



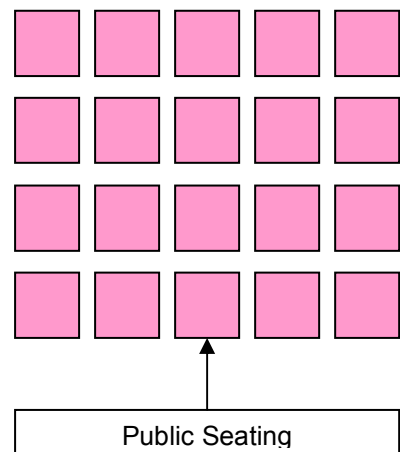
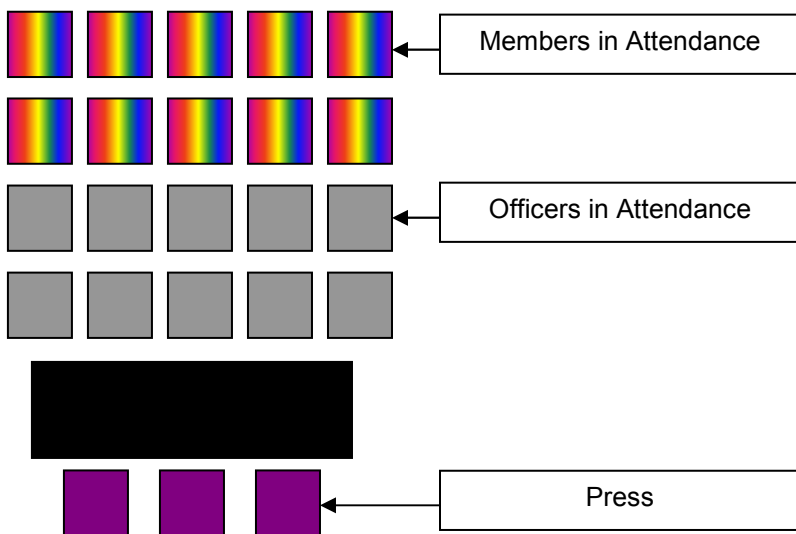
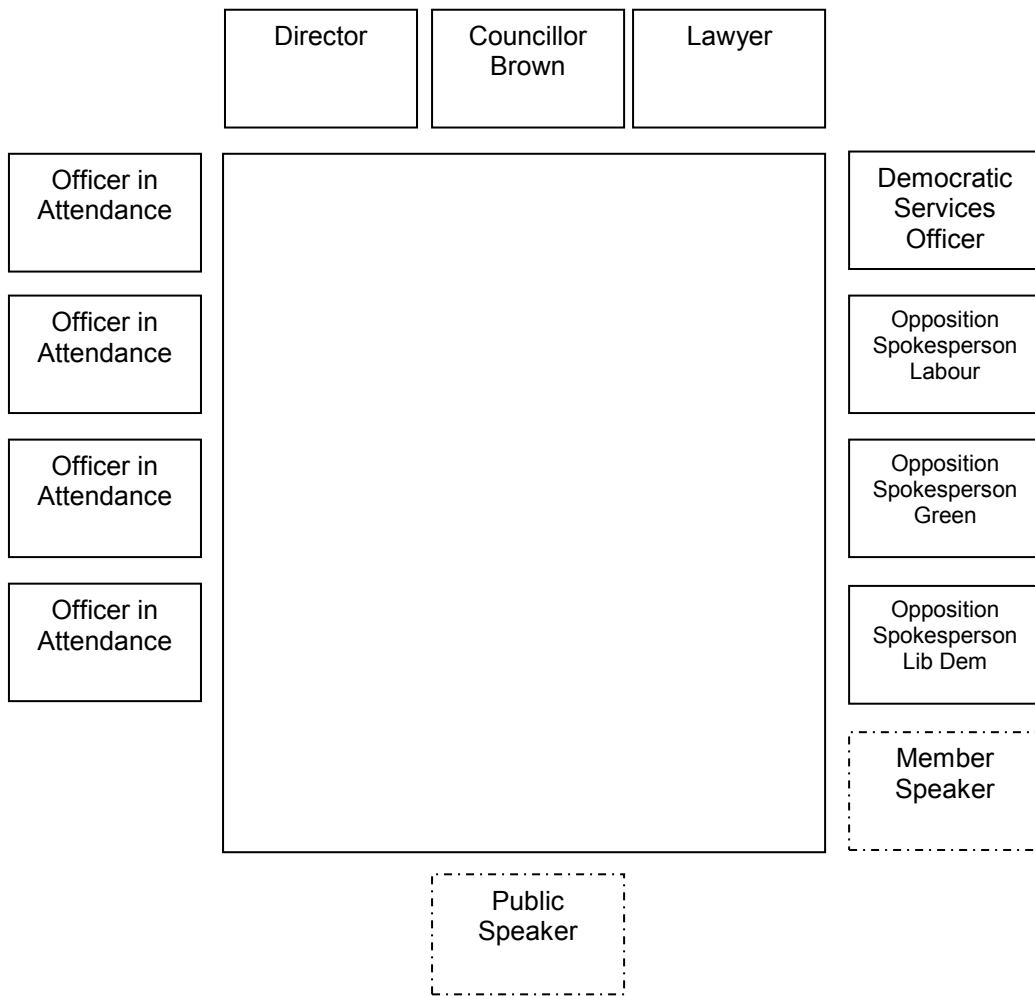
Brighton & Hove  
City Council

# Cabinet Member Meeting

Title:	<b>Children &amp; Young People Cabinet Member Meeting</b>
Date:	<b>26 April 2010</b>
Time:	<b>4.00pm</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

### 51. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

### 52. MINUTES OF THE PREVIOUS MEETING

1 - 8

Minutes of the Meeting held on 4 January 2010 (copy attached).

### 53. CABINET MEMBER'S COMMUNICATIONS

### 54. 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 Councillors and Notices of Motion will be reserved automatically.*

### 55. PETITIONS

No petitions received by date of publication.

### 56. PUBLIC QUESTIONS

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

No public questions received by date of publication.

### 57. DEPUTATIONS

No deputations received by date of publication.

### 58. LETTERS FROM COUNCILLORS

No letters have been received.

### 59. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

### 60. NOTICES OF MOTIONS

No Notices of Motion have been referred.

### 61. TENDER FOR PRIMARY & SPECIAL SCHOOLS MEALS CONTRACT 9 - 14

*Contact Officer:* Steve Healey *Tel:* 29-3444  
*Ward Affected:* All Wards;

### 62. CAPITAL PROGRAMME 2010/11 15 - 30

*Contact Officer:* Gillian Churchill *Tel:* 29-3515  
*Ward Affected:* All Wards;

### 63. PROPOSED EXPANSIONS OF PRIMARY SCHOOLS - CONSULTATION OUTCOME 31 - 44

*Contact Officer:* Gillian Churchill *Tel:* 29-3515  
*Ward Affected:* All Wards;

### 64. PROPOSED NEW SCHOOL FOR HOVE 45 - 54

*Contact Officer:* Gillian Churchill *Tel:* 29-3515  
*Ward Affected:* All Wards;

## 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.

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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 Caroline Banfield, (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, 16 April 2010



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

**4.00pm, 4 JANUARY 2010**

**COMMITTEE ROOM 3, HOVE TOWN HALL**

**MINUTES**

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

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

**Other Members present:** Councillors Bennett and Morgan

**PART ONE**

**27. PROCEDURAL BUSINESS**

**27a Declarations of Interest**

27.1 There were none.

**27b Exclusion of Press and Public**

27.2 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).

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

**28. MINUTES OF THE PREVIOUS MEETING**

28.1 **RESOLVED** – That the minutes of the meeting held on 5 October 2009 be approved and signed by the Cabinet Member as a correct record.

**29. CABINET MEMBER'S COMMUNICATIONS**

29.1 The Cabinet Member indicated that she was pleased to report that Brighton & Hove Children's Services had received Grade 3 from the Ofsted inspection, which indicated that the services were performing well. She congratulated and thanked all the staff for their work.

29.2 The Opposition Spokesperson, Labour Group, added her support and praise to the relevant team.

### **30. ITEMS RESERVED FOR DISCUSSION**

30.1 **RESOLVED** – All items were reserved for discussion by the Cabinet Member.

### **31. PETITIONS**

31.1 No petitions had been received.

### **32. PUBLIC QUESTIONS**

32.1 No public questions had been received.

### **33. DEPUTATIONS**

33.1 No deputations had been received.

### **34. LETTERS FROM COUNCILLORS**

#### **34 (i) The Future of Youth Provision in Whitehawk**

34.1 A letter was received from Councillor Morgan regarding the future of youth provision in Whitehawk. Councillor Morgan reiterated that he would like reassurance that the existing youth services would continue to be supported during the process of the Whitehawk Hub relocation project and the progress reported accordingly.

34.2 The Cabinet Member thanked Councillor Morgan for attending the meeting to present his letter and gave the following response:

“During the public consultation process for the Whitehawk Hub, at the public meetings, it was made clear that the flexible space within the main building of Whitehawk Hub would be used as flexibly as possible for the benefit of the community. We anticipate that all of the present community users of the Whitehawk Youth Centre which are booked through the CYPT, will be accommodated within the new Whitehawk Hub.

The Whitehawk Youth Centre space has also been used by a range of people on a less frequent basis, and these casual users, it is also anticipated would be able to be accommodated within the new flexible space of the Whitehawk Hub.

SafetyNet also have a number of community groups that use this space and senior officers within the CYPT have already met with SafetyNet re. alternative accommodation for themselves and for the present user groups. We have had offers of alternative space in the community and we are presently exploring these options. SafetyNet and the other users will be fully kept abreast of developments.

As you know, the vast majority of activity carried out by the CYPT Youth Team in Whitehawk is targeted services for young people in the Whitehawk estate. We don't run



a general open access youth service. At present the Youth and Connexions Team run 3 youth service groups from the present centre, all of which we would hope to expand in the new accommodation.

