

For General Release

REPORT TO:	CABINET 11 July 2016
AGENDA ITEM:	12
SUBJECT:	Education Estates – School Places
LEAD OFFICER:	Paul Greenhalgh, Executive Director, People Department Jane Doyle, Director of
CABINET MEMBER:	Councillor Alisa Flemming, Cabinet Member for Children, Young People and Learning
WARDS:	All
CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON: The recommendations in this report contribute to achieving priority 3 of the independence strategy to provide people with the best opportunity to maximise their life chances and have a good quality of life through the provision of high quality universal services, including an excellent learning offer.	
FINANCIAL IMPACT The overall cost of the Schools Places Programme is estimated to be £142m over the period 2016/17 to 2018/19 and was agreed as part of the budget setting process in February 2016. Further details are in the finance section of this report.	
KEY DECISION: Not a key decision	

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:

School Place Planning

1.1 Agree the Pupil Place Supply Strategy as detailed in Table 1 for the academic years 2016/17 to 2018/19, which will ensure the sufficiency of primary, secondary and special school places over the next 3 years.

1.2 Delegate to the Executive Director, Place Department in consultation with the Cabinet Member for Children, Young People and Learning and the Cabinet Member for Finance and Treasury, authority to approve any subsequent procurement strategy required to deliver the ambitions set out in this report

School Organisation

1.3 Agree that officers can publish a statutory notice setting out details of the Saffron Valley Federation amalgamation proposal.

1.4 Agree that officers can undertake statutory consultation with stakeholders on the amalgamation of the Saffron Valley Federation comprising the Coningsby Pupil Referral Unit (PRU), the Phil Edwards PRU, Moving On and Cotelands PRUs. It is proposed that the consultation will take place between September and October 2016.

1.5 Following consideration of the consultation, to agree that the Executive Director, People Department seeks authorisation from the Leader of the Council, to make the final decision whether or not to amalgamate Saffron Valley, in consultation with the Lead Member, within 2 months of the end of the consultation period.

1.6 In the event the decision of the Executive Director is to agree amalgamation, that officers be authorised to implement the amalgamation proposal as specified in the statutory notice.

Schools Maintenance

1.7 Approve the proposed two year Schools' Maintenance Plan for 2017/18 and 2018/19, attached in Appendix 1.

1.8 Agree that this Plan will be reviewed yearly.

2. EXECUTIVE SUMMARY

School Place Planning

- 2.1 Croydon Council has a statutory duty to ensure every child has access to a school place.
- 2.2 On 18 January 2016, the Council's Cabinet (Min A7/16) approved the Pupil Place Supply Strategy for the 2016/17 to 2018/19 academic years, along with the necessary funding required for the delivery of these places. The Strategy includes proposals for temporary and permanent expansion of existing schools, and the establishment of new schools via the free schools route.
- 2.3 This report provides reflection on the high number of additional school places that have been provided in the borough in the last two years (September 2014 and September 2015); and an update on the proposed revised Supply Strategy is set out in Tables 1 and 2.

School Organisation

- 2.4 There are currently four Pupil Referral Units (PRUs) operating in Croydon under a soft federation called Saffron Valley Federation. They have recently appointed a single Head teacher to lead across the sites, however they remain separate institutions. In seeking to deliver a quality bespoke curriculum across the federation which realises the best value for money, it is proposed that the four PRUs amalgamate in to one PRU operating across five sites. This amalgamation would not change the location or number of pupils, nor require any building work. However, it would allow economies of scale regarding financial matters and realise the benefits of tighter governance across the PRUs, with one management committee providing the strategic leadership across the sites. This report seeks permission to consult on the amalgamation of Saffron Valley. Following consultation the responses will be analysed and used to form a recommendation whether or not to amalgamate the school. It is proposed that the final decision is delegated to the Executive Director, People, in consultation with the Lead Member.

Schools' Maintenance Plan

- 2.5 Local authorities are responsible for larger condition and maintenance works in maintained schools. This report concerns works at maintained schools other than Voluntary Aided (VA) Schools (ie most church schools) which are provided for through a separate fund, the Locally Coordinated Voluntary Aided Programme (LCVAP). This is administered in consultation with the diocesan boards of education.
- 2.6 The School's Maintenance plan has been developed using information from condition surveys commissioned by the Council. These surveys are extremely comprehensive and identify costed items across each school rated from A (good condition) to D (poor condition) as well as assessing the urgency of each (on a scale of 1 to 4, with 1 being the most urgent).
- 2.7 The proposed Maintenance Plan is subject to receipt of annual funding provided by the Education Funding Agency (EFA) to our Capital Programme

and the status of the school. Academies bid directly to the EFA for maintenance funding so, like voluntary aided schools, are not funded by this plan.

2.8 The two year plan is set out at Appendix 1 in this paper.

3. DETAIL

SCHOOL PLACE PLANNING

3.1 In Croydon, we continue to oversee and deliver an impressive Capital Programme which is delivering more additional new school places than anywhere else in London.

3.2 The first section of this report begins with a reflection of the number of primary, secondary and Special Educational Needs (SEN) places that have been delivered in the last two years. The section concludes with an update of the proposed revised three year supply strategy which sets out our ambitious plans for ensuring every child will continue to have access to a high quality school place.

3.3 The London Council's report 'Do the Maths' sets out the crisis that London faces regarding the exceptional need for additional school places across London. The report sets out that London's primary pupil population is projected to increase by 73,000 between this academic year (2015/16) and 2019/20. This will mean that between 2010 and 2020, London's primary pupil population will have increased by 188,000 pupils.

3.4 In September 2014 and September 2015 alone, the first cohorts of children were offered new places in schools as part of schemes that will go on to provide a total of additional 5006 school places. The complete list of new additional classes which opened in September 2014 and September 2015 is set out in Appendix 2.

3.5 We have worked to ensure excellent new places have been available for every child on time at the beginning of each September, working with each school to provide a range of interim solutions, if necessary, where permanent solutions demanded longer build times.

3.6 It is important to reflect on the magnitude of this achievement. First and foremost the effectiveness of this programme has meant thousands of young people have not only been able to attend a local school but they have had access to brand new educational facilities.

