

<b>Report title:</b> An expansion to Stebbing Primary School, to increase its capacity to 210 pupils (1fe) take additional pupils from September 2020.	
<b>Report to:</b> Cllr Ray Gooding – Cabinet Member for Education and Skills	
<b>Report author:</b> Clare Kershaw – Director for Education	
<b>Date:</b> 12 June 2020	<b>For:</b> Decision
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<b>County Divisions affected:</b> Thaxted, Uttlesford	

## 1. Purpose of report

- 1.1. To report on the growing demand for primary school places within Stebbing Primary School's planning group (Felsted) and to seek approval to increase its capacity on a phased basis from 140 places to 210 places (1 form of entry) with effect from September 2020, in accordance with Essex County Council's ("ECC") duty to commission sufficient school places.
- 1.2 To seek approval to increase the Stebbing Primary School (the "School") capacity in readiness for September 2020.

## 2. Recommendations

- 2.1. Agree that the School should increase its Published Admission Number ("PAN") from 20 to 30 to enable it to better serve the demand for primary school places in its local area from September 2020.
- 2.2. Agree that the Head of Infrastructure Delivery may award the contract with Elite Systems, when he is content that the following conditions have been met:
  - a. A satisfactory planning permission has been granted;
  - b. The construction costs are within the agreed budget and represent value for money.
- 2.3. Approve the capital budget for construction and associated project fees, as per the profile stated in the confidential financial appendix.

## 3. Summary of Issue

- 3.1. The village of Stebbing is growing due to the house-building activity underway in the local area. A permanent deficit of primary school places is forecast within its planning group, with a shortfall of Reception places near-equivalent to ½ a form of entry by 2024/25.

- 3.2. To be in a position to meet demand going forward, a permanent increase to the School's PAN (from 20 places to 30 places) is proposed from September 2020. Given the current situation with Covid-19, should this cause any disruption to the supply chain, then appropriate contingencies will need to be put in place to ensure that the School is able to accommodate the additional pupils from that date.
- 3.3. The following table, which was included in the consultation document, shows the potential deficit of school places over the next five years across the Felsted planning group of schools (Felsted Primary, Flitch Green Primary and Stebbing Primary):

Year to be admitted to Reception	2020/21	2021/22	2022/23	2023/24	2024/25
Total number of Reception places	90	90	90	90	90
Predicted requirement for reception places	88	89	91	93	94
Predicted local requirement for places with potential pupils from new housing	95	97	100	103	104
Predicted deficit with potential pupils from new housing	-5	-7	-10	-13	-14

- 3.4. The latest iteration of "*The 10 Year Plan for Meeting the Demand for School Places in Essex 2020-2029*" (published last month) shows that the deficit of places actually becomes more acute going forward. 95 Reception places will not meet demand once the impact of new housing is considered, and so a permanent need exists for more primary school places in the local area from September 2020 onwards.
- 3.5. ECC's proposal to increase the number of pupils able to attend the School will ensure that local children have the opportunity to access a local school place. It will provide more places to meet the growing demand in the area and will enable parents to gain a place for their child at a good school. It is strongly supported by the School's senior leadership, who recognise the organisational advantages that moving to one form of entry would deliver for future pupils.
- 3.6. It is anticipated that the School will grow on a phased basis, as it admits up to 10 additional pupils into its Reception Year cohort year-on-year, as well as opening up 10 places across all year groups.

- 3.7. The potential impact of increasing the School's PAN on other local schools has been taken into account. It sits within a rural setting and shares a planning group with two other village schools, both of which are unsuitable for expansion (Flitch Green Primary already having been expanded to its site's capacity, and Felsted Primary currently being subject to its own capital project to upgrade its accommodation).

#### Consultation

- 3.8. Formal consultation was undertaken by ECC between the 8<sup>th</sup> January and 5<sup>th</sup> February 2020, with two community engagement sessions held on 21<sup>st</sup> January 2020.
- 3.9. A consultation document explaining the proposal was distributed electronically to parents/ carers, other interested parties (including elected representatives) and all schools within the Uttlesford Planning Group 7 (Felsted). Responses could be made through an electronic survey form, via letter or email, by telephone or in person at the community engagement sessions.
- 3.10. 75% of respondents *did not support* the proposal to expand the School.
- 3.11. Those objecting to the proposal held a variety of concerns, predominantly around increased traffic coming through the village and perceived congestion/ parking issues that would accompany it. This was a planning concern rather than an educational one, and would be examined (and mitigated, if required) as part of the planning process.
- 3.12. Other reasons for opposition were a general resistance to the development of the village that underpinned the need for a bigger school, plus perceptions that the school had inadequate space for communal activities, that mixed-aged teaching and a small school environment held social benefits for pupils and that the delivery of SEN provision would suffer as a consequence of the expansion project.
- 3.13. Responses to these various objections were given in the report on the outcomes of the consultation that was given to the Cabinet Member for Education and Skills on 13<sup>th</sup> February 2020.
- 3.14. A Statutory Notice was published on 12<sup>th</sup> March, and ran until 9<sup>th</sup> April 2020. No representations were received during that final window for comment.

