

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA****CABINET – 25 MARCH 2010****JOINT REPORT BY THE EXECUTIVE DIRECTOR FOR FAMILY AND CHILDREN'S SERVICES AND THE EXECUTIVE DIRECTOR FOR TRANSPORT, ENVIRONMENTAL SERVICES AND LEISURE****DEVELOPMENT OF A FEASIBILITY STUDY FOR A NEW SECONDARY SCHOOL (FUNDED THROUGH THE BUILDING SCHOOLS FOR THE FUTURE (BSF) PROGRAMME) AND A NEW LEISURE CENTRE ON THE EXISTING KENSINGTON LEISURE CENTRE SITE, SPORTS PITCHES AND CAR PARK**

Cabinet is requested to approve the establishment of a new secondary school for up to 900 11-16 year olds and up to 250 sixth form students, funded through BSF and the undertaking of a feasibility study for the provision of this school and the redevelopment of the Leisure centre on the site of the existing Kensington leisure centre site, sports pitches and car park.

**FOR DECISION****1. INTRODUCTION**

- 1.1 The Royal Borough is eligible for Building Schools for the Future (BSF) funding to establish a new secondary school to provide much needed secondary school places for children in the north of the borough. Following investigation of the options available, the outdoor area adjacent to the Kensington Leisure Centre was identified as the most suitable location for this new build.
- 1.2 A piece of work was completed by John McAslan and Partners which showed that a new school of the size proposed could be accommodated upon this site. The study also suggested the potential redevelopment of the whole site to provide a new school and leisure centre.
- 1.3 The funding through BSF is time-dependent. The new school must be fully occupied by 2018 which requires it to open its doors in September 2014. Further work has been undertaken by officers to examine the options available for ensuring the leisure centre continues to provide much-needed services to the local community, without compromising the BSF timetable.

- 1.4 A window of opportunity exists within which a feasibility study can be conducted to investigate whether a new school and a leisure centre can be provided upon the existing site of the leisure centre, its pitches and car park. Cabinet is being asked to approve this site for the new school, and to approve the undertaking of this feasibility study to look at the options available for co-location.

## **2. BACKGROUND**

- 2.1 Building Schools for the Future (BSF) is a national project aimed at transforming education through rebuilding or renewing all of England's 3,500 secondary schools over a 10-15 year period. It is the largest single capital investment programme in 50 years, and will transform our existing schools into world-class learning environments that will enable generations of young people to reach their full potential.
- 2.2 Funding is allocated to local authorities in waves with the Royal Borough allocated to wave five of this national programme.
- 2.3 In November 2008 the Council submitted its Strategy for Change Part 1 (SfC1) which set out its long term aims to be delivered through BSF. Together with proposals to transform learning at existing Royal Borough secondary schools, the Council set out its aspirations to establish a new secondary school. This took the form of a pupil place planning report outlining a local requirement for a new school with up to 900 11-16 places and a 250 place sixth form. SfC1 was approved by Partnerships for Schools (PFS) in early 2009.
- 2.4 In March 2009 Cabinet approved the academy route to develop the new school.
- 2.5 Academies are all ability schools (mainly secondary) established by sponsors from business, faith or voluntary groups working with partners from the local community. The DCSF provides the capital costs for the Academy. Running costs are met in full by the DCSF at a level similar to (but slightly higher than) that provided by the relevant LEA to the secondary schools it maintains. This funding is provided directly to the Academy and includes funding to cover services provided by LEAs for LEA maintained schools.
- 2.6 Academies are expected to be set up as companies limited by guarantee with charitable status. Each Academy will be under the control of its governing body, which is the same as the Board of Trustees, and which will have a clearly defined strategic role in helping to shape the success of the Academy. All members of an

Academy governing body are appointed on the basis of the contribution they will make to the school. The governing body usually comprises sponsors or their representatives, members of the local community including the LEA, representative(s) of staff and at least one elected parent governor. As trustees, members of the governing body have a public duty to act only in the interests of the Academy.

2.7 Academies are independent schools. As such, they are not bound by a number of regulations relating to the establishment and operation of other maintained schools. Although they are encouraged to be innovative, they are expected to have regard to regulations that apply to other maintained schools. The requirements binding the operation of an Academy are set out in the Funding Agreement with the DCSF, as well as in the Memorandum and Articles of Association regulating the Board of Trustees established by the sponsor. The establishment of an Academy is a matter for the Secretary of State and does not require the approval of the School Organisation Committee.

2.8 The Council aims to co-sponsor the Academy and will seek an appropriate lead sponsor.

## **2.9 The search for a site**

2.9.1 Investigative work by planning offices began on identifying a possible site for the academy. A number of sites were considered, as detailed below;

### **Barlby Primary School**

2.9.2 Barlby Road Primary School is in the right location, however this site would not support the size or age range of secondary school required. The only way in which this site could feasibly be developed would be to house a "through school" which would provide primary and secondary education. However, should this fail to materialise and a secondary-only school be proposed, a Section 106 agreement would have to be reached with the landowners of one of the Gasworks sites for development of a replacement primary school (possibly up to 3 forms of entry). As this development may take a number of years to commence this option would not be attractive as it fails to address the current deficiency.

