 2014 could be made swiftly and so that standards could be maintained.

- 4.3 A statutory notice about the revocation proposals (Appendix 1) was published on 30 June 2014 and the period for representations ended on 12 August. The decision to publish the statutory notice was taken following a short consultation period during which the views of the governing bodies of

Sullivan School and New King's Primary School were sought. Their pre-notice consultation responses are shown in Appendices 4 and 5.

- 4.4 The Council has the power to revoke the decisions of 10 February 2014 to close Sullivan School and enlarge New King's Primary School if circumstances have so altered since those decisions were taken that implementation of the proposals would be inappropriate.

#### 4.4 **South Fulham Riverside**

In January 2013 the Council adopted the South Fulham Riverside Supplementary Planning Document (SPD) concerning the comprehensive regeneration of the area and the likely growth and change that would take place.

The SPD draws together the development plan policies and other guidance that are relevant to the regeneration area as identified in the Core Strategy and considers the environmental, social, design and economic objectives which are relevant to the future development of the area.

The primary aim of this SPD is to set out an approach to achieve the vision and deliver the objectives in the Strategic Policy for South Fulham Riverside in the Core Strategy. The SPD is a material consideration in the determination of any planning application submitted in the regeneration area.

#### 4.5 **Development Infrastructure Funding Study**

In June 2011, the Council commissioned Jacobs Consulting and Cushman and Wakefield LLP in association with CgMs Consulting to carry out a Delivery and Infrastructure Funding Study (DIFS) for the South Fulham Riverside. The study examined the investment needed in order to support the growth in new homes in the regeneration area and the likely increase in social infrastructure and local community services (education, health, open and play space, community facilities, police facilities and employment and skills training) that would be required to accommodate the increase in population.

The need for the DIFS had arisen following work by LBHF on the South Fulham Riverside SPD and an associated transport study, which concluded that a range of transport and other infrastructure is required to deliver regeneration in the area. The DIFS was required to review the quantum of development that could be undertaken, assess and cost the full range of infrastructure required to support that development, and examine the extent to which that infrastructure could be funded by the developments in the light of the economic conditions bearing on development viability.

The number of new homes assumed as a basis for the DIF study was 4,000 which is based on approximately 21 hectares of sites coming forward for development within the plan period. The SPD does however state that the assessment of sites and phasing will be regularly reviewed to ensure the infrastructure is in place when new residential units are provided. A review will now take place in light of the Council's new housing strategy agreed on 23 June 2014.

#### **4.6 Impact of the proposed change to the development at South Fulham Riverside on the need for primary school places**

An initial review of the Greater London Assembly (GLA) methodology used to calculate potential child yield from additional housing has been undertaken. This methodology is used by other London Boroughs to calculate child yield for education (and play space) provision purposes. From a housing strategy perspective, where an increase in the supply of additional affordable housing for rent (i.e. allocated on a basis of Housing Allocation Scheme defined need), is envisaged, a significant increase in demand for school places (compared to that for market housing) can be anticipated.

The need for an increase in education provision is addressed in chapter 12 of the SPD. The population growth envisaged as a result of the development of up to 4,000 new homes had been reflected in the previous decision to reduce capacity in the south of the borough by 0.5 forms of entry (FE), equalling 15 places per year, 105 in total, through the closure of Sullivan (1.5 FE) and expanding New King's by 1FE to 2FE. The intention was to enable a better concentration of pupils in the remaining two local primary schools, New King's and Langford, and enable a more efficient use of resources (both revenue and the physical resources of the sites and the buildings), with the option of considering expanding Langford by 0.5FE as required, linked to the timings of the development programme.

This strategy had also reflected the increased demands that are projected in the infant phases (4-7 year olds) of the education system due to child births and the current pressure in the system across the centre and north of the borough on school places at reception and year 1, that will ultimately increase the demand for places utilising much of the perceived "surplus capacity" in the later age groups.

The SFR development is likely to move to a higher number of additional units in the light of Cabinet's recently affirmed purpose of providing more affordable rented housing and low cost home ownership opportunities in the borough ; initially this was assessed to be manageable within the strategy as previously set out with a key assumption that child yield would be reasonably low. This reflects the Council's previous approach around commercial viability and a low proportionality of affordable rented housing (this approach generating a reasonably low child yield).

