

Subject:	Proposed Expansion of St Andrews CE Primary School to Three Forms of Entry from September 2015: outcomes of consultation		
Date of Meeting:	21st July 2014		
Report of:	Director of Children's Services		
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Ward(s) affected:	Brunswick and Adelaide, Central Hove, Goldsmid, Westbourne		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the consultation period did not end until 30 June 2014 and information from that consultation had to be collated before the report could be prepared.

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to report on the outcome of consultation on the proposal to expand St Andrew's CE Primary School, Hove by one form of entry to three forms of entry and to decide next steps in the light of this consultation.

2. RECOMMENDATIONS:

In the light of the responses to consultation and the information contained in this report, the Committee is recommended:

- 2.1 To authorise further work on the conditions contained in the Chair of Governors' letter of 2 July (Appendix 4) in order to secure a proposal which would attract fuller support
- 2.2 In particular, to authorise further consideration of the possibility of including part or all of the Haddington Street car park in the design solution, taking into account how appropriate parking provision to meet local needs would continue to be made
- 2.3 To request that a further report be brought to a special meeting of the Committee in September, in order that a decision can be made as to whether to publish a Statutory Notice

3. **CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Brighton & Hove City Council has a legal requirement to secure sufficient school places for all school age children in the city. It is a reasonable expectation that school places should be provided in such a way that parents and pupils can access a local school wherever possible, especially for reception class admissions.
- 3.2 Although there are sufficient primary school places across the city as a whole, the growth in the number of primary age children over the last ten years means that despite the Council's investment in new primary places the number of spare places for reception class intakes is now lower than the 5% - 10% range recommended by the Department for Education (DfE). The proposed addition of 30 new places at Saltdean Primary School and the planned increase in the Published Admission Number (PAN) of the Bilingual Primary School from 60 to 90 when it moves to its permanent site in Hove Park will assist in addressing the challenge of providing sufficient primary places. However, many of the spare places that are available are in schools towards the edge of the city and the areas of greatest increase in numbers are in the more central areas, in particular in South and Central Hove. This means that unless there are additional places provided in this part of the city, the Council will be obliged to offer places to children living in this area in the schools where there are spare places, in many cases more than two or even more than three miles from where they live.
- 3.3 For the September 2014 intake, in order to avoid a situation where almost thirty children from the South Hove area served primarily by Davigdor Infant School, St Andrew's CE Primary School and West Hove Infant School (Connaught) having to travel more than three miles to school, the Executive Director of Children's Services decided to direct Davigdor Infant School to admit an additional reception class of 30 children. This still left more than twenty children from this area being offered places at schools that were not among their three preferences, many of them at schools more than two miles away. This arose even though a further permanent reception class is being added to West Hove infant School (Connaught) this year.
- 3.4 On 'national offer day', 16 April, only one school in Hove and Portslade (Mile Oak Primary School) did not have all its places fully allocated. In addition, some children living in South Hove were allocated places at schools in Brighton. A significant factor in the consultation responses has been that there are schools in Hove and Portslade that do not expect their reception classes to be full in September and that this means there is not a case for additional places. In reality, this does not mean that there is not a case for additional places but that parents for whatever reason, normally because of distance and other impracticalities, do not accept the places in more distant schools and make other arrangements. The Council cannot plan its provision on the basis that some parents will reject the places they are offered for their four year old children.
- 3.5 Our forecasts for the South Central Hove planning area for 2015, based mainly on GP registration data for October 2013, suggest that there will be around 30 more children to place than this year, that the numbers for 2016 will be similar to 2015 and that for 2017 the number may be around the same as for 2014.