### **Kensal Gas Works**

2.9.3 The access to the Kensal Gasworks site will be improved considerably by the area's regeneration; however, the area would still struggle to accommodate potential high trip-

generating uses associated with a new secondary school. The area is located in a corner of the borough and is unlikely therefore to address the needs of parents across the north of the borough.

### **Princess Louise Hospital**

- 2.9.4 This site was identified in the 2006 planning brief as a possible location for a new school. However, the site is only 0.3ha and is too small to accommodate a secondary school of the size required. Furthermore, Sion-Manning secondary school is approximately 500 metres away and therefore two secondary schools in such close proximity would fail to remedy deficiency of places in other parts of the borough.

### **Middle Row / St. Mary's Primary School sites**

- 2.9.5 Whilst the Middle Row and St Mary's sites taken together are relatively large, the loss of two primary schools which would be of detriment to the local area with no viable replacement site identified. The planned expansion of the neighbouring Worrington Green estate will necessitate the expansion of these schools to accommodate another form of entry in response to an increased demand for local primary spaces. It should be noted that the St. Mary's Primary School site is not council-owned.

### **Kensington Leisure Centre**

- 2.9.6 This site is in a suitable location although it currently houses the Kensington Leisure Centre, associated car-parks and outdoor pitches. The proximity to Latimer Road Underground Station should be seen as an asset as it will provide links with other parts of North Kensington and reduce the need for private car travel to and from the school. The Latimer site is also the only site of those identified which has space to commence development within the timescale to receive funding from BSF. This has been identified as the preferred site. Large scale maps and plans will be on show at the Cabinet meeting.

## **2.10 The timetable for establishing a BSF funded Academy**

- 2.10.1 In March 2009 the Overview and Scrutiny Committee (OSC) on Family and Children's Services recommended that BSF funding be used to fund the development of the new school. The report is provided in Appendix A.
- 2.10.2 The Strategy for Change Part 2 (SfC2) setting out how the long term aims in SfC1 will be delivered was submitted to Partnerships for Schools (Pfs) in July 2009 and approved without

condition in September 2009. This included a statement confirming the Council's intention to establish an academy.

- 2.10.3 Following a formal enquiry from the Royal Borough, the DCSF indicated in November 2009 that it would welcome an expression of interest from the Royal Borough.
- 2.10.4 An expression of interest does not bind the Royal Borough. However, expressions of interest acceptable to the Secretary of State trigger a feasibility phase, funded by the DCSF, in which the viability of this option can be pursued thoroughly.
- 2.10.5 The Office of the Schools Commissioner in the DCSF Academies Division has proposed a range of lead sponsors. Under the terms of setting up an Academy the Council is not permitted to be a lead sponsor.
- 2.10.6 Under their auspices five individuals / groups registered an interest in sponsoring the Academy. Following meetings with officers three individuals / group submitted further details to members of the Council.
- 2.10.7 A further series of meetings resulted in The Office of Schools Commissioner submitting to Ministers a recommendation for the lead sponsor for the Academy.
- 2.10.8 As one of the best performing Local Authorities, the Royal Borough is also keen to be a co-sponsor for an Academy in north Kensington because it can make a strong positive contribution to the establishment and governance of the Academy. It is envisaged therefore that there would be two sponsors, the lead sponsor and the Royal Borough of Kensington and Chelsea.
- 2.10.9 It should be noted that the development of an Academy will be a complex and time-consuming task. The DCSF will fund project management services obtained from organisations it has shortlisted through an appropriate tendering exercise. As learnt in the development of the Chelsea Academy it will be necessary for some additional capacity within the Royal Borough to ensure its full participation in the development. Client side costs will include project management, initial designs and consultation / communication in addition to that which is included within the DCSF-funded project management services.
- 2.10.10 PfS have confirmed that the BSF funding for the new school is dependent upon it being fully open for all years in 2018. That means it must open to receive its first year in 2014. To achieve that date, building work should start no later than June 2012. In theory the new academy could open in temporary

accommodation, thus postponing the start date for works to June 2013. However this option is not recommended, having noted recent experience with Chelsea Academy where costs were high and finding a temporary site was challenging. Therefore this report is based on the assumption that the new academy will not open in temporary accommodation, and so works on site must start no later than June 2012.

## 2.11 Timetable for establishing an academy

Action	Estimated Time
<p><b>Brokering:</b> The Office of the Schools Commissioner (OSC), Department for Children Schools and Families (DCSF) decided a new Academy is the right solution for the pupil needs in the area.</p> <p>The sponsor and the Local Authority agree to develop a formal expression of interest to establish an academy. The Office of Schools Commissioner will issue a Statement of Intent letter to the Local Authority confirming this.</p>	<p>Nov 2009 to March 2010</p> <p>March 2010</p>
<p><b>Expression of Interest:</b> Sponsor and LA will work together to prepare a formal EoI for Ministerial consideration at the DCSF. The EoI will clearly demonstrate the need for a new Academy in the area proposed and provide more details about the proposed Academy e.g. the age range and pupil numbers.</p> <p>The next stage begins once the Secretary of State agrees support for an Academy project, following submission of the Expression of Interest</p>	<p>May and June 2010</p> <p>July/August 2010</p>
<p><b>Feasibility:</b> the project team prepares detailed plans, including an educational vision and model, and an outline building design, and formally consults with the local community.</p> <p>Once detailed plans for the new Academy and core documents (e.g. Memorandum and Articles for the new Company) are complete, they need to be submitted to the Department for Children, Schools and Families.</p> <p>Once the Secretary of State is content with the proposals, the Funding Agreement is signed by the Academy Trust and Secretary of State. This</p>	<p>September 2010 - May 2011</p> <p>May 2011</p>

<b>Action</b>	<b>Estimated Time</b>
document contains all the formal information necessary for the opening and funding of the new Academy - and is a binding contract between the Secretary of State and the Academy Trust for an Academy to open on a specified date.	

