



NOTTINGHAM CITY COUNCIL
OVERVIEW AND SCRUTINY - CALL IN PANEL

Date: Tuesday, 12 April 2016

Time: 10.00 am

Place: LB 31-32 - Loxley House, Station Street, Nottingham, NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Resilience

Governance Officer: Rav Kalsi **Direct Dial:** 0115 8763759

AGENDA

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OVERVIEW AND SCRUTINY COMMITTEE – CALL-IN PANEL
12 APRIL 2016
CONFIRMATION OF VALIDITY OF CALL-IN REQUEST RELATING TO EXECUTIVE BOARD MINUTE NUMBER 90 – PROPOSED EXPANSION OF FERNWOOD PRIMARY AND NURSERY SCHOOL, WOLLATON
REPORT OF HEAD OF DEMOCRATIC SERVICES

1. Purpose

A call-in request relating to Executive Board minute number 90 – Proposed expansion of Fernwood Primary and Nursery School, Wollaton, has been received. The purpose of this agenda item is to consider the validity of this call-in request.

2. Action required

The Committee is asked to confirm that the call-in request relating to Executive Board minute number 90 is valid.

3. Background information

3.1 The Council’s call-in procedure is set out in the Council’s Constitution. A guide to the call-in process is attached as an appendix to this report.

3.2 The Executive Board minutes dated 22 March 2016 were published on 22 March 2016, and the last date for call-in was 1 April 2016. A copy of the Executive Board report and the relevant minute extract has been attached as appendices to this report.

3.3 The Call-In Request Form was received by the Democratic Services Team on 30 March 2016 having been signed by Councillors Armstrong and Culley. A copy of the Call-In Request Form is attached as an appendix to this report. The Call-In Request Form identified the following reasons for call-in:

3.4 The decision is outside the budget/policy framework

Nowhere in the report to the Executive Board is it made clear that 57% of those consulted in Sept/Oct 2015 were against further expansion. Nor was it made clear at that time this was the start of a further six classrooms on the Fernwood site.

3.5 Inadequate consultation relating to the decision

The majority of those being consulted are under the impression that consultation on the expansion of the school is ongoing until the end of this year. Previous consultation from Sept to October 2015 indicated 57% were against.

3.6 Relevant information not considered

The report to the Executive Board does not address the already difficult situation from the current school attendance level on the surrounding roads and residential area. There is a considerable lack of parking provision for the existing level of activity and attendance at the school.

3.7 Viable alternatives not considered

Neither this report/minute, nor the delegate decision, refers to viable alternatives being investigated such as a new school in Wollaton.

3.8 Justification for the decision open to challenge on the basis of evidence considered

Legal observation states “before any decision is taken” this should be consulted upon on implementation. 57% of those consulted were against expansion of the school.

3.9 On the basis of the information provided, the Head of Legal Services has confirmed the validity of 3.5, 3.6, 3.7 and 3.8 above only. The following has been considered invalid for the following reason:

The Head of Legal Services has confirmed that in 3.4 above is not valid as the rationale given does not set out why the decision is outside the budget / policy framework. For this reason it was considered an invalid reason for call-in.

The Call-In Panel is asked to endorse this view.

4. List of attached information

The following information can be found in the appendices to this report

Appendix 1 – Overview and Scrutiny: Guide to Call-In

Appendix 2 – Executive Board report – Proposed expansion of Fernwood Primary and Nursery School, Wollaton

Appendix 3 – Executive Board – 22 March minute extract

Appendix 4 – Call-in Request Form

5. Background papers, other than published works or those disclosing exempt or confidential information

None

6. Published documents referred to in compiling this report

Nottingham City Council’s Constitution

<http://www.nottinghamcity.gov.uk/article/24275/Nottingham-City-Councils-Constitution>

7. **Wards affected**

Wollaton West

8. **Contact information**

Rav Kalsi
Senior Governance Officer
0115 8763759
rav.kalsi@nottinghamcity.gov.uk

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Overview and scrutiny: Guide to call-in

What is call-in

Call-in is a mechanism for scrutinising Executive decisions. Overview and scrutiny has the power to ask for an Executive decision to be reconsidered if, during the five working days immediately following an Executive decision, valid concerns are raised about the way in which the decision has been taken, for example that relevant information was not considered. This power is set out in national legislation and arrangements for putting it into practice are in the Council's Constitution.

Making a request to call-in a decision

Executive decisions are published on the Council's website. Following publication of an Executive decision there is a period of five working days during which non-executive councillors can request that the decision be called-in. The decision is not allowed to be implemented until the period of five working days has expired.

Decisions that can be called-in are those of:

- The Executive Board
- A committee of the Executive Board
- An individual Portfolio Holder
- Executive decision made by an Area Committee
- Executive decisions (£50,000 or more) made by an officer under authority delegated by the Leader, Executive Board or a committee of the Executive Board or by an officer to officer sub-delegation of powers within the Council's Scheme of Delegation

with the exception of decisions made under the urgency procedure, which cannot be called-in.

Requests to call-in a decision must be made in writing using the Call-In Request Form and signed by three non-executive councillors. Where a political group comprises only 3 or 2 councillors, and where there are no other minority groups or independent councillors on the Council, the requirement for three councillors to request reconsideration of the decision (call-in) is reduced to 2 (where the group comprises 3 councillors) and to 1 (where the group comprises 2 councillors).

Copies of the Call-In Request Form are available from the Overview and Scrutiny Team (contact details at the end of this Guide) and on the Councillor Resource Centre intranet pages.

When requesting a decision is called-in, at least one of the following reasons must be cited, along with further explanation for the reason(s) given:

- The decision is outside the Council's policy and/or budgetary framework
- Inadequate consultation relating to the decision
- Relevant information not considered
- Viable alternatives not considered

- Justification for the decision to be open to challenge on the basis of the evidence considered.

What happens when a request to call-in a decision is received

The Head of Democratic Services is responsible for assessing the validity of call-in requests. If any doubt remains the Director of Legal and Democratic Services (the Council's Monitoring Officer) will make the decision on whether the request is valid or not. Defamatory and frivolous requests will be rejected.

At this time, the relevant decision-maker, Portfolio Holder, Director and contact colleague will be informed that implementation of the decision is suspended until the outcome of the call-in has been determined. If the suspended decision relates to a contract or other procurement issue, the Contract Procurement Manager should also be notified.

The Call-In Panel (a sub-committee of the Overview and Scrutiny Committee) is responsible for considering call-in requests. Therefore once a request is considered to be valid, a meeting of the Panel will be scheduled. This meeting must be held within seven working days of the receipt of the request, or at a later date if agreed by the Chair of Overview and Scrutiny.

Meetings of the Call-In Panel

The purpose of the Call-In Panel meeting is to:

- a) Agree that the call-in is valid as set out in the Council's Constitution
- b) Consider whether the Executive decision should be referred back to the decision-maker for further consideration or whether it can be implemented.