**Table 1: Current approach in South Fulham Riverside (before the change in administration)**

	Number of bedrooms				Total Units
	1	2	3	4	
South Fulham Extra 1000 units	1	2	3	4	
Owner Occupier	150	300	150	0	600
Affordable Rented Housing	0	0	0	0	0
Shared Ownership	10	20	10	0	40
Total	160	320	160	0	640 <sub>1</sub>
	Early Years	Primary	Secondary		
Need for school places expressed as forms of entry for Early Years (2-3 year olds), Primary and Secondary) <sub>2</sub>	0.67	<b>0.22</b>	0.09		
Age groups	Ages 0-3	Age 4-10	Age 11-15	Total	
Children totals	48	46	14	108	

<sub>1</sub>The remaining 360 units have not been built out and planning consent has not been granted.

<sub>2</sub>Note that these projections allow for 15% of children being educated in the independent sector

**Table 2: Demand pressures from South Fulham Riverside on an affordable rented approach**

	Number of bedrooms				Total Units
	1	2	3	4	
South Fulham Extra 1000 units	1	2	3	4	
Owner Occupier	150	300	150	0	600
Affordable Rented Housing	100	200	100	0	400
Shared Ownership	0	0	0	0	0
Total	250	500	250	0	1000
	Early Years	Primary	Secondary		
Need for school places expressed as forms of entry for Early Years (2-3 year olds), Primary and Secondary)	1.35	<b>0.79</b>	0.53		
Age groups	Ages 0-3	Age 4-10	Age 11-15	Total	
Children totals	96	167	80	342	

#### 4.7 Recommended Approach

The shift in approach to the delivery of affordable rented housing in the borough is sufficient to cause the Council to rethink its strategy for the provision of school places in south Fulham. If school places are removed from the system whilst this new housing strategy is developed further, the Council may find that it has difficulty in meeting its statutory requirements to provide sufficient school places. To ensure that there is a clear plan to address the extra 0.5 form of entry (an increase in the need for primary forms of entry from 0.22 in Table 1 to 0.79 in Table 2 shown in bold above) required for the increase in affordable rented housing and the corresponding pressures that will place on the school places, it is recommended that the Council:

- i) Retains Sullivan Primary School; this will add 1.5FE back into the education system in south Fulham

- ii) Does not expand New King's and maintains it at 1FE on its current site; this will reduce the provision in the area by 1FE that would have been created by continuing with the current plan.

The net effect of this approach is to add 0.5FE back into the primary school system in south Fulham.

This approach, which is recommended to Members, provides a degree of confidence that there will be sufficient school places to meet the short and medium term requirements for the area. It also enables the Council to consider further the needs of the school communities in south Fulham and undertake a more comprehensive review throughout the borough reflecting the changing approach housing development following the change in administration. It also means that the Council retains the capacity for further expansion of the two schools, if required in the future.

The decisions of 10 February 2014 to close Sullivan and enlarge New King's Primary School would reduce the provision in the area by a net 0.5FE (with all the associated costs of school closure). To do so would be inappropriate given the significant shift in regeneration and the affordable rented housing approach that has now been adopted and which will place extra demand into the system which the Council is otherwise unable to meet in the medium term.

## **5. PROPOSAL AND OPTIONS**

- 5.1 The Council is prohibited by law from revoking the decisions to close Sullivan School and enlarge New King's Primary School without publishing proposals to do so and considering any representations received. The Council believes that the new circumstances outlined above justified the publication of a statutory notice, allowing representations to be made as to whether or not the Council should revoke the earlier proposals, i.e. should retain New King's and Sullivan Schools and the number of existing places available in them.
- 5.2 At this stage the options which the Council should now consider are as follows:

**Option 1:** Continue with the current proposals to discontinue Sullivan School and enlarge New King's School from 1 September 2015 resulting in a reduction of available school places by 0.5 FE.

### **Pros**

- Further uncertainty for pupils, parents and staff is avoided in that the proposals to discontinue have not been referred to the Schools Adjudicator and so are final, unless they are revoked
- Value would be obtained for some financial liabilities already incurred in relation to planned building works (see Financial and Resource Implications)

#### Cons

- The Council risks being unable meet its statutory duty to provide sufficient school places in the light of further residential development in the area as envisaged in the newly agreed housing policy.