## **2.12 The site and the Proposed Submission Core Strategy**

- 2.12.1 The Kensington Leisure Centre site maps, as described within section 2.9.6, will be on show at the Cabinet meeting. It comprises a leisure centre, two car parks, and three outdoor sports pitches, with some grassed areas. The area of the entire site is around 21,000 square metres. Large scale maps and plans will be on show at the Cabinet meeting.
- 2.12.2 Kensington Leisure Centre opened in the mid 1970s. It is one of three sports centres in the borough. The others are the Council's centre in Chelsea, and the Westway Sports Centre. Kensington Leisure Centre was built to replace the old Silchester Baths that were located on the area now occupied by the sports pitches. The Baths were built in the 1880s and demolished in the late 1970s.
- 2.12.3 The Proposed Submission Core Strategy (October 2009) identifies this as a 'Strategic Site' (Policy CA4). It is central to the achievement of the strategic objectives and the overall vision in the Core Strategy - that is for the provide a new academy for the communities of Kensington and that new development should protect and enhance existing social and community uses in the borough.
- 2.12.4 This objective is reflected in the work undertaken by Urban Initiatives who were commissioned to undertake a masterplan for the wider Latimer area. The Latimer area of North Kensington is characterised by a high proportion of social housing units, with many of the high deprivation indices that associate with this. The masterplanning offers the opportunity, through redevelopment, to tackle past mistakes that led to a disconnected urban realm by reinventing the traditional urban street pattern and building a better quality environment including a new neighbourhood centre. Consideration is being given to how to regenerate the broader Latimer area, and an Area Action Plan will be initiated and consulted later in 2010 in order to frame the development of long term proposals for the area.

2.12.5 The Core Strategy currently allocates this strategic site for:

- A new academy with an area no less than 6,000m<sup>2</sup>, including its own sports facilities with external sports pitches;
- a refurbished or relocated sports centre on site, with equivalent facilities to the existing centre, including a swimming pool and other facilities identified through a demand assessment, built in a way that is flexible for the future;
- open space in the form of external sports facilities for the school, which should be shared with the Leisure centre; and
- a combined cooling, heating and power (CCHP) plant or similar to form part of a district heat and energy network.

2.12.6 In line with Department for Children, Schools and Families (DCSF) Building Bulletin (98) guidance, Family and Children's Services has indicated its intention to seek an amendment of the Proposed Submission Core Strategy such that the first bullet point in section 2.12.5 should read:

- a new academy with a minimum gross internal area of 10,000m<sup>2</sup>, including its own internal sports facilities to deliver the national curriculum but excluding external sports pitches;

2.12.7 Provision is made for some residential development on site should it be achievable and not compromise the key objectives of the site, to assist the overall scheme funding and contribute to possible funding shortfalls. The private housing element of any scheme being developed on the Kensington Leisure Centre site would generally be considered an appropriate balance to the current predominance of social rented housing in the locality. However, a S106 affordable housing contribution would also be expected, the terms of which can be negotiated. The Core Strategy also sets out principles that any development on the site must achieve:

- green turf, planting and landscaping at the external sports facilities to contribute to the visual amenity of the surrounding properties;
- improvements to the legibility and permeability of the street network in the area, through a new road connecting Grenfell Road and Lancaster Road.

## **2.13 The McAslan study**

2.13.1 John McAslan and Partners completed a feasibility study *pro bono* on the options for delivering the objectives for this site, as detailed within the Core Strategy. The McAslan team presented their work to Members in May 2009. They showed that it was possible to build both an academy and a new Leisure centre on

the site, and that there were different options for reconnecting local roads that had been severed by earlier redevelopment.

The options explored by McAslan split the site in different ways. The 'Urban Model Two' (Model One was quickly discounted) drove Grenfell Road north to form a T-junction with Silchester Road. This split the site into areas measuring around 7,000m<sup>2</sup> to the west and around 14,000m<sup>2</sup> to the east. Urban Model Three extended Lancaster Road in a south westerly direction to join Grenfell Road. This option split the site into areas of approximately equal size, both over 10,000m<sup>2</sup>. Any development would need to take into account the impact of Grenfell Tower adjacent to the site. The three urban model site plans be on show at the Cabinet meeting.

- 2.13.2 McAslan indicated a preference for Urban Model Three, and for building the academy on the western half of the site.
- 2.13.3 The timetable for BSF funding requires the Council to secure the adoption of a Supplementary Planning Document or outline planning consent for the academy by no later than spring 2011.

