



This document outlines the decisions taken by Cabinet on Monday, 25 September 2023.

Decisions listed below that are Key Decisions will come into force and may then be implemented on the expiry of 5 clear working days unless called-in by at least 5 non-executive members in writing and submitted to the Monitoring Officer.

Date of Publication: 26 September 2023

Last Date for Call-In: 3 October 2023

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**Items considered in public**

8	CE S247 School Estate Strategy	<p><b>RESOLVED:</b></p> <p><b>Cabinet proceed to publish statutory proposals to:</b></p> <ul style="list-style-type: none"><li>3.1 close De Beauvoir Primary School from September 2024.</li><li>3.2 close Randal Cremer Primary School from September 2024.</li><li>3.3 close Colvestone Primary School from September 2024, guarantee all children a place at Princess May Primary School if they want it.</li><li>3.4 close Baden Powell Primary School from September 2024, guarantee all children a place at Nightingale Primary School if they want it.</li><li>3.5 increase the published admission number of Nightingale Primary School by adding an additional form of entry to all year groups. This proposal is related to the decision at 3.4.</li></ul>
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		<p>REASON FOR DECISION</p> <p>Following seven years of unprecedented growth, the number of primary aged children joining reception classes in Hackney primary schools peaked in 2014/15 and has been in steady decline since, a trend observed across London and most prevalent in inner-London boroughs. Applying the information available to us, pupil numbers joining reception classes are not forecast to rise significantly in future, for the time we have forecasts for (see Appendix C).</p> <p>School funding is primarily determined by the number of children on roll, and falling rolls equate to reduced funding to deliver education across the borough. While primary schools' rolls are falling but the number of schools remains unchanged, there is effectively less financial resource across all schools. This is because many costs are driven by the number of classes in a school, whereas funding levels are driven by the number of pupils.</p> <p>The Council has a statutory duty to ensure there are a sufficient number of school places for pupils and that places are planned effectively. The Council monitors surplus reception places, a key measure of demand, and aims to maintain a 5-10% surplus across all Hackney primary schools.</p> <p>Despite removing 375 reception places across Hackney schools between 2019 and 2023, the projections still indicate a steady increase in surplus reception places from 19% in 2023/24 up to 23% in 2025/26. This surplus is then projected to slowly decrease and stagnate at 20% until the end of the projection period in 2031/32. Analysis of past, current and projected demand and summary of reception places removed to date is provided in Appendix C.</p> <p>Hackney Education's senior leadership team took the decision to propose closure/merger of six schools in September 2022 following analysis of a range of objective measures evidencing the impact of falling rolls on school's viability. Following early engagement with head teachers and chairs of governors from January 2023 the proposals were publicly launched on 28 March 2023</p>

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		<p>and school community engagement activity was undertaken with staff and parents in April 2023. Community queries and feedback from March to May period can be seen in Appendix D by theme (as it was detailed in May 2023 Cabinet report appendices).</p> <p>On 22 May 2023 Cabinet decided to proceed to consultation on all four proposals (The May cabinet paper is included as Appendix E). The consultation ran for 6 weeks, from 5 June to 16 July 2023, gathering feedback on the proposals from parents and staff of the schools in scope and other stakeholders that may be impacted by the decisions.</p> <p>Analysis of the consultation responses are summarised in this report and it is now recommended that Cabinet agree to proceed to publish statutory proposals 3.1 to 3.5 outlined above.</p> <p>If Cabinet agrees to publication of these proposals, then there would be a period of at least 28 days for people to make representations on the proposals. The Council would collect in all representations received in that time, consider them, and then the final decision about whether to proceed with the proposed closures and mergers is scheduled for the Cabinet meeting in December 2023.</p> <p><b>Previous consultation outcome</b></p> <p>At the end of the previous consultation period, a total of 613 postal and online questionnaires had been received, and a further 9 responses were received by other routes.</p> <p>Response to the proposals was overwhelmingly negative with 89% of respondees disagreeing with the proposals, 3% neither agreeing or disagreeing and 8% agreeing. That prior consultation process, outcomes and response is outlined in detail in section 6 below.</p> <p>Despite this overwhelming opposition, it is nonetheless still recommended to Cabinet to</p>

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		<p>proceed with publishing statutory proposals. This is for the reasons set out below.</p> <ul style="list-style-type: none"> <li>On the best information available to us, there are <b>not enough children</b> in the borough and neighbouring areas seeking places at Hackney primary schools. All the reception places at all 58 primary schools in Hackney were required just 9 years ago to meet our statutory obligations and offer all residents a place. However rapid and sustained decline in the number of children joining our primary schools mean that they are no longer filling up.</li> </ul> <p>Our schools currently have over 600 empty places in Reception classes alone (21% surplus) however the Council aims to have between 5 and 10% surplus. The number of children projected to need places in Reception over the coming years shows that, on the projected figures we have, without reducing the number of schools in the borough, we will continue to have over 550 vacant spaces (20%+ surplus) until at least 2030. (section 4.12 below and Appendix C)</p> <ul style="list-style-type: none"> <li>High vacancy rates mean that <b>schools become financially unviable</b> over time. A school's funding is based on the number of children on roll, so schools with lots of vacancies have a smaller budget than schools that are full, but they carry the same financial, educational and wellbeing responsibilities to their children, families and staff.</li> </ul> <p>As an example, in 2022/23, for every surplus place that a maintained primary school carries, it lost on average £6,484 per surplus place. For a one form entry school carrying 33% surplus places in every year group (10 empty seats in a class of 30), the school would be losing out on a potential £453,880 additional income, with no change to the number of class teachers, who represent the primary expense in school budgets.</p> <p>In this situation schools are forced to use their surplus funds or go into deficit to ensure the quality of education for Hackney children is maintained. Over two thirds of</p>

