

<b>REPORT TO:</b>	<b>CABINET 19 January 2015</b>
<b>AGENDA ITEM:</b>	<b>11</b>
<b>SUBJECT:</b>	<b>Investing in the future of our young people: School places</b>
<b>LEAD OFFICER:</b>	Paul Greenhalgh, Acting Executive Director - People
<b>CABINET MEMBER:</b>	Councillor Alisa Flemming, Lead Member for Children, Families and Learning
<b>WARDS:</b>	All
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> Statutory duty to provide school places.	
<b>AMBITIOUS FOR CROYDON &amp; WHY ARE WE DOING THIS:</b> To have an agreed 3 year programme and funding for delivering pupil places to meet future demand.	
<b>FINANCIAL IMPACT – As set out in Appendix 4.</b>	
<b>KEY DECISION REFERENCE NO.: not a key decision</b>	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

**1. RECOMMENDATIONS**

The Cabinet is recommended to

- 1.1 Approve the 3 years - 2015/16 to 2017/18 - programme for delivering primary pupil places, outlined in paragraphs 2.3, 3, graph 1 & table 1; along with the necessary funding required for the supply of these places; and re-affirm the 2016/17 secondary schools strategy – paragraphs 2.5 & 3.22, graph 2 and table 2.
- 1.2 Delegate authority to the relevant Cabinet Member and Executive Director, to make decisions regarding:
  - publication of statutory notice and consultations on the proposed expansions as part of the supply strategy - table 1.

- the development of provision for children with special educational needs and consultation on expansion proposals – paragraphs 3.26-28 and table 3.

- 1.3 Note that the Cabinet Member, under the Leader's delegated authority, has determined that the proposed expansion of St Joseph's Catholic schools should not go ahead.
- 1.4 Agree to the publication of statutory notice with a 4 week representation period on the proposal by Parish Church schools to change its category and name from Voluntary Controlled to Voluntary Aided and its name from 'Parish Church' to 'The Minster' - paragraphs 2.5 & 3.23-25.
- 1.5 Note that consultation on the 2016/17 Admission Arrangements for Community, and Voluntary controlled schools started on 08 December 2014 and will end on 02 February 2015 - and that the report will be presented to Cabinet in February to agree the 2016/17 Admissions Arrangements.
- 1.6 To agree the proposed Schools' Annual Maintenance Plan for 2015/16 - Appendix 2.

## 2. EXECUTIVE SUMMARY

- 2.1 **Proposed programme for delivering school places:** Cabinet received a report on 14 July 2014 setting out a recommended programme for delivering school places for 2015/16 to 2017/18 education years.
- 2.2 A detailed review of demand for pupil places was carried out as part of the Council's annual school capacity and forecasts return to DfE which has resulted in changes to the selection of projects outlined in the July 2014 Cabinet report.
- 2.3 **Primary schools:** This report sets out the forecasts for primary places (graph 1 & table 1) and a revised programme for delivering primary pupil places (table 1) for a 3 year period - 2015/16 to 2017/18 – to meet the projected demand. Please see paragraph 3 for further information. Table 1 details proposals to deliver the following additional forms of entry (FE):
- 14/16FE (420/480 reception places) in 2015/16
  - 11FE (330 reception places) in 2016/17
  - 5FE (150 reception places) in 2017/18
- 2.4 **St Joseph's Catholic schools:** The Cabinet Member for Children, Families and Learning, under delegated powers, rejected the proposal to expand the school:
- due to the opening of the Crystal Place Free School nearby , and
  - strong objection from local residents/group about the impact of traffic congestion if the proposal is implemented.
- 2.5 **Parish Church schools:** The July 2014 Cabinet report recommended Cabinet to note the proposal by Parish Church CE Nursery & Infants School and Junior School

to change the category and name of the school, from Voluntary Controlled to Voluntary Aided, and from 'Parish Church' to 'The Minster' respectively. This report recommends agreement to the publication of statutory notice with a 4 week representation period.