## **2.14 Development of a supplementary planning document**

- 2.14.1 The Planning and Borough Development business group, through the adopted Local Development Scheme, proposes to prepare a masterplan for the entire North Kensington Leisure Centre Strategic Site, in the form of a Supplementary Planning Document (SPD). This masterplan will consider the comprehensive redevelopment of the entire site. The comprehensive masterplan also provides flexibility to submit separate planning applications for the site. In addition to a masterplan, the SPD will also consider open space provision, leisure provision, residential amenity, access and permeability, traffic, design, layout and environmental sustainability.
- 2.14.2 A master plan would ensure early productive discussion between the applicant and the planning authority to iron out foreseeable problems before a planning application is submitted. It would provide a level of certainty to guide the applicant's design team by setting principles and parameters. It would provide more flexibility in terms of the actual form and appearance of any buildings than would be provided by an outline planning application.
- 2.14.3 The Council's Local Development Scheme programmes the SPD for consultation in Sept/Oct 2010 with adoption in Dec 2010. This is consistent with the BSF timetable which will, in early 2011 require surety that the site can be used for the Academy.

## **2.15 The timetable for building a new leisure centre**

- 2.15.1 Officers have commissioned preliminary work on options for a new leisure centre. The optimum option would include a leisure pool and enough gym facilities to make the centre self-financing. The basic option would simply replicate the most popular of the existing facilities. Theoretically if a design team was appointed in April 2010 and started RIBA stage A/B on 1 May 2010, either option for the new centre could be opened in March 2013 i.e. three years as a minimum following the decision to commission a design. However with the need to consult locally and with Sport England well before completing a design it would be necessary to add 4 months to the timeline. This implies that, whatever the Council decides, the earliest possible date for opening a new leisure centre would be July 2013
- 2.15.2 In any rebuild of the Leisure Centre there would be an unavoidable closure period. In advance of any such option being chosen, the Council would undertake extensive consultation with residents to identify to what extent it could maintain some degree of continuity of service through such a period. Cabinet is not asked at this point to choose a particular option for the future of the leisure centre – simply to agree to undertake an analysis to assess which option presents the best in terms of services to local residents long-term.

## **3 NEED**

### **3.1 The need for a new school**

- 3.1.1 There are approximately 7,500 pupils of secondary age in the Royal Borough (January 2010 figures). Approximately 60 per cent of these attend independent schools with the remainder attending schools in the maintained sector. The Royal Borough at present has five secondary schools with a total capacity of 3671 places. There is one community school, Holland Park School; three are Roman Catholic schools and an Academy that opened in September 2009.
- 3.1.1 The Academy is jointly sponsored by the Royal Borough and the Church of England and offers 50 per cent of its places to applicants who meet community school criteria and 50 per cent of its places to applicants who meet the Church of England's criteria. The school will have a sixth form and, when fully recruited in 2013, will have the capacity for 1060 pupils.
- 3.1.2 Table 1 below shows the capacities of the five schools as they will be when Chelsea Academy is fully operational.

**TABLE 1: CAPACITY OF THE ROYAL BOROUGH'S SECONDARY SCHOOLS**

School	Type	Age range	11-16 capacity	16+ capacity	Total Capacity
Cardinal Vaughan	RC Boys	11-19	600	317	917
Holland Park School	Community	11-19	1200	355	1555
Sion Manning	RC Girls	11-16	600	n/a	600
St Thomas More	RC Mixed	11-16	592	n/a	592
			2992	672	3664
Chelsea Academy	Academy	11-19	810	250	1060
			3802	922	4724

Secondary provision in the Royal Borough has these characteristics.

- The combined roll of the five secondary schools in January 2010 was 3443.
- About 60 per cent of these pupils are residents of other local authorities (borough residents make up approximately 40% of the total secondary school population); the percentage of non-resident pupils ranges from between 90 per cent at Cardinal Vaughan and 30% at Holland Park.
- Each year approximately 700 resident eleven year olds go through the secondary transfer for 762 places available. Approximately 60 per cent of residents receive an offer from a school of their first preference in the secondary transfer each year.
- Approximately 45-50 per cent receive an offer of a place at a school in the Royal Borough.
- Approximately 10 per cent receive no offer at all of a place in the secondary transfer, all of these pupils eventually find a place but they end up scattered across up to 40 schools in eight or nine other local authorities.
- Four of the five schools are heavily over-subscribed.

3.1.3 It should be noted that Holland Park's 16+ roll is usually approximately 160 and therefore smaller than the school's capacity as shown (355). However, the higher figure has been used throughout this paper as the school has plans to increase the size of its sixth form in the period under review.

3.1.4 Pupil projections indicate that by 2018 there will on the basis of the GLA projections each year be a demand for about **100** additional places in year 7. This demand is likely to be concentrated in North Kensington. Other considerations, for example, the Royal Borough's plans for the renewal of North Kensington, pupils transferring from the independent sector and pupils displaced from neighbouring boroughs are likely to increase net demand for about **240** pupils per year. This figure, aggregated over the seven secondary year groups, gives a total additional need of 1680 places by 2018. This suggests a need for a 6FE school including a sixth form.

