

Mr Kevin McDaniel
Head of Schools & Education Services
Royal Borough of Windsor & Maidenhead
Town Hall
St. Ives Road
Maidenhead
Berkshire, SL6 1RF

17th March 2017

Dear Kevin,

I write in response to your report titled 'Additional Capital for Lowbrook Academy' which was received out of hours on 16th March 2017. It is recognised this report is to be circulated to Cabinet members on Monday so please add this response as an Appendix to this report and take into consideration that our response time has been short due to the limited time we have had to respond to the nature and new content outlined in this report.

Firstly, I would like to point out several factual inaccuracies:

Report Summary

- Lowbrook Academy has had ambitions to become a two-form entry school since 2008 and has submitted many proposals since that time ranging from a three-form entry school in Cox Green inclusive of Wessex Primary; co-location of school buildings with Manor Green; re-location and re-build of the school on several different sites including this one. All of these proposals can be evidenced if required and as you are aware from our most recent approaches, the Local Authority has not had a policy of expanding this popular and successful school (please see attached timeline). During this period, Lowbrook Academy took bulge classes at the request of the Local Authority and at our own discretion, however was unable to do so in September 2016 due to financial and land capacity constraints.
- The Local Authority approached us via yourself, at short notice, last May asking us to accommodate an additional 30 children for September 2016. The Governors subsequently wrote to you on 23rd May 2016 outlining a brief scheme consisting of Phases 1 and 2. Negotiations with this were difficult as we were in no position to have a detailed scheme or QS at this stage. We made it perfectly clear at this point that the Local Authority's proposed budget would not meet the needs of this expansion project in its entirety. However we proceeded with Phase 1 and committed to Phase 2 to alleviate the shortfall in numbers with immediate effect and to work with you on developing a realistic brief and QS report as the school's highest priority.

Section 2.1

- Year 3 has 60 children not 30 as stated.



Section 2.4

- “We would only agree to take...” misses out the point that this is because there is no space available and the current situation is a temporary interim solution which we arrived at to accommodate the Local Authority’s request for the 2016 intake.

Section 2.6

- The Academy disagrees with your calculations of £13,755 due to this being well below the local benchmark. We presented the six latest projects at this point to demonstrate this was well below what was required for this project. In addition to this, the nature of building on a land locked site that required access through a fully functioning school during this build process, coupled with a short timeframe, also needed to be considered in calculating possible costs. In short, the methodology and figures represented in section 2.6 were disputed at the outset.

Section 2.10

- “Becomes the school library...” implies we are gaining yet another space. More accurately, we would be returning the space to its original use as a library/ICT space.

Section 2.11

- The steering group consisted of you, myself, a school Governor and our architects and we did explore many options and the rationale for not extending our existing hall (which is our dining area) was clear and agreed by all. It was also agreed by all that it was possible to design a hall on the new land acquired at the rear of our school. Again, it was decided by all that this would be the school’s sports facilities and that the existing hall which you refer to as ‘large’ would remain as our dining area. The requirement from the outset, again agreed by yourself was to design a hall with lean principles where the whole school could meet for assemblies and collective worship, as well as for holding sporting festivals and be used daily for sport and PE (please refer to minutes of meeting held on 30th September, attached).

Section 2.13

- Although this section claims guidance shows that a hall of 167m² is adequate for the needs of a two-form entry school, it would not allow us to meet the requirements as mentioned above. In addition to this, it was agreed again by all that a sports hall with 2 badminton courts would meet these requirements and this was designed with lean principles. There are no changing rooms and the storage area is well below the Sports England guidance of 12.5%. This went through several remodelling phases which again was agreed by the steering group including yourself and on your instruction progressed to pre-application stage (please refer to minutes of meeting held on 30th September, attached).

Section 2.15

- You claim that Lowbrook Academy is the second most popular school in the borough; this may well be a matter of opinion and not fact. The facts I have to hand are that Lowbrook is the highest performing primary school in the local authority; the highest performing academy in England and the second highest performing school overall; and the highest performing school in England for intakes of 30+. In addition to this, at this stage I believe we have 219 applicants for 30 places in September 2017.

Section 2.16

- The Academy never agreed an original space of 167m² but used this figure at the outset to assist us with the financial planning process. At no stage did the Local Authority question the final solution and scheme that is currently in place. You were fully supportive of this design and had a full understanding of the financial shortfall (please refer to minutes of meeting held on 30th September, attached).

