

DECISION-MAKER:	CABINET		
SUBJECT:	EDUCATION CAPITAL PROGRAMME		
DATE OF DECISION:	19 MARCH 2019		
REPORT OF:	CABINET MEMBER FOR ASPIRATION, SCHOOLS AND LIFELONG LEARNING		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Hilary Brooks	Tel: 023 8083 4899
	E-mail:	hilary.brooks@southampton.gov.uk	
Director	Name:	Hilary Brooks	Tel: 023 8083 4899
	E-mail:	hilary.brooks@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

None.

BRIEF SUMMARY

In July 2018 Cabinet approved the outline proposals for the capital programme required to deliver an additional 1,500 secondary places within the City. The purpose of this report is to provide an update on progress to date and to summarise the outcomes from the Public and Statutory Consultation in relation to the proposals for St. Mark's All-Through School.

Chamberlayne College for the Arts. An £8m scheme has been progressed to RIBA Stage 1. The proposals include for the refurbishment of the main teaching block; the construction of a Multi Use Games area, (MUGA) and general landscaping of the site. Completion September 2021.

St. Mark's All-Through School. A scheme for the construction of an all-through school on the has now completed RIBA Stage 1 (Feasibility) and work is underway on RIBA Stage 2 (Concept Design). The overall budget for the scheme including all contingencies is £39.8m. Completion September 2022.

St. George Catholic College. A scheme is proposed to upgrade existing facilities on site in order to bring the school site accommodation up to standard for a six form (6FE) school. The scope of the works include the provision of a new dining hall; upgrading the library, improved staff facilities, modular accommodation, improvement to offices and toilet configuration. Cost £2.6m. Completion September 2021.

Cantell School. A scheme is proposed to improve dining facilities a, landscaping and outdoor spaces. This will upgrade facilities at the school to accommodate 8FE. The scheme will create additional classroom space by infilling the undercroft area adjacent to the student entrance and reconfigure several areas to provide additional dining facilities and an additional ICT classroom. Cost £1.2m. Completion September 2020.

Regent's Park Community College. There is potential by investment in additional sports facilities to increase capacity at the school further. Cost £1.4m. Completion September 2021.

The DfE have confirmed that the revised Net Capacity Assessment, (NCA) at Cantell School, (from 1,400 places to 1184) will attract additional funding for the 216 places through the Basic Needs Allocation. With this additional allocation taken into consideration the overall budget for the secondary expansion programme remains inside the £48.86m set aside in the cabinet report in July 2018.

RECOMMENDATIONS:

	(i)	Following Statutory Notice in accordance with the School Organisation (Prescribed Alterations to Maintained Schools Regulations) 2013 and having had regard to all representations received, it is agreed to extend the age range at St Mark's C of Primary School to provide education for children from Age 4 to 16 from September 2022.
	(ii)	To progress with the proposed scheme at Chamberlayne College for the Arts to refurbish the main teaching block and landscaping of the site total Cost £8m.
	(iii)	To progress a proposed scheme at St. George Catholic College to provide adequate accommodation on site for a six form entry (6FE) school. Cost £2.6m
	(iv)	To progress a proposed scheme at Cantell School to improve dining spaces and external landscaping to provide adequate accommodation on site for an eight form entry (8FE) school. Cost £1.2m
	(v)	To progress the proposed scheme to build St. Mark's All-Through School with a budget of £39.8m (including for all contingencies)

REASONS FOR REPORT RECOMMENDATIONS

1.	Council approved an addition to the Education Capital Programme on the 21 st February 2018 of £67.45m for the Capital Programme.
2.	There is an expected requirement to increase the overall number of secondary places in the city by 1,500 places, in the Central Planning region, in order to accommodate the demand for secondary places by 2022. There is a statutory duty placed on local authorities to provide sufficient school places as set out in s.14(1) of the Education Act 1996.
3.	Additionally, Southampton City Council (SCC) is bound by the Prescribed Alterations to Schools Regulations 2013 which sets out the statutory consultation framework required to make any amendments to schools. Building a new school and expanding existing schools falls within these regulations.
4.	Recommendation set out in the Cabinet Report in July 2018 to report after public and statutory consultation.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5.	<p>In relation to St Marks C of E the Council, as statutory decision maker can only</p> <ul style="list-style-type: none">a) approve the proposals as advertised,b) approved the proposals as advertised, subject to modification in accordance with the Regulations, orc) reject the proposals. <p>The range of decision options open to the Council in accordance with prescribed school organisation decisions is limited to the above.</p>
6.	<p>Expansion of St. Anne's Catholic School. Site survey has indicated that is not feasible to expand this school within the time frame required for additional places due to the physical constraints of the site. Support for the potential future possible expansion of the school via a Condition Improvement Fund, (CIF) bid by the Academy should not be ruled out.</p>
7.	<p>Expansion of St. George Catholic College to seven forms of entry, (7FE). This is not feasible within the time frame or budget of the Capital Programme should potentially be considered beyond 2022 if further secondary places are required in the City.</p>

