

<b>DECISION-MAKER:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES COUNCIL
<b>SUBJECT:</b>	PROPOSALS TO EXPAND THREE PRIMARY SCHOOLS IN THE CITY
<b>DATE OF DECISION:</b>	19 FEBRUARY 2013 20 MARCH 2013
<b>REPORT OF:</b>	HEAD OF INFRASTRUCTURE

<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	<b>James Howells</b>	<b>Tel:</b> <b>023 8091 7501</b>
	<b>E-mail:</b>	<b>James.howells@southampton.gov.uk</b>	
<b>Director</b>	<b>Name:</b>	<b>Clive Webster</b>	<b>Tel:</b> <b>023 8083 2771</b>
	<b>E-mail:</b>	<b>Clive.webster@southampton.gov.uk</b>	

<b>STATEMENT OF CONFIDENTIALITY</b>
None

### **BRIEF SUMMARY**

Southampton has experienced a large increase in the number of children in the City in recent years and as such, the Local Authority is required to increase the capacity of primary schools in order to fulfil our statutory duty of being able to offer a school place to all those children in the city that require one. The central strip of the city, running from Bassett down to Bargate is the area where there is greatest demand. As a result, proposals to expand three schools in this area were put out for consultation.

Subject to Full Council agreement to underwrite the £1.55M funding required to deliver the 3 schemes set out in recommendation (ii) to Cabinet, should insufficient DfE Basic Need Grant not be received in 2104/15:

### **RECOMMENDATIONS:**

#### **CABINET**

- (i) To consider and take into account the outcome of statutory consultation as set out in **Appendix 1**.
- (ii) To approve the implementation of the enlargement of the following two schools from 1 September 2013 (subject to obtaining the necessary planning consents):
  - The enlargement by 30 places (1FE – form of entry) per year group of Bassett Green Primary School, with implementation from 1 September 2013, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 2FE (60 places per year group) to 3FE (90

places per year group), and increasing the net capacity to 630 by September 1 2018. Please note that Bassett Green admitted 90 pupils to year R in September 2012 for one year only. This proposal is to expand the school on a permanent basis.

- The enlargement by 30 places (1FE – form of entry) per year group of Bevois Town Primary School, with implementation from 1 September 2013, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 1FE (30 places per year group) to 2FE (60 places per year group), and increasing the net capacity to 420 by September 1 2018. Please note that Bevois Town admitted 60 pupils to year R in September 2012 for one year only. This proposal is to expand the school on a permanent basis.

To approve the implementation of the enlargement of the following school from 1 September 2014 (subject to obtaining the necessary planning consents):

- The enlargement by 30 places (1FE – form of entry) per year group of St Johns Primary & Nursery School, with implementation from 1 September 2014, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 1FE (30 places per year group) to 2FE (60 places per year group), and increasing the net capacity to 420 by September 1 2020.

- (iv) To add, in accordance with Financial Procedure Rules, a sum of £1.55 million to the Children’s Services Capital programme, from the ring fenced DfE basic need grant.
- (v) Subject to the approval of Council to add £400,000 to the Bassett Green Primary project on the 13<sup>th</sup> February, to approve, in accordance with Financial Procedure Rules, capital expenditure of £3.65 million in 2013/14 and £1.3 million in 2014/15 from the Children’s Services Capital Programme for the expansions of:
  - Bassett Green Primary £1.4 million
  - Bevois Town Primary £1.45 million
  - St Johns Primary and Nursery £2.1 million
- (vi) To note that assumptions have been made about the likely level of Basic Need Grant to be awarded in future years. If the final award is less than anticipated any shortfall in funding will need to be met from Council resources.