### **3.2 The vision for the new Academy**

3.2.1 The Council's ambition is to create an inspirational community of learning and achievement that will make a positive contribution to community cohesion in Kensington and Chelsea. This learning community will provide outstanding, first-class educational opportunities and experiences that will enable all students – regardless of age, ability and background to develop the ambition, skills, confidence and potential to reach beyond themselves, widen their horizons and bring out the best in themselves.

3.2.1 The underlying principles of the Academy can be identified across five broad key themes: standards and achievement, education provision, teaching and learning, inclusion and well being. Through these the Academy will provide an innovative school, tailor made to address the particular needs and ambitions of the North Kensington communities that will:

- deliver the highest quality standards of education and care for students aged 11-19, as part of the partnership of schools in the Royal Borough of Kensington and Chelsea
- build a strong, cohesive and integrated community, valuing the faith, culture and identity of each individual student
- develop students' potential for economically productive life by developing their entrepreneurial skills and understanding of the world of commerce and business
- support students in their preparation for post 16 education, higher education or employment
- be an extended school, enabling it to provide a range of learning and recreational opportunities outside of the normal school hours in a secure and nurturing environment
- be accommodated in a new, inspirational building that will become a valuable learning resource for the local community
- transform traditional perceptions of learning through the innovative use of technology, so that anytime, anywhere

learning will be facilitated and parents encouraged to track their child's progress and achievement on line

- provide state of the art facilities for the whole community to use, including adult learning, health and fitness, and sport
- nurture and develop an essential link with local primary schools to ensure the best transition arrangements for all students
- Include an innovative centre for students on the autistic spectrum disorder continuum as part of its desire to include and involve the whole community and as a borough wide resource.

### **3.3 The need for a new Leisure Centre**

3.3.1 Following refurbishment in 2001, Kensington Leisure Centre is now a satisfactory municipal facility but its internal layout is sprawling and hard to oversee. It does not use land efficiently. It was not designed with a low carbon footprint. It has no architectural merit whatsoever. Some of the sports on offer probably do not have a close fit with local need. The Centre is difficult to run at no net cost to the Council, as there is not enough room to provide the number of profitable activities (e.g. gym) to cross-subsidise 'public service' activities (e.g. swimming).

3.3.1 The physical and symbolic core of the centre is its swimming pools (a main pool and a training pool) – much valued by local residents. Westway does not have a swimming pool. The nearest municipal swimming pools (other than Chelsea) are Brent's facilities in North Wembley and Willesden; Hammersmith and Fulham's on Lillie Road and in White City; and Westminster's in Pimlico, Queensway, Seymour Place W1, and – from Spring 2010 – Marshall Street W1. Wandsworth have a leisure pool in Battersea.

3.3.2 Officers assume that the Council would be unlikely to decide to stop providing one or more municipal swimming pools in the area, and assume a long-term commitment to some form of municipal sport and leisure centre in Kensington.

3.3.4 The Leisure Centre could be patched up repeatedly to keep it going. However over time it will be increasingly expensive to sustain, and it will look tired and less connected to local need as aspirations and fashions in sport and leisure change. It is difficult to imagine sustaining the Centre as it is much beyond 2025; it is almost impossible to imagine it lasting beyond 2030.

3.3.5 Had the proposals for the new academy not come forward, officers would have worked up proposals to Members to replace Kensington Leisure Centre at some point over the coming decade.

- 3.3.6 Officers would first have conducted a detailed assessment of local needs and preferences, although experience shows that such a study would be unlikely to throw up any surprises. Appendix B sets out an indicative statement of the options we would expect to emerge following public consultation. Officers would have offered Members various possibilities, including the option of building a state-of-the-art facility in terms of environmental performance and architecture, tailored to meet local health needs, adaptable, and designed to operate at no net cost to the Council. It is highly probable that officers would have recommended the inclusion of a leisure pool in the mix, with a view to promoting healthy physical activity that was fun, especially for children.
- 3.3.7 Officers would have recommended continuity of sports and leisure provision on the site by proposing that any new centre should be built on the sports pitches and car park – i.e. on the preferred site for the new academy. Once the new facility was built, and only then, we would have proposed demolition of the existing centre to create a vacant site for redevelopment. Officers would not have recommended demolishing the existing leisure centre and re-providing a new centre on the cleared ground, as that would have entailed the cessation of municipal leisure services in the area for two years or more.
- 3.3.8 The need to build a new academy on the site, and the demands of the BSF funding timetable, cut across this outline plan. We now have an opportunity to consider a holistic treatment of the site.

### **3.4 The size of a new leisure centre**

- 3.4.1 TELS has appointed consultants to advise on the size of the footprint and likely cost of the options for a new leisure centre as set out in Appendix B. The existing building covers over 5,000m<sup>2</sup>, rather inefficiently. Depending on provisional assumptions that could only be firmed up through consultation, the consultants advise that the optimum option suggested by officers would require a building footprint of around 4,300 square metres with another 800 square metres external circulation space. The basic option would require around 2,900 square metres for the building, with the same external circulation space. (This estimate for the basic option is consistent with the assumptions in the McAslan study which modelled a replacement of the existing facilities.)