3.7 We are proud of the achievements so far but remain uncomplacent about the challenge we are still facing as the birth rate continues to rise and as we see our large primary school cohort's transition to secondary school. In particular, the cohort of pupils with complex Special Educational Needs (SEN) continues to increase at a higher rate than the overall pupil population.

3.8 As set out in the Education Estates report agreed by Cabinet in January 2016, we face a further significant challenge to fund these places. Any new additional

school places required in the future will be delivered through the free school programme. (Free schools are funded directly from central government.)

- 3.9 It is proposed that Section 106 and Community Infrastructure Levy (CIL) contributions received from developers will be used to provide targeted additional class rooms which will allow us to plan more effectively for unforeseen increases in 'in year' demand. More information about this set out later in this report.

4. Projecting demand for School Places

- 4.1 The underlying key to the success of the Supply Strategy and therefore our Capital programme has been the accuracy of our pupil projections in Croydon. Ensuring that we have a firm grip on the numbers of young people that we are expecting to need school places in the future has informed a clear and regularly reviewed Supply Strategy which has continued to deliver sufficient school places across the borough.
- 4.2 Every year the Council projects the number of pupils that will need a school place in the borough over the coming years (pupil demand). We use a projection methodology which takes into consideration factors such as birth rates and local housing developments. Then throughout the year, the demand for additional school places is reviewed as soon as new local information and data becomes available, for example, school census, and in-year admissions information. This intelligence then informs the following July's projections which impacts on the number of places delivered in future years.
- 4.3 We submit our pupil projections to the Department for Education late July each year. These projections are then verified and finalised, usually by the end of the calendar year. Once finalised, the projections are used to inform the Basic Need Funding we receive from the Education Funding Agency. We will publish these numbers in a further Education Estates report in 2017.
- 4.4 Each year we strive to improve the methodology and therefore the accuracy of our pupil projections. Under projecting would result in a deficit of places and therefore a failure to meet statutory duty, denying our residents a place at a local school. However, over projecting the number of places required also has serious consequences. A significant proportion of funding schools receive is directly related to the number of pupils attending the school. Vacancies in schools mean that schools will not receive the maximum revenue possible. Therefore there is a very careful balance required to ensure that we retain some vacancies for those who move to Croydon, without creating an excess of places which could seriously challenge the viability of individual schools. This issue is likely to become even more pronounced with the proposed move to a national funding formula for schools.
- 4.5 For a number of years we have used 'in house' projection calculations to forecast pupil numbers in Croydon and we have used the Greater London Authority (GLA) School Roll Projection Service to support the verification of the projections. The projections produced by the GLA have aligned more tightly to the actual numbers of pupils who went on to attend Croydon schools in the relevant year. Therefore this year, we will use the GLA projections as our

dominant projection tool, supported by our underlying methodology. This approach is in line with most other London Boroughs.

Pupil Place Planning

- 4.6 To ensure that we have the supply of school places to meet the demand for, we plan across 6 planning areas of the borough – Central, East, North West, South, South East, and South West - for primary places; and 2 planning areas – North and South - for secondary places. When we calculate our pupil projections (as set out above) we set out the number of additional places we will need in each of the defined pupil planning areas. Maps setting out the boundaries to each planning area and wards are set out in Appendices 3a & b.
- 4.7 To plan for demand for specialist places for children with complex Special Educational Needs (SEN), the Local Authority has a data base of all existing placements that is updated annually to project future place requirements by category of need. This is cross-referenced with trend data held by the Local Authority on types of SEN for pupils with Education, Health and Care (EHC) plans and to similar data submitted by schools to the Department for Education (DfE) on pupils with SEN supported through the graduated response (formerly School Action and School Action Plus).
- 4.8 The total number of additional school places that will be provided across the borough in the next three years is set out below. This is the number of new places we will need compared to the number of places we currently have in existing school and academies in the borough. Our plans to deliver these places are set out in our supply strategy at Tables 1 & 2. 5.

Meeting demand for school places

- 4.9 There are broadly three different ways to deliver new school places:
- Fixed term expansions (one or two new classes) for one or two academic years only;
 - Permanent expansions (permanent increase in the size of the school in every year group);
 - New schools (current legislation sets out that all new schools are presumed to be free schools.
- 4.10 Further information about each of these delivery options - process for creating new school places - is given in Appendix 4.

4.11 Additional places that will be provided for the Primary phase:

- 2016/17 academic year, an additional 10FE (300 reception)
- 2017/18 academic year, an additional 6FE (180 reception places)

- 2018/19 academic year, an additional 7FE (210 reception places)

Planning area	Academic Year 2016/17	Academic Year 2017/18	Academic Year 2018/19
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4.12 Additional places that will be provided for the Secondary phase:

- 2016/17 academic year, an additional 1FE (30 Year 7 places)
- 2017/18 academic year, an additional 2.3 FE (70 Year 7 places)
- 2018/19 academic year, an additional 12FE (360 Year 7 places)

4.13 Additional specialist places that will be provided for pupils with complex SEN

- 2016/17 academic year, an additional 24 places in nurture provision in primary schools and a further 6 personalised learning places in the post-16 'Access to Success' provision
- 2017/18 academic year, an additional 56 places for primary aged pupils with Moderate Learning Difficulties (MLD), 14 places for secondary aged pupils with MLD, 24 places in nurture provision in primary schools and an additional 50 places for pupils aged 11-19 with Autism Spectrum Disorder (ASD) and Social Emotional and Mental Health (SEMH) needs.
- 2018/19 academic year, an additional 56 places for primary aged pupils with Severe Learning Difficulties (SLD).