Suggested procedure to be followed

When the meeting begins the Chair will:

1. Ask the Panel to agree whether the call-in is valid and agree the parameters for the discussion.
2. Ask the relevant Portfolio Holder to briefly outline details of, and reasons for their decision [suggested time: 10 minutes]
3. Ask a representative of the councillors who requested the call-in to briefly outline their concerns and reasons for these [suggested time: 10 minutes]
4. Ask the Portfolio Holder (and their supporting colleagues) to briefly respond to the points raised [suggested time: 10 minutes]

Members of the Call-In Panel will then discuss the call-in request, the decision and invite the Portfolio Holder and the councillors who requested the call-in to respond to any questions raised by the Panel.

The Chair will invite the Portfolio Holder and a representative of the councillors who requested the call-in to sum up any final comments [suggested time: 5 minutes each]. Following this, the Portfolio Holder (and their supporting colleagues) and the councillors who requested the call-in may leave the meeting if they chose to as they are not required to remain at the meeting during the deliberations.

Focusing on the reasons for the call-in as given in the Call-In Request Form, and based on the evidence from the Portfolio Holder and the councillors who requested the call-in, the Panel will then decide to either:

- a) Require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration; or
- b) Agree that the decision does not need to be reconsidered and can be implemented.

In both cases, reasons will be given by the Panel for its decision.

If the Panel agrees that the decision should be reconsidered it can:

- a) Refer the decision back to the decision-maker for reconsideration; or
- b) Refer the decision to full Council if they feel that the decision made is contrary to the Council's policy and/or budgetary framework.

In addition, the Panel can make other relevant recommendations which will be referred to the relevant Portfolio Holder, or the Executive Board for response.

What happens following the meeting of the Call-In Panel

Following the meeting, the relevant decision-maker Portfolio Holder, Director and contact colleague will be informed of the outcome of the meeting.

If the Panel decides that the decision does not need to be reconsidered, then it can be implemented immediately.

If the Panel refers the decision back to the decision-maker then it will be reconsidered in light of comments made by the Panel. The decision-maker can decide whether to amend the original decision or not before adopting a final decision. This final decision cannot be subject to further call-in.

Additional recommendations made by the Panel will be treated in the same way as any other recommendations made by overview and scrutiny, and referred to the relevant Portfolio Holder or Executive Board. They will be asked to provide a response to say whether they agree to implement the recommendation(s) and how they intend to do so. Progress on implementation will then be reviewed at a later date. If they decline to implement a recommendation they will be asked to explain why.

Contact information

For further information about call-in, or any other matters related to overview and scrutiny, contact Constitutional Services

Jane Garrard	0115 8764315	jane.garrard@nottinghamcity.gov.uk
Rav Kalsi	0115 8763759	rav.kalsi@nottinghamcity.gov.uk

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EXECUTIVE BOARD – 22 MARCH 2016

Subject:	Proposed expansion of Fernwood Primary and Nursery School, Wollaton		
Corporate Director(s)/ Director(s):	Alison Michalska, Corporate Director for Children and Adults Pat & Sarah Fielding, Directors of Education		
Portfolio Holder(s):	Councillor Sam Webster, Portfolio Holder for Schools		
Report author and contact details:	Lucy Juby, Project Manager, School Organisation Email: lucy.juby@nottinghamcity.gov.uk Tel. 0115 8765041 Rob Caswell, Programme Manager, Major Projects E-mail: Robert.caswell@nottinghamcity.gov.uk Tel: 0115 876 3408		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input type="checkbox"/> No
Total value of the decision: £1.250m			
Wards affected: Wollaton West	Date of consultation with Portfolio Holder(s): 16 Feb 2016		
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input type="checkbox"/>
Schools			<input checked="" type="checkbox"/>
Planning and Housing			<input type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input type="checkbox"/>
Resources and Neighbourhood Regeneration			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
The Wollaton area is experiencing significant primary school place pressures, with a continued upward trend of pupil growth in the coming years.			
Between 21 September and 18 October 2015, a four week consultation with parents, carers, staff, governors and community members was undertaken on the proposal to expand Fernwood Primary School from 840 to 1050 places. Following this period of consultation, the Executive Board approved the next stage of the consultation process which was the issuing of statutory notices.			
Statutory notices were issued on 6 January 2016 and the representation period ended on 3 February 2016. One representation was made during this period, from the governing body of Fernwood Primary and Nursery School. The governing body support the proposal to expand the school, but on behalf of the school community, would like consideration to be given to a number of issues and suggestions regarding the design and building plans.			
This report seeks approval to implement the expansion.			
Exempt information: None			
Recommendation(s):			
1 To approve the expansion of Fernwood Primary and Nursery School from an 840 place school to a 1050 place school, from September 2016.			
2 To approve the allocation of £1.250m of funding, as set out in section 4, for the expansion of Fernwood Primary and Nursery school, noting that £0.750m has already been approved in			

	March 2016 for two classrooms (Delegated Decision reference 2370).
3	To approve the procurement of the works as set out in the Business Cases in Appendix A.
4	To delegate authority to the Head of Legal Services to enter into contract following the procurement process, subject to the project being within the agreed budget envelope.

1 REASONS FOR RECOMMENDATIONS

- 1.1 The additional school places are needed to meet the needs of the school community. Due to the demand for places in the catchment area, Fernwood Primary has already started to admit extra pupils ahead of the formal expansion.
- 1.2 Fernwood Primary is an outstanding school, very popular and is always over-subscribed, with significant waiting lists across the year groups. More places are needed to meet the significant increase in the number of local children requiring a school place. The number of catchment children for Fernwood Primary has increased significantly since September 2014. To support this, the School have helpfully admitted an additional Reception class this year to accommodate the additional catchment children requiring a school place, but a longer term solution is needed
- 1.3 The Council and Executive Board have balanced the objections during consultation against the long term need for school places, both for current and future pupils and the views expressed will be considered in terms of prioritising any mitigating actions that are required to make the proposal work for all pupils.
- 1.4 The governing body is committed in its support for the proposal to expand the school (Appendix B: letter submission 2), but on behalf of the school community, would like consideration to be given to a number of issues and suggestions regarding the design, building plans and school facilities and possible measures for easing traffic management problems. The Council is working positively and in partnership with the governing body and leadership team to explore all issues raised and find solutions where possible.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The national shortage of primary school places has been reflected across the City and extra capacity has been added in many schools. In the Wollaton area there is a continued upward trend of pupil growth in the coming years due to an increased birth rate, the continuing popularity of the area, particularly with families moving into the area, and new housing development.
- 2.3 A four week consultation on the proposed expansion ran from 21 September to 18 October 2015, with parents, carers, staff, governors and community members. Statutory Notices were hung on the gates of Fernwood Primary School on Wednesday 6 January 2016. They were also published on the Council website and in the Topper newspaper. The representation period ended on Wednesday 3 February 2016 and one representation was made during this period from the School's governing body.
- 2.4 Since receipt of the governing body's initial letter on 1 February 2016 (Appendix B: letter submission 1), officers from the School Organisation and Major Projects teams have met with the governing body to discuss all the issues raised, with a view to finding solutions which will support the continued outstanding educational provision which is currently delivered, while within the context of the budget available.

