



Cabinet
13 October 2014

**Report from Strategic Director,
Children and Young People**

School Place Planning Strategy 2014-18

1.0 Summary

- 1.1 This report seeks approval of the final version of the School Place Planning Strategy 2014-18 following consultation. The draft version was approved by the Council's Executive in March 2014 as a basis for consultation.
- 1.2 This covering report also draws out a number of key issues for decision by the Cabinet which relate to specific schools and sites.

2.0 Recommendations

- 2.1 That the School Place Planning Strategy 2014-18 be approved, circulated to all schools and relevant stakeholders and made available on the council's website.
- 2.2 That approval be given to progress development of the following schemes proposed for adoption within the council's school expansion programme as set out in paragraph 4.0, and that a subsequent report be submitted to Cabinet for approval of fully detailed and costed schemes.
- Byron Court Primary School– 2 form of entry expansion
 - Leopold Primary School – 2 form of entry expansion using the Gwenneth Rickus Building
 - Oakington Manor Primary – 1 form of entry expansion

The subsequent report to include an updated cashflow position for the School Expansions Programme to take account of the strategy's approach to providing school places in Brent.

- 2.3 That the following school amalgamations be agreed in principle, subject to formal agreement by governing bodies and formal consultation and decision-making processes as set out in paragraph 5.1:

- Lyon Park Infants and Juniors Schools
- Carlton Vale Infants School and Kilburn Park Juniors School
- Malorees Infants and Juniors Schools.

2.4 That the council seeks to retain the designation of The Avenue site for education purposes as set out in paragraph 6.1.

3.0 Detail

3.1 As Members are aware, it is the council's statutory duty to ensure it can offer a school place to every child who applies. Earlier in 2014, partly as a result of the emerging recommendations of the Education Commission, it was decided to revise the school expansion programme last approved in August 2012 and to adopt a more strategic approach, ensuring that the resulting programme meets projected demand and reflects current priorities.

3.2 This new strategy has been underpinned by a commitment to improving the educational outcomes of all children and young people in Brent and links school organisation and expansion to school improvement. It sets out a draft set of aspirations as follows to underpin the strategy:

- All Brent schools should be good or outstanding
- All Brent schools should be part of a 'family of schools' which promotes resilience, mutual support and improvement
- The council and schools should work together to meet the challenge of providing sufficient school places
- Schools should operate in good quality, safe premises
- Children should be educated close to home
- Schools should work with their local communities
- Meeting the needs of children with special educational needs and disabilities should be central to our vision for education in Brent
- We should make efficient use of resources.

3.3 The strategy discusses each of these aspirations in turn and how they might be realised and proposes a set of principles which will be used to determine decision-making on future schemes, whether expansions (temporary or permanent) or new build. It also draws out some key actions and these are summarised in short action plan which is attached to the strategy as Appendix 0. These actions will be built into departmental plans and the Regeneration and Growth and Children and Young People Departments will then continue to use the council's project management methodology to deliver the school expansion schemes.

3.4 The strategy includes both a summary of demand for school places and a more detailed account of the methodology and demand (for primary) by planning area. This is in order to provide Members with an accurate position of the total school place demand and capacity. The strategy is deliberately cautious in assuming that while existing and planned temporary/bulge classes

will work through the system, given the reliability of predicted increases in school rolls, future expansion should be provided as permanent capacity as the educationally preferable route.

3.5 The strategy provided with this report is based on the provision of permanent primary school capacity from 2015-16 academic year onwards although potential temporary requirements for September 2015 will need to be assessed in a report to Cabinet in December 2014. The strategy does outline how additional temporary capacity could be created if projections were to change and additional places be required at shorter notice, recognising that even within an overall upward trend, there can be fluctuations.

4.0 Additions to the school expansion programme

4.1 The list of primary school schemes set out in the strategy in section 6 consists mainly of schemes already adopted as part of the School Expansion Programme agreed in May 2012. It also includes however three primary school projects which have not yet been adopted as proposed schemes by the Cabinet. It is proposed that these are adopted as part of the programme in order for officers to progress the further development of these proposals. A subsequent report will be submitted to Cabinet for approval of fully detailed and costed schemes. In the event that having developed the detailed proposals covering funding and other prerequisites, the business cases for these proposed projects cannot be approved by the Schools Capital Portfolio Board then the subsequent report will present alternative proposals.

| School | Detail | Additional Forms of Entry | Proposed date |
|--|---|----------------------------------|----------------------|
| Byron Court Primary | An outstanding school which is also a Teaching School. Governors have agreed the proposed expansion. | 2 | 2015 |
| Leopold Primary (Gwenneth Rickus Building) | A good school which is currently running a temporary annexe in GRB. The governing body has not yet agreed permanent expansion using the annexe. | 2 | 2015 |
| Oakington Manor Primary | An outstanding school which has been part of a successful federation with Furness Primary School. Governors have agreed expansion in principle. | 1 | 2015 |

4.2 Initial indicative costs have been set at £19.8m to deliver the above schemes, but these estimates will be subject to further development of scheme plans and site suitability and condition surveys.