	<i>The free schools in this year of delivery have been agreed by the Department of Education (DfE). The permanent expansions have been agreed by Cabinet in previous reports. Three bulge classes set out in the previous report have not been required¹.</i>	<i>The free school in this year of delivery has been agreed by DfE.</i>	<i>One free school set out in this year of delivery is subject to free school applications being submitted to and agreed by the DfE (North West) and the other is subject to a site being found.</i>
North West		In Year bulge class - TBC ²	New School <ul style="list-style-type: none"> • 3 FE Free School – to be confirmed
Central	New school: <ul style="list-style-type: none"> • 2FE Krishna Avanti Free School; 1FE - 30 reception places available for 2016/17 academic year. • 3FE Harris Primary Academy Purley Way 	<ul style="list-style-type: none"> • Krishna Avanti Free School – 1FE - 30 additional reception places available – total of 60 reception places In Year bulge class - TBC	
East	Permanent expansion: <ul style="list-style-type: none"> • 1FE Heavers Farm • 1FE St Johns 	In Year bulge class - TBC	
South	Permanent expansion: <ul style="list-style-type: none"> • 1FE Christ Church Primary Bulge: <ul style="list-style-type: none"> • 1 FE Gresham 	Bulge: <ul style="list-style-type: none"> • 3 FE TBC³ In Year bulge class - TBC	New School: <ul style="list-style-type: none"> • ARK 3FE Free school site to be identified by EFA
South East		In Year bulge class - TBC	
South West	Bulge: <ul style="list-style-type: none"> • 1FE Woodcote Primary Permanent expansion: <ul style="list-style-type: none"> • 1FE Chipstead Valley 	Permanent expansion: <ul style="list-style-type: none"> • 1FE Woodcote • 1FE Oasis Academy Byron, subject to 	Permanent expansion: <ul style="list-style-type: none"> • 1FE Smitham

¹This Strategy updates the information published in the Education Estates Paper which was agreed by Cabinet in January this year. The previous Strategy included provision for bulge classes for 2016/17 in the South West and South East. Upon a final review of the numbers of Reception applications for September 2016, these classes were not delivered. This is because the extra capacity was not required to ensure sufficient places in these areas, including in year places for pupils who move to the area

²It is essential that we have sufficient school places for every child in the borough but it is also important that we do not provide an excess of places as this is detrimental to the schools with significant available places. This is because the majority of school funding is based on the number of pupils on roll at the school. To help to provide flexibility of delivery of school places in the future, we propose to provide at least one additional primary classroom in each planning area to be used to offer places in the event that there is an unexpected increase in pupil numbers in any given area. It is proposed that this will be funded through section 106 contributions. High level viability studies will be undertaken to identify where best to deliver the additional places, ensuring that the places are in good or outstanding schools, in areas of high demand and that the proposed schemes provide value for money.

		Academy/Secretary of State agreement. In Year bulge class - TBC	
Additional SEN provision	Nurture provision in 2 primary schools for pupils with social, emotional and mental health needs – 24 places	Permanent expansion: St Nicholas Special School – SEN 56 places Nurture provision in 2 primary schools for pupils with social, emotional and mental health needs – 24 places TBC Additional Primary ELP provision for boys and girls with ASD - TBC	Proposed permanent expansion: Red Gates Special School – SEN 56 places ⁴ (This is subject to statutory consultation) Free School: 240 places for boys and girls with ASD (age 5-19)TBC

⁴ Further work is being undertaken to assess the feasibility of permanently expanding Red Gates Primary and a future Education Estates report will provide the update to this work.

Proposed 3 year secondary school supply strategy – Table 2

Planning area	2016/17	2017/18	2018/19⁵
North	1FE Norbury Manor Business Enterprise College (Academy)		6FE Ark Secondary free school at Morland Road ⁶ .
		2.3FE expansion of Archbishop Lanfranc through PSBP2 programme	
South			6FE Wallington County Free School (Site TBC)
Additional SEN Provision		<p>Beckmead Family of schools –continuing ASD expansion and extension to KS5 vocational offer (50 places) – new building to open Nov 2016</p> <p>Enhanced Learning Provision for MLD – 14 places – TBC</p> <p>Expansion of provision at Beckmead Family of schools to create 6-12 places for girls - TBC</p>	<p>Proposal to support an independent special school run by a charitable foundation located in the borough to expand to offer post-19 provision for students with profound and multiple learning difficulties (PMLD); no capital investment, LA would commission places. TBC</p>

Managing the continuing demand for SEN places

⁵ Beyond the 3 year strategy, there is a need for a further secondary school providing an additional 180 places per year group to open in the borough in 2020. The Council is working with the BRIT school, the Crescent Primary school and other partners who intend to submit a free school proposal for a secondary free school in Thornton Heath. It is expected that the submission will be made in September 2016.

⁶ The secondary supply strategy has been updated to show that the 6FE Ark Free Secondary School to be located at Morland Road, in the North of the Borough will be delivered by the Education Funding Agency in September 2018, instead of 2017. This ensures that we are not delivering excess secondary places in 2017 and reflects the School's aspiration is for the pupils to start in a permanent new building on the new site (rather than temporary accommodation).

- 5.3 SEN demand data shows an increasing need for specialist places for pupils with ASD and also provision for girls with Social Emotional and Mental Health (SEMH) or ASD.
- 5.4 Current specialist provision for ASD includes 3 enhanced learning provisions in primary schools (58 places) and 3 in secondary schools (58 places). Pupils with ASD with behaviors that challenge and limit learning are educated at Chaffinch Brook, an ASD specialist provision (56 places) within the Beckmead Family of schools. Since ASD is often associated with learning difficulties, pupils are also often placed in an MLD or SLD school adding to the pressure on places at these schools while a significant number attend specialist ASD schools in the independent sector outside the borough representing 30% of all independent sector placements. It is, therefore, proposed that we seek providers to deliver a specialist ASD specific free school for pupils aged 5-19 as well as developing a further enhanced learning provision in a mainstream primary school.
- 5.5 The number of girls with SEMH or ASD requiring specialist provision is small (currently 76 of statutory school age placed across maintained special schools and the independent sector). Girls with ASD and learning difficulties are currently placed across maintained MLD and SLD special schools, There is, however, an emerging trend of ASD diagnosis in girls in teenage years, often exhibiting high risk behaviours. The needs of this group could be met within the ASD free school proposal.
- 5.6 Teenaged girls with SEMH, however, are hard to, place; this group also exhibits risky and self-destructive behaviours and is vulnerable in relation to Child Sexual Exploitation (CSE). At the recent Ofsted inspection of Children's Social Care 25% of the children identified as at risk of CSE, had an Education, Health and Care plan. It is proposed that a small provision for 6-12 teenaged girls is developed within the Beckmead Family of Schools; this would build on their nationally recognised success in meeting the needs of boys with SEMH.