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		<p>Hackney’s maintained schools, or the federations they form part of, are predicting they will over-spend by the end of the 2023/24 financial year. (section 4.14 to 4.12)</p> <p>To avoid going into deficit, or to bring a school’s deficit back under control, school governors are forced to make difficult decisions about whether to reduce the number of teachers or teaching assistants, support staff, school leaders, put off investment or maintenance in school building and equipment or find other savings, all of which <b>impacts negatively on the quality of education</b> and school experience for Hackney children and staff. (section 4.33 to 4.36)</p> <ul style="list-style-type: none"> <li>• The Council is <b>financially liable</b> for any maintained school deficits, and must decide each year whether to continue to fund a school in deficit. When a maintained school closes the Council is responsible for the debt carried by the school at the point of closure. This also applies when schools faced with financial challenges convert to academies. (section 4.26)</li> </ul> <p>If the Council does not take action to reduce the number of primary schools to align with the current and projected demand we knowingly take on increased financial burden and responsibility at a time when we are required to find £57m in savings over the next 3 years.</p> <p>The longer the Council delays taking action, the greater the financial burden it will inherit.</p> <ul style="list-style-type: none"> <li>• <b>Further measures to address falling rolls are likely to be required</b> in the coming years to bring the primary school estate in line with current and projected demand.</li> </ul> <p>If taken forward, the proposals outlined in this report would begin to address the issue of falling rolls by removing 90 reception places; however, in isolation, this is unlikely to</p>

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		<p>resolve the problem and, based on current projections, further action to bring surplus reception places under 10% is likely.</p> <p>On this basis the Council will continue to work together with our schools to review and adjust future plans in line with the priorities outlined in the Education Sufficiency and Estates Strategy to bring surplus reception places to within a sustainable range (ie. 5-10%).</p> <ul style="list-style-type: none"> <li>It is believed that a <b>merger can deliver significant benefits</b>, if the council decides to proceed, from the proposed arrangements for pupils currently at Baden Powell to join Nightingale Schools, and those at Colvestone to join Princess May Schools, and would create stronger educational establishments in each case.</li> </ul> <p>It is anticipated that the receiving schools in each case would benefit from increased income and financial stability through higher numbers of pupils on roll. Managed effectively the schools could benefit from more robust resourcing and could positively impact academic opportunities, access to specialised teachers and wider range of extracurricular activities and clubs.</p> <p>A larger student body can provide pupils with a more extensive and diverse peer group, promoting social skills and cultural awareness. It is believed the proposed mergers could, with the engagement of parents and school leaders, foster a sense of community among parents and pupils from both schools.</p> <p><b>Falling pupil numbers</b></p> <p>Figure 1 below shows the observed number of children in Hackney primary schools (in blue), down by 1,787 between 2018 and 2023. This reduced borough-wide roll means that in 2022/23, Hackney receives circa £11.5m less Dedicated Schools Grant (DSG) Schools Block</p>

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		<p>funding based on 2022/23 per pupil funding rates, compared with 2018/19.</p> <p>Figure 1 also forecasts the total number of children in Hackney primary schools between 2024 and 2029 (in red) based on GLA's projected number of reception joiners. An additional net loss of 200 children per year is factored into the projection on the basis that at least this number have left Hackney primary schools each year between 2019 and 2023.</p> <p><b>Impact on school income</b></p> <p>Individual primary school balances in Hackney stood at a total of £9.9m in 2020/21. They reduced in 2021/22 to £9.08m and then fell significantly to £5.8m in 2022/23.</p> <p>The decline in school balances is a national issue as schools face increasing cost pressures and reducing numbers on roll. It is becoming extremely difficult for schools to remain financially viable when pupil numbers are falling as most school funding is pupil-based in line with the School's National funding formula. Unused or vacant school places create an immediate cost for schools through reduced budgets, which in turn can affect the overall sustainability and quality of education standards at a school. As pupil numbers decrease, the majority of schools experience a less than full year group and, therefore, an inability to maximise the use of resources. This is because many costs are driven by the number of classes in a school, whereas funding levels are driven by the number of pupils.</p> <p>Under legislation, schools retain a high degree of autonomy when setting budgets unless they are in a deficit position. Schools have been reminded of the need to forecast as accurately as possible so that decisions are taken in the light of accurate budget projections.</p> <p>Schools in deficit are required to complete deficit recovery plans to bring their budget back into balance by elimination of the deficit within three years.</p>