- 2.5 Although it is not possible to meet all of the school's requirements, agreement was made to further investigate the design and feasibility options with regards to the potential for delivering some specific priorities, such as slightly larger classrooms in the Key Stage 2 building, and an extension to the hall in the Key Stage 2 building.
- 2.6 A feasibility study has been commissioned to ascertain whether it is possible to expand Fernwood Primary School and the investment required. The outcome is summarised in the Business Cases at Appendix A. The Business Cases include details of the number of places and sets out the programme for both the expansion of Key Stage 1 and Key Stage 2, along with an assessment of the risks and benefits.
- 2.7 At this stage, it is estimated that the expansion of Fernwood Primary School would cost £2.000m. The expansion would be funded from the Basic Need Grant, held by the Council for primary phase expansion projects. If approved, the anticipated date of completion is by 1 September 2016 for the Key Stage 1 build and 30 August 2017 for the Key Stage 2 build. To meet the Key Stage 1 completion date, a separate delegated decision has been approved for £0.750m of funding to allow the works to commence on the first phase. This report requests approval to commit the remaining £1.250m.
- 2.8 This report asks for approval to enter into contract as set out in the Business Case. The project at Fernwood Primary School will be procured using the EMPAii framework, subject to being within the agreed budget and meeting the requirements of the City Council. The project will be delivered as a Design and Build contract.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Other options were considered and explained in the previous Executive Board report, but were not considered viable, therefore the expansion of Fernwood Primary is currently the only recommendation to address the place pressure in Wollaton.

4 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

Capital

- 4.1 £4.6m for Primary Schools Reorganisation for undeveloped schemes in areas with increased demand for places was approved (pending business case) as part of the Investment Strategy by Full Council in October 2014. Fernwood Primary and Nursery school is continuously oversubscribed and experiences increasing waiting lists. The total cost of this proposal is forecast at £2.000m. £0.750m has already been approved in a delegated decision in March 2016 for two classrooms. This report requests approval to commit the remaining £1.250m funding from the Basic Needs Grant for the expansion of this school to 1050 places.
- 4.2 The development is part of Primary Schools Re-Organisation Phase 2 which is to be funded from Basic Needs Grant (confirmed up until 2017/18). Over the past few years it has been usual to forecast future Basic Needs Grant and to use this indicative grant to build a programme of expansions, however, there is now some concern over likely future grants being awarded to local authorities, therefore

indicative grant will not be included in the funding envelope until there is some clarity.

4.3 The programme is currently balanced and remains within its current funding envelope, however, if costs increase significantly or new expansions are identified (in addition to those currently expected) it is likely that there will be a funding shortfall. Remaining expansions within the current plan which are not yet approved will be continuously monitored in order to ensure schemes being worked up can remain within the available and confirmed funding.

4.4 The capital programme will be amended accordingly.

Revenue

4.5 If the proposal to expand Fernwood Primary were approved then the Local Authority would fund the school for an additional class each year from the Pupil Growth Contingency Fund until the school is full (i.e. for the next six years). This funding would cover the period September to March of each year. Once the additional pupils were accounted for on the October Autumn Census after the September they were admitted, they would then be funded in the following financial year through the local funding formula.

4.6 The School Organisation Team will allocate funding to the school based on the eligibility criteria approved by Schools Forum. Table 1 outlines the funding criteria values based on the admission of an additional 30 pupils.

Table 1: Funding Criteria Values	
Funding Streams	£
Teacher M3 (7/12ths)	17,824
Teaching Assistant Pt 22 (7/12ths)	14,242
Midday Supervisor Pt 8 (7/12ths)	2,150
Classroom set up costs per class	Up to £8,000
Utilities (7/12ths) based on £150 per pupil per year	£2,625

The staffing and ancillary costs will be for the seven months (7/12ths) to cover the months between when additional pupils join the school in September and when the increased numbers are recognised in the budget the following year.

4.7 The Reception bulge class admitted in September 2015 was funded from the Dedicated Schools Grant Pupil Growth Contingency Fund £0.047m.

4.8 As stated in 4.1 the funding to meet the cost of the expansion of Fernwood Primary has been set aside within the Basic Needs Grant. However, the ongoing maintenance costs of building would have to be met from the schools budget.

5 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

Legal implications

5.1 The school organisation regime is set out in the Education and Inspections Act 2006 (“EIA”), regulations made under the EIA and guidance made by the Secretary of State, both statutory (using powers in the EIA) and non-statutory.

- 5.2 Under section 19 of the EIA, a local authority is required to publish a proposal to make a prescribed alteration to a maintained school. In essence, a prescribed alteration is one designated as such by regulations. Currently, the relevant regulations are the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (“the Prescribed Alterations Regulations 2013”).
- 5.3 The proposal referred to in this report: to expand Fernwood Primary School (“Fernwood”) by increasing the number of pupils to be accommodated from an 840 place primary school to a 1,050 place primary school, with an anticipated date of completion for the Key Stage 1 build of 1 September 2016 and an anticipated date of completion for the Key Stage 2 build of 30 August 2017, would be a prescribed alteration because it entails an enlargement of the premises of Fernwood, which would increase the capacity of Fernwood by more than 30 pupils and by 25 per cent or more or by 200 pupils or more.
- 5.4 Whilst the school organisation regime no longer has a ‘pre-publication’ consultation period, in public law terms such consultation is advisable. Indeed, this is reflected in the current statutory guidance entitled *School Organisation Maintained Schools Guidance for proposers and decision-makers* (January 2014) which states at paragraph 10: “Although there is no longer a prescribed ‘pre-publication’ consultation period for prescribed alterations, there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations...” Therefore, it was advisable that the proposal to expand Fernwood was consulted upon before being published. Having been consulted on, the proposal to expand Fernwood was formally published on 6 January 2016 with a four week representation period.
- 5.5 With the representation period for the proposal having ended on 3 February 2016, under regulation 6 of and Schedule 3 to the Prescribed Alterations Regulations 2013 the Executive Board is now required to consider and determine the proposal. Under Schedule 3, paragraph 5(1) of the Prescribed Alterations Regulations 2013, in determining the proposal the Executive Board may:
- (a) reject the proposal;
 - (b) approve the proposal without modifications; or
 - (c) approve the proposal with such modifications as the local authority think desirable, having consulted the governing body (unless the modifications are proposed by the governing body).
- 5.6 Under Schedule 3, paragraph 5(2) of the Prescribed Alterations Regulations 2013, where proposals are approved by the local authority (whether with or without modifications), the approval may be conditional on the occurrence of an event prescribed in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations 2013 (which includes the entering into an agreement for any necessary building project supported by the Department for Education). If the approval is expressed to take effect only if the event occurs, the event must occur by the date specified in the approval.
- 5.7 Under Schedule 3, paragraph 5(3) of the Prescribed Alterations Regulations 2013 any determination under paragraph 5(1) must be made within the period of two months of the end of the representation period (that is, by 3 April 2016 for the proposal under consideration here). Where the local authority does not make a determination within the period prescribed by Schedule 3, paragraph 5(3) of the

Prescribed Alterations Regulations 2013, the proposal must be referred to the Schools Adjudicator.