#### Proposed Building Works and procurement:

- 3.15. The proposed works at the School include for the provision of a standalone teaching block containing two classrooms with associated facilities, and the remodelling of the current kitchen, so as to enable sufficient school meals to be produced to meet the demands of the expanded school. Additional car parking will be provided along with a small Multi-Use Games Area, to offset the loss of informal play area, and associated external hard and soft landscaping will be undertaken as necessary.

- 3.16. The works to the school will be carried out by a contractor procured following a mini competition under the terms of the Crown Commercial Services Framework. This framework contains principal modular building contractors appointed to the framework to carry out design and construction related works. ECC sought bids under a two-stage mini competition for a contractor to design and carry out the works summarised in paragraph 3.15 for the expansion of the school. The first stage of the process invites bidders to respond to the technical requirements and submit a price and outline design. Following the first stage, these bids are evaluated on a 50% price and 50% quality split in order to determine the highest scoring bidder and that highest scoring bidder is then invited to submit a final tender in the second stage once the design has been developed.
- 3.17. ECC received 2 responses to the first stage of the mini competition. Elite Systems (GB) Ltd scored the highest with 65.0%. The second bid scored 40.2%. In accordance with the terms of the mini competition, for the second stage of the process only the highest bidder from the first stage was invited to provide a final tender. As Elite Systems scored the highest and met ECC's requirements in the first stage they were taken through to the second stage of the mini-competition and entered into a Pre-Construction Agreement (PCSA) with ECC to develop the design and achieve planning permission as per the mini-competition requirements. Elite Systems will submit their Final Tender to ECC which will be evaluated to determine if the bid represents value for money and meets ECC's design requirements. .
- 3.18. The Final Tender will be assessed and if satisfactory, will be will recommended for approval by the Head of Infrastructure Delivery in accordance with the delegation in the report subject to the project being within budget, quality criteria being satisfactorily met, and having achieved planning approval..
- 3.19. Delivery Timescales are as follows:

<b>Milestone Description</b>	<b>Target Date</b>
Planning Approval (anticipated)	31/07/2020
Final Business Case to Investment Board Endorsement	06/08/2020
Formal Contract Sign Off	14/08/2020
Start on site	31/08/2020
Build Completion For Handover	07/10/2020

Although ECC are working closely with Elite Systems to achieve completion at the earliest date it is considered unlikely that this will be achieved for the September start of term. The school has identified alternative accommodation within their existing school premises in which the additional children can be taught until project completion. The existing accommodation that has been identified for this purpose is significantly undersized for permanent use as a classroom.

ECC Policy

3.20. A Vision for Essex 2013-2017 reaffirms ECC's commitment to:

- (a) Increase educational achievement and enhance skills as a priority,
- (b) Develop and maintain the infrastructure that enables our residents to travel and our businesses to grow – through developing childcare provision that supports parents to work and train,
- (c) Support employment and entrepreneurship across our economy – through providing opportunities for private, voluntary, independent and maintained sector childcare provision to expand

3.21. This proposal also supports *Corporate Outcome One: Children in Essex get the best start in life* in the following indicators:

- (a) Percentage of children ready for school,
- (b) Percentage of children achieving a good level of development by the age of 5, as measured by Early Years Foundation Stage Profile (EYFSP) results,
- (c) Having sufficient childcare places underpins the early years' quality improvement and workforce development activities outlined in the *Commissioning Strategy 2014-18 for Children in Essex get the best start in life*

3.22. A Vision for Essex 2013-2017 reaffirms ECC's commitment to increase educational achievement and enhance skills as a priority. ECC proactively works with schools, academies and sponsors to increase provision through the development of good school organisation solutions in accordance with its place planning strategy, which improve the quality of the schools system, increase diversity and deliver good and outstanding outcomes for the children of Essex.

3.23. ECC has a statutory duty to secure sufficient school and Early Years childcare places within its area. This is encapsulated in the latest iteration of *The 10 Year Plan for Meeting the Demand for School Places in Essex 2020-2029* document and the ECC's Corporate Outcome 1: Children in Essex get the best start in life. The key role of the planning function is to maintain a balance between the supply and demand of good school places, with regard to future projections of pupil numbers, demographic trends and policy priorities.

