

## **CABINET**

**26 SEPTEMBER 2023**

### **ANNUAL REVIEW OF THE SCHOOL PLACE PLANNING STRATEGY 2022-27**

Portfolio Holders: Councillor Adam Price, Portfolio Holder for Children's Services  
(including statutory responsibility)

Councillor Tracy Coombs, Portfolio Holder for Education

Report from: Lee-Anne Farach, Director of People and Deputy Chief Executive

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#### **Summary**

This annual summary report provides an update on the progress made during the lifetime of the 2022-27 School Place Planning Strategy. It identifies areas of demand and makes recommendations to ensure that appropriate levels of good quality school places are available through to 2027.

#### **1. Recommendations**

1.1. The Cabinet is asked:

1.2. To note the progress made against the School Organisation Plan and School Place Planning Strategy frameworks, which have ensured that the Council has met its duty and sufficient school places are currently available to meet demand.

1.3. To authorise officers to commence a feasibility study at Riverside Primary School, as set out in paragraph 11.3.

1.4. To approve a project to provide additional dining capacity at Leigh Academy Rainham, as set out in paragraph 11.7, and to recommend to full Council that the scheme is added to the Capital Programme.

1.5. To note the overspend on Wayfield Primary School as set out in paragraph 18.9 and to recommend full Council to approve the addition of £39,806 onto this project within the capital programme, to be funded from the Basic Need Grant.

- 1.6. To note the retention payment for Sir Joseph Williamson's Mathematical School, as set out in paragraph 18.10 and to recommend full Council to approve the addition of £5,734.64 to the capital programme, to be funded from the Basic Need Grant.
- 1.7. To note the overspend on Maundene Primary School as set out in paragraph 18.11 and to recommend full Council to approve the addition of £14,377.49 spending onto this project within the capital programme, to be funded from available s106 funds.
- 1.8. To note the increasing costs at Maritime Academy due to building control and fire risk assessment works, as set out in paragraph 18.12 and to recommend full Council to approve the addition of £140,000 onto this project within the capital programme, to be funded from available s106 receipts.
- 1.9. Due to escalating construction costs and resultant insufficient funding being available to complete all SEND projects previously approved, Cabinet is asked to approve the withdrawal of the resourced provision at the Howard School, and to recommend to full council the virement of £1.2m of funding to the Rivermead expansion onto the former Stoke Primary School site, as set out in paragraph 13.2.
- 1.10. Due to an increase in the scope for an additional 20 pupils for the Danecourt Special School project, and resultant costs, Cabinet is asked to approve the virement of £500k to the project.
- 1.11. To recommend full council to approve the removal of the remaining budget of £1,533,208.69, funded by prudential borrowing, from the SEND New Places Scheme and agree that £1,533,208.69 of SEND grant for the Strood Academy SEND scheme is converted to prudential borrowing.

## 2. Suggested reasons for decisions

- 2.1. By approving the recommendations in section 1 of the report, the Cabinet will be ensuring that the Council meets its statutory duty to ensure sufficient good quality school places are available.

## 3. Budget and Policy Framework

- 3.1. Medway Council has a statutory duty to provide sufficient school places. The School Place Planning Strategy describes the principles, methods, and challenges of this duty.
- 3.2. This annual review of the School Place Planning Strategy provides the latest information on the expected numbers of pupils. It proposes actions to maintain sufficient good school places for the expected numbers of pupils, whilst managing published admission numbers (PAN) to avoid oversupply.
- 3.3. The proposals in this annual review follow the School Place Planning Strategy Principles. They also support the Council Plan Priority of 'Supporting Medway's people to realise their potential', and the outcome of 'All children

achieving their potential in schools'. The proposals, if approved, would be delivered through available funding from the Education Capital Programme. Therefore, this is a matter for Cabinet. Any additions to the Capital Programme are a matter for full Council.

#### 4. School Place Planning Strategy

- 4.1. In May 2022, as part of the School Place Planning Strategy, Cabinet approved the School Place Planning Strategy Principles. These guidelines ensure that any changes are based upon improving schools and raising standards, so that the Council meets its statutory duty to provide sufficient good school places.
- 4.2. In April 2023, the principles were expanded to include a section on selection. These additional principles were approved by Cabinet on 4 April 2023 under decision number 57/2023.
- 4.3. Several factors determine the most suitable school to expand. These include forecasted pupil numbers, the OFSTED rating of the school, its current performance, and its popularity with parents. Medway's forecasts have proven to be accurate, meeting the Department for Education (DfE)'s benchmarks (shown on the scorecard in Appendix 4). Therefore, Members can be confident that the recommendations made in the School Place Planning Strategy annual reviews are based upon accurate and robust evidence and analysis.
- 4.4. It is necessary to maintain a level of surplus school places to ensure that sufficient places are available for pupils who arrive during the school year, such as pupils moving into new housing schemes. The nationally accepted level of surplus places is 5%, to ensure places are available without the risk of making schools unviable. Medway will work towards this figure.

#### 5. Annual review

- 5.1. Annual reviews of the School Place Planning Strategy will make proposals for maintaining the appropriate level of school places in Medway. These proposals will be based on the most up-to-date information, as well as an analysis of local and national policy and strategy.
- 5.2. This annual review, and the recommendations in it, are based upon the annual round of forecasting undertaken in April 2023, using the latest available data. Appendix 1 sets out the forecasts for the mainstream primary and secondary planning areas.
- 5.3. The forecasts in this report include housing developments with planning permission. Schemes under consideration or at appeal will only be included in the forecasts when approved. Therefore, it is reasonable to expect that as more housing schemes gain approval future forecasts will reflect this and demand for places will rise.

## 6. Medway overview

- 6.1. Medway's Local Plan, yet to be formally approved, highlights the need for an additional 27,000 homes (approx.) across Medway by 2040. A number of these are already under construction, and the future publication of the Local Plan is expected to increase the rate of housebuilding. It is expected that the total population will increase from 279,000 to 330,000 in that time.
- 6.2. School place planning officers are working with planning and development colleagues on the Local Plan infrastructure delivery plan, looking at where and when new schools and expansions would be required across Medway. This will continue to evolve during the development of the Plan.
- 6.3. The number of approved and proposed housing schemes means that demand for school places is expected to rise in the future.
- 6.4. The number of pupils expected from housing developments is based upon research by MORI. For every 775 new houses with 2 or more bedrooms, an average of 210 primary pupils will be produced. This is enough to fill a one-form entry primary school.
- 6.5. In recent years Medway received no basic need funding from government. The only funding available had been s106 developer contributions, paid by housing developers to offset the impact of pupils from new developments. Table 1 shows the Basic Need grant for 2023/24 to 2025/26. The 2023/24 grant has been allocated to the agreed projects listed in paragraph 11.1. The remainder of Section 11 of this report sets out proposals to use the 2025/26 funding together with available s106 receipts.

Table 1 - Basic need grant amounts

	Basic need
2023/24	£17,049,927
2024/25	£0
2025/26	£93,994

## 7. Early Years Sufficiency

- 7.1. Local authorities are required by legislation to secure sufficient childcare, so far as reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0 to 14 (or up to 18 for disabled children). This means that parents are able to work because childcare places are available, accessible and affordable and are delivered flexibly at a range of high-quality settings.
- 7.2. Medway is committed to supporting as many families as possible to take up the offer of free or funded places for an eligible two-year-old. There are sufficient registered places to accept all the potentially eligible two-year-old children in Medway.
- 7.3. The developments in 30 hours provision for 3- and 4-year-old children has not had a detrimental impact on the number of 15-hour places offered across