Section 2.18

- A hall of 80m² as mentioned in this section may well relate to guidance but this space could not be feasibly used for a sporting facility nor would it meet any requirements for accommodating 420 pupils plus staff. The size of this space would commonly be used for a dining area and as previously mentioned, our dining area is pre-determined by our existing kitchen which has been extensively remodelled in 2011 and 2016. It would be uneconomical and nonsensical to re-build an 80m² large space with a new kitchen. The design process was modelled around BB103 as outlined later in this response.

Section 2.27

- It is important to note that as an additional bullet point that 219 children made a preference to come to Lowbrook Academy in September 2017.

Section 5.1

- Lowbrook Academy *has* applied to the Secretary of State to make a significant change.

Lowbrook Academy's response to the report 'Additional capital for Lowbrook Academy'

As already established at short notice last May, the Governors agreed to put together a scheme that would allow us to admit an additional 30 pupils with immediate effect and proceed to Phase 2. This phase was, in effect, to design and build a four-classroom block with a multi-purpose hall and meeting area for all pupils. This agreement was entered into in goodwill, and both parties agreed to develop a scheme in brief that would meet the needs of the school and to be designed within the parameters as closely as possible to the Local Authority's capital commitment. It was made clear from the outset by all parties that it was likely that this amount would not meet the requirements and this was soon borne out by subsequent QS estimates.

The design and outline went through many stages with the architect where Kevin McDaniel represented the Local Authority and every stage. At no point were there any objections to the size and design purpose of this hall.

This morning, the architects have responded to our queries regarding hall size with:

"Meeting 4 item 3.1 (bullet 2) discusses the hall capacity for the delivery of teaching and the argument against a smaller hall. Meeting 5 item 4.3 item discusses the robust case for a larger hall against pupil numbers and the requirement of BB103. Kevin was present at the meeting and noted this was not excessive." Thomson, Roddick & Laurie, September 2016.

The rationale under 4.3 during meeting in September 2016 was outlined as:

- The requirement for a school of 420 children would not be accommodated in a second 172m² hall, similarly existing school hall.
- In order to accommodate adequate hall and racket sports, sports teaching space and whole school curriculum activities, the appropriate hall size for educational needs would be some 290m². PG confirmed that BB103 guidance indicated, for a school of 420 pupils, 250m² (+/- 30m²) is acceptable. Therefore a further 10m², 290m², meets the minimum Sport England requirement for badminton courts.
- PG confirmed that the QS cost guide of £2,250/m² would increase the build costs by some £350,000.
- Since the existing school hall has wall-mounted gym equipment and stage lighting/performance equipment already, there, and the associated costs, will not be duplicated in the new hall.
- Although the Sport England requirement for sports hall storage is 12.5% of the hall space (36m² for 290m²), this has been scaled back to 13m² for cost saving. The current plan also includes an entrance lobby and accessible toilet at ground floor.
- The preferred external design is to retain consistency with the current school style however, cedar cladding would only be utilised on the elevations viewed within the school site. Alternative construction materials were being considered to the other elevations to keep costs down.

This report is the **first** time that questions have been raised and comparisons have been made with a small number of local schools. The Academy has not been made aware of comparisons to other schools until receipt of this report. Some of these issues have already been addressed in the above amendments but we shall clarify these again.

Lowbrook Academy was designed and built in 1978 as an open plan school. This model and style of teaching was unsuccessful and by the late 1990s the school was in **special measures**. When I took office in 2005, the classrooms were re-modelled and walls defining teaching areas were installed. The hall is central to six classrooms, the library (currently being used as a classroom), the kitchen and main school entrance. There are no corridors within this building and the hall is the main circulation route for all of these areas throughout the school day. It is currently used as our dining facility for two hours of our school day. We accept that this is a larger dining areas than in some schools, however it is the design we have inherited.

The scheme which you are deciding on today, does not propose a change in use of this existing dining facility. This hall is not large enough to gather 420 children plus staff and it would not meet fire regulations to attempt to do so. Moving the newly refurbished kitchen would be costly and unnecessary. Initial stages of this expansion seriously explored the option of extending this hall, however it was decided by the steering group on the advice of our architects that this would be costly and disruptive to the point of being unmanageable whilst the school continues to operate with children in place (please refer to minutes of meeting held on 30th September, attached). If we were in a position to redesign and rebuild this school again, an option such as the Oldfield hall solution would be preferable and most cost-effective, however this is not the position we are in.

It appears to me that comparing the total hall space across the two large spaces in this scheme to the small number of schools outlined in Table 2 of Section 2.19 is unfair and not a relevant like-for-like

comparison due to the current design restrictions as mentioned above. It is my understanding that Riverside, St. Edmund Campion and Wraysbury use their second hall as dining areas. Courthouse Junior was designed as a two-form entry school and was not subject to an expansion exercise and Wessex Primary is the product of the amalgamation of the Infant site and the Junior site. I am therefore concerned that comparisons are being made with schools that have different design purposes and challenges, and consequently have not been subject to **an expansion project** such as this.

