

Final decision on the proposed expansion of Mayflower Primary School, Tendring, to increase its capacity to take additional pupils from September 2019

**Forward Plan reference number: FP/302/11/18**

<b>Report title:</b> Final decision on the proposed expansion of The Mayflower Primary School, Tendring, to increase its capacity to take additional pupils from September 2019.	
<b>Report to:</b> Councillor Ray Gooding - Cabinet Member for Education and Skills	
<b>Report author:</b> Clare Kershaw, Director, Education	
<b>Date:</b> 14 February 2019	<b>For:</b> Decision
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<b>County Divisions affected:</b> Harwich	

## **1. Purpose of Report**

- 1.1 To report on the responses to the public consultation that closed on 20 December 2018 about the proposal to expand The Mayflower Primary School from 350 places (50 per year group) to 420 places (60 per year group/2 forms of entry) from September 2019.

## **2. Recommendations**

- 2.1. Approve the proposal to enlarge the premises of Mayflower Primary School, with effect from 1 September 2019, to increase capacity from 350 places (50 per year group) to 420 places (60 per year group/2 forms of entry).
- 2.2. Approve the capital budget for construction and associated project fees as profiled in the confidential financial appendix.
- 2.3. Agree to the procurement of the associated building works through a two stage design and build mini competition using the Essex Construction Framework.
- 2.4. To delegate authority to the Head of Infrastructure Delivery to award the contract for the school expansion to the successful bidder once he is satisfied that the construction costs are within the agreed budget and represent value for money.

## **3. Summary of issue**

- 3.1. The Harwich and Dovercourt area has experienced a rise in the demand for primary school places in the last few years as a result of births, families moving in and new housing. Latest forecasts indicate continued growth in pupil numbers and additional provision is required to balance future supply and demand for local reception year places.

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- 3.2. Essex County Council (ECC) has a duty to ensure that there are sufficient school places for children living in the county. In order to do this we monitor birth rates, new housing developments and patterns of parental preference across groups of schools. This information is used to forecast pupil numbers and to ensure there are sufficient school places across the county.
- 3.3. The following table (which was included in the consultation document) shows the potential surplus or deficit of reception places over the next three years across what ECC term Tendring Primary Schools Planning Group 5, as shown in ECC's "10 Year Plan – Meeting the demand for school places in Essex - 2018 to 2027". The group includes: All Saints Church of England Primary, Dovercourt; Chase Lane Primary; Harwich Primary; The Mayflower Primary; Spring Meadow Primary, St Joseph's Catholic Primary; Two Village Primary; Wix and Wrabness Primary; and All Saints Church of England Primary, Gt Oakley:

<b>Year to be admitted to reception</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
Total number of reception places	303	303	303
Predicted requirement for reception places including potential pupils from new housing	300	302	312
<b>Predicted surplus or deficit including potential pupils from new housing</b>	3	1	-9

- 3.4. Longer term forecasts indicate that there will be further growth in the area with the need for additional primary school places. The number of children registered with a GP will continue to be monitored, as will the actual numbers of pupils in schools.
- 3.5. Work is already underway to identify options for these additional places in existing schools, and further solutions will be developed with the schools as necessary.
- 3.6. Whilst the majority of the schools in the Planning Group are located in the urban area of Harwich and Dovercourt two of them, Wix and Wrabness and All Saint's Great Oakley, are in more rural locations. One of the principles ECC try to adhere to in school place planning is to provide additional places within walking distance of the high areas of demand. These two schools are not within reasonable walking distance of the new housing in the urban area. If the forecasts for these schools are removed from the group totals the following picture emerges:

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<b>Year to be admitted to reception</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
Total number of reception places	267	267	267
Predicted requirement for reception places including potential pupils from new housing	267	268	273
<b>Predicted surplus or deficit including potential pupils from new housing</b>	0	-1	-6

- 3.7. This shows that without additional reception places in the urban part of the group there is a serious risk of local children not being able to attend school within walking distance of their home address, with the potential for children having to be transported to schools a number of miles away.
- 3.8. A stated priority of “Essex Organisation Strategy 2017-2021” is to “offer children good economic prospects, by providing an outstanding education in Essex”. ECC is under a duty to promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child’s educational potential. It must also ensure that there are sufficient schools in the county to promote diversity and increase parental choice.
- 3.9. ECC’s proposal to expand Mayflower Primary School is intended to ensure that local children have the opportunity to access a local school. Expansion of the school will provide more places to meet the growing demand in the Harwich area, and will enable more parents to gain a place for their child at a local school. The expansion of Mayflower Primary School would also allow the school to utilise existing accommodation that would otherwise be vacant.
- 3.10. In considering the proposal to expand the school, the impact on other local schools has been considered. It is not expected to have any detrimental impact upon other local schools, as it responds to increased demand within the immediate area of the school. Phased growth should ensure no disproportionate impact upon any other school in the area.
- 3.11. Consultation
- 3.11.1. A consultation on the proposed expansion was conducted by ECC between 22 November 2018 and 20 December 2018, with consultation documents being made available online and sent to interested parties via email; hardcopies distributed to parents of children at the school by the school; and a drop-in session at the school arranged and publicised. Responses to the consultation could be made through the organised meetings and/ or via the electronic response form, and by letter or email.
- 3.11.2. The public drop-in session was held at the school on 13 December 2018 between 2 pm and 4 pm. Five stakeholders attended the drop-in session.