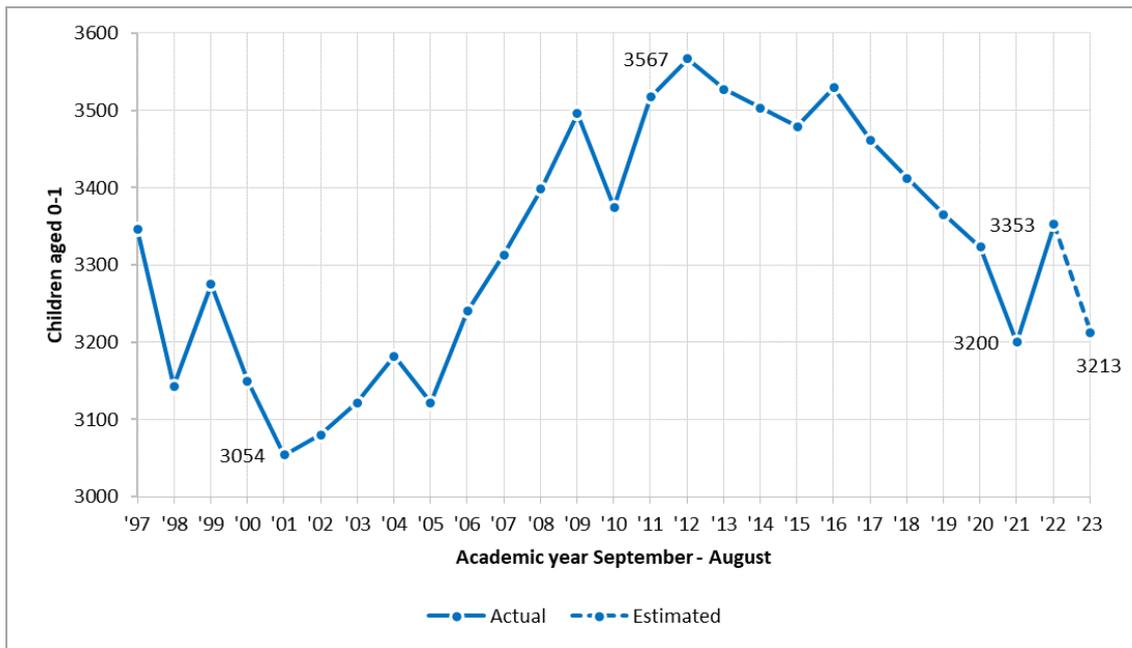
Medway. The number of 30 hours places has increased with the addition of 7 new providers since January 2023.

- 7.4. The overall trend in Medway has seen a decrease in the number of births. Births in individual areas tend to fluctuate, and there are some areas which have shown some small increases. This indicates that for the foreseeable future, sufficient places are available to meet demand. Whilst the position changes rapidly, there are currently over 800 full- time equivalent childcare vacancies across Medway.
- 7.5. There are 242 Early Years providers within Medway, offering approximately 6,200 childcare places.
- 7.6. The increase in the cost of living has concerned the Early Years Sector with reference to the higher costs of employing advanced level qualified staff.
- 7.7. Within Medway, we have been able to sustain the number of providers through the engagement of new provisions offering the government funded childcare.

## 8. Primary Schools

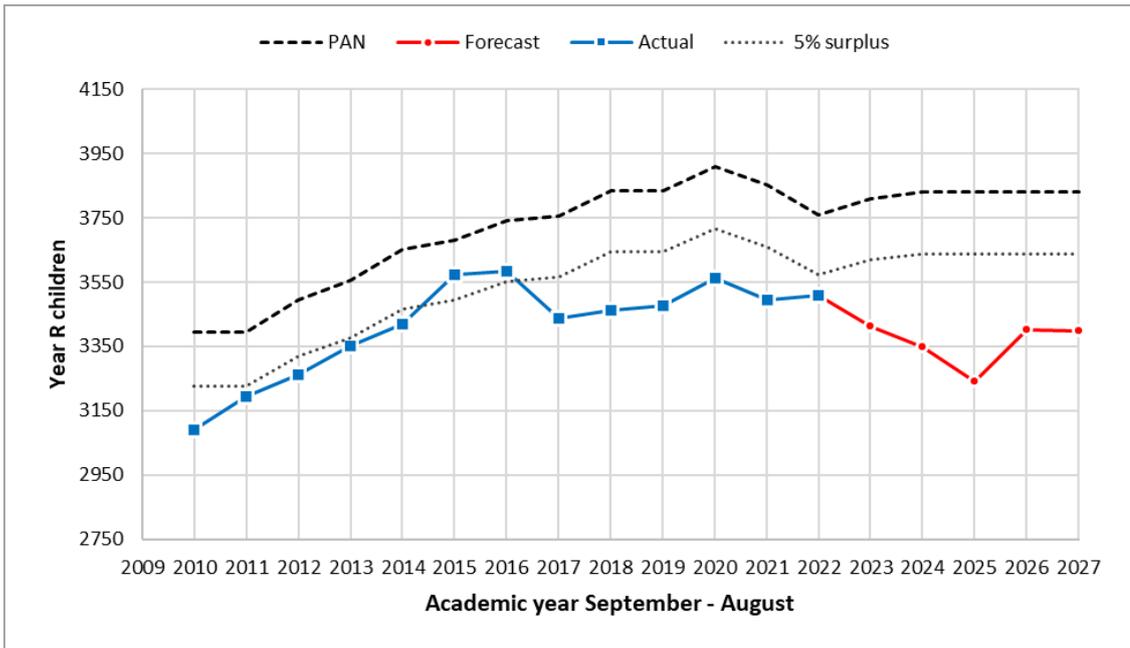
- 8.1. Births reached a peak in 2012 (Figure 1), and the children born that year created a surge in Year R class applications in 2016. Another smaller peak in births in 2016 is behind the Year R class peak in 2020. The falling Year R forecast reflects the current falling birth rate.
- 8.2. However, uncertainty caused by the Coronavirus pandemic is likely to cause an additional reduction in birth rates. People are less likely to have children when the future is uncertain. There appears to have been a negative impact on birth rates from December 2020 (9 months after the first lockdown started in March 2020). Lower births in 2020-2021 would impact the Year R numbers in 2025-2026.
- 8.3. However, as life moves back to normal and confidence returns, this reduction in rates may slow, or even reverse. Births in 2022 increased to 3,353, slightly above the level of 2020. This increase could be a result of families putting off having children until the impact of the pandemic had reduced. However, ongoing cost of living pressures may affect plans for having children and reduce the birth rate again. Figure 1 shows the estimated births for 2023, based on registry office data, are likely to fall to a similar level to 2021.
- 8.4. The 2022 increase in births will reflect in the Year R forecasts in September 2026. As new housing is completed, it is likely that new families and people planning to start families will move in, increasing immediate demand as well as the birth rate in the future.

Figure 1 – Medway Births – dashed line shows estimate



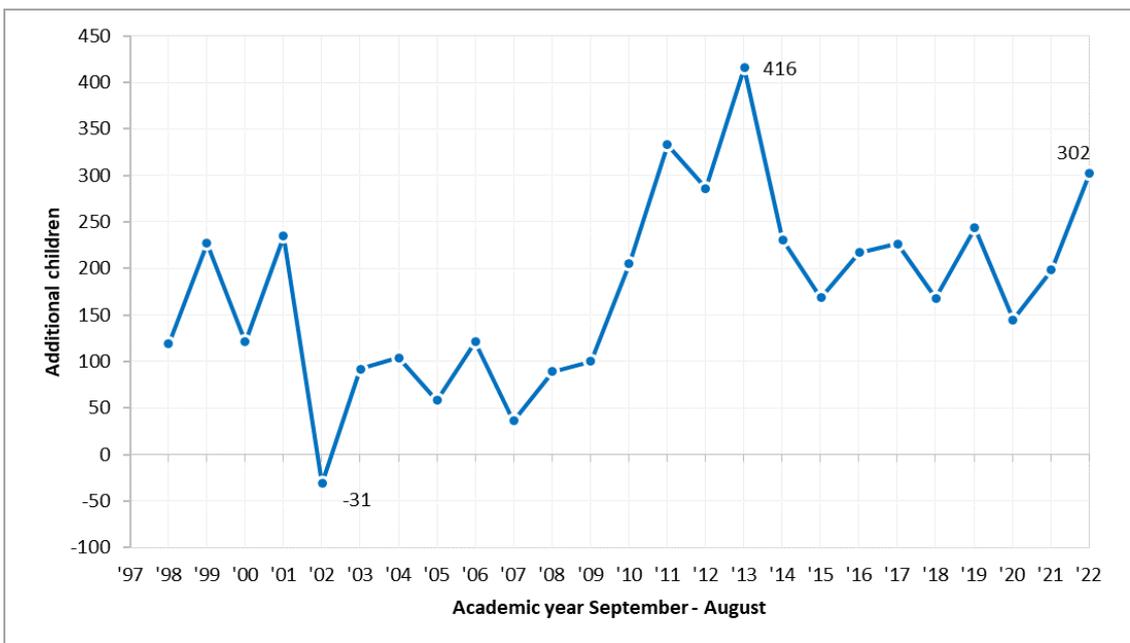
- 8.5. Year R figures have been rising over the last decade, but 2022 is expected to be the peak (Figure 2) for the foreseeable future. This is based on current birth rates and inward migration. The graph shows that the currently forecasted numbers are below the total Published Admission Number (PAN) of all Year R places in Medway.
- 8.6. It is likely that Year R forecasts will increase as more housing schemes are approved. As part of an overall assessment of school organisation arrangements, officers have worked with schools to review PANs across Medway. This will ensure that sufficient capacity is available in areas of demand and likely inward migration. In areas where there is a danger of over-provision some PANs have been reduced. In some cases, these may be short term arrangements to ensure the viability of schools until expected demand increases again. In other cases, the reductions may be permanent. These reductions will be reviewed regularly. This will protect the financial and educational viability of schools, while retaining capacity within the system to enable a speedy and cost-effective solution to future rising numbers.