- 5.8 Lastly, it is advisable that Human Resources (“HR”) and legal advice is taken in relation to the HR, employment law and commercial law ramifications of the proposals here.

Procurement advice

- 5.9 The EMPAii Regional Intermediate Framework with GF Tomlinson provides both a compliant and value for money option for the procurement of these works to be undertaken.

HR advice

- 5.10 In terms of any other workforce implications, the governing body will need to give careful consideration to the appropriate staffing establishment and the potential need to make suitable appointments to ensure the school is adequately resourced in line with School Teacher's Pay & Conditions, Staffing Guidance under the Education Act 2002, and the Restructuring, Recruitment, and Pay Policies adopted by the governing body.
- 5.11 HR and legal advice should be considered in the implementation of any new or extended staffing structures, to ensure appropriate consideration is given to employment law, policy and practice.

6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

- 6.1 The site is owned by the City and there are no property implications in connection with the proposed expansions subject to the appropriate statutory approvals being obtained including consultation with Sports England.

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 None

8 REGARD TO THE NHS CONSTITUTION

- 8.1 N/A

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA has already been submitted with the previous Executive Board report, to assess the equality impact of the proposal.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

- 10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 11.1 Portfolio Holder decision to commence consultation:
[http://resmodw2k121/ieDecisionDetails.aspx?ID=3409&\\$LO\\$=1](http://resmodw2k121/ieDecisionDetails.aspx?ID=3409&LO=1)
- 11.2 Portfolio Holder decision 2184 – Early Works including design development to allow Fernwood Infant and Junior to expand.
<http://committee.nottinghamcity.gov.uk/ieDecisionDetails.aspx?ID=3430>
- 11.3 Portfolio Holder decision 2370 - Approval of the allocation of funding for the provision of additional accommodation at Fernwood Primary school for September 2016.
- 11.4 Executive Board report – ‘Proposed expansion of Fernwood Primary School, Wollaton’, 22 December 2015.

12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

Julia Holmes, Finance Analyst
Julia.holmes@nottinghamcity.gov.uk
0115 8763733

Tina Adams, Finance Manager, Capital & Tax Management
Tina.adams@nottinghamcity.gov.uk
0115 8763132

Jon Ludford-Thomas, Solicitor
Jon.ludford-thomas@nottinghamcity.gov.uk
0115 8764398

Leanne Sharp, Service Redesign Consultant
Leanne.sharp@nottinghamcity.gov.uk
0115 8763603

Peter Taylor, Estates Surveyor
Peter.Taylor2@nottinghamcity.gov.uk
0115 8763017

Sue Oliver, Category Manager, Procurement
sue.oliver@nottinghamcity.gov.uk
0115 8762789

Nottingham City Council

Business Case

Project Title: Fernwood Primary School Expansion Works – Creation of two additional infant classrooms

Lead Department: Major Projects



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DOCUMENT CONTROL

BC Author	Caroline Butrymowicz
Project Sponsor (contact details)	Nicholas Lee – Head of Access and Learning (87 64618)
Project Manager (contact details)	Caroline Butrymowicz – Project Manager, Major Programmes (87 63396)
Date	22 nd January 2016
Document ID	Fernwood Primary Expansion Business Case

Version	Status	Revision Date	Summary of Changes	Sign-Off
1	Draft	22/01/16	First Draft	CMB
2.	Final	02/02/16	Final	RC/CMB

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1.0 PURPOSE OF DOCUMENT

This document sets out the need, benefits and the justification for the addition of two infant classrooms to Fernwood Primary school.

2.0 EXECUTIVE SUMMARY

Increasing demand has been identified in the Wollaton area of the city for primary school places and Fernwood Primary School was over subscribed for September 2015. It was agreed that the school would take a bulge year in 2015 to provide the opportunity to formally consult on the expansion of the school from an 840 place primary to a 1050 place primary. This consultation has now commenced and approval has been granted to issue the Statutory Notices. The outcome of the consultation and the final decision will not be known until later in the year, however, there is still anticipated to be further need for places for September 2016, so there needs to be consideration of options for a further bulge year. At present there is no further capacity within the school and so a two classroom extension is being planned attached to the existing Key Stage 1 building. Previously there was approval for some early design work and minor modifications to the Key Stage 1 block it has now been identified that further capacity is required .

3.0 STRATEGIC FIT

3.1 Background of Business Need

The national shortage of primary school places has been reflected across the City and extra capacity has been added in many schools. The Wollaton area is experiencing significant primary school place pressure with a continued upward trend for pupil growth in the coming years. The factors that contribute to this are increased birth rate, inward migration and increased house sales and housing developments in the area. Fernwood is an outstanding school and is always over subscribed with waiting lists across the year groups. The significant new housing development currently being constructed will result in further demand for new places.

While the expansion of the school has yet to be approved there is a need to provide sufficient accommodation to allow a continued expansion of the school if the Statutory Notices are approved. It will also allow for a further bulge year that will be required to provide sufficient school places for in catchment children as a temporary measure in the event of the formal expansion not being approved.

3.2 Strategic Objectives and Outcomes

The City Council has a Statutory duty to provide sufficient school places. One of 5 key objectives of the new Council Plan setting out the Council's ambitions for the next four years is to ensure that every child in Nottingham is taught in a school that is judged good or outstanding by Ofsted. The expansion of Fernwood Primary School also supports the Council priorities of providing access to a good school close to home for every young person in Nottingham and to guarantee a choice of places for every child at a local primary school.

Parents / carers quite rightly expect their children to be offered a local school place in their catchment area and the case for expanding a school which delivers a quality provision in an area where there are insufficient school places is a strong one. It is the duty and the desire of both the Council and the school to maximise opportunities to deliver a quality education to the community.

The provision of this additional capacity is the first stage in the potential expansion of Fernwood Primary School from its current capacity of 840 to a potential capacity of 1050. The provision of two new classrooms will allow the school to take a further 30 children in September 2016 and meet the catchment demand.