Whilst I am not familiar with many expansions in RBWM that can be comparable to ours, the expansion of Oldfield Primary cost within the region of £7.9 million to achieve its outcomes. Whilst we too would have preferred a rebuild, we can achieve the same expansion outcomes as Oldfield for approximately £2.35 million. When looking at this comparison, this demonstrates exceptional value for the taxpayer. We have been able to achieve this because over the past 8 years, Lowbrook has fully funded (from its own resources) 3.5 classrooms which are currently being used for our bulge year groups.

It is also important to note that when making comparisons, we are the only school with a hall as a main circulation route and where the classrooms have no corridors, storage or cloakrooms. We currently have no staffroom, library or resource room. A permanent storage container in our car park contains all of our resources and books. The schools used to make comparisons all have these facilities and several also have dedicated computer suites.

Furthermore, whilst yet again the timescale makes it very difficult for me to offer figures for you to compare, I believe Lowbrook has a significantly smaller field area than all of these schools. It currently has just enough room for one junior football pitch for all of our children, again highlighting the need for the sports hall which at short notice has become an unexpected issue.

The sample of schools you have compared us with is small and not representative of expansion projects. There are many examples of primary school halls being designed such as the ones in our scheme. Following advice from our architects and Sports England, the final size and layout was agreed without question by all members of the steering group including the Local Authority representative Kevin McDaniel as already outlined and evidenced.

The Governors are adamant that to maintain the high standard of education, a hall is essential to allow the whole school to meet together and to provide excellent facilities in which to conduct our sports and physical education. This has been known from the outset. It would be nonsensical to build a hall that does not allow us to meet our educational needs. Again, it is disappointing that at this stage of our expansion project questions have been raised regarding this days before we must make decisions regarding our future intake. I remain categoric in the fact that this scheme, up until this report, was authorised for pre-application and tender preparation by the local authority. The design of the hall has never been in question.

Quote from of Chair of Governors, Ms Dominique Du Pré, on the last minute receipt of this report: *"I feel this report is spun to make it sound like we blindsided them with the extra costs at the last minute which is completely untrue."* (Full response sent to local Councillors.)

It is unfortunate that the hall has now become a problem, as the Academy believes that the fundamental issue is that project was underfunded from the outset. It is the view of our Finance Governor, Guy van der Knaap, that this report has focussed on the hall yet this seems to be a false economy. Our view, supported by QS estimates does not believe a feasible solution can be achieved within the £1.2m budget currently allocated (even with a smaller hall) by September 2018. It is also

important to note that milestones for completing this project are upon us. Should the Academy be unsuccessful in attaining funding and partnership support for this project we will, as already communicated, not be in a position to continue this expansion.

Report Authors,



David Rooney
Executive Principal



Bianca Iasi
Head of School

CC

Cllr Airey

Cllr Dudley

Cllr Brimacombe

Cllr McWilliams

Alison Alexander, Managing Director & Strategic Director of Adult, Children and Health Services

Dominique Du Pre – Chair of Governors

Paul Harrison – Vice Chair of Governors

Guy Van Der Knaap – Finance Governor

James Spiteri – Sites & Buildings Governor

Minutes of Meeting

Project: Lowbrook expansion
Date: 30th September 2016
Time: 09:30 AM



Attendees

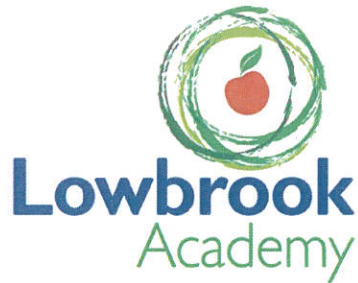
Dave Rooney (DR)	Lowbrook Academy - Principal
Pauline Reid (PR)	Lowbrook Academy – Business Manager
Kevin McDaniel (KM)	Head of Schools and Education Services - RBWM
Andrew Watson (AW)	Thomson Roddick & Laurie - Project Manager
Phil Grover (PG)	Thomson Roddick & Laurie – Principal Designer /Architect
James Spiteri (JS)	Lowbrook Academy - Governor