Figure 2 - Medway Year R, actual and forecast



8.7. The number of pupils will increase as families move into the area. Families can move in with children of any age, so the impact on Year R numbers can be anything between immediately, or in 4 years' time. After 2010 the number of pre-school age children moving into Medway has been higher compared to before 2010 (Figure 3). As the Local Plan progresses, an increasing number of housing schemes will come forward. Inward movement of pre-school age children can be reasonably expected to increase again in the future.

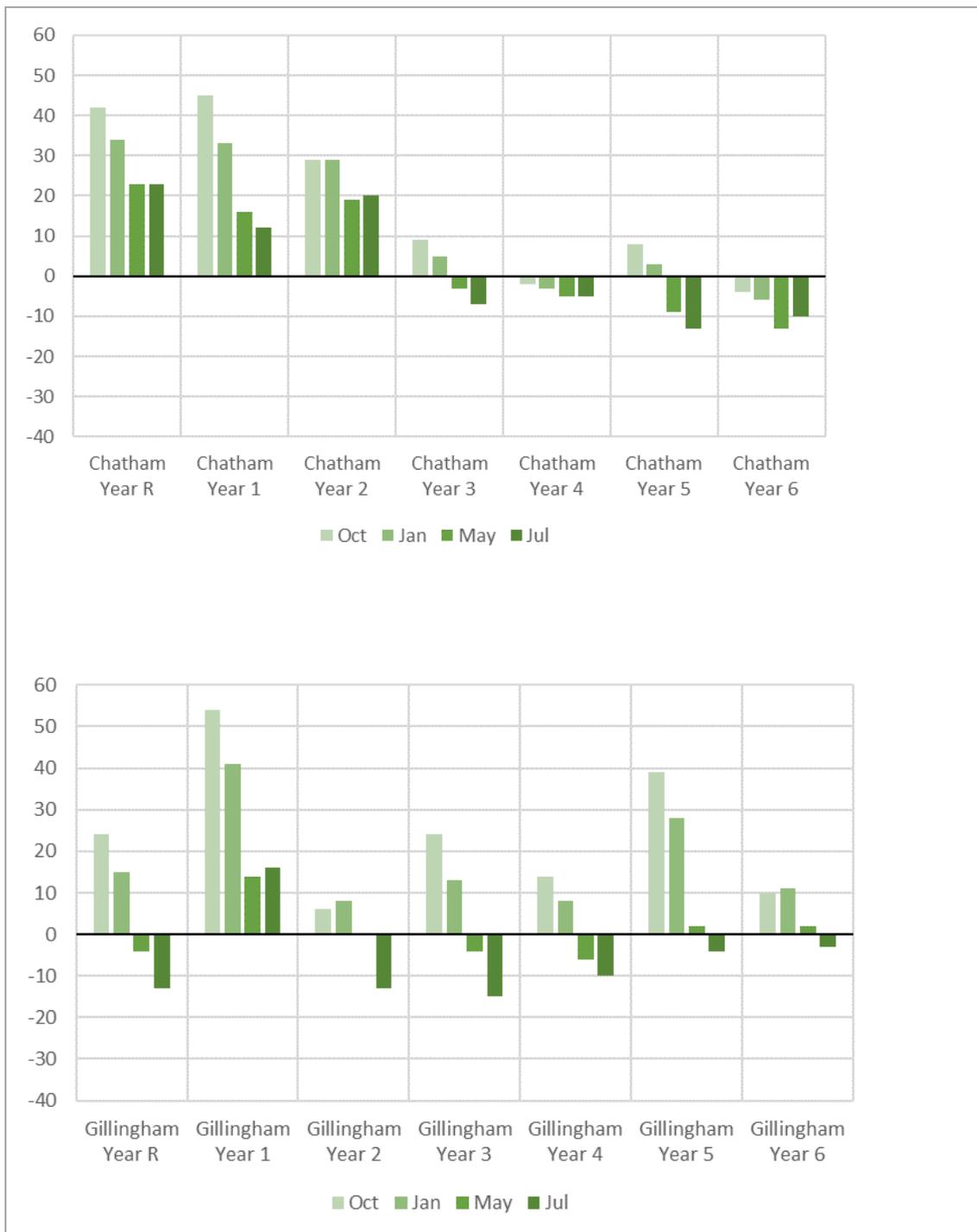
Figure 3 – Net movement of children aged 0-5



8.8. Between January 2023 and July 2023 there has been significant unexpected inward movement of families to Chatham and Gillingham, driven in the main

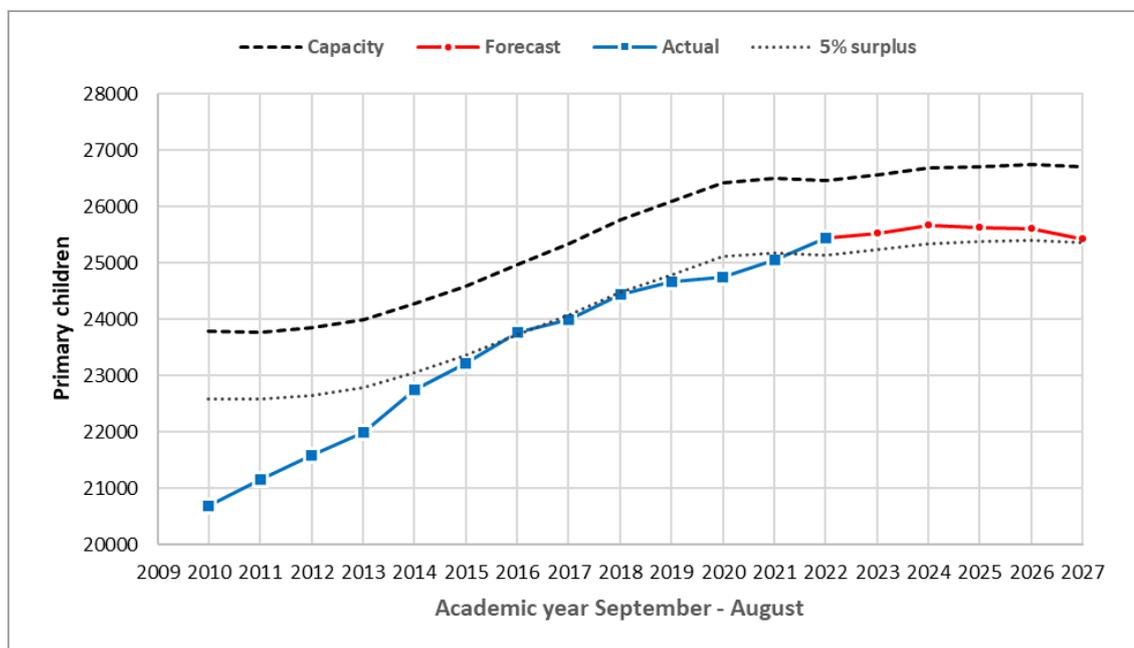
by significant recruitment into the NHS. As a result, some year groups are now full or over capacity. This may mean that bulge classes are required to provide for these additional pupils. Figure 4 below shows the reduction in free places between the October 2022 pupil census, and data collected by Medway's admissions team in May and July 2023. This situation will be monitored to ensure that sufficient capacity can be made available for these incoming pupils. This may prove challenging as the schools in central Chatham and Gillingham are generally on restricted sites, with little space to expand capacity.

Figure 4 - Reducing free places in Chatham and Gillingham



8.9. Total pupil numbers in primary schools have been increasing as the larger Year R cohorts pass through the school system. They are forecast to peak in 2024 (Figure 5). The expansion and new build work carried out as part of the capital programme up to September 2018 has provided sufficient school places to meet demand. However, whilst total demand is falling in the short term some further primary capacity in some areas is likely to be required as housing development increases and where inward migration continues. There may be some areas with more surplus capacity than others, but this is because parental preference can change year on year. This makes it challenging to determine in advance which schools will be popular, and which will be less so.