3.3 Scope and option appraisal

The proposal is to build two additional classrooms and to provide some breakout space and associated toilets adjoining the existing Key stage 1 building. If the formal proposal to expand Fernwood Primary school is agreed later in the year there will need to be further building works to the Key stage 2 building which consist of a further four classrooms and associated space to meet the full expansion of the primary school from 840 places to 1050 places.

The school are very supportive of the proposals to provide the two additional classrooms. Several meetings have been held with the school and various design options have been discussed

An option to provide a new block of 7 classrooms was considered in the early days of the project but it was discounted as it would mean that one class in each year group would have no connection with the rest of the year group. Educational it makes more sense to locate all the classes in the same year group adjacent as to allow them to share resources.

3.4 Constraints

The two additional classrooms are required for September 2016 to enable pupils to be admitted to the school. The school will need to function with building works on site. The Project Team will work closely with the Senior Management Team of the school to ensure that all works and operations are managed and supervised accordingly. The day to day running of the school will not be adversely affected.

3.5 Dependencies

The project contributes towards the Council Plan 2015-2019 as it meets the one of the Council's key objectives in ensuring that every child is taught in a school that is judged good or outstanding by Ofsted. It also supports the Council priority of providing access to a good school close to home for every young person in Nottingham.

3.6 Key Risks

The key risks are:

Risk No.	Risk	Mitigation
1.	The project cannot be delivered within the allocated budget.	Early costings have demonstrated that the project is deliverable within the indicative amount allocated.
2.	Risks to the project budget are not understood and the project cost may increase beyond the agreed budget.	Surveys to be undertaken to the site to confirm costs. Early discussions to take place with the successful contractor to ensure design is efficient and any savings are made.
3.	The risk that planning is not agreed due to the need to take up green space for the two new classrooms.	Engagement has already taken place with 'Sport England'. They are in support of the option.
4.	That the two classroom extension can't be delivered within the programme constraints.	There will be continued dialogue with the design team and the contractor. Which will flag up the concerns to the school and the project team will look to provide the most effective overall solution.

3.7 Benefits

The benefits of this project are:

- The meeting of one of the 5 key objectives of the new Council Plan which sets out the Council's ambitions for the next four years which is to ensure that every

child in Nottingham is taught in a school that is judged good or outstanding by Ofsted. Fernwood Primary school is a recent amalgamation of Fernwood Infant and Junior schools both when last inspected by Ofsted were rated as outstanding.

- The proposal supports the Council's priorities of providing access to a good school close to home for every young person. There is presently a demand for places within the catchment area of Fernwood Primary. Expansion of a popular and successful school, Fernwood primary school is over subscribed.
- Creation of quality teaching and learning space this will be measured by agreeing that the new spaces are suitable in conjunction with the Head Teacher.
- Provision of energy efficient solutions for additional classrooms within the building. This will be measured based on the change of usage of both gas and electric over a period being proportionately lower than the overall area of the buildings increase.

4.0 FINANCE

Budget position

The scheme is presently in design and there have been some early cost estimates of the building works for this first phase of the expansion. It is anticipated that this work will cost £0.750 million and that the second phase of a four classroom extension adjacent to the Keystage 2 building will cost a further £1.250 million if it is approved later. Overall an allowance of £2.000 million has been made in the capital programme to procure the works. This funding requirement will come from the Basic Need grant provided by the Education Funding Agency.

	Funding
	£ million
Expansion of Key stage 1 building (included in this Business Case).	0.750
Expansion of Key Stage 2 building (not considered in this Business Case and subject to a separate business case at a later date).	1.250
Total overall funding	2.0000

Other budget issues

The school will be entitled to an additional £8,000 per additional classroom to cover furniture and fittings and ICT requirements.

5.0 PROCUREMENT

The procurement route has been considered. Two options were reviewed, going out to the market place with a full set of tender documents or using an appropriate contractor off the East Midlands Property Alliance (EMPA) framework. Given the constraints of the programme, the requirement to hand the first two classrooms over for September 2016, it was felt that the most effective route to market would be to procure the contractor off the EMPA framework. The appropriate contractor is GF Tomlinson Group, who has completed a number of similar size projects in the last few years.

The design has been procured in house from Design Services, although they will be supported by specialist designers for aspects of the design. Design Services have previously been involved in the scheme to create a nursery on the school site and are therefore, aware of the school constraints and expectations.

6.0 DELIVERY

The project will be managed by the Major Projects team and Design Services on behalf of School Reorganisation team. The team have considerable experience in delivering schemes of this nature particularly in the last five years where a significant number of schools have been expanded. There is already an effectively working relationship on site with the school that has been developed during the previous scheme completed in January 2016 to provide a nursery for the school.

As the scheme develops a project plan will be produced and will set out how the project will be delivered and the key milestones that need to be achieved.

Nottingham City Council

Business Case

Project Title: Fernwood Primary School Expansion Works – Creation of four additional junior classrooms

Lead Department: Major Projects



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DOCUMENT CONTROL

BC Author	Caroline Butrymowicz
Project Sponsor (contact details)	Nicholas Lee – Head of Access and Learning (87 64618)
Project Manager (contact details)	Caroline Butrymowicz – Project Manager, Major Programmes (87 63396)
Date	11 th February 2016
Document ID	Fernwood Primary Expansion Business Case

Version	Status	Revision Date	Summary of Changes	Sign-Off
1	Draft	06/02/16	First Draft	CMB
2	Final	11/02/16	Final	RC/CMB

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1.0 PURPOSE OF DOCUMENT

This document sets out the need, benefits and the justification for the addition of four classrooms to the Key Stage 2 block at Fernwood Primary school.

2.0 EXECUTIVE SUMMARY

Increasing demand has been identified in the Wollaton area of the city for primary school places and Fernwood Primary School was over subscribed for September 2015. It was agreed that the school would take a bulge year in 2015 to provide the opportunity to formally consult on the expansion of the school from an 840 place primary to a 1050 place primary. The need for further additional Key Stage 1 places in September 2016 has been demonstrated and is currently subject to approval in a separate delegated decision with a supporting business case.

The outcome of the consultation to expand the school to a 1050 place primary is explained in the main Executive Board report to which this Business Case supports. In order to allow the growth of the school to a 1050 primary four additional Key Stage 2 classrooms are required.

3.0 STRATEGIC FIT

3.1 Background of Business Need

The national shortage of primary school places has been reflected across the City and extra capacity has been added in many schools. The Wollaton area is experiencing significant primary school place pressure with a continued upward trend for pupil growth in the coming years. The factors that contribute to this are increased birth rate, inward migration and increased house sales and housing developments in the area. Fernwood is an outstanding school and is always over subscribed with waiting lists across the year groups. The significant new housing development currently being constructed will result in further demand for new places.

