



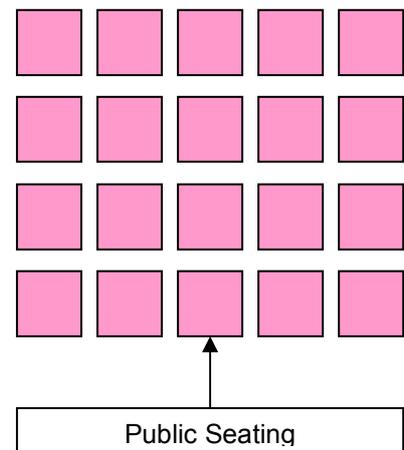
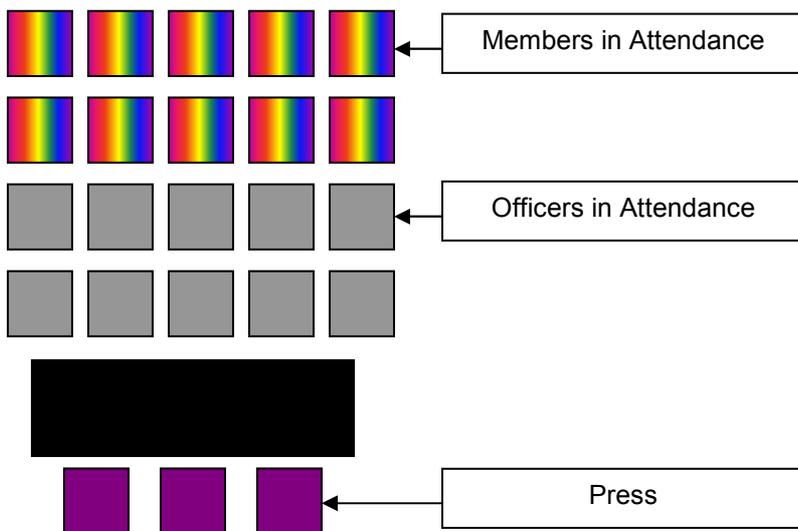
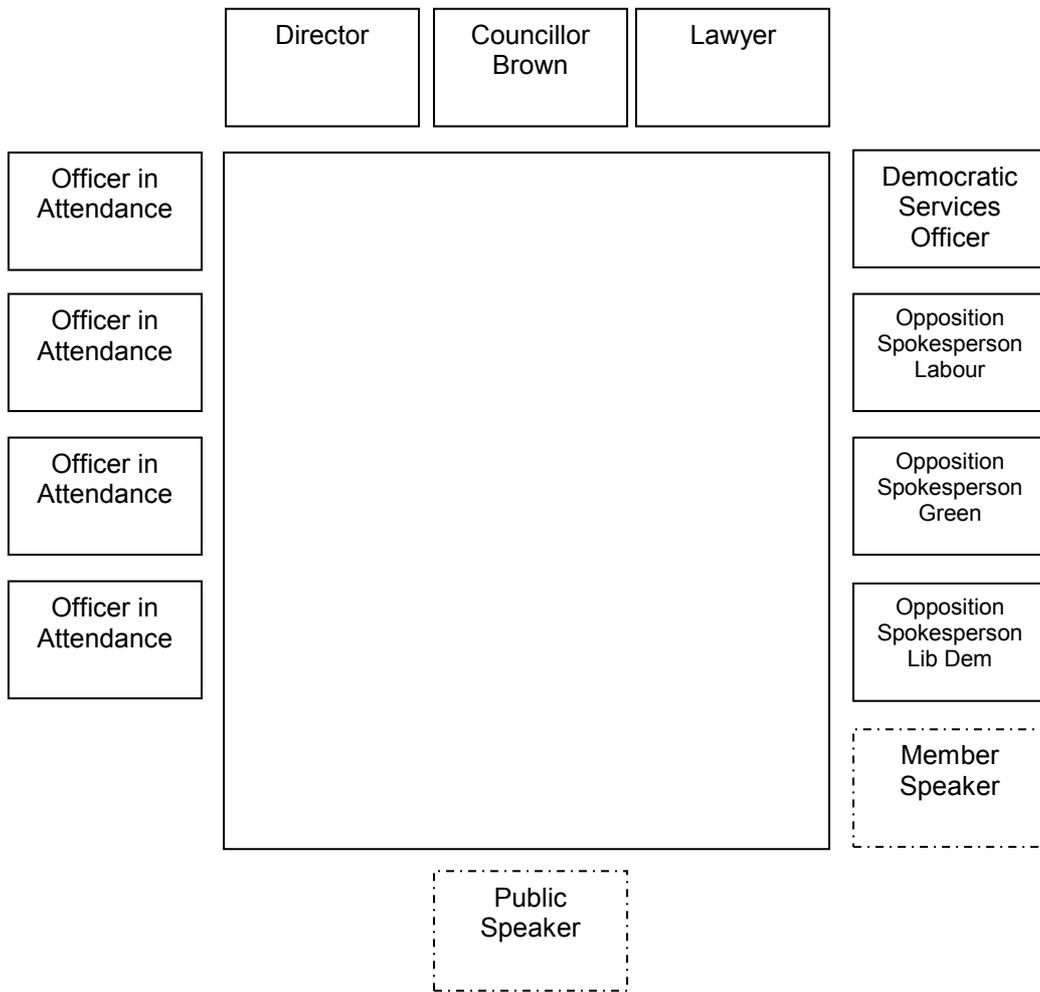
Brighton & Hove  
City Council

# Cabinet Member Meeting

Title:	<b>Children &amp; Young People Cabinet Member Meeting</b>
Date:	<b>12 July 2010</b>
Time:	<b>4.30pm</b>
Venue	<b>Committee Room 3, Hove Town Hall</b>
Members:	<b>Councillor:</b> Brown (Cabinet Member)
Contact:	<b>John Peel</b> Democratic Services Officer 01273 291058 john.peel@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



**AGENDA**

**Part One** **Page**

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**1. PROCEDURAL BUSINESS**

**2. MINUTES OF THE PREVIOUS MEETING**

**1 - 6**

Minutes from the previous meetings on 22<sup>nd</sup> March and 26<sup>th</sup> April 2010.

**3. CABINET MEMBER'S COMMUNICATIONS**

**4. ITEMS RESERVED FOR DISCUSSION**

(a) Items reserved by the Cabinet Member

(b) Items reserved by the Opposition Spokesperson

(c) Items reserved by Members, with the agreement of the Cabinet Member.

*NOTE: Petitions, Public Questions, Deputations, Letters from Councillors, Written Questions from Councillor, and Notices of Motion will be reserved automatically.*

**5. PETITIONS**

**7 - 8**

One petition received (copy attached)

**6. PUBLIC QUESTIONS**

**9 - 10**

(The closing date for receipt of public questions is 12 noon on 2 July 2010)

1) One question received from Valerie Paynter (copy attached)

**7. DEPUTATIONS**

(The closing date for receipt of deputations is 12 noon on 2 July 2010)

No deputations have been received as of the date of publication.

**8. LETTERS FROM COUNCILLORS**

No letters have been received as of the date of publication.

**9. WRITTEN QUESTIONS FROM COUNCILLORS**

No written questions have been received as of the date of publication.

**10. NOTICES OF MOTIONS**

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

No Notices of Motion have been received as of the date of publication.

### **11. DECISION OF STATUTORY PROPOSALS FOR THE EXPANSIONS OF PRIMARY SCHOOLS 11 - 18**

Report of the Director of Children's Services (copy attached)

*Contact Officer:* Gillian Churchill *Tel:* 29-3515

*Ward Affected:* All Wards;

### **12. PROPOSED CREATION OF A NEW ALL THROUGH PRIMARY SCHOOL TO REPLACE BALFOUR INFANT AND JUNIOR SCHOOLS 19 - 30**

Report of the Director of Children's Services (copy attached).