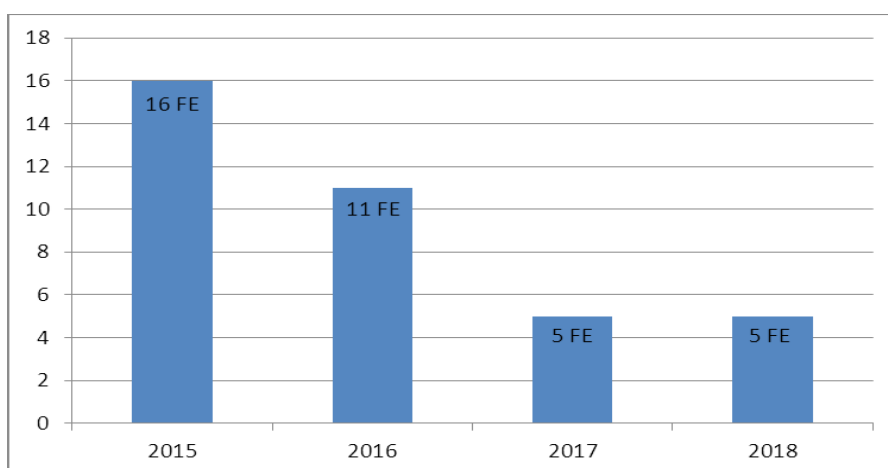
- 2.6 **Secondary schools:** The report provides new data which shows the transfer of demand pressures from the primary school estate to the secondary school estate. It proposes a supply strategy to meet demand which includes successful high calibre Free School proposals. Graph 2 shows the growth in secondary demand, whilst paragraph 3.20 and table 3 outline the proposed supply strategy.
- 2.7 **Special Educational Needs:** Progress is reported on the SEN projects agreed by Cabinet in July 2014 at paragraphs 3.24-3.26 and table 3.
- 2.8 **Admission Arrangements:** In line with the School Admissions Code, "Admission authorities must set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. If no changes are made to admission arrangements, they must be consulted on at least every 7 years." The Council is consulting on its admissions arrangements for Community and Voluntary Controlled schools in order to be compliant with the requirement to consult at least every 7 years. The consultation period runs from 08 December 2014 to 02 February 2015. A report will be presented to the Cabinet, in light of the consultation, to agree the 2016/17 Admission Arrangements for Community and Voluntary Controlled schools. Please see paragraph 4 and Appendix 1 for further details.
- 2.9 **Schools Annual Maintenance Plan:** The 2015/16 proposed Schools' Annual Maintenance Plan sets out those works that are to be addressed within the threshold for which the Council has responsibility in the 2015/16 academic year. The available funding for 2015/16 is £2 million. Please see paragraph 5 and Appendix 2 for further details.

### 3. DETAIL

- 3.1 The Council has a statutory duty to provide sufficient school places to meet the needs of all school-age children in the borough. Regular review of pupil place planning is conducted as new data becomes available, and an annual forecast of need to ensure that the supply of pupil places will meet the demand in each planning area.
- 3.2 Forecasting of future demand for school places is based largely on live birth data, migration, child yield from new housing and trends drawn from both current and historical data, such as the school census.
- 3.3 The forecasting of pupil numbers estimates demand over a 5 year period. It is carried out as part of the Council's annual School Capacity and Forecast (SCAP) returns to Department for Education to secure basic need funding for additional pupil places. The forecast shows that the demand for pupil places in the primary phase

continues to increase, but at a slower pace. The projection for the demand for places in future years, up to 2017/18, shows a shift in need from the primary phase to the secondary phase.

- 3.4 To meet the demand for additional primary school places, the Council plans to permanently expand existing schools. In addition, because of the volatility of demand, each year, the Council plan to provide bulge classes – temporary expansions - to enable flexibility in the supply of places. Additional places will also be created through DfE approved new school sponsors in new accommodation.
- 3.5 In July 2014 Cabinet Paper, a demand forecast for primary places was provided for the education year 2015/16. This estimated a requirement within a range of 9-11 additional forms of entry with a potential for this to increase to 17 forms of entry.
- 3.6 The deep level analysis conducted for the SCAP return during the summer has confirmed the actual need for 2015/16 as 11 permanent forms of entry and an addition of 5 bulge classes, each of which in fact provides the first year of intake for a permanent expansion the following year.
- 3.7 Discussion with ARK (Academy Trust) has led to the 3FE primary FREE school being deferred until 2016/17.
- 3.8 Similarly, the demand forecast for 2016/17 in July 14 estimated a need for between 9-10 additional forms of entry rising to 16FE in exceptional circumstances. The most recent calculations show a need for 11 classes, each of which leads to a permanent expansion in 2017/18.
- 3.9 The demand forecast for 2017/18 is provided in this paper for the first time and the 5FE required reflects the slowing of demand for additional primary places due to a slowing of the increase in birth rate.



