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| DECISION-MAKER: | CABINET | | |
| SUBJECT: | PRIMARY REVIEW PHASE 2 - PRE-STATUTORY CONSULTATION | | |
| DATE OF DECISION: | 6 SEPTEMBER 2010 | | |
| REPORT OF: | CABINET MEMBER FOR CHILDREN'S SERVICES AND LEARNING | | |
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STATEMENT OF CONFIDENTIALITY

None

SUMMARY

Southampton's vision for Primary Children, Schools and Learning is to provide the best educational experience for children and their families. This ambition sits at the heart of the Primary Capital Programme (PCP) which is designed to provide school buildings that support the transformation of learning for children and young people.

This report sets out proposals for pre-statutory consultation in relation to the follow up to Phase 1 of the review of primary school places. Southampton, in conjunction with many other urban authorities, is experiencing an unprecedented demand for primary school places and needs to act to increase the capacity of its primary schools, if it is to meet this demand.

The proposals are informed by informal talks with headteachers and are in response to a forecast rise in the number of pupils demanding a school place in the foreseeable future.

RECOMMENDATIONS:

- (i) To add, in accordance with Financial Procedure Rules, a sum of £1 million to the Children's Services and Learning Capital Programme, £690,000 for Primary Review Phase 2, an additional £125,000 for Primary Review Phase 1 increased places at Foundry Lane Primary and an additional £185,000 for Primary Review Phase 1 increased places at St Mary's Church of England Primary school, funded from the Department for Education's Emergency Basic Need Safety Valve grant.
- (ii) To approve, in accordance with Financial Procedural Rules, capital expenditure in the sum of £1 million including fees from the Children's Services and Learning Capital Programme for the addition of Primary school places throughout the city.
- (iii) To authorise the Executive Director for Children's Services and Learning to conduct pre-statutory consultation on a range of school organisation and admissions options for primary education in the city including (but not limited to) those options set out in Appendix 1.

- (iv) To delegate authority to the Executive Director for Children's Services and Learning, following consultation with the Cabinet Member for Children's Services and Learning, to determine the final form of the consultation including the addition or deletion of such options as may be considered appropriate and to bring forward a further report on proposals arising out of these options for statutory notice and/or consideration in accordance with Admissions legislation as appropriate, including details of the costs and funding requirements of these proposals.
- (v) To delegate authority to the Executive Director for Children's Services and Learning, in consultation with the Solicitor to the Council and following consultation with the Executive Director of Resources, to do anything necessary to give effect to the recommendations in this report.

REASONS FOR REPORT RECOMMENDATIONS

1. Children's Services and Learning is aware that the demand for Primary school places has been increasing in recent years and continues to do so. Without increasing the capacity of our primary schools we would not be able to accommodate all the pupils for whom we have a statutory duty to provide a school place.
2. Last year, in Phase 1 of the Primary Schools Review, a number of extra places were provided in the city centre and Freemantle areas of the city. The expansion of places right across the city over the next two years will need to continue.
3. The impact of the increased birth rate, amongst other things, may require the potential addition of around 355 places, the equivalent of 11.8 extra forms of entry (12 FE), in Year R (reception class – the first year of initial admission to infant and primary schools) by September 2012, with a consequent growth in the size of other year groups, as the increase in numbers of pupils works its way through the years of primary schooling.
4. If the proposals in Appendix 1 are carried out, this would add about 355 Year R places or 11.8 FE by September 2012 and eventually around an extra 2,900 primary places by September 2018.
5. In order to formulate strategic proposals for change, the City Council must carry out a pre-statutory consultation exercise involving all stakeholders. Once proposals have been formulated statutory proposals may be published and determined, so that any change can be implemented before the number of pupils exceeds the number of available places.

CONSULTATION

6. Visits to all Headteachers cluster group meetings were carried out in January this year, where heads were made aware of the impending increase in numbers and an outline of our, the LA's, suggestions of how we needed to amend Published Admission Numbers (PANs) for September 2011 for some schools. Site visits were also made to the schools named in Appendix 1 to explore the possibility of expansion or re-claiming non-teaching spaces in school buildings.

7. Schools were asked for their thoughts on a permanent solution to the issue of increasing demand for school places.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. The City Council could decide not to make changes to primary school provision. If this were to happen, it is likely that there would be insufficient places for Year R children in the city from 2011 with a significant shortfall in 2012 sustained until at least 2014/15 and probably well beyond. The City Council would be failing in its statutory duty to provide every child in the city with a school place.

Consideration was also given to the building of brand new schools in various parts of the city. However, this was also rejected on two grounds;

- The location of suitable sites were not in suitable locations to satisfy the demand for school places
- The recent cuts in public spending announced by central government makes it unlikely that this option could be funded

DETAIL

9. Southampton, like many other urban authorities, has experienced a significant increase in its birth rate over the last few years. Coupled with a reduction in families leaving the city for the suburbs and a reduction in parents opting for private schools this has led to a surge in demand for primary school places.
10. In summary, the options for expansion outlined in this report are to add:
 - 160 places in Year R for September 2011 against a predicted shortfall of around 22 places – which would leave 138 surplus places in Year R, or around 5%.
 - An additional 195 places in Year R for September 2012 against a predicted shortfall of around 289 places – which would leave us with 66 surplus places in Year R, or around 2%
11. Some surplus places are needed in the system in order to:
 - allow a degree of flexibility for parents to express a preference,
 - ensure there are places in the city for families who wish to move here and
 - ensure that should actual pupils exceed forecast pupils, there would still be able accommodation for the extra pupils.
12. There is always a risk that putting in too many extra places or putting them in too early or in the wrong place, might result in one or two less popular schools suffering a significant drop in numbers. Alternatively, not putting in enough extra places would result in pupils not being offered a school place leading to a breach of statutory duties.