Apologies

	Description	Action
1.0	Introductions	
1.1	DR welcomed everyone to Lowbrook and introduced James Spiteri, governor to Lowbrook who would be joining the meeting.	
2.0	Review of IT and Library	
2.1	DR confirmed that the works to the area is complete.	
2.2	PG confirmed he is discussing the final account with the contractor. This is likely to be in the order of £47,000 against TRL's budget of £50,000.	
3.0	Review of Phase 1	
3.1	DR confirmed that following the tender process a contractor has been appointed to undertake the Phase 1 extension. A prestart meeting has been scheduled for Tuesday 4 th October '16 with the project completion scheduled for March '17.	
3.2	DR and PG confirmed the contract sum, including contingency funds, was £339,597.59.	
3.3	DR highlighted the scope and scale of the works were in line with BB103 requirements.	
4.0	Review of Phase 2	
4.1	DR discussed the development of Phase 2 and highlighted the inclusion of the new school hall as a combined classroom and hall build. AW and PG concurred that the project team had concerns with the phase 3 hall siting due to the position on the school site and the integration with the existing school structure. Additionally, with limited financial resource, it is considered more cost effective to construct one larger building than the two sequentially.	
4.2	DR discussed the restrained approach to accommodation, the classrooms being 63 M2, including storage, are consistent with BB103 and any circulation is kept to a minimum.	

- 4.3 DR also explained that:
- The requirement for a school of 420 children would not be accommodated in a second 172 m² hall, similarly sized to the existing school hall.
 - In order to accommodate adequate ball and racket sports, sports teaching space and whole school curriculum activities the appropriate hall size for educational needs would be some 290 m². PG confirmed that BB103 guidance indicates, for a school of 420 pupils, 250 m² (+/- 30 m²) is acceptable. Therefore a further 10m², 290m², meets the minimum Sport England requirement for two badminton courts.
 - PG confirmed that the QS cost guide of £2,250/m² would increase the hall build costs by some £350,000.
 - Since the existing school hall has wall mounted gym equipment and stage lighting/performance equipment already, these, and the associated costs, will not be duplicated in the new hall.
 - Although the Sport England requirement for sports hall storage is 12.5% of the hall space (36 m² for 290 m²), this has been scaled back to 13 m² for cost saving. The current plan also includes an entrance lobby and accessible toilet at ground floor.
 - The preferred external design is to retain consistency with the current school style, however, cedar cladding would only be utilised on the elevations viewed within the school site. Alternative construction materials were being considered to the other elevations to keep down costs.
- 4.4 PG distributed the budget costs compiled by QS, Peter Norris, for TRL.
- DR and KM confirmed the current budget set between the school and RBWM is some £1.25 M for the Phase 2 build classrooms and hall.
- PG noted the construction costs of £1.75M, highlighting in particular the increase in floor area of 120 m² for the sports hall added some £350K to the budget.
- DR acknowledged that Lowbrook Academy would require additional funding if the building is to be fit for purpose. DR/PG
- DR confirmed that he and the design team have endeavoured to keep the scheme space plan to a minimum and continued to look for every cost cutting measure, such as the afore mentioned external wall finishes. KM
- KM confirmed he would report the shortfall in funding to his team and that Lowbrook might also seek alternative funding opportunities to meet this funding gap, such as the Academy Funding or sports funding, both national and local. DR & PR will review these options. DR/PR/PG
- 4.5 KM proposed that DR contact Jackie Grose in order to arrange for Councillor Dudley and the Education Councillor (Councillor Bicknell) to visit Lowbrook together to showcase the school and the proposed expansion. DR/PR
- 4.6 DR confirmed and instructed that TRL should continue the development of the scheme designs for the phase 2 project, based on the larger hall scheme. PG/AW
- 4.7 KM left the meeting.

- 4.8 It was agreed that the windows currently shown (included for comment) would be removed since sunlight could interfere with playing sport. An appropriate lighting scheme should be considered. PG
- 4.9 PG and DR would consider appropriate floor finishes for the sports hall. PG/DR
- 4.10 DR is to coordinate a visit to Oldfield School to look at the finish of the recently built sports hall with the design team. DR
- 4.11 AW/PG proposed that, when ready, a Pre App planning application would be beneficial given the very close proximity of the building to the adjacent school boundaries and the scale/height of the hall in particular. AW confirmed this process gives feedback prior to the full planning application and public consultation. PG
- 4.12 PG highlighted the constraints of a single staircase for fire escape. Early advice from building control indicates a maximum number of 60 to the first floor if there is no alternative escape route. If practicable DR preferred not to have an additional staircase. PG is to continue design discussions with Salus, Building Control service. PG
- 4.13 AW highlighted that the phase two scheme, given the increased pupil numbers and consequential drop off and collect traffic, would require a transport assessment as part of the planning application. TRL will contact assessment companies for their costs. PG
- Following the recent survey, an updated copy of the School Travel Plan will also be required for the assessment. PR
- 5.0 Date of Next Meeting**
- 5.1 PG will liaise with the school and arrange the next meeting



A Brief Summary Timeline

2008–09 The Governors of Lowbrook Primary did not object to Manor Green School being built in Cox Green, but objected to the design and exact location for the reasons that its location would compromise future expansion and aspirations of Lowbrook.