If the statutory notices are approved, in order to expand the school four additional Key Stage 2 classrooms are required.

3.2 Strategic Objectives and Outcomes

The City Council has a Statutory duty to provide sufficient school places. One of 5 key objectives of the new Council Plan setting out the Council's ambitions for the next four years is to ensure that every child in Nottingham is taught in a school that is judged good or outstanding by Ofsted. The expansion of Fernwood Primary School meets this requirement and also supports the Council's priorities of providing access to a good school close to home for every young person in Nottingham and to guarantee a choice

of places for every child at a local primary school.

Parents / carers quite rightly expect their children to be offered a local school place in their catchment area and the case for expanding a school which delivers a quality provision in an area where there are insufficient school places is a strong one. It is the duty and the desire of both the Council and the school to maximise opportunities to deliver a quality education to the community.

The provision of this additional capacity is the second stage in the potential expansion of Fernwood Primary School from its current capacity of 840 to a potential capacity of 1050. The provision of four Key Stage 2 classrooms will allow the school to continue to grow by 30 reception pupils each year until all 7 year groups are full.

3.3 Scope and option appraisal

The proposal is to build four additional classrooms, extend an existing classroom, provide storage, pupil and staff toilets and an accessible toilet.

The school are very supportive of the proposals to provide the additional classrooms. Several meetings have been held with the school and various design options have been discussed with a preferred option agreed.

With regard to the overall expansion an option to provide a new block of 7 classrooms was considered in the early days of the project but it was discounted as it would mean that one class in each year group would have no connection with the rest of the year group. Educational it makes more sense to locate all the classes in the same year group adjacent as to allow them to share resources.

3.4 Constraints

The four additional classrooms are required for September 2018 to enable pupils to continue being admitted to the school. The school will need to function with building works on site. The Project Team will work closely with the Senior Management Team of the school to ensure that all works and operations are managed and supervised accordingly. The day to day running of the school will not be adversely affected.

3.5 Dependencies

The project contributes towards the Council Plan 2015-2019 as it meets the one of the Council's key objectives in ensuring that every child is taught in a school that is judged good or outstanding by Ofsted. It also supports the Council priority of providing access to a good school close to home for every young person in Nottingham.

3.6 Key Risks

The key risks are:

Risk No.	Risk	Mitigation
1.	The project cannot be delivered within the allocated budget.	Early costings have demonstrated that the project is deliverable within the indicative amount allocated.
2.	Risks to the project budget are not understood and the project cost may increase beyond the agreed budget.	Surveys to be undertaken to the site to confirm costs. Early discussions to take place with the successful contractor to ensure design is efficient and any savings are made.
3.	The risk that planning is not agreed due to the need to take up green space for the two new classrooms.	Engagement has already taken place with 'Sport England'. They are in support of the favoured design option.
4.	That the four classroom extension can't be delivered within the programme constraints.	There will be continued dialogue with the design team and the contractor. Which will flag up the concerns to the school and the project team will look to provide the most effective overall solution.

3.7 Benefits

The benefits of this project are:

- The meeting of one of the 5 key objectives of the new Council Plan which sets out the Council's ambitions for the next four years which is to ensure that every child in Nottingham is taught in a school that is judged good or outstanding by Ofsted. Fernwood Primary school is a recent amalgamation of Fernwood Infant and Junior schools both when last inspected by Ofsted were rated as outstanding.
- The proposal supports the Council's priorities of providing access to a good school close to home for every young person. There is presently a demand for places within the catchment area of Fernwood Primary. Expansion of a popular and successful school will meet the objective and Fernwood Primary school is over subscribed.
- Creation of quality teaching and learning space this will be measured by agreeing that the new spaces are suitable in conjunction with the Head Teacher.
- Provision of energy efficient solutions for additional classrooms within the building. This will be measured based on the change of usage of both gas and electric over a period being proportionately lower than the overall area of the

buildings increase.

4.0 FINANCE

Budget position

The scheme is presently in early design and there have been some cost estimates of the building works for this phase of the expansion. It is anticipated that this work will cost £1.250. Overall an allowance of £2.000 million has been made in the capital programme to procure the works. This funding requirement will come from the Basic Need grant provided by the Education Funding Agency.

	Funding
	£ million
Expansion of Key stage 1 building (subject to approval in a separate DDM with supporting business case).	0.750
Expansion of Key Stage 2 building	1.250
Total overall funding	2.0000

Other budget issues

The school will be entitled to an additional £8,000 per additional classroom to cover furniture and fittings and ICT requirements.

5.0 PROCUREMENT

The procurement route has been considered. Two options were reviewed, going out to the market place with a full set of tender documents or using an appropriate contractor off the East Midlands Property Alliance (EMPA) framework. Given the constraints of the programme for expansion of the Key Stage 1 block targeted to complete September 2016 and the requirement for the contractor to be working on both parts of the building, the most effective option is to retain the contractor that has been identified to deliver the Key Stage 1 phase from the EMPA framework. The appropriate contractor is GF Tomlinson Group, who has completed a number of similar size projects in the last few years.

The design has been procured in house from Design Services, although they will be supported by specialist designers for aspects of the design. Design Services have

previously been involved in the scheme to create a nursery on the school site and are therefore, aware of the school constraints and expectations.

6.0 DELIVERY

The project will be managed by the Major Projects team and Design Services on behalf of School Reorganisation team. The team have considerable experience in delivering schemes of this nature particularly in the last five years where a significant number of schools have been expanded. There is already an effectively working relationship on site with the school that has been developed during the previous scheme completed in January 2016 to provide a nursery for the school.

As the scheme develops a project plan will be produced and will set out how the project will be delivered and the key milestones that need to be achieved.

Fernwood Primary School
Arleston Drive
Wollaton
Nottingham NG8 2FZ

28th January 2016

Re: Proposed Expansion of Fernwood Primary School

Dear Sir/Madam,

We are writing to you as the Fernwood Primary School Governing Body to outline our concerns regarding the proposed expansion of the above school.

We have met as a governing body to look at and discuss your proposed building plans for the Infant and Junior school and we would like to outline the following concerns and issues which we have with what you are proposing:

At the Infant School:

1. There is no Cloakroom area being planned alongside the new classrooms which is needed for the pupils' coats and gym bags.
2. We would like to propose an expanded play area at the back of classes 7 and 8 to run along the new classrooms so all children have the same facilities.
3. The kitchen needs expanding and further equipment will be required to accommodate the preparation of meals for the extra children
4. The Hall needs expanding to accommodate extra children at lunchtime, assemblies, school plays and for extracurricular activities.
5. The staffroom needs expanding to accommodate the extra staff.

We feel that all of the above could be done and accommodated with amendments to your proposed plans. For example, could the hall be extended into what is now classroom 7 on the corridor and a replacement for classroom 7 added at the end of the Year 2 conservatory area which is now known as the 'Sparkle Room'?

