

## CABINET

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### PROPOSALS FOR THE DEVELOPMENT OF ADDITIONAL PRIMARY AGE PROVISION IN CHATHAM

Portfolio Holder: Councillor Les Wicks, Children's Services

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#### Summary

This report sets out the need for additional primary age provision in the Chatham area. The report updates the needs identified in the School Organisation Plan 2011-2016, using the latest school census and health data.

#### 1. Budget and policy framework

- 1.1 In January 2008, Medway Council's Cabinet approved the School Organisation Plan Principles, which contained a set of guidelines to be used when considering school organisational issues, thereby ensuring that decision-making is clear and consistent. The core of these principles ensures that any changes to schools organisation are based upon improving schools and raising standards.
- 1.2 Within the primary phase Medway's School Organisation Plan principles are:
  - To review the future of schools with low standards;
  - All Infant and Junior schools should be amalgamated over time;
  - To review the future of schools that are at risk of becoming unviable;
  - To enable popular and successful schools to expand
- 1.3 The School Organisation Plan 2011-16 and the related action plan, approved by Cabinet on 1 November 2011 (Decision 142/2011), following a period of consultation sets out Medway's plans for implementation of the principles in Medway Schools over the next five years. This will ensure the council meets its statutory responsibility to provide sufficient good school places, and includes priorities for capital investment based upon an analysis of need.
- 1.4 The Children and Young People Overview and Scrutiny Committee is considering this report on 31 May 2012 and its views will reported to Cabinet in an addendum report.

## **2. Background**

- 2.1 The School Organisation Plan 2011-16 highlighted an emerging need for additional primary age provision in some areas of Medway, specifically, Chatham, Rochester and Gillingham West.
- 2.2 The issues being experienced in Medway appear to be similar to other areas in the South East. An analysis of primary age need in the South East region undertaken by Southampton City Council in 2009, shows that all 18 local authorities in the South East region are expecting an increase in year R numbers over the next 5 years, and that this pressure is much more significant in some other authorities than in Medway.
- 2.3 A recent report (refer: School Place Mapping: April 2012) for the Local Government Association, based on pupil planning information obtained from local authorities proposes that the total national need for additional primary places by 2015/16 will be approximately 397,000.
- 2.4 On 21 October 2011, Officers updated members of the Children and Adults Capital Programme Cabinet Advisory Group on the latest forecast figures for Medway and presented options for addressing the identified need. The Cabinet Advisory Group requested further information in the spring, after offers had been made for primary school places for September 2012.
- 2.5 Since that meeting and the publication of the School Organisation Plan, pupil number forecasts have been updated using the methodology set out below.

### Forecasting pupil numbers

- 2.6 A range of statistics, data and information are used to forecast pupil numbers at Medway Schools including:
- health authority records of the number of Medway children of pre-school age including recent birth data;
  - historical and current migratory numbers and trends;
  - historical and current pupil roll numbers from the January Pupil Level Annual School Census (PLASC);
  - projected pupil numbers from planned housing developments.
  - Population estimates ONS
- 2.7 Forecasts of pupil numbers are calculated for the next five years for primary school places and ten years for secondary school places. These forecasts show the expected number of pupils by school, by year group, by planning area and for Medway as a whole. These forecasts are reviewed and updated using the latest data on a regular basis as new data becomes available. The forecasts are reconciled on an annual basis to take into account any changes and these are the forecasts used for planning purposes.
- 2.8 For the primary phase it is only possible to predict the numbers of pupils who will join schools in reception year up to five years in advance, which can make long term planning very difficult. It is more straightforward to produce robust and accurate forecasts of secondary pupils, because pupils are already in the school system, although other factors, such as the raising of

the participation age, and the impact of unexpected inward migration, will mean that our forecasts for secondary places, could also be subject to change, and should also therefore be kept under regular review.

- 2.9 Whilst this approach has provided a reasonable indication of the likely future trends in the past, the more significant demographic changes recently experienced both nationally and in Medway, including the substantial increase in inward migration are not predictable, and officers in Medway, in common with many other local authorities, face shorter planning period than previously experienced. The school place planning team is considering alternative ways to better predict this movement in liaison with peers in other authorities. This includes making better use of data, such as in-year admissions data and other demographic data, to monitor in-year trends, and to indicate likely changes in forecasts.
- 2.10 The latest forecasts using the data received in Spring 2012 indicate that the pressure on primary school places is likely to be even more severe than initially highlighted in the School Organisation Plan 2011-2016. This pressure is primarily a result of significant unforeseen inward migration. There have also been further increases in the birth rate, both of which have particularly impacted on the Chatham area (as set out in more detail in section 3). This paper highlights the emerging need for schools places in Chatham and presents options for the creation of sufficient provision to meet this further additional demand in the future.

#### National policy context

- 2.11 In December 2007 all local authorities were invited to submit a Primary Strategy for Change, setting out, against clear central government criteria, plans for developing, agreeing and implementing a strategic approach to capital investment for Primary schools, with a clear expectation that each local authority must deal effectively with surplus places.
- 2.12 Three years ago the approach to re-organising primary school places in Medway was consistent with the then government policy which required that we act promptly on reducing surplus places, as a result several school closures were proposed at the time. More recently the Coalition Government has signalled a significant policy change in relation to surplus places. The Education White Paper (Nov 2010) "The importance of teaching" states

*"Even in areas without significant demographic growth, we want local authorities to focus on supplying enough good places rather than removing surplus places"*