DETAIL (Including consultation carried out)

8.	<p>St. Mark's All-Through School Public Consultation. A public consultation has taken place between November 19th 2018 and January 18th 2019. The consultation involved an on-line survey and three open events at the school in this time frame. The events at the school were well attended and there were a total of ninety-four (94) respondents to the on-line survey. Outline Proposals for two possible schemes were provided these were based on a full demolition and new build of an All-Through School and a scheme involving the partial retention and refurbishment of existing buildings on site. Neither scheme involved building on the Civil Service Playing Fields site and a commitment has been established that</p> <p>General Proposals. The results from the survey indicate 65% of the respondents either Strongly Agreed or Agreed with the vision for an All-Through School on the St. Marks C of E Primary School site. Twelve respondents indicated they were neutral this represents 13% of the respondents and 23% of the respondents indicated they either Disagreed or Strongly Disagreed.</p> <p>Retention of the Victorian Buildings. Around 50% of respondents indicated a preference for the refurbished scheme or for any scheme on the site to retain elements of the exiting school; for example foundation stones and other features. 50% of the respondents indicated a preference for a modernised new building</p> <p>Traffic. Twenty respondents 21% expressed concerns relating to the increase in traffic on Shirley Road and Pick-up and Drop-off times and local residents expressed concerns about parking and congestion in nearby streets. Sixty-one of the ninety-four respondents 65% stated they were local residents.</p>
----	--

	<p>Fifteen respondents 16% indicated they had concerns with the low numbers of car park spaces on site.</p> <p>Civil Service Playing Fields. The proposals not to build on the Civil Service Playing Fields have been well received and 83% of the respondents stated that the development and enhancement of the Civil Service Playing Fields as part of the proposals is either Important or Very Important.</p> <p>Pedestrian Access. 50% of respondents indicated that the proposals for pedestrian access to the site were either Very Good or Good. With 19% of respondents indicating they were neutral and 18% indicating the proposals for pedestrian access were either poor or very poor.</p> <p>Vehicle Access. 27% of respondents felt that the vehicle access arrangements to the site were Good or Very Good; 29% of respondents were neutral and 39% indicated the proposals were wither Poor or Very Poor. This reflects the comments and concerns made about increased traffic in the area.</p> <p>Cycle Route. 63% of respondents indicated support for a Cycle Route along Shirley Road were with 20% of respondents indicating that proposals were wither Poor or Very Poor.</p> <p>Bus Service. 52% of respondents agreed that the bus services to site were either Good or Very Good with 24% of respondents indicating they Did Not Know with only 11% of respondents indicating that the Bus Service was either Poor or Very Poor.</p> <p>Landscaping. 85% of respondents stated that proposals for landscaping of the Civil Service Playing Fields were wither Good or Very Good.</p>
9.	<p>Statutory Consultation. St. Mark's C of E Primary School are the proposers of the prescribed change. The four week representation period (January 18th 2019 to February 15th) has closed and no objections to the proposals have been received.</p>
10.	<p>School Admission Arrangements. The proposal is to extend the existing age range of St. Mark's C of E Primary school to accommodate secondary age children. The Primary Phase of the School will have two Forms of Entry, (2FE) and the Secondary Phase six Forms of Entry, (6FE). The existing Admissions Policy was published as part of the statutory consultation and the intention is to retain the oversubscription criteria and all other aspects of the Admissions Policy for the school; the proposed additions to the policy relate to the six forms of entry into the Secondary Phase, (Year 7):</p> <ul style="list-style-type: none"> (i) The proposed date when St Mark's CE School will change its category from a Primary School to an All- Through school is September 2022. (ii) For children who already attend St Mark's Primary (current year 3, 2, 1, R), they will have an automatic right to a place in the all through school from September 2022.