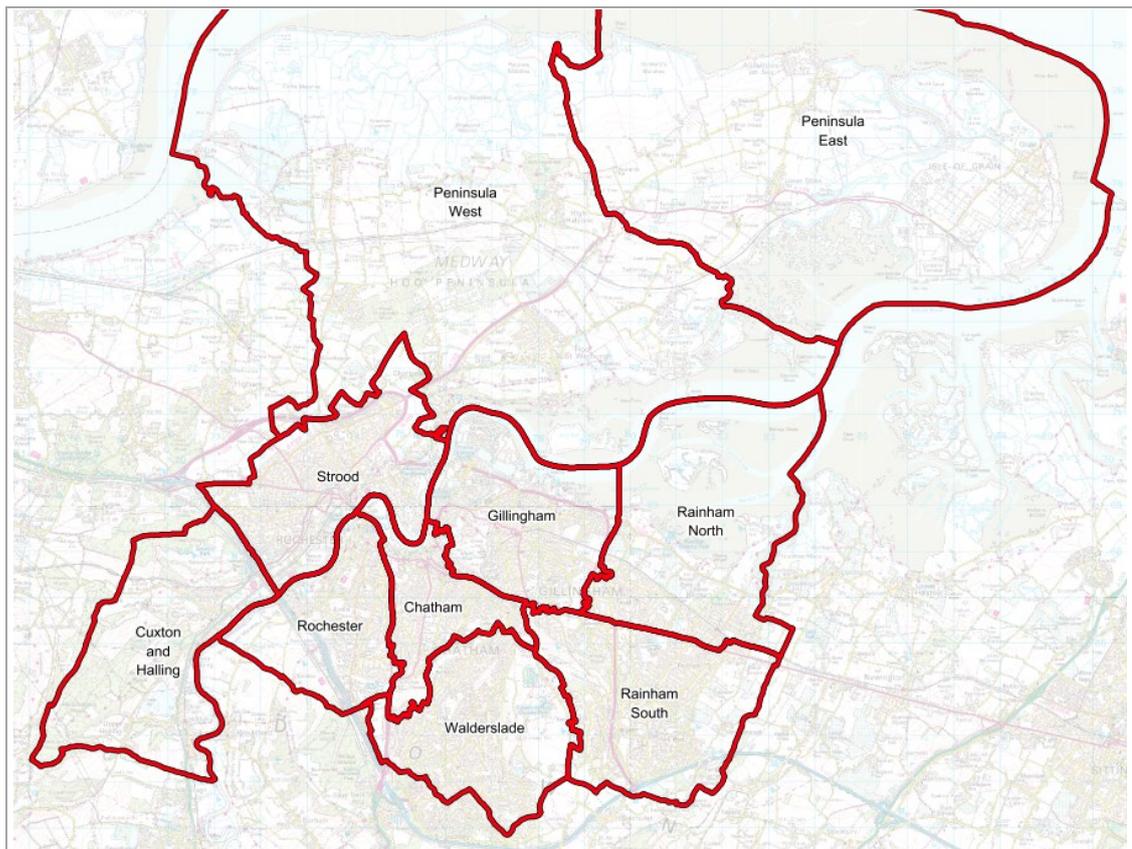
Figure 5 - Medway total primary roll



### Primary pupil place planning areas

8.10. Medway has ten primary pupil place planning areas. Generally, pupils go to school in the same planning area where they live, although in some areas there is significant cross-boundary movement. When planning school places, it is necessary to consider movement between neighbouring areas. Appendix 1 - section 3 outlines the forecasts for each planning area.

Figure 6 - Primary Place Planning Areas



### Primary summary

- 8.11. Between 2013 and 2020, 3,240 primary school places have been added. This additional capacity has ensured that the Council continues to meet its duty to provide sufficient school places.
- 8.12. These additional places should provide sufficient overall capacity for the forecast period. Forecasts will be updated twice each year and compared with weekly birth numbers to monitor any significant differences, enabling officers to plan accordingly.
- 8.13. Peninsula West has been the one area with pressure on places. Therefore, in July 2021 the Cabinet granted approval, under decision 84/2021, to expand the Hundred of Hoo Primary School by 1 Form of Entry. This project will be funded primarily through section 106 receipts and will enable demand from recent and upcoming housing developments in the immediate area to be met.
- 8.14. As the majority of graphs in Appendix 1 – section 3 show, demand for Year R places is falling in some areas, in line with declining birth rates. However, with the number of housing schemes expected in the coming years, demand will rise again.
- 8.15. In September 2022 the Rochester Riverside Church of England Primary School opened Year R, in temporary accommodation, to meet demand from the major housing development at Rochester Riverside. For September 2023

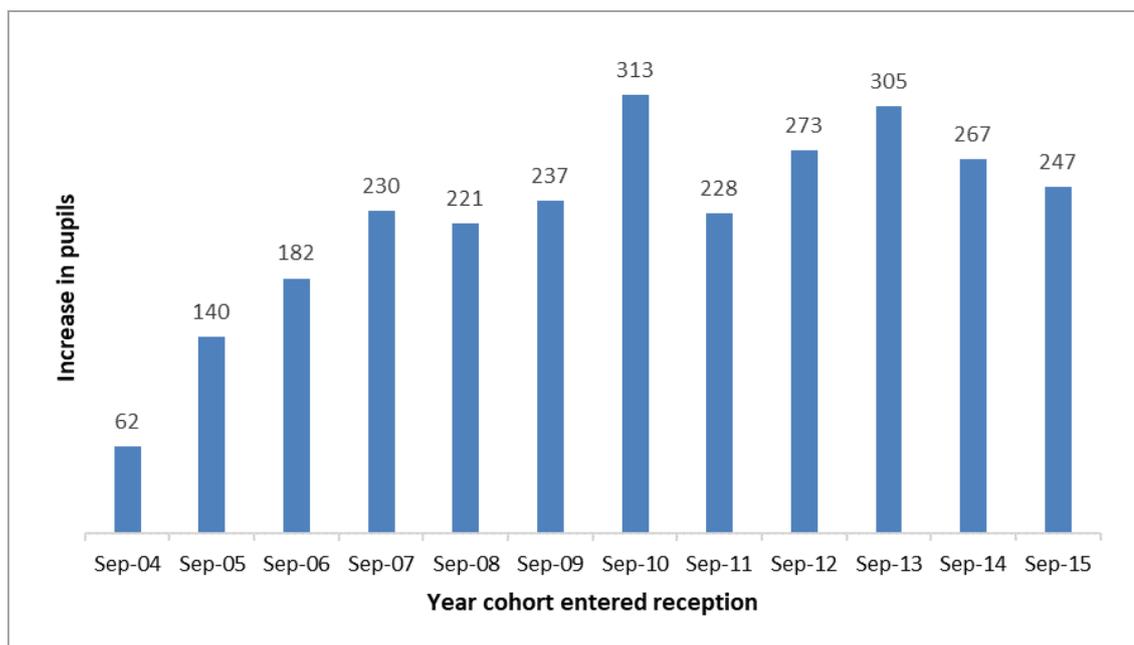
the school admitted pupils in years R, 1, 2 and 3 and will continue to grow over the next seven years. The new building was completed for occupation from September 2023.

- 8.16. Given the forecast position as set out in Appendix 1, which is based on the January 2023 census, and recent expansions, there are currently no formal proposals to increase mainstream primary provision. However, the inward movement of families to Chatham and Gillingham since January 2023, as set out in paragraph 8.8, may require bulge classes to provide additional capacity. This will be monitored and scrutinised on an ongoing basis and further proposals will be brought forward in future reports at the appropriate time.

## 9. Secondary Schools – Non-selective

- 9.1. There are two secondary planning areas, one for the six selective schools, and one for the fourteen non-selective schools. Both planning areas cover the whole of Medway, as secondary age pupils are more independent and can travel further than primary pupils. This also means a significant number of pupils can travel from outside Medway. These out of area pupils are accounted for when forecasting.