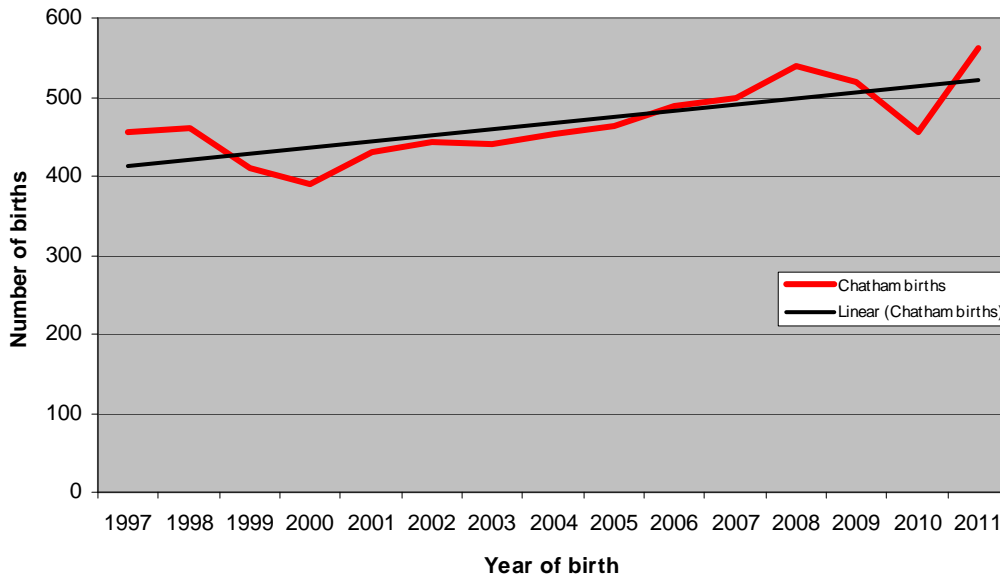
### **3 Forecast pupil numbers in Chatham area**

- 3.1 The School Organisation Plan 2011-2016 reported a significant increase in the number of births in Medway to a level in 2009 higher than at any other point in the last 13 years. The birth rate dropped however in 2010, and so in September 2011 when the School Organisation Plan 2011-2016 was approved it was not clear whether the birth rate was likely to continue to rise, or fall again. The most recent health date, however, shows that 2011 had the

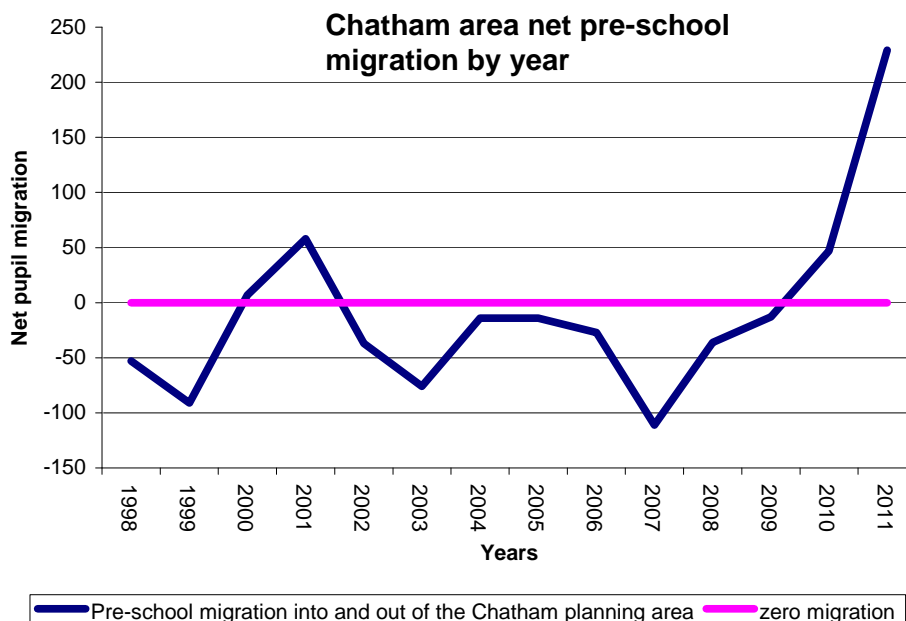
highest number of births on record for Medway (3517 children), representing a 13% increase since 2005.

- 3.2 The trend is mirrored when looking at the birth rate figures for the Chatham area, as shown in the graph below. Following a drop in 2010, the birth rate has increased again with four of the last five years the highest on record and the trend overall is increasing. There were 563 children born in Chatham in 2011, representing a 21.3% increase since 2005. The birth rate has therefore increased at a faster rate in Chatham than in Medway as a whole.

