

## **This is an open report**

**Report to:** Cabinet

**Date of Meeting(s):** Thursday, 3 August 2023

**Subject:** Rebuild and relocation of Rowan Tree Primary Special School

**Report of:** Cath Peeling, Assistant Director - Education

**Contact Officer:** David Clegg (01942 486026), Darren Thomas-Stanley (07887630993), Charmaine Tarring (07500064704)

**Cabinet Portfolio Holder and area:** Councillor Jenny Bullen, Portfolio Holder for Children and Families

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### **Summary:**

This report is to seek permission to follow the statutory process to relocate and rebuild Rowan Tree Primary School, as part of the Department for Education's (DfE) schools rebuilding programme and agree the release of the necessary land and capital funding to complete the project.

### **Link to Corporate Priorities:**

Our People: Together we feel happy, safe, included and look out for each other:

- Best start in life for children and young people
- Happy healthy people
- Communities that care for each other

Our Future: Together we will build a future where everyone has the opportunity to thrive:

- Economic growth that benefits everyone
- A well-connected place
- Confidently digital
- A home for all

### **Wards Affected:**

Whilst the sites involved are in Atherton North and Leigh West, the children attending the school come from across the borough.

### **Recommendation(s):**

The Cabinet is recommended to approve:–

- (1) that officers progress with the statutory process at Stage 1 and publish a statutory proposal for consultation;

- (2) that agreement is given to utilise the vacant site of the former Our Lady of the Rosary RC School off Heath Lane, Leigh to rebuild the school; and
- (3) that agreement is given to utilise up to £4,000,000 of capital funding to fund the local authority's contribution to the project, including budget release.

### **Implications:**

#### **What are the financial implications?**

Up to £4,000,000 subject to the cost of the final proposal. Funding will be basic need from the primary places line on the capital programme and High Needs Capital Programme Allocation funding from existing resources.

#### **Is budget release necessary (Capital Expenditure Only)?**

Yes.

#### **What are the legal implications?**

If we do nothing, it is likely that we will be unable to meet our statutory duty to provide suitable and safe educational places for children with special educational needs and disabilities.

#### **What are the staffing implications?**

There are no known implications for staff at this stage.

#### **Equality and Diversity Impact Assessment attached or not required because (please give reason). If not required, then a relevance check needs to be completed.**

Not required. All views will be captured via the wide-and-far-reaching formal consultation carried out at Stage 2 of the statutory process as outlined in this report. Relevance Check is attached.

#### **What are the property implications in terms of reduction, addition or change to the council's asset base or its occupation?**

The new building will represent an addition to the council's asset base. The school's current site at Green Hall Close, Atherton will be retained.

Permission is sought to utilise the vacant site of the former Our Lady of the Rosary RC School off Heath Lane, Leigh to rebuild the school.

#### **What are the Corporate Parenting Implications?**

There are currently two children who are looked after by Wigan Council attending Rowan Tree Primary School. 21% of Children Looked After by Wigan Local Authority have an Education Health and Care Plan with a number of these children requiring specialist provision, increased capacity at Rowan Tree will help support this cohort were their needs are assessed to require specialist provision in the borough.

#### **Risks:**

The school's main building is a timber framed building that has significantly exceeded its design life. The timber frame is starting to rot at the base and a number

of timber columns are rotten. Monitoring is on-going and some temporary repairs have been carried out to ensure the existing building remains safe to occupy.

The risks for not agreeing the work are that our children continue to be educated in buildings that are no longer fit for purpose and may eventually present a health and safety risk. If we do not enlarge the school we risk sending more children out of the borough where costs will escalate, putting an already overspent budget (High Needs Block) under further pressure. This will also affect the reputation of the council if we continue not to provide for our children within our borough.

**Sustainability/Environmental implications:**

The DfE's proposal is to replace the school in full in a new purpose designed, compliant building that is zero carbon in operation.

The benefits to the council will include finance in relation to cost avoidance, reputation because it would mean a significant investment into the teaching and learning of some of our most vulnerable children, demonstrating the value the council places on these children and young people and socially as it will allow children to be educated closer to their communities.

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Has the Interim Monitoring Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the Director - Resources and Legal (Deputy Chief Executive)(Paul McKeivitt) confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

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**What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):**

The alternative is to do nothing and to continue to meet the maintenance costs of our current special school provision as well as the increasing expense of placing children out of our borough in specialist provision, we are unable to provide.

**Is this a Key Decision and, if so, under which definition?**

Yes. Under definition 1 and 2.