With regards to your statement that the Crew Club was 'apparently' refused funding on the basis of the CYPT Whitehawk youth provision. My understanding is that this was not the reason for the council's refusal for funding for the Crew Club from the Council's Strategic Grant fund.

Officers within the CYPT are presently engaged in scoping out the development of an integrated youth commissioning strategy for the city, and this will be brought to a future CYPT Board. The strategy will outline the council's commitment to youth services across the city."

- 34.3 The Opposition Spokesperson, Labour Group, considered that a review of the provision of youth services was necessary not only in the Whitehawk area, but across the city. She noted that there were still some anomalies in places and indicated that she would, therefore, welcome a fresh review for the city in relation to these services.
- 34.4 The Cabinet Member reassured her that officers would take her comments on board and would look into this matter further.
- 34.5 The Opposition Spokesperson, Green Group, referred to the S106 funding and enquired whether officers planned to direct some of that grant towards this kind of youth provision. The Head of Capital Strategy and Development indicated that officers would be considering it if and when that funding was available.
- 34.6 **RESOLVED:** That the letter and the response provided be noted.

### **35. WRITTEN QUESTIONS FROM COUNCILLORS**

- 35.1 No written questions from Councillors had been received.

### **36. NOTICES OF MOTIONS**

- 36.1 No Notices of Motion had been received.

### **37. PROPOSED EXPANSION OF PRIMARY SCHOOLS**

- 37.1 The Cabinet Member considered a report of the Director of Children's Services concerning the proposed expansions of Goldstone, Westdene and Queens Park Primary schools. The report set out the consultation that had been undertaken with the schools and their governing bodies following the Cabinet Member meeting held on 5 October 2009, and sought approval to undertake the next steps in the process (for copy see minute book).
- 37.2 The Cabinet Member clarified that the recommendation initially published in paragraph 2.1 of the report should be amended to indicate that the consultation process in relation

to Queens Park Primary School would be to permanently expand the school by half form of entry and not by one form of entry as recommended in the published report.

Officers also provided copies of the consultation document with the current and projected school numbers completed in relation to Goldstone, Westdene and Queen's Park Primary Schools (see appendix 1 to the minutes).

- 37.3 The Schools Futures Project Director referred to the £5.7 million grant the city had received and noted that this funding had considerably helped with moving these proposals forward. The Project Director further advised that consultation would also be carried out with the relevant ward councillors.
- 37.4 The Opposition Spokesperson, Labour Group, commended the officers for the work undertaken in relation to this matter. She noted that, in face of the current situation where schools places in the Hove area were concerned, these proposals were not the whole solution; she considered, however, that they were a robust first step forward.
- 37.5 **RESOLVED** – That, having considered the information and the reasons set out in the report and following the clarification given in paragraph 37.2 above, the recommendation be amended as follows:

- (1) That it be agreed that the CYPT move to the initial consultation process regarding the proposal to permanently expand Goldstone and Westdene Primary Schools by one form of entry and Queens Park Primary by half a form of entry with effect from September 2011.

### 38. CAPITAL RESOURCES & CAPITAL INVESTMENT PROGRAMME 2010/2011

- 38.1 The Cabinet Member considered a report of the Director of Children's Services concerning the Capital Resources and Capital Investment Programme 2010/2011, which informed the Cabinet Member of the level of available capital resources allocated to the CYPT for 2010/11 (for copy see minute book).
- 38.2 The Opposition Spokesperson, Green Group, sought clarification on the following points:
- whether the Capital Grant listed under the Capital Finance settlement in paragraph 3.5 of the report included the £5.7m allocated to the city under the Basic Need Safety Valve
  - whether the council was confident that it could bear the borrowing cost referred to in paragraph 3.7 of the report
  - the provision of caretakers flats at the Swan Centre referred to in appendix 1 to the report.
- 38.3 It was explained that the Capital Grant referred to above includes the £5.7m funding, which had been allocated to deal solely with the need of additional primary school places in the city.

- 38.4 The Head of Capital Strategy and Development referred to the concern raised in relation to the borrowing and indicated that the view was that the council would be able to bear the cost of it. She advised that Cabinet would be considering this matter at a future meeting with the full recommendations of the CYPT Capital Investment Programme for 2010/11.
- 38.5 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That the level of available capital resources totalling £30.558m for investment relating to education buildings financed from supported borrowing, capital grant, revenue contributions and capital receipts be noted.

### **39. EARLY YEARS SINGLE FUNDING FORMULA FROM APRIL 2010**

- 39.1 The Cabinet Member considered a report of the Director of Children's Services concerning the Early Years Single Funding Formula from April 2010. The report sought the Cabinet Member's agreement for Brighton & Hove to apply to become a pathfinder to pilot the Single Formula from April 2010 ahead of the national implementation in April 2011 (for copy see minute book).
- 39.2 The Cabinet Member agreed that Brighton & Hove should continue with the initial timescale for implementation from April 2010, given the amount of work and consultation already done to prepare for implementation.
- 39.3 The Opposition Spokesperson, Labour Group, commended the team of officers involved with this work and praised the team for their professionalism and the quality of care the city offered. She indicated that she was also pleased with the special education needs provision referred to in the report.
- 39.4 The Opposition Spokesperson, Green Group, sought clarification about the different rates of funding.
- 39.5 The Head of Service, City Early Years and Childcare, noted that the base rate was set out per hour and was based per child's place and not per member of staff. She explained that there was also a supplement for deprivation which many nursery classes in schools would benefit from.
- 39.6 The Head of Service also explained that nursery schools would have a small decrease in funding but that their cost per pupil was still significantly more than other providers. She noted, however, that whilst nurseries provide good quality of provision with highly qualified staff, this was also the case for maintained school nurseries and Children's Centres. The Single Formula was designed to ensure a more equitable distribution of funding across all providers.
- 39.7 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

- (1) That, subject to approval by the Early Years Funding Group and the Schools Forum, it be agreed that Brighton and Hove becomes a pathfinder and implements a Single Early Years Funding Formula based on the following factors:
  - (i) Three basic hourly rates: private, voluntary and local authority (PVI) group childcare providers; childminders; maintained and independent school nursery classes and schools (includes a quality supplement).
  - (ii) A deprivation supplement for children who live in worst 20% Super Output Areas amounting to 5% of the total budget.
  - (iii) Quality supplements based on four levels of quality based on achievement of quality assurance programmes and staff qualifications. The formula allows PVI providers to be paid at the same rate as maintained nursery classes if they employ an Early Years Professional.
  - (iv) Not to include a supplement for flexibility (to be reviewed for 2011/12).
  - (v) Additional funding for children with significant special needs in maintained schools – this is already in place for PVI providers.
  - (vi) Additional sustainability funding for maintained nursery schools and small group providers with less than 24 places.
  - (vii) To base funding on termly counts of participation and adjust funding for children who leave or join after the head count day.
  - (viii) Transitional protection – to reduce any losses for PVI providers and nursery schools by 50% after inflation. Maintained schools with nursery classes will be protected by the Minimum Funding Guarantee.

#### **40. SURE START CAPITAL AND FAIRLIGHT CHILDREN'S CENTRE**

- 40.1 The Cabinet Member considered a report of the Director of Children's Services concerning the Sure Start capital and Fairlight Children's Centre, which proposed a new Children's Centre venue to be based in Fairlight Primary School and recommended the change to the status of the Saltdean and Goldstone Children's Centre (for copy see minute book).
- 40.2 The Head of Services, City Early Years and Childcare, briefly referred to the Saltdean and Goldstone Children's Centres. She explained that the suggestion to their change of status came about because both were relatively small areas. It was considered that it would be more effective to link them to a nearby Children's Centre to create a larger catchment area. She noted that this change would be mainly administrative.
- 40.3 The Head of Service also referred to the identified gap in the Lewes Road area and hence the proposal to create a Children's Centre at Fairlight Primary School. She indicated that the cost of refurbishment for the offices in Shenfield Way would be lower, which had helped to release funding to support the creation of a centre at Fairlight.

40.4 The Opposition Spokesperson, Labour Group, indicated that she was pleased that the council had taken professional advice on this matter and congratulated the team of officers for the work undertaken in relation to these proposals.

40.4 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the creation of a new Children’s Centre venue at Fairlight School be agreed at a cost of £100,000, by converting an existing classroom and creating a separate entrance to be funded from the reduction in funding for Shenfield Way from £200,000 to £100,000 – Surestart Capital Programme to be amended accordingly.
- (2) That the change of the status of the Saltdean and Goldstone Children’s Centres be agreed so that they are not designated centres that will be inspected by Ofsted. They will continue to be known locally as Children’s Centres and offer services in the same way as Bevendean and Coldean Children’s Centres.
- (3) That some changes in the Sure Start capital programme be agreed, which include reducing the funding for Shenfield Way from £200,00 to £100,000 and increasing the funding for Hollingbury Park (from £500,000 to £600,000) from the unallocated balance of Quality and Access Sure Start grant – Sure Start Capital Programme to be amended accordingly.

The meeting concluded at 4.35pm

Signed

Cabinet Member

Dated this

day of



# CABINET MEETING

## Agenda Item 61

Brighton & Hove City Council

<b>Subject:</b>	<b>Procurement of the Primary &amp; Specials Schools Meals Contract</b>		
<b>Date of Meeting:</b>	<b>26 April 2010</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steve Healey</b>	<b>Tel:</b> 293444
	<b>E-mail:</b>	<b>steve.healey@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: CYPT14946</b>	
<b>Wards Affected:</b>	<b>ALL</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks authorisation to let the contract for all Primary & Special Schools Meals within the city of Brighton & Hove. The current contractual agreement is due to end 31<sup>st</sup> July 2011.
- 1.2 The Corporate School Meals Contract currently services all primary & special schools and serves approximately 6000 meals per day and with a current value of approximately £2.2m per annum.

#### 2. RECOMMENDATIONS:

- 2.1 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).
- 2.2 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.
- 2.3 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.

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

- 3.1 The contract was last tendered in 2002, for a period of 5 years with the opportunity to extend for a further 2 years. During the 2 year extension a

consultant was employed to explore tendering options. The findings are detailed below.