**Births by year in the Chatham area**

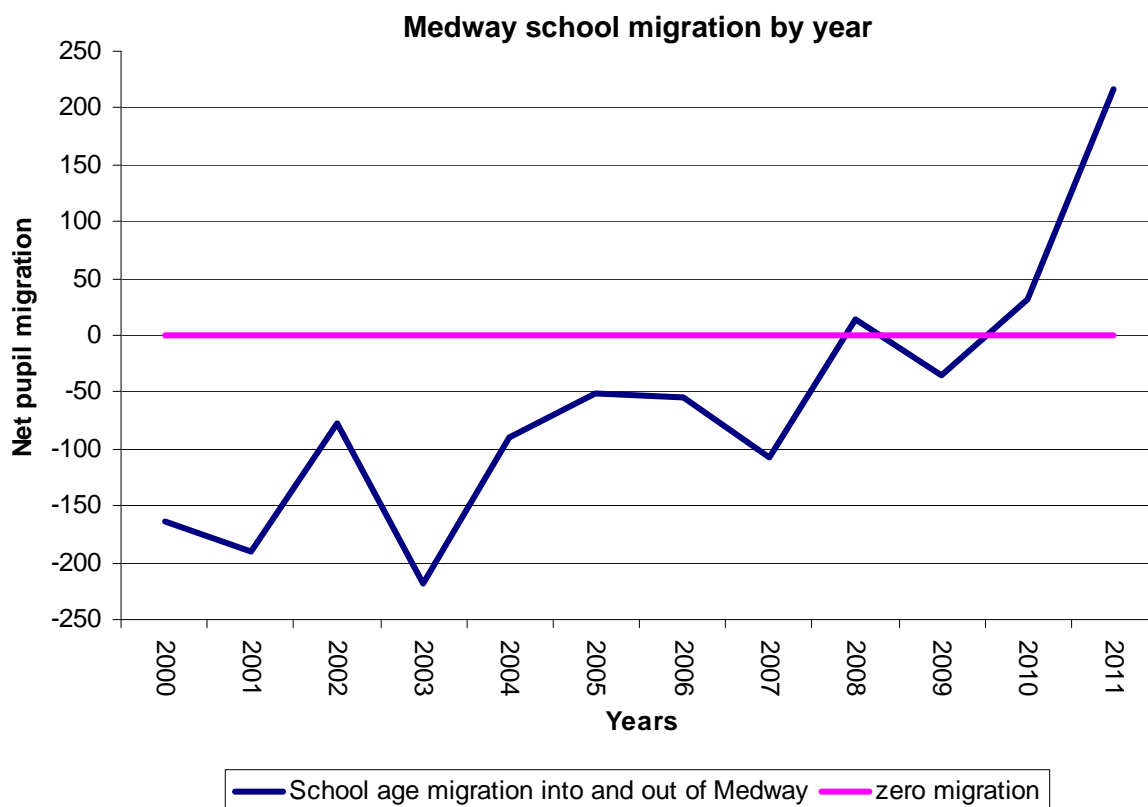


- 3.3 The pre-school age health data also shows a significant overall net gain of pre-school age pupils in 2011 resulting from inward migration of families into the area, either from other parts of the UK, or from overseas. The net migration of pre-school age children in the Chatham area for each of the last 14 years is shown in the graph below.



3.4 This shows a significant increase in net inward migration in 2011, with an increase of 229 pre-school age children in the Chatham area. Medway as a whole shows a net gain of 333 children for the same period, and so the increase in Chatham accounts for 69% of the total. These 229 children are fairly evenly spread across the pre-school age groups, and so will filter into infant classes across the next four years.

3.5 The net migration of school age pupils in Medway shows a similar trend, with net inward migration of 216 school age pupils in 2011 as shown in the graph below.

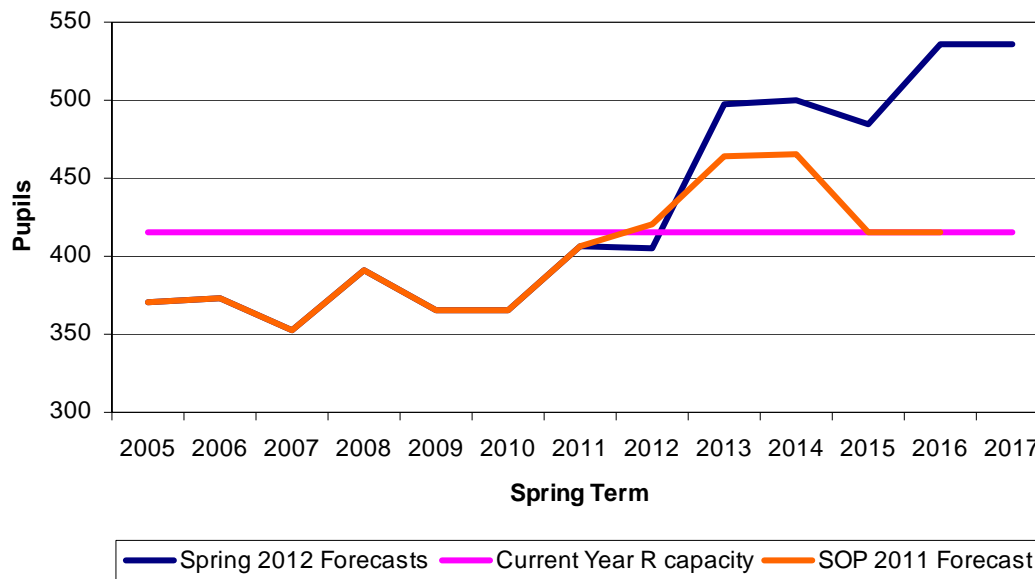


3.6 Analysis of the number of applications for Reception places for September 2012 show that all families that have applied for places by the deadline for applications have been able to be allocated a place at a school. Based on the forecast pupil numbers, we expect to receive a number of late applications for places between now and September 2012, from families moving into the area. After the allocation of places to all current Medway resident families, there remain only five places available in the Chatham area to meet the demand from late applicants, with 39 places available in the neighbouring areas of Rochester and Walderslade. It is likely that between now and September that if we continue to see net inward migration to the Chatham area, that the available places could all be filled by late applicants, which may result in a lack of flexibility and children having to access provision outside their immediate area.

3.7 The most recent 5-year forecasts for the Chatham area, using the methodology described in section 2, indicate that there will be a deficit of 81

Reception places, in Chatham Schools as at Spring 2013, as the graph below shows.

**Year R pupil numbers, actual and forecast, for the Chatham area as at January 2012**



- 3.8 A similar level of demand is forecast for Spring 2014, with a slight reduction in demand in Spring 2015, which corresponds with the lower number of births in 2010. The forecast demand then increases again in Spring 2016 because of the high birth rate in 2011.
- 3.9 The neighbouring areas of Rochester and Walderslade are forecast to have a combined total of 60 places available this September. Whilst it is not realistic to expect all of these places to be able to be used to meet demand in the Chatham area, some will be able to do so. This leaves at least 21 Reception places to plan for in the Chatham area for this September.
- 3.10 The graph also shows how the forecast figures have changed since the forecasts were last produced for the School Organisation Plan 2011-2016. The change in the forecast figures is a result of the additional unexpected inward migration in the last 12 months and the rapid increase in the birth rate in 2011.
- 3.11 Applying the current trend to future years gives the predicted numbers for future school places. As these increased pre-school numbers progress through the schools, they will replace smaller year groups in the older primary years, resulting in an increase in the overall number of primary age pupils.
- 3.12 By September 2016 additional overall capacity of approximately 595 across all primary age year groups will be required in Chatham, as shown in the table below. A 3 FE primary school caters for 630 pupils.

Total places required and forecast shortfall in Chatham area at September 2016		
Year group	Total number of primary places required in Chatham	Forecast shortfall of places in Chatham
Year R	536	120
Year 1	553	137
Year 2	496	80
Year 3	516	100
Year 4	521	105
Year 5	434	18
Year 6	451	35
<b>TOTAL</b>	<b>3507</b>	<b>595</b>

- 3.13 This table highlights that by 2016/17, based on the current capacity, every year group in Chatham will be oversubscribed, and shows by how many pupils. The forecasts for some year groups show a potential shortfall of more than 3 forms of entry for some year groups, although some of this demand will be able to be met from some spare capacity in the neighbouring areas of Rochester and Walderslade.
- 3.14 The uncertainty surrounding future births and inward migration means that the council needs to be cautious when deciding how much, and when, additional provision is required. However the recent ongoing trend of higher birth rates does suggest that the increases in children requiring a reception place will continue for the foreseeable future.