1. to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or

2. to be significant in terms of its effects on communities living or working in an area comprising two or more Wards or electoral divisions in the area of the local authority.

The Key decision made as a result of this report will be published within **two working days** and cannot be actioned until **five working days** have elapsed, i.e. before 15 August 2023, unless exempt from call-in.

This item is included on the Forward Plan.

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**There are no background papers for this report.**

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<b>Directorate Sign-off:</b>	Colette Dutton
<b>Date:</b>	25 July 2023

## 1. Background

- 1.1 Cabinet considered reports on the development of specialist provision across the borough for children and young people with special educational needs and disabilities (SEND). The development aimed to improve the offer to children and young people by increasing capacity, developing new provision within mainstream services and significantly improving the condition of our special school buildings. Cabinet agreed to go out to pre-publication consultation on a range of proposals to improve the condition of Wigan's special schools and resourced provision.

Copies of the reports are available by following the links below -

[Agenda for Cabinet on Thursday, 22nd November, 2018, 3.00 pm \(wigan.gov.uk\)](#)

[Agenda for Cabinet on Thursday, 4th July, 2019, 3.00 pm \(wigan.gov.uk\)](#)

- 1.2 Following Cabinet approval, consultation took place in January 2019. A phased approach was proposed to address SEND provision within the borough. Rowan Tree Primary School was identified as being in need of rebuild and that rebuild was proposed to be achieved on a new site identified in Leigh.
- 1.3 Rowan Tree Primary School is a SEND school. The school's main building is a timber framed building that has significantly exceeded its design life. The timber frame is starting to rot at the base and a number of timber columns are rotten. Monitoring is on-going and some temporary repairs have been carried out to ensure the existing building remains safe to occupy.
- 1.4 Following a successful bid, the DfE have agreed to deliver this project through their Schools Rebuilding Programme.

## 2. Proposals

- 2.1 Rowan Tree's existing site is small with access off a narrow residential street. It is also located on the edge of the borough. The proposal is to relocate the school to a bigger, more central site that is easier for Wigan children to access. The preferred site for this relocation is the vacant site of the former Our Lady of the Rosary RC School off Heath Lane, Leigh.
- 2.2 Construction is always disruptive, especially for young people in a SEND school. Building a new school on a new vacant site minimises disruption to Rowan Tree Primary School. Construction will be safer, more efficient, and more economical. The alternative site is larger than the current site and because it is vacant, the new building will not be compromised by having to work around an existing building on a live site. It can instead be designed to be the best possible solution.
- 2.3 As part of the proposal the local authority intend to expand the intake at Rowan Tree Primary School from 117 to 154 to address the growing demand for SEND places.

### 3. Conclusions

- 3.1 The proposed site in Leigh is more than 2 miles from the current site in Atherton and the number of places is being increased by more than 20. In these circumstances the statutory guidance for making prescribed alterations to schools, 'Making significant changes ('prescribed alterations') to maintained schools' states that the 5-stage process must be followed. The stages are –

Stage 1 – Publication (statutory proposal/notice)

Stage 2 – Representation (formal consultation)

Stage 3 – Decision

Stage 4 – Referral (if applicable)

Stage 5 – Implementation

- 3.2 In respect of the process to be followed, the guidance stipulates that although there is no longer a statutory pre-publication consultation period for prescribed alteration changes, there is a strong expectation that governing bodies and local authorities will consult interested parties in developing their proposal.

As referenced in section 1 of this report, Cabinet has already considered the responses to the consultation that took place in January 2019 which included the proposed rebuild and relocation of Rowan Tree Primary School as part of the phased strategy to address SEND provision in the borough.

To avoid delays in the DfE's delivery of the project and given that consultation took place with stakeholders in January 2019, we ask Cabinet's approval to move forward with the statutory process at Stage 1 and that we do not carry out a pre-publication consultation.

Stakeholders will have the opportunity to make comment during the 4-week representation period at Stage 2.

- 3.3 In order to progress to feasibility in September 2023, the DfE require the statutory consultation and timeline to be in place, agreement that the proposed site in Leigh can be utilised and authorise the release of capital funds for the local authority's contribution to the project.

**Relevance Check**

**Budget Reduction/Service Area:** Education  
**Service Lead:** Cath Pealing  
**Date:** 25<sup>th</sup> July 2023

**In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?**

There is no budget reduction as a result of this decision at this part of the process.

**If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service you provide?**

n/a

Is a Customer Impact Assessment needed? No