Funding the supply strategy

6. In seeking high quality, value for money places, in areas of high demand, the Council has funded the delivery of the supply strategy through:
- Basic Needs Funding;
 - Targeted Basic Needs funding for specific projects;
 - CIL/Section 106;
 - The Priority School Building Programme;
 - Council Borrowing;
 - Free Schools
- 6.1 Please refer to Appendix 5 which sets out the budget for delivering this supply strategy from 2016/17 to 2018/19. Further funding will be allocated each year from S106 and CIL which will reduce the Council's borrowing requirement.
- 6.2 As set out in the previous Education Estates report, the Council will meet its statutory duty to provide sufficient school places by maximising funding provided by central government, through the free schools programme. Where

projected pupil numbers set out that new schools are required, the Council will seek to work to attract the best providers to come to Croydon to provide residents with high quality school places.

SCHOOL ORGANISATION

- 6.3 The Saffron Valley Federation is located across five sites in Croydon. It comprises the Coningsby PRU, the Phil Edwards PRU, Moving On PRU Cotelands PRU, which includes Springboard Tuition Service. The Saffron Valley Federation pupil referral units are responsible for educating young people of secondary school age, who are unable to attend a mainstream school because they have been excluded from school, are at significant risk of exclusion from school or for other reasons they are not able to attend a mainstream school.
- 6.4 The PRUs have recently been reconfigured to provide a targeted focus on meeting the needs of specific cohorts of learners. From September 2016, The Coningsby Centre will provide education for young people in Years 7 to 9; The Phil Edwards Centre and Moving On will provide education for young people in Years 10 and 11; and Cotelands will provide education for emotionally school based refusers and school age mothers in Years 10 and 11. These changes are not dependent on amalgamation however the proposed amalgamation will support these changes.
- 6.5 The schools work currently closely together but to ensure maximum efficiency in areas including school governance, finance, teacher expertise and training, it is proposed that the schools should be amalgamated,
- 6.6 The proposed amalgamation would not change the numbers on roll or the location of the students and therefore no additional building work would be required.
- 6.7 In order for amalgamation to take place, it is necessary first to seek the views of all statutory stakeholders, including parents, governors and teaching staff.
- 6.8 Early engagement will be undertaken in July 2016 with immediate stakeholders including parents, staff and governors. Following agreement by Cabinet that statutory consultation can take place, it is proposed that the statutory representation period (formal consultation) should take place in September 2016.
- 6.9 The responses to the consultation will be analysed and used to inform a recommendation whether or not to amalgamate the PRUs. It is proposed that the decision whether or not to amalgamate the PRUs should be delegated to the Executive Director, People, in consultation with the Lead Member.

7 SCHOOLS MAINTENANCE

- 7.1 Local authorities are responsible for larger condition and maintenance works in maintained schools.

- 7.2 This programme is formed based on information provided in the condition surveys commissioned the Council through Faithful and Gould. These surveys are extremely comprehensive and identify costed items across each school rated from A (good condition) to D (poor condition) as well as assessing the urgency of each (on a scale of 1 to 4, with 1 being the most urgent). The council, under the current scheme for financing schools, is responsible for items valued at over £10,000 for primary schools and £25,000 for secondary schools.
- 7.3 At the time of writing, based on these surveys as uploaded to the council's Asset Management database, (TF Cloud) there are D items over these limits to a total value of £4,367m awaiting attention of which £2,65m are in the most urgent category. Accordingly, given a limited budget, those works which actually reach the programme will inevitably be those which are likely to lead to school closure. They include items such as heating, roofing and windows replacement.

Proposed 2 year maintenance plan

- 7.4 Using TF Cloud, the works have been programmed according to the following criteria:
- D1 need identified through condition survey or further inspection
 - Urgent health and safety issues
 - Items which could lead to school closure (predominantly roofing and heating works)
- 7.5 The resulting 2017/18 and 2018/19 programmes are set out in Appendix 1. The programme is set at the level of the base budget of £2.5 per year from 2017 based on the valuation of identified works.
- 7.6 In setting this programme we have allocated a proportion of the budget (£200,000) to emergency and reactive works. These are particularly common in the winter months and in previous years other planned works have had to be stopped in order to fund unplanned events; in most cases these were issues that could not have been predicted by the condition surveys.
- 7.7 Plans will be put in place to use any of the provision for emergency and reactive works that may be unspent in the final months of the financial year on smaller projects from the programme.
- 7.8 As in previous years, the programmes set out in this report are based on estimated costs and not tendered prices. The Executive Director, People, should retain the delegated authority to vary the programme to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works.

PROCUREMENT

- 7.9 Once the outline programme has been agreed, the relevant schools concerned will be engaged in detail on the works in advance of final procurement. The procurement strategy will be set for each scheme ensuring best value for money.

8 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

8.1 Capital consequences of report recommendations

	Medium Term Financial Strategy – 2 year forecast			Total
	2016/17 £'000	2017/18 £'000	2018/19 £'000	2016-19 £'000
Budgeted Programme				
Primary Fixed Term Expansions	2,491	25	0	2,516
Primary Permanent Expansions	74,060	28,064	1,732	103,856
Secondary places	8,500	139	0	8,639
SEN places	16,444	10,787	200	27,431
Major Maintenance	2,119	2,000	2000	6,119
Total Capital Budget	103,614	39,015	3,932	148,561
Planned Programme - detailed in appendix 5				
Primary Expansions	47,416	42,341	4,500	94,257
Secondary places	6,029	1,459	0	7,488
SEN places	8,483	7,038	5,420	20,941
Schemes already underway	39,567	-13,823	-7,988	19,756
Major Maintenance - Detailed in Appendix 1	2,119	2,000	2000	6,119
Programme Costs	103,614	39,015	3,932	148,561
Balance	0	0	0	0

8.2 The education estates programme and major maintenance programme detailed in the table above is budgeted to be £148m over the 3 year period 2016-19. Some schemes are already underway and are funded from a range of sources, including grants from the DfE for Targeted Basic Needs and Basic Needs as well as funding from Council borrowing.

8.3 The Council has not been granted any Government funding for the delivery of school places beyond its allocation of £32m in 2016/17, and will need to borrow to deliver the required places, resulting in an impact on the council's general fund.