#### 4. Local and National demographic context

- 4.1 The main factors behind the increased pressure on school places in Chatham are significant unplanned net inward migration over the past year on top of a continued increase in the birth rate.
- 4.2 The main drivers for the inward migration into Chatham are likely to be economic. Central Chatham is one of Medway's most deprived areas, and whilst the majority of residents (62.7% compared to the Medway average of 75.7%) are owner-occupiers, there is also a significant private housing supply in the area which tends to be much less expensive than other areas of Medway. There is also a higher than average rental population in private and social housing; these rental values also tend to be lower here than in other areas.
- 4.3 Nationally, since 2007 there has been a shift in patterns of home ownership for new households with a much greater proportion of private renters rather than owner-occupiers. In addition there is a trend in recent years for higher rates of overcrowding, particularly in the rented sector (Source: English Housing Survey Headline Report DCLG 2012).
- 4.4 Analysis of the specific areas where additional pupils are arriving show that the majority are into the Luton Area, with the rest spread out across the other Chatham areas.

- 4.5 The 'Medway Area Profiles Summary Report' ...December 2011, produced by the Council's Regeneration Directorate; highlights the following information, which would suggest that demand for school places in Chatham could be sustainable:
- Future population growth is forecast towards the north and west sides of Medway with Chatham town centre, Strood town centre and the Hoo Peninsula likely to have the largest proportional population growth
  - Areas with the youngest average resident age are concentrated in a fairly central grouping in Medway, around central parts of Chatham and Gillingham
  - Chatham has the..." largest proportional population growth..."...and " there are a high number of residents in the 20s to early 30s age group" (28% of the population compared with 13% in Medway as a whole)
  - Also..." this part of Medway has a relatively high level of social housing, accounting for one in four houses"
- 4.6 Overall in England and Wales the average age of mothers has been rising, from 26.4 in 1975 to 29.3 in 2007 (Births by area of usual residence of mother, England and Wales, 2010 – Office of National Statistics). There has been an increase in the proportion of overall births to mothers born outside the UK (25 per cent in 2010 compared with 11.6 per cent in 1990). (Births in England and Wales by parents' country of birth, 2010 - Office of National Statistics)
- 4.7 In Medway in 2010, the age of mothers was younger than the average for England and Wales, whilst in the rest of the South East area mothers were older than the England and Wales average.
- 4.8 In Medway over the past 2 years the overall school cohort has increased by 1400; of these 500 are British and 900 are Black and minority ethnic of varying ethnic origin with the largest groups including: African (260), Eastern European (238), Indian (88) and Caribbean (69).
- 4.9 In the Chatham area specifically, the ethnic background of school age pupils in 2012 as a proportion of Chatham's school age population compared to 2010 is shown in the table below.

Ethnic background of school age pupils in the Chatham area as a proportion of overall school age population			
Ethnic background	2010 %	2012 %	Diff %
British	58.6	55.9	-2.7
Eastern European	7.8	9.6	1.8
African	4.5	5.4	0.9
Indian	5.2	5.0	-0.2

#### Need for places overall in Medway

- 4.10 The School Organisation Plan 2011-2016 highlighted the overall need for primary age provision in the next five years, including a need for places in the Chatham area.



- 4.11 Other areas of Medway will also require the development of additional provision during this time period, and the following table highlights the need for reception places by planning area, based on the latest forecast figures.

Summary of expected reception age need by planning area

Planning Area	2012/13	2013/14	2014/15	2015/16	2016/17
Peninsula	13	-1	-6	-13	-13
Strood	46	-2	3	-6	-6
Gillingham	-23	-29	-41	-51	-51
Rainham	31	74	69	77	77
Walderslade	39	49	16	70	70
Chatham	-81	-84	-68	-120	-120
Rochester	21	21	23	32	32
Cuxton/Halling	27	7	8	18	18
<b>Total</b>	<b>73</b>	<b>35</b>	<b>4</b>	<b>7</b>	<b>7</b>

	Oversubscription of at least 15 places estimated
	Small surplus, deficit of places estimated, or surplus places likely, possibly due to excess demand in neighbouring areas
	Sufficient places estimated

- 4.12 The above forecast figures take into account additional provision already planned, through the expansion of Wainscott Primary School in the Strood area, and an increase to the published admission number at Napier Primary School from September 2013.
- 4.13 Although the forecasts for the Gillingham area show an expected deficit of places from 2012/13, analysis of the actual applications received and places offer, show that as at 22 May, there were 38 places available in Gillingham, and that all applications received by the deadline had been allocated a school place. As a result, no additional provision is being planned for September 2012. A number of the schools in Gillingham enjoy larger sites, which would support an expansion, unlike those in Chatham, and therefore plans to develop additional provision in the future will be based on expanding existing schools rather than creating new school provision.

## 5 Plans for short term expansion

- 5.1 An analysis of schools in the Chatham area show that there are limited opportunities for expansion on current primary school sites due to the constrained nature of the current sites. Where there are opportunities for expansion it is likely that these will be limited, and will only be able to meet part of the need, and potentially only on a temporary basis.
- 5.2 The following table shows the total site areas of the primary and infant schools in the central Chatham area against the minimum recommended site areas. The minimum site areas are based on the government guidelines for

the amount and type of accommodation a new school needs, which is detailed in “building bulletin 99: Briefing framework for Primary School Projects”, which was published in 2008.