Primary Review Phase 1

13. Work to implement Phase 1 City Centre proposals, approved by Cabinet in July 2009, is progressing well. However, two projects require additional funding to enable the preferred options to be delivered.

14. At Foundry Lane Primary it is recommended that a seven classroom block be provided together with an extension to the hall through remodelling plus additional toilets. This is estimated to cost £1.6 million including fees against a budget of £1.475 million including a £100,000 contribution from the school. The shortfall is therefore £125,000.
15. At St Mary's C of E (VC) Primary, work to provide three additional classrooms by internal remodelling is currently on site and due for completion by the end of August 2010. Three more classrooms are required from September 2013. The total estimated cost for both phases is £800,000 against a budget of £615,000 leaving a shortfall of £185,000.

FINANCIAL/RESOURCE IMPLICATIONS

Capital

16. More detailed costs of implementing recommended changes will be produced for the next stage of the process once pre-statutory consultation has been completed. Some of the work, and therefore some of the costs, could be phased in over a number of years.
17. The corresponding funding requirements will also be finalised in the next report to Cabinet. However, it is likely that the following resources would be drawn upon.
18. In November 2009, the City Council received £1 million from the Department for Education's Emergency Basic Need Safety Valve grant. This funding was distributed to Local Authorities who were experiencing a large increase in pupils applying for a school place in Reception and although some will be needed to meet shortfalls in funding in Phase 1 of the Primary Review (see below), the balance can be used to help fund Phase 2.
19. The City Council receives other capital grants from the DCSF in relation to the school estate. Funding for 2011/12 will not be announced until the end of the year, and is obviously subject to change bearing in mind the current economic situation. If funding continues at current levels over £9 million per year could be available to help fund Primary Review Phase 2. The table below shows the predicted grants available should funding continue at 2010/11 levels:

| | 2011-12 Forecast £000s |
|---------------------------|---------------------------------------|
| Primary Capital Programme | 5,619.0 |
| Modernisation | 2,228.2 |
| Basic Need | 1,297.1 |
| TOTAL | 9,144.1 |

Primary Review Phase 1

20. The table below shows the two projects within Primary Review Phase 1 that require additional funding.

| Scheme | Approval Budget £000s | Estimated Cost £000s | Shortfall £000s |
|-------------------------------|----------------------------------|---------------------------------|----------------------------|
| Foundry land Primary | 1,475.0 | 1,600.0 | 125.0 |
| St Mary's C of E (VC) Primary | 615.0 | 800.0 | 185.0 |
| Total | 2,090.0 | 2,400.0 | 310.0 |

It is recommended that the shortfall of £310,000 be met from the Additional Basic Need Safety Valve Funding.

Revenue

21. The costs of pre statutory consultation will be met from the Children's Services and Learning revenue budget.
22. The revenue costs of all schools are met from the Individual Schools Budget Funded by the Dedicated Schools Grant. The amount of Dedicated Schools Grant that the authority receives each year is based on the number of Children in the city. If the city's overall numbers grow, this will result in an increase in the amount of grant received which can be passed onto schools via budget shares calculated using Southampton's Fair Funding Formula.

Property

23. Some schools may require that formerly 'redundant' classrooms which have been let to other agencies, e.g. Pre-school Playgroups, Archives, Intercultural centre etc., are taken back into school use. Should this be the case, these groups will need to be re-housed into other suitable buildings.
24. Furthermore, a separate feasibility study/project would need to be commissioned to establish notice period requirements as stated in lease and licence agreements and the level of compensation due if relevant to any of these occupiers. This would ensure timely notice is given to fit in with a programme for bringing former class rooms back into use. Dilapidation schedules may also be required in some instances to ensure that the Council receives money due to it on the termination of some agreements. Decisions would also be required as to the level of relocation support to be given to non SCC occupiers along with budget provisions. Budgets will also need to be identified to meet relocation costs for SCC occupiers who need to be accommodated else where.
25. We may deploy modular buildings in schools that are suitable and may need to build extensions to other schools where it is more appropriate.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

26. Local Authorities have a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. LA's must also ensure that there are sufficient schools in their area and promote diversity and parental preference.
27. Alterations, changes, creation or removal of primary provision across the city is subject to the statutory processes contained in the School Standards and Framework Act 1998 as amended by the Education & Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007 as amended, together with the corresponding Admissions Regulations as appropriate. Statutory Guidance on bringing forward proposals applies, which requires a period of pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial consultation) followed by publications of statutory notices, representation periods and considerations of representations by Cabinet or considerations by the Admissions Forum and approval as part of the Admissions Process as required.
28. In parallel with the consultation which the Local Authority is organising, discussions are being held with Wordsworth Infant, which is a foundation school, regarding the possibility of increasing it's size by 1FE and converting from an Infant school to a Primary school so extending its age range from 4 - 7 to 4 – 11.

Other Legal Implications:

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

POLICY FRAMEWORK IMPLICATIONS

30. The proposals outlined in this document will contribute directly to the achievement of the outcomes set out in the Children and Young Peoples Strategic Plan, the Primary Vision, the 14-19 Strategy and the Early Years Development Plan by providing improved buildings for primary pupils and communities in Southampton.

SUPPORTING DOCUMENTATION

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

Appendices

- 1. Options Summary

Documents In Members' Rooms

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| 1. | None |
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Background Documents

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

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| 1. | None | |
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KEY DECISION YES

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| WARDS/COMMUNITIES AFFECTED: | ALL |
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