- 3.2 A specialist consultant (AVL Consultancy) engaged to explore the options for school meals in Brighton & Hove recommended that the contract for primary and special schools should be extended for two more years from 2009, so that the end date coincided with the end of the Government funded School Lunch Grant.
- 3.3 Given the uncertainty of grant funding beyond 2011 and the limited potential for reaching an advantageous agreement for a two year extension, legal advice was sought following the recommendations of the consultant. The advice was that in the limited market, the risk to the Council of further contract extension was minimal, therefore the recommendation was followed.
- 3.4 All Primary & Special Schools opted to remain within corporate arrangements for the remainder of the contract extension to 2011.
- 3.5 All Secondary Schools within Brighton & Hove have delegated responsibility for the provision of school meals. Secondary schools have self- managed contracts with a number of service providers.
- 3.6 The service specification will ask prospective Tenderers to demonstrate a commitment to sustainability issues. Food supplied should be healthy and produced in ways that respect the environment, animals and people. It may also look at commitment to contractors using the London food hub once it is established and operating cost effectively. Tenders will be assessed and scored taking into account a range of sustainability related issues, including food miles and provenance, the use of environmentally friendly packaging systems and cooking techniques, the use of seasonal ingredients and local and sustainable sourcing. At the same time the process must ensure the tender achieves Best Value for the Council, parents, schools and other stakeholders. If the correct balance is not found then increased costs related to sourcing could significantly increase the cost of a meal to paying customers and of free meals to the Council's budget. This could lead to a reduction in the number of meals taken. Not only would be this to the detriment of the Council's interest in the contract but it could also result in less pupils having access to a balanced healthy meal that conforms to national nutritional guidelines.

#### **4. CONSULTATION**

- 4.1 Consultation is taking place with a view to establishing a specification with quality criteria which meets government nutritional guidelines, stakeholder and council needs. From these criteria will be drawn evaluation criteria and weighting for determining the most economically advantageous tender which will comprise an appropriate mix of cost and quality.
- 4.2 The consultation process will include all Schools – during the Spring Term Headteachers are being asked to complete an online survey, this will give an insight for development of the specification. During the summer term



schools will be asked to commit to being part of the future corporate arrangements from 1<sup>st</sup> August 2011. Alongside this Procurement and Legal Services will advise.

- 4.3 The Parents' Forum has previously approached the School Meals Team for discussion on school meals issues, and a meeting recently took place with Forum members attended by the School Meals Manager and the Head of School Admissions and Transport. The Forum will be invited to contribute to the consultation process, and further meetings can be arranged for that purpose.
- 4.4 The option of an insourced school meals service should also be evaluated on cost and quality criteria. This process would not be part of the tendering exercise but will inform the development of the service specification. In the course of this process it could become apparent that insourcing is potentially a financially viable option. If this were to be the case legal advice would be sought about an in house service.

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

- 5.1 There are financial risks associated with the provision of school meals. These will arise from a number of factors, such as the number of meals taken and the effect that has on unit cost, the changing costs of labour and food prices, and changing expectations around food sourcing nutritional standards. In the recent past a television programme resulted nationally and locally in a reduction in the number of meals taken. At the time of writing the local school meals contract costs exceed the income generated through the provision of free and paid meals. This shortfall is currently being met through the School Lunch Grant.
- 5.2 An understanding of the wider financial risks to the Council is necessary in planning future measures to secure the provision of school meals in the City. During the development of the specification we will need to be mindful of proposed payment mechanisms to ensure that the proportion of risk for the Council and the provider is adjusted.

### Financial Risk

The key financial risks are:

- That the School Lunch Grant will finish in 2011 and not be replaced. At current costs this would leave a potential gap of £197,000 in the meals budget.
- If the shortfall were to be recouped through increased meal prices approximately 17.3p (at current take up levels) per meal then meals take up would likely fall. Lower levels of take up would make the service in all schools less cost effective, and could result in additional contract costs or reductions in service provision.
- Any national initiatives e.g. via the School Food Trust or local requirements that further prescribe the type of ingredients, such as organic produce or locally sourced produce would impact on the meal cost. The effects of price increases are set out above.

- Should there be a major reduction in meals take up for any reason there would be a cost to the Council as the unit cost increases.
- There would be a direct impact on the free school meals budget arising from any increase in the paid meal cost. The budget would have to increase to reflect higher meals costs so that the Council can pay the contractor for free meals and non contract schools can meet the costs of their free meals from their delegated budget share.

The risks highlighted above and the overall funding for the school meals service will need to be reviewed as part of next years budget process to ensure there are no additional costs to the council in 2011/12 and beyond. Funding for any increased costs resulting from the new schools meals contract would need to be identified from within the Dedicated Schools Grant budget.

*Finance Officer Consulted: Paul Brinkhurst*

*Date:13/04/10*

#### Legal Implications:

- 5.3 The new contract to be tendered is a 'Part B' service for the purpose of EU procurement law and UK procurement Regulations, and therefore not subject to the full application of either. The Council will nevertheless be required to comply with EU Treaty objectives of non-discrimination and openness in procurement, as well as comply with its obligation to seek Value for Money. Where the value of the contract is in excess of £75,000 it must be in a form approved by the Head of Law. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

Legislation requires that the City Council must provide free school meals to eligible pupils who qualify on the basis of low family income. The Council is also required to provide a school meals service for paying customers where parents request such a service.

*Lawyer Consulted: Serena Kynaston*

*Date:16/04/10*

#### Equalities Implications:

- 5.4 In framing the specification care must be taken to ensure that adequate provision is made for special dietary needs related to health and to ideological or religious observance. The terms of the contract tendering process will require potential service providers to demonstrate that they have policies in place to ensure that staff and customers are treated in such a way as to support their rights in equalities legislation.

#### Sustainability Implications:

- 5.5 Sustainability issues will be addressed in the Pre Qualification Questionnaire and service specification documents. The specification and evaluation criteria will include reference to local and sustainable sourcing including food miles, food provenance and the use of seasonal ingredients and food produced using sustainable practices.

#### Crime & Disorder Implications:

- 5.6 There are no direct implications for crime and disorder in the report.

#### Risk & Opportunity Management Implications:

- 5.7 The key risks in not taking forward a tendering process for Primary & Special School Meals are:
- There would be no consistent provision in place to cater for pupils entitled to receive free school meals
  - There would be no consistent provision for parents/carers wishing to purchase a school meal
  - There would be no economy of scale available to schools making individual arrangements for the production of meals. This would have a direct impact on the cost of meals production and the cost of school meals to parents and the free school meals budget. The effect is likely to be more pronounced in primary and special schools as small trading units
  - Schools would have to operate individual services either in house or contracted out directly. This could result in differential pricing across the City.

#### Corporate / Citywide Implications:

- 5.8 The provision of nutritionally balanced meals contributes to the health and well being of pupils. There are also learning benefits associated with the consumption of a school lunch to sustain pupils through the course of the school day. School meals can also provide an opportunity for schools to engage children and families in activities which promote a healthy lifestyle. For example recognition of food items, experimentation with different foodstuffs and recipes and the development of social skills.

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

- 6.1 The Council does not have an in-house catering operation to support the requirements currently covered by the School Meals contract. In order to set up such an operation there would need to be a full evaluation of the legal, practical and financial issues. It is possible that such an arrangement could deliver a similarly priced service to that which the Council has been receiving through contracting. However it should be noted that this option would require the provision of additional HR, finance and payroll support

beyond the service itself. There would also be a need for more direct involvement in day to day management and staff management rather than monitoring of the contract as at present.

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

- 7.1 To ensure that suitable catering provision is available to support schools throughout the City.
- 7.2 To ensure that the Council meets its legal obligations with regard to provision of free and paid meals
- 7.3 To ensure that the school meals served in Primary and Special schools are of a high quality and meet the Government's nutritional standards
- 7.4 To secure the most cost effective meals service across the city's primary and special schools
- 7.5 To examine the option of insourcing the service and whether such an approach would prove financially viable

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

NONE

### **Documents in Members' Rooms**

NONE

### **Background Documents**

NONE

# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 62

Brighton & Hove City Council

**Subject:** Capital Programme 2010/2011  
**Date of Meeting:** 26 April 2010  
**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: CYP14510  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 To allocate funding available in the Capital programme under New Deal for Schools Modernisation (NDS), Structural Maintenance, New Pupil Places, Schools Access Initiative, Primary Capital Programme, Target Capital Fund, Basic Need Safety Valve and the Sure Start Capital Grant cost centres for 2010 / 2011

#### 2. RECOMMENDATIONS:

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

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

- 3.1 The Cabinet Member received a report on the Capital Resources and Capital Investment Programme and the Sure Start capital programme for 2010/10 at the meeting on 4<sup>th</sup> January 2010. The recommendations from those reports have been included in the report by the Director of Finance and Resources, entitled Capital Resources and Capital Investment Programme for 2010/10. This report was considered by Cabinet on 11<sup>th</sup> February 2010 and Budget Council on 25<sup>th</sup> February 2010. The full capital programme for CYPT is attached at Appendix 1
- 3.2 Seven of the principal headings in the programme relate to funding for adaptations, improvements and extensions of school buildings. These are listed below:

**NDS Modernisation** (under which £2,304,642 is available for improvements to facilities available in community schools);  
**Structural Maintenance** (under which £920,000 is available for expenditure on schools and other educational establishments);

**New Pupil Places** (under which £668,831 is available for expenditure on providing or removing pupil places);  
**Schools Access Initiative Funding** (under which £366,679 is available for expenditure on improving access to buildings and the curriculum);  
**Primary Capital Programme** (under which £5,452,914 is available for transforming education in primary phase schools);  
**Targeted capital Fund** (under which £6,million is available for works to secondary schools, particularly 14 – 19 diplomas, SEN and disabilities, pending inclusion in the full BSF programme);  
**Basic Need Safety Valve Funding** (under which £5.7million is available for providing additional primary school places in the city);

An overall summary of expenditure against each of these headings is attached at Appendix 2 and a more detailed explanation of each item is shown below.