School	Minimum recommended site area (BB99) Sqm	Actual site area Sqm	Surplus/Deficit Sqm
All Saints CE Primary School	14,102	2,100	-12,002
Balfour Infant School	7,167	3,100	-4,067
Greenvale Infant School	5,628	6,700	1,072
Luton Infant School	7,167	3,600	-3,567
New Road School	14,180	8,400	-5,780
St John’s CEVC Infant School	4,089	1,100	-2,989
St Michael’s RC Primary	16,312	7,600	-8,712

- 5.3 Whilst there are few realistic opportunities for the expansion of provision on existing sites due to their constrained nature, it would be possible for some temporary expansion to take place on the Greenvale Infant School on Symons Avenue in Chatham.
- 5.4 In Autumn 2011, a bulge class was created at Greenvale Infant School, to accommodate an additional 30 pupils in year 1 resulting from the unexpected inward migration. This used existing surplus accommodation at the school. It has also been agreed that those additional pupils will transfer to Glencoe Junior School at transfer to Key Stage 2.
- 5.5 Officers have also discussed and agreed provisional plans for further temporary expansion at Greenvale, with the headteacher and Chair of Governors at Greenvale and the Portfolio Holder for Children’s Services, as set out below:
- For September 2012 plans are already underway for the provision of temporary accommodation to be established at Greenvale Infant School to enable an additional form of entry for the reception age group, which will create an additional intake group taking the schools capacity from 2 to 3FE intake. At this point the school will have 3 FE in reception, 2FE in year 1, and 3FE in Year 2;
  - For September 2013 a further temporary expansion at Greenvale could be planned for up to an additional 2FE for the reception age group. This level of expansion on the current site would not be practical, and so the expansion would need to be developed on the area edged green on the plan in Appendix 1. This site is designated as protected open space for educational use, however the council’s planning department believe that there is a strong case to change the use of the land to enable the expansion to go ahead as it falls into the ‘social benefit’ clause within

planning legislation. This land is currently maintained by the White Road Community Centre, and is used as informal recreation space by local residents. It would be at this time in September 2013 that the current year 1 bulge class at Greenvale would transfer to Glencoe Junior School. Therefore Greenvale School will be organised with 4FE in reception, 3FE in year 1 and 2FE in year 2.

- 5.6 The estimated capital costs for each additional form of entry of temporary accommodation, would be in the region of £300,000. Therefore, the estimated costs for temporary expansion for September 2012 are £300,000 and for September 2013 would be an additional £300,000.
- 5.7 The chair of governors, current headteacher and the headteacher at Greenvale from September 2012 have written to the council in support of the temporary expansion of the school, and this letter is attached as Appendix 2.
- 5.8 For September 2015, the first of the increased cohorts would need to transfer to Junior School. Glencoe Junior is converting to become an Academy, sponsored by the Fort Pitt Trust in September 2012. The trust has indicated that they would not be prepared to take on additional pupils, without additional accommodation. Therefore, the council would need to either create additional temporary capacity for those pupils at Glencoe, or elsewhere in Chatham as set out in section 7.

## **6. Sites and opportunities for long term expansion**

### Former Chatham South site

- 6.1 The former Chatham South site is currently leased to the Bishop of Rochester Academy, but will be vacated on completion of the new Bishop of Rochester School buildings by September 2013.
- 6.2 Chatham Grammar School for Boys, which shares the site of the former Chatham South School, has already requested additional space from the former Chatham South site release. Chatham Grammar School for Boys has limited on-site sports facilities with no access to a sports hall on site and shared use of some outside spaces and would benefit from some additional teaching and learning accommodation, in order to support effective delivery of the curriculum.
- 6.3 A feasibility study has been commissioned through the council's Building and Design Services, which shows that there is sufficient accommodation at the former Chatham South site for a primary school of three forms of entry, whilst also allowing the sports hall and some additional classroom accommodation to be transferred to Chatham Grammar School for Boys.
- 6.4 The estimated total cost of converting the accommodation into a three-form entry primary school is estimated at £3.6m, which assumes that around half of the current accommodation would require minor refurbishment, with half requiring more significant remodeling. These costs could be higher, potentially up to £4.5m if more extensive remodeling is agreed. A more detailed design would need to be commissioned to establish more accurate

costings and the detailed feasibility study would need approval by the council's Cabinet in advance of any funding being committed to the project.

- 6.5 Because of the need to undertake some modification works, it is unlikely that the former Chatham South buildings can be made available for use as primary age provision from September 2013.
- 6.6 Work to develop the accommodation could be phased as required to accommodate new groups of pupils as they join the school and as capital funding becomes available.

#### Legal constraints of former educational sites

- 6.7 In considering the future use of any former educational buildings and sites, the provisions of the Section 63 and Schedule 14 of the Education Act 2011 which amends various statutory provisions regarding school land and premises, including the Academies Act 2010 and the School Standards and Framework Act 1998, should be considered. The Act includes arrangements, which require Secretary of State consent for land disposals, and includes powers for the Secretary of State to transfer any such land to an academy or a free school. This applies to all land held by an LA that has been used for any school in the eight years preceding the disposal.
- 6.8 Seeking approval to dispose of an educational building could therefore result in the buildings being reallocated for the expansion of an existing Academy, or for the establishment of a free school.
- 6.9 No consent would be required, however, if former educational buildings were to be used for the purposes of another educational establishment. For example, if the Chatham South site were to be used for a Primary School, then this could be done without needing to obtain consent, except where it is proposed to build on playing fields.
- 6.10 In considering the establishment of new provision the provisions of the Section 37 and Schedule 11 of the Education Act 2011, which set out the expectation that any new school provision will be established as an Academy or Free School, are relevant.
- 6.11 The DfE published guidance on 22 May 2012 setting out the following process for establishing an academy/free school:
  - The local authority should carry out a period of consultation with groups or organisations that might be interested in establishing a new school. The consultation should set out the rationale behind the need, and indicate the criteria that proposals will be assessed against. There is no set timeframe or process for the consultation, and it would be for the local authority to determine an appropriate approach;
  - The local authority should notify the DfE at the outset of its intention to seek proposals and confirm the site it will make available and that it will provide all capital funding to establish the school. The DfE will publish details of the consultation on its website and alert potential providers/sponsors to the new school's requirements.