9. Risks

9.1 If the proposed expansions are not approved there is likely to be a shortage of primary school places in the future academic years, resulting in the Council not fulfilling its statutory duty.

10. Future savings/efficiencies

10.1 If additional free school providers are interested in opening schools in Croydon, the cost to the Council from borrowing could be reduced in future years. The Council will also continue to lobby for funding to meet need and if successful

this will further reduce the need to borrow and associated costs.

Approved by: Lisa Taylor – Assistant Director of Finance and Deputy S151 Officer

11. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

- 11.1 The Council Solicitor comments that there are no additional duties or legal considerations in respect of the provision of school places beyond those detailed in the body of the report
- 11.2 The Council Solicitor notes that the statutory guidance “Opening and Closing Maintained Schools” and “Making prescribed alterations to maintained schools” April 2016 details that there are two methods to amalgamate two or more schools:
1. The LA or Governing Body (depending on school category) can publish a proposal to close two, or more, schools and the LA or a proposer other than the LA depending on category, can publish a proposal to open a new school or a presumption free school. This results in a new school number being issued.
 2. The LA/or governing body can publish a proposal to close one school and enlarge/change the age range/transfer site (following the statutory process as/when necessary) of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number.
- 11.3 The Guidance sets out the statutory process which should be undertaken by the local authority and the publication and notification requirements.
- 11.4 The Education (Short Stay Schools)(Closure)(England) Regulations 2010, Section 7 provides that local authorities must obtain the consent of the Secretary of State before closing a pupil referral unit:
- Which requires special measures or significant improvement
 - Where the Secretary of State has established an IEB; or
 - Where Ofsted has notified the pupil referral unit that an inspection is to take place.

(Approved by J Harris Baker, Head of Social Care and Education Law **on behalf of the Council Solicitor & Monitoring Officer**)

12. HUMAN RESOURCES IMPACT

- 12.1 This report makes recommendations that may have an impact on the staffing structure for the relevant schools, which would be managed in accordance with the school’s policies and procedures. There are no human resources implications arising from this report for Council staff.

(Approved by: **Deborah Calliste, HR Business Partner on behalf of, Heather Daley, Director of Human Resources**)

13. EQUALITIES IMPACT

- 13.1 The Education Estates – School Places report that was approved by Cabinet in January 2016 (Min A7/16) has an overarching Equality Analysis which covers the proposals in this report, barring the Saffron Valley Federation amalgamation

proposal. An Equality Impact Assessment will be undertaken as part of the statutory consultation process, if approved by cabinet.

Summary of Equality Analysis

- 13.2 The equality analysis indicates that the proposed Education Estates Strategy is likely to have a neutral or positive impact on equality groups that share a “protected characteristic” in terms of disability, race/ethnicity, age, and religion/belief.
- 13.3 The proposed strategy will help the Council meet its statutory duty to provide sufficient school places for protected and non-protected groups. Croydon schools provide diverse educational provision in terms of category, size and educational sponsors. These include special schools, enhanced learning provision at mainstream schools; and Academies /Free Schools. Pupils are allocated a school place based on admissions criteria which aim to promote fair access to schools and are compliant with the Admissions Code.
- 13.4 The proposed strategy is in line with the Council's Equality and Inclusion Policy 2014-16 and will enable the delivery of the following priorities:
- Make Croydon a place of opportunity and fairness by tackling inequality, disadvantage and exclusion.
 - Close gaps in educational attainment by working with local businesses and community groups to enable people of all ages to reach their full potential through access to quality schools and learning.
 - Work in partnership to lift people out of poverty by increasing employment opportunities across the borough ensuring local people have a pathway into employment, education and training.
- 13.5 The proposed strategy is consistent with the Council's general equality duty to have due regard to the need to eliminate unlawful conduct under the Equality Act 2010; to advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

14. ENVIRONMENTAL IMPACT

14.1 None.

15. CRIME AND DISORDER REDUCTION IMPACT

15.1 None.

16. REASONS FOR RECOMMENDATIONS

16.1 To ensure that the Council fulfil its statutory duty to provide sufficient school places for pupil of statutory age within the Borough.

17. OPTIONS CONSIDERED AND REJECTED

17.1 Temporary (bulge) classes have been considered and where agreement has been reached with the schools Governing Body/Academy Trust, these have

been put in place. However bulge classes are a temporary solution, providing additional places for one year only, and it is predicted that additional school places will be required beyond 2016.

17.2 The use of free schools to provide additional school places has been considered as outlined in the supply strategy at Tables 1 & 2.

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BACKGROUND PAPERS - NONE

APPENDICES:

Appendix 1 – Proposed two year School Maintenance Plan

Appendix 2 – New school classes which opened in September 2014 and September 2015

Appendix 3a- Primary Schools by Planning Area

Appendix 3b – Secondary Schools by Planning Area

Appendix 4 – Creating new school places

Appendix 5 – Budget for 2016/17 to 2019/20

Appendix 1

Proposed two year School Maintenance Plan - Major Maintenance Programme and Budget

The information set out in this table is subject to receipt of funding from the Education Funding Agency and subject to the status of the school. Academies bid directly to the EFA for maintenance funding.