## **COUNCIL**

- (i) Should insufficient DfE Basic Need Grant funding be received to fully fund the additional £1.55M capital funding required as per Cabinet recommendation (iv) above, Council agree to underwrite and fund the shortfall from Council Resources.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The rapid rise in the number of pupils requiring a school place over the last three to four years, has meant that severe pressure has been brought to bear on the school estate. Forecasts indicate that this pressure is not likely to recede in the foreseeable future and demand may well increase beyond current levels in 2015/16.
2. Extra places have already been put in at schools across the City as a result of the Primary Review Phases 1 and 2, however rising demand for places, specifically in the central spine of the city, means that additional places will be required.
3. Bassett Green and Bevois Town Primary school's both expanded for one year only in September 2012 in order to cope with higher than expected demand in the central strip of the city. These schools were selected because they were in areas of the city where demand was high, they were able to accommodate an additional class and had the potential to expand all year groups in the long term. As a result the planning of the capital projects for these schemes are at a more advanced stage than they are for St Johns.
4. St Johns is the only school in the heart of the city centre and demand for places at the school is high as a result of the significant residential property developments the city centre. The school has a fairly small site and has only recently expanded from an infant to a primary school. However, a council owned building near the school has been identified as the space which could accommodate the additional children at the school. This building is the Eagle Warehouse and currently houses the Archaeology Collection.
5. The expansions of these three schools would provide us with 3,090 year R place school places, compared to an anticipated cohort of 3,040 pupils in 2014/15. In 2015/16 the demand for year R places will jump significantly to around 3,240. We do not expect demand to remain at this level so are looking at a number of temporary, one year expansions for 2015/16.
6. If we are to maintain and improve the school experience we offer to our children we must ensure that their learning environment is conducive to a quality education.
7. As a local authority we have a statutory obligation to provide every child who wants one with a quality school place. Failure to do so would mean we would be failing in one of our basic duties.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

8. Under the Regulations Cabinet may either:
  - (a) approve the recommendations, or
  - (b) reject the recommendations, or
  - (c) approve the recommendations subject to one of a number of limited statutory conditions, or
  - (d) approve the recommendations with modifications (minor modifications only)
9. SCC could take no action, but if so the Local Authority would not fulfil its statutory obligation to provide every child who wants one with quality school place. Failure to do this would mean we would be failing in one of our basic duties.

10. Other schools were visited (Portswood Primary, Swaythling Primary) when the Local Authority was looking at schools that could expand for 1 year only in September 2012 and in the longer term. However these were discounted due to space restrictions on both sites.
11. The Local Authority could proceed to expand St Johns on the existing school site however this would significantly reduce the outdoor play space at the school. There are also a number of areas of archaeological importance on the site so building on it, whilst not impossible, would be difficult and costly.
12. If the Eagle Warehouse were vacated but were not used to expand St Johns Primary and Nursery School, it could be sold to an external organisation, thus creating a capital receipt for the Local Authority. A report commissioned in March 2009 concluded that the "Market Value of the freehold interest in the property in its existing condition, assuming vacant possession, is £195,000 (One Hundred and Ninety Five Thousand Pounds)." Children's Services preference is for the building to be converted for school use, as opposed to selling it on the open market. Clearly, a capital receipt would not be available if the Eagle Warehouse were used for educational purposes.

It should be noted that the Bevois town expansion proposals involves the use of a Council owned property on Cedar Road, which was previously occupied by Social Services. The council would forego a capital receipt if the building were used for educational purposes. In April 2007 the property was given an asset valuation of £440,000

#### **DETAIL (Including consultation carried out)**

13. Four weeks of pre-statutory consultation took place in September and October 2012. Drop in sessions were held at all schools included in the proposals and an information leaflet and questionnaire were sent to all staff & parents/pupils at all three schools. Key stakeholders – all schools in the City, local Councillors, SCC staff, neighbouring Local Authorities, Church of England and Catholic Dioceses, Trade Union Representatives and local MP's - were notified about the proposals via email.
14. Four weeks of statutory consultation were held in November and December 2012. Statutory notices were placed at the entrances to all three schools. A copy of the statutory notice and full statutory proposal document were also sent to the DfE's School Organisation Department. A copy of the statutory notice, full statutory proposals and responses to this stage of the consultation can be found in Appendices 1, 2 & 3.
15. The responses received as part of the statutory consultation were in relation to Bevois Town and St Johns. With regards to the former, concerns were raised about how the expansion may cause parking/traffic/safety issues, an increase in noise levels increase and what the new accommodation would look like.

In response to this, parking will be provided at the rear of the additional building that is being used to expand Bevois Town, meals will be transported from the main school building to the additional building (as opposed to children travelling from the new building to the main building). Noise levels and the how the new accommodation will look will be dealt with in more detail as part of the planning application. We also received a response which fully supported the proposal to

expand Bevois Town by using a vacant council owned property that is near to the school.

Two responses received with regards to the St Johns expansion, both fully supporting the proposal to expand the school. The Local Authority also received a petition signed by approximately 50 people associated with St Johns, who supported the proposal to expand the school, with the proviso that they would not support the expansion if it reduced playground space.

All responses to the statutory consultation period can be found in Appendix 3.

16. These three schools have been selected because they are in areas of the city where it is anticipated that demand will be the highest. However, there is also great parental demand for St Johns Primary and Nursery to expand, as shown in Appendix 3.