*Contact Officer:* Gillian Churchill *Tel:* 29-3515

*Ward Affected:* All Wards;

### **13. PROPOSED NEW SCHOOL FOR HOVE INTERIM MEASURE 31 - 36**

Report of the Director of Children's Services (copy attached)

*Contact Officer:* Gil Sweetenham *Tel:* 29-3474

*Ward Affected:* All Wards;

### **14. PROPOSED EXTENDING OF THE AGE RANGE OF BENFIELD JUNIOR SCHOOL 37 - 42**

Report of the Director of Children's Services (copy attached)

*Contact Officer:* Gillian Churchill *Tel:* 29-3515

*Ward Affected:* All Wards;

#### **PART TWO ITEMS**

### **15. PART TWO MINUTES- EXEMPT CATEGORY 1 & 3 43 - 44**

Minutes of the previous meeting on 22 March 2010.

### **16. PROPOSED NEW SCHOOL FOR HOVE INTERIM MEASURE 45 - 56**

Report of the Director of Children's Services (copy attached)

*Contact Officer:* Gil Sweetenham *Tel:* 29-3474

*Ward Affected:* All Wards;

### **17. PART TWO ITEMS**

To consider whether or not any of the above items and the decisions thereon should remain exempt from disclosure to the press and public.

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact John Peel, (01273 291058, email [john.peel@brighton-hove.gov.uk](mailto:john.peel@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Friday, 2 July 2010



**BRIGHTON & HOVE CITY COUNCIL**  
**CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING**

**4.00pm 26 APRIL 2010**

**COMMITTEE ROOM 3, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Brown (Cabinet Member)

**Also in attendance:** Councillor Hawkes (Opposition Spokesperson), Councillor Fryer (Opposition Spokesperson)

**Other Members present:** Councillor Oxley

**PART ONE**

**51. PROCEDURAL BUSINESS**

**51a Declarations of Interest**

51.1 There were none.

**51b Exclusion of Press and Public**

51.2 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Children & Young People considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

51.3 **RESOLVED** – That the press and the public be not excluded from the meeting.

**52. MINUTES OF THE PREVIOUS MEETING**

52.1 Councillor Fryer raised a query about the minutes from the Special Cabinet Member meeting held on 22 March 2010. Councillor Fryer was informed that the minutes of that meeting would be approved at the next Cabinet Member Meeting on 12 July 2010.

52.2 **RESOLVED** – That the minutes of the meeting held on 4 January 2010 be approved and signed by the Cabinet Member as a correct record.

**53. CABINET MEMBER'S COMMUNICATIONS**

- 53.1 The Cabinet Member informed the meeting of an incident of vandalism at West Hove School that had caused extensive damage to the schools sheds and partially damaged the swimming pool cover. The Cabinet Member conveyed her disappointment and sadness on the issue and for those involved with the school.
- 53.2 Councillor Hawkes echoed the sentiments of the Cabinet Member had expressed her hope that a speedy resolution could be found to the damage caused.

**54. ITEMS RESERVED FOR DISCUSSION**

- 54.1 **RESOLVED-** All items were reserved for discussion by the Cabinet Member.

**55. PETITIONS**

- 55.1 No petitions had been received.

**56. PUBLIC QUESTIONS**

- 56.1 No public questions had been received.

**57. DEPUTATIONS**

- 57.1 No notices of deputations had been received.

**58. LETTERS FROM COUNCILLORS**

- 58.1 No letters from Councillors had been received.

**59. WRITTEN QUESTIONS FROM COUNCILLORS**

- 59.1 No written questions from Councillors had been received.

**60. NOTICES OF MOTIONS**

- 60.1 No Notices of Motion had been received.

**61. TENDER FOR PRIMARY & SPECIAL SCHOOLS MEALS CONTRACT**

- 61.1 The Cabinet Member considered a report of the Director of Children's Services on the commencement of the re-tendering process for the four-year Primary and Secondary School Meals contract due to start on 1 August 2011.
- 61.2 Councillor Fryer asked if there was still a national and local decline in the number of meals taken up as detailed in item 5.1 of the report.
- 61.3 The Head of Admissions and Transport responded that in Brighton & Hove there had been an encouraging increase in the number of meals taken up in the last few months, although a much greater improvement was sought.
- 61.4 Councillor Fryer enquired if the new contract would still abide by the recommendations set out by the Soil Association.
- 61.5 The Head of Admissions and Transport responded that the new contract would be expected to follow such initiatives as the use of free-range eggs.
- 61.6 Councillor Hawkes commended the report and stressed the importance of the service provided adding that the improvements detailed were encouraging.
- 61.7 The Director of Children's Service indicated that the improvement was welcome and had been galvanised by a lower performance than national performance indicators.
- 61.8 Councillor Fryer noted the opt-in system used in some countries and enquired if an adoption of this system would lower the unit cost.
- 61.9 The Head of Admissions and Transport replied that the cost of meals still represented good value and options of incentive options were being examined to encourage children starting school to take a school meal. Efforts were being made to provide parents with more information about school menus, to arrange tasting sessions for parents and children and to support a range of improvements to the lunchtime service.
- 61.10 **RESOLVED-** That, having considered the information in the report, the Cabinet Member approve the following recommendations:
1. That the Cabinet Member approves the commencement of the re- tendering process for the Primary & Special School Meals Contract. The new contract is set to commence on 1<sup>st</sup> August 2011 for a period of 4 years with the option to extend for up to a further 24 months (2 years).
  2. That the Cabinet Member delegates authority to confirm the award of the contract to the Director of Children's Services, within whose Department the contract is managed.
  3. That the Cabinet Member notes that in parallel to the tendering process a separate costing exercise will take place. This will determine whether insourcing of school meal arrangements would offer financial or other potential benefits to the Council and schools.

## 62. CAPITAL PROGRAMME 2010/11

62.1 The Cabinet Member considered a report of the Director of Children's Services concerning the recommendations for the allocation of funding under the Capital Programme 2010/11.

62.2 **RESOLVED-** That, having considered the information in the report, the Cabinet Member approve the following recommendations:

1. That the Children and Young People Cabinet Member recommends to Cabinet approves the allocation of funding on the basis set out in paragraphs 3.3 to 3.54 in the agenda.
2. ~~Subject to Cabinet approval, to~~ That the Children and Young People Cabinet Member approve the allocation of funding as shown in Appendices 2, 3 and 4 of the agenda.

### 63. PROPOSED EXPANSIONS OF PRIMARY SCHOOLS - CONSULTATION OUTCOME

63.1 The Cabinet Member considered a report of the Director of Children's Services proposing the permanent expansion of Goldstone Primary School and Westdene Primary School by one form and the expansion of Queens Park Primary School by half a form of entry and the issuing of Statutory Notice required if approved. The work would take effect as of September 2011.

63.2 Councillor Hawkes noted the concerns over traffic congestion raised at the public meetings at Goldstone and Westdene Primary School and responded that her belief was that the need for additional spaces at schools particularly in that area outweighed such reservations. Councillor Hawkes supplemented that other schools had successfully implemented restrictions that had alleviated such problems.

63.3 **RESOLVED-** That, having considered the information in the report, the Cabinet Member approve the following recommendations:

1. That the proposal to permanently expand Goldstone Primary School by one form of entry from September 2011 be noted and endorsed.
2. That the proposal to permanently expand Westdene Primary School by one form of entry from September 2011 be noted and endorsed.
3. That the proposal to permanently expand Queens Park Primary School by half a form of entry from September 2011 be noted and endorsed.
4. That the publication of the required Statutory Notice to progress these proposals be agreed.
5. That the results from the statutory consultation processes are referred to Cabinet Member Meeting on Monday 12 July 2010 for decision.