**Option 2 (Recommended):** Having published proposals on 30 June to revoke the original proposals and, following full consideration of all representations received during the six-week representation period and the equality impact assessment, decide to revoke the proposals to discontinue Sullivan School and enlarge New King's School with effect from 1 September 2015.

#### Pros

- Will ensure that the Council can meet its statutory duty to provide sufficient school places in the light of the likely increased demand for school places following the change in housing policy to provide more affordable rented housing.
- Almost all representations received were in favour of revoking the proposals.

#### Cons

- Some financial liabilities have already been incurred in relation to planned building works, but these have now been minimised as far as is possible (see Financial and Resource Implications)
- Some uncertainty for pupils, parents, and staff in that there is a possibility of the revocation decision being referred to the Schools Adjudicator.

## 6. REPRESENTATIONS

6.1 Representations have been received as part of the statutory process outlined below:

Stage 1	Publication	Statutory proposal published – 30 June 2014
Stage 2	Representation	Must be 6 weeks – expired on 12 August 2014
Stage 3	Decision	The decision maker is usually the local authority and must be within 2 months of the end of the representation period or the decision defaults to the Schools Adjudicator
Stage 4	Implementation	No prescribed timetable, but must be as prescribed in the statutory notice, subject to any modifications agreed by the decision maker



6.2 The decision to publish the statutory notice was taken following a short consultation period during which the views of the governing bodies of Sullivan School and New King's Primary School were sought. Their pre-notice consultation responses are shown in Appendices 4 and 5.

A total of 51 responses have been received during the period for representations. These are summarised below. Appendix C contains copies of all of the representations received. (Alan to redo numbers)

47 were in favour of the proposed revocation, 3 were opposed and 1 response was neutral.

6.3 The following table provides some examples of the responses received.

In support of the revocation proposal

Parents (including prospective or past parents)  <u>Comments received included:-</u> <ul style="list-style-type: none"> <li>• Sullivan School provides a family atmosphere and nurturing environment.</li> <li>• Supports more affordable housing for families</li> <li>• Sullivan is the best choice locally for parents who are not Catholic or eligible for other good schools.</li> <li>• The green and open space should be preserved, in an area where many children live in flats.</li> </ul>	17
Chair of governors, staff and other schools These included: <ul style="list-style-type: none"> <li>• Letter from the Leadership Team at Sullivan School</li> <li>• Letter of support from Fulham College Academy Trust.</li> </ul>	8
Members of the public (including past pupils)  <u>Comments received</u> <ul style="list-style-type: none"> <li>• Primary places will be needed for all the new housing</li> <li>• Letter of support from Peterborough Road and Area Residents' Association (PRARA)</li> </ul>	21
Other <ul style="list-style-type: none"> <li>• Former head teacher at Sullivan School</li> </ul>	1
<b>Total</b>	<b>47</b>

The main themes contained within the responses supporting the retention of Sullivan School were:

- The need for school places to meet the demands of additional affordable housing units which the Council proposes are built in south Fulham
- The quality of education and care of children within a school (Sullivan) with so much green space in an inner-city area.

#### 6.4 Opposing the Proposal

<u>Comments in connection with Fulham Boys School</u>	3
<ul style="list-style-type: none"> <li>• Postponing the opening of Fulham Boys School is very damaging to the future of boys who have already been accepted.</li> <li>• Neither primary school was fully subscribed</li> </ul>	
Total	3

#### 6.5 Neutral Position

Letter from Fulham Boys School	1
Total	1

Members may recall that the report of 10 February 2014 recommending the closure and Sullivan and enlargement of New Kings Primary School advised members that the decisions should be taken on their own educational merits, and without reference to the issue of the then proposed Fulham Boys' School. It remains the case that Members should determine the revocation proposals on their own merits for the future of primary school provision, and without reference to issues of secondary education, including the future of Fulham Boys School.

In any event, the requirement for secondary school places is an integral part of the Council's School Organisation Strategy which will be updated later in 2014. As a free school, Fulham Boys School is the responsibility of the Department for Education and the Education Funding Agency (EFA). The EFA has now confirmed that Fulham Boys School will open in temporary premises on the Gibbs Green site in September 2014 for a period of three years. The Mayor of London has guaranteed that a permanent GLA-owned site within the London Borough of Hammersmith and Fulham will be delivered for the school.