- The consultation document would also include an invitation for providers to submit their proposals including their vision and educational plan. These proposals would need to be judged against set DfE criteria by the local authority.
- Upon receipt of proposals, a period of time should be set aside to scrutinise them, and to decide upon the local authorities preferred provider.
- A submission is then made to the DfE, which includes all proposals received, with our preference highlighted with reasons for that preference.
- The Academies division at the DfE will then scrutinise each proposal and decide whether their preference matches with the local authority preference. They would then make a recommendation to the Secretary of State who would make the final decision. Officers have been advised that this stage of the process should take no more than 2 months.
- Once a decision has been agreed, it becomes the responsibility of the provider to provide a formal expression of interest and lead on the establishment of the school, including recruitment of staff and building works although the local authority would be expected to work alongside the provider and to meet project development costs. For lead-in and set up costs, the DfE will discuss with the local authority on a case by case basis to identify and agree the most appropriate mechanism to meet these, with an expectation that the local authority will contribute to these costs.
- Should no suitable proposals be identified the SoS can recommend an alternative provider, and if still none identified then the process reverts to the previous competition process.

#### Availability of other sites and buildings

- 6.12 Other council owned buildings have also been considered to provide additional capacity. The Redvers Centre, which currently accommodates the Chatham Integrated Area team, for example was school accommodation in the past and uses part of a building shared with Glencoe Junior School. The Redvers Centre has four classroom spaces, plus a small hall and other accommodation, which could make it suitable to allow expansion of Glencoe Juniors by one additional form of entry. This option would only therefore meet a small proportion of the forecast need, and would need to be planned alongside the expansion of an infant school. In addition, this option would require the relocation of the Chatham Integrated Area team to alternative accommodation in the local area.
- 6.13 The council could also consider constructing new school accommodation on other currently vacant council owned sites, for example the land adjacent to Luton Junior School playing fields, or land at the Rochester Riverside development. Any new build of school accommodation is however likely to be much more expensive than the refurbishment and remodeling of existing accommodation proposed.
- 6.14 More detailed feasibility studies would need to be undertaken on any preferred options, to establish the potential cost before any works are undertaken.
- 6.15 When assessing the options for long-term expansion, consideration should also be given to the need for additional special educational needs provision in

Medway. The use of any sites/buildings to support the expansion of primary age places, would mean that those buildings would not be available to meet the need for additional special educational needs provision.

## **7 Options to meet the need for long term needs**

### Option 1: Do nothing

- 7.1 Failure to create additional capacity would result in significant numbers of Chatham pupils (forecast at approximately 595) unable to access local school provision in the next 5 years.
- 7.2 The impact of this lack of provision would be:
- that children from Chatham would take up surplus capacity in neighbouring areas, thus also reducing flexibility in those areas;
  - an increase in the number of children entitled to free home to school transport, at significant cost to the local authority;
  - a failure in the council's statutory duty to provide sufficient good school places in the Chatham area;
  - reputational risk for failing to plan sufficient provision.

### Option 2: Create a new school (Academy or Free School)

- 7.3 Section 37 of the Education Act 2011 commenced on 1 February 2012. This makes changes to Part 2 of the Education and Inspections Act 2006 in relation to the process for establishing new schools. The new Section 6A of the EIA 2006 places local authorities under a duty to seek proposals to establish an Academy/Free School where they think there is a need for a new school. It will be for local authorities to decide how best to do this, how to consult on the proposed new school and who with.
- 7.4 Local Authorities should notify the DfE of their intention to seek proposals for a new Academy/Free School and confirm that it will make available all of the required site and capital funding needed to establish the new school. LA's must;
- Specify a date by which proposals must be submitted;
  - Consult on the plans to open a new school to inform interested parties;
  - Assess proposals received against clear criteria
  - Forward proposals with indication of preference to Secretary of State for consideration.
- 7.5 The best option to create a new primary school, based on the available sites and buildings would be in the former Chatham South School buildings, which becomes available from September 2013. The estimated costs of refurbishing the existing buildings are described in paragraph 6.4.
- 7.6 Initially the new school would not operate across all year groups and would start with pupils in year R, increasing the year groups, year on year, as the larger cohorts commence schooling. There may be the need to establish other year groups dependent upon the level of casual admissions. Should additional temporary capacity be put in place at Greenvale then at the

appropriate times, some of the additional children from Greenvale's temporary larger year groups would transfer into the new school at year 3 upon transfer from Key Stage 1 to 2. Whilst this approach has benefits in terms of phasing the development of the new provision, it could mean that efficiencies of scale are not realised soon enough, which could have revenue implications for the new provider.

## **8 Impact of the proposal on arrangements for looked after children**

- 8.1 The development of additional school provision in the Chatham area will ensure that all children including Looked after children are able to access good local school provision. Looked after children and adopted children receive the highest priority for admission to schools. If necessary, the Admissions Code allows the council to place looked after and adopted children in schools that would otherwise be deemed to be full. This ensures that the council can secure appropriate provision for children that are looked after or adopted.

## **9 Advice and analysis**

### What funding is available to develop new provision?

- 9.1 £2.4m of funding from the 2011/12 capital programme will be rolled forward to the 2012/13 programme and added to £1.4m of new approvals which gives a total of £3.8m for basic need priorities in the 2012/13 financial year. £550,000 of this funding has been allocated for the expansion of Elaine Primary school and around £1.6m of this funding has been identified for the proposed expansion of Wainscott Primary School, which leaves around £1.6m to start to fund the future additional provision required in the Chatham area as identified in this paper.
- 9.2 In the written ministerial statement by the Secretary of State for Education accompanying the education financial settlement for 2011/12, it was confirmed that the headline annual amounts of funding for basic need and for maintenance will for 2012/13 until 2014/15 be in line with the amounts announced for 2011/12.
- 9.3 We can therefore reasonably expect a similar grant settlement of approximately £3m to address basic need in each of the financial years from 2013/14 to 2014/15
- 9.4 In addition, approximately £4m of developer contributions have already been included in section 106 agreements for developments due to be undertaken in Medway which have not yet been received or included in the 2011/12 capital programme. There is a risk that some section 106 contributions will not be realised, for example if the timeframe for developments changes, a developer goes out of business, or if a development doesn't go ahead, however this gives a reasonable indication of potential income.
- 9.5 On the basis therefore of a similar level of funding being received and a similar breakdown agreed by the council, we can plan on the basis of approximately £9m to address basic need priorities over the next five

financial years. This forecast is around £5m lower than the figure presented in the School Organisation Plan, before the 2012/13 grant allocation figures were known. This is because the level of grant funding allocated by central government is less than originally anticipated. This allows specific projects to be prioritised and developed, although specific projects will only be approved once funding in future years is confirmed.