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		<p>Currently, the four schools proposed to close have budgeted for a deficit/surplus position at the close of 2023/24 as follows:</p> <ul style="list-style-type: none"> <li>• Baden Powell                                 -£300k</li> <li>• Colvestone   -£589k</li> <li>• De Beauvoir                                       -£128k</li> <li>• Randal Cremer                                    £189k</li> </ul> <p>Princess May anticipates an in-year surplus of £34k, closing with a balance of £64k. Nightingale forecasts a break-even position at the close of 2023/24 ie maintaining their 2022-23 brought forward surplus of £138k.</p> <p>The current financial status of Hackney’s maintained primary schools is outlined in the table below.</p> <p>More than two thirds of Hackney’s maintained primary schools have budgeted for an in-year over spend at the end of the 2023/24 financial year. This trend is expected to continue as roll numbers continue to fall.</p> <p>From this table it can be seen that one school proposed to close is particularly financially unsustainable: Colvestone, which ended the 2022/23 year with an extremely large deficit balance of £561,646.</p> <p>In order to avoid unnecessary process duplication and to ensure efficient use of resources the council’s finance department has not produced alternative financial modelling for Colvestone following the agreement with the school on the deployment of a SRMA (School Resource Management Adviser) report process. This was carried out by an independent SRMA.</p> <p>Those in favour of keeping Colvestone open suggest the recent reporting supports a view that Colvestone can be financially viable in the future and has the capacity to pay down the deficit.</p>



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		<p>The local authority does not agree with this assessment, with a number of assumptions based on non-sustainable funding informing, and considers the school to be financially unviable The SMRA expresses the view that the schools’ “overall financial position is precarious. The school and SRMA have discussed potential ways the deficit could be reduced and the debt repaid to the Local Authority. School leadership has been and still is, very mindful of how efficiencies may impact pupil outcomes and teaching standards.”</p> <p>The SMRA’s view is that it would be “extremely challenging” for the school to balance their budget and repay the current deficit over three/four years. They point out that “any chance of financial recovery heavily relies on strong incoming pupil numbers and current budgets are reliant on almost full cohorts of Reception children entering the school.”</p> <p>The local authority does not accept the statement made in the report that “the SRMA and school have discussed the pupil number forecasts with the LA, who advised that these numbers <u>are not unrealistic</u>.” The local authority is firmly of the view that the projected number of children joining the school, on which the budget is based, <u>are unrealistic</u>. The budgets are based on 24 children joining reception in September 2023, 27 in 2024 and 30 in 2025. 14 children joined the school in the Reception class in September 2023.</p> <p>The SRMA goes on to say “.. it is evident that demand for Reception places is falling, with London Councils, the collective of London Councils, predicting a 12% decrease in demand for Reception places in Hackney between 22/23 and 26/27. Therefore, the forecasts may be unfeasible. The school can better gauge this once September 2023 numbers are confirmed.”</p> <p>The 3-yr projected budget produced by the Senior Leadership Team (2023/24 - 2025/26) submitted in May 2023 projects a growing deficit as follows:</p> <p>By the schools’ own forecasts, despite an in year surplus in 22/23 of £28,319 (supported by a</p>

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		<p>£50,000 mid year additional cash injection), they are unable to demonstrate capacity to address their outstanding deficit.</p> <p>The Council's schools finance team monitors the finance and budgets of all locally maintained schools, and with schools such as Colvestone, have regular finance monitoring meetings with the school leadership to review progress with the agreed licensed deficit recovery plan.</p> <p>The Council has a responsibility to deliver Best Value, and continuous improvement through the efficient, effective and economic management of our school estate, whilst also ensuring that secure, sustainable and high-quality education is in place for the children and young people of Hackney now and into the future.</p> <p>The Council is financially liable for maintained schools affected by falling rolls and they must act in a timely way to minimise the risk of schools going into or increasing deficits.</p> <p>If a school closes the local authority meets the cost of any deficit balance from the General Fund. In the event of academisation, there are two scenarios: for convertor academies (those that voluntarily convert) the deficit is repaid to the local authority by the DfE and recouped from the academy; for sponsored academies (forced conversion due to the school being assessed as inadequate) the deficit remains with the local authority to be paid from the General Fund.</p> <p><b>Schools with excess physical space and large sites</b></p> <p>Many schools that have had their published admission numbers (PANs) reduced or capped to reflect falling demand (Appendix C, section 4) retain responsibility for the day to day repair, maintenance and securing the unused parts of their buildings and sites.</p> <p>While reducing or capping PANs allows greater certainty when planning staffing budgets, the combination of reduced income and premises costs bring significant additional financial</p>

