

Forward Plan reference number: FP/392/03/19

Report title: Proposed expansion of Beauchamps High School, Wickford	
Report to: Councillor Ray Gooding - Cabinet Member for Education and Skills	
Report author: Clare Kershaw, Director, Education	
Date: March 2019	For: Decision
Enquiries to: Rhona Long, School Organisation Officer, email: rhona.long@essex.gov.uk Emma Oni – Project Sponsor, email: emma.oni@essex.gov.uk	
County Divisions affected: Wickford Crouch	

NOT FOR PUBLICATION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 growing demand for secondary school places in the Wickford area and to seek approval to expand Beauchamps High School (the School) by 2 classrooms, with effect from 1 September 2019 in accordance with Essex County Council's duty to commission sufficient school places.
- 1.2. To seek approval for capital funding from Essex County Council (ECC) for the construction project to increase the Schools capacity in readiness for September 2019.

2. Recommendations

- 2.1 Agree to the proposed expansion of Beauchamps High School by 60 places.
- 2.2. To 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 to deliver the additional accommodation needed to support 60 pupils. The scheme has been procured using the ESPO Modular Construction Framework through a single stage tender process, with the successful contractor developing the design under a fixed price agreement. The groundworks elements of the scheme have been procured through the Mitie framework, appointing a contractor also under a single stage fixed price agreement.
- 2.4 To delegate authority to the Head of Infrastructure Delivery to award the contract for the Schools expansion to the successful bidder once satisfied that:

Proposed expansion of Beauchamps High School, Wickford

- (a) Satisfactory planning permission has been granted; and
- (b) the construction costs are within the agreed budget and represent value for money.

3. Summary of issue

- 3.1 Some year groups in the Wickford secondary schools are full and oversubscribed and with further new housing forecast, additional capacity is required to ensure pupils moving into the area have a reasonable offer of a school place. An additional 60 places are to be provided to allow the School to accommodate more pupils across the year groups where there is no surplus capacity. Therefore, preventing a sufficiency issue in higher year groups
- 3.2 ECC has a duty to ensure that there are sufficient school places for children living in the county. In order to do this ECC monitors birth rates, new housing developments and patterns of parental preference across groups of schools. This information is used to predict pupil numbers and to ensure there are sufficient places to meet demand in the area.
- 3.3 The School was last inspected by Ofsted in November 2014, and was rated as 'Outstanding'.
- 3.4 The proposal for the School is to increase capacity by 60 places by adding 2 new permanent classrooms. A statutory consultation process must be followed if:

The proposed enlargement is permanent (longer than three years) and would increase the capacity of the school by more than 30 pupils **and** 25% or 200 pupils (whichever is the lesser).

The proposal involves making permanent any temporary enlargement (which was intended to be in place for no more than three years) that meets the above threshold.

- 3.5 In these circumstances, a statutory consultation is not required.
- 3.6 The Project Delivery Timescales are as follows:

Milestone Description	Target Date
Appoint contractor	03/05/2019
Planning approval	23/08/2019
Start on site date	06/09/2019
New buildings complete	15/11/2019
Completion of all works (remodelling, new build and externals)	12/04/2020

- 3.8 The contract will only be awarded to the successful bidder once the Head of Infrastructure Delivery is satisfied that planning permission has been granted to the School for the expansion; and the construction costs are within the agreed budget and represent value for money.

4. Options

Option 1 – Support the proposal to expand by 60 places (recommended option)

- 4.1. The Basildon planning group has experienced a vast increase in population recently mainly driven by inward migration and some new housing. The impact has been felt most keenly in the primary so far, but demand in the secondary sector is seeing some sharp increases. This has left some cohorts being oversubscribed with no spare capacity.
- 4.2. Viability works were commissioned on both secondary school sites in Wickford to assess their suitability for expansion. The viability reports showed that Beauchamps High School was the most viable option for expansion, with further expansion being considered to meet additional growth for subsequent years.
- 4.3. The proposal to expand the school is intended to ensure that local children have the opportunity to access a local school. Additional school places will provide headroom in future years where forecasts and local knowledge suggest continued inward migration will mean supply is not enough to meet demand.
- 4.4. The School is popular and oversubscribed, and is rated “Outstanding” by Ofsted. Expanding the School will enable more parents to gain a place for their child at a popular and high performing school.

Option 2 – do nothing (not recommended)

- 4.5. The option to do nothing is not the recommended option as this prevents the expansion of the School. There is a need to increase pupil places and the proposed expansion of the 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.
- 4.6. 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. Accordingly this is not the recommended option.

5. Next steps

- 5.1 The Cabinet Member’s decision will confirm funding for the project and approve the procurement of design and build contractors through a single stage tender process under the ESPO Modular Construction Framework in order to expand the school as proposed. 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 Furniture and equipment of £9,000 will be funded from within the existing furniture and equipment revenue budget funded via the Dedicated Schools Grant.
- 6.1.5 It is not currently 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 Beauchamps High School is a community school. In accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, governing bodies of community schools can now decide to expand subject to a consultation process but without needing formal statutory proposals and having secured the necessary funding and planning permission to do so.
- 6.2.2 ECC has a statutory duty to commission a sufficient supply of school places. The expansion of the School was brokered by ECC in accordance with this duty.
- 6.2.3 ECC is responsible for funding the 'basic need' provision of additional school places in Essex at all schools, including academies.
- 6.2.4 Although there is no longer a prescribed 'pre-publication' consultation period, there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication.
- 6.2.5 In accordance with the regulations, governing bodies may expand a school without the need to follow a statutory process. As this expansion will be decided by the governing bodies of the school, no statutory notice or proposal is required following the decision.
- 6.2.6 Since the School will not be a party to the contract it will be necessary for the contractor to provide collateral warranties to the School as the user of the building and the School will need to enter into an agreement with ECC to secure access to premises.
- 6.2.7 ECC has a duty to take such steps as reasonable to avoid substantial disadvantage to a disabled person. The duty to make reasonable adjustment is triggered when there is a substantial disadvantage. The duty requires the School to take positive steps to ensure that disabled pupils can fully participate in the education provided by the School. The duty is an anticipatory one, owed to pupils in general. Thought should be given in advance of what disabled pupils may require and what adjustments may need to be made for them.

6.2.8 Schools cannot delegate these duties, so must specify the relevant matters in the procurement contract.

6.2.9 ECC will be required to ensure that the procurement of the Design and Build Contractor complies with the Public Contracts Regulations 2015 and its own ECC Procurement procedures.

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.

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

Proposed expansion of Beauchamps High School, Wickford

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (S151 Officer) Margaret Lee	 03/05/19
Director, Legal and Assurance (Monitoring Officer) Laura Edwards on behalf of Paul Turner	 08.08.19