- (iii) In order for children to go to an alternative Secondary school they would need to make a separate application to the [relevant] Local Authority.
- (iv) In line with the All-Through nature of the proposed school two forms of entry at Year 7 will be for children attending the Primary Phase at St. Mark's school. All new children admitted at Year R from September 2022 onwards will automatically have a Year 7 place in the All-Through School
- (v) The remaining four of the six forms of entry 120 places will be open to children from other schools in the City.
- (vi) The Secondary Phase of St. Mark's All-Through School will fill incrementally from September 2022 onwards. Year 7 in academic year 2022-2023; Y7, Y8 in academic year 2023-2024; Y7,Y8,Y9 in academic year 2024-2025. Until the Secondary Phase is at capacity in academic year 2026-2027
- (vii) St. John's Nursery & Primary School is part of the federated Governing Body with St. Mark's C of E School and this is likely to be reflected in the finalised admissions criteria.
- (viii) It is proposed the final admissions criteria will be consulted on in the year prior to completion of the new all-through school opening; i.e. 2020 in line with statutory requirements.
- (ix) The admissions policy for Year R (Primary Phase) will remain

The above criteria were published as part of the Statutory Consultation and no representation, comment or amendments have been received during the Representation Period.

Home to School Transport. In line with the requirement for Decision Makers to satisfy themselves that accessibility planning has been taken into consideration the existing Home to School Transport policy and criteria were summarised and published in full as part of the consultation with the intention of adopting these for the All-Through School. The location of St. Mark's School is in the central planning region of the city and is in line with where demand for additional places manifests itself. A clear statement has been provided in the consultation guide indicating Southampton City Council were at the time of the statutory consultation for St. Mark's out to consultation on the corporate Home to School Transport Policy and a link to the consultation provided.

During the Representation Period no comment, representation or suggested amendments have been received by the Proposers.

Funding for Proposals. Decision Makers need to be satisfied funding is in place to implement the proposals; funding for St. Mark's All-Through School

has previously been approved by Cabinet in July 2018 and again in this report at recommendation(i)

School Premises Regulations 2012. At public consultation two outline proposals have been considered. The first involves retention in part of the existing buildings with an extension to the primary school and the other proposal involves a complete demolition of the existing school and construction of a new all-through school. All designs and final construction of the All-Through School will comply fully with School Premises Regulations 2012; the Standards for School Premises, (CIBSE) and will comply will all relevant Building Bulletins, (BB101, BB103) and relevant output specifications.

SEN Improvement Test

As part of the Statutory Consultation St. Mark's C of E Primary School published a statement of intent values and ethos for the All-Through School. This focuses on inclusion and builds on the current values of the school. St. Mark's School have a published SEN Local Offer and the development of the All-Through school will build on all aspects of this. It is recognised the design and construction of new school buildings and accommodation throughout for the All-Through school represents a unique opportunity to build inclusion into the fabric of the school maximising opportunities to improve SEN provision in a mainstream setting.

Parental Preference. St. Mark's C of E primary school is an inclusive school. The most recent Ofsted Inspection in September 2017 assess the school as Good in all areas. Where parental preference and current facilities in the school permit children with complex needs are fully supported. The opportunity to design inclusion into the new accommodation for the all-through school will be maximised and provision will in a mainstream setting will be improved.

Local Offer. The St. Mark's local offer is published on the school website; this is in line with the Southampton City Council Local Offer and will be used in developing proposals for the All-Through school subject to approval by Cabinet.

Range of Provisions. Consideration is being given to the potential to fully integrate SEN resource provision(s) within a mainstream school setting as proposals are developed.