#### Proposals for developing new provision

- 9.6 The current forecast data, has shown a further increase in the likely primary age need in the Chatham area, when compared to the forecast one year ago, and presented in the School Organisation Plan. This increase in need has been driven by a significant inward migration to the Chatham area (creating an immediate demand for places) and a further increase in the birth rate which will need to be accommodated in the longer term.
- 9.7 Plans are already being put in place to create one form of additional Reception age capacity at Greenvale Infant School for September 2012.
- 9.8 In order to meet the need for additional provision in September 2013, the most viable option would be to undertake further temporary expansion of Greenvale Primary School, and it is recommended that officers develop plans to do so.
- 9.9 Further expansion on the Greenvale site would require funding of around £300,000, which would be in addition to the costs required to develop a more permanent solution. In addition, there will be revenue costs to the local authority for maintaining the Chatham South site, whilst not in use, which could be as high as £250,000 per annum, if on site security were required.
- 9.10 In order to meet the need for additional provision from September 2014, the most viable option would be to create a new school on the Chatham South site.
- 9.11 It is therefore recommended that the council should notify the DfE of their intention to seek proposals for a new Academy/Free School and confirm that it will make available the Chatham South site and capital funding needed to establish the new school from September 2014.
- 9.12 Following notification to the DFE it is recommended that the council should consult with potential interested parties based on a clear values statement that sets out what we would expect from a new provider, and seek proposals to establish a new school before recommending a preferred provider to the Secretary of State. The timeline for consultation, approval and implementation of the proposals would be as follows:

<b>Date</b>	<b>Activity</b>
12 June 2012	Cabinet consider proposals to establish new school provision on the Chatham South site
2 July to 21 September 2012	Publication of proposals and



	invitations for expressions of interest from potential providers
24 to 28 September 2012	Assessment of proposals from potential providers.
28 September 2012	Submission of proposals to DFE with recommendation of preferred provider
28 September to 30 November 2012	DFE consider proposals
December 2012	DFE confirm preferred provider
1 December 2012 to September 2014	Confirmed provider works with DFE to establish new school

- 9.13 More detailed design work should be undertaken to establish more accurate costs for the conversion of the Chatham South accommodation, including options for phasing the works over time as funding becomes available.
- 9.14 Officers will continue to review and update forecasts as the latest health authority records, and school census data becomes available. Officers will also use other sources of data, such as the Medway register of births, and records of school admission applications, to give the earliest indication of significant shifts in trends, as these sets of data are available on a more regular basis. Officers will report to the Children and Adults Capital Programme Cabinet Advisory Group on a six monthly basis with the latest forecast figures and any implications for the proposed plans.

## 10 Risk management

<b>Risk</b>	<b>Description</b>	<b>Action to avoid or mitigate risk</b>
Reputational risk	Failure to take action to develop additional provision could result in adverse publicity for the council	Implementation of proposals in this report
The pupil forecasts do not accurately predict future levels of need.	A recent increase in inward migration has resulted in significant additional need.	The report plans for a proportion of unplanned inward migration need and data will be kept under review.
Insufficient capital funding	The capital funding available to develop additional provision will be insufficient to address all of the need.	Detailed business cases for each proposal to set out the need and proposals to fund provision. Additional provision will be phased over time so that they are affordable.
DFE requirements to transfer vacant educational land to an academy or free school	The Secretary of State has the power to transfer former educational land to an academy or free school	Proposals for the future use of vacant sites for these purposes are presented in this report
Changes in popularity	Changes to the popularity of individual schools may also lead to unplanned changes, for example, if an Ofsted inspection places a school into a category.	To be kept under review during development of firm proposals
Use of land to rear of White Road Community Centre	Planning permission would be required for accommodation on land designated as open space.  Local community may not support use of land for this purpose	Early submission of planning application  Need for early and rich engagement with local community
Condition of Chatham South Buildings	Risk that buildings could be handed over by BORA in a poor state of repair, and require significant investment to ensure fit for use.	Regular contact with Academy Trust to ensure expectations of handover is clear. Condition of buildings will be assessed pre-handover Budget estimate includes allowance to address some condition issues.
Lack of local authority control of new provision	Any new provision would need to be established as an Academy or Free School, which creates the risk of a lack of democratic control of new provision	Robust consultation process led by the local authority, which sets out clear values and educational aims for new providers

## 11 Diversity Impact Assessment

- 11.1 A Diversity Impact Assessment screening will be completed in relation to any specific proposals that are taken forward.

## **12 Financial and Legal implications**

- 12.1 Any proposals brought forward to expand an existing primary school into the former Chatham South buildings will need to be funded via the Children's Services Capital Programme using allocated basic need funding. £1.6m of capital grant funding is available in the 2012/13 capital programme to start to address the need for additional primary age provision.
- 12.2 If we were to receive the same level of funding in subsequent years then approximately £2.8m, would be available in the financial years 2013/14 and 2014/15, giving approximately £4.4m in total over the next three years. It is estimated that this funding would be sufficient to develop the provision on the Chatham South site. It is proposed that the works should be phased as funding becomes available, in line with the growth in pupil numbers at the school.
- 12.3 In addition, approximately £4m of developer contributions have already been included in section 106 agreements for developments due to be undertaken in Medway which have not yet been received. Some of these contributions are for developments in the Chatham area, and where appropriate these could be used to support development of additional primary provision in the area.
- 12.4 Separate capital funding is available from the DFE to support the establishment of free schools, and so establishing a new school through this route could potentially attract additional capital funding. However, as the provision is required to meet basic need for additional places, the DFE is likely to expect the local authority to fund the new provision. It is therefore recommended that the local authority should plan on the basis of having to fund the provision to mitigate this risk.
- 12.5 The Education Act legislation changes the arrangements for the establishment of new schools by introducing a presumption that when local authorities set up new schools, they will be Academies or Free schools (see section 3.6).