### 64. PROPOSED NEW SCHOOL FOR HOVE

- 64.1 The Cabinet Member considered a report of the Director of Children's Services concerning the further exploration of options for a new school in Hove.
- 64.2 Councillor Hawkes relayed her concerns that the deadline set was too long and that the need for a new school necessitated that it be brought forward either to a scheduled or special meeting. Councillor Hawkes added her belief that at this point details should be refined and the major decision-making underway, supplementing that the new school may alleviate but not resolve the problem of school spaces and no sites should be dismissed in the likelihood another school will be needed.
- 64.3 The School Futures Projects Director responded that no sites have yet been dismissed from consideration and admitted that there may have been a cautious approach but this had been solely based on the necessity to get every detail right.
- 64.4 The Director of Children's Services reminded those present that the nature of the new school would be dependent on the Council's application to the Building Schools for the Future (BSF). Following the general election the position in relation to the BSF will be clearer and proposals will adapt to changes in context.
- 64.5 Councillor Fryer asked if Leicester Villas had been dismissed from considerations and what nature the report in January would have.
- 64.6 The Schools Futures Project Director responded that Leicester Villas would still be part of the parallel discussion for another school in line with the growth of the city and that the proposal brought forward in January 2011 would be for a final agreement on the development.
- 64.7 Councillor Fryer enquired when there would be a decision made between the two proposed sites.
- 64.8 The Schools Futures Project Director answered that this would be brought to the Cabinet Member Meeting as soon as possible.
- 64.9 **RESOLVED-** That, having considered the information in the report, the Cabinet Member approve the following recommendations:
1. To further explore the options for providing a new two form entry primary school either on the Hove Park Depot site or the Hove Park 'upper' School site. If the Hove Park 'upper' School site is chosen consider providing this as part of a 0 – 16 school as part of any BSF proposals.
  2. That the results of this further investigation are reported to the Cabinet Member Meeting on Monday 17<sup>th</sup> January 2011 for consideration.
  3. Explore the ways in which a 2 FE primary unit (to include infant and Key Stage 1) could be established on the site of an existing school in Hove in temporary accommodation by September 2011. Explore management of this proposed unit with primary head teachers in Hove.
  4. Consider how the children at the unit would transfer to any new school opened as a result of recommendation 1) above.

5. That the results of further consideration of (3) and (4) above are reported to the Cabinet member Meeting on Monday 12 July 2010 to determine the site and management of the proposed 2 form entry primary unit (to include Foundation Stage and Key Stage 1).

The meeting concluded at 4.37pm

Signed

Chair

Dated this

day of

# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 5

Brighton & Hove City Council

<b>Subject:</b>	<b>Petitions</b>		
<b>Date of Meeting:</b>	<b>12 July 2010</b>		
<b>Report of:</b>	<b>Director of Strategy &amp; Governance</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>John Peel</b>	<b>Tel:</b> <b>29-1058</b>
	<b>E-mail:</b>	john.peel@brighton-hove.gov.uk	
<b>Key Decision:</b>	<b>No</b>	<b>Forward Plan No. N/A</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive the following petition in (i) below presented to the Leader of the Council on 17 June 2010 and any petitions presented directly to the Children & Young People's Cabinet Member Meeting.
- (i) Petition presented by the saveHOVE network submitted both as an e-petition and written petition. The e-petition has 195 signatories and the written petition has 519 signatories.

"We the undersigned petition the council to lease or buy Connaught School, Hove from City College Brighton, and to immediately return it to Infant School use. Further, in view of its size & capacity, we urge BHCC to consider taking it into Infant Primary use as well in order to provide the continuity so highly valued by parents at Davigdor/Somerhill and at the C of E St. Andrews School. This 125 year-old purpose-built school was taken out of infant school use in the 1970's when pupil numbers fell. City College are now taking it out of its current adult education use; and the future of this Grade 2 Listed school building is now at issue. Any newbuild school will take years to achieve elsewhere, and the current strategy of add-ons is robbing other schools of playspace which is to be resisted.

Connaught School is in a safe side street, away from main roads, and very close to Hove Library. This very large school building is needed NOW to provide infant school places for children currently forced to travel long distances to schools out of the area they live in. Further, the current baby-boom in this part of Hove means a huge bulge in need which BHCC will struggle to meet in the very, VERY near future.

The details and reasoning are given within the petition itself. saveHOVE has raised this petition in the light of information, advice and input from parents of young children who are part of the saveHOVE network. This school was recently given Grade 2 Listed status in recognition of its value as a fine example of a Victorian School building. Keeping it in use as a school is both a practical and conservation matter".



# **CHILDREN AND YOUNG PEOPLE'S CABINET MEMBER MEETING**

## **Agenda Item 6**

Brighton & Hove City Council

### **WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by a member of the public who either lives or works in the area of the authority.

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

The following written questions have been received from members of the public.

**(i) Valerie Paynter**

“What changes to the strategies and policies of the previous Labour Administration concerning school provision generally - infant & junior school provision in particular - has this Conservative Administration made over the last 3 years”



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 11

Brighton & Hove City Council

<b>Subject:</b>	<b>Proposed Expansions of Primary Schools Final Decision</b>		
<b>Date of Meeting:</b>	<b>12<sup>th</sup> July 2010</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gillian Churchill</b>	<b>Tel:</b> 29-3515
	<b>E-mail:</b>	<a href="mailto:gillian.churchill@brighton-hove.gov.uk">gillian.churchill@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No. CYP 16439</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform members of the outcome of the statutory consultation on the proposed permanent expansions of Goldstone Primary and Westdene Primary Schools by one form of entry and Queens Park Primary School by half a form of entry from September 2011.
- 1.2 To provide the Cabinet Member with sufficient information to be able to determine the proposal.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member confirms the statutory notice and resolves to permanently expand Goldstone Primary School by one form of entry from September 2011 subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990. This condition must be met by September 1<sup>st</sup> 2010.
- 2.2 That the Cabinet Member confirms the statutory notice and resolves to permanently expand Westdene Primary School by one form of entry from September 2011 subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990. This condition must be met by September 1<sup>st</sup> 2010.
- 2.3 That the Cabinet Member confirms the statutory notice and resolves to permanently expand Queens Park Primary School by half a form of entry from September 2011 subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990. This condition must be met by December 1<sup>st</sup> 2010.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Brighton & Hove City Council has a legal requirement to provide sufficient school places for all school age children in the city. School places should be provided in such a way that parents and pupils can access a local school wherever possible.
- 3.2 Over recent years there has been a considerable increase in the number of children growing up in the city. Pupil numbers across the city are rising generally and the rise in south central Hove is greater than the city generally and already causing a pressure on school places that cannot be met locally.
- 3.3 The proposal is to now permanently expand Goldstone Primary School and Westdene Primary School by one form of entry each and Queens Park Primary by half a form of entry by September 2011.
- 3.4 To support the proposed expansions of the schools there will be extensions of each of the school premises that will be funded by a combination of the Basic Need Safety Valve Funding, Primary Capital Programme funding, the schools Devolved Formula Capital and other council capital funding. The extensions will provide additional classrooms to accommodate the extra pupils. There will also be some internal remodelling and refurbishment to each school to provide accommodation that will better fit the needs of current teaching and learning and the delivery of a broad and balanced curriculum.
- 3.8 At the Cabinet Member meeting held on 26<sup>th</sup> April 2010 it was agreed to publish statutory notices required to progress these proposals.
- 3.10 The notice was published in accordance with the requirements of the Education and Inspections Act 2006 on 10<sup>th</sup> May 2010. Copies of the full proposal were made available to any person or body that requested one.

#### **4. CONSULTATION**

- 4.1 Consultation on the expansion of the community school must follow the processes set out in section 19 (1) of the Education and Inspections Act 2006 (EIA 2006) and the statutory guidance issued by the DCSF. Section 16(2) of the Act provides that before publishing any proposals for expanding a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between January 2010 and April 2010 for each of the proposals.
- 4.2 The Children and Young People Cabinet Member authorised the Director of Children's Services to proceed to publish the required statutory notices for the expansion Goldstone and Westdene Primary schools by one form of entry from September 2011 respectively at the Cabinet Member Meeting held on April 26<sup>th</sup> 2010. The subsequent 4 week representation period was the final opportunity for people and organisations to express their views about the proposals.
- 4.3 Statutory notices were published in the local newspaper on 10<sup>th</sup> May 2010. In addition notices were displayed at the entrances to the schools and at other

places used by the communities. The Statutory notices stated where copies of the full proposals could be obtained from.