### **3.5 Other potential sites for the leisure centre**

- 3.5.1 Whilst officers recommend continuity of service on the existing site, other sites have been considered for the construction of a new leisure centre, in order to present a full picture. The 'John Brown' site just to the north of the existing leisure centre is on the market for around £8 million. An appraisal of the suitability of the site advised that the optimum design does not fit on the site. The basic design can fit if activities are stacked on four floors, but it has significant problems with massing, proximity to neighbouring properties, the noise impact of the nearby Westway, rights to light, and access to the site. There are possible solutions, but they require a significant reduction in the facilities on offer.
- 3.5.1 Officers have not found other sites in North Kensington that are currently available for development and that could realistically be used to house a new leisure centre to the minimum specification. They might emerge through the Latimer Area Action Plan and masterplan, but that is not certain.

## **4 CONSULTATIONS**

- 4.1 Under the auspices of the Office of the Schools Commissioner in the DCSF, a series of meetings were held with those who registered an interest in sponsoring the Academy. This resulted in The Office of Schools Commissioner submitting to Ministers a recommendation for the lead sponsor for the Academy.
- 4.2 In response to advertisements in the local papers two other groups contacted the Council for details but did not register any further interest.
- 4.3 Two petitions were submitted by residents
- 4.4 A petition entitled North Kensington Secondary School where "The residents, parents and users of services in North Kensington called upon the RBKC Council urgently to undertake meaningful consultation of residents, pupils, parent, teachers and all other relevant stakeholders on proposals for a long awaited and much needed secondary school in North Kensington"
- 4.5 The Council responded as follows:
- 4.5.1 "The Council is committed to increasing pupil places which are in short supply in the north of the Borough as well as to meet local demand, better respond to residents' needs by providing greater choice, diversity and fair access for local parents and the local community. It is reviewing the options to provide a much

needed secondary education facility which could be funded as part of the Government's Building Schools for the Future. This includes examining establishing a new Academy with up to six forms of entry (equivalent to 900 11 -16 places) and up to 250 post 16 places in North Kensington.

- 4.6 This process is in its very early stages and no decisions have yet been taken. The first stage whereby a statement of interest is submitted to the Department for Children, Schools and Families has not started. The Council will carefully consider its options and any proposal to examine the feasibility of a school would most certainly include consultation with residents, pupils, parent, teachers and all other relevant stakeholders. Were the Council to submit an expression of interest, and subsequently receive central Government support, then the Council would commit to engage residents in meaningful consultation at all stages of the project – as is the case with other large scale developments.”
- 4.7 A petition entitled Latimer Petition, the Housing Stock Options Review and Core Strategy with a section commenting “We are alarmed at the information that the Leisure centre and/or Grenfell Tower might be lost to make way for new schools; we need more sports facilities; the site is too small for a secondary school; noise to surrounding homes would be unacceptable.”
- 4.8 The Council responded as follows:
- 4.8.1 “Currently half the Borough's state educated children of secondary school age have to travel outside of the Borough for an education. The Council is, therefore, committed to providing a new school (an Academy) in the north of the Borough to meet local demand, better respond to residents' needs by providing greater choice, diversity and fair access for local parents and the local community.
- 4.8.2 It is, therefore, examining the options to establish a new Academy with up to six forms of entry (equivalent to 900 eleven to sixteen year old places) and up to 250 post sixteen places in North Kensington. The Council will carefully consider its options and any proposal would need to meet all its criteria, which would include both the provision of equivalent sports facilities (including a swimming pool) either on the site or in the vicinity and the need to respect the amenity of the surrounding areas.
- 4.8.3 The site identified for the new Academy is the North Kensington Leisure Centre site. This would be on the area of football pitches and parking to the west of the sports centre, but this excludes Grenfell Tower. As a result of feasibility work carried out, the Council believes that this site is of a size and nature suitable for

the Academy. However, the Council is still considering its options and no decision has as yet been made.

- 4.8.4 Residents will be able to make their views known if/when an application was to be made. Residential amenity and the nature of facilities provided are both material planning matters to be considered when determining an application.”
- 4.9 With regard to both the Leisure Centre and the school this petition also commented “The provision of a new school and extended leisure centre and a new park is dishonest and unachievable, included to dupe residents into agreeing something otherwise unpalatable”.
- 4.10 The Council responded as follows:
  - 4.10.1 “The Council strongly believes in transparency and honesty in its dialogues and would seek to reassure residents that it would not present any proposals which it believed to be unachievable. For this very reason the Council will produce an Area Action Plan for the Latimer Area which will explore many of these issues in more detail. This AAP will be subject of independent examination by a government planning inspector. It is also worth reiterating that the diagram within the Latimer Feasibility Study, which shows the park, and enhanced centre etc is, as set out in the document, a ‘concept diagram’. Its purpose is not to set out what actual uses will be proposed in given locations, rather it shows what sort of uses could be provided in the area.”
- 4.11 The Council consulted with the public on the use of this site for a leisure centre and Academy, as part of the consultation on the various stages of the Core Strategy as part of the Council’s Local Development Framework (LDF) which is provided in Appendix C.
- 4.12 Whilst no further formal consultation has yet been undertaken, the preparation of a masterplan for the entire site will involve full and thorough consultation with local residents and businesses.
- 4.13 Following on from the good practice employed on the Chelsea Academy project it is proposed to carry out consultations in addition to those which are included within the DCSF funded project management services for the establishment of an Academy
- 4.14 The development of the Leisure Centre would include a thorough and detailed consultation with users and the local community as part of the design process.