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		<p>pressure to schools with significant unused physical space.</p> <p>Staffing and delivery of education must be prioritised when budgeting with limited financial resources leading schools in these circumstances to underinvest in maintenance of their buildings. This can lead to significant longer term issues and increased need for capital funding to deal with a lack of maintenance.</p> <p><b>Roll instability</b></p> <p>Figure 1 above demonstrates the growing number of surplus places across all year groups which make it easier for families to move their children from school to school.</p> <p>School admissions regulations protect parental preference and parent’s right to move their child between schools if that is what they wish. This means that schools are obliged to admit children when they have spaces, regardless of whether they are able to meet the joining child’s needs.</p> <p>High levels of pupil mobility bring significant challenges for schools because inducting and supporting new children thoroughly calls on additional resources to support staff and teachers and is unsettling for existing students.</p> <p><b>Quality of education offer</b></p> <p>Schools with reduced budgets have less income for support staff such as teaching assistants and learning mentors, who provide important support for pupils through academic and pastoral interventions. Specialist teachers with expertise in physical education, music, languages or art become too expensive, meaning primary class teachers who may not be skilled or trained in these areas have to teach these subjects themselves. It is also common in small schools to see leaders double up on roles, such as headteachers taking on the SENCO responsibility.</p>

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		<p>As budget pressure becomes greater, and class sizes drop below 50%, schools must also consider the option of “vertically grouped” classes to avoid going into deficit. This involves a sufficiently experienced and able teacher being employed to teach children from across two year groups in the same classroom. Vertical grouping brings increased complexity in day to day management and organisation and increased workload for the teacher. The challenges of recruiting and retaining skilled and experienced teachers in London can make schools under grave financial pressure less attractive.</p> <p>In addition, limited budgets mean that occasional but important work to maintain the quality of experience at school is not taken forward in a timely manner e.g. the computers used by staff and children become increasingly obsolete and need replacement, sometimes across the whole school at once due to their original purchase being made in bulk.</p> <p>Enrichment activities have to be curtailed such as curriculum days which schools might run to enhance an offer (i.e. Roman Days led by external companies). Clubs and wrap around provision can also be affected.</p> <p><b>Impact of new housing and regeneration</b></p> <p>There are proposed areas for regeneration and new housing across the borough and in some of the areas close to the schools covered in this report. However, despite the extensive Council and family housing planned, the expected initial child yield is low and would not impact medium to long term demand. For the projected figures we have there would remain enough school places to accommodate need. Projections obtained annually from the Greater London Authority take into account proposed new developments that have attained planning permission.</p> <p>Since 2011, the Council’s in-house building programme has delivered more than 1,000 new homes, prioritising homes for Council social rent. Between 2018 and 2022, we started,</p>

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		<p>completed or received planning permission for 1,984 homes – more than half being genuinely affordable. Over the next few years, we'll also complete 1,146 homes, including 255 social rent homes and 136 shared ownership homes, on the existing programmes of council homes.</p> <p>This means that between 2022 and 2026, we'll start building, and support partners to build, 1,000 new homes for social rent through a mix of methods. In this context, the Mayor and Cabinet agreed, in December 2022, a direct programme of 400 additional new homes on sites we've identified via our HRA asset base; 75% of which are proposed for Council social rent.</p> <p>The recently undertaken Strategic Housing Market Assessment 2023 indicates that household growth in Hackney between 2022 and 2039 will be predominantly single people (+45.1%) and co-habiting, i.e. shared living, households (+44.2%). In comparison, there is little change in the projection for families with children over the same period. With the exception of Stamford Hill, the majority of Borough-wide housing need is for smaller homes. This is important in considering the likely effect of such housing on pupil numbers.</p> <p>Adopted in July 2020, the Hackney Local Plan 2033 (LP33), requires that all new development in the borough have regard to existing social infrastructure, which includes the provision of education facilities. Within LP33, policy LP8 states that <i>'where proposed development is expected to place pressure on existing social infrastructure by increasing demand, these developments will be expected to contribute towards the provision of additional social infrastructure to meet needs, either through on-site provision or through contributions towards providing additional capacity off-site.'</i></p> <p>The Infrastructure Delivery Plan, which informed the policies within LP33, notes that while the borough's population is expected to increase to 321,000 by 2033 (42,000 higher than in 2018), that the age mix of the borough is anticipated to shift towards the older community with the growth in over 65s being four times greater than the growth in the school age population, ages 0-15. Again, such long term forecasting suggests that changes which forecast increases to the</p>

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		<p>overall general population, need to be balanced against demographic changes over this time.</p> <p>While there are variances across the different housing tenures, across the Council’s programme as a whole, just over 70% of the homes delivered have been 1 and 2 bed homes; with just under 30% comprising a mix of 3 and 4 bed family sized homes. This is broadly consistent with policy LP14 as outlined in LP33, which, depending on the tenure of housing, requires all new developments to comprise a mix of family sized homes, ranging from 15 to 36%. <b>Despite Hackney building new homes the numbers will be insufficient to have any significant impact on the proposals in this report for schools in scope for closure and/or merger.</b></p> <p><b>Some points put forward against the proposal</b></p> <p>Numerous points have been made against the proposals. The following summarises some of the principal points that have been made. It is not intended to be comprehensive. A fuller summary of the points made against the proposal is set out in Appendix S, which contains the summary of consultation responses.</p> <p>It is said that local school communities are opposed to these changes.</p> <p>The Council’s forecast pupil numbers has been challenged. It is said that Colvestone has a stabilising roll. The Save Colvestone group submitted detailed information on projected in-year surpluses for future years. They also note the Colvestone 21st Century Street initiative, a short term / 1-2 year initiative to make Colvestone a permanent playstreet. It is said this may increase the number of families drawn to the area.</p> <p>It has been said by some that Colvestone is financially stable, and that the previous consultation material did not provide financial information verified by a SMRA report showing Colvestone school to be financially viable. (This point is addressed at 4.22) It is also said that</p>