At the Junior School:

6. The new classrooms will be smaller than current classrooms at the Junior school.
7. The kitchen needs expanding and further equipment will be required to accommodate the preparation of meals for the extra children.
8. The Hall needs expanding to accommodate extra children at lunchtime, assemblies, school plays and for extracurricular activities. According to the Education Funding Agency bulletin, our hall range should be between 277.5 sq metres and 371.5 sq m. Our hall is only 275 sq metres.
9. The staffroom needs expanding to accommodate the extra staff.
10. According to the Education Funding Agency bulletin, you should also be adding an additional studio space for each additional form of entry. This is not included at all.

Again with amendments to your proposed plans, these issues could be rectified. The Governing Body requests further information on your budget for the building work and costs involved.

We also have concerns about the following issues being addressed by the Local Authority:

The further impact of extra traffic and pedestrians. The Traffic Calming system on Arleston Drive is outdated and inadequate and cannot cope with the current amount of people and traffic never mind the extra volume.

Has a Traffic Impact Assessment been done by yourselves? This was suggested in the consultation and would also involve the local community. As of yet we have not seen any evidence of this being done. This is a huge priority for the school and the Governing Body as we feel we would be neglecting the safety of the pupils if this was not at least assessed.

There are several options for improving the area with, for example, widening of the pedestrian path, extra signage, zebra crossings, vehicle weight restrictions, extra bollards to stop vehicles driving along or parking on pavements, bicycle parking provision and CCTV cameras.

The overall size of the school, adequate buildings, traffic issues, impact on the quality of education, pupils and facilities were all problems highlighted in replies to your original consultation but our Governing Body feels from your ensuing report that none of these issues are being addressed or solved by yourselves.

We are also concerned about what action, if any, is being taken about providing additional secondary school places for our extra pupils to move onto?

We understand from our Senior Leadership Team that there have been talks recently regarding the Scout Hut being rebuilt and becoming part of the school buildings which would obviously help with extra school space generally needed but specifically, for example for a larger Extended School Provision. We understand that this is no longer a possibility. Why not?

In our original meeting with Lucy Juby, governors said that we would, in essence, agree to an expansion of the school as long as the overall excellent standard of the school and facilities are not made worse and compromised for all pupils. This does not appear to be the case.

Nick Lee had also assured us in meetings that the Local Authority would work with the school to make the project a success and that as far as the consultation was concerned, people's views in the community needed to be taken on board as far as possible. Again, this does not seem to be the case.

We feel that further work and consideration is needed with your overall plans for the school and would like a meeting to discuss and follow up your possible solutions to the issues which we have highlighted. It is intended that the School and the governing body would work in partnership with yourselves to meet the demands of the community and therefore we feel that the above points need to be addressed as they are important to all stakeholders.

Please feel free to get in touch with the school or myself to arrange a meeting with us.

Yours sincerely,

Mrs Rajni Sharma on behalf of Fernwood Primary Governing Body



Fernwood Primary & Nursery School

Executive Head Teacher Mrs M Austin B.A.,M.Ed.

Head of School (Infants & Nursery) Mrs L. Orme

Head of School (Juniors) Mr A.

Thomas

Arleston Drive Wollaton

Nottingham NG8 2FZ

Telephone: 0115 9155727

E-mail: admin@fernwoodprimary.co.uk

Website: www.fernwoodprimary.co.uk

Head of Access and Learning
Children and Adults
Nottingham City Council
Loxley House
Station Street
Nottingham
NG2 3NG

Date 23rd February 2016

FAO Mr Nick Lee

Dear Nick

RE Fernwood Primary & Nursery School Expansion

We would like to thank you for attending the meeting with our Governing Body and Senior Management on Tuesday 9th of February 2016.

We feel the meeting was certainly informative, and indeed constructive in airing our queries, concerns and views in what is a critical time for the school and the local authority, whilst the proposition of expansion is reviewed.

We feel it is important to re-affirm that the Governing body is completely committed in its support for the expansion of the primary school, to meet the demands of the wider local community, whilst continuing to provide "Outstanding" education for all those attending.

It is also important from the meeting that you understood the views and concerns from our original correspondence, with several key issues that have been raised either directly or indirectly throughout the consultation process, which would have an impact if the full school expansion goes ahead.

We are clearly encouraged that most, if not all of the matters raised by those affected are to be reviewed and actioned where appropriate. We are mindful there will be constraints. However we are glad to offer our expertise to value engineer and offer advice where possible to obtain the best result for all.

The Governing Body and Senior Team are the voice of the "schools staff" and the community, and we all would like to ensure that should the expansion go ahead, we have the facilities to complement the gifted and talented staff that are within the school.

Please be assured we are all here to help in the successful delivery of this additional educational need.

There were a number of action points from the meeting which we are all keen to follow up, so in the interim period until our next update meeting should there be anything else required from ourselves, please channel this through our Chair who will inform those required of their input.

Yours sincerely



Adrian Swan (For and on Behalf of the Fernwood Primary & Nursery School Governing Body)

CC

L Juby (NCC School Organisation Project Manager)
R Sharma (FP&NS Chair of Governing Body)
M Austin (FP&NS Executive Head Teacher)

Extract from Executive Board 22 March 2016

90 PROPOSED EXPANSION OF FERNWOOD PRIMARY SCHOOL, WOLLATON - KEY DECISION

The Board considered the Portfolio Holder for Schools' report detailing the proposals to expand Fernwood Primary and Nursery School from an 840 place school to a 1050 place school from September 2016.

A four week consultation on the proposed expansion ran from 21 September 2015 to 18 October 2015, engaging parents, carers, staff, governors and community members. The proposals for the expansion of Fernwood Primary include the provision of four Key Stage 2 Classrooms which will allow the school to continue to grow by 30 reception pupils each year until all seven year groups are full.

RESOLVED to

- (1) approve the expansion of Fernwood Primary and Nursery School from an 840 place school to a 1050 place school, from September 2016;**
- (2) approve the allocation of £1.250 million of funding, as set out in section 4 of the report, for the expansion of Fernwood Primary and Nursery school, noting that £0.750 million has already been approved in March 2016 for two classrooms (Delegated Decision reference 2370);**
- (3) approve the procurement of the works as set out in the Business Cases in Appendix A;**
- (4) delegate authority to the Head of Legal Services to enter into contract following the procurement process, subject to the project being within the agreed budget envelope.**

Reasons for decision

Fernwood Primary is an outstanding school, very popular and oversubscribed with significant waiting lists across the year groups. As a result, more places are needed to meet the significant increase in the number of local children requiring a school place.

The number of catchment children for Fernwood Primary has increased significantly since September 2014 and to support this, the School has admitted an additional Reception class this year to accommodate the additional catchment children requiring a school place but a longer term solution is needed.