**Graph 1 – Refreshed Primary Demand for additional places**

- 3.10 As part of the review of pupil places to meet the requirement to submit an annual school capacity and pupil projections to Department for Education, and new free schools delivering extra capacity, the Council has identified areas where the future

demand for pupil places have changed and as a consequence made some changes to the selection of projects outlined in the July 2014 Cabinet report.

- 3.11 Table 1 below details a revised 3 year programme for delivering pupil places for the primary phase. A one form of entry (FE) permanent expansion equates to 30 additional places per year group - Reception to Year 6 - or 210 places across the whole school. A one FE temporary (bulge) expansion equates to 30 additional places for one year only.
- 3.12 Officers are in discussion with Head teachers for the schools listed in table 1 regarding the expansion of their schools and subject to approval from the schools leadership team, feasibility studies will be commissioned to determine capacity and cost effectiveness. Permanent expansions and new schools for 2015/16 are already fully agreed with Headteachers, Governing Bodies and Academy Trusts and work towards their delivery is already well underway.
- 3.13 To be compliant with School Organisation regulations, the Council is required to follow a statutory process when proposing significant changes, such as, permanently expanding a school. The statutory process includes: publication of statutory proposal; representation (formal consultation); decision on the proposal; and implementation of proposal where approval is given.
- 3.14 The Cabinet is recommended to approve the revised 3 year programme for delivering pupil places, and delegate authority to the Cabinet Member and Executive Director for Children, Families and Learning, to make decisions regarding publication of statutory notice and consultations on proposed expansions.
- 3.15 Discussions regarding the cost of acquiring Segas House as a primary school site have shown that an alternative site at Waddon Fiveways represents a more cost effective solution. The alternative site will allow for a new build with access to green space and sports facilities.