- 3.6 It is in this context that the proposal to expand St Andrew's CE Primary School was discussed with the governing body and the Diocese and issued for consultation. There were 51 responses supporting the proposal but 331 responses opposing it. The main features of these responses are identified in the summary at Appendix 3 and discussed more fully in section 5 of this report.
- 3.7 In light of these responses, the governing body met again on 1 July and 9 July to consider its response to the consultation. Letters from the Chair of Governors following these two meetings are attached as Appendices 4 and 5. In summary, the governing body has asked the Council to defer the process of statutory notice and decision making until there has been time for the Council to respond fully to the conditions set out in the letter from the 1 July meeting. The response from the Diocese is attached as Appendix 6. On 8 July officers met with a small group of parents to discuss in more detail the case for additional places and at the time of writing a further meeting is proposed with a larger group of parents.
- 3.8 As St Andrew's is a voluntary aided school the governing body is the admissions authority. The Council may make a decision to expand the school even if the governing body or the Diocese is opposed, but it would then be open to the governing body or the Diocese to refer the matter to the Office of the Schools Adjudicator, who would decide whether the case for additional places outweighed the objections of the governing body or the Diocese.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 There is no doubt that there will be substantially more children in the South Hove area needing reception class places in 2015 and in subsequent years than there are places available in the local schools. The alternatives to additional places at St Andrew's are a new school, expansion of a different school, further bulge classes or allocating places to a much greater number of children at more distant schools.
- 4.2 A new school would require a site and funding. Under current government policy, it would also require a free school or academy sponsor. Extensive site searches have failed to identify appropriate and available sites in the city for new schools. Any sites that were to become available would, like the Hove Police Station site which is being developed for West Hove Junior School, almost certainly incur site purchase costs. The estimated cost of building a new one form of entry school (without any site purchase costs) is between £4 million and £5 million, significantly more than the figure of £2.5m included in the capital programme for expanding St Andrew's. The Council has not been made aware of any free school or academy sponsors interested in establishing a school in Brighton & Hove and who are currently able to meet the DfE's criteria for starting a new school. Identifying a sponsor through open competition would add to the timescale for developing a new school whereas additional places are needed now.
- 4.3 Other local schools have already been expanded and are probably not capable of becoming larger on their existing sites. West Hove Infant and Junior Schools are now (or planned to be) eight forms of entry, each on two fully developed sites (and with no playing field on any of the four sites). Davigdor Infant and Somerhill Junior Schools are both four forms of entry, with bulge classes in two of the three

year groups at Davigdor soon to move through to Somerhill. There is little prospect of expanding these schools without encroaching on the playing field.

- 4.4 Outside the immediate South Hove area, Aldrington CE Primary School and Goldstone Primary School have already been expanded by a form of entry and are probably not capable of further expansion. In any case, expansion of these schools would almost certainly impact on other schools with spare places rather than address the situation in South Hove. The reorganisation of primary schools in South Portslade has provided two additional forms of entry overall and is considered to be sufficient to meet the demand from their immediate area and South West Hove. There are considered to be no options for expanding schools in the immediately adjacent parts of Brighton, all of which occupy small sites, most of them without playing fields.
- 4.5 Options for further bulge classes are very limited. The governing bodies of St Andrew's and Davigdor declined bulge classes this year with well argued reasons and the class at Davigdor was only secured by direction. The West Hove Infant and Junior School sites should be considered to be fully developed – as with all paired infant and junior schools, we have to be confident that both parts are capable of taking the bulge class in due course. Bulge classes in schools outside the immediate area would also be difficult to accommodate and would be likely to have the same impact as expansions of these schools i.e. one that does not primarily benefit the South Hove area.
- 4.6 Without any additional places, a significant number of children would need to be offered places at more distant schools outside their local community. Based on the experience this year had the extra class at Davigdor not been made available, and the forecast of around thirty more children in the area in 2015 and 2016 than in 2014, this could be expected to be over 60 children. Undoubtedly a significant number of these (more than 30) will be offered places at schools more than three miles away. Many of these children would be eligible for transport assistance and as bus routes to these schools may not be straight forward the Council would also need to consider funding supported bus services.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The consultation paper (Appendix 1) was issued on 9 May 2014 to parents, carers, staff, governors and other local people, including other nearby schools and pre-schools. It was also circulated to all Councillors and was included in the following week's Schools Bulletin to all schools. A public meeting was held on 21 May 2014 at St Andrew's. The notes of this meeting are included as Appendix 2.
- 5.2 The consultation period ended on 30 June 2014. Appendix 3 contains a brief summary of responses and all the responses are available for inspection by Members of the Committee.
- 5.3 In summary 51 responses were received in support of the proposal and 331 responses were against. The responses from the St Andrew's governing body and the Diocese can be found at Appendices 4 – 6. The governing bodies of three other schools also responded. Davigdor Infant School wrote in support of the proposal. West Hove Infant School and Benfield Primary School did not

express a specific view for or against the proposal, but expressed concerns that extra places at St Andrew's could increase the issues that Benfield and the Connaught site have with in year pupil moves. These responses can be found at Appendices 7 – 9.

