





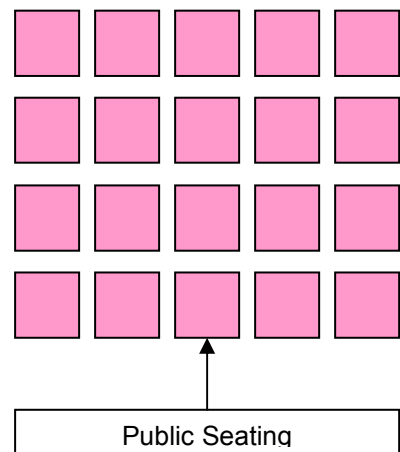
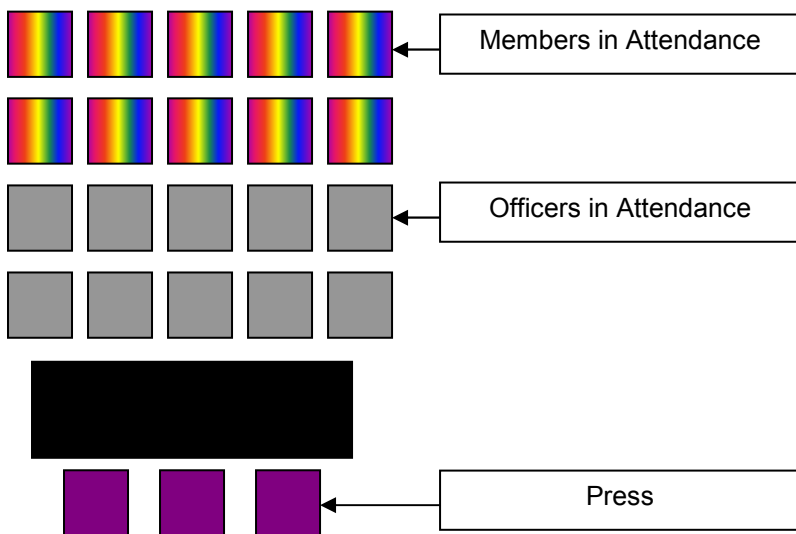
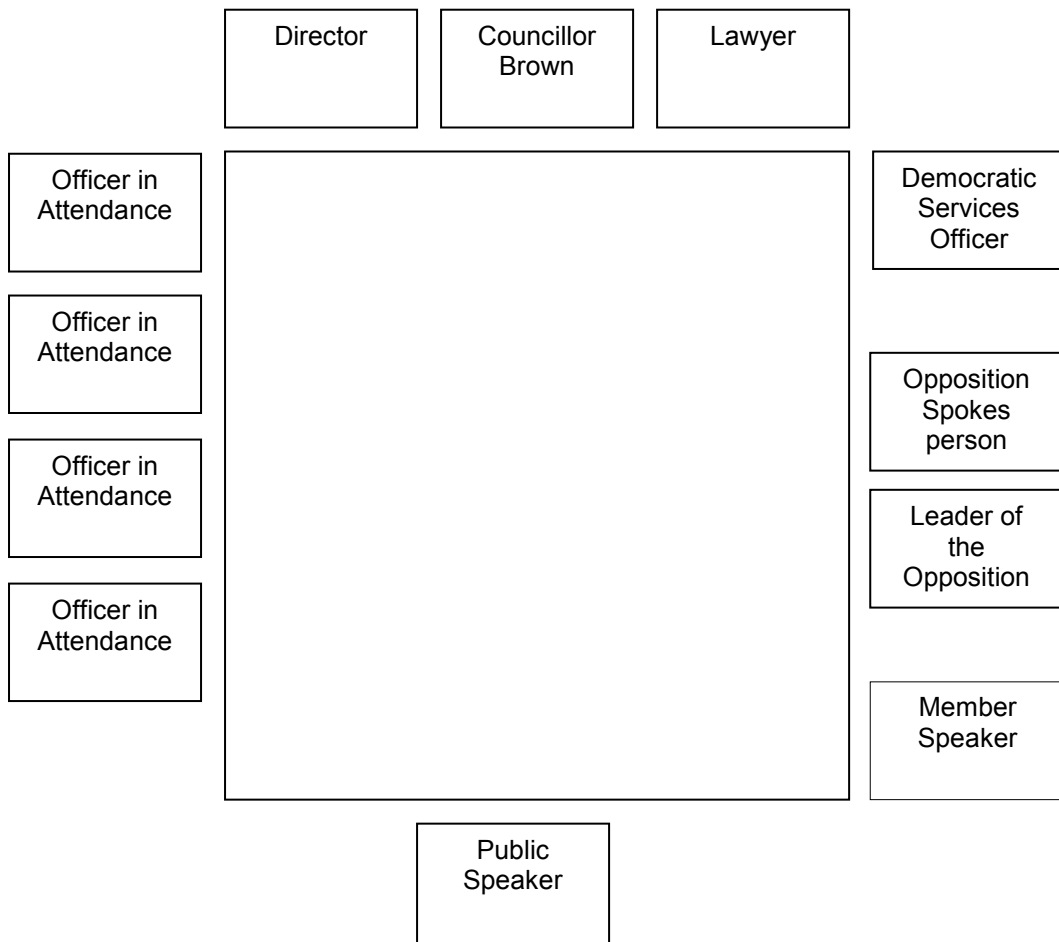
Brighton & Hove  
City Council