3.16 The proposal for expansion at Gresham primary also includes a proposal to acquire an adjacent commercial property.

**Table 1 – Proposed primary provision (all projects from 2016/17 are subject to feasibility studies)**

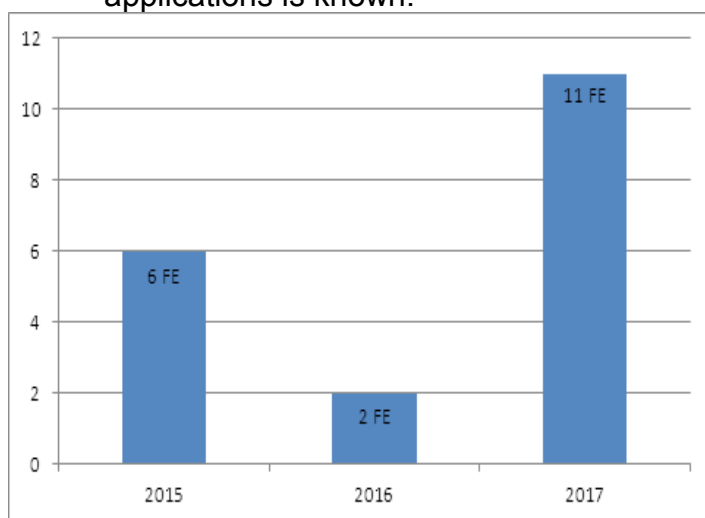
<b>PLANNING AREA</b>	<b>2015/2016</b>	<b>2016/2017</b>	<b>2017/2018</b>
<b>North West</b>	Permanent expansion: <ul style="list-style-type: none"> <li>• 2FE - West Thornton Academy – annexe at Canterbury Road</li> </ul> Bulge: <ul style="list-style-type: none"> <li>• 1FE - Gonville Academy</li> </ul> New school: <ul style="list-style-type: none"> <li>• 3FE - Chestnut Park</li> </ul>	Await outcome of free school proposals	
<b>Central</b>	New school: <ul style="list-style-type: none"> <li>• 3FE - Oasis Fairfield commencing initially at Oasis Shirley Park</li> <li>• 2FE - Heathfield Academy Spices Yard</li> </ul>	New Free school: <ul style="list-style-type: none"> <li>• 3 FE - Ark Free School at Victoria House</li> </ul>	Permanent expansion: <ul style="list-style-type: none"> <li>• 1FE - Oasis Academy Fairfield</li> </ul>
<b>East</b>	Bulge: <ul style="list-style-type: none"> <li>• 1FE - Heavers Farm Primary</li> <li>• 1FE St Johns</li> </ul> Both schools intended to convert to permanent in 2016/17 following consultation)	Permanent expansion: <ul style="list-style-type: none"> <li>• 1FE - Heavers Farm</li> <li>• 1FE - St Johns</li> </ul>	
<b>South</b>	Bulge: <ul style="list-style-type: none"> <li>• 1FE - Christ Church C of E Primary</li> </ul> (Intended to convert to permanent in 2016/17 following consultation)	Bulge: <ul style="list-style-type: none"> <li>• 1FE – Gresham</li> </ul> (Intended to convert to permanent in 2016/17 following consultation)           Permanent expansion: <ul style="list-style-type: none"> <li>• 1 FE Christ Church</li> </ul>	Permanent expansion: <ul style="list-style-type: none"> <li>• 1FE – Gresham</li> </ul> Subject to Governors agreement
<b>South East</b>		Bulge: <ul style="list-style-type: none"> <li>• 1FE - Wolsey Infants</li> </ul> Subject to Governors agreement	Permanent expansion: <ul style="list-style-type: none"> <li>• 1FE - Wolsey Infants and Juniors</li> </ul>
<b>South West</b>	Bulge: <ul style="list-style-type: none"> <li>• 1FE - Chipstead Valley Primary</li> </ul> (Intended to convert to permanent in 2016/17 following consultation)	Bulge: <ul style="list-style-type: none"> <li>• 1FE - Woodcote Primary</li> <li>• 1FE - Oasis Byron</li> </ul> (Intended to convert to permanent in 2016/17 following consultation)           Permanent expansion: <ul style="list-style-type: none"> <li>• 1FE - Chipstead Valley</li> </ul>	Permanent expansion: <ul style="list-style-type: none"> <li>• 1 FE - Woodcote</li> <li>• 1FE- Oasis Byron</li> </ul>

### St Joseph's Catholic schools

- 3.17 The proposal to permanently expand St Joseph's schools by one form of entry from September 2015 was part of the Council's supply strategy to ensure sufficient pupil places are available within the North West of the borough.
- 3.18 On 14 July 2014, the Council's Cabinet gave its approval to publish statutory notice with 4 week representation period for anyone with an interest to comment on or object to the proposed expansion.
- 3.19 During the statutory consultation process respondents, including 125 signatures from the local residents' group, expressed very strong concerns about the impact of traffic/congestion/parking if the proposal is implemented.
- 3.20 The Leader of the Council delegated power to the Cabinet Member for Children, Families and Learning to determine whether to implement the permanent expansion of St Joseph's Catholic Junior, Infants and Nursery Schools following formal public consultation.
- 3.21 The Cabinet Member decided, based on responses received and balancing these against the needs for pupil places decided to reject the proposed expansion to avoid an oversupply of pupil places in the North West of the Borough.

### Secondary Demand

- 3.22 As the additional children from the primary phase progress through school, so the demand for secondary places has begun to increase. This year, the Harris Invictus Free School opened offering 180 new places and despite this, the level of vacancies has not changed. 180 further places will be provided in 2015 through Oasis Arena and 60 additional places in 2016 through the rebuild of Archbishop Lanfranc, under the educational umbrella of the Coloma Trust. A further secondary Free School with ARK as the provider was due to open in 2016/17 but this has now been deferred until 2017/18. The Council is aware of a number of high calibre educational providers with a serious intention of providing secondary Free Schools in Croydon. As these would be directly funded by the EFA, the Council has made no further plans to fund it's own expansions in the secondary estate until the outcome of these applications is known.



**Graph 2 – Refreshed Secondary Demand for additional places**

3.23 Table 2 below outlines the 2015/16- 2017/18 secondary strategy, delivered principally in the North.

**Table 2 - Secondary Supply Strategy**

<b>Planning Area</b>	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
North	New 6FE school at Arena	2FE expansion of Archbishop Lanfranc through PSBP2 programme	6FE ARK secondary free school at Morland Road Await Free School Applications

**Parish Church schools**

3.24 The July Cabinet report stated that a consultation outcomes report in relation to the proposal by Parish Church CE Nursery & Infants School and Junior School to change the category of the school from Voluntary Controlled to Voluntary Aided, and its name from 'Parish Church' to 'The Minster' would be presented to Cabinet in due course. The schools conducted an informal consultation in March and April of 2014 and the outcomes report is attached at Appendix 3.