### 3.3 **NDS modernisation**

- 3.4 Owing to pressures on this budget in the last financial year we were granted permission to bring forward £300,000 allocated to us for the 2010/11 financial year under this heading. Consequently this now has to be deducted from this year's allocation
- 3.5 New and revised legislation on both the control of legionella and asbestos in buildings has given rise to the need to carry out works on a rolling programme to school buildings to achieve compliance with the new legislation. It is recommended that £250,000 be allocated to this work from the NDS funding.
- 3.6 The introduction of the new fire regulations has meant that the Council has had to undertake fire risk assessments for all of its building including schools. These risk assessments have been arranged and paid for by Property and Design. Any necessary work identified by the audits that is the responsibility of the Local Authority will have to be prioritised and carried out on a rolling programme. There may be some work identified that is the responsibility of the individual school and the cost of this will be met from the schools budgets. It is recommended that £200,000 is allocated for works identified by the Fire Risk Assessments that are the responsibility of the Local Authority.
- 3.7 School kitchens have been subject to food hygiene inspections for many years and are currently inspected under the Food Safety Act 1990, Food Hygiene (England) Regulations 2006 and Regulation (EC) No.852/2004. Issues regarding compliance in relation to ventilation have been raised for a number of years. Inadequate ventilation in a kitchen environment leads to very hot and humid conditions which raise the risk of accidents, hygiene problems and potential poor health of staff. The introduction recently of the 5 Star "Scores on the Doors" system places greater emphasis on and publicises the quality of the kitchen environment.
- 3.8 In 2007/2008 it was decided to adopt a more systematic approach to addressing ventilation issues in school kitchens. Surveys were commissioned in 2 schools to establish the potential extent of the problem, provide recommendations and some initial budgetary costs. It is necessary for the CYPT to allocate funding for a planned programme over a number of years to resolve this matter.

- 3.9 It is recommended that £100,000 is allocated from the NDS budget for this purpose.
- 3.10 A major priority of the Asset Management plan is to reduce the amount of condition related works in schools. A rolling programme of works has been prepared which currently extends to 13 years. In an effort to reduce this time period it is recommended that £500,000 is allocated from NDS funding to carry out additional structural maintenance in the 2010 / 2011 financial year.
- 3.11 The extent of the work at each school will be the subject of further discussion with schools. Schools which benefit from this additional funding will be required to make a contribution to the costs involved from their Devolved Formula Capital allocations.
- 3.12 We have instigated a rolling programme of surveys of school buildings to better inform the prioritisation of maintenance works at schools. Surveys include condition surveys, gas and electrical soundness surveys and asbestos surveys etc. It is recommended that £100,000 be allocated for this.
- 3.13 At her meeting on 5<sup>th</sup> October 2009 the Children and Young People Cabinet Member agreed to progress proposals to permanently expand Goldstone Junior School and Westdene Primary Schools by one form of entry each from September 2011. At the same time it was agreed to seek approval from the schools adjudicator to temporarily expand the schools by one form of entry from September 2010.
- 3.14 The Schools adjudicator has agreed to this proposal. Consequently it is necessary to provide the schools with temporary accommodation to enable them to take the additional pupils.
- 3.15 It is recommended that £250,000 is allocated to the provision of the necessary temporary accommodation.
- 3.16 Each year we look to identify the next major schemes to be taken forward. This enables us to undertake advanced design which in turn gives us more certainty of completing the construction element of the scheme within one financial year. This is more important than ever this year given the levels of funding available next year under the Primary Capital Programme and the Targeted Capital Fund. It is recommended that £150,000 is allocated for advanced design.
- 3.17 In 2009 the council submitted a successful bid for co-location funding for a project on the site of Whitehawk primary school. The project will bring together education, social care, library and adult learning teams and provide community space. As a result of the bid we were granted £5.37million towards the cost of the project. The remainder of the costs are to be met by a contribution from the education capital programme and from the capital receipts resulting from the scheme. Unfortunately owing to timing issues it is not possible to sell the land necessary prior to completing the project. Consequently there has to be forward funding of this element of the project. It is recommended that £300,000 of the £1million is met from NDS funding.

- 3.18 The above recommendation will leave £104,000 of the available resources uncommitted. This is considered prudent until tenders for the current planned work have been received and will enable us to address any urgent priorities which may arise later in the financial year.
- 3.19 **Structural maintenance**
- 3.20 The sum of £920,000 is available for structural maintenance as a result of the transfer of revenue funding by Finance and Resources.
- 3.21 The extent of the work at each school will be the subject of further discussion and, where appropriate, schools will be asked to make a contribution to the costs involved from their Devolved Formula Capital.
- 3.22 A copy of the proposed structural maintenance programme is attached at Appendix 3 to this report.
- 3.23 **New Pupil Places**
- 3.24 The New Pupil Places budget is provided to allow authorities to expand or contract schools as necessary when pupil numbers change.
- 3.25 At the Cabinet Member Meeting held on 4<sup>th</sup> January 2010, it was agreed to progress proposals to expand Goldstone Primary School and Westdene Primary School permanently by one form of entry and Queens Park Primary School by half a form of entry from September 2011. The statutory consultation process has been started as has the preliminary design.
- 3.26 It is intended that the results of these proposals will be reported to the CYP Cabinet Member meeting in July 2010 for a final decision on the proposals.
- 3.27 Subject to the determination of the statutory notices for the proposals to expand Goldstone Primary School, Westdene Primary School and Queens Park Primary Schools it is recommended that £225,000 each should be allocated to Goldstone and Westdene and £218,381 should be allocated to Queens Park Primary School.
- 3.28 **Schools Access Initiative Fund**
- 3.29 Each year it is necessary to carry out some adaptations at some schools to accommodate children with special mobility needs. The costs of these changes are met from the Schools Access Initiative fund. At the present time it is anticipated that the cost of these changes will utilise £150,000.
- 3.30 It is recommended that the remaining £216,679 be allocated to continue the work to meet the targets of the Accessibility Plan for Schools.
- 3.31 **Primary Capital Programme**
- 3.32 The Primary Capital Programme is intended to transform primary education; the funding is expected to be targeted in such a way as to ensure this educational transformation and to make primary schools the heart of their communities. A Strategy for Change outlining our approach to transformation was submitted to



the DCSF and they have confirmed that they are happy with the approach we have suggested.

- 3.33 Our initial proposals under the PCP are based on the need to provide additional school places in the primary phase in some parts of the city. Expansions of Balfour Junior School and Davigdor Infant School were started in the 2009/10 financial year. These schemes will be completed in the current financial year and it is recommended that £100,000 and £250,000 respectively are allocated to completing these schemes.
- 3.34 The Children and Young People Cabinet Member approved a scheme to expand Somerhill Junior School by one form of Entry from September 2011 at her meeting on 6<sup>th</sup> July 2009. It is recommended that £2,500,000 is allocated to this scheme from the PCP funding.
- 3.35 The Children and Young People Cabinet Member agreed to the progressing of proposals to expand Goldstone and Westdene Primary Schools by one form of entry and Queens Park Primary School by half a form of entry from September 2011. Subject to the determination of the statutory processes for these proposals it is recommended that £500,000, £500,000 and £400,000 respectively should be allocated to these projects.
- 3.36 As part of the successful bid for £5.37 million to allow the co-location of services onto the site of Whitehawk Primary school the council was required to provide £2.1 million of matched funding from within existing capital resources (see paragraph 3.19 above).
- 3.37 It was anticipated £1million of this would be available from the PCP funding for this purpose since part of the project is the replacement of the current school dining accommodation which is currently in a HORSAs building and the replacement of HORSAs kitchen and dining facilities is a high priority in the Asset Management Plan for schools. It is recommended that £1million allocated for this project.
- 3.38 Advanced design is an important element of work to ensure that we have more certainty of completing the construction element of the schemes within one financial year. It is recommended that £150,000 is allocated for advanced design from within the PCP funding.
- 3.39 **Targeted Capital Fund**
- 3.40 As part of the Council's future development of schools within the city it was agreed at the CYP Cabinet Member Meeting on 6<sup>th</sup> July 2009 to expand Longhill School by one form of entry and to carry out the necessary adaptations to the building to facilitate this expansion.
- 3.41 Work on site was started in the 2009/10 financial year. The scheme will be completed this year. It is recommended that £3.3million is allocated for the completion of this scheme.
- 3.42 Work has progressed on developing plans for an Academy at Falmer. The scheme to provide a new building for the Academy is being funded by the DCSF and procurement is via the Partnerships for Schools framework contract.

However the DCSF funding does not cover the cost of re-providing the Swan Centre or the existing accommodation for the school caretaker.

- 3.43 These costs fall to the Council and it is recommended that £257,000 is allocated to this element of the Falmer project.
- 3.44 Cardinal Newman School have developed plans to provide a new Technology block for the school. The overall cost of this scheme is £3.2 million. The school have raised £1.12million from funding sources available to them (Devolved Formula Capital and School Budget). Other funding is being made available from the Locally Coordinated Voluntary Aided programme, targeted funding for the provision of practical teaching spaces cooking and the enhancement of dining facilities in schools. However they require an additional £700,000 to enable them to afford the scheme. It is recommended that £700,000 is allocated to this project.
- 3.45 As part of the successful bid for £5.37 million to allow the co-location of services onto the site of Whitehawk Primary school (see paragraph 3.19 above) the council is required to provide matched funding from within existing capital resources and from the capital receipts resulting from the scheme. Unfortunately owing to timing issues it is not possible to sell the land necessary prior to completing the project. Consequently there has to be forward funding of this element of the project. It is recommended that £700,000 of the £1million is met from the Targeted Capital Fund.
- 3.46 Bevendean Primary School accommodates a Hearing Impairment unit. The acoustic performance of some of the areas used by pupils with hearing impairment is not up to the standard needed for a facility of this nature. It is recommended that £50,000 is allocated to improving the acoustics in parts of the school used by pupils with a hearing impairment.
- 3.47 Cedar centre improvements £500k
- 3.48 In 2009 the DCSF announced a bidding round to enable LA's to provide practical cooking spaces for all secondary schools, including special schools, which did not have them or at least access to them.
- 3.49 Hillside Special School said that they intended to deliver the compulsory elements of the design and technology KS3 curriculum from September 2011 but that they had no access to facilities for their pupils. Consequently a bid was put in for the funding which was successful and we were allocated £300,000 in respect of Hillside Special School. However to provide the facilities that the school needs it will be necessary to match this sum from within capital resources. It is recommended that £350,000 is allocated from the Targeted Capital Funding for this purpose.
- 3.50 **Basic Need Safety Valve Funding**
- 3.51 In the summer of 2009 the DCSF announced a Basic Need safety Valve Bidding Round. Local Authorities which were experiencing exceptional growth in primary numbers were invited to bid for a share of £200million to provide additional primary places by September 2011. We submitted a successful bid and were

allocated £5.7million. The funding has to be used to provide good quality permanent accommodation for additional pupils.