4.4 The Statutory notice forms part of the full proposal. Copies of each of the full proposal were sent to the Anglican and Catholic diocese, the governing body of the relevant school, the Children and Young People Cabinet Member, ward councillors, the local MP and the DCSF. Copies of the complete proposals have to be made available to anyone who requests a copy during the publication periods.

#### 4.5 **Goldstone Primary School**

4.6 There was 1 request received for a copy of the full proposal during the publication period. A copy of the full proposal information is in the Members room.

4.7 There were no representations or objections received during the publication period.

#### 4.8 **Queens Park Primary School**

4.9 There were 2 requests received for a copy of the full proposal during the publication period. One from an individual living adjacent to the school and one from the Diocese of Arundel and Chichester.

4.10 A copy of the full proposal information is in the Members room.

4.11 There were 27 representations / objections received during the publication period. Of these 9 supported the proposal and 18 were against the proposal (2 people submitted 2 objection letters each meaning that there were objections from 16 different individuals).

4.12 The main reasons given for opposing the proposals were that the resulting extension would impact on the amenity of the residents living immediately adjacent to the proposed extension. This matter is more properly addressed as part of the development control process. It is worth noting that there have been a number of meetings held with local residents on the subject of the design and we have taken a number of their concerns on board in the design development process.

4.13 Copies of the representations received are in the Members rooms.

#### 4.14 **Westdene Primary School**

4.15 There were no requests received for a copy of the full proposal during the publication period. A copy of the full proposal information is in the Members room.

4.16 There were no representations or objections received during the publication period.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

The capital costs of the proposals would need to be funded from existing resources such as the Basic Need Safety Valve Funding, Primary Capital Programme, NDS modernisation and a contribution from the schools Devolved Formula Capital. Provision has been made for £7.67m in 2010/11 for the 3 schools and is included in the Capital Programme 2010/11 to CYP Cabinet Member Report dated 26<sup>th</sup> April 2010 (subject to approval). However, the total estimated capital costs are yet to be quantified and the overall funding will be identified in due course.

- 5.1.2 In respect of revenue costs, schools will be funded for additional pupil numbers and any potential increases in floor area through their budget share. The overall Dedicated Schools Grant (DSG) and Individual Schools Budget (ISB) will increase as a result of additional pupils coming into the Authority. If no additional pupils come into the Authority as a consequence of the expansion of the schools, the extra funding due to individual schools will be provided via the existing DSG and ISB

Finance Officer Consulted: Michelle Herrington

Date 14/06/2010

### 5.2 Legal Implications:

- 5.2.1 Statutory Notices were published on 10<sup>th</sup> May 2010 in accordance with Section 19(1) of the Education and Inspections Act 2006 and the accompanying School Organisation Regulations (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). The statutory four week period for representations to be made followed. The closing date for receipt of representations or objections was 7<sup>th</sup> June 2010.
- 5.2.2 Decisions on expansions of community schools are taken by the LA with some rights of appeal to the schools adjudicator. In this instance the Children and Young People Cabinet Member will act as the Decision Maker for the Local Authority.
- 5.2.3 The DCSF does not prescribe the process by which an LA carries out their decision-making function but the LA is required to have due regard to statutory guidance published by the DCSF. A full copy of the DCSF guidance 'Expanding a Maintained Mainstream School by Enlargement or adding a Sixth Form' is in the Members Room. Paragraphs 4.16 to 4.73 of the Guidance set out the factors which must be considered by Decision Makers when determining a statutory proposal.
- 5.2.4 In addition the DCSF provides that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;
- a. Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided;

- b. Does the published notice comply with statutory requirements?  
The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals
- c. Has the statutory consultation been carried out prior to the publication of the notice?  
Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole
- d. Are the proposals linked or related to other published proposals?  
This is not the case for the proposals relating to this expansion.

- 5.2.5 In considering proposals for the expansion of a school, the Decision Maker can decide to
- reject the proposals
  - approve the proposals
  - approve the proposals with a modification
  - approve the proposals subject to them meeting a specific condition

The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations. In this instance planning consent has yet to be secured for the three proposed extensions. Consequently the decision being sought is that the proposals are approved subject to the grant of planning permission under Part 3 of the Town and Country Planning Act 1990. This condition must be met by September 1<sup>st</sup> 2010 in respect of the Goldstone and Westdene proposals and December 1<sup>st</sup> 2010 in respect of the Queens Park proposal.

- 5.2.7 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision. Section 7 of this report gives the reasons for the decision based on the legislative framework within which the decision must be decided.

Layer Consulted: Serena Kynaston

Date: 14/06/2010

Equalities Implications:

- 5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice as described in the Admission Code of Practice

Sustainability Implications:

- 5.4 Planning and provision of school places are intended, so far as it is possible, to provide pupils, parents and carers with local places where they have asked for them. This is subject to limitations in school capacity, the funding available and the priority order for capital development determined by the Council

Crime & Disorder Implications:

- 5.5 There are no implications for the prevention of crime and disorder arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal

Corporate / Citywide Implications:

- 5.7 All planning and provision to for school places in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective coordination of planning arrangements should lead to sufficient school places in all areas of the city and the removal of excess provision.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The alternative option would be to leave Goldstone Primary and Westdene Primary Schools as 2 form entry schools and Queens Park primary as a one and a half form entry School.
- 6.2 This is not considered as acceptable since it will not address the statutory requirement to provide local school places where they are needed within the city.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Over the last few years there has been year on year growth in the number of pre-school age children registered with General Practice (GP) Surgeries in the city. This increase exists city wide but is most acute in Hove. It is anticipated that this situation is going to continue. Information on GP registration data shows that the number of children registered in the city is continuing to rise although the rate of the rise is slowing down.
- 7.2 The Council has a statutory duty to provide a maintained school place for any child that wants one. We are committed to working with schools to make them centres for community learning, and supporting them in meeting the wider needs of the community by engaging social services, health, the police, and the

voluntary sector. For this to be successful it is important that children can access a primary school that is local to their home.

- 7.3 Expanding these schools will ensure that more families can access their local school. This means that children will be able to attend school with friends that they have made prior to starting school, parents will not have to travel long distances to deliver their children to school and extended services offered by the schools can be tailored to meet the needs of the whole community.
- 7.4 The schools are covered by the Councils admissions arrangements which strives to provide truly local schools which serves its most immediate community and assists in the aspirations of the Local Authority in terms of green travel arrangements.
- 7.6 The capital costs of the proposals will be funded from existing resources such as the Basic Need Safety Valve Funding, Primary Capital Programme, NDS modernisation and a contribution from the schools Devolved Formula Capital. Schemes have been designed for each school that will enable the school to accommodate the additional pupils and also provide enhancements to disability access, pupil safety and school catering arrangements. In the case of Queens Park Primary School the proposal also includes additional space for extended services.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

### **Documents In Members' Rooms**

1. Copy of the full proposal information
2. DCSF Guidance document 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form'
3. Copies of the representations / objections received in response to the publication of the statutory notices

### **Background Documents**

1. None



<b>Subject:</b>	<b>Proposed Creation of a new all through Primary School to replace Balfour Infant and Junior Schools</b>		
<b>Date of Meeting:</b>	<b>12<sup>th</sup> July 2010</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gillian Churchill</b>	<b>Tel: 29-3515</b>
	<b>E-mail:</b>	<a href="mailto:gillian.churchill@brighton-hove.gov.uk">gillian.churchill@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: 16441</b>	
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 As part of the Council's future development of Schools within the city it is proposed to amalgamate Balfour Infant and Junior schools.
- 1.2 The purpose of this report is to set out the background and rationale for this proposed amalgamation and to seek Cabinet Member endorsement to proceeding to the next stage of the statutory process, which is the publication of the required Statutory Notices.