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		<p>future housing development will increase numbers. Conversely, it is said that it is important to consider the potentially negative impact which these proposed school closures are likely to have on future housing provision and regeneration, such as in Dalston.</p> <p>It is said that the Council’s estimation of children who may move to Princess May School fails to take account of Colvestone’s survey of parents, which indicate that many would not send their children to Princess May School. A separate concern has been raised that if fewer than the 120 projected children moved from Colvestone to Princess May, then Princess May may also be at risk of closure in the future; and may be so at risk even if 120 children transfer, as there would still be an approximately 23% vacancy at Princess May.</p> <p>It is said by those opposed to the closure of Colvestone School that the air quality is significantly worse at Princess May School. Hackney’s Air Quality Action Plan 2021-2025 identifies school communities as one of the most susceptible groups for air pollution. The Council considers that, although there are slightly higher levels of air pollution at Princess May, both are within acceptable air quality limits.</p> <p>Those in favour of keeping Colvestone open draw attention to the proportion of children on the SEND register at that school, which is higher than other schools. A concern was raised that the Council has not addressed Colvestone’s record on SEND; and that that the School has implemented a SEND strategy with excellent feedback. It is also said that consideration should be given to the potential savings of Colvestone’s integrated SEND provision, and its current surplus capacity, which it is said has the potential to save the Council money that it would otherwise have to spend in sending children with SEND to independent schools.</p> <p>Those in favour of keeping Colvestone open also note its important history, as the last surviving Birkbeck School, which they say makes it a socially and historically important part of London and Hackney’s past; as well as the Ridley Road market, which is a historic London market.</p>

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		<p>It was proposed that Colvestone has the ability to provide high quality education as a 1 form entry school on an “appropriately sized” site with all aspects of the site utilised and in a manageable condition; and that the school keeper’s house could be used as an ARP.</p> <p>Those in favour of keeping Colvestone open draw attention to the absence of risk assessment or costs of the size of schools, or comparisons of schools.</p> <p>Questions were raised about Hackney Education’s processes to ensure a school does not have a deficit and comments that issues were not raised in a remote audit. Respondents believe that Colvestone budgets are achievable and state that systems are in place to resolve historic debts; surplus has been achieved despite historic debts and again the respondents raise questions about the Hackney Education audit.</p> <p>Those in favour of keeping Colvestone open claim that the school acts as a ‘social binder’ and closing it would damage the community, exacerbate exactly the kind of social atomisation and flight of families from the borough that the closure is meant to address. They claim closing the school threatens the mental wellbeing of children in particular, driving phenomena such as emotionally based school avoidance.</p> <p>Respondents question why what is described as ‘absolute faith’ is being placed in GLA projections population figures when in 2017 the projections were wrong, and led to ‘disastrous greenlighting of free schools’ in the borough that ‘largely produced the current problem’. They question why viable schools are not being supported through this period, particularly in Colvestone’s case, given the scale of housebuilding projected in central Dalston.</p> <p>Those in favour of keeping Colvestone open claim the consultation process has key flaws including it being said that-</p> <ul style="list-style-type: none"> <li>• The consultation failed to follow the statutory guidance and estate strategy</li> </ul>



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		<ul style="list-style-type: none"> <li>• A briefing report prepared for Cabinet was ill informed and lacking detail</li> <li>• Respondents claimed that they had been told the consultation was intended to help the Council determine whether to close the schools, but it was said that its design made it ineffective for that purpose</li> <li>• Respondents claimed that the consultation was inaccessible to some of the groups that should have been included</li> <li>• Respondents claimed that the consultation process itself damaged the financial viability of the schools in scope</li> </ul> <p>Those in favour of keeping Colvestone open claim estimates of the costs associated with closing schools are inaccurate and fails to account for retention bonuses, the possibility of increased out-of-borough SEN provision, that estimates of redundancy costs are questionable and do not account for loss of revenue to the borough if families leave or go to free schools, academies or private schools.</p> <p>It was claimed that the approach adopted to closure/merger is unusually aggressive, untested and the consequence unknown. They claim the council doesn't know how best to support staff, families and students and minimise damage to educational outcomes and that it can't predict what all the costs will be or how to design the process to minimise them.</p> <p>It was claimed that Keeping Colvestone open is a win for the Council, showing the Council does genuinely listen to residents, is carefully considering which schools to close and was telling the truth when it said a decision had not been made.</p> <p>It was claimed that Colvestone has a bright future in Hackney, that it has been an important part of this community for 161 years and with the Council's support it can continue to thrive as a key pillar of the community. They cite benefits of the school remaining open are:</p> <ul style="list-style-type: none"> <li>• Ensures the provision of an academically strong, non-denominational, one-form entry community school for families.</li> </ul>