School	Priority Year 2017/18	Priority Year 2018/19	Totals	Description of Works
Beaumont Primary Total	£0.00	£50,000.00	£50,000.00	Replace felt roof to Block A/A1
Beckmead Special School Total	£525,000.00	£0.00	£525,000.00	Replace all flush and surface mounted plastic electrical accessories (sockets, spurs, lighting switches etc) within children areas with metal clad type accessories including surface boxes.
Bensham Manor School Total	£0.00	£100,000.00	£100,000.00	Replace all loose switchgear and HRC fuse boards with new MCCB panel boards complete with associated sub metering and surge suppression, Allowing for all terminations of existing sub main cabling.
Beulah Junior School Total	£50,000.00	£0.00	£50,000.00	Replace existing service head associated metering and loose L.V. switchgear including for cabling upgrade, excavations and reinstatements for cabling- Intake Cupboard within Caretakers Room.
Courtwood Primary Total	£40,000.00	£35,000.00	£75,000.00	Replace existing electrical intake service head and associated metering with new. Replace existing loose HRC fused switchgear with new MCCB panel board complete with sub metering and surge suppression.
Cypress Infants Total	£57,000.00	£320,000.00	£377,000.00	Consider replacement of LTHW pipework distribution and heat emitters. Upgrade fire alarm in 2017/18
Cypress Juniors Total	£65,000.00	£43,000.00	£108,000.00	Survey/Investigation of Main School Boilers and replacement of primary and secondary pump-sets. Works to the water ingress in 2017/18
Downsview Primary Total	£0.00	£75,000.00	£75,000.00	Further investigation required and replacement of failing retaining wall and adjoining tarmac walkway. Allow replacement of existing balustrades.
Forestdale Primary Total	£10,000.00	£57,000.00	£67,000.00	Replacement of CWS and HWS pipework.
Gilbert Scott (Special) Total	£0.00	£62,000.00	£62,000.00	Internal corridor and roof works
Greenvale Primary Total	£0.00	£30,000.00	£30,000.00	Replace switch panel with new MCCB wall mounted panel board complete with associated sub distribution metering. Provide all necessary existing cable junctions/extension and terminations, install schematic wiring diagram, change of conductor colour notices, circuit charts, resuscitation notices, rubber mat within switch room
Gresham Primary Total	£13,000.00	£40,000.00	£53,000.00	Replace all loose switchgear and HRC fuse boards with a new MCCB panel board complete with associated metering and surge suppression, Allowing for all terminations of existing sub main cabling.
Howard Primary School Total	£200,000.00	£50,000.00	£250,000.00	Heating and Pipe works

Kenley Primary School Total	£50,000.00	£170,000.00	£220,000.00	Rewire the complete school back to the recommended new distribution boards including for all accessories/outlets, cable containment and all terminations.
Remedial Capital defect works Total	£70,000.00	£66,030.00	£136,030.00	Works associated with remedial capital programme - Health and Safety rectification.
Keston Primary Total	£50,000.00	£15,000.00	£65,000.00	Testing and additional insulation to pipework- HWS.
Kingsley Primary Total	£200,000.00	£0.00	£0.00	Testing and additional insulation to pipework- HWS.
Monks Orchard Primary Total	£3,000.00	£105,000.00	£108,000.00	Replace existing with new metal clad MCB/RCBO split load/split metered power and lighting lockable distribution boards.
Norbury Manor Primary Total	£0.00	£20,000.00	£20,000.00	Replace existing electrical intake service head with new including for associated metering and main switch
Orchard Way Primary Total	£43,000.00	£100,000.00	£143,000.00	Replace all loose switchgear and HRC fuse boards with a new MCCB panel board complete with associated sub metering and surge suppression, Allowing for all terminations of existing sub main cabling.
Park Hill Juniors Total	£0.00	£55,000.00	£55,000.00	Replace all loose switchgear and HRC fuse switches with a new MCCB panel board complete with associated metering and surge suppression, Allowing for all terminations of existing sub main cabling.
Purley Oaks Primary Total	£1,000.00	£40,000.00	£41,000.00	Survey and Testing, repairs and additional insulation to HWS.
Ridgeway Primary Total	£3,000.00	£0.00	£3,000.00	Survey and Testing, repairs and additional insulation to HWS.
Selsdon Primary Total	£322,500.00	£0.00	£322,500.00	Roof replacement
Smitham Primary Total	£25,000.00	£0.00	£25,000.00	Kitchen extract Canopy requires updating together with gas solenoid valve.
St. Giles (Special) Total	£0.00	£60,000.00	£60,000.00	Replace all HRC fuse boards enclosures throughout the school with proprietary final circuit lockable junction boxes complete with DIN rail cable connections for all cable joints. locally Rewire if required
St. Nicholas (Special) Total	£74,000.00	£0.00	£74,000.00	Replace existing electrical service head associated C.T. meter and cubical panel with new comprising of service head, C.T. chamber and meter, MCCB panel board complete with sub metering for sub mains distribution and surge suppression. Replace existing HRC fuse boards with new metal clad MCB/RCBO split load/split metered power and lighting lockable distribution boards.
St. Peter's Primary Total	£0.00	£25,000.00	£25,000.00	Provide new small power installation including for rewiring and electrical accessories within Kitchen and Hall areas
The Hayes Primary Total	£3,000.00	£54,000.00	£57,000.00	Replace existing with new metal clad MCB/RCBO split load/split metered power and lighting lockable distribution boards.
Winterbourne Girls Junior School Total	£3,000.00	£70,000.00	£73,000.00	Survey of LTHW pipework distribution.
Winterbourne Infant and Nursery Total	£20,000.00	£50,000.00	£70,000.00	Replace all loose switchgear and HRC fuse boards with a new MCCB panel board complete with associated metering and surge suppression,

				Allowing for all terminations of existing sub main cabling.
Wolsey Infant School Total	£140,000.00	£8,000.00	£148,000.00	Provide a dedicated MCCB panel board and associated sub metering for the infant school. including for all isolations, disconnections, sub main cable modifications and re-terminations
Woodcote Primary Total	£25,000.00	£50,000.00	£25,000.00	Replace existing 40+ (MEM HRC) & 25+ (Crabtree MCB) year old boards with new metal clad MCB/RCBO split load/split metered power and lighting lockable distribution boards.
Woodside Primary School Total	£3,000.00	£50,000.00	£53,000.00	Survey cost and works to the Hot water pipework and distribution
Reactive Maintenance Total	£200,000.00	£200,000.00	£400,000.00	
Grand Total	£2,195,500.00	£2,000,000.00	£4,195,500.00	

Appendix 2 – New school classes which opened in September 2014 and September 2015

2014/15

Primary

- Ark Oval Primary Academy – 1FE bulge class (30 reception places)
- Heavers Farm Primary School – 1FE bulge class (30 reception places)
- Gonville Academy – STEP Academy Trust – 1FE bulge class (30 reception places)
- Rockmount Primary School – 1FE bulge class (30 reception places)
- Winterbourne Infant and Nursery School – 1FE bulge class (30 reception places)
- Christ Church C of E Primary School – 1FE bulge class (30 reception places)
- Chipstead Valley Primary School – 1FE bulge class (30 reception places)
- Margaret Roper Catholic Primary School – 1FE bulge class (30 reception places)
- Harris Primary Academy Haling Park – 2FE new school (60 reception places year on year until it reaches its full capacity of 420 places)
- Paxton Academy Sports and Science – 3FE new school (90 reception places year on year until it reaches its full capacity of 630 places) (Free School)