**2. RECOMMENDATIONS:**

- 2.1 To note and endorse the proposal to amalgamate Balfour Infant and Junior Schools.
- 2.2 To agree to the publication of the required Statutory Notices to progress this proposal.
- 2.3 That the results from the statutory consultation process are referred to Cabinet Member Meeting on 11<sup>th</sup> October 2010 for decision.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The consideration of amalgamating Balfour Infant and Junior schools has arisen as a result of the Councils Protocol for the Creation of an All-through Primary School. This states that we will consider merging linked infant and junior schools when the head teacher of one of the schools leaves. In this instance the head teachers of both schools are retiring at the end of the current school year (July 2010).

- 3.2 The amalgamation would require the closure of Balfour Junior School and the extension of the age range of the infant school to cater for pupils from age 4 to age 11.
- 3.3 It is proposed that the new school be four forms of entry (i.e. an intake of 120 pupils at 4+). Flexibility would remain for Key Stage 2 to take additional children to a maximum of 32 children per class.
- 3.4 The proposal to amalgamate the schools has been discussed with the governing bodies of both schools prior to this report being prepared. Both Governing Bodies welcome the opportunities that this proposal offers them and both are fully supportive of the proposal.
- 3.5 The views of the governing bodies will be finalised in light of the consultation.
- 3.6 In proposing the amalgamation of Balfour Infant and Junior Schools the following programme is to be followed.

Publication of Consultation Document	26 <sup>th</sup> April 2010
Public Consultation Meeting	May 11 <sup>th</sup> 2010
Last date for responses	14 <sup>th</sup> June 2010
Report back to Children and Young Peoples Trust Board	12 <sup>th</sup> July 2010
Issue Public Notice	16 <sup>th</sup> July 2010
End of public notice period	27 <sup>th</sup> August 2010
Decision by the Children and Young People Cabinet Member	11 <sup>th</sup> October 2010
Provisional Opening	1 <sup>st</sup> September 2011

- 3.8 The timetable will allow full analysis of responses to the notice to be prepared and presented to the Cabinet Member Meeting to be held on 11<sup>th</sup> October 2010. The report to that meeting will seek the final decision on the proposals.
- 3.9 A copy of the draft statutory notice is attached to this report at Appendix 1.

#### **4. CONSULTATION**

- 4.1 Following the delegated decision taken by the Director of Children's Services and the CYPT Cabinet Member on 19<sup>th</sup> April 2010 to commence public consultation a document outlining the amalgamation process was issued to governors, staff, pupils and parents and carers of both schools and copies were made available to any other interested parties. This consultation document is attached as Appendix 2 to this report.
- 4.2 As part of the public consultation process a public meeting was held on 11<sup>th</sup> May 2010. This meeting gave parents and carers, governors and others the opportunity to put forward their views.
- 4.3 This initial stage of the consultation came to a close on 14<sup>th</sup> June 2010. The responses to this consultation exercise have been collated and analysed and are shown at Appendix 3 to this report.
- 4.4 In summary 133 responses were received of which 89 were in favour of the proposal and 43 were against the proposal and 1 respondent was unsure. Copies of the consultation responses have been placed in the members' room for information.
- 4.5 The responses from those who supported the proposals said they welcomed the continuity that the proposal would give to their children and the opportunities that it would provide for staff development.
- 4.6 The main reasons for opposing the proposal were that the combined school would be too large resulting in a loss of the personal touches that the current arrangement allows.
- 4.7 There was also concern that at the time of the proposal it is not possible to say exactly how the school would be managed. This is the case because this will be a matter for the new head teacher and Governing Body rather than the Local Authority and we cannot second guess their thoughts on the matter of organisation of the school.
- 4.8 In the consultation document the Council states the educational advantages they believe will be achieved by the creation of an all through primary school. These are repeated in section 7.2 of this document.
- 4.9 Although the size of the proposed new school would make it the largest in the City this has to be considered against the fact that the two existing schools are immediately adjacent to each other. Equally there are a many schools nationally that are of similar size and larger that have outstanding results. There is no evidence to suggest that combining schools with outstanding Ofsted assessments should produce anything other than a successful school.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

- 5.1 Any revenue costs of the proposal would have to be met from the existing Individual School Budget (ISB) as there are no additional resources available to fund any associated costs that may arise as a result of the merger. Any capital costs arising from the proposal would have to be met

from within the Education Capital Programme which includes streams such as the Primary capital Programme and NDS modernisation.

Finance Officer Consulted: Michelle Herrington

Date: 14/06/2010

Legal Implications:

- 5.2 In order to achieve the proposed amalgamation statutory notices will need to be published in accordance with the Education and Inspections Act 2006 and associated regulations. There will then follow a statutory representation period of 6 weeks within which any person may make comment or object to the proposals.

At the end of this representation period a decision on the proposals will need to be taken within 3 months.

The absolute national deadline for expressing preferences for an infant/primary school place is 15 January 2011. To avoid a breach of the admissions code it is important that the final decision can be published in compliance with the admissions code. The recommendation does not allow for a decision to be made in time to go into the admissions booklet for September 2011, due for publication in August 2010. However the admissions booklet can alert parents to the prospect of a decision being made in October. It is recommended that in the event the recommendation is agreed following a decision in October all parents are contacted and notified of the new arrangement, so that they are given the option of including this when expressing a preference.

Lawyer Consulted: Serena Kynaston

Date:09/06/2010

Equalities Implications:

- 5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice as described in the Admission Code of Practice.

Sustainability Implications:

- 5.4 Planning and provision of school places are intended, so far as it is possible, to provide pupils, parents and carers with local places where they have asked for them. This is subject to limitations in school capacity, the funding available and the priority order for capital development determined by the Council.

Crime & Disorder Implications:

- 5.5 There are no implications for the prevention of crime and disorder arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal.

Corporate / Citywide Implications:

- 5.7 All planning and provision to for school places in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective coordination of planning

arrangements should lead to sufficient school places in all areas of the city and the removal of excess provision.

## **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The alternative option is to leave the schools as separate infant and junior schools.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The Council produced their Primary Strategy for Change in June 2008. This document reflected Brighton and Hove City Council's policy of supporting the amalgamation of infant and junior schools where appropriate.

- 7.2 The Council believes the advantages of the creation of all through primary schools are as follows:

- Greater continuity in teaching, pupil care and development under a single head teacher and teaching staff. It is very important to ensure continuity in planning the curriculum across the stages of education so that pupils make the best possible progress in learning.
- The school could offer a greater range of teaching skills, including the opportunity to appoint curriculum co-ordinators with the time to oversee the effective teaching of individual subjects across the whole 4–11 age range.
- Greater flexibility that a 4–11 school has in organising classes, deploying teachers and support staff and using resources, including buildings, more effectively.
- Closer contact with parents over a longer period of time and covering the full span of the children's primary education.
- Practical advantages to parents' e.g. same staff development days, the same school policies relating to home links, uniform, codes of conduct etc.
- Transfer to a different school environment after three years or less of schooling might be seen as an unnecessary disruption to pupil's sense of security and well being. A positive feature of 4–11 schools is the social interaction between younger and older pupils.

- 7.3 The proposal will create one larger school from two.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Draft Statutory Notice
2. Record of the public meeting held in May 2010

### **Documents In Members' Rooms**

1. Consultation responses

## **Background Documents**

1. None

**Brighton and Hove City Council**  
**Statutory Notice: Changes to Balfour Infant and Junior Schools**  
**Brighton**

Notice is given in accordance with the Education and Inspections Act 2006 (the Act) that Brighton and Hove City Council Kings House Grand Avenue Hove BN3 2LS intends to make the following changes;

**Part 1 : Discontinuation of Balfour Community Junior School so that an all through primary school can be established**

In accordance with section 15(1) of the Act to discontinue Balfour Community Junior School, Balfour Road Brighton, BN1 6NE on 31<sup>st</sup> August 2011.