3.25 The schools are proposing to their category to strengthen their relationship with Southwark Diocese, Croydon Minster and other church schools in their area; and their name to keep the link with their local church. The schools intended to make the changes from January 2015, however it will not be possible to meet this date as, subject to Cabinet approval, there is a statutory process to follow. The statutory process includes: publication of statutory notice with a 4 week representation (formal consultation) period where anyone with an interest can comment on or object to the proposals; followed by a final report to Cabinet detailing the outcomes of formal consultation for a decision on the implementation of the proposals.

3.26 Cabinet is recommended to agree to the publication of statutory notice with a 4 week representation period on the proposal by Parish Church schools to change its category and name.

**Special Educational Needs**

3.27 The table below (table 3) shows a summary of the SEN provision already agreed at July 2014 cabinet.

3.28 In terms of new developments, feasibility work is being undertaken to identify options for expanding both Red Gates School and St Nicholas School to meet the increased demand for places outlined in 14 July 2014 Cabinet report within the funding allocated. Application has also been made to the Priority School Building Programme for additional funding to address the condition of the buildings at St Nicholas. If successful, this could enable the development of significantly improved facilities on this site as well as supporting the expansion of the school.



3.29 A working group of head teachers and Local Authority officers is developing a model for specialist provision within primary schools to meet the needs of the increasing number of primary aged pupils with emotional, social and mental health needs. The approach being proposed is based on the model established in Southwark since 2007 where schools identify and equip a specialist room for the teaching of emotional and social skills as well as identifying and training a member of staff to co-ordinate the work.

**Table 3- Programme for delivering SEN places – 2015/16 to 2016/17 (as per July cabinet report)**

<b>Proposed Primary SEN projects for 2016/17</b>				
4-11	56 Moderate Learning Difficulties and challenging behaviour		South	To be commissioned
4-11	primary-aged pupils with social, emotional and mental health needs: development	Development of provision within 3 primary schools	various	To be commissioned
<b>Recommended Primary SEN projects for 2015/16</b>				
<b>Type / Age Range</b>	<b>Places to be provided</b>	<b>Type of project</b>	<b>DfE Planning Area</b>	<b>Status</b>
4-11	56 Specific Learning Difficulties	Satellite Annexe, linked to Red Gates	South	To be commissioned
4-11	48 Social, Emotional & Mental Health Difficulties	Development of provision within 4 Primary schools	Various	To be commissioned

#### **4. Consultation on Admission Arrangements for Community and Voluntary controlled schools**

- 4.1 In line with the School Admissions Code, the Council is consulting on its 2016/17 admissions arrangements for Community and Voluntary Controlled schools in order to be compliant with the requirement to consult at least every 7 years.
- 4.2 There are no proposals to change the 2016/17 admission arrangements for community and voluntary controlled schools and it is proposed that places will be allocated using the same admission criteria (oversubscription criteria) used for 2015/16 academic year. The Council is therefore consulting on the admission arrangements to meet the requirement to consult at least every 7 years.
- 4.3 Admission authorities are required to publicly consult for a minimum of 8 weeks and the consultation must take place between 1 November and 1 March. The Council is consulting on the admission arrangements for Community and Voluntary controlled schools from 08 December 2014 to 02 February 2015. A consultation document and proposed admission arrangements is attached at Appendix 1.
- 4.4 The Governing Body or Academy Trust is the admission authority for Foundation, Voluntary Aided schools and Academies and are responsible for conducting their own consultation. An email has been sent to the relevant schools to remind them of the requirement to consult.
- 4.5 A report will be presented to the Cabinet at the meeting on 16 February outlining the outcomes of the consultation and recommending that the Council, at its council tax meeting on 23 February, agrees the Admission Arrangements for the 2016/17 academic year. The statutory deadline for determination of the arrangements by the Council is 15 April 2015, and the first ordinary Council meeting following the consultation period is after that deadline, on 20 April.