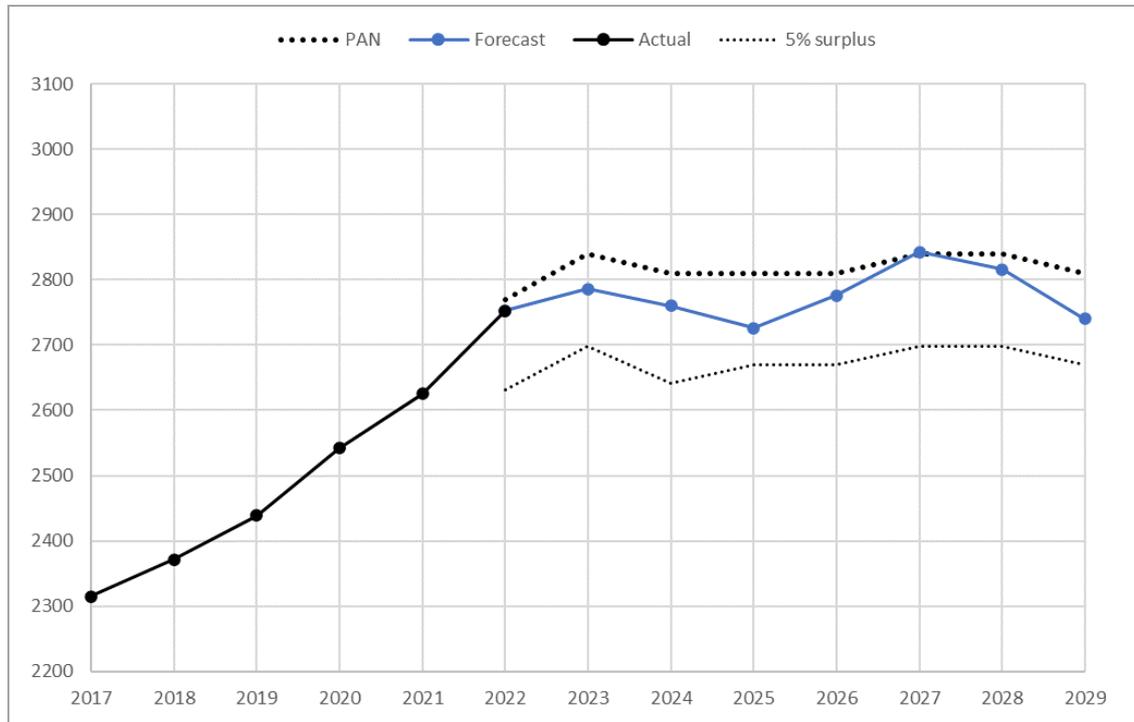
Figure 7 – Number of additional pupils joining a cohort in the time between starting Year R and starting Year 7



- 9.2. The recent bulge in primary age pupils is now transferring to secondary schools. The pressure on places has begun to increase in year 7 as the larger numbers of primary cohorts feed into secondary education. This will extend through all year groups over time. Figure 7 shows how the Year R cohort size has increased by the time cohort reaches Year 7. This is caused by a combination of new families coming to live in Medway, and pupils coming from outside of Medway to attend Medway secondary schools.

- 9.3. The peak Reception cohort from 2016 (shown in Figure 2) will enter Year 7 in September 2023. After this Year 7 rolls (Figure 8) are expected to fall slightly and then grow at a lower rate. However, the impact of the covid pandemic on housebuilding, house sales, and the planning of families may impact the numbers of pupils arriving from new housing.

Figure 8 - Non-selective Year 7 forecast



- 9.4. The forecast takes into account the proposed change of three selective schools to co-educational provisions in 2025. A consultation was completed on three grammar schools changing to co-educational. On 23 August 2022 under decision 101/2022, Cabinet approved the progression of the proposals. The final decision on these changes was expected to be made by the Regional Schools Commissioner in 2023. However, due to a challenge on a similar proposal in another area, the DfE has recommended that is delayed allowing for further consultation in Autumn 2023. Therefore, implementation will not be until September 2025. If approved, this will provide an equal number of places for boys and girls where currently there is a disparity and will potentially allow more Medway pupils to attend. Subject to the approval of the proposals, officers will work with the three schools to ensure the necessary physical changes to the buildings are in place. Cabinet agreed the funding for these on 4 April 2023 under decision number 54/2023, and decision number 55/2023 allows for the Academy Trusts to manage projects where they own their site.
- 9.5. The PAN shown in Figure 8 includes the planned bulge classes and expansions shown in Table 2 below. This plan has been produced in collaboration with schools and trusts. It shows where permanent expansions and bulge classes listed in paragraph 11.1 will be provided to avoid the shortfall forecasted in the previous year.

- 9.6. The forecast suggests that some additional capacity would be needed in 2024, 2026, 2027 and 2028. This is partly due to the high levels of inward migration since January 2023. Officers will work with schools and academy trusts to determine the best way to provide sufficient capacity in this period. The next round of forecasts, based on the October 2023 census, will provide a clearer idea of whether any changes to the proposed bulge classes are needed.

Table 2 – Bulge class and expansion plan

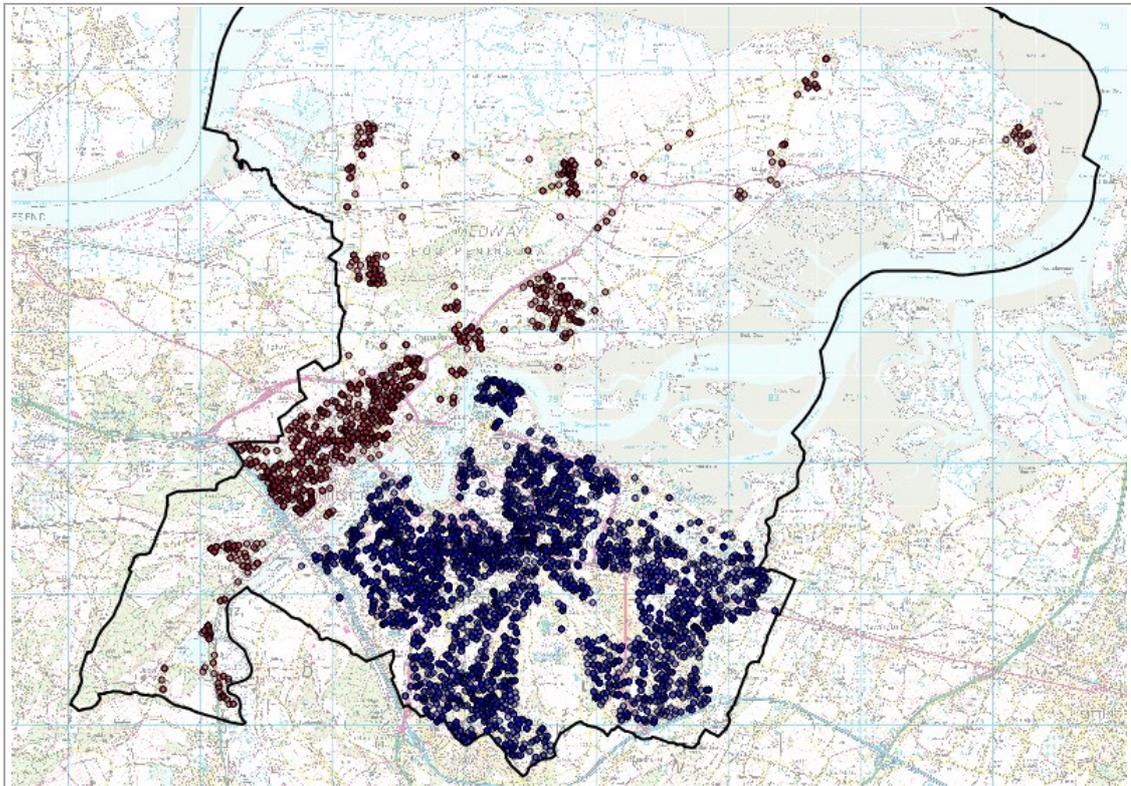
<b>2023 /2024</b>	<b>2024 /2025</b>	<b>2025 /2026</b>	<b>2026 /2027</b>	<b>2027 /2028</b>	<b>2028 /2029</b>	<b>2029 /2030</b>
Hundred of Hoo (B)	Maritime (60 places) (B)	Thomas Aveling (B)	Victory (P)	Victory (P)	Victory (P)	Victory (P)
Leigh Rainham (B)	Hundred of Hoo (P)	Hundred of Hoo (P)	Hundred of Hoo (P)	Hundred of Hoo (P)	Hundred of Hoo (P)	Hundred of Hoo (P)
Strood Academy (B)	Robert Napier (B)	Robert Napier (P)				
St John Fisher (B)		Greenacre (P)				
Robert Napier (B)			TBC (B)	Leigh Rainham (B)	Maritime (B)	
Waterfront UTC Year 9 (B)				TBC (B)	TBC (B)	

P= Permanent, B= Bulge, R = Reserve

- 9.7. As shown in Table 2, there are bulge classes in 2026, 2027, and 2028 that are yet to be agreed. There are ongoing discussions with schools to determine the most suitable locations where this additional capacity can be provided.
- 9.8. Officers will need to factor in future growth in numbers to allow for in-year admissions as each cohort progresses through the school. When planning to meet the demand we will include a level of additional capacity to ensure places are met without the need for future emergency bulge classes, as the capacity will either be in place or planned to be.
10. Secondary Schools - Selective
- 10.1. There is no grammar school provision west of the River Medway, and so currently 404 pupils from the peninsula area, 740 from Strood, and 117 from Cuxton and Halling (a total of 1261 pupils) travel daily into Rochester,

Chatham, and Gillingham to attend a grammar school (Figure 9). There is expected to be a large number of dwellings built on the peninsula around Hoo as part of the local plan proposals, so demand for grammar school places is also expected to increase.