- 5.4 Respondents in favour of the proposal welcomed the additional places in an accessible school in the heart of Hove which would nurture community spirit for local pupils and ease pressure on nearby oversubscribed schools. There would be more places for children with faith and for those without. Parents would have more choice when applying for a school and it was positive to increase the capacity of a school which was seen to have high standards. Some respondents commended the plans for capital development.
- 5.5 There were many reasons given by those who opposed the proposed expansion, but these can essentially be grouped into four categories: questioning the need for new places when there were perceived to be spare places available elsewhere; dissatisfaction with the currently proposed design for new buildings and the impact this would have on playgrounds and the playing field; traffic, safety and access issues; impact on the character and ethos of the school.
- 5.6 The need for new places. Numerous responses questioned the need for new places, especially as there was a perception that other schools had spare places. In the meeting with a small group of parents on 8 July it was suggested that GP registration data were an unreliable data source and that a more refined analysis could present a different outcome. In particular, the Council should review the extent to which the pressure on places in South Hove was created by people moving away from other schools, and it was suggested that the Council would do better to focus on improving schools that were less popular.
- 5.7 The case for new places is set out in paragraphs 3.2 – 3.6 above. The Council is open to refining its analysis and adopting new approaches. However, it should be noted that:
- GP registration data are commonly used by most local authorities in forecasting 4+ numbers
 - We are required to explain our forecasting methodology annually to the DfE, who routinely challenge local authorities on their methodology if they do not find it acceptable
 - In a recent paper the DfE published the number of times it had had to go back to local authorities to challenge their methodology – Brighton & Hove was one with few such challenges
 - Our forecasts include a 10% 'discount' on the raw GP data figures to allow for parents choosing to educate their children elsewhere and factors around the reliability of the GP data – this discount is based on previous experience and is kept under review
 - The B&H forecasts over recent years have had a high level of accuracy, in most years within 1% of actual numbers

While there will inevitably be plus or minus variation against the forecast, the differences between the forecast number and the places available are such that the need for new places remains clear.

- 5.8 There are two factors in the concern that other schools have spare places. The first is that although schools may receive a full allocation of children for their reception classes on national offer day, 16 April, they have spare places at the start of term in September and these places are not subsequently filled. This factor is commented on in paragraph 3.4 above. The reality is that for whatever reason some parents will not accept places in more distant schools. Allocations to more distant schools present these families with difficult choices, mainly based on the practicality of getting children to school, especially if there are younger children in the family too and a car or straightforward bus route is not available.
- 5.9 The second factor is that some schools experience more in year turnover of children than others. There will be various reasons for this, including for example the fact that the school is in an area of transient population, with people more likely to move to other parts of the city or return to their country of origin. Another reason is that parents may prefer an all through primary school to separate infant and junior schools, especially where the linked junior school is not immediately close to the infant school – as is the case for Connaught, for example. This second factor is a quite separate matter from the need to have sufficient places as local as possible to where children live at the outset.
- 5.10 Design proposals. 102 respondents expressed concerns about how the additional accommodation would be provided, in particular about the loss of the current outside play areas and impact on the playing field. Some feared that the building work would be very disruptive, or that there was insufficient space for another 210 pupils. Several respondents wanted more information and sight of the plans before they were submitted. 45 respondents wanted the Council to consider the feasibility of building on the site of the Haddington Street public car park adjacent to the school.
- 5.11 The current preferred accommodation option for the expansion of the school has been developed in consultation with the school. Six other options were considered, including two which included taking some or all of the Haddington Street car park. Options including the car park were not considered further because it was assumed that this could not be made available without compensating land from the school, which would have encroached upon the playing field. The current preferred option includes two new blocks at the front and back of the school linked by a corridor across the eastern end of the existing building. This does take up playground space and the design team has been working with the school on how areas of all weather surface could be included to compensate for this. The design does not however impact upon the playing field.
- 5.12 In light of the strength of feeling in the school community on this matter, the governing body has revised its opinion of the current preferred option and has asked the Council to revisit options that include the Haddington Street car park.
- 5.13 Traffic, safety and access issues. 45 respondents expressed concerns about traffic, and there were 30 additional concerns about safety and access issues in the narrow streets around St Andrew's, especially given the proximity to the West Hove Infant School (Connaught) site which is already being expanded to four forms of entry. These issues clearly reflect the urban nature of the school's location and the lack of alternative sites in this urban context and must be addressed in the planning for any expansion. Through the process of the project

design, highway planners and others will be involved with the design team and the school in identifying the travel and access issues that need to be addressed and working up solutions to these, including for example measures for traffic calming and pedestrian safety. These elements will be an essential part of the planning application and a likely condition of planning consent. The Council's Travel Plan officers would also work with the school in reviewing and developing its existing travel plan as a consequence of the increased number of children.