#### **5 Annual Schools Maintenance Plan**

- 5.1 The Council undertakes maintenance over the threshold of £10,000 at Community and Voluntary Controlled schools. Maintenance for Voluntary Aided schools is managed under the Local Authority Coordinated Voluntary Aided Programme (LCVAP) programme which is separately funded by the DfE. Since 2002 the Council is only responsible for Voluntary Aided school playing fields and buildings on these fields that relate to the use of the playing fields. The Council has no maintenance responsibility for Foundation, Academy or Free schools.
- 5.2 The Council receives a grant from the DfE to provide funding each year for major maintenance works. This allows the Council to address the most serious repair work across the schools estate in order of priority. The funding for 2015/16 is £2 million. There are also outstanding committed works from the 2014/15 programme that will be in 2015/16.
- 5.3 To enable the Council to determine its school maintenance priorities, condition surveys have been carried out throughout the relevant school estate to determine the condition of the buildings and equipment within each school. The nature of the building elements / equipment is recorded and categorised by its state of repair / life

expectancy.

5.4 The proposed projects are prioritised within the plan to address the most serious works in priority, order based on the priorities below. The highest priority projects are categorised as D1 works in survey findings. In rank order, D1 priorities are:

- Priority 1 Boilers & Heating
- Priority 2 Roof works
- Priority 3 Windows
- Priority 4 Gutters & Downpipes
- Priority 5 Electrical Works
- Priority 6 Tanks / Water Cisterns
- Priority 7 Miscellaneous

5.5 Appendix 2 sets out the proposed short-list of Major Maintenance projects for 2015/16. Because of the limited capital funding available, the proposed projects are those that have the highest priority (D1).

## **6 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

6.1 The detailed costs per school are set out in Appendix 4 and are £135.17m over the period 2015/18. The costs of the programme can be funded within the draft capital programme for 2015/18. The council also receives capital funding from the Department for Education of basic need of approx. £32m per annum. The shortfall is met through borrowing.

### **7. Risks**

7.1 The delivery of the programme will be managed by the capital delivery hub with robust oversight from the client. The timescales for delivery will need to be managed very tightly.

### **8. Options**

8.1 The delivery of the places as set out in the report will ensure we meet our statutory responsibilities.

### **9. Future savings/efficiencies**

9.1 None

## **10. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

- 10.1 The Solicitor to the Council comments that the relevant statutory obligations are contained within this report.

(Approved by: J Harris Baker, head of social care and education Lawyer on behalf of the Council Solicitor & Director of Democratic & Legal Services)

## **11. HUMAN RESOURCES IMPACT**

- 11.1 None.

(Approved by: Heather Daley, Director of Human Resources)

## **12. EQUALITIES IMPACT**

- 12.1 An equality analysis has been conducted which shows that the strategy is designed to maintain and improve a equal access to educational opportunity for protected groups. These are children from BME and Faith Groups who are more highly represented in areas of demand pressures for additional places. Also disproportionately affected are children with SEN, for whom the strategy delivers additional specialist facilities in both mainstream and SEN schools that are located within local communities. A full impact assessment will be conducted between January and April 2015. The outcome of which and any mitigating actions will be contained in the report to decision makers .

## **13. ENVIRONMENTAL IMPACT**

- 13.1 The environmental impact of the strategy has positive elements and potential risks which must be managed. All buildings within the programme must meet the BREAAAM excellent standard which ensures high quality sustainable buildings and which promotes other environmental agendas such as green travel. The potential environmental impact of having additional school places on transport and traffic is non-trivial and is managed through the traffic impact assessment of every individual projects. Sustainable transport plans are pursued on each scheme.

## **14. CRIME AND DISORDER REDUCTION IMPACT**

- 14.1 None.

## **15. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 15.1 As set out in text above.

## **16. OPTIONS CONSIDERED AND REJECTED**

16.1 The opportunities for expansion of places are kept under constant review – the proposals in this paper are a best fit between locations that can be developed cost effectively with areas of demand.

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**CONTACT OFFICER:** Pip Hesketh, Head of Service, School Places and Admissions

**BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972:**

Initial Equality Analysis

**Appendices:**

- Appendix 1 - Consultation on Admission Arrangements
- Appendix 2 - Annual Schools' Maintenance Plan
- Appendix 3 - Parish Church Consultation Outcomes Report
- Appendix 4 - Capital Budget