Both Bassett Green and St Johns received “Good” Ofsted ratings in the last year, whilst Bevois Town has been identified as “quickly improving”. The Local Authority is therefore confident that the expansion of these schools would provide high quality education for a greater number of pupils.

17. The table bellows shows the forecast for year R pupils in the central strip of the city (Bassett to Bargate) and indicates what the shortfall of places will be if the proposals are not / are implemented:

Table 1

	2013	2014	2015	2016
<b>Central Southampton - Year R Forecast</b>	956	998	1045	1013
<b>Year R Places Available 2012 (no expansion)</b>	885	885	885	885
<b>Surplus Deficit</b>	-71	-113	-160	-128

<b>Year R Places Available 2012 (with expansions)</b>	945	975	975	975
<b>Surplus Deficit</b>	-11	-23	-70	-38

You can see that if the proposals aren’t taken forward there would be a significant shortage of places. While there still may be deficits even if the proposals are taken forward they would be greatly reduced and we anticipate having surplus places in other areas of the city which could accommodate some children. In 2014/15 we will have a greater number of places city wide than the number of children who will require a place. There will likely be a citywide deficit in 2015/16 and we are exploring temporary one year options for that year.

18. St Johns Primary & Nursery has been oversubscribed for the past 2-3 years and has also recently expanded from an infant to a primary school. There were a high number of attendees at the pre-statutory consultation meeting at Johns and there was a significant amount of support for the proposal to expand the school – see Appendix 3.

For 2012/13 entry, both Bevois Town and St Johns were oversubscribed on first preferences, whilst Bassett Green had more total preferences than places

available. St Johns was also oversubscribed on 1<sup>st</sup> preferences in 2011/12 and 2010/11.

19. These schools have been selected because they are in the area of the city where there is the greatest demand for places (see table 1 in paragraph 17). As such, the additional places should be in close proximity to those children and families that require a place. In addition, all three schools are on or close to public transport routes.
20. If the expansion of St Johns were approved, the archaeology collection which resides in the Eagle Warehouse would need to be relocated to alternative accommodation. The Curator of Archaeology and the Collections Manager have estimated that it would cost approximately £90,420 to vacate the Eagle Warehouse. It is proposed that the contents of the Eagle Warehouse could be relocated to Melbourne Street. The Pupil Referral Unit, who currently occupy this site, are due to move to the former Millbrook School site, on Green Lane, by September 2013. Additional works may be required to bring the Melbourne Street building up to the required standard. As such, it is estimated that the total cost of the move would be in the region of £150,000.

## RESOURCE IMPLICATIONS

### Capital/Revenue

21. The revenue costs of all schools are met from the Schools Block, funded by the Dedicated Schools Grant. The amount of Dedicated Schools Grant that the Authority receives each year is based on the number of children in the city. If the city's overall numbers grow, this will result in an increase in the amount of grant received which can be passed onto schools via budget shares calculated using Southampton's Funding Formula.
22. The costs of relocating the collection in the Eagle Warehouse to Melbourne Street and making the building appropriate for use are estimated to be £150,000. The Curator of Archaeology and the Collections Manager have estimated that it would cost up to £90,000 to relocate the collection from the Eagle Warehouse. It is proposed that this would be funded from the Children's Service & Learning Revenue budget. It is estimated that it could cost up to £60,000 to refurbish Melbourne Street to make it suitable to house the archaeology collection. Should this level of funding be required, a decision will be sought separately in accordance with Financial Procedure Rules.
23. The costs of the three schemes are summarised in the table below. It should be noted that the costs provided are based on feasibility studies and pre tender estimates. As such, these are subject to change. Any requirements for additions or variations to the programme presented in this report will be progressed in accordance with Financial Procedure Rules.

Estimated costs	2013/14 £000s	2014/15 £000s	Total £000s
Bassett Green Primary	1,400.0		1,400.0
Bevois Town Primary	1,450.0		1,450.0
St John's Primary	800.0	1,300.0	2,100.0
<b>Total</b>	<b>3,650.0</b>	<b>1,300.0</b>	<b>4,950.0</b>

24. In September 2012, Cabinet approved the addition of £3 million to the scheme funded from 2012/13 DfE Basic Need grant. On 13<sup>th</sup> February Council will be asked to approve the addition of a further £400,000 to the Bassett Green Primary project. It is proposed that the additional £1.55 million required for these three projects is funded from 2014/15 Department for Education Basic Need grant.
25. No announcements have been made about Department for Education capital grant allocations for 2013/14 and beyond. However, it is anticipated that as future grant will be targeted at areas of need, that Southampton will receive an allocation of Basic Need funding similar to that which has previously been received. In the event of future grant funding not being sufficient, funding will need to be met from borrowing

