

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	BITTERNE PARK 6 <sup>th</sup> FORM – MODIFICATION OF IMPLEMENTATION DATE
<b>DATE OF DECISION:</b>	14 MARCH 2011
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES.
<b>STATEMENT OF CONFIDENTIALITY</b>	
NONE	

### **BRIEF SUMMARY**

Cabinet previously approved statutory proposals to open a sixth form at Bitterne Park Secondary School from September 2012.

This report asks Cabinet to approve a modification to the implementation date for the opening of Bitterne Park 6<sup>th</sup> Form from September 2012 to September 2011 and modification of the original decision to approve the Admissions Policy to apply in respect of the earlier opening date.

### **RECOMMENDATIONS:**

- (i) To approve a modification to the Cabinet decision of 21<sup>st</sup> September 2009 by way of alteration to the implementation date for the opening of Bitterne Park 6<sup>th</sup> Form from September 2012 to September 2011.
- (ii) Subject to the approval of recommendation (i) above, to approve a modification to the Cabinet decision of 21<sup>st</sup> September 2009 by way of approving the Admissions Policy for the early opening of Bitterne Park 6<sup>th</sup> Form in September 2011 as attached at Appendix 1.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. The school already has significant interest from prospective students and has suitable arrangements in place to accommodate them pending handover of the new building.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. The alternative considered was not to modify the original proposals as approved on 21<sup>st</sup> September 2009.
3. To reject the recommendations would deny prospective 6<sup>th</sup> form students the option of continuing their education at Bitterne Park School.
4. The accommodation for provision of 6<sup>th</sup> form places at the school is due to be completed in October 2011. If 6<sup>th</sup> form students were not admitted to during 2011, the new accommodation will potentially be left unused for a significant period of time. The cost of keeping the building secure and maintaining it whilst empty would not be a good use of public funds and any costs could be avoided by allowing the school to admit 6<sup>th</sup> form pupils from September 2011, who could then take up use of the building upon its completion, expected to be in October 2011.

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

5. At its meeting on 21<sup>st</sup> September 2009 the Cabinet approved the addition of a sixth form to Bitterne Park Secondary school from September 2012. Cabinet decided that, conditional upon all statutory requirements being met and planning permission being granted, the implementation date for the opening of Bitterne park 6<sup>th</sup> Form would be September 2012 and that the standard admissions Policy (with sixth form entry requirements) would be approved via the annual admissions consultation.
6. The conditions attached to the decision have been met and building work has progressed to such an extent that it will be available for students to use in the Autumn term in 2011. The school has now requested a modification to the originally approved implementation date to allow it to open the 6<sup>th</sup> Form in September 2011. If approved a consequential amendment to the original decision in relation to admissions will also be necessary as it is too late to approve the admissions policy for the sixth form for 2011 through the normal admission round. The proposed admissions policy is attached at Appendix 1 and is identical to the proposed admissions policy to be applied from 2012 (which is subject to approval in the annual admissions report being presented to Cabinet on 14<sup>th</sup> March 2011.)
7. The original implementation date of September 2012 was approved in order to minimise any risks that might arise during the construction of the new 6<sup>th</sup> Form building.
8. As indicated above, the 6<sup>th</sup> Form building is currently under construction and is programmed for completion on 21<sup>st</sup> October 2011.
9. To facilitate the 6<sup>th</sup> Form opening from September 2011 the school has developed an accommodation plan which it will fund and which will involve temporary changes to existing facilities to make them suitable for the delivering of the 6<sup>th</sup> Form curriculum. The school have informed the LA that the adapted accommodation plan will involve the temporary change of existing school facilities which will provide suitable accommodation for the planned 6<sup>th</sup> form provision. Please see Appendix 3. The school and the LA will work together to manage the temporary accommodation and ensure that health and safety obligations are met.
10. These temporary arrangements could be extended beyond the October 2011 half term holiday if necessary in the event of any further building delays that impact upon the proposed availability of the new teaching space.
11. The building programme is being closely monitored so that the Project Board gets early warning of any difficulties and can take remedial action as necessary.

### **Consultation**

12. The Head Teacher and Governors are in consultation with prospective students and their parents regarding the implementation of the opening of the 6<sup>th</sup> Form in September 2011. The school open evening will take place on 09.03.2011 and school staff are working to produce a storyboard which will help people to understand how the school will look when the building work is completed.

13. The school has also provided half termly community updates about the proposal. A community update on 19.01.2011 was successful. The community is proactive and broadly happy with the project.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

Capital.

14. The new 6<sup>th</sup> Form building is being fully funded by a grant from the Young People's Learning Agency (YPLA) so there are no immediate capital implications for the Council. However, the funding of future capital repairs could fall to the Council (or the School) – dependent upon what repairs are required and whether they are covered under the repairs and maintenance service level agreement.

Revenue.

15. The YPLA is providing revenue funding for 90 learners in the 6<sup>th</sup> Form based upon a funding formula.
16. There will be no revenue implications for the Council including funding repairs and maintenance to the building.

### **Property/Other**

17. The land and buildings of the school, as a community school, rest in the ownership of the Council as the maintaining authority, with day to day control and management of the premises delegated to the Governing Body of the school within the restrictions imposed under the Scheme for Financing Schools and the terms of the school's individual delegated budgets.

## **LEGAL IMPLICATIONS**

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

18. The Council has previously approved proposals to establish a sixth form from September 2012 in accordance with section 19(3) of the Education & Inspections Act 2006 ("the Act") and the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 ('the Regulations'). In accordance with section 21 of the Act and the Regulations, such proposals, including any modifications required to the proposals prior to the implementation date, fall to be decided by the Council.
19. Proposals cannot be modified to such an extent that new proposals are substituted for those originally approved and for which statutory proposals would be required in their own right. It is considered that the proposal to amend the implementation date, and the consequential modification proposal to allow approval of the admission arrangements to apply from 2011 fall within those permitted by the Regulations
20. In reaching its decision regard must be had to the statutory decision makers guidance set out in Appendix 2. Notification of the modification, if approved, must be sent to the Secretary of State within 1 week of approval.

### **Other Legal Implications:**

21. The Council, acting in its capacity as decision maker, must also have regard to all relevant equalities legislation, section 17 of the Crime & Disorder Act 1998 and the Human Rights Act 1998 in assessing the impact of these proposals on both individuals and the local community.

### **POLICY FRAMEWORK IMPLICATIONS**

22. The proposals are fully in accordance with the:
- Children and Young People's Plan 2009-12.
  - 14-19 Learning, Skills and Employment Strategy 2009-12.
  - Economic Development Plan 2009-12.

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**KEY DECISION?** Yes/No    No

<b>WARDS/COMMUNITIES AFFECTED:</b>	Bitterne Park
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### **SUPPORTING DOCUMENTATION**

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

#### **Appendices**

1.	Bitterne Park 6 <sup>th</sup> Form Admissions Policy
2.	'Decision Makers Guidance (Local Authorities and Schools Adjudicator) for: Expanding a Maintained Mainstream School or Adding a Sixth Form.'
3.	Letter from the headteacher at Bitterne Park Secondary School - 6 <sup>th</sup> Form Accommodation.

#### **Documents In Members' Rooms**

1.	NONE
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#### **Integrated Impact Assessment**

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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#### **Other Background Documents**

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.	<b>Integrated Impact Assessment and Other Background documents available for</b>	<b>inspection at: Southbrook Rise.</b>
2.	Cabinet report A01	21 <sup>st</sup> September 2009