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		<ul style="list-style-type: none"> <li>• Enables Hackney to recover Colvestone’s budget deficit by allowing the school to pay it down over time.</li> <li>• Supports the future development of Hackney, attracting families to the new housing in the Dalston Plan and anchoring the borough’s first 21st Century Street on Colvestone Crescent.</li> <li>• Preserves provision that reflects desires of Hackney residents, 84% of whom want non-faith education.</li> <li>• Provides strong SEND provision that can be expanded to meet the urgent need in the borough.</li> <li>• Saves the taxpayer the enormous cost of closing the school and of paying off the deficit.</li> <li>• Sends the message that the Council listens and does genuinely take the feedback of residents into consideration. It increases faith in the authenticity of the Council’s consultation processes</li> </ul> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND NOT FAVOURED</p> <p><b>Option 1 - No action</b></p> <p>The Council has a responsibility to manage school places effectively, ensure that schools provide high quality education for children, and deliver Best Value, and continuous improvement through the efficient, effective and economic management of our school estate.</p> <p>The Council is ambitious for Hackney children, our schools achieve excellent results and we want to ensure they remain among the very best in the country.</p> <p>If no action is taken it is inevitable that quality of education and outcomes for Hackney children are at risk and the Council will be liable for the costs of schools worst affected by falling rolls as they move into debt or increase their deficit and eventually close for financial reasons.</p>

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		<p>As outlined in section 4, the operational and financial challenges affecting schools with falling rolls will continue to increase with a negative impact on pupils and the Council’s financial position. Taking no action to the issues affecting schools with falling rolls is not an acceptable option available to the Council.</p> <p><b>Option 2 - Phase implementation of the current proposals over 2 or more years</b></p> <p>This option was rejected as there is an urgent need to take action and any delay is very likely to result in increased financial liability for the council as schools at risk move toward or increase their deficit position.</p> <p>Additionally, further measures to address falling rolls are likely to be required in the coming years to bring the primary school estate in line with current and projected demand. If taken forward, the proposals outlined in this report would begin to address the issue of falling rolls by removing 90 reception places; however, in isolation, this is unlikely to resolve the problem and, based on current projections, further action to bring surplus reception places under 10% is likely.</p> <p><b>Option 3: Close/merge more schools than those currently proposed.</b></p> <p>Further measures to address falling rolls, over and above those proposed in this paper, are likely to be required in the coming years to bring the primary school estate in line with current and projected demand.</p> <p>Action to address falling rolls that involve more schools than the six that would potentially be affected by the current proposals was considered. This option might be considered by some to be favourable because it could provide greater reassurance that children, forced to move school as a result of their school closing, would be less likely to have to move primary school again if further action is required in the future.</p>

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		<p>This option was not preferred due to limited resourcing and capacity to effectively manage and mitigate impact of a greater number of closures/mergers.</p> <p><b>Option 4: Alternative options for De Beauvoir primary</b></p> <p>Alternative pairings for the proposals were considered and detailed in the May Cabinet report, additional suggestions have been put forward in the consultation summarised below:</p> <p>Merging De Beauvoir and Randal Cremer on either site was suggested however it was not considered a feasible option for all families as the schools are 1.1 miles apart, walking distance which is a 25 minute walk, and the distance would be a barrier for those living for example, north of De Beauvoir or south of Randal Cremer.</p> <p>Merging De Beauvoir and Princess May on either site was suggested however it was not considered a viable option as it was considered unlikely to lead to sufficiently stabilising numbers of pupils at either school. Although a merger with Princess May was not proposed, at 16 minute walk (0.7 miles away) it is likely the school will have capacity to accommodate any families from De Beauvoir if that is what they want. Colvestone was considered a better school to merge being 0.4 miles and 8 minute walk away from Princess May.</p> <p><b>Option 5: Alternative options for Colvestone primary</b></p> <p>Merging Colvestone and Princess May on the Colvestone site was suggested however this option was considered unfeasible as the Colvestone site is unable to accommodate all the children from Princess May. The decision to propose a merger onto the Princess May site is expected to positively impact that schools' falling roll and unused capacity.</p> <p>Merging Colvestone with other schools in the Blossom Federation was suggested however</p>

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		<p>these options were considered unsuitable due to the distance between Colvestone and other schools in the federation.</p> <p>Merging De Beaviour and Colvestone on the Colvestone site was suggested however, based on pupil numbers at the time, Colvestone appears to not be able to accommodate all the children from De Beauvoir. The subsequent drop in pupil numbers at both schools makes this option feasible in terms of pupil numbers, however this is not favoured due to Colvestone’s financial position.</p> <p>It has also been proposed by those in support of Colvestone remaining open, that it could be a school for pupils with SEND. However in the short term this option is unfeasible because the school would need to be closed while building modifications and arrangements were made requiring all children to move to other schools. However all options regarding future use will be considered for medium to long term should be school close as a result of these proposals.</p> <p><b>Option 6: Alternative options for Randal Cremer Primary</b></p> <p>Options for merging the school were considered but there was no single school located near enough with the sufficient places to accommodate all of the pupils. However, there are sufficient schools nearby with surplus places that could accommodate the pupils from Randal Cremer. Hoxton Garden, Sebright, St Monica’s and St John the Baptist are likely alternative schools and all rated Good or Outstanding by Ofsted.</p> <p><b>Option 7: Alternative options considered for Baden Powell Primary School</b></p> <p>Options to merge Nightingale and other schools with surplus places rather than Baden Powell, were considered. This option was not progressed primarily because Nightingale did not have capacity to guarantee all children at neighbouring schools with surplus capacity a place, based on pupil roll data at the time, and because the distance between these other schools was less</p>