The proposal is linked to the prescribed alteration set out in Part 2, to create an all through primary school with an extended age range of 4 to 11 (see part 2 of this notice). Pupils attending Balfour Community Junior School at the time of closure will be offered places at Balfour Community Infant School, which, subject to Part 2, will change its age range and enlarge its capacity, becoming an all through primary school from 1<sup>st</sup> September 2011.

**Part 2 : Prescribed changes to Balfour Community Infant School so that it becomes an all through primary school**

In accordance with section 19(1) of the Act to make a prescribed alteration to Balfour Community Infant School, Balfour Road Brighton BN1 6NE from 1<sup>st</sup> September 2011 by

- 1) changing the age range of the school by a year or more and,
- 2) enlarging the premises of the school

The current age range of the school is 7 to 11. The Local Authority proposes to extend the age range of the school to create an all through primary school that will cater for pupils from age 4 to age 11.

The current number of pupils registered at the school is 360. The current capacity of the school is 360. The proposed capacity of the primary school will be 872. It is proposed that the admission number for the school will be 120.

It is proposed that the increase in capacity will be achieved by utilising the premises of the former junior school that located on the ground floor of the building occupied by the junior school.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Gil Sweetenham, Schools Futures Project Director, Brighton & Hove City Council, King's House, Grand Avenue, Hove, BN3 2LS. You can also request a copy by

contacting Alison Price on 01273 294224 or via email at [alison.price@brighton-hove.gov.uk](mailto:alison.price@brighton-hove.gov.uk).

Within six weeks (in respect of Parts 1 and 2(1) ), or four weeks ( in respect of Part 2 (2) )from the date of publication of this proposal, any person may object to or make comments on the proposals by sending them to Ms D Smith, Director of Children's Services, Brighton & Hove City Council, King's House, Grand Avenue, Hove, BN3 2LS.

Signed: Di Smith, Director of Children's Services

Publication Date: 16<sup>th</sup> July 2010

**Explanatory Notes: Part 1 & 2 are interdependent**



draft

Balfour infant and Junior School Public Meeting Notes

Meeting date 11<sup>th</sup> May 2010 at 19.00hrs

Attendees Gil Sweetenham, Gillian Churchill, Hilary Ferries -BHCC  
Derek Betts Tony Jones Balfour Junior School  
Judith Kemp Balfour Infant School  
Approx 60 members of the public

DB Chair of Governors of Balfour Junior School gave introduction.

GS gave a short presentation. GS outlined the process and why the LA was making the proposal.

The floor was then opened to questions

**What will happen once the two head teachers leave in July 2010?** An interim head teacher will be appointed until a new head teacher or head teachers are appointed. The Local Authority (LA) will support the governing bodies in whatever they decide. The advertisement for the permanent head teacher (or head teachers) cannot take place until after the conclusion of this process on 11<sup>th</sup> October 2010. TJ, head teacher of the junior school has volunteered to stay on as head teacher of the junior school until December 2010.

**Do you think there will be a good response to the advertisement for a primary head teacher for such a large school?** We would expect the job to be very attractive to candidates looking for a new headship as it is a fantastic opportunity for anyone wishing to expand their experience and enhance their career.

**How do these proposals affect the application process for 2011?** If the proposal goes ahead then pupils in Year 2 will transfer directly in to Year 3 without the need for applying for a place. If the proposal does not go ahead parents will need to make the application for a place in the usual manner.

**How will the small learning communities currently existing in the infant school be continued in the merged school?** It is not anticipated that there will be any change to the community of learners that currently exist. However these could be enhanced by the additional facilities offered by a larger school.

**Will extra curricular activities be encouraged as at present?** This will be a matter for the new head teacher(s). An important part of the appointment process will be to ensure that the successful candidate(s) agree with the ethos of the school.

**What will happen to the staff at the two schools if the proposal goes ahead?** All staff will initially transfer to the new school. During the first year of operation the Governing body and head teacher will consider the staffing structure to determine whether there are any changes that need to be implemented. This is something that is done in all schools each year. There will be no redundancies as a direct result of this proposal.

**Have the staff body been involved in this proposal?** The staff are aware of the proposals and will be fully consulted as the process continues.

**Will there be an increase in the number of reception places offered by the school as a result of these proposals?** No

**Will there still be an infant section and a junior section?** It is not possible to answer this question as the future management of the school is a matter for the new head teacher and Governing body. However the governors are responsible for appointing the new head teacher and would be most likely to appoint someone who agreed with their ethos.

**Is this being proposed to save the LA money?** The funding for schools follows pupils and therefore there is no saving for the authority as a result of this proposal.

**At the present time both the head teachers know every one of their pupils. This is lovely for the parents and the pupils alike. How will it be possible for this to happen in a larger school?** If this is a priority for the new head teacher they will make this happen.

**In what way is this a fantastic opportunity for the pupils?** There is the opportunity for greater expertise across all year groups, younger children respond positively to having older peers around and the older children relish the opportunity to look after the younger pupils.

**Currently the school both have strong head teachers, as they are both leaving the schools are both facing change, is this the right time to consider further changing the schools, would it be better to wait until the schools both have new head teachers before considering amalgamating the schools?** The Council has had a policy of supporting the amalgamation of infant and junior schools where appropriate since 2000. One of the trigger points for consideration is when a head teacher leaves. In the case of this proposal both head

teachers are leaving and the governors indicated that they wished to consider amalgamation. If we were to appoint head teachers to both schools and then consider amalgamation it would be necessary to either wait until one of the newly appointed heads was to leave or make one of them redundant as a result of the process.

**How many other 4 FE primary schools are there in Brighton?** There are no other 4 FE primary schools in Brighton. There are examples of schools of this size in the country, the majority of these schools are performing well and some are rated as outstanding by Ofsted.

**Are infant teaching skills transferable to junior schools and / or vice versa?** It is believed that there are transferable skills. Both schools have teachers who are equally able to teach in both settings. In addition the schools have specialist teachers with some flexibility time wise (such as music teachers etc) who would be able to offer their specialism to the other school thus enriching the curriculum for both age groups.

**Are there any guarantees that if the schools were merged that there would be separate assemblies and dining facilities for the two different age groups as at present?** There can be no guarantees about this as this would be down to the new head teacher and governing body. However the governing body is clear on the ethos and aspiration of the school and since it is responsible for the appointment of the head teacher they are unlikely to appoint a head teacher who does not subscribe to this view. In addition because of the way the schools are currently provided for in terms of their buildings, separate assemblies and dining is likely to continue.

**If this proposal does not succeed will the schools have to be federated?** A LA cannot require schools to federate. However if schools wish this to happen they could take this step themselves.

**If the proposal is successful will the school uniform change?** This is another questions that can only really be answered by the new head teacher, however generally if uniforms change schools will allow the two uniforms to run side by side until all uniforms have been replaced in the usual cycle of renewing uniforms rather than insisting on all uniforms changing an one day.

**There have been a number of questions tonight that could not be answered because they are down to the new head teacher?** Will these questions be answered before the final decision is made on these proposals? No, the appointment of the new head teacher(s) cannot take place until a decision is made on these proposals.