Figure 9 - Selective school pupils who live west of the River Medway shown in red



- 10.2. The Government's Free School programme does not include new grammar schools. Therefore, additional selective places can only be added at existing schools. As funding becomes available, potential projects will be assessed for their viability, value for money and cost per pupil. It is likely that over time some grammar schools will require some additional capacity to meet demand.
- 10.3. Medway grammar schools have altered their admissions criteria to prioritise applications based on distance rather than score in the Medway test. This will help to ensure that sufficient places are available for Medway pupils who pass the test and apply in the appropriate manner.
- 10.4. It is recommended that the opportunity for providing selective education on the peninsula is explored, and officers are investigating how this may be achieved. As no new grammar schools are possible, there would need to be an annexe to one of the current grammar schools that serve the area. This is a complex and lengthy process, with no guarantee of success. It would be dependent upon a site and sufficient funding becoming available.
- 10.5. Having grammar school provision on the peninsula would significantly reduce travel patterns through Medway and, in turn, time spent travelling for pupils. Over time this would free up places in the urban grammar schools for local children from varying backgrounds.

- 10.6. The overall grammar school forecast (Appendix 1 – section 4) compared to actual capacity indicates that demand will continue to exceed available capacity. However, sufficient places are available for Medway pupils who pass the Medway test, as excess demand comes from out of area pupils. It is important to note that the graph only takes approved housing schemes into consideration. Therefore, it is reasonable to expect that as more housing schemes come forward following the adoption of the Local Plan, demand will increase further beyond current capacity.
- 10.7. Officers are exploring ways with grammar schools to enable more Medway resident pupils including those with SEND and who maybe disadvantaged to access the selective system.

## 11. Primary and secondary mainstream actions

### Previously Agreed actions

- 11.1. The projects listed in Table 3 below were agreed by Cabinet on 18 October 2022, under decision numbers 111/2022 and 112/2022. Cabinet agreed on 4 April 2023 that funding for these would be added to the Schools Capital Programme under decision number 54/2023, and this was ratified by full Council on 20 April 2023. Progress on these projects is shown in Appendix 3.

Table 3 - Agreed projects

School	Sector	Increase in places	Estimated cost
St Nicholas Infants	Primary	70	£2.10m
Hundred of Hoo Primary	Primary	210	£0.80m
Luton Primary	Primary	Zero	£0.40m
Grammar co-education	Secondary	Zero	£2.70m
Maritime Academy Temp site	Secondary	180 temp	£0.30m
Victory Academy	Secondary	150	£3.45m
Greenacre Academy	Secondary	100	£3.50m
Hundred of Hoo Secondary	Secondary	150	£3.25m
Robert Napier	Secondary	150	£2.94m
St John Fisher	Secondary	30 (Bulge)	£0.03m
Total		830 (1040)	£19.47m

### Proposed actions

- 11.2. The following projects will provide additional provision to meet demand coming through as highlighted by the forecasts. Projects will be prioritised within the available funding. Projects will be subject to a formal design, planning, tender process and follow appropriate procurement routes.

### Primary

- 11.3. Due to the amount of housing being built around the easterly areas of the authority, particularly around lower Rainham it is likely that Riverside Primary, the closest school, will need to be expanded in the coming years. This would be funded using s106 developer contributions from the nearby housing

developments. Cabinet is asked to approve the use of some of the available s106 funding to be used for a feasibility study at Riverside Primary. Further s106 funding is being accumulated so that this project can go ahead when sufficient funding is available.

- 11.4. While demand is increasing in Rainham due to new housing, overall primary rolls are forecasted to decrease. Therefore, in combination with the potential expansion of Riverside Primary, it is likely that Twydall Primary would reduce their PAN from 50 to 30. This is due to patterns of parental preference and the location of new housing in relation to school places. It would ensure the two schools remain financially viable, and the places could be made available again when primary rolls rise again in the future.
- 11.5. On the peninsula, the expansion of Hundred of Hoo Primary phase to two forms of entry from September 2023, means that no immediate action is required. Officers will continue to work with colleagues in the planning department to monitor housing plans on the peninsula. When these large-scale plans come forward additional capacity is likely to be required, and this has been discussed with schools and trusts, and a plan has been prepared.

### **Secondary**

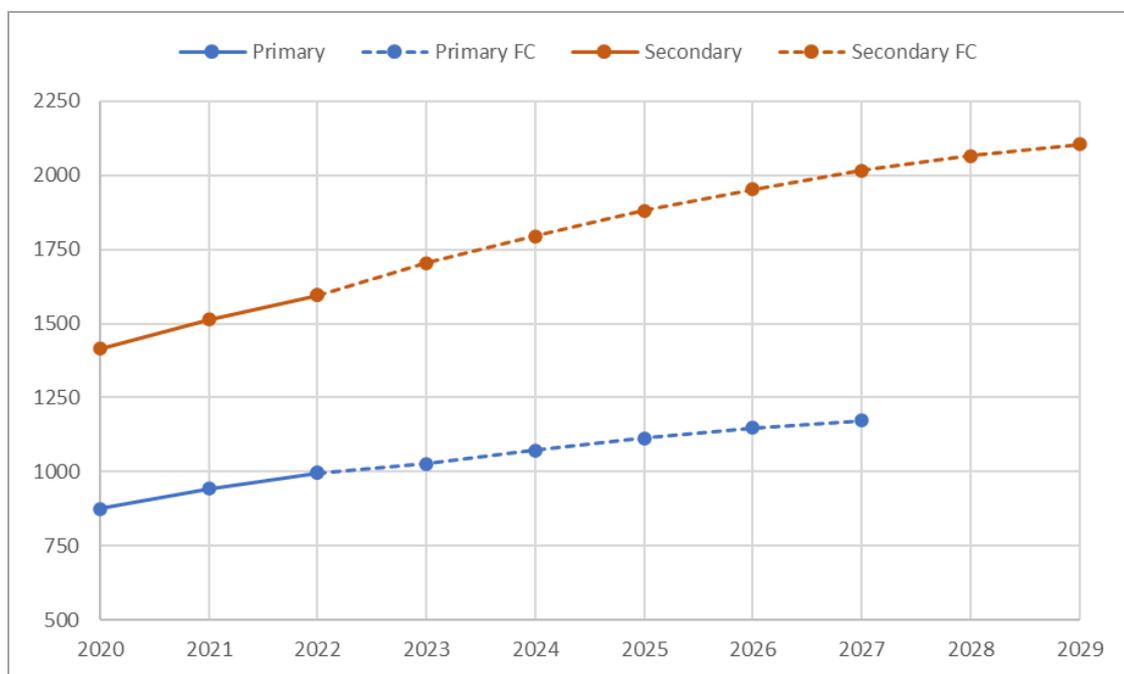
- 11.6. Officers continue to monitor forecasts to determine if any future capacity is required in non-selective schools. Officers are in contact with schools and trusts, and if additional bulge classes are required then they will determine the best ways and locations to provide these. Table 2 sets out the planned bulge classes in non-selective schools going forward and this will be updated annually.
- 11.7. Leigh Academy Rainham has agreed to take bulge classes in 2023 and 2027. The school has enough classrooms for this, but it needs additional dining space to cater for the higher pupil numbers as well as the proposed MLD resourced provision. Providing this additional space is estimated to cost approximately £325,000, funded using available s106 developer contributions from local developments. The Leigh Academy Trust will manage this project through formal agreement with the Council. Cabinet decision 55/2023 agreed for Academy trusts to be able to manage projects where the local authority has no freehold interest in the land.

## **12. Special Needs and Disabilities (SEND)**

- 12.1. In line with increasing pressure on mainstream places, demand for special school provision has also risen and is forecasted to continue rising (Figure 10). In recent years the Council has taken action to provide appropriate additional provision and to reduce the numbers of pupils placed in expensive independent or out of area settings. This supports the SEND Strategy of increasing local provision for children with special educational needs and disabilities.
- 12.2. In 2023 the DfE widened the scope of the School Capacity (SCAP) return to include forecasts of demand for SEND places at special schools, SEN units,

and resourced provisions. Officers have developed a forecasting system to provide this information, and, as with mainstream forecasts, will monitor the accuracy of these each year.