## **5 OPTIONS**

5.1 Cabinet can choose to;

### **Option 1**

5.1.1 Approve the Kensington Leisure Centre site as the chosen site for the new school and undertake a feasibility study to provide the new academy by no later than 2014 on the site of the outdoor pitches and western car park of the Kensington Leisure Centre site, leaving the existing sports centre in situ for refurbishment, redevelopment or relocation at a later date.

### **Option 2**

5.1.2 Approve the Kensington Sports Centre site as the proposed site for the new academy and in accordance with a masterplan (in the form of a Supplementary Planning Document) for the redevelopment of the entire site of the Kensington Leisure Centre, undertake a feasibility study to provide a new academy by no later than 2014 and a redeveloped sports centre on the site of the Kensington Sports Centre site.

## **6 FINANCIAL IMPLICATIONS**

### **6.1 The capital cost of a new Academy**

6.1.1 In accordance with published guidance it is anticipated that costs for the architect-led design team and the DCSF Overall Project Manager will be funded directly from PfS, the department that now oversees Academies. It is anticipated that circa £28 million will be available to the Council through BSF. If Chelsea Academy is used as a benchmark this funding is likely to fall well short of the estimated capital costs of the new school.

6.1.2 Cabinet should note that the Council will be responsible for the cost of providing an unencumbered site for the Academy.

### **6.2 The capital cost of a new leisure centre**

6.2.1 The estimated costs excluding inflation range from £10.8 million for the basic scheme and £15.5 million for the optimum scheme. This estimate includes 10% for professional consultants and a 5% contingency (which may be inadequate given the likelihood of poor ground conditions). These sums would be for the building only and exclude the cost of demolition and site clearance, site investigation, planning and building control fees, external works and associated drainage, abnormal costs relating to ground conditions and service diversions, catering equipment, moveable

floors or booms to the pool, CCHP units, and reusable energy. Also excluded are furniture, fittings, and sports and fitness equipment. The cost of any new centre, with a proper allowance for fees, consultation, supervision, and contingency, and with sums written in to cover fitting out is in the range from £15 million to £20 million with the possibility to be more than that.

### **6.3 The contract with Nuffield Health / Revenue and capital costs of the existing Kensington Leisure Centre**

6.3.1 The Council's leisure services contract with Nuffield Health started in April 2005, and ends in March 2017. The Council can unilaterally and without obligation terminate the contract at the end of March 2011, provided it gives the contractor 12 months' notice. However we are unlikely to do this as Nuffield is performing satisfactorily, and there is insufficient time between now and March 2011 to procure another contractor to run the centres.

6.3.2 The Council pays Nuffield Health approximately £200,000 a year to operate the Kensington Leisure Centre. Nuffield retains all the income and pays all running costs except NNDR. Nuffield has provided in confidence the following headline information relating to the Kensington Centre in the year ending March 2009. (The figures should be treated as a guide to the variable income and costs involved each year.)

	<b>£</b>
<b>Income</b>	<b>1,400,000</b>
<b>Costs</b>	
Payroll	850,000
Utilities	240,000
Repairs, maintenance, cleaning	262,000
<b>Total costs</b>	<b>1,352,000</b>

6.3.3 Under the terms of the contract, the Council retains responsibility for the fabric of the building and major plant renewal at the end of its useful life. The Council in recent years has had a healthy planned maintenance capital programme at both its sports centres and has spent over £2.7 million with a further planned expenditure of £1.2 million to come, mainly at Chelsea. However to continue to maintain the Kensington Centre in adequate condition to 2015, we will need to bid for almost £1 million in capital funding; to maintain it until 2020 will require a further £650,000; to maintain it until 2025 will require a further £1.4 million. At present these sums are not included in the capital programme. The value of any investment after 2025 is questionable. It will depend on how much extra life might be coaxed out of the Centre after then.

6.3.4 In summary, to keep the Kensington Leisure Centre going in its present form until 2025 the Council might expect to spend around £3 million in capital and £3 million in revenue (2010 prices).

**6.4 Balancing the costs of a new centre against the costs of maintaining the existing centre**

6.4.1 Using an interest rate of 4% implies that the capital spending required to build a new centre would create an annual opportunity cost of between £600,000 and £800,000 for the capital employed.

6.4.2 Maintaining the current centre for another 15-20 years would require an estimated capital spend of around £3 million. On the same interest rate assumption that implies an annual opportunity cost for the capital employed of £120,000. That opportunity cost might extend beyond the life of the Centre if and when it is demolished.

6.4.3 If the new centre could increase usage by 10% that could generate an additional £140,000 each year in income. A thoughtful build that reduced variable costs by 10% would generate annual savings of £135,000. Those broad brush estimates suggest that a new centre could function with costs of around £275,000 a year less than the cost of running the existing centre. That could mean that a contractor might well pay the Council for the opportunity to run the new centre. However these numbers will depend on the design solution chosen and on the centre’s ability to attract new clients.

6.4.4 The accounting treatment of the land value may be relevant here. By using the existing leisure centre site, the Council will not have to purchase a site for the new academy. However the bottom line capital and continuing annual revenue costs to the Council as a whole are the most important consideration.