2009 The Lowbrook Suite and Foundation stage area were built, funded 100% by the Primary School, to meet demand for what was now an extremely popular school. The Local Authority (LA) loaned the money to the school over 5 years and the annual income from the nursery was used to make repayments.

2010–11 Manor Green was completed and significant land use was lost by the Primary School at the rear of the field and behind the Lowbrook Suite.

2011 (April) Lowbrook Primary was the first Academy converter in RBWM. The main driver for the school's conversion was to retain the remainder of the current school grounds and in particular to safeguard the school field as the Director for Education was proposing Manor Green have full use and control of this land for two days a week. This caused delay and nearly halted our conversion due to it being added to the proposed lease at the 11th hour. In addition to attempting to impose non existing land use agreements the LA, led again by the Director and the then appointed Lead Member for Education, threatened to remove further land from our estate, including the land used by Patchwork Nursery, if we converted. After intervention from yourself a satisfactory Lease Agreement was agreed. Land behind the school was retained by the LA and later included in Cox Green School's Lease Agreement.

2013 (September) Once the Academy converted, it consulted on its admissions code in accordance with statutory guidance and timescales. It was determined and came into force for the 2013-14 Academic Year.

2013-14 The LA approached the school asking them to take a bulge intake of 60, as numbers dictated this was the school of choice in the area and the LA did not have enough spaces to educate all of its children. We converted our staff room into a teaching area with match funding from the LA. They provided us with what it would have cost to relocate a portable classroom and the school funded the rest to create a more permanent solution.

2013-14 The LA requested help from Lowbrook Academy to provide an Executive Head, curriculum support and Governor mentorship to Holy Trinity Church of England School in Cookham. This was agreed by the Governing Body.

2014–15 A double intake was admitted to the school. This was due to a double intake leaving the school. The double intake that left the school was created due to over allocation 7 years earlier when rising 5s were not admitted into schools until year one. In this year, the allocations across the two years took the admissions number well over 30 and therefore we had no option but to take qualifying measures and hire a new teacher. A cohort of 60 was soon achieved.

2015-16 The Governors responded to the high demand for places and in order not to turn down children in catchment we decided to exceed our PAN of 30 again and offer 60 places. The school's Year 6 children were educated off site at Cox Green School for the first two terms while the school spent the remainder of its reserves fully funding the classroom known as the Pavilion. The year 6 children returned to the school site to occupy the new class in November 2016. Funding for this expansion was declined by the EFA.

2015 Holy Trinity Church of England School in Cookham became the first school in England to go from the OFSTED judgement of Requires Improvement to OUTSTANDING. The Leadership and success of the Executive Headship was highlighted in the report. This relationship continues in perpetuity.

The LA have been aware of Lowbrook's aspiration to be a two-form entry school since our objection to Manor Green in 2008 - 2009.

The school approached the LA to seek funding for a deposit on a house that bordered the school. Due to its unique location the building could have been converted into a 60 place Foundation Stage Area. A mortgage was agreed in principal to enable the school to purchase the said property, however, funding and support for this project was declined by the Current Director and David Scott.

In addition to this, the school sought LA support to regain the land from Cox Green School that is at the rear of the Lowbrook Suite. The LA has not been successful in negotiations with Cox Green and neither have the Lowbrook Governors. Cox Green school are unwilling to give us back the land which, to my knowledge, belonged to Lowbrook prior to the Manor Green development. This has never been utilised by Cox Green School during my tenure at Lowbrook.

2015 The school approached the owner of the agricultural land in Cannon Lane, soon to be developed into more housing together with a private school, Claires Court. The proprietor is willing to sell some land but at a premium of £1,000,000 an acre. The Director has stated the LA has no money to purchase this land, but would attend future meetings facilitated by the school. The proprietor of this land will continue discussions but not until he has successfully sought funding from Berkeley Homes and has planning permission. The door is possibly open for the future.

There is no current EFA round to apply for a rebuild of our existing 1978 building, but this is a realistic option moving forwards.

2016 The school is in discussions with an Education Trust which has a good track record for successfully obtaining funding for Free Schools. The Lowbrook Governors are considering all Free School options if this assists them with our ultimate goal of becoming a two-form entry school so as to meet the needs of our community and fulfil the Conservative mandate of expanding successful schools and giving parental choice.