## **13 Recommendations**

- 13.1 The Cabinet is asked to approve the implementation of plans for the temporary expansion of Greenvale School by one form of entry from September 2012 and up to an additional two forms of entry from September 2013, by establishing additional accommodation on the land to the rear of the White Road Community Centre.
- 13.2 The Cabinet is asked to approve the development of plans to use the former Chatham South site for the establishment of a new primary age Academy from September 2014, and for officers to formally notify the DfE of the council's intention to consult with interested parties to identify a preferred provider.
- 13.3 The Cabinet is asked to delegate authority to the Director of Children and Adults Services in consultation with the Portfolio Holder for Children's

Services, to make a recommendation to the DfE for a preferred provider to run the new school as an Academy.

- 13.4 The Cabinet is asked to approve the development of more detailed designs for the Chatham South site and buildings to establish a three form entry primary school and the transfer of part of the accommodation to meet the curriculum needs of Chatham Grammar School for Boys.

#### **14 Suggested Reasons for Decision**

- 14.1 This will ensure that the council meets its statutory duty to ensure sufficient good school places.

#### **Lead officer contact**

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#### **Background papers**

Making changes to a Maintained Mainstream School (A guide for Local Authorities and Governing Bodies).

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.

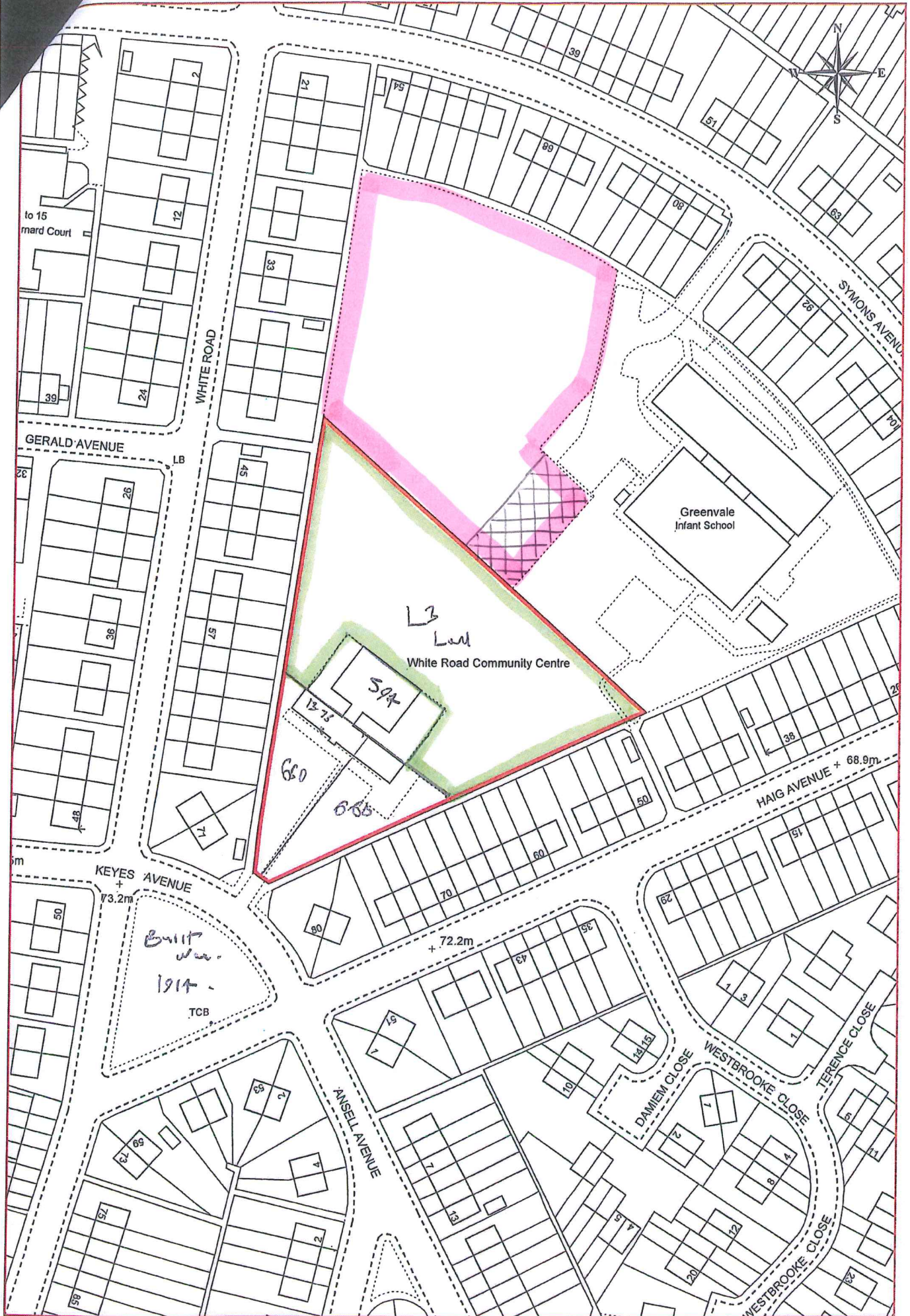
The Education Act

Establishing a new school (Departmental advice for local authorities and new school proposers)

**Appendix 1 – Plan of Greenvale site and White Road Community Centre**

**Appendix 2 – Letter of support from Greenvale school**

A00217







# Appendix 2

## Greenvale Infant & Nursery School

Headteacher: Miss E. Caldwell

SYMONS AVENUE, CHATHAM, KENT, ME4 5UP

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19 April 2012

To whom it may concern :

The Governing Body and the Head Teacher of Greenvale Infant and Nursery School are fully supportive of Medway Council's proposals to temporarily expand the school, which will include the erection of some temporary buildings on the school site to accommodate the nursery age children.

We are confident that this expansion will have no negative impact upon the school's ability to carry out the curriculum.

Yours sincerely,

Kevin Geraghty-Shewan – Chair of Governors

Elizabeth Caldwell – Current Headteacher

Amanda Allnut – Headteacher from September 2012