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#### Written Responses to Consultation

3.11.3. A total of 7 electronic responses were received during the consultation period. The analysis of the responses by category (as identified by the respondents) is as follows, which shows that the consultation reached a range of different stakeholders:

Category of Respondent:	Total	%
Parents/ carer	4	57.1
Grandparent	1	14.3
Town Council	1	14.3
Local community	1	14.3

3.11.4. A breakdown of the number of written responses for and against the proposals is as follows:

For/ Against Proposal	Total	%
In Favour	6	85.7
Neutral	0	0
Not in Favour	1	14.3
<b>Grand Total</b>	<b>7</b>	<b>100</b>

3.11.6. A summary of the responses to the consultation has been sent to the school along with the breakdown of the responses. . The school's governing body confirmed on 23 January 2019 that it was content to continue with the request for expansion following consideration of the consultation responses.

3.11.7 Issues raised in responses to the consultation included:

- Parking and safety issues during peak times;
- Concerns over standards at the school;

3.11.8 Comments relating to traffic and parking issues are frequently made in response to school expansion consultations. It is a common issue that schools are located in residential areas and experience high volumes of traffic at the beginning and end of the school day. Traffic and parking concerns relating to the proposals are being actively considered and appropriate mitigation options developed. ECC encourages schools to promote alternatives and these can be of some benefit. It is not considered likely that traffic issues will be made significantly worse by the proposed expansion than at other school sites.

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3.11.9 The last Ofsted inspection in May 2018 rated the school as “requiring improvement”. However, the inspection report noted that new senior leadership had halted the decline in standards and was bringing about rapid improvement, and knew the school’s strengths and weaknesses. The report also noted that staff members were proud to work at the school and have welcomed the many changes made to improve the school. ECC is confident that expanding the school will not hinder that progress. Increasing the admission number to 60 will allow the school to organise in single age group classes, which should further help with improvements to teaching and learning.

3.11.10 Since the completion of the public consultation, one further comment has been received regarding parking issues. The school has been actively considering measures to address the concerns about the safety of the car park on the site mentioned above. A potential response is to limit access to the site to only staff vehicles. This is a pre-existing issue but is one which could potentially be exacerbated by the expansion. The school is working with the North East Essex Parking Partnership to address the traffic issues at the school.

### 3.12 Conclusions

3.12.1 The consultation with all interested parties that has been undertaken in respect of the proposal to expand the school and the responses received showed support for the proposal. Representatives of the school were informed of the results of the consultation on 22 January 2019. There were no recommendations to change the proposal to expand the school.

3.12.3 ECC does not consider that the expansion will any significantly adverse effect upon traffic and parking. However, post implementation, should issues be brought to its attention, ECC will seek to mitigate these through appropriate measures, which could include specialist colleagues working with the school on updating its travel plan.

### 3.13 Scope of Proposed Building Works and procurement:

3.13.1 The Mayflower site has, until recently, been jointly occupied by the Primary school and Adult Community Learning (ACL), both sharing a three storey block located between the school and the former secondary school accommodation. The recent withdrawal of ACL provision has created the opportunity to expand the school into the now vacant accommodation giving the school sole use of the entire block. The school will regain sole use of the large hall space which was previously managed by ACL.

3.13.2 The Essex Construction Framework (ECF) has been available for use by ECC for large construction projects since March 2016. ECC would seek to procure this project through a two stage design and build approach via the ECF, as this has proven to give ECC good value for money.

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3.13.3 A mini competition will be held to obtain a favourable bid from a contractor within the budget set out in the confidential appendix, and then the contractor will be appointed to undertake the works as summarised in paragraph 3.13.4 to enlarge the school.