- 3.52 Subject to the determination of the statutory processes for proposals to expand Goldstone Primary, Westdene Primary and Queens Park Primary Schools it is recommended that £2million, £2million and £1.6million respectively should be allocated to these projects.

### **3.53 Sure Start Capital Grants**

- 3.54 There are two Sure Start Grants: one for developing and maintaining Children's Centres and an Early Years Grant aimed at improving the learning environment in early years settings with priority for private, voluntary and independent providers. The allocations of both grants have been agreed in previous Cabinet Member Meetings. As reported to CMM on 4 January 2010 there is £391,530 unallocated. It is recommended that this funding should be allocated as follows:
- Up to £200,000 for the Becca pre-school in Bevendean to refurbish the existing building including improving windows, electrics and toilets;
  - The remaining funding will be kept as a contingency until final costs of the larger projects in the programme are known. This funding will then be allocated to a programme of small works for early years providers based on the audit completed in 2008/9.

## **4. CONSULTATION**

- 4.1 Consultation has been carried out as necessary on the individual schemes mentioned above.

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

### Financial Implications:

- 5.1.1 This report sets out the allocation of capital resources under a number of schemes included in the Capital Investment Programme 2010/11, as approved by Cabinet on 11<sup>th</sup> February 2010 (per Appendix 1).
- 5.1.2 The recommended allocations of the 2010/11 capital funding over the projects detailed in the report are given in Appendices 2 and 3.
- 5.3 The revenue implications of any schemes proposed would need to be met from existing resources.

Finance Officer Consulted: Michelle Herrington

Date: 07/04/2010

### Legal Implications:

- 5.2 The report highlights the need for the local authority and schools to comply with the current statutory provisions contained in the Disability Discrimination Act 1995, and recent regulations concerning the control of asbestos and legionella in buildings.

The proposed expansion of Goldstone Primary, Westdene Primary and Queens Park Primary schools are all intended to ensure that the local authority meets its statutory duty to ensure that there are sufficient school places available within its area.

There are no other direct legal implications arising from this report. Individual projects may give rise to specific issues which will be covered by the individual reports referring to them. There are no specific Human Rights implications arising from this report.

Lawyer Consulted: Serena Kynaston      Date:23/03/2010

Equalities Implications:

- 5.3 The equality implications of individual schemes included within the Capital Investment Programme are reported to Members when detailed reports are submitted to Cabinet to Cabinet Member for final approval. The detailed planning of projects at educational establishments will take account of the implications of Brighton & Hove's policies in relation to equality of access to learning.

Sustainability Implications:

- 5.4 There are no direct environmental implications arising from this report. The environmental impact of individual schemes are reported to Members when detailed reports are submitted to Cabinet or Cabinet Member for final approval. The detailed planning of projects at educational establishments will take account of the implications of Brighton & Hove's policies in relation to Local Agenda 21 and sustainability issues generally

Crime & Disorder Implications:

- 5.5 The prevention of crime and disorder implications of individual schemes included within the Capital Investment Programme are reported separately to Members when detailed report are submitted to Cabinet or Cabinet Member for final approval. The detailed planning of projects will take account of security issues.

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 The NDS funding identified in this report is evidence of the Governments continuing support, via the New Deals for Schools, for the Council's work as a Local Education Authority. The support for the PCP is also indicative that the DCSF supports the Councils proposals around transforming primary education.

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

- 6.1 The only option available would be not to take up the supported borrowings approvals. This is not recommended as it would limit our ability to extend maintain, modernise and improve our school buildings property portfolio

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

- 7.1 The proposed capital Investment programme will enable us to work towards meeting the aims of the Primary Strategy for Change. It will also enable us to continue to ensure that we provide school places in areas of the city where they are required

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. CYPT Capital investment programme for 2010 / 2011
2. Summary of allocation of funding streams in Section 3 of this report
3. Proposed Structural Maintenance programme
4. Summary of allocation of Sure Start Capital Grants

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

1. None

#### **Background Documents**

1. None



**Children Families and Schools**

**CAPITAL PROGRAMME 2010 /2011**

Capital Scheme	Profiled Payments 2010/11
	£'000
<b><u>New Schemes</u></b>	
Basic Need	669
Modernisation Allocation	1,954
Primary Capital Programme(PCP)	4,453
Devolved Capital	2,885
Structural Maintenance	920
Schools Access Initiative	367
Targeted Capital Fund	6,000
Co-location Funding	7,470
Capital Fund for Kitchens	140
<b>TOTAL INVESTMENT IN BUILDINGS</b>	<b>24,858</b>
* Surestart, early years & childcare	1,602
* Extended Schools	83
* Harnessing Technology Grant	662
* Youth Capital Fund	122
* Childrens Social Services	44
* Swan Centre - Caretakers Flats	557
<b>TOTAL FOR SERVICE:</b>	<b>27,928</b>

\*These budgets are managed by others.

They are referred to in this appendix for completeness but they are not commented on in this re  
They have been or will be reported to Cabinet by others.





	NDS Modernisation		Basic Need		Schools Access Initiative		Primary Capital Funding		Targeted Capital		Basic Need Safety Valve		Co-location Grant		Total			
	2010/11		2010/11		2010/11		2010/11		2010/11		2010/11		2010/11		2009/10	2010/11	2011/12	Scheme Totals
2010/11	£2,304,642		£668,381		£366,679		£5,452,914		£6,000,000		£5,700,000		£5,370,000			£25,862,616		
Legionella	£125,000															£125,000	£0	£125,000.00
Asbestos	£125,000															£125,000	£0	£125,000.00
Fire Risk Assessments	£200,000															£200,000	£0	£200,000.00
Ventilation in Kitchens	£100,000															£100,000	£0	£100,000.00
Condition works	£500,000															£500,000	£0	£500,000.00
Advanced design	£150,000					£150,000		£100,000								£400,000	£0	£400,000.00
Surveys (condition gas etc)	£100,000															£100,000	£0	£100,000.00
Works at St Lukes following merger	£50,000														£100,000	£50,000	£0	£150,000.00
Balfour Junior School							£100,000								£2,076,941	£100,000	£0	£2,176,941.00
Davigdor Infant School							£250,000								£1,516,804	£250,000	£0	£1,766,804.00
Longhill School									£3,300,000						£1,600,000	£3,300,000	£0	£4,900,000.00
Somerhill Junior School							£2,500,000									£2,500,000	£0	£2,500,000.00
Goldstone Primary			£225,000			£500,000	£400,000				£2,000,000				£2,725,000	£400,000	£3,125,000.00	
Westdene Primary			£225,000			£500,000	£1,300,000				£2,000,000				£2,725,000	£1,300,000	£4,025,000.00	
Queens Park Primary			£218,381			£400,000	£300,000				£1,600,000				£2,218,381	£300,000	£2,518,381.00	
Individual Pupil needs					£150,000											£150,000	£0	£150,000.00
Accessibility Strategy					£216,679											£216,679	£0	£216,679.00
Falmer Academy									£257,000						£300,000	£257,000	£0	£557,000.00
Temporary accommodation at Goldstone and Westdene	£250,000															£250,000	£0	£250,000.00
Cardinal Newman Tech block									£700,000							£700,000	£0	£700,000.00
Whitehawk Co-location Project	£300,000					£1,000,000		£700,000					£5,370,000		£7,370,000	£0	£7,370,000.00	
Bevendean hearing impairment									£50,000							£50,000	£0	£50,000.00
Cedar centre improvements									£500,000							£500,000	£0	£500,000.00
Additional work at Hillside special school to provide teaching kitchen									£350,000							£350,000	£0	£350,000.00
Payback forward funding	£300,000															£300,000	£0	£300,000.00
Total Commitments	£2,200,000		£668,381	£0	£366,679	£0	£5,400,000	£2,000,000	£5,957,000	£0	£5,600,000		£5,370,000			£25,562,060		
Outstanding balance	£104,642		£0	£0	£0	£0	£52,914	£2,000,000	£43,000	£0	£100,000		£0			£300,556		
																£25,862,616		

Notes

AMP priorities include replacements of HORSAs KDR's, therefore regardless of success of Co-location bid we will replace the dining facility at Whitehawk Primary  
AMP priorities also include removal of temporary and hatted accommodation - Westdene Primary has greatest amount of detached



Proposed Structural Maintenance Programme 2010/ 2011

School	Bid	Budget Price
<b>GENERAL</b>		<b>£90,000.00</b>
Blatchington Mill St Luke's Primary	Repairs to balconies & ballustrading to West Block Masonry repairs - Phase 4	
<b>ROOFING</b>		<b>£252,000.00</b>
ACE - St Georges House	Replace pitched roof covering Renew coverings to early years foundation corridor and classrooms.	
Bevendean Primary	Replace rooflight within Student Services Building	
Blatchington Mill	Replacement roof covering over sports corridor	
Blatchington Mill	Renew flat roof to Nursery corridor	
Carden Primary	Replace flat roof covering over corridor	
Hangleton Junior	Replace kitchen roof (Lower School) inc. rooflight	
Hove Park		
<b>TOILETS</b>		<b>£43,000.00</b>
Carlton Hill Primary	Refurbish upstairs toilets boys	
Jeanne Saunders	Refurbish upstairs children's toilet	
Rudyard Kipling	Refurbish Yr 2 Boys Toilets	
<b>WINDOWS &amp; DOORS</b>		<b>£90,000.00</b>
Blatchington Mill	Brickwork repairs & window replacements to Classroom 120.	
Downs Junior	Window repair to 2no gable ends on Rugby Road.	
Rudyard Kipling	Replacement of glazed walkway to Dahinda Classroom & remedy damp issues.	
<b>MECHANICAL</b>		<b>£265,000.00</b>
Bevendean Primary	Phase 3 Heating to Year 5/6 Replace Hot & Cold Water Services in east block	
Blatchington Mill	(Legionella issue) - Phase 2	
Hertford Junior	Replacement heating system - Phase 1	
West Hove Junior	Replace boiler and boiler door. Phase 1 new gas supply	
<b>ELECTRICAL</b>		<b>£17,200.00</b>
Fairlight Primary	Replace IT suite fuse board	