Figure 10 – Forecasted numbers of pupils in Medway with EHCPs



### Primary<sup>1</sup>

- 12.3. Among primary age pupils, the largest need type is Autism Spectrum Disorder (ASD) (373 pupils, 37% of pupils with Education, Health and Care Plans (EHCPs)) followed by Speech, Language and Communication Needs (SLCN) (246 pupils, 25% of pupils with EHCPs). However, demand for Social, Emotional and Mental Health (SEMh) provision is increasing and additional capacity needs to be created. Officers are working with schools, trusts, and the DfE to address this.
- 12.4. Overall, most primary age pupils with EHCPs are taught in mainstream schools, including those in resource provisions and SEN units (496 pupils). 382 pupils attend special schools, and 118 pupils attend independent schools or schools outside Medway.
- 12.5. Placements in out of area and independent schools are highest for pupils with an EHCP for ASD (49 pupils), followed by SLCN (26 pupils), and SEMh (21 pupils).

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<sup>1</sup> Figures are based on the January 2023 census.

## **Secondary<sup>1</sup>**

- 12.6. Among secondary age pupils, the largest need type is ASD (392 pupils, 25% of pupils with EHCPs), followed by SEMH (242 pupils, 15% of pupils with EHCPs)
- 12.7. For secondary age pupils with EHCPs the majority attend special schools (671 pupils). There are many more pupils taught in independent schools and out of area schools (595 pupils), compared to those in mainstream schools, resource provisions, and SEN units. (330 pupils), although the additional resourced provision planned as part of the capital programme will redress this to some extent.
- 12.8. For secondary age pupils, the largest number of independent and out of Medway placements are for pupils with ASD (244 pupils), SEMH (147 pupils), MLD (56 pupils), and SLCN (40 pupils).

## **Programme**

- 12.9. The SEN Capital Programme, a central government initiative between 2018 and 2021, allocated a total of £2.3m to Medway and provided 164 additional places and facilities for pupils across Medway with Education Health and Care Plans.
- 12.10. Despite the actions to increase specialist provision in recent years, demand continues to increase, and a needs analysis has been undertaken to assess future demand for SEND provision. The needs analysis has highlighted that significant additional SEND provision will be required. The main areas of need highlighted are for Autistic Spectrum Disorder (ASD), Social Emotional and Mental Health (SEMH), Moderate Learning Difficulties (MLD) and Severe learning Difficulties (SLD)/ Profound and Multiple Learning Disabilities (PMLD). Appendix 2 sets out the forecasts for the various need types.
- 12.11. Work is ongoing to create additional SEND places within resourced units in mainstream schools. One of the challenges of this is the lack of available space in secondary mainstream schools, made more difficult by the increasing numbers of mainstream pupils. Therefore, additional physical capacity is being added to enable the resourced provisions. A number of special schools are also being expanded. This will ensure that the most appropriate provision is in place to meet the pupil need. The agreed list of projects is shown in Table 4.
- 12.12. This programme will aim to reduce the need to place children and young people in out of area placements. This will support the pupils in remaining close to their family and friends, will enable local transport and where possible and appropriate, enable young people to develop skills to support independent living. It will also reduce travelling times for the most vulnerable pupils which in turn will reduce transport costs, and the overall programme will contribute towards reducing the High Needs Budget deficit.

- 12.13. The overall proportion of children and young people with an Education, Health and Care Plan catered for in a mainstream school in Medway is below national levels. However, this picture is complex, with some non-selective secondary schools having a higher proportion than national. Work is taking place to ensure mainstream schools receive the appropriate support and resources to enable them to cater for an increasing proportion of children with SEND.
- 12.14. Wherever possible, children with SEND will be placed within a mainstream setting with appropriate support packages in place. However, despite this there will continue to be demand for specialist places in special schools.
- 12.15. Expansions to provide additional secondary SEND places at Abbey Court School and Bradfields Academy have completed. Abbey Court's primary provision was relocated in 2016 to a new purpose-built accommodation. The site included sufficient space so that additional accommodation could be built there at a later date and the secondary provision transferred there. The Abbey Court project provides for 56 additional places for pupils with SLD and PMLD and Bradfields 100 places for pupils across the range of ASD.
- 12.16. The ASD resourced provision at Strood Academy for 25-32 secondary aged pupils opened in the existing building in September 2022. This was initially available for five pupils, and the capital project is nearing completion to provide the remaining places for September 2023.
- 12.17. Officers are currently working with the DfE and the Parallel Learning Trust (PLT) to explore the option of relocating and expanding Inspire Free School from its current restricted site in Wayfield to Cornwallis Avenue in Gillingham. This will provide 160 places for pupils with SEMH and ASD. This school will be funded through the DfE's free school programme, with the Council contributing the site. This will provide a significant increase in capacity to meet expected demand and make a major difference to Medway's young people by reducing the need for out of area placements. Currently, the project is progressing through the final design and pre planning stages. It is expected that subject to formal DfE approval that the school will be in place for September 2025.
- 12.18. It is recommended that the Council supports wider work to explore the opportunity of providing further additional specialist provision as required to meet future demand including residential accommodation within Medway to reduce the reliance upon potentially expensive and distant out of area provision as required, particularly primary SEMH provision, to meet future demand.

## 13. SEND actions

### **Previously agreed actions**

- 13.1. Medway was allocated funding for SEND capital projects over a two-year period (2022-23 and 2023-24) totalling £7,961,522. Further funding (£7,188,479) has been sourced through the Safety Valve Intervention

programme (SVI). There is £1,533,208.69 of prudential borrowing allocated to another SEND scheme for which there is now no pressing use, which could be added to these sums, but the transfer of this money between budgets will require the approval of full Council. Cabinet agreed that this funding could be used for the projects listed in Table 4 on 4 April 2023 under decision number 54/2023. Progress on these projects is shown in Appendix 3.

- 13.2. Due to escalating construction costs, insufficient funding is available to complete all the previously approved SEND projects. Therefore, the resourced provision at the Howard School is proposed to be removed from the programme until further funding is available, with £1.2m of funding reallocated to the Rivermead Expansion and £500k added to Danecourt. Table 4 sets out the revised programme subject to cabinet and council approvals.

Table 4 - Agreed SEND actions

School	Need	Sector	Increase in places	Cost*
Victory Academy Resourced Provision	SEMH	Secondary	25-32	£2.5m
Strood Academy Resourced Provision	ASD	Secondary	25-32	£2.3m
Leigh Academy Resourced Provision	MLD	Secondary	25-30	£2.3m
Delce Academy Resourced Provision	SEMH	Primary	25	£0.25m
SJW Math School Resourced Provision (Selective school)	ASD	Secondary	25-30	£2.3m
Inspire Special School interim increase	SEMH	Secondary	40	£1.3m
Rivermead Expansion	ASD	Secondary	40-50	£2.9m
Danecourt Expansion	ASD/SLD	Primary	40	£1.4m
Pre Beeches @Rowans	SEMH	Primary	20	£0.55m
Total			299 (max)	£15.8m

\*Expected cost subject to formal tender

### Proposed actions

- 13.3. Future SEND places and resourced provisions beyond the approved schemes set out above are likely to be needed and officers recommend undertaking feasibility studies to determine where this would be possible. Places are particularly needed for pupils with autism spectrum disorder (ASD).

## 14. Alternative Provision

### Current and future position

- 14.1. There are currently 171 places allocated for pupils to receive education through alternative provision because they are unable to access school due to an exclusion or medical need. Included within this are short-term assessment placements that can be assigned when it is viewed by the secondary Fair Access Panel that there is insufficient information about a pupil or good reason to believe that the pupil displays challenging behaviour/significant SEN beyond what a mainstream school would normally be able to successfully address.

- 14.2. In response to supporting the behavioural needs of primary, KS3 and 4 pupils, the local authority supported the proposal for a free school, which will be an 'alternative provision' setting called The Beeches and will be managed by The Rowans (of The Inspiring Change Multi Academy Trust).
- 14.3. The 50-place provision on the site adjacent to The Rowans is currently planned to open September 2024.
- 14.4. A key element of The Beeches offer will be outreach and reintegration, through which support in managing the behavioural needs of children is provided to teachers.
- 14.5. The Inspiring Change Primary Behaviour Support Service, provided by The Inspiring Change MAT, is supporting primary schools with 8 children in the interim period before The Beeches opens.
- 14.6. A full review of alternative provision took place in the Autumn term 2022. The review considered how AP aligns with and supports the wider SEND system, as outlined in the SEND Green paper 2022. It also considered how best to further increase the capacity of Alternative Provision to support pre-emptive and reintegration activity, including revolving door and outreach.