3.13.4 Delivery Timescales are as follows:

<b>Milestone Description</b>	<b>Target Date</b>
Appoint Contractor/Award contract	29/04/2019
Commence on site	10/06/2019
Handover	30/08/2019

#### **4. Options**

##### **Option 1 – Agree to expand the school (recommended option)**

- 4.1. This proposal is part of the overall strategic response to the need for additional school places in Tendring across the whole of the ten year period as set out in the 10 Year Plan. The expansion of Mayflower Primary School will provide additional capacity in the Harwich area.
- 4.2. The Harwich and Surrounds planning group includes nine primary schools. The expansion of Mayflower was determined as the most appropriate solution to meet the increased demand for school places created by local housing. The latest GP registration data shows a demand for additional primary school provision within the locality of the school. Viability studies have also been conducted at other schools to inform solutions to cater for increased demand in other parts of the planning group.
- 4.3. ECC's proposal to expand Mayflower is intended to ensure that local children have the opportunity to access a local school. The school was rated in June 2018 as "Requires Improvement" by Ofsted.
- 4.4. Ofsted report June 2018 says "senior leaders have demonstrated their capacity for improvement in a very short space of time. Members of staff spoken with during the inspection were overwhelmingly positive and proud to work at the school. One member of staff echoed the sentiment of many in saying, 'We have had strong leadership from September. There is more consistency in the improvements and especially in expectations of behaviour.'"
- 4.5. The responses to the consultation revealed support for the proposal in terms of providing additional places, so providing additional places at Mayflower will help to cater for this local demand. Local children will therefore not need to travel to schools further away from their home addresses. ECC will work with Mayflower to try to limit the impact of additional children on the neighbourhood. Although there will be some impact, on balance, the provision of additional places in an area of need would be desirable.

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4.6. Using existing ECC buildings is more cost effective than providing a new build solution. This opportunity does not exist at other schools in the planning group.

4.6. Option 1 is the preferred option

#### **Option 2 – do nothing**

4.7. The option to do nothing is not reasonable and prevents the expansion of Mayflower Primary School. There is a need to increase pupil places and the proposed expansion of Mayflower Primary School is a solution to meet the continued increase in demand for school places and for ECC to meet its statutory duty to provide a school place for every child.

4.8. Should additional places not be delivered for September 2019 there is a significant risk that children will be without school places in their local area, that longer journeys will need to be made between home and school in order to find alternative schools with spaces and that in an increased number of cases parental preference will not be satisfied.

### **5. Next steps**

5.1. The Cabinet Member is asked to confirm funding for the project and approve the procurement of design and build contractors through a mini competition under the Essex Construction Framework. The Contract award will come back for consideration by the Head of Infrastructure Delivery in accordance with ECC governance routes.

### **6. Issues for consideration**

#### **6.1. Financial implications**

##### Capital

6.1.1. Please see the confidential financial appendix for capital financial information.

##### Revenue

6.1.2. School revenue budgets are funded from the Dedicated Schools Grant (DSG) and are based on pupil numbers in the October prior to the start of the financial year. There is generally a funding lag when schools increase their pupil numbers and to ensure that schools who agree to take additional classes are not financially penalised the school is funded on estimated pupil numbers for the duration of expansion. The DfE allows basic need growth to be funded by the Essex Formula for Funding Schools and the difference between estimated pupils and the October Census is added to the Number on Roll which will generate additional funding in 2019/20 to ensure the school has sufficient resources to provide the required number of classes. At

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the end of the approved expansion period the schools will be funded on actual pupil numbers. Indicative funding for an additional 10 pupils from September 2019 is £20,173.

- 6.1.3. As the school will be expanding year on year there will be the need for additional teaching and support staff. The recruitment process will be managed by the school's leadership team.
- 6.1.4. Furniture and equipment will be funded from within the existing furniture and equipment revenue budget funded via the DSG, a sum of £25k has been set aside for this project.
- 6.2.5. It is not considered that this scheme will increase Home to School transport costs as it fulfils the demand needs in its local area.

#### **6.1.5. Legal implications**

- 6.1.6. Mayflower Primary School is a community school. The regulations governing this expansion proposal are the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 6.1.7. As this is a small expansion there is no requirement to follow a Statutory process, as laid down in the regulations. However, a consultation has been conducted with the local community, as ECC considers this to be good practice.
- 6.1.8. Planning consultation with the community will not be required as the expansion would be delivered through internal remodelling.
- 6.1.9. ECC is satisfied that the consultation process is sound and compliant with all procedural requirements.

### **7. Equality and Diversity implications**

- 7.1. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
  - (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful;
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not;
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.



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- 7.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 7.3. The equality impact assessment which has been carried out indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **8. List of appendices**

- 8.1. Equality Impact Assessment  
8.2. Confidential Appendix

## **9. List of Background papers**

- 9.1. Consultation document  
9.2. Consultation responses  
9.3. Notes of consultation meeting  
9.4. Post consultation response

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>  10.04.19
<b>Councillor Ray Gooding, Cabinet Member for Education</b>	

**In consultation with:**

<b>Role</b>	<b>Date</b>
<b>Executive Director for Corporate and Customer Services (S151 Officer)</b>  <b>Margaret Lee</b>	05.04.19
<b>Director, Legal and Assurance (Monitoring Officer)</b> <b>Kim Cole on behalf of</b> <b>Paul Turner</b>	22.02.19