Hove Park	Replacement distribution board (Upper School)	
Hove Park	Replacement distribution board (Lower School)	
<b>YOUTH</b>		<b>£16,000.00</b>
67 Centre	Replace high level metal windows	
Portslade Youth Centre	Renew rear elevation windows.	
<b>CARETAKER'S HOUSES</b>		<b>£19,000.00</b>
Elm Grove	Refurbish Caretaker's house kitchen	
Middle Street	Caretaker house kitchen refurbishment.	
Primary	Caretaker's House – replace flat roof	
Saltdean Primary		
Kitchens	Allowance for remedial work identified from EHO reports etc	<b>£8,000.00</b>
Electrical	Allowance for remedial work identified from T&R reports	<b>£20,000.00</b>
Caretaker's Houses	Allowance for remedial work identified from inspections	<b>£10,000.00</b>
		<b>£830,200.00</b>

# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 63

Brighton & Hove City Council

<b>Subject:</b>	<b>Proposed Expansions of Primary Schools – Consultation Outcome</b>		
<b>Date of Meeting:</b>	<b>26 April 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: CYP14508</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 permanently expand Goldstone Primary School and Westdene Primary School by one form of entry from September 2011 and Queens Park Primary School by half a form of entry by September 2011.
- 1.2 The purpose of this report is to set out the background and rationale for these proposed expansions and to seek Cabinet Member endorsement for proceeding to the next stage of the statutory process, which is the publication of the required Statutory Notice.

#### 2. RECOMMENDATIONS:

- 2.1 (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.
- 2.2 That the publication of the required Statutory Notice to progress these proposals be agreed.
- 2.3 That the results from the statutory consultation processes are referred to Cabinet Member Meeting on 28<sup>th</sup> June 2010 for decision.

**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.
- 3.5 The governing body of each school has been consulted as part of the initial consultation process.
- 3.6 The views of the governing body will be finalised in light of the outcome of the consultation. The initial view of each governing body was that they supported the proposal to expand their schools. They are aware that the proposals would benefit the increasing number of parents and pupils of the communities served by the schools. Each Governing body will hold a special meeting at the end of the consultation period to determine their final views on the proposal that relates to their school.
- 3.7 In proposing the expansion of the three schools the following programme is to be followed.

Publication of Consultation Document	11 <sup>th</sup> January 2010
Public Consultation Meeting	February / March 2010
Last date for responses	5 <sup>th</sup> March 2010
Report back to Children and Young Peoples Trust Board	26 <sup>th</sup> April 2010

Issue Public Notice	10 <sup>th</sup> May 2010
End of public notice period	7 <sup>th</sup> June 2010
Decision by the Children and Young People Cabinet Member	28 <sup>th</sup> June 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 28<sup>th</sup> June 2010. The report to that meeting will seek the final decision on the three proposals.
- 3.9 Copies of the draft statutory notices are attached to this report at Appendix 1.
- 3.10 For clarity these three proposals are not linked in any way. It will be possible to progress none, any or all of the proposals depending on the results of the consultation process.

#### **4. CONSULTATION**

- 4.1 Increasing the number of pupils within a school no longer falls under School Organisation regulations as it did before September 2009. However the resultant enlargement of the premises is still covered under the School Organisation regulations.
- 4.2 The School Admissions Code 2010 requires that any admission authority wishing to increase a school's published admission number can propose to do so during the annual consultation and determination of admission arrangements for all schools in the area. The School Admissions consultation carried out for Brighton & Hove between November 2009 and March 2010 for the academic year 2011/12 included the proposals to expand the three schools. Results of that consultation were reported to the Children and Young People Cabinet Member Meeting held on 22<sup>nd</sup> March 2010.
- 4.3 Documents outlining the expansion process were issued to governors, staff, pupils and parents and carers of all three schools 11<sup>th</sup> January 2010 and copies were made available to any other interested parties. Copies of these consultation documents are attached as Appendix 2 to this report
- 4.4 As part of the public consultation process public meetings were held at each school. The meeting at Goldstone was held on 1<sup>st</sup> March 2010, at Westdene on 23<sup>rd</sup> February 2010 and at Queens Park on 22<sup>nd</sup> February 2010. These meetings gave parents and carers, governors and other interested parties the opportunity to put forward their views. The meetings were attended by councillors, governors, head teachers and officers of the Local Authority. Notes of the three meetings are attached to this report at Appendix 3.

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

- 4.6 The Goldstone meeting was attended by approximately 30 members of the public. The main points raised at the meeting were about increases in traffic and the effect of the increased size of the school on local residents. There was also concern about whether there would be any loss of external play space.
- 4.7 This initial stage of the consultation came to a close on 5<sup>th</sup> March 2010. The responses to this consultation exercise have been collated and analysed. Copies of the responses received have been copied and put in the members rooms.
- 4.8 In summary 58 responses were received of which 34 were in favour of the proposal and 24 were against the proposal.
- 4.9 The responses from those who supported the proposals said that they understood the need for additional places in the area and welcomed the increase in capacity for the school as this would increase the chances of local children being able to gain a place at their local school.
- 4.10 The main reasons for opposing the proposal were
- Concerns about the traffic and parking situation outside the school
  - The school is big enough already at 2 FE
  - There will be disruption during any associated building works
  - Concern at the loss of outside space at the school

#### **4.11 Westdene Primary School**

- 4.12 The Westdene meeting was attended by approximately 25 members of the public. The main points raised at the meeting were about the capacity of the local roads to accommodate additional traffic at school drop off and pick up times. There were also a few concerns about the size of the school if the proposal was to go ahead.
- 4.13 This initial stage of the consultation came to a close on 5<sup>th</sup> March 2010. The responses to this consultation exercise have been collated and analysed. Copies of the responses received have been copied and put in the member's rooms.
- 4.14 In summary 78 responses were received of which 70 were in favour of the proposal and 8 were against the proposal.
- 4.15 The responses from those who supported the proposals said that they understood the need for additional places in the area and welcomed the increase in capacity for the school as this would increase the chances of local children being able to gain a place at their local school.
- 4.16 The main reasons for opposing the proposal were;
- The school currently has a wonderful community feel and ethos. Increasing the size of the school will jeopardise this;
  - The schools would be too big at three forms of entry;
  - there will be disruption during any associated building works;
  - Concerns about the traffic and parking situation outside the school.



#### **4.17 Queens Park Primary School**

4.18 The Queens Park meeting was attended by approximately 15 members of the public. The main concern raised at the meeting was about the size of the school and the site if the proposal was to go ahead.

4.19 This initial stage of the consultation came to a close on 5<sup>th</sup> March 2010. The responses to this consultation exercise have been collated and analysed. Copies of the responses received have been copied and put in the member's rooms.

4.20 In summary 33 responses were received of which 19 were in favour of the proposal 13 were against the proposal and one respondent was not sure.

4.21 The responses from those who supported the proposals said that they understood the need for additional places in the area and welcomed the increase in capacity for the school as this would increase the chances of local children being able to gain a place at their local school. They also welcomed the proposed expansion of the school as they felt that this would afford the school greater opportunities for extended activities.

4.22 The main reasons for opposing the proposal were

- That the site of the schools is too small to accommodate an increased number of pupils
- Concern about the increase in traffic on the local residents.

4.23 Analysis of existing pupil placements suggests that those who do not achieve a place at any of the three schools mentioned above are allocated places across a range of other schools right across the city. The Council believes that there will be no negative impact on other local primary schools as a result of these proposals. It is anticipated that the present trend of rising primary aged pupil numbers in the city combined with potential new developments will mean that further additional places will be required in the city even if these proposals are implemented.

4.24 The mix of pupils in primary schools generally reflects their local communities hence there is generally a narrower variation of social mix than that found within secondary school cohorts. The DCSF particularly supports the expansion of popular and successful schools where possible to better provide for parental preferences.

4.25 Regarding the argument that there is no need for an increase in places within the City, the numbers of children being born in the city has been rising for a number of years. The oldest of these children are now presenting for a primary school place. As a result of this it has been necessary to provide temporary additional forms of entry at Goldstone and Westdene Primary Schools from September 2010.

- 4.26 The proposal to expand these three schools forms part of the wider strategy for providing school places across the City

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

- 5.1.1 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: 07/04/2010

### Legal Implications:

- 5.2 If it is agreed to proceed with the proposed expansions of the schools it will be necessary for the Council to publish statutory notices in accordance with section 19 of the Education and Inspections Act 2006 and associated regulations. Following publication there will then follow a period of 4 weeks during which any person may make comment or objection to the proposal.

At the end of this representation period a decision on the proposed expansions will need to be taken within 2 months.

*Lawyer Consulted: Serena Kynaston*

*Date: 10/03/2010*

### 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 at their current sizes.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Brighton and 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. This proposal will provide much needed additional places.
- 7.2 The views of the parents and carers, staff, governors and pupils of the school expressed during the consultation have been considered.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Draft Statutory Notices
2. Consultation documents for the proposed expansions
3. Record of the public meetings held in February and March 2010

**Documents In Members' Rooms**

1. Consultation responses

**Background Documents**

1. None



### Proposed Expansion of Goldstone Community Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Brighton & Hove City Council intends to make a prescribed alteration to Goldstone Community Primary School Laburnum Avenue Hove BN3 7JW from 01 September 2011.