#### **4. Options**

##### **4.1. Option 1 – Agree to approve the proposal and expand the School**

This proposal is part of the overall strategic response to meet the need for additional school places.

It is acknowledged that it has caused some localised anxiety, particularly in relation to a potential to increase the throughput of traffic in Stebbing. The school itself is situated towards the Dunmow end on the High Street that runs through the village centre; this road is long and straight, and has pavements on both sides until the school is reached, after which it has pavement on one side and a grass verge on the other.

ECC's proposal to expand the School is intended to ensure that local children have the opportunity to access a local school and, as the need for these places is driven by demand that already exists within the village, these children live well within walking distance of the School and a safe walking route must already exist for them to get there on foot, bicycle or scooter. However, ECC has dedicated officers who assist schools in drawing up travel plans, and this resource will be available to the School when seeking to mitigate the impact of additional children travelling to the site by car.

On balance it is considered desirable to expand the School for the educational benefits this will bring (for example, the removal of mixed age teaching as it will run one full class per Year Group), as well as financial benefits that will secure its viability and ensure that it may continue to serve the village going forward.

The outcome of the strategic analysis indicated that expanding the School is a viable option that represented good value for money to the Essex taxpayer.

Option 1 is therefore the preferred option.

#### **4.2. Option 2 – Do Nothing**

As the only primary school in Stebbing, other expansion options could only occur outside of the planning group, and would require local children to travel beyond the village to attend school (bringing potential implications for ECC's school transport budget).

- 4.2.1. It is not prudent for ECC to delay addressing the shortfall of primary school places within and in close proximity to Stebbing village in the expectation that a housing developer *could* supply a school site at some point in the future. Accordingly, taking no action at this time is not the recommended option.

### **5. Issues for consideration**

#### **5.1. Financial Implications**

##### Capital

- 5.1.1. Please see the confidential financial appendix for capital financial information.

##### Revenue

- 5.1.2. The revenue cost of the borrowing implications are included within the MTRS revenue budget and doesn't create a new revenue pressure.
- 5.1.3. 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. For new academies, in the first year of operation the LA confirms a funding allocation based on estimated numbers across the year groups that will open in the first year of operation. 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 an academic year to ensure the school has sufficient resources to provide the required number of classes. At the end of the approved growth period the school will be funded on actual pupil numbers. Indicative funding for 10 places from September 2020 is £30,615.40.
- 5.1.4. Furniture and equipment will be funded from within the existing furniture and equipment revenue budget funded via the DSG.
- 5.1.5. It is not considered that this scheme will increase Home to School transport costs as it fulfils the demand needs in its local area.

## **5.2. Legal Implications**

- 5.2.1. 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.
- 5.2.2. 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.
- 5.2.3. ECC must ensure the procurement of goods and services will be carried out in accordance with the Public Contracts Regulations 2015 ("PCR Regulations") and in accordance with the ECC's procurement rules. A call of from the terms of the Crown Commercial services Framework is a compliant procurement route, provided a mini competition is run in accordance with the terms.
- 5.2.4. The proposed building works can start on a date agreed with the school, and may be completed ahead of the date anticipated by the timeline set out at 3.1.9. However, the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 stipulates that the Governing Body may at any time after the determination but before implementation modify the proposals. Any modification must be published on the website where the original proposal was published. Therefore should the Governing Body wish to bring forward the date for the increase to the PAN from September 2020 they must ensure they publish the modification on their website.

## **5.3. Staffing and other resource implications**

5.3.1. Staffing for the expansion will be decided by the School and will be funded by the School's budget via the Education Funding Agency. There will be no staffing implications for ECC staff.

5.3.2. The local authority is required to make provision in its Growth Fund, which is part of DSG, to support increases in pupil numbers relating to basic need.

## **6. Equality and Diversity implication**

6.1. Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when ECC makes decisions it must have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
- (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.

6.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.

6.3. The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

## **7. List of Appendices**

7.1. Appendix 1 – Confidential Appendix

7.2. Appendix 2 – Equality Impact Analysis

(available at [www.essex.gov.uk](http://www.essex.gov.uk) if not circulated with this report)

## **8. List Background Papers**

8.1. Consultation document

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>
<b>Councillor Ray Gooding, Cabinet Member for Education and Skills</b>	23/07/20

**In consultation with:**



<b>Role</b>	<b>Date</b>
<b>Director for Education</b>  <b>Clare Kershaw</b>	21/07/2020
<b>Interim Director of Finance and Technology (S151 Officer)</b>  <b>Stephanie Mitchener</b>	17/07/2020
<b>Director, Legal and Assurance (Monitoring Officer)</b>  Susan Moussa on behalf of  <b>Paul Turner</b>	15/06/2020