Meeting closed at 20.15hrs



# CHILDREN AND YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 13

Brighton & Hove City Council

<b>Subject:</b>	<b>Proposed Additional Primary Places in Hove (NB- Item was originally titled 'Proposed new school for Hove Interim Measure')</b>		
<b>Date of Meeting:</b>	<b>12<sup>th</sup> July 2010</b>		
<b>Report of:</b>	<b><i>Director of Children's Services</i></b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gil Sweetenham</b>	<b>Tel: 29-3433</b>
	<b>E-mail:</b>	<u><a href="mailto:Gil.sweetenham@brighton-hove.gov.uk">Gil.sweetenham@brighton-hove.gov.uk</a></u>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan Number CYP</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report is complemented by a separate report and appendices in Part 2 of the agenda.
- 1.2 Current and projected pupil numbers for the city (see Appendix 1) as a whole show there is an immediate need for additional primary school places in the city which is likely to continue to grow. This need is most acute in south central Hove and on the Brighton / Hove border.
- 1.3 Projections of pupil numbers indicate the urgent need to find further additional forms of entry in the primary sector in Hove by 2011. Given the overall pressure on places and the location of existing surplus places in the east of the City, three forms of entry in Hove, in addition to those in the City already proposed at Goldstone, Westdene and Queens Park, are now needed to meet local need for places and avoid long journeys to schools in the east of the City where there are vacant places.

#### 2. RECOMMENDATIONS:

- (1) To establish in Hove a 3 form entry temporary school expansion taking 90 Reception age children, opening in September 2011
- (2) To base this temporary expansion at the Connaught Centre site or another site subject to further negotiation.
- (3) To make arrangements for the management of the additional places by a Hove primary phase school for a period of up to two years.
- (4) On 11 October to present the Cabinet Member with proposals identifying the site and governance of the temporary provision.

- (5) In December 2010 to present to the Cabinet Member with proposals to make the temporary expansion permanent provision on a specific site by September 2012, or earlier if possible, including the options and legal requirements for permanent governance arrangements for the additional places

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 Pupil numbers across the city are rising generally and the rise in south central Hove is greater than in the city generally and is already causing a pressure on school places that cannot be met locally. The most immediate need for places has been partially addressed by providing one permanent additional form of entry at Davigdor Infant and Somerhill Junior Schools and temporary additional forms of entry at West Blatchington Primary School, Goldstone Primary School and Westdene Primary School. In addition to these changes Benfield Junior School has been temporarily expanded for September 2010 to take two reception classes (a total of 6 additional forms of entry).
- 3.2 Consultation is currently being undertaken on proposals to permanently expand Goldstone and Westdene Primary Schools by one form of entry and Queens Park Primary School by half a form of entry. It is also proposed to consult on a permanent change in the age range of Benfield School from September 2011. However this will still leave a demand for additional forms of entry based on the basis of current GP registration data and the forecasting model.
- 3.3 Consideration has been given as to how best to provide these additional forms of entry. At the meeting on 26<sup>th</sup> April 2010 the Children and Young People Cabinet Member agreed that the CYPT should pursue the option of providing a new two form entry Primary unit either on the site of Hove Park Upper School or at the Depot adjacent to Hove Park. Since that meeting revisions to the forecast have been made which suggest that an additional three forms of entry in Hove would be justified rather than two. This would also help prevent the need for lengthy pupil journeys from Hove to the east of the City to take up vacant places.
- 3.4 A further development since the April CMM is that City College have declared that The Connaught Centre is surplus to their requirements and the Council has entered negotiations to acquire the site.
- 3.5 The Council will continue to examine other options for a new school site, temporary or permanent, against the possibility that the Connaught site could not be used or could not be in use until later than 2011.
- 3.6 Given the urgent need for school places the Council will seek to establish three additional forms of entry on one of the Hove site options. This will be under the temporary management of a local primary phase school for a period of up to two years. This will allow sufficient time to consolidate the planning for the longer term delivery and governance of a permanent three form entry all through primary school, including a competition to determine who should run the school if that is required.
- 3.7 Options for the permanent governance arrangements for the additional places must be determined after two years of their management by another school.

### **4. CONSULTATION**

- 4.1 The Council is negotiating with City College regarding the acquisition of the Connaught site.
- 4.2 The Council will explore with schools in Hove the options available for governance and management of the temporary provision.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### **5.1 Financial Implications:**

- 5.1.1 The Capital Cost of any additional extension(s), additional build on council land, or purchase of any other site(s) would have to be met from the Schools Capital programme budget for 2011/12 onwards. Depending upon which option is taken, there may be opportunities to link this with any BSF funding that may be allocated to the Council in 2011/12 onwards. However given that the recent budget announcement indicates that government departments will have to find reductions of 25% over the next 4 years, we are not sure if this will impact on funding for School Capital. If this reduced in 2011/12 then the funding for an expansion, additional build or purchase in Hove will have to be the first call on any reduced budget.
- 5.1.2 There is a risk that approval to move forward with any of these options, additional funding might have to be found from elsewhere in the Council's Capital Programme to ensure that any option taken can be achieved within the timescales set out.
- 5.1.3 The revenue funding implications will be that the Dedicated Schools Grant (DSG) for 2011/12 will include the funding for 3-16 year old pupils, therefore when planning the 2011/12 schools budgets, the funding for any expansion to a particular school will have to be calculated.

Finance Officer Consulted: Andy Moore

Date: 30/06/2010

### **5.2 Legal Implications:**

- 5.2.1 Given that the report sets out that there is a projected future growth in pupil numbers and an anticipated shortfall in places in the academic year 2011-12, Members should be mindful that the Council has a statutory duty under section 14 of the Education Act 1996 to ensure the provision of sufficient schools for the provision of primary and secondary education in its area. In the event that the recommendation is rejected and the additional places described are not provided, Members must be satisfied that there are still sufficient school places across the City. If Members are satisfied that there are sufficient places across the City, Members will also wish to consider the impact upon parents who would then live in an area of the City with too few school places under the current admissions criteria.
- 5.2.2 The recommendations provide for the CM to make a decision as to the site and management of the temporary expansion of an existing school on a new satellite site at the meeting in December, by which time the negotiations involving the Connaught will have concluded and it will be known whether this is a viable option for the City. This will enable a more informed decision to be made than would be realistically possible at this stage.

- 5.2.3 The recommendation allows the CM to proceed with a temporary solution to the spaces problem for September 2011, whilst allowing further time for more detailed proposals to be developed concerning a permanent solution by way of either the expansion to an existing school, or the provision of a new school. These options can then be considered at a time when the national developments in the legislative and financial position of the LEA will be clearer, as well as the position in relation to the Connaught is known.
- 5.2.4 Were the Council to wish to proceed with proposals to establish a new school at this stage the implications of the statutory requirements against the key deadlines for decision making if a new school is to be provided by September 2011 need to be considered. The Council will need to comply with the provisions of the Education and Inspections Act 2006 which sets out the procedures to be complied with when proposing changes to a maintained mainstream school.
- 5.2.5 By contrast the recommendations in the report can allow the school places identified to be delivered upon the timeframe needed.
- 5.2.6 The absolute national deadline for expressing preferences for an infant/primary school place is 15 January 2011. To avoid a breach of the admissions code it is important that the final decision can be published in compliance with the admissions code. The recommendation does not allow for a decision to be made in time to go into the admissions booklet for September 2011, due for publication in August 2010. However the admissions booklet can alert parents to the prospect of a decision being made in October identifying a site and arrangements for a temporary school. It is recommended that in the event the recommendation is agreed following any decision in October all parents are contacted and notified of the new temporary arrangement, so that they are given the option of including this when expressing a preference.

Lawyer Consulted : Natasha Watson

Date: 29/06/2010

### 5.3 Equalities Implications:

- 5.3.1 Planning and provision of school places are conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The City Council and voluntary aided school governing bodies must be mindful of best practice as described in the Admission Code of Practice.

### 5.4 Sustainability Implications:

- 5.4.1 All new extensions to Brighton and Hove Schools utilise, where ever possible, environmental and sustainable principles such as higher than minimum insulation levels, the use of efficient gas condensing boilers, under floor heating, solar shading and natural ventilation. Materials are sourced from sustainable sources where ever possible.

### 5.5 Crime & Disorder Implications:

- 5.5.1 Throughout the development of the proposals consultation will be undertaken with community groups and the Community Safety team and police liaison

officers. It is anticipated that by including the community in the development and use of the facilities at the schools that crime and disorder in the local area will be reduced. This will be further improved by offering extended use of the facilities to the community outside of the school day.

