

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

Agenda Item 14

Brighton & Hove City Council

Subject:	Proposed Expansion of Longhill School		
Date of Meeting:	6 July 2009		
Report of:	Director of Children's Services		
Contact Officer:	Name:	Gillian Churchill	Tel: 29-3515
	E-mail:	gillian.churchill@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. CYP10146	
Wards Affected:	East Brighton; Rottingdean Coastal; Woodingdean		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform members of the outcome of the statutory consultation on the proposed permanent expansion of Longhill School by one form of entry from September 2010 and resultant enlargement of the premises.
- 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 Longhill School by one form of entry from September 2010 and enlarge the premises accordingly.

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 Brighton & Hove has been experiencing a rise in the number of children registered with GP's across the city for the last 5 years. This is already having an impact in the number of school places needed in primary schools and will start to impact in the secondary sector in the future.

- 3.3 In addition to this there has been a number of planning applications granted in recent years for developments of considerable size at Brighton Marina and Saltdean. This has led us to look closely at the provision of secondary places across the city and particularly in the east of the city in the area of Longhill School.
- 3.4 The proposal is to now expand Longhill School so that it becomes a 9 form entry school with a yearly intake of 270 from September 2010.
- 3.5 Owing to an increase in numbers the school has agreed to take an additional 24 pupils from September 2009. Longhill School has typically experienced peaks and troughs in its admission number but it is anticipated that the trend will be upwards overall for the foreseeable future.
- 3.6 To enable the school to accommodate the proposed permanent additional form of entry it will be necessary to provide additional accommodation at the school. The extent and nature of this accommodation has been discussed with the school following the completion of a detailed curriculum analysis and suitability survey of the school.
- 3.7 The curriculum analysis has shown that in addition to enhanced dining facilities and toilets the school will require additional general teaching spaces. It is proposed that the additional accommodation will be provided in a mix of new build and some internal remodelling.
- 3.8 One of the initial issues raised by the head teacher is the suitability of the dining accommodation which is inadequate even for a school of its current size. This situation has arisen as the school has expanded over time without consideration being given to facilities such as the dining accommodation.
- 3.9 At the Cabinet Member meeting held on 20th April 2009 it was agreed to publish the statutory notice required to progress this proposal.
- 3.10 The notice was published in accordance with the requirements of the Education and Inspections Act 2006 on 1st May 2009. 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 2009 and March 2009.
- 4.2 On 20th April 2009 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 Longhill School by one form of entry from September

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 1st May 2009. In addition notices were displayed at the entrances to the school and at other places used by the community. The Statutory notice stated where copies of the full proposal could be obtained from.
- 4.4 The Statutory notice forms part of the full proposal. Copies of the full proposal were sent to the Anglican and Catholic diocese, East Sussex County Council, the governing body of the school, the Children and Young People Cabinet Member, ward councillors and the DCSF. Copies of the complete proposal were available during the publication period in order that they could be provided to anyone who requested a copy.
- 4.5 There were no requests for a copy of the full proposal during the publication period. A copy of the full proposal information is in the Members room.
- 4.6 During the publication period there were no representations or objections received to the proposal. The day after the closing date of the publication period East Sussex County Council reported that they 'noted the proposal'.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any implications for funding the additional floor area at Longhill School will be met from the Individual School Budget (ISB), which may increase as a result of any additional pupils into the Authority as a result of the expansion. If no additional pupils come into the Authority then the additional funding Longhill School will receive will come from within the existing ISB. Any capital costs arising from the proposal would have to be met from within the Education Capital Programme which includes streams such as the Targeted Capital Fund, NDS modernisation and a contribution from the schools Devolved Formula Capital (DFC). The project has been designed to ensure that it does not preclude further investment / development under any Building Schools for the Future project that may arise in the future. The full cost of this project is not yet known but will be reported in due course.

Finance Officer Consulted: Michelle Herrington

Date 09/06/2009

5.2 Legal Implications:

- 5.2.1 Statutory Notices were published on 1st May 2009 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 29th May 2009.
- 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 or adding a Sixth Form' is in the Members Room. Paragraphs 4.15 to 4.64 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 there are no circumstances where a conditional approval would be acceptable.

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: 22/05/2009

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 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 Longhill School as an eight form entry School.
- 6.2 This is not considered as acceptable since it will not address the need to provide school places where they are needed within the city.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 It is recommended that the proposal to expand Longhill School by one form of entry are approved as Brighton & Hove are currently experiencing rising rolls across most part so the city. The additional form of entry proposed at Longhill School will help meet this increased demand in a way that provides local places for pupils in the area where they live.
- 7.2 The school is covered by the Councils admissions arrangements which strives to provide a truly local school which serves its most immediate community and

assists in the aspirations of the Local Authority in terms of green travel arrangements.

- 7.3 The public consultation prior to publication of the notices showed that a number of individuals were unhappy with the proposal to expand Longhill School by one form of entry as in their opinion this would make the school 'too large'. This point was considered at that time and on balance it was considered that this would not be the case. This view has not changed during the publication period. There are many examples of popular and successful secondary schools that are 9 forms of entry and larger.
- 7.4 The school currently provide a range of extended services to the school and wider community, this proposal will enhance the facilities that the school is able to offer to the community.
- 7.5 There were no objections or representations received during the course of the publication period.
- 7.6 Capital is available under the Targeted Capital Fund to implement the necessary changes to the school. A scheme has been designed that will enable the school to accommodate the additional pupils and also provides enhancements to disability access, pupil safety and school catering arrangements.

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 or Adding a Sixth Form'

Background Documents

1. None