The Council proposes to expand Goldstone Community Primary School by one form of entry (30 pupils per year group) from September 2011 and to enlarge the premises accordingly.

The current capacity of the school is 418 and the proposed capacity will be 630. The current number of pupils registered at the school is 410. The current admission number for the school is 60 and the proposed admission number will be 90.

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 four weeks from the date of publication of these proposals (i.e. by 7<sup>th</sup> June 2010), any person may object to or make comments on the proposal by sending them to Ms D Smith, Director of Children's Services, Brighton and Hove City Council, Kings House, Grand Avenue, Hove, BN3 2LS..

Signed: Di Smith

Publication Date: 10<sup>th</sup> May 2010

#### **Explanatory Notes**

Increasing the number of pupils within a school no longer falls under School Organisation regulations as it did before September 2009. However the resultant enlargement of the premises is still covered under the School Organisation regulations. The School Admissions Code 2010 requires that any admission authority wishing to increase a school's published admission number can propose to do so during the annual consultation and determination of admission arrangements for all schools in the area. The School Admissions consultation carried out for Brighton & Hove between November 2009 and March 2010 for the academic year 2011/12 included the proposals to expand Goldstone Primary School. Results of that consultation were reported to the Children and Young People Cabinet Member Meeting held on 22nd March 2010



### Proposed Expansion of Westdene Community Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Brighton & Hove City Council intends to make a prescribed alteration to Westdene Community Primary School Bankside Brighton BN1 5GN from 01 September 2011.

The Council proposes to expand Westdene Community Primary School by one form of entry (30 pupils per year group) from September 2011 and to enlarge the premises accordingly.

The current capacity of the school is 420 and the proposed capacity will be 630. The current number of pupils registered at the school is 433. The current admission number for the school is 60 and the proposed admission number will be 90.

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)

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Signed: Di Smith

Publication Date: 10<sup>th</sup> May 2010

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Increasing the number of pupils within a school no longer falls under School Organisation regulations as it did before September 2009. However the resultant enlargement of the premises is still covered under the School Organisation regulations. The School Admissions Code 2010 requires that any admission authority wishing to increase a school's published admission number can propose to do so during the annual consultation and determination of admission arrangements for all schools in the area. The School Admissions consultation carried out for Brighton & Hove between November 2009 and March 2010 for the academic year 2011/12 included the proposals to expand Westdene Primary School. Results of that consultation were reported to the Children and Young People Cabinet Member Meeting held on 22nd March 2010





### Proposed Expansion of Queens Park Community Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Brighton & Hove City Council intends to make a prescribed alteration to Queens Park Community Primary School Freshfield Place Brighton BN2 0BN from 01 September 2011.

The Council proposes to expand Queens Park Community Primary School by half a form of entry (15 pupils per year group) from September 2011 and to enlarge the premises accordingly.

The current capacity of the school is 315 and the proposed capacity will be 420. The current number of pupils registered at the school is 307. The current admission number for the school is 45 and the proposed admission number will be 60.

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)

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# CABINET MEMBER MEETING

## Agenda Item 64

Brighton & Hove City Council

<b>Subject:</b>	<b>Proposed New School for Hove</b>		
<b>Date of Meeting:</b>	<b>26<sup>th</sup> April 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:</b> <b>29-3474</b>
	<b>E-mail:</b>	<a href="mailto:Gil.sweetenham@brighton-hove.gov.uk">Gil.sweetenham@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan Number CYP 14506</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 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.
- 1.2 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.
- 1.3 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. This still leaves a need to find a further two additional forms of entry in the primary sector in Hove.
- 1.3 This report sets out the options available to provide a new primary school in Hove.

#### 2. 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 28<sup>th</sup> June 2010 to determine the site and management of the proposed 2 form entry primary unit (to include Foundation Stage and Key Stage 1).

### **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 The Cabinet Member for Children and Young People has already agreed to progress proposals to permanently expand Goldstone and Westdene Primary Schools by one form of entry from September 2011 and Queens Park Primary School by half a form of entry from September 2011. However this will still leave a demand for a further 2 forms of entry based on the current GP registration data.
- 3.3 Consideration has been given as to how best to provide these two additional forms of entry. At her meeting on 5<sup>th</sup> October 2009 the Children and Young People Cabinet Member agreed that the CYPT should pursue the option of providing a new two form entry Primary School by further considering the top 4 scoring sites in Appendix 2 to that report. These being Hove Park depot, Hove Park Upper School, BHASVIC and Leicester Villas.
- 3.4 In proposing a new school there are a number of factors that need to be considered. Owing to recent changes in School Organisation legislation it is now necessary to carry out a competition when proposing a new school. This competition is open to anyone who wishes to operate a school not just the local authority or existing faith groups etc.
- 3.5 In most circumstances the Local Authority (LA) will act as the decision maker in the competition. However if the LA decides that it wishes to enter the competition itself the decision is made by the Schools Adjudicator.
- 3.6 In the case of the need for additional places within the Hove area it is very clear that the need is for places available that are available for local children. If a faith group or a group with a particular ethos entered the competition it is possible that they will set admission criteria that will be based on participation in their faith group or agreement with a particular ethos. This will not in itself necessarily assist in the provision of local community places as pupils could be drawn from a wide area, although it might be possible to negotiate with faith or other outside bodies on criteria that would support local attendance.
- 3.7 For this reason if it is decided that a new school will provide part of the solution to the current issue it will be important that the LA either submits an entry to the competition or is assured that other providers will make places available to children living in the locality of the new school.
- 3.8 The time needed to undertake a competition has to be added to the time it takes to identify a site and prepare a design for the new school. Consequently providing a new school is not a solution that can be implemented quickly.

- 3.9 The cost of providing a new 2 Form Entry (2FE) all through primary school is in the order of £7 - £7.5 million, not including site acquisition costs. The cost of providing a new school falls to the LA regardless of whether they win the competition or not. At the present time there is no funding specifically allocated for meeting this cost as the £5.7million Basic Need Safety Valve funding has been allocated to urgent expansions of existing primary schools. It would be necessary to identify funding from within future capital funding allocated to the council.
- 3.10 Capital allocations are known for the current financial year but not beyond as we are at the end of a three year spending review period. Given the current economic climate and the potential for a general election in the near future it is not possible to accurately determine the level of funding that might be available from April 2011 onwards.
- 3.11 At her meeting on 5<sup>th</sup> October the Children and Young Peoples Cabinet Member agreed that four possible options for a site for a new school should be investigated further. The four sites are Hove Park Depot site, Hove Park Upper School site, the land between BHASVIC and Cardinal Newman School and a playing field off Leicester Villas in Hove. The results of these further investigations are detailed below.
- 3.12 **Hove Park Depot Site**
- 3.13 This site is within the ownership of the Council but vested within Environment. It has been used as a depot for over 15 years. The site is 'sui generis' (does not fall within a use class categorisation) and is not subject to any local planning policies concerning the loss of the existing land use.
- 3.14 The site was recently been considered for use as an indoor bowls centre. This was refused permission by the council in 2007 for reasons of design (contrary to Local Plan policies HE6 and QD1) and inefficient use of the site (contrary to policy QD3). The principle of the proposed land use was not, however, a reason for refusal
- 3.15 Among the principal planning issues that would need to be taken into account in respect of this particular site are;
- Design issues: the visual impact of any proposal would need to be acceptable in the context of the wider conservation area and in relation to the nearby listed buildings of the Engineerium;
  - Making the most efficient use of the site (particularly in respect of the need to maximise area for play) through minimising the footprint of buildings. A two storey (or possibly even three storey) building would assist in this respect;
  - Ensuring safety of the route to school, particularly in respect of encouraging walking. This may require attention to be paid to issues such as lighting and road crossings in the locality;
  - Taking advantage of proximity to Hove Park and its ability to provide for some of the school's recreational needs;
  - Consideration of proximity to the population being served by the school and access to public transport, in order to minimise distances travelled and journeys made by car.

- 3.16 The site is subject to a restrictive covenant imposed by the Stanford estate that restricts the site use to 'a pleasure or recreation ground or public park only'. If the site was to be selected for use as a school the council would need to enter into negotiations with the Agents for the beneficiaries of the covenant to agree terms to allow a school to be developed on the site. It has to be recognised that the beneficiaries may or may not agree to any proposal to relax the covenant.
- 3.17 There would be a cost associated with any amendment to the covenant, both in terms of fees to reach agreement and also as compensation to the trustees of the Stanford Estate who are the beneficiaries of the restrictive covenant. A previous proposal for development of this land resulted in £2,500 being agreed as a payment. It is likely that in the case of a school being proposed that the sum payable would be greater than this.
- 3.18 The site is quite steeply sloping which is not ideal in development terms for a school and access is poor.
- 3.19 **Hove Park Upper School Site**
- 3.20 This site is within the ownership of the Council and is currently used as a site for Hove Park Upper School. Investigations have shown that there are a number of restrictive covenants on the site. The most pertinent being that the site is only to be used as a secondary school and any other purpose usually connected therewith.
- 3.21 It may be possible to negotiate to relax this covenant to include primary education as well as secondary. It is likely that there would be a cost associated with any amendment to the covenant and it is always possible that the parties to the original covenant would refuse to accept any changes.
- 3.22 If there is an objection from the party in control of the restrictive covenant the legal route would be to apply to the Lands Tribunal for a declaration that the restrictive covenant is obsolete. This is a much more expensive process involving more extensive legal costs and is also lengthy and time consuming
- 3.23 With regard to planning, a strong planning case would need to be made in order to justify any net loss of open space for the secondary school and under-provision of open space for both the primary and secondary schools (and making an exception to associated policies in the Local Plan and emerging LDF Core Strategy concerning open spaces and sports provision). In order to provide a planning justification around the issue of loss and under-provision of open space, it would be helpful for any proposal for a primary school on this site to be considered within the wider strategic context of the council's plans to improve the provision of secondary school places in this part of the city.
- 3.24 Among the principal planning issues that would need to be taken into account in respect of this particular site are;
- Minimising the total footprint of buildings, in order to maximise potential open space provision (with regard to both the primary school and the secondary school). Predominantly two and three storey buildings would assist in this respect;

- The wider redevelopment of the whole site for educational needs could allow for a more efficient layout of school buildings and more efficient use of open space. A qualitative improvement to sports facilities would contribute towards making a stronger case for any net loss. If this was the preferred site, Sport England should be engaged at the earliest opportunity in order to advise and assist the design process;
- Careful attention to the siting of school buildings, both in relation to the primary and secondary education elements of the site and in relation to the amenities of surrounding housing bordering the campus;
- Access and egress arrangements and the routing of vehicular traffic through the campus in order to minimise traffic impacts on the busy surrounding road network;
- Proximity to the population being served by the school, and access to public transport, in order to minimise distances travelled and journeys made by car.