#### 5.6 Risk and Opportunity Management Implications:

5.6.1 It is important that this opportunity is taken to ensure the future provision of learning and teaching, and continuing improvement in standards of education in the City.

#### 5.7 Corporate / Citywide Implications:

5.7.1 Given the overall pressure on places and the location of existing surplus places in the east of the City, three forms of entry in Hove, in addition to those proposed at Davigdor, Westdene and Queens Park, are now needed to meet local need for places.

### **6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 This paper presents proposals to address the need for additional primary places within the City.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

7.1 The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city as a whole. This need is most acute in south central Hove and on the Brighton / Hove border.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Projected Pupil Numbers

### **Documents In Members' Rooms**

1. NONE

### **Background Documents**

1.

2.



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 14

Brighton & Hove City Council

<b>Subject:</b>	<b>Proposed Creation of a new all through Primary School to replace Benfield Junior School</b>		
<b>Date of Meeting:</b>	<b>12<sup>th</sup> July 2010</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gillian Churchill</b>	<b>Tel:</b> <b>29-3515</b>
	<b>E-mail:</b>	<a href="mailto:gillian.churchill@brighton-hove.gov.uk">gillian.churchill@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No:</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city. This need is most acute in south Hove and on the Brighton / Hove border
- 1.2 As part of the Council's future development of Schools within the city it is proposed to create an all through primary school by extending the age range of Benfield Junior School from 7 to 11 as it is at present to 4 to 11 from September 2011.
- 1.2 The purpose of this report is to set out the background and rationale for this proposal and to seek Cabinet Member endorsement to proceeding with the initial consultation required.

#### 2. RECOMMENDATIONS:

- 2.1 To note and endorse the proposal to create an all through primary school by changing the age range of Benfield Junior School from 7 – 11 as at present to 4 to 11 from September 2011.
- 2.3 That the results from the initial consultation exercise are referred to Cabinet Member Meeting on 11<sup>th</sup> October 2010 for decision.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Pupil numbers across the city are rising generally and the rise in south central Hove is greater than the city generally and already causing a pressure on school places that cannot be met locally.
- 3.2 It had been planned with the support of the school to turn Benfield into an all-through primary school starting in September 2012.

- 3.3 Following the 2010 admissions round it was necessary to create additional reception places to accommodate pupils in the west Hove area owing to an increase in significant demand for reception year places. This was achieved by temporarily admitting reception age children to Benfield Junior School. Benfield was chosen for this because it was in the correct location and because it had spare capacity to accommodate the children.
- 3.4 The decision to create two reception classes at Benfield was a difficult one that had to be taken quickly but was made after full consideration of the situation. It was a response to significant pressure on reception places in the west of the city
- 3.5 In light of the increasing birth rates in the city consideration was already being given to the pattern of school places in Portslade and how this might be improved in the future. We believe that this process now needs to commence earlier than we had planned.
- 3.6 It is now proposed that Benfield Junior School is made in to a two form entry all through primary school from September 2011. The new school will have an intake of 60 pupils at 4+. Flexibility would remain for Key Stage 2 to take additional children to a maximum of 32 children per class.
- 3.7 Benfield junior school is currently a three form entry school admitting 96 pupils per year. Consequently this proposal on its own will reduce the number of junior places available in the city. It is intended that the school will continue to admit pupils in to Year 3 in September 2010, 2011 and 2012.
- 3.8 However this proposal is the start of a wider re-organisation of school places within Portslade which, if successful will result in an additional 2 forms of entry overall for primary phase education for this part of the city. This will be the subject of a separate report and a wide ranging public consultation exercise.
- 3.9 The proposal to permanently change the age range of Benfield School has been discussed with the governing body of the school prior to this report being prepared. The Governing Body welcomed the opportunities that this proposal offers and fully supports the proposal.
- 3.10 The views of the governing bodies will be finalised in light of the consultation.
- 3.11 In proposing changing the age range of the school the following programme will be followed.

Publication of Consultation Document	14 <sup>th</sup> July 2010
Public Consultation Meeting	September 2010
Last date for responses	1 <sup>st</sup> October 2010
Report back to Children and Young People	11 <sup>th</sup> October 2010
Cabinet Member Meeting	

Issue Public Notice	15 <sup>th</sup> October 2010
End of public notice period	26 <sup>th</sup> November 2010
Decision by the Children and Young People Cabinet Member	10 <sup>th</sup> December 2010
Provisional Opening	1 <sup>st</sup> September 2011

3.12 The timetable will allow full analysis of responses to both parts of the consultation to be prepared and presented to the Cabinet Member Meetings to be held on 11<sup>th</sup> October 2010 and 10<sup>th</sup> December 2010.

3.13 A copy of the draft consultation document is attached to this report at Appendix 1.

#### **4. CONSULTATION**

4.1 This change is intended to meet the rapid growth in the demand for Reception places in Hove and Portslade, and to offer an immediate practical solution to the local shortfall in places. The Council has taken the view that it is better to bring these plans forward than expect children to travel to vacant school places in the East of the City

4.2 The consultation exercise will involve, the school, parents staff and pupils, the local community, ward councillors, MP's and anyone else who may have a view on the proposal.

4.3 As part of this process we will hold a public meeting at the school during September 2010 so that anyone with an interest in the proposal can attend and express their view or ask questions about the proposal.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

5.1 Any revenue costs of the proposal would have to be met from the existing Individual School Budget (ISB) as there are no additional resources available to fund any associated costs that may arise as a result of the merger. Any capital costs arising from the proposal would have to be met from within the Education Capital Programme which includes streams such as the Primary capital Programme and NDS modernisation.

Finance Officer Consulted: Michelle Herrington      Date: 14/06/2010

#### Legal Implications:

5.2 In order to achieve the proposed change in age range it will be necessary to carry out a formal consultation exercise with all interested parties. If the decision is made to proceed with the proposals following the consultation, statutory notices will then need to be published in accordance with the Education and Inspections Act 2006 and associated regulations. There will then follow a period

of 6 weeks within which any person may make comment or object to the proposal.

At the end of this representation period a decision on the proposals will need to be taken within 3 months.

The absolute national deadline for expressing preferences for an infant/primary school place is 15 January 2011. To avoid a breach of the admissions code it is important that the final decision can be published in compliance with the admissions code. The recommendation does not allow for a decision to be made in time to go into the admissions booklet for September 2011, due for publication in August 2010. However the admissions booklet can alert parents to the prospect of a decision being made in December identifying arrangements for a change in age range of a school. It is recommended that in the event the recommendation is agreed following a decision in December all parents are contacted and notified of the new arrangement, so that they are given the option of including this when expressing a preference.

Lawyer Consulted: Serena Kynaston      Date: 09/06/10

Equalities Implications:

- 5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice as described in the Admission Code of Practice.

Sustainability Implications:

- 5.4 Planning and provision of school places are intended, so far as it is possible, to provide pupils, parents and carers with local places where they have asked for them. This is subject to limitations in school capacity, the funding available and the priority order for capital development determined by the Council.

Crime & Disorder Implications:

- 5.5 There are no implications for the prevention of crime and disorder arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal.

Corporate / Citywide Implications:

- 5.7 All planning and provision to for school places in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective coordination of planning arrangements should lead to sufficient school places in all areas of the city and the removal of excess provision.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The alternative option is to leave the school as a junior school.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city.
- 7.2 Pupil numbers across the city are rising generally and the rise in south central Hove is greater than the city generally and already causing a pressure on school places that cannot be met locally.
- 7.3 We are committed to working with schools to make them centres for community learning, and supporting them in meeting the wider needs of the community by engaging social services, health, the police, and the voluntary sector. For this to be successful it is important that children can access a primary school that is local to their home.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. None

#### **Documents In Members' Rooms**

1. None

#### **Background Documents**

1. None



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