4.3 In the case of Leopold Primary School, agreeing to permanent expansion would necessitate a decision that the Gwenneth Rickus Building remains in educational use. This would be subject to a further Cabinet report described above.

5.0 School amalgamations

5.1 The Strategy also sets out the principle that separate infants and junior schools should be amalgamated, although it is clear that this will be done in partnership with the governing bodies and either when the opportunity presents itself, for example a headship vacancy or when there is an expansion or rebuilding scheme. This report seeks the Cabinet's in-principle support (subject to statutory consultation and later decision-making) to the amalgamation of the following pairs of infants and junior schools:

- Lyon Park Infants and Juniors (already operating under one headteacher)
- Carlton Vale Infants and Kilburn Park Juniors (subject to agreement on a suitable shared site for an expanded school as part of the South Kilburn regeneration programme)
- Malorees Infants and Junior Schools (subject to agreement by the governing bodies of both schools to amalgamation and expansion).

6.0 The Avenue education site

6.1 A further school development opportunity is The Avenue site, a former school site in Brondesbury which is owned by a developer. It is currently designated for education use (in planning terms) and it is intended to make the case for this designation remaining since the site would lend itself to use as a new special school or annexe to an existing special school. There is a projected need for SEN school places and this site could provide an opportunity to ensure more places can be provided to Brent children in borough rather than risk relying on independent placements.

7.0 Consultation

7.1 The draft strategy was sent to all schools, both headteachers and chairs of governors as well as other partners, and was included in the termly governors' briefing so that each governing body could discuss it. It was a major issue for discussion at the Annual Governors' Conference and has also been raised by officers with individual governing bodies where the opportunity arose. It was placed on the council's consultation portal to attract wider community attention. The teacher trades unions have had the opportunity to read, discuss and comment on the report.

7.2 It is fair to say that there were few written responses to the draft strategy but awareness of it is high. The key issues to emerge in the consultation were:

- Anxiety about the intention to amalgamate separate infants and juniors schools, not so much issues of principle but more a fear that schools will be 'steamrollered'
- A support from existing schools for addition of permanent capacity, given the challenges in running temporary provision
- Support for a continuing consensual approach with governing bodies

- An acceptance from headteachers that there needs to be shared ownership of the challenge posed by the growth in pupil numbers.

8.0 Financial implications

- 8.1** Since the 2011/12 financial year, the council has received £135.98m Basic Need Capital Grant allocations from central government to provide school places, as follows:
- 2011/12 to 2013/14 Basic Need Grant Received - £91.16m
 - 2014/15 to 2016/17 Basic Need Grant Allocated - £40.95m
 - 2013/14 Targeted Basic Need Grant Allocated - £3.87m
- 8.2** A further £11.11m has been secured through S106, school and diocesan board contributions and the council's own capital programme, as follows:
- Council Contributions - £3.64m
 - School/Diocese Contribution - £0.75m
 - Unsupported Borrowing (funded by Dedicated Schools Grant) - £1.3m
 - S106 Funding - £5.42m.
- 8.3** A total of £19.23m has been spent on both temporary and permanent school places to the end of the 2013/14 financial year from these funding sources. A further £87.16m has been committed to the delivery of schemes adopted as part of the School Expansion Programme agreed in May 2012.
- 8.4** The current forecast costs within the School Expansions Programme cashflow includes the sum of £12.05m for the delivery of a second phase of SEN schemes to deliver an additional 112 places. The provision of future years SEN places is not included within this Strategy.
- 8.5** Predicting the future costs of providing school places remains inherently difficult to forecast, particularly as currently construction costs are rising at a rate significantly in excess of inflation. However, on the basis of the initial indicative costs of £19.8m for provision of the schemes proposed for adoption, these are affordable within the current levels of secured funding sources. This position will be reviewed when the detailed proposals covering funding and other prerequisites have been developed.
- 8.6** The council's ability to fund further schemes beyond those proposed for adoption will be dependent upon the remaining levels of secured funding and future allocations of Basic Need Grant funding. There is ongoing work to identify and secure additional funding sources for the future requirements of this programme.
- 8.7** The strategy includes details of proposed free schools for the borough that will potentially provide a total of 10FE primary school places and 9.3FE secondary school places in the 2014-18 period to be funded directly by the Education Funding Agency at no cost to the council. There is risk to the council that if all of these places are not provided via this route that the council will need to provide places and fund the associated expenditure.