6.4.5 Setting land value aside, a broad comparison of the annual costs of building a new leisure centre on the site, and the cost of leaving the existing leisure centre in place, can be set out thus:

	<b>Annual cost of building the optimum option (£)</b>	<b>Annual cost of maintaining the existing leisure centre (£)</b>
Opportunity cost of use of capital	800,000	120,000

Annual contribution to the leisure contractor	-75,000	200,000
<b>Annual cost</b>	<b>725,000</b>	<b>320,000</b>

- 6.4.6 A new building will not require significant maintenance in the early years of its life. The use of hard wearing surfaces such as tile or stone and self finished materials to reduce redecoration costs will assist in reducing maintenance costs and prolonging the period until the first major maintenance is required. But by around 2025, even a new leisure centre would begin to require planned maintenance funded from capital. However by that date the existing centre will have reached the end of its life, and would have to be replaced soon if the Council wanted to maintain municipal leisure provision in North Kensington. That replacement would require significant capital investment and opportunity costs of the same order as those involved in replacing the centre now.
- 6.4.7 There is no external source of funding for a new leisure centre. Therefore Members will wish to consider the cost of building a new centre, and balance that cost against the cost of doing nothing.
- 6.4.8 Funding provision has been made within the FCS Capital Programme 2010/11 for undertaking feasibility work for either option 1 or option 2. This funding would cover fees for appointing an architect, working with specialist consultants experienced in the development of new sports centres, to develop block plans for the site, and associated estimated capital costs.

## 7 **LEGAL IMPLICATIONS**

- 7.1 The Education Act 1996 (as amended by the Education Act 2002) provides for the establishment of Academies.
- 7.2 To establish an Academy a suite of legal agreements have to be entered into between the Secretary of State and any person who undertakes to establish and maintain the Academy. The Council will need to continue to work with the Secretary of State to secure that agreement.
- 7.3 The Education and Inspections Act 2006 places a duty on all local authorities to make arrangements to secure school places for their residents.

## **8 PERSONNEL IMPLICATIONS**

### **8.1 Safeguarding**

8.2 The academy will enable children from Kensington and Chelsea to access a local school which in itself assist in improving safeguarding for children and young people locally.

8.3 In addition, by being based in Kensington and Chelsea, the Academy will be able to develop stronger links with Kensington and Chelsea's Local Safeguarding Children Board to promote safeguarding for all of its students.

## **9 EQUALITIES IMPLICATIONS**

9.1 By commissioning a new academy that will be a non denominational and inclusive school for North Kensington the Royal Borough will provide parents with a broader, more diverse range of education provision for their children. Its position in this part of the borough will signal the redevelopment of the area in a bold and positive statement of excellence. It will be essential that the new school lies at the heart of the local community in the north of the Borough and provides places for young people within that community to meet local demand.

9.2 Diversity and inclusion will be embraced and welcomed by the Academy. Specifically the Academy will:

- Build a strong, cohesive and integrated community, valuing the faith, culture and identity of each individual student;
- Be an all-ability school bound by the same admissions code, special educational needs code of practice and exclusions guidance as all schools in the Royal Borough;
- Be fully inclusive for pupils with special educational and additional needs by ensuring that all aspects of the school and its curriculum are fully accessible to all, including those with disabilities, restricted mobility and visual impairment. and ensuring it responds effectively to the needs of pupils with hearing impairment;
- Deliver an innovative centre for pupils who have needs on the autistic spectrum as part of its desire to include and involve the whole community and as a borough wide resource;
- Be socially inclusive by providing social skills teaching, coaching and mentoring as part of its ethos and pastoral care system

9.3 The new Leisure Centre would be designed to meet the sporting and leisure needs of all residents, including those seeking testing physical challenges as well as those for whom healthy exercise is difficult or unfamiliar.

## **10 RECOMMENDATION(S)**

- 10.1 Cabinet is recommended to approve option 2 as outlined in section 5.1.2. This would mean the selection of the Kensington Leisure centre site as the location for the new secondary school, the preparation of a masterplan (in the form of a supplementary planning document) of the entire site and the funding of a feasibility study for the provision of a new academy and a redeveloped sports centre.
- 10.2 Subject to a successful feasibility study, it is proposed that Cabinet's approval will be sought in summer 2010 to submit an Expression of Interest for the Establishment of an Academy to the DCSF, on the proposed site, to secure funding to support the client side developmental costs for designing a new school and the development and capital costs for providing a new Leisure centre, in line with the objectives of the Core Strategy and in accordance with the supplementary planning document.

**Anne Marie Carrie**  
**Executive Director - Family and Childrens Services**

**Tot Brill**  
**Executive Director - Transport, Environment and Leisure Services**

### **Background papers:**

#### **Appendices**

**Appendix A:** Cabinet - 24 March 2009: Overview and Scrutiny Committee on Family and Children's Services (11 March 2009)

**Appendix B:** Indicative description of a new Leisure Centre in north Kensington

**Appendix C:** Local Development Framework paper (6 April 2009): Location for a new secondary school

**Contact officer:** Peter Bradbury Capital Strategy, Family and Children Services **Tel:** 020 7361 2229 **E-mail:** [peter.bradbury@rbkc.gov.uk](mailto:peter.bradbury@rbkc.gov.uk)