Other options considered

No other options were considered at this stage as they were considered earlier in the process and presented in the Executive Board report approved at the December 2015 meeting.

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Nottingham City Council
Executive Decision Call-In Request Form

This form should be submitted to the Head of Democratic Services, Legal and Democratic Services, Resources by midnight on the fifth working day after the decision publication date. The signed form should be submitted in original hard copy. If the form is being submitted after the office has closed on the fifth working day, it should be signed, scanned and emailed to *all* of the following individuals:

- Head of Democratic Services
debra.lamola@nottinghamcity.gov.uk
- Senior Governance Officers
kim.pocock@nottinghamcity.gov.uk
rav.kalsi@nottinghamcity.gov.uk

The original hard copy of the form must then be provided to the Head of Democratic Services on the following morning.

For further information about the call-in procedure please see the Overview and Scrutiny Guide to Call-In and/ or contact the Senior Governance Officers on 0115 8764313 or 0115 8763759.

Date of decision publication:

Portfolio Holder Decision reference number:

or Executive Board minute number: *9.0 of 22/3/16 Executive Minutes*

or Executive Board Sub Committee minute number:

or Area Committee minute number:

or Officer Decision reference number:

Description of decision: *Proposed expansion of Fernwood Primary School, Wollaton.*

The following signatories request that the above decision be called in.

1. Signature *Georgina Culley* Print name *GEORGINA CULLEY*
2. Signature *J. Armstrong* Print name *JIM ARMSTRONG*
3. Signature Print name

Reason for requesting the decision be called in

The request for call-in must be based on one or more of the following reasons below.
 [Tick the appropriate box or boxes and provide details for the reason, appending additional sheets if necessary]

Reason for requesting call-in: a) The decision is outside the budget/ policy framework	X
---	---

No where in the report to the Executive Board is it made clear that 57% of those consulted in Sept/Oct 2015 were against further expansion. Nor was it made clear at that time this was the start of a further six classrooms on the Ferwoodside.

Reason for requesting call-in: b) Inadequate consultation relating to the decision	X
---	---

The majority of those being consulted are under the impression that consultation on the expansion of the school is ongoing until the end of this year. Previous consultation from Sept to October 2015 indicated 57% were against

Reason for requesting call-in: c) Relevant information not considered	X
--	---

The report to the Executive Board does not address the already difficult situation from the current school attendance level on the surrounding roads of residential area. There is a considerable lack of parking provision for the existing level of activity & attendance at the school.

Reason for requesting call-in: d) Viable alternatives not considered	X
---	---

Neither this report/minute, nor the Delegated Decision, refers to viable alternatives being investigated such as a new school in Wolstanton

Validation Check:
Head of Democratic Services

Date of publication: Date of call-in: In time: YES / NO

Office checks that call-in is valid against requirements as set out in the Constitution:
 YES / NO

Reason:.....

Completed by: (signature)
 (name)

Date: Time:

Validation Check: (if necessary)
Director of Legal and Democratic Services

Valid: YES / ~~NO~~

Reason: *I am satisfied that the request for call-in is valid in respect of reasons (b) to (e). It is not valid in respect of reason (a) as the rationale given does not set out why the decision is outside the budget / policy framework.*

Completed by: *[Signature]* (signature)
MARCOUS R. TOWNROE (name)

Date: *5/4/16* Time: *11 AM*

Referrals:

Date copied to Corporate Director / Portfolio Holder *5/04/2016*

Name of Corporate Director *Alison Michalena*

Name of Portfolio Holder *Councillor Sam Webster*

Date copied to Chair of Overview and Scrutiny Committee: *5/04/2016*

OVERVIEW AND SCRUTINY – CALL-IN PANEL
12 APRIL 2016
CONSIDERATION OF CALL-IN REQUEST REGARDING EXECUTIVE BOARD MINUTE NUMBER 90 – PROPOSED EXPANSION OF FERNWOOD PRIMARY AND NURSERY SCHOOL, WOLLATON
REPORT OF HEAD OF DEMOCRATIC SERVICES

1. Purpose

To consider the call-in request call-in request relating to Executive Board minute number 90 – Proposed expansion of Fernwood Primary and Nursery School, Wollaton.

2. Action required

2.1 The Committee is asked to:

- a) **consider the information provided in relation to Executive Board-report Proposed expansion of Fernwood Primary and Nursery School, Wollaton and minute 90 of Executive Board dated 22 March 2016 and the reasons given for requesting a call-in of that decision and use that information to inform questioning and discussion;**
- b) **focusing on the reasons for the call-in as given in the call-in request form, and based on the evidence from the Portfolio Holder, his supporting colleague(s), and the councillors who requested the call-in, decide to either:**
 - i) **require that the decision is reconsidered, and make recommendation(s) as to what should be taken into consideration;**
 - or**
 - ii) **agree that the decision does not need to be reconsidered and can be implemented.**

3. Background information

3.1 The Executive Board minutes were published on 22 March 2016. Councillor Sam Webster, as the decision-taker, supported by Nick Lee, Head of Access and Learning and Robert Caswell, Programme Manager as relevant colleagues, have been invited to attend the meeting to outline details of, and reasons for the decisions and answer questions from the Panel regarding this.

3.2 The call-in request form was signed by Councillors Jim Armstrong and Georgina Culley. These councillors have been invited to attend the meeting to outline the reasons for requesting the call-in and to answer questions from the Panel regarding this.

- 3.3 Focusing on the valid reasons for the call-in as given in the call-in request form, and based on the evidence from the Portfolio Holder, supporting colleagues, and the councillors who requested the call-in, the Panel needs to decide to either:
- a) require that the decisions are reconsidered, and make recommendation(s) as to what should be taken into consideration; or
 - b) agree that the decision does not need to be reconsidered and can be implemented.

In both cases, the Panel needs to provide reasons for its decision.

- 3.4 If the Panel agrees that the decision should be reconsidered it can:
- a) refer the decisions back to the Portfolio Holder for reconsideration; or
 - b) refer the decisions to full Council if it feels that the decision made is contrary to the Council's policy and/or budgetary framework.
- 3.5 In addition, the Panel can make other relevant recommendations which will be referred to the relevant Portfolio Holder, or the Executive Board for response.

4. List of attached information

4.1 None.

5. Background papers, other than published works or those disclosing exempt or confidential information

None

6. Published documents referred to in compiling this report

- 6.1 Executive Board report – Proposed expansion of Fernwood Primary and Nursery School, Wollaton, 22 March 2016.
- 6.2 Executive Board minutes 22 March 2016.

7. Wards affected

Wollaton West

8. Contact information

Rav Kalsi
Senior Governance Officer
rav.kasli@nottinghamcity.gov.uk
0115 87 63759