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		optimal than between Baden Powell and Nightingale.
9	FCR S202 Capital Update and Property Disposals And Acquisitions Report	<p><b>RESOLVED:</b></p> <p><b>1. That the scheme for Finance and Corporate Resources Directorate as set out in section 11 be given approval as follows:</b></p> <p><b>Network Equipment Upgrades and Maintenance:</b> Spend approval of £500k (<del>£300k in 2023/24 and £200k in 2024/25</del>) is requested to enable the Council ICT department to deliver further upgrades to network connectivity (including Council offices, Temporary Accommodation hostels and Community Halls).</p> <p><b>Targeted Services Systems Development:</b> Spend approval of £750k (<del>£300k in 2023/24 and £450k in 2024/25</del>) is requested to enable the Council ICT Department to build on existing ICT investments, as well as designing and building new digital products and assets.</p> <p><b>Liveable Hackney:</b> Spend approval of £1,006k (<del>£906k in 2023/24 and £99.7k in 2024/25</del>) is requested to enable the Council’s ICT Department to deliver further system and data upgrades to support modernisation across Planning and Building Control; Licensing; Land charges; Environmental Operations; Community Enforcement and Business Regulation; and Public Realm, Highways and Streetscene.</p> <p><b>2. That the scheme for Climate, Homes &amp; Economy Directorate as set out in section 11 be given approval as follows:</b></p> <p><b>Leisure, Parks and Green Spaces:</b> Resource and spend approval of £2,075k is requested for additional funding for three projects: <b>Abney Park Restoration (£875k in 2023/24), London Fields Lido Teaching Pool (£700k in 2024/25) and West Reservoir Improvements (£500k in 2024/25).</b></p>

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- 3. That the s106 Capital scheme summarised below and set out in section 11 be approved:**

S106	2023/24 £'000	2024/25 £'000	Total
Capital	614	562	1,176
<b>Total Capital S106 for Approval</b>	<b>614</b>	<b>562</b>	<b>1,176</b>

- 4. That the s106 Revenue scheme summarised below and set out in section 11 be approved:**

S106	2023/24 £'000	2024/25 £'000	Total
Revenue	67	10	77
<b>Total Revenue S106 for Approval</b>	<b>67</b>	<b>10</b>	<b>77</b>

- 5. That the s106 Capital scheme summarised below and set out in section 11 be noted:**

S106	2023/24 £'000
Capital	38
<b>Total Capital S106 for Noting</b>	<b>38</b>

- 6. That the schemes outlined in section 12 and 13 be noted.**

- 7. That the expenditure plans and associated resources to be carried from 2022/23 to 2023/24 as set out in Appendix 1 and summarised below be approved:**

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Current Directorate	Carry Forward Budget to 23/24
	<b>£'000</b>
Non Housing	21,925
Housing	15,426
<b>Total</b>	<b>37,351</b>

**8. That the re-profiling of the budgets as set out in Appendix 1 and summarised below be approved:**

Current Directorate	Re-Profiling 23/24	Re-Profiling 24/25	Re-Profiling 25/26
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Non Housing	(49,176)	20,787	28,389
Housing	(65,844)	65,844	0
<b>Total</b>	<b>(115,020)</b>	<b>86,631</b>	<b>28,389</b>

**9. That the capital adjustments of the budgets as set out in Appendix 1 and summarised below be approved:**

Current Directorate	Capital Adjustments
	<b>£'000</b>
Non Housing	(127)
Housing	(150)
<b>Total</b>	<b>(277)</b>

**REASONS FOR DECISION**

The decisions required are necessary in order that the schemes within the Council's approved Capital programme can be delivered and to approve the property proposals as set out in this



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		<p>report.</p> <p>In most cases, resources have already been allocated to the schemes as part of the budget setting exercise but spending approval is required in order for the scheme to proceed. Where, however, resources have not previously been allocated, resource approval is requested in this report.</p> <p>To facilitate financial management and control of the Council's finances.</p> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p> <p>None.</p>
10	FCR S203 2023/24 Overall Financial Position Report - July 2023	<p><b>RESOLVED:</b></p> <p><b>Recommendations</b></p> <ol style="list-style-type: none"> <li><b>1. To agree a refund of £2.56m to a ratepayer and its rating agent as described in 2.13 above</b></li> <li><b>2. To note the overall financial position of the Council as at July 2023 as set out in this report.</b></li> </ol> <p>REASONS FOR DECISION</p> <p>To facilitate financial management and control of the Council's finances.</p> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p> <p>This budget monitoring report is primarily an update on the Council's financial position and</p>