### **Property/Other**

26. It is proposed that Bassett Green will be expanded by building a seven classroom block on the existing school site.
27. It is proposed that Bevois Town will be expanded by converting a nearby, vacant, council owned property into two classrooms and building 4 classrooms on the existing site. One room at the school has already been converted into a classroom for the 2012/13 academic year. The additional building, on Cedar Road, currently sits in the Social Services portfolio. If the project is approved, this would need to be appropriated to the Children's Services portfolio. This appropriation can be done via a delegated decision made by the Senior Manager for Property, Procurement and Contracts.
28. It is proposed that St John's will be expanded by converting a neighbouring council owned building into teaching space. The building is directly opposite St Johns on French Street. Arrangements will need to be made for the vacation of this space and discussions regarding this have taken place amongst senior managers in the respective directorates.
29. It is proposed that St Johns Primary and Nursery be expanded by converting the nearby Eagle Warehouse into teaching space. The estimate for the conversion Eagle Warehouse into seven classrooms and supporting ancillary accommodation for St Johns Primary School is £2,100,000. This sum includes the refurbishment and repair of the Eagle Warehouse and courtyard with the provision of a new extension to the ground first, second and third floors. It also includes the construction works, preliminaries consultant fees, planning and building regulation fees and a contingency fund. It should be noted that the cost of this project may be greater than the conversion of a more modern building due to the historical significance and importance of the Eagle Warehouse; it is a grade II listed building and guidance will need to be sought from English Heritage on the conversion of an old and protected building. Local Authority officers have discussed the conversion and while there may be a higher than usual cost it is agreed that the building could be refurbished and made fit for purpose. Listed building consent would also be required in order to refurbish this building.

The building is a five story (basement and four floors) building so would need a lift in order to make the building DDA compliant. An extension would be required for this and the cost of this is included in the cost estimation above.

Given the listed status of the Eagle Warehouse, it may be that the conversion will not be fully completed by September 2014. If this were the case, it may be possible to use the Mission Hall (which is located on the school site), as a classroom for the 2014/15 academic year until the Eagle Warehouse were fully converted.

30. St Johns Primary and Nursery is a foundation school and a member of the Regents Park Learning Community Trust school and the Council are currently in the process of transferring the existing schools land and buildings from the Local Authority to the Trust.

Legislation dictates that when a school becomes a foundation school (and joins a Trust), all land used for the purposes of the school before the change of status will transfer from the Local Authority to the Trust. As such, any additional site should transfer to the trust on a freehold basis. However, it may be possible that the Local Authority can reach an agreement with the school to exclude the Eagle Warehouse from the freehold transfer and transfer it via a lease. The lease option may provide greater safeguards for the building, which would be preferable given its historical importance. If this option is taken forward, it is intended that the school would be granted a full repairing and insuring lease. This would mean that all liabilities would sit with the school.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

31. Local Authorities have a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. Local Authorities must also ensure that there are sufficient schools in their area and promote diversity and parental preference.
32. Alterations, changes, creation or removal of primary provision across the city is subject to the statutory processes contained in the School Standards & Framework Act 1998 as amended by the Education & Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007 as amended, together with the corresponding Admissions Regulations as appropriate. Statutory Guidance on bringing forward proposals applies, which requires a period of pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial consultation) followed by publications of statutory notices, representation periods and considerations of representations by Cabinet or considerations by the Admissions Forum and approval as part of the Admissions Process as required.

### **Other Legal Implications:**

33. In bringing forward school organisation proposals the Local Authority must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities and observe the rules of natural justice and the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and equalities legislation.

## **POLICY FRAMEWORK IMPLICATIONS**

34. The proposals outlined in this document will contribute directly to the achievement of the outcomes set out in the Children and Young Peoples Plan by investing in new infrastructure and school buildings.

**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Bassett, Swaythling, Portswood, Bevois, Bargate
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### SUPPORTING DOCUMENTATION

#### Appendices

1.	Statutory Notice
2.	Complete Statutory Proposals
3	Responses to statutory consultation
4.	DfE Guidance - Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form, A Guide for Local Authorities and Governing Bodies

#### Documents In Members' Rooms

1.	None
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#### Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	Yes/No
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#### Other Background Documents

#### Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None