Broad Curriculum. The statement of intent published by the Governors for St. Mark's clearly sets out the benefits of an All-Through school in terms of early access to specialist curriculum resources for Primary Phase children and the opportunity for Secondary age children to support younger children. The provision of new accommodation for the All-Through school provides a unique opportunity to maximise the potential for SEN children. In particular the transition from Y6 to Y7 is challenging for some children with complex needs

	<p>and the school will be developed to minimise the disruption between phases for SEN children attending in a mainstream setting.</p> <p>Accessibility. The proposals for the development and all designs and buildings will be in line with all requirements set out in the Equality Act 2010 the All-Through school will have a full Accessibility Plan in line with the DfE statutory advice document.2014.</p> <p>No representations were received during the Representation Period in relation to the SEN improvement test. The design and construction of new buildings form the ground up provide maximum opportunity to bring together the principles set out above.</p>
--	---

RESOURCE IMPLICATIONS

Capital/Revenue

11.	There are no overall changes in the Programme Budget for the expansion of Secondary School places this remains at the approved £48.86m
12.	Further revenue costs may need to be incurred for the hire of modular classrooms if required in the years 2019 to 2021 at an estimated cost of £80k per year. Funding for this will be provided from the existing general fund revenue budgets.
13.	The Service Director – Finance & Commercialisation has delegated authority to vary the Secondary School Expansion scheme within the Education Capital Programme in response to any change in requirements around the specification of the projects following consultation within the approved overall funding of the scheme. Any change in the overall value of the scheme will be reported to Cabinet and Council as relevant when final scheme has been designed and costed.

Property/Other

14.	Capital Assets have identified the internal resources required to deliver the programme this is estimated at 1 Programme Manager and 3 x Project Managers for the duration of the programme to 2022.
-----	--

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15.	<i>s14(1) Education Act 1996 places a statutory duty to provide sufficiency of school places and a duty to provide quality school places. Proposals to expand schools, build new schools or make significant changes to school places including any change of age range require publication of school organisation notices under the Schools Standards & Frameworks Act 1998 and the School Organisation (prescribed Alterations to Maintained Schools) Regulations 2013. Such proposals require prior consultation, statutory notices, 4 week representation period and subsequent Cabinet decision.</i>
-----	---

Other Legal Implications:

16.	The Human Rights Act 1998 provides a right of access to education of a type and quality determined by the state. The Act requires that local authorities and other public bodies covered by the HRA must be able to demonstrate that
-----	--

	policy formulation and all decisions in this regard are ‘proportionate’ in weighing individual harm against the wider public interest and necessary in order to secure sufficient quality school places within the local authority area that are accessible to all.
17.	<p><i>s6A Education Act 2011 (“the Free School Presumption”)</i></p> <p>The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the ‘free school presumption’) of the Education and Inspections Act 2006 which requires that, where a local authority identifies the need for a new school in its area, it must seek proposals to establish an academy (free school). Cabinet are advised the Authority will need to engage with stakeholders and formulate a full specification for the proposed new school and publish the specification inviting interested parties (Academy Trusts and other organisations) to submit proposals</p>
18.	<p><i>Academy Act 2010</i></p> <p>Place a requirement on Academy Schools to prepare either an accelerated business case or full business case for consideration of the Regional Schools Commissioner or Secretary of State in order to expand.</p>
19.	<p><i>s149 Equality Act 2010</i></p> <p>The Equality Act 2010 obliges Public Authorities, when exercising their functions, to due regard to the need to:</p> <ul style="list-style-type: none"> • Eliminate discrimination, harassment and victimisation and other conduct which the Equality Act 2010 prohibits • Advance equality of opportunity; and • Foster good relations between people who share relevant protected characteristics and those who do not <p>The relevant protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation A preliminary EISA form has been completed; the document will be continuously monitored and updated throughout the Education Capital Programme.</p> <p>The decision-maker, Cabinet in this instance, must assess the risk and extent of any adverse impact and the ways in which such risk may be eliminated before the adoption of a proposed policy or course of action. Members should in particular note that the duty is for them personally. It is not sufficient to rely on officers to discharge the duty by the preparation of the Equality Impact Assessment and this report. This Public Sector Equality Duty (PSED) applies not only to the formulation of this policy but also to decisions made in individual cases where the policy is applied.</p>
RISK MANAGEMENT IMPLICATIONS	
20.	The Secondary Expansion Programme is now formally established and governance of the programme has been established in Capital Assets and reporting through to CMT Programme is now in place.
21.	The Design Team Resources have been allocated and put in place for both the St. Mark’s All-Through School and Chamberlayne College for the Arts. Full costed risk registers are in place for both these schemes.
POLICY FRAMEWORK IMPLICATIONS	
22.	None

KEY DECISION?	Yes	
WARDS/COMMUNITIES AFFECTED:	All	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	St. Mark's All-Through School Consultation Guide	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		Yes
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
	Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.		
2.		