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		there is also a recommendation to approve a refund for a duplicate business rates payment and a small overpayment
<b>11</b>	AHI S232 City & Hackney Safeguarding Adults Board Annual Report 2022 -23	<p><b>RESOLVED:</b></p> <p><b>Cabinet is recommended to note the Annual Report.</b></p>
<b>12</b>	CHE S228 Confirmation of Article 4 Direction to remove permitted development rights for change of use from Use Class E to residential in Hackney’s Designated Industrial Areas	<p><b>RESOLVED:</b></p> <p><b>Cabinet is recommended to:</b></p> <p><b>Approve the confirmation of an Article 4 Direction (A4D) (Appendix 1) to withdraw the permitted development (“PD”) rights granted by Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the GDPO”) for changes of use from Class E to a dwellinghouse (Class C3) in Hackney’s Designated Industrial Areas (as shown in Appendix 2).</b></p> <p>REASONS FOR DECISION</p> <p>The Council considers that the permitted development right allowing change of use from Use Class E (commercial, business and services) to C3 (dwellinghouse) may constitute a threat to the amenities, economy and jobs of the Borough and would be prejudicial to the proper planning of the Borough, in particular the Council’s ability to prevent the loss of uses which contribute to the wider strategic aims for the area.</p> <p>The Article 4 Direction is considered necessary because the Council’s designated industrial areas planning policies are based on robust evidence which establish a need to protect industrial and employment uses in the Priority Industrial Areas and Locally Significant Industrial</p>

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		<p>Sites. The Article 4 Direction enables full consideration of proposals at the planning application stage. The permitted development rights would undermine the operation of these policies and may impact negatively on the provision of industrial spaces, employment spaces and jobs in the Borough.</p> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p> <p>Details of Alternative Options Considered and Rejected</p> <p>The alternative option is not to confirm the Article 4 Direction. This has been rejected because the Council would be unable to protect commercial, business and service floorspace in accordance with adopted planning policies and this would negatively impact on the provision of jobs, and in the longer term possibly change the character, function and commercial viability of the designated industrial areas.</p>
13	CHE S239 Business Support Programme Grant Funding Agreement	<p><b>RESOLVED:</b></p> <p><b>That Cabinet gives approval for the Council to enter into a Grant Funding Agreement with Allia Impact for the delivery of the Hackney Business Support Programme under which the Council would provide to Allia Impact the maximum sum of £627,971 over a period of 18 months.</b></p> <p>REASONS FOR DECISION</p> <p>Hackney Council is in receipt of GLA grant funding and has to deliver on its funding agreement obligations, these include a range of business support commitments. A key decision via Cabinet is required to award funding on a grant basis when the funding agreement has a value which is significant, or has a significant impact on two or more wards.</p>

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		<p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p> <p><b>Do Nothing</b></p> <p>The Council could opt not to deliver any business support. However, this would constitute a breach of the funding agreement resulting in the return of essential funds to the GLA that can be used to benefit local businesses.</p> <p>Opting not to establish a programme mechanism to deliver business support would also be a considerable missed opportunity to support local businesses and deliver the Council’s inclusive economy commitments at a time when businesses are in great need of support.</p> <p><b>Alternative procurement approach: Procurement of business support provider via a services contract</b></p> <p>The Business Support Programme could have been secured through a contract for services achieved through a standard procurement exercise. A traditional procurement approach would have drawn on the same potential providers and may have resulted in the same preferred provider. However, a services contract drives contractual and output focussed behaviour within a supply chain that most often undermines collaborative and outcomes focussed approaches.</p> <p>Additionally, a procurement exercise requires the purchaser to be more prescriptive and stipulate how services are to be delivered. By comparison, a grant award focuses on outcomes and impact, while allowing the supplier flexibility in the delivery approach that enables positive iteration and refinement of delivery in response to input from partners and feedback from beneficiaries. A Grant Funding Agreement allows greater flexibility, innovation and a more responsive approach to achieving the intended outcomes.</p> <p>The chosen approach draws on experience gained through the Council’s successful business</p>

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		support programme that utilised Central Government grant funding to help businesses recover from pandemic related lockdowns.
14	FCR S261 St Mary's School, Transfer of three titles to The London Diocesan Board for Schools (LDBS)	<p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li><b>1. To authorise the transfer of freehold titles LN169992, LN173983, LN173984 at the School as set out in paragraph 4 below.</b></li> <li><b>2. 3To authorise the Group Director of Finance and the Director of Strategic Property Services to determine the most cost effective options in terms of transferring the land in ways that represent best value on the part of the Council.</b></li> <li><b>3. To authorise the Acting Director of Legal, Democratic &amp; Electoral Services to negotiate, sign, settle and complete the contracts envisaged to complete the transactions set out in this report, and all other relevant and ancillary legal documents arising thereto on behalf of the Council.</b></li> </ol> <p>REASONS FOR DECISION</p> <p>Under the Act the Council is required to transfer land (other than playing fields) which is held or used by the Local Authority for the purposes of the school to LDBS . The land is to be transferred for nil or nominal consideration and to be held by the LDBS for the purposes of the school.</p> <p>The Council in accordance with the Act will be responsible for the for the legal costs of The London Diocesan Board for Schools in respect of each transfer.</p> <p>DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</p>

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		<p>LDBS are entitled under the Act to the transfer to them of land forming part of a school site and the Diocesan Board has requested the Council to carry out these transfers.</p>