

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

**Forward Plan reference number: FP/179/06/18**

<b>Report title:</b> Final decision on the proposed expansion of Alresford 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> 30 October 2018	<b>For:</b> Decision
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<b>County Divisions affected:</b> Brightlingsea	

**NOT FOR PUBLICATION**

This report contains a confidential appendix which is exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

**1. Purpose of Report**

- 1.1. To report on the responses to the Statutory Notice that was published on 14 June 2018 regarding the proposal to expand Alresford Primary School (the School) from September 2019 and to seek approval for the expansion and procurement for the associated design and building works.

**2. Recommendations**

- 2.1. Approve the proposal published in the Statutory Notice dated 14 June 2018 without modification to enlarge the premises of Alresford Primary School, with effect from 1 September 2019, to increase capacity from 140 places (20 per year group) to 210 places (1 form 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 at a value no greater than that set out in paragraph 1.1 of the Confidential Appendix to the successful bidder once he is satisfied that the following conditions have been met:
  - 2.4.1. A satisfactory planning permission has been granted; and
  - 2.4.2. The construction costs are within the agreed budget and represent value for money.

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### 3. Summary of issue

- 3.1. The Brightlingsea, Alresford and Great Bentley area has experienced a rise in the demand for primary school places in the last few years as a result of families moving into the areas and new housing developments. Latest forecasts indicate continued growth in pupil numbers and additional provision is required to balance future supply and demand for local reception year places.
- 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 deficit of places over the next four years across Tendring Primary Schools Planning Group 3, as shown in "The 10 Year Plan for Meeting the Demand for School Places in Essex 2018-2027" (The 10 Year Plan). The group includes Alresford Primary School, the Brightlingsea schools, Elmstead Primary School, Great Bentley Primary School and St George's Primary School at Great Bromley:

Year to be admitted to reception	2018/19	2019/20	2020/21	2021/22	2022/23
Total number of reception places	187	187	187	187	187
Predicted requirement for reception places	187	203	165	186	187
Predicted requirement for reception places including potential pupils from new housing	190	210	180	209	215
Predicted surplus or deficit including potential pupils from new housing	-3	-23	7	-22	-28

- 3.4. Longer term forecasts indicate that there will be further sustained growth in the Brightlingsea, Alresford and Great Bentley 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, and further solutions developed as necessary.
- 3.5. Work is already underway to identify options for additional places in other schools, and further solutions will be developed with the schools as necessary. Expansion of these schools is considered necessary instead of using other schools in the planning group due to the rural locations involved. If ECC chose to use those

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schools with surplus spaces it would have to incur home to school transport costs instead.

- 3.6. The following table shows the potential surplus or deficit of places across all year groups at Alresford Primary School over the next five years:

Academic Year	2017/18	2018/19	2019/20	2020/21	2021/22
Capacity of School	140	140	140	140	140
Pupil Number Forecast	136	143	145	143	150
Potential New Pupils from Housing	0	0	10	18	18
Forecast Total Including Housing	136	143	155	171	196
Potential Surplus/ Deficit of Places	4	-3	-15	-31	-56

- 3.7. This clearly shows that when the effect of new housing in the Alresford area is taken into consideration the demand for places from local residents will substantially exceed the present capacity of the school.
- 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 Alresford Primary is intended to ensure that local children have the opportunity to access a local school. The school is popular and oversubscribed, and is rated “Good” by Ofsted. Expansion of the school will provide more places to meet the growing demand in the Brightlingsea, Alresford and Great Bentley area, and will enable more parents to gain a place for their child at a popular, high performing school.
- 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.

#### Consultation

- 3.11. A consultation on the proposed expansion was conducted by ECC between 8 February 2018 and 16 March 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

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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.

- 3.12. One response to the electronic survey was received during the consultation period. This response was in support of the proposal to expand the school. One emailed response was received during the consultation period. The consultee, although they did not show opposition to the expansion, indicated concern about the impact of the expansion on traffic and parking issues in the area. The outcomes of the consultation were considered by the Cabinet Member for Education and a decision was taken on 1 June 2018 to proceed with the publication of a Statutory Notice to affect the expansion.