Secondary

- Harris Invictus Academy Croydon – 6FE new school (180 year 7 places year on year until it reaches its full capacity of 900 places) (Free School)

SEN

- Courtwood Primary School – Enhanced Learning Provision for pupils with Autistic Spectrum Disorder (ASD) / Aspergers – 14 places
- Applegarth Academy (primary) – improved facilities to support the learning of 30 pupils with Speech, Language and Communication needs in the Enhanced Learning Provision
- Priory School – additional 52 places in a new build special school for pupils aged 11-19 with Severe Learning Difficulties (SLD)

2015/16

Primary

- Heavers Farm Primary School – 1FE bulge class (30 reception places)
- Gonville Academy – STEP Academy Trust – 1FE bulge class (30 reception places)
- Christ Church C of E Primary School – 1FE bulge class (30 reception places)
- Chipstead Valley Primary School – 1FE (30 reception places) bulge class

- Ark Oval Primary Academy - 1FE permanent expansion (210 additional places – 30 reception places year on year)
- West Thornton Primary Academy – 2FE permanent expansion (420 additional places – 60 reception places year on year)
- Heathfield Academy- 2FE new school (60 reception places year on year until it reaches its full capacity of 420 places)
- Chestnut Park Primary School – 3FE new school (90 reception places year on year until it reaches its full capacity of 630 places)

Secondary

- Oasis Academy Arena – 6FE new school (180 year 7 places year on year until it reaches its full capacity of 900 places).

SEN

- Oasis Academy Arena – Enhanced Learning Provision for secondary aged pupils with ASD – 14 places
Access to Success – Post-16 learning programme in collaboration with local FE colleges – 6 places on pilot programme

Primary Schools by Planning Area & Ward

- 1 Aerodrome Primary Academy
- 2 Howard Primary School
- 3 The Minster Nursery & Infant School
- 4 The Minster Junior School
- 5 Park Hill Infant School
- 6 Park Hill Junior School
- 7 St Mary's Catholic Infant School
- 8 St Mary's Catholic Junior School
- 9 St Peter's Primary School
- * 10 Heathfield Academy, The STEP Academy Trust
- 11 Harris Primary Academy, Purley Way
- 12 Krishna Avanti Primary School
- 13 Harris Primary Academy, Haling Park

* This is the permanent site but the pupils are currently in temporary accommodation

- 14 Ark Oval Primary Academy
- 15 Harris Primary Academy Benson
- 16 Broadmead Primary Academy
- 17 Cypress Primary School
- 18 Davidson Primary School
- 19 Heavers Farm Primary School
- 20 Monks Orchard Primary and Nursery School
- 21 Oasis Academy Shirley Park
- 21A Oasis Academy Shirley Park Annexe
- 22 Orchard Way Primary School
- 23 Oasis Academy Ryelands School
- 24 The South Norwood Academy

- 25 Forest Academy
- 26 St Chad's Catholic Primary School
- 27 St John's CofE Primary School
- 28 St Mark's CofE Primary School
- 29 St Thomas Becket Catholic Primary School
- 30 The Crescent Primary School
- 31 Whitehorse Manor Infant & Junior School - Pegasus Academy Trust
- 31A Whitehorse Manor Infant & Junior School Annexe - Pegasus Academy Trust
- 32 Woodside Primary School and Children's Centre
- 33 The Robert Fitzroy Academy
- 34 All Saints CofE Primary School
- 35 Beulah Junior School
- 36 Beulah Infant School-Pegasus Academy Trust
- 37 David Livingstone Academy
- 38 Downview Primary School
- 39 Ecclesbourne Primary School - Pegasus Academy Trust
- 40 Elmwood Infant School
- 41 Elmwood Junior School
- 42 Gorville Academy-The STEP Academy Trust
- 43 Kensington Avenue Primary School
- 44 Kingsley Primary School
- 45 Norbury Manor Primary School
- 46 Rockmount Primary School
- 47 St Cyprian's Greek Orthodox Primary Academy
- 48 St James The Great RC Primary and Nursery School
- 49 St Joseph's RC Infant School
- 50 St Joseph's RC Junior School
- 51 West Thornton Primary Academy
- 51A West Thornton Primary Academy Annexe
- 52 Winterbourne Infant & Nursery School
- 53 Winterbourne Boys Academy
- 54 Winterbourne Junior Girls School
- 55 Paxton Academy Sports & Science
- * 56 Chestnut Park Primary School
- 58 Atwood Primary Academy
- 59 Christ Church C ofE Primary School (Purley)
- 60 Courtwood Primary School
- 61 Forestdale Primary School
- 62 Gilbert Scott Primary School
- 63 Greenvale Primary School
- 64 Gresham Primary School
- 65 Purley Oaks Primary School
- 66 Regina Coeli RC Primary School
- 67 Ridgeway Primary School
- 68 Selsdon Primary School and Nursery
- 69 Applegarth Academy
- 70 Castle Hill Academy
- 71 Fairchildes Primary School
- 72 Good Shepherd Catholic Primary School
- 73 Rowdown Primary School
- 74 Wolsey Infant School
- 75 Wolsey Junior Academy-The STEP Academy Trust
- 76 Beaumont Primary School
- 77 Chipstead Valley Primary School
- 78 Coulsdon CofE Primary School
- 79 Kenley Primary School
- 80 Keston Primary School



- 81 Margaret Roper Catholic Primary School
- 82 Oasis Academy Byron
- 83 Harris Primary Academy Kenley
- 84 Smitham Primary School
- 85 St Aidan's Catholic Primary School
- 86 The Hayes Primary School
- 87 New Valley Primary School
- 88 Woodcote Primary School