## **7. EQUALITY IMPLICATIONS**

- 7.1 The Council has comprehensively reviewed the Equality Impact Assessment supporting its earlier decision to discontinue Sullivan School and enlarge New King's School and the reviewed Equality Impact Assessment is attached at Appendix 3.
- 7.2 Cabinet must have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity for people with protected characteristics and foster good relations between those with and without protected characteristics, in deciding whether or not to revoke the original proposals. As part of this process, Members will review the Equality Impact Assessment.
- 7.3 The Equality Impact Assessment attached to the original Cabinet report of 10 February 2014 envisaged that the original proposals to close Sullivan and enlarge New King's would have an impact on children with disabilities in that there would be an initial period of disruption in the implementation of the proposals during which steps would be taken to minimise the effect on pupils with disabilities, and thereafter it was envisaged that provision for such children in the enlarged New King's school would be at an enhanced level from that currently offered at either New King's or Sullivan.
- 7.3 If Cabinet is minded to revoke the current proposals to discontinue Sullivan Primary School and enlarge New King's Primary School, there would be no change to the current provision at the two schools. The schools and as relevant the Council would continue to have regard to the needs of persons with protected characteristics as they currently do, and would be obliged to make any reasonable adjustments for disabled children which become necessary.
- 7.4 Implications verified/completed by: Joyce Golder, Principal Solicitor ext. 2181.

## **8. LEGAL IMPLICATIONS**

- 8.1 The legislation imposes an obligation on the Council to implement the currently approved proposals, save in limited circumstances. The only relevant circumstances are where circumstances have so changed since the proposals were approved as to make their implementation inappropriate. In such a situation the Council would have the power to revoke the proposals. It is therefore for the Council to decide whether circumstances have so altered since approval of the decisions on 10 February to close Sullivan School and enlarge New King's Primary School with effect from 1 September 2015 that implementation of those decisions would be inappropriate. If it decides that this is the case, it will go on to consider whether to exercise its discretion to revoke the decisions of 10 February

The Council was obliged to publish a statutory notice about the revocation proposal to enable affected parties to comment on and object to the revocation proposals. This has now been done. In deciding what action to

take, Members must take into account the responses received during the representation period and all other relevant information, including the consultation response of the schools, the equality duty referred to at paragraph 7.2 above and other factors, such as the resources already spent to progress the closure and enlargement proposals.

There is a possibility that the revocation decision, if taken, may be referred to the Schools Adjudicator though only by the Diocesan Board of Education for any Church of England diocese, or bishop of Catholic diocese, in the Council's area.

8.2 Implications verified/completed by: Joyce Golder, Principal Solicitor ext. 2181

## **9. FINANCIAL AND RESOURCES IMPLICATIONS**

9.1 The financial implications of this decision relate to identifying the unavoidable costs incurred with implementing the original decisions to close Sullivan and enlarge New King's, and any works that may be considered necessary at either New King's or Sullivan.

### **9.2 Capital**

The capital implications of the original decisions are set out below:

- Alterations and extension of New King's School currently costed at approximately £3.8m
- Decant provision currently estimated at approximately £0.5m
- Alteration of alternative premises at Normand Croft School to create space for Parayhouse School costed at £100k, inclusive of irrecoverable VAT.

9.3 3BM, the employee-led mutual established by the Council that manages the Schools Capital Programme, have been managing both aspects of the original decision in terms of implementing the temporary installation of classrooms on the Sullivan site and progressing the design and planning application for the works at New King's. In total, consultancy costs were incurred by the Council of approximately £200,250 for Sullivan School and £48,952 for New King's School. Costs were higher for Sullivan as more work had been done to prepare for the temporary accommodation of New King's pupils at the Sullivan site for September 2014, including several site surveys, design works and preparations for the temporary classrooms as well as some adaptations to the main school building. A further cost associated with the abortive contract for the actual hire of temporary classrooms of a further £75k has been incurred.

9.4 Allowing for the expenditure already incurred if the Council were to revoke the decision and retain the two schools without doing any works the sums available in the Schools Capital Programme would increase by £4m. Within the original scheme for New King's were landscaping, remodelling and Health and Safety works that could be de-coupled from the major scheme

and progressed independently. Cabinet decided on 23 June to continue with these works at a cost of £0.5m. Capital expenditure was also required at Sullivan. It was agreed to establish a provision of £200k to allow Sullivan to progress works necessary for the continuation of the school. Works have since taken place over the summer at both schools.