- 5.14 Impact on the character and ethos of the school. 52 respondents were concerned that an extra form of entry would change the ethos of the school, impacting on the achievement and happiness of the children and increasing pressure on staff, including those in the SEN department. Some were concerned that it would affect the school's Christian character. Many of these respondents valued the fact that St Andrew's was smaller than other schools nearby and were concerned about the impact of overcrowding upon health and safety.
- 5.15 St Andrew's is a popular school which regularly receives almost twice as many first preferences as there are places. It was rated 'outstanding' in its most recent Ofsted inspection in December 2009. The Christian character of the school is complemented by a commitment to inclusiveness which is reflected in its admissions policy, which reserves 50% of places for 'Foundation' applicants who fulfil the faith criterion and 50% to 'Community' applicants of other faiths or none. This commitment to inclusiveness and to the needs of the local community strongly informed the school's agreement in principle to consultation on a proposal to expand St Andrew's.
- 5.16 Being larger need not affect the character and ethos of the school where there is outstanding leadership and a commitment to core principles as is the case at St Andrew's.

6. CONCLUSION

- 6.1 We believe the case for additional places in this part of the city is compelling and that without any new places there could be significant challenges for families who have to take their young children relatively long distances to school with often awkward journeys. The proposal to provide additional places at St Andrew's will not fully resolve these issues, but it will make an important contribution to reducing the number of allocations to more distant schools, especially those that are the furthest distance away.
- 6.2 We also believe that alternative solutions as set out in paragraphs 4.1 – 4.6 above are either not available or could not be delivered on time or at less cost.
- 6.3 However, it is clear that there is at present insufficient support for the proposal from the existing school community and that in light of the strength of this feeling the governing body is unable to support the proposal until time has been taken to explore in more depth the conditions expressed in the Chair's letter of 2 July.
- 6.4 In particular, it is clear that the governing body is no longer able to support the current preferred option for the building design and that they require a solution which involves the Haddington Street car park. This brings additional risks to the

proposal and to consider this fully will require joint work between Children's Services, Property & Design, Transport, Planning and the school.

- 6.5 Timescales for the proposal are already very tight. However, in light of the consultation outcomes it is recommended that more time is needed to seek to secure support for the proposal.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications as a result of the recommendations in this report. Clearly if future options involve building on Haddington Road car park then the loss of income would need to be stated in any proposal. If a future report proposes expanding St Andrews or any other school then there will be revenue and capital implications that will be stated.

Finance Officer Consulted: Andy Moore

Date: 15/07/14

Legal Implications:

- 7.2 Under the new School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2013 there is no longer a statutory 'pre-publication' consultation period when it is proposed to permanently expand a school. However Guidance issued by the DfE in January 2014 states that "there is a strong expectation on Local Authorities to consult interested parties in developing their proposal prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations." The consultation period which has just been completed therefore accords with Government guidance.
- 7.3 Once the further work on the proposals has been completed a further report will need to be brought back to committee for a decision to be made as to whether to proceed with the publication of statutory notices. If notices are published there will be a further period of four weeks during which any person or organisation can submit comments on the proposal to the Local Authority before a final decision is made.

Lawyer Consulted:

Serena Kynaston

Date: 16/07/2014

Equalities Implications:

- 7.4 The governing body of St Andrew's CE Primary School as admissions authority must treat all applications openly and fairly in accordance with the statutory School Admissions Code.

Sustainability Implications:

- 7.5 There are no sustainability implications arising from this proposal. More children will be able to attend a local school, rather than travel longer distances to other

schools. The building extension will be completed to high sustainability standards and will not impact on the school playing field.

Any Other Significant Implications:

- 7.6 The implications of not providing additional capacity close to where children live have been set out extensively in this report. These implications apply most particularly to the families who may be affected.

SUPPORTING DOCUMENTATION

Appendices:

1. Consultation document
2. Notes of the Public Meeting held on 21 May 2014
3. Summary of consultation responses
4. Letter from Christine Bartley, Chair of Governors, received 2 July 2014
5. Letter from Christine Bartley, Chair of Governors, received 10 July 2014
6. Letter from Sally Collins, School Buildings Officer, Diocese of Chichester, received 30th June 2014
7. Response from Davigdor Infant School
8. Response from Benfield Primary School
9. Response from West Hove Infant School

Documents in Members' Rooms

1. Councillors may view the full set of responses by contacting Roz Scott in room 312, King's House, extension: 0736.

Background Documents

None