## 15. Risk management

- 15.1. The following would be assessed as risks if recommendations from the individual proposals flowing from this report were not implemented.

Risk	Description	Action to avoid or mitigate risk	Risk rating
The Council's statutory duty to provide sufficient good quality school places	If insufficient school places are made available to meet demand, the Council would be failing to meet its obligations.	Implement proposals to provide additional good quality places in the areas of demand.	CI
That insufficient funding is available to fund proposals to provide sufficient places	Basic need funding is limited and the extent of the emerging need may mean that unless additional funding can be sourced, projects to provide places may not be able to be implemented, which could mean that the council	Explore options to fund projects including bidding for funding initiatives. Look at cost effective ways to supply places.	BI

Risk	Description	Action to avoid or mitigate risk	Risk rating
	<p>fails to meet its statutory obligation.</p> <p>The strategy refers to s106 contributions that have been requested but have not been agreed through the planning process and therefore may not be realised.</p>		
That the level of forecast pupils fails to materialise	Should the expected numbers of pupils fail to materialise, then any funding committed could have been better spent elsewhere.	Continue to monitor births, migration and housing developments and accuracy of forecasting.	DIII
That the level of inward migration exceeds forecasts	If inward migration continues at unexpected and unprecedented levels, there will be pressure placed on areas of Medway to provide further additional capacity to meet school place demand	Continue to monitor births, migration and housing developments and accuracy of forecasting and start discussions with schools around school expansion or bulge classes.	CII
Applications for Free Schools increases	Applications for Free Schools could be a risk to strategic planning framework as the Council has less control over where or by whom the application is made.	Monitor all applications to Secretary of State, and work with DfE to influence outcomes of applications to suit, and fit in with, the Council's wider pupil place planning strategy.	CII
Other Local Authorities placing	Other authorities are placing children into Medway schools,	Retain a certain level of flexibility within the system to meet	BIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
children in Medway	including unaccompanied asylum seekers, which adds pressure to the system and is difficult to plan for.	unexpected inward movement of children requiring a school place.	

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

## 16. Consultation

- 16.1. No consultation is required for this report, but any specific proposals that result from this report will include a consultation process as appropriate.
- 16.2. No Diversity Impact Assessment accompanies this report. Assessments will be provided for individual proposals brought forward from this report.

## 17. Climate change implications

- 17.1. No climate change implications arise directly from this report. However, when any project is progressed, designs and construction methods will consider such impacts and look to contribute to the councils ambitious and exciting climate change agenda.
- 17.2. Creating local provision for children and young people is expected to reduce car journeys across Medway which would reduce any negative impacts upon air quality.
- 17.3. Pupils are encouraged by schools to walk or cycle to school, and this becomes more achievable if the provision is local.
- 17.4. As part of the schools' maintenance and condition programme, as well as when expanding or building schools, officers will look to utilise methods and materials to help reduce the carbon footprint. Examples include replacing fossil fuelled heating systems with greener alternatives, using LED lighting, improving insulation, installing photovoltaics, providing vehicle charging points, and where possible using local contractors.

## 18. Financial implications

- 18.1. All projects approved and undertaken as a result of this report will be funded through the Children and Adults' Capital Programme. Funding implications for proposed projects will be included in subsequent procurement board reports requesting funding approval for each individual project.
- 18.2. Where appropriate, developer contributions will be sought from new housing schemes to assist with the provision of school places in areas of demographic growth. Developments resulting from the Local Plan will be considered cumulatively to identify the most suitable and wider use of developer contributions or developer provided schools to provide the most benefit.
- 18.3. In recent years no basic need funding had been provided by central government to Medway Council to provide additional mainstream places. Therefore, funding of projects was reliant upon education section 106 receipts, or council borrowing in advance of future developer contributions due to the delay in receiving funding through this avenue. For 2023/24 the government allocated £17,049,927 in basic need funding to Medway. There is no basic need allocation for 2024/25, and £93,994 for 2025/26. These allocations are based on the shortfall between forecasted pupil numbers and school capacity provided through the annual SCAP return.

Table 5 - Basic Need allocations

Funding Year	Amount of Basic Need
2023/24	£17,049,927
2024/25	£0
2025/26	£93,994

- 18.4. For 2023/24 the government allocated £7,961,522 for SEND, and a successful bid through the Safety Valve Intervention programme realised an additional £7,188,479. However, no further SEND funding is currently expected. There is forecasted to be £1,533,208.69 to be carried over from previous SEND capital allocations, which can be added to these sums, but the virement of this money between budgets will require the approval of full Council.
- 18.5. Officers will seek to fund the projects proposed in sections 11 (mainstream) and 13 (SEND) using the most suitable combination of basic need, SEND grant funding and available section 106 receipts and therefore remove the need to fill any funding gaps through borrowing.
- 18.6. The table below sets out the received, agreed, and requested Education Section 106 funding.

Table 6 - Amounts of s106 funding

Education S106 receipts available*	£0.7 million
Education S106 funds to come from started developments	£1.5 million
Agreed S106 to come from developments not yet started	£13.1 million
S106 funding requested from developments not yet agreed through the planning process	£8.7 million

\*Not including approximately £1.1 million allocated to projects in the 2022 Annual Review of the School Place Planning Strategy

- 18.7. Occasionally, additional funding sources and initiatives become available such as free school waves or targeted basic need initiatives. Where possible the Council will seek to make use of those opportunities to reduce the demands upon the limited funding currently available.
- 18.8. The Government's Free School programme provides an opportunity to create additional provision without the responsibility for funding. The funding waves announced under this programme are separate from the Free School presumption process, where new schools from housing developments are funded by the Council. All opportunities to benefit from future Free School waves will be explored. This is particularly relevant to secondary provision which requires significantly higher capital funding than primary schools. However, the availability of land is an issue. Officers will seek to secure Free School provision for Medway as required and discussions with the DfE will continue.
- 18.9. The recent project to provide additional capacity at Wayfield Primary School experienced an overspend of £39,806 on the agreed funding due to escalating construction costs. This gap will be filled from basic need grant. Cabinet is asked to approve this action, and to recommend to full Council the addition of the overspend onto this project within the capital programme.
- 18.10. There is an outstanding retention payment of £5,734.64 for a project at Sir Joseph Williamson's Mathematical School. This will need to be paid from basic need grant. Cabinet is asked to recommend to full Council the addition of the retention payment to the project within the capital programme to enable payment.
- 18.11. The project to underpin the building at Maundene experienced an overspend of £14,377.49 on the agreed funding due to escalating construction costs. This gap will be filled from an available Section 106 receipt. Cabinet is asked to approve this action, and to recommend to full Council the addition of the overspend onto this project within the capital programme.
- 18.12. Work to meet building control and fire risk assessments on the temporary accommodation for Maritime Academy pupils at Twydall has seen increasing costs above those previously approved. Cabinet is asked to approve the use of £140,000 of available s106 funding to meet these costs, and to recommend to full Council the addition of this funding to the project within the capital programme.

18.13. Due to escalating construction costs, insufficient funding is available to complete all the proposed SEND projects. Cabinet is asked to approve the withdrawal of the project to provide a resourced provision at the Howard School, and the reallocation of £1.2m of that funding to the Rivermead expansion and £500k to the Danecourt expansion project.

## 19. Legal implications

19.1. The Council has the power under sections 18 and 19 of the Education and Inspections Act 2006 to make “prescribed alterations” to a maintained school. The procedure for making prescribed alterations is set out in ‘School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

19.2. There is a strong expectation on Local Authorities to consult interested parties to develop their proposals prior to formal publication, as part of their duty under public law to act rationally and take into account all relevant considerations. Specific proposals brought forward from this report will go through this consultation processes.

19.3. Where an expansion is proposed at an academy it falls to the academy trust to carry out the appropriate statutory consultation. In these circumstances the Regional Schools Director is the decision maker on the proposals. If these proposals are to meet basic need for school places, then responsibility for funding falls to the Council. All decisions on funding approval will follow the Council’s procurement procedures.

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## Appendices

Appendix 1 – Mainstream Forecasts

Appendix 2 – SEND Forecasts

Appendix 3 – Project progress

Appendix 4 – DfE Scorecards

## Background papers

School Place Planning Strategy 2022-27

<https://democracy.medway.gov.uk/mgconvert2pdf.aspx?id=63361>