- 8.8** There is no provision currently made for costs that may be associated with The Avenue Education Site referred to at paragraph 6.1. It should be noted that Basic Need grant funding cannot be utilised for the acquisition of land.
- 8.9** The revenue funding for schools is based on an annual census of pupil numbers, in line with the National Funding Formula. If, at the request of the local authority, a school takes on additional pupils, bulge classes, expansions and new provision in satellites after the census has been taken, the school will receive funding from the council's Dedicated Schools Grant (DSG). This funding is for a full class for the remainder of the financial year and the following financial year and has been put in place to ensure that schools are not adversely affected by agreeing to expand. The funding has been set at differing rates dependent on the nature of the expansion, where schools will receive £3,300 per pupil or £3,600 per pupil if they are placed in an annexe or off site building to the school. The funding model and budget for expansions is agreed by the Brent Schools Forum on an annual basis and has been accounted for within the DSG deficit recovery plan, which is due to breakeven in 2014/15.

9.0 Legal implications

- 9.1** Under sections 13 and 14 of the Education Act 1996 (as amended by the Education Acts 2006 and 2011), a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. The local authority must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. It must also ensure that there are sufficient school places in their area and promote diversity and increase parental choice. To discharge this duty the local authority has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 9.2** As a contingency, to support the admission to school of children as quickly as possible, the In Year Fair Access Protocol allows for the admission of children over schools' planned admission numbers in the event that a school place is not available. Schools are not required to maintain classes over the planned admission number but revert to the usual admission number when children leave.
- 9.3** Statutory proposals are required for a proposed enlargement of the school premises that would increase the capacity of the school by both more than 30 pupils and 25 per cent or 200 pupils (whichever is the lesser). Proposals may also be required for some cumulative expansions and a review of any other enlargements that were made without the need for statutory proposals would need to be made before determining if statutory proposals would be required.

- 9.4** This means adding those enlargements made:
- in the 5 year period that precedes the proposed expansion date
 - since the last approved statutory proposal to enlarge the school (within this 5 year period)
 - exclude any temporary enlargements (ie. where the enlargement was in place for less than 3 years)
 - add the making permanent of any temporary enlargement.
- 9.5** Under current admissions code children can be admitted above the Published Admission Number (PAN). For community/voluntary controlled schools the LA as admission authority must consult the Governing Body of the school where it proposes to either to increase or keep the same PAN.
- 9.6** Under Section 19 of the Education Act 2006 and School Organisation Regulations the authority can decide to propose an enlargement, follow the statutory process and resolve to do without requiring consent of Governing Body whose redress would be to object to the schools adjudicator.
- 9.7** With schools increasingly being outside local authority control, such that they own their own land, a number of the projects outlined in this report may involve the council managing building projects on land that it does not own. Where necessary, the council will enter into agreements with the school/s which will give the council a licence or lease to build, also recognises the council's project management role and the school's right to review key stages of the works.
- 9.8** Even with community schools running satellite sites, consideration should be given to the governing body of the school having an agreement or licence for the council premises forming the satellite site. Although community schools do not own their own land and have only an implied licence of the main school sites, it may be sensible for a written licence to be in place for the satellite site to make the clear maintenance and repairing obligations.
- 9.9** Given there is a presumption that any new school site provided by a local authority would be for a sponsored academy, a local authority would in general be expected to be grant a 125 year lease at a peppercorn rent to the academy. This approach is intended to be consistent with the existing guidance on community schools converting to academies where a local authority grants to the new academy a 125 lease of the community school site at a peppercorn rent. If in the alternative a local authority is asked by the Department of Education to provide a new site for a free school it would also be expected to grant a peppercorn lease to the free school in accordance with Department of Education Guidance updated January 2014.
- 10.0 Diversity implications**
- 10.1** The strategy aims to address equality issues around social disadvantage and disability. This was tested during the consultation period and is reflected as far as possible in the final proposals. An Impact Needs/Requirement Assessment (INRA) has been prepared.

11.0 Staffing/accommodation implications (if appropriate)

None specific to this report

Background Papers

Consultation responses and notes of meetings.

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