#### Representation Period

- 3.13. Statutory Notices for the expansion were published in the Colchester Gazette and Clacton & Frinton Gazette newspapers on 14 June 2018. The notices were attached at the entrances to the school and were also published on ECC's website. Representations about the proposals could be made within four weeks from the publication of the notices.
- 3.14. No responses were received during the representation period.

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

- 3.15. Expanding Alresford Primary School to 210 places will require works for the construction of a new extension of three classrooms, group room, toilet, plant, storage and circulation space. Internal remodelling will be undertaken to expand the hall and kitchen and external works to construct a new hard play surface and provide four new parking bays.
- 3.16. The Essex Construction Framework (ECF) has been available for use by ECC for large constructions 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.
- 3.17. A mini competition under the ECF will be held to obtain a most economically advantageous 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 3.16 to enlarge the school. It is anticipated that the works will be completed in phases, with the final phase to be completed in August 2019.

## **4. Options**

- 4.1. **Option 1 – Agree to approve the statutory proposals without modification and expand the School**
- 4.2. 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

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10 Year Plan. The expansion of Alresford Primary School will provide additional capacity in the Brightlingsea, Alresford and Great Bentley area, and will provide the opportunity to meet a higher number of parental preferences.

- 4.3. The Brightlingsea, Alresford and Great Bentley planning group comprises five primary schools. The expansion of Alresford was determined as the most appropriate solution to meet the increased demand for school places created by local housing. Viability studies have also been conducted at other schools to inform solutions to cater for increased demand in other parts of the planning group.
- 4.4. ECC's proposal to expand Alresford is intended to ensure that local children have the opportunity to access a local school. The School is popular and oversubscribed, and is rated "Good" by Ofsted. Expanding the school will enable more parents to gain a place for their child at a popular, high performing school.
- 4.5. The responses to the consultation revealed support for the proposal in terms of providing additional places at a popular and successful school, so providing additional places at the School 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 the School to try to limit the impact of additional children on the neighbourhood. Although there will potentially be some impact, on traffic for example, on balance the provision of additional places in an area of need would be desirable.
- 4.6. Option 1 is the preferred option.
- 4.7. **Option 2 – do nothing**
- 4.8. The option to do nothing is not reasonable and prevents the expansion of Alresford Primary School. There is a need to increase pupil places and the proposed expansion of Alresford 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.
- 4.9. 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 parental preferences will not be satisfied. Accordingly, this is not the recommended option.

## **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.

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## **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 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 £17,154.
- 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 £15,000 has been set aside for this project.
- 6.1.5. It is not considered that this scheme will increase Home to School transport costs as it fulfils the demand needs in its local area.

### **6.2. Legal implications**

- 6.2.1. Alresford Primary School is a community school. The regulations governing these expansion proposals are the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, which requires a local authority to publish a statutory proposal where it proposes to increase pupil numbers in a foundation school.
- 6.2.2. The process for publishing statutory proposals for maintained schools is set out in the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 6.2.3. Statutory Notices for the expansion were published in the Colchester Gazette and Clacton & Frinton Gazette newspapers on 14 June 2018. The notices were attached at the entrances to the school and were also published on ECC's

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website. No comments were received during the representation. ECC is satisfied that the statutory process is sound and compliant with all procedural requirements.

- 6.2.4. Local authorities must continue to plan for and secure sufficient schools and places for their area in line with their duties under section 14 of the Education Act 1996.
- 6.2.5. The premises to be provided will need to meet the statutory requirements of the Education (School Premises) Regulations 1999 and the feasibility studies and the final programme will ensure that this happens.
- 6.2.6. The procurement of goods, service and works will be carried out in accordance with the Public Contracts Regulations 2015 and in accordance with ECC's procurement rules.

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

- 7.1. The Public Sector Equality Duty applies to ECC 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.
- 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. Appendix A – Equality Impact Assessment
- 8.2. Confidential Appendix

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

- 9.1. None.

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<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>  22/11/18
<b>Councillor Ray Gooding, Cabinet Member for Education and Skills</b>	

**In consultation with:**

<b>Role</b>	<b>Date</b>
<b>Executive Director for Corporate and Customer Services (S151 Officer)</b> Nicole Wood on behalf of <b>Margaret Lee</b>	30/10/18
<b>Director, Legal and Assurance (Monitoring Officer)</b> Susan Moussa on behalf of <b>Paul Turner</b>	13/11/18