- 9.5 In light of the above, Parayhouse School will now not move to north Fulham and will stay on its current site at New King's at least until the end of its current lease term. The lease is due to expire on 1 September 2016.

## 9.6 Revenue

In order to maintain staffing levels during the current academic year Sullivan offered retention payments to its staff paid from school balances. Similarly New King's incurred additional costs in realigning its workforce and incurred additional costs in 2013-14 that will extend in to 2014-15. Whilst no redundancy notices have been issued to staff at Sullivan a number have received alternative offers of employment. Retention payments are likely to be required for 2014-15 and there will be other additional costs if staff leave. Both schools are likely to be judged as 'Schools in Financial Difficulties' and an application to Schools Forum for additional funding of up to £300k will be required to cover the abnormal costs of both schools. These costs will be covered by the Dedicated Schools Grant. Since the Cabinet report on 23 June, the staffing position at both schools has been confirmed and there are now no significant vacancies at either school following a recruitment process in the summer term.

- 9.7 School Funding for 2014-15 is determined by the October 2014 census and if the uncertainty over the futures of both schools destabilise the number of children on roll this will be reflected in the overall Dedicated Schools Grant. This will be kept under review and may lead to the schools requiring further assistance from the Dedicated Schools Grant in to 2014-15. Since the Cabinet report on 23 June, it has been confirmed that for the September 2014 intake there are 29 accepted offers for 45 available places at Sullivan. For the September 2014 intake at New King's there are 29 accepted offers for 30 available places.

- 9.8 Implications verified/completed by: (Dave McNamara, Tri-borough Director of Finance & Resources, 020 8753 3404)

## 10. PROCUREMENT AND IT STRATEGY IMPLICATIONS

### 10.1 Risk Management

Management of the risks surrounding the decision to revoke the original proposals remains the responsibility of the Tri-borough Children's Services Department. Publishing the proposals to revoke its earlier decisions to discontinue Sullivan Primary School and enlarge New King's meets the Council's statutory duty and is noted on the Tri-borough Strategic Risk Register, risk number 5 managing statutory duty.

Implications completed by: Michael Sloniowski Bi-borough Risk Manager ext. 2587.

## 10.2 Procurement and IT Strategy

Cabinet at its 7 April 2014 meeting approved expenditure on a number of school capital projects, and delegations on the award of contracts for these works to the Cabinet Member for Education. Three of the schemes approved by Cabinet in April were specifically designed to give effect to the earlier Cabinet decision made on 10 February 2014 to discontinue Sullivan school and enlarge New Kings School. Namely:

- a) the relocation of Parayhouse from New Kings school to new more accessible ground-floor accommodation at Normand Croft school;
- b) the design, supply and installation of temporary classrooms at Sullivan school to accommodate the de-canting of New Kings school to the Sullivan site whilst the expansion works at News Kings were carried out;
- c) the tendering of a contract to undertake the expansion works at New Kings.

10.3 A contract to carry out a number of improvement works at Normand Croft School, including the relocation of Parayhouse and delivery of a NHS drop-in facility, was awarded in May 2014 by the Council, although it was not formally signed. No liabilities have subsequently been incurred as the contract was not signed.

10.4 A contract to design, supply and install the temporary classrooms at Sullivan was awarded by the Council, though it was not formally signed. Legal advice was given as to what potential liabilities the Council may incur as a result of the preferred bidder mobilising for this contract. The final costs incurred are set out in paragraph 9.3.

10.5 No advertisements have been placed for the previously approved expansion works at New Kings School and no further costs have been incurred.

Comments provided by John Francis, Principal Procurement Consultant, H&F Procurement 020-8753-2582

### **LOCAL GOVERNMENT ACT 2000** **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Report to Cabinet 23 June 2014	Ian Heggs	CHS

**LIST OF APPENDICES:**

- 1 Statutory Notice dated 30 June 2014
- 2 Full set of all representations received
- 3 Equality Impact Assessment
- 4 Pre-notice consultation response from Sullivan School
- 5 Pre-notice consultation response from New King's School