3.25 This site represents an attractive proposition for the development of a new school. It could allow the creation of an all age school in Hove if this was thought to be a good idea but could also allow the creation of a stand alone primary school if this was preferred, although this would be dependant on the amendment of the restrictive covenants mentioned in paragraphs 3.20 and 3.21 above.

### 3.26 **BHASVIC site**

3.27 This site is partly within the ownership of the council and partly within the ownership of BHASVIC itself.

3.28 The principal planning issues are similar to those for the Hove Park Upper School site, although a primary school at BHASVIC would not be part of a wider redevelopment of the site. Again, the issue of loss of open space for the sixth form college is a major planning issue that would need to be addressed and successfully balanced against the strategic needs for a new primary school recognised in the emerging LDF Core Strategy. The case for the scheme could be helped by quantitative improvements to sports facilities and the early involvement of Sport England in the design process. If the site is significantly more accessible to the population it is required to serve than the other potential sites, this may help to assist with constructing a successful planning case. One positive aspect of this particular site is its location away from housing, with potential problems of noise disturbance to neighbours likely to be minimal in comparison with the other three sites.

3.29 Among the principal planning issues that would need to be taken into account in respect of this particular site are;

- Minimising the total footprint of buildings, in order to maximise potential open space and sport provision (with regard to both the primary school and minimising the loss of open space to the sixth form college). Predominantly two or even three storey buildings would assist in this respect;
- Careful attention to the siting of school buildings in relation to the primary and further education elements of the site;
- Access and egress arrangements and the routing of vehicular traffic through the campus in order to minimise traffic impacts on the busy surrounding road network;
- Taking advantage of proximity to Dyke Road Park and its ability to provide for some of the school's recreational needs;

- Proximity to the population being served by the school, and access to public transport, in order to minimise distances travelled and journeys made by car.
- 3.30 The council owns part of the site with the remainder of the site being owned by BHASVIC. The site is currently used as a school playing field by a number of local schools and colleges. Constructing a school on this site would impact negatively on use of this field by to primary phase schools, a secondary school and a sixth form college.
- 3.31 **Playing Field site accessed via Leicester Villas Hove**
- 3.32 This site is not within the ownership of the Council. It is privately owned and it is understood that it is held in trust for St Christopher's School (part of the Brighton College family of schools). The playing field is used as a sports field by St Christopher's and other independent schools in the locality.
- 3.33 The site has restricted pedestrian only access from Leicester Villas and is surrounded on three sides by housing. Again, the main planning concerns for a primary school proposal would be the net reduction in open space provision and the policy conflict with Local Plan and emerging LDF Core Strategy policies resisting the loss of open space and sports provision. As with the Hove Park Upper School and BHASVIC sites, a suitably strong planning case would be required in connection with local educational needs (as recognised elsewhere in the emerging LDF) and the locational strengths of this particular site in relation to serving its intended catchment area.
- 3.34 Among the principal planning issues that would need to be taken into account in respect of this particular site are;
- Close proximity to housing and resulting loss of amenities to the surrounding residential properties. Although the existing playing field will already result in some occasional noise issues, this would be exacerbated by a primary school development. This site has the potential to cause more of a noise nuisance to occupying dwellings than the other three sites and this could be a significant factor in delivering a school in this location. The potential for two storey buildings would need to be carefully explored and balanced against the need to minimise or avoid overlooking to dwellings, although single storey buildings would inevitably result in a greater loss of open space on a very restricted site. The boundary treatment would also need to be carefully examined as a potential mitigating factor
  - Vehicular access. The existing access to the site would be of inadequate width. A new access would require demolition of an existing property on either Leicester Villas or Glebe Villas. St Leonard's Church to the south is a listed building, thereby ruling out a vehicular access point from New Church Road;
  - Exploring the potential to improve the degree of public access to open space in conjunction with the development of a primary school;
  - The future of the adjacent St Leonard's Church as a place of worship is uncertain. There may be potential to explore combining the church site with the playing field to provide a larger overall site area for a primary school, with the church building being used as part of the school;
  - Proximity to the population being served by the school, and access to public transport, in order to minimise distances travelled and journeys made by car. The site has the potential to score relatively highly in this respect.



- 3.35 As mentioned above the site is in private ownership which would necessitate the council purchasing the site before development could take place. It may be possible to secure the site via negotiations with the owners but if this is not the case the Council may have to use CPO powers to acquire the land.
- 3.36 It is always necessary to attempt to secure a site by negotiation before instigating CPO procedures. In this case it is believed that the land itself has a relatively low value which could make negotiations difficult as the owners may believe that the site is more valuable.
- 3.37 To make the site work as a primary school it would also be necessary to purchase a property in either Glebe Villas or Leicester Villas to provide an acceptable vehicular entrance. The cost of such an acquisition would add significantly to the cost of the site overall as it would be necessary to purchase a dwelling house.
- 3.38 In addition to the cost of acquiring the land the council would incur the cost of fees while undertaking the negotiations and other associated claims from any one affected by the CPO.
- 3.39 It is difficult to estimate the time it would take to acquire this land, there are a number of factors that would affect this such as whether it was possible to acquire the site by negotiation, whether there would be any objections to a CPO if needed but it is possible that even to acquire the site could take in excess of two years.
- 3.40 It is unlikely that this option would be affordable in cost terms. In addition given that the site is not the ideal location it is not recommended that this option is pursued any further.
- 3.41 **Summary**
- 3.42 Each of the sites explored in this paper offers the possibility of developing a new two form entry primary school that is essential for the city's need for additional primary places. On balance when judged against relevant criteria and planning issues, the Hove Park Depot or a development of Hove Park Upper school site appear to provide the best solution.
- 3.43 Hove Park Depot is the only site that does not conflict with the planning policy objective of preventing the loss of open space. The other sites may to varying degrees, however, have alternative relative strengths as potential primary school sites – e.g. the potential to improve the quality of, or wider access to, sports facilities or may better meet other planning policy objectives as a result of their location or accessibility.
- 3.44 Much would depend on inventive design solutions, a well-argued planning statement and other considerations (including possible off site benefits) that would provide an overall development package that addressed the various planning policy issues. The preparation of a planning brief is recommended as this would help address the wider planning issues and provide greater certainty in delivering a planning permission to the chosen site.

- 3.45 The proposals for Hove Park Upper School as part of our BSF programme offer the exciting prospect of an all through, 0-16 school with a school campus able to fully provide for both primary and secondary phases of education. However the council has yet to enter the BSF programme and were this not to occur within the next year any proposed development on the Hove Park Upper School site would require funding from other sources. The use of Primary Capital Funding could secure the primary element of a new 0-16 school but changes to the existing secondary school buildings would have to come from prudential borrowing.
- 3.46 In both cases the new building is unlikely to begin before 2013 hence there is time to explore the planning aspect of each site before final determination. However this will not provide the additional 2 form of entry in time to satisfy the demands of our pupil planning projections.
- 3.47 In order to provide the primary places needed in a timely fashion the council could develop a key stage 1, two form entry, 'school' in temporary accommodation on an existing school site in Hove from September 2011. This would give a three year period for the final determination of which above option should be developed and the building of a new school.

#### **4. CONSULTATION**

- 4.1 Discussions will be held with Head Teachers and their chairs of governors at the schools potentially affected by the proposed options within this report.
- 4.2 Once it is agreed which site is to be progressed formal consultation with schools, governors and the community will be carried out in line with the requirements of the School Organisation Regulations.
- 4.3 City Planning has been consulted in relation to the potential sites for a new school. Their comments are reflected in the body of this report.

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

##### Financial Implications:

- 5.1.1 The cost of providing the required additional primary school places will need to be met from within the resources allocated by the DCSF. This funding is notified to us on a three year rolling period to match Government spending review periods. We know the indicative allocations until March 2011 but not beyond. We are also currently awaiting invitation onto the Building Schools For The Future (BSF) programme.
- 5.1.2 The funding between 2008/9 and 2010/11 is committed to providing the additional places at Balfour Junior, Davigdor Infant and Somerhill Junior Schools. We were also allocated £5.7million in 2010/11 as a result of bidding to the Basic Need Safety Valve fund last summer. This funding has been allocated to proposed expansions at Goldstone, Queens Park and Westdene Primary Schools.
- 5.1.3 As yet, there are no firm indications of the levels of capital funding that might be made available for the Spending Review period from April 2012. The funding of providing a new school will therefore need to be identified in due course

### Legal Implications:

- 5.2 Given that the report sets out that there is a projected future growth in pupil numbers and an anticipated shortfall in places in both the academic years 2010-11 and 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. Once decisions have been taken as to how the proposed increase in places will be achieved, 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 a new school. Once a decision has been made as to how and where the proposed two form entry temporary 'school' is to be provided from September 2011, further legal advice will be required in order to ensure compliance with all necessary legislative

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Date: 13/04/2010

- 5.3 Equalities Implications: 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 best practice as described in the Admission Code of Practice.
- 5.4 Sustainability Implications: 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: 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: 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: To meet the projected future growth in pupil numbers we should be looking to provide a minimum of 135 additional primary school places which equates to 4.5 forms of entry.

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

- 6.1 This paper presents the range of options available to address the need for future primary places within the City

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

- 7.1 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.
- 7.2 To meet the projected future growth in pupil numbers we need to provide a minimum of 135 additional primary school places which equates to 4.5 forms of entry by September 2011.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. NONE
- 2.

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

1. NONE

### **Background Documents**

1. NONE