Appendix 3b

Secondary Schools by Planning Area & Ward

- 1 Archbishop Tenison's Cof E High School
- 2 St. Andrew's Cof E High School
- 3 St. Mary's Catholic High School
- 4 Edenham High School
- 5 St. Joseph's College
- 6 Coloma Convent Girls School
- 7 Norbury Manor Business and Enterprise College
- 8 Shirley High School Performing Arts College
- 9 The Archbishop Lanfranc Academy
- 10 Virgo Fidelis Convent Senior School
- 11 Harris Academy South Norwood
- 12 Harris City Academy Crystal Palace
- 13 Oasis Academy Shirley Park
- 14 Harris Invictus Academy Croydon
- 15 Oasis Academy Arena
- 16 Woodcote High School
- 17 Meridian High School
- 18 Riddlesdown Collegiate
- 19 Thomas More Catholic School
- 20 Oasis Academy Coulsdon
- 21 Harris Academy Purley
- 22 The Quest Academy-Coloma Trust



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Appendix 4 –Creating new school places

TYPE OF CHANGE	PROCESS
Fixed Term Expansion	The School Admissions Code allows schools to admit

	<p>above their Published Admission Number (PAN), which does not constitute a permanent change to the PAN. Admissions authorities are therefore able to temporarily increase the number of children they admit in a way that meets parental preference. These are called 'Fixed Term Expansions' 'Bulge Classes' or 'Temporary Expansions'. Where Fixed Term Expansions are commissioned by the Council they will be funded as per the local formula approved by the Schools Forum.</p> <p>Temporary arrangements should be consulted upon as part of the annual admissions arrangement consultation.</p>
<p>Permanent Expansion</p>	<p>If the proposal is to permanently expand a maintained school, then the Council must follow a statutory process if: the proposed enlargement to the premises of the school is permanent (longer than three years) and would increase the capacity of the school by: more than 30 pupils; and 25% or 200 pupils (whichever is the lesser).</p> <p>The statutory process for making significant changes to schools has four stages: Publication of statutory proposal; 4 weeks representation period; Decision ((usually the Council) within 2 months; and Implementation of the proposed expansion.</p> <p>Governing bodies seeking to expand a school do not have to follow a statutory process.</p> <p>If the proposal is to expand an academy, then the academy trust will need to consult stakeholders and seek the Secretary of State for Education approval to expand the Academy and to make an alteration to its funding agreement.</p>
<p>New School</p>	<p>The local authority must first seek proposals to establish an academy or free school, under "The academy/free school presumption".</p> <p>The presumption arrangements require LAs to seek proposals to establish an academy/free school where they have identified the need for a new school in their area.</p> <p>The Local Authority:</p> <ul style="list-style-type: none"> • must notify the Secretary of State of their plans to seek proposals for a new school • should consult on the proposed new school • seek proposals groups or organisations that might be interested in establishing the new school • must provide the Secretary of State with details of all proposers • should assess all proposals received and may, if they wish, recommend their preferred proposal to the SoS, however, The SoS reserves the right to agree a sponsor of her own choice.

- The SoS will only consider entering into a funding agreement with an approved sponsor.

Academies

An “Academy” is the legal term which also covers free schools of all types.

All new academy/free school proposals require the Secretary of State’s approval as it is the Secretary of State who will enter into a funding agreement with the proposer. Academies/Free schools are funded by the government but are not run by the local council.

Free Schools

Educational proposers can apply directly to the DfE to set up a new school

Appendix 5 Proposed Schemes 2016-17 to 2019-20 Capital Delivery

Planning Area		2016/17	2017/18	2018/19	Total
		£	£	£	£
	Table 1 - Proposed Primary Provision				
	Permanent Expansions				
North West	2FE West Thornton Academy	6,605,209	6,693,844	-	13,299,053
North West	3FE Chestnut Park	6,864,440	1,164,797	-	8,029,237
Central	3FE Harris Academy Purley Way	6,159,941	7,033,709	-	13,193,650
Central	2FE Heathfield Academy Aberdeen Road	6,014,381	6,549,964	-	12,564,345
Central	2FE Avanti Free School at Victoria House	-	-	-	-
Central	1FE Ark Oval	6,411,060	1,247,620	-	7,658,680
East	1FE St John's C of E	3,058,532	1,825,762	-	4,884,294
East	1FE Heavers Farm	3,489,005	1,623,514	-	5,112,519
South	3FE Ark Free School	-	-	-	-
South	1FE Christ Church	3,109,570	2,093,987	-	5,203,557
South West	1FE Chipstead Valley	3,225,290	1,909,917	-	5,135,207
South West	1FE Woodcote	658,964	3,977,406	1,000,000	5,636,370
South West	1FE Smithan	745,000	3,735,352	1,750,000	6,230,352
South West	1FE Oasis Bryon	745,000	3,743,858	1,750,000	6,238,858
	Bulges				
	Unidentified	250,000	740,822	-	990,822
South West	1FE Woodcote	80,000	-	-	80,000
	Total Required	47,416,392	42,340,552	4,500,000	94,256,944
	Table 2 - Secondary School Places				
North	6FE School at Arena	6,010,240	1,459,364	-	7,469,604
	2FE Archbishop Lanfranc - Priority School Building Programme 2 (PSBP2)	18,341	-	-	18,341
Central	6FE ARK Secondary Free School	-	-	-	-
	1FE Expansion Norbury Manor Business Enterprise College	-	-	-	-
	6FE Wallington County Free School (Site TBC)	-	-	-	-
	Total	6,028,581	1,459,364	0	7,487,945
	Table 3 - Delivery of SEN Places				
South	St Nicholas	1,563,000	4,679,657	250,000	6,492,657
South	Red Gates	-	1,563,000	5,170,342	6,733,342
North	Beckmead School on Tension Road	6,770,223	645,197	-	7,415,420
Various	Nurture Provision in 2 Primary Schools	150,000	150,000	-	300,000

Various	Post 16 Pathway to Independent Living	-	-	-	-
	Total	8,483,223	7,037,854	5,420,342	20,941,419
	Table 4 - School Condition Allocation				
Various	Major Maintenance works budget	2,190,000	2,000,000	2,000,000	6,190,000
	Total	2,190,000	2,000,000	2,000,000	6,190,000
	Total Required	64,118,196	52,837,770	11,920,342	128,876,308