# Cabinet Member Meeting

Title:	<b>Children &amp; Young People Cabinet Member Meeting</b>
Date:	<b>2 March 2009</b>
Time:	<b>4.00pm</b>
Venue	<b>Banqueting Room, Hove Town Hall</b>
Members:	<b>Councillor:</b> Mrs Brown (Cabinet Member)
Contact:	<b>Nara Miranda</b> Democratic Services Officer 01273 291004 (voicemail only) nara.miranda@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

### 75. 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.*

### 76. MINUTES OF THE PREVIOUS MEETING

1 - 10

Minutes of the Meeting held on 19 January 2009 (copy attached).

### 77. CABINET MEMBER'S COMMUNICATIONS

### 78. 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.*

### 79. PETITIONS

No petitions received by date of publication.

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

### 80. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 23 February 2009).

No public questions received by date of publication.

### 81. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 23 February 2009).

No deputations received by date of publication.

### 82. LETTERS FROM COUNCILLORS

No letters have been received.

### 83. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

### 84. NOTICES OF MOTIONS

No Notices of Motion have been referred.

### 85. SCHOOL ADMISSION ARRANGEMENTS IN BRIGHTON & HOVE FOR 2010/11 11 - 42

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

*Contact Officer:* Steve Healey *Tel:* 29-3444

*Ward Affected:* All Wards

### 86. CAPITAL PROGRAMME 2009/2010 43 - 64

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

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

*Ward Affected:* All Wards

### 87. PROPOSED EXPANSION OF BALFOUR JUNIOR SCHOOL 65 - 70

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

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

*Ward Affected:* All Wards

### 88. ST LUKE'S INFANT AND JUNIOR SCHOOL PROPOSED MERGER

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

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

*Ward Affected:* All Wards

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

### 89. ASSIGNMENT OF LEASE AT 13 HOLLINGBURY PLACE 71 - 74

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

Contact Officer: Philip Ward Tel: 294270  
Ward Affected: Hollingbury & Stanmer

### 90. RELOCATION OF YOUTH OFFENDING TEAM (YOT) SERVICE FROM SHIP STREET 75 - 80

Report of the Director of Children's Services and the Director of Finance & Resources (copy attached).

Contact Officers: Geoff Williams, Jessica Hamilton Tel: 296160, Tel: 29-1461  
Ward Affected: All Wards

#### PART TWO

### 91. RELOCATION OF YOUTH OFFENDING TEAM (YOT) SERVICE FROM SHIP STREET [EXEMPT CATEGORY 3] 81 - 84

Report of the Director of Children's Services and the Director of Finance & Resources (circulated to Members only).

Contact Officers: Geoff Williams, Jessica Hamilton Tel: 296160, Tel: 29-1461  
Ward Affected: All Wards

### 92. PART TWO ITEMS

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

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.

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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 Nara Miranda, (01273 291004 (voicemail only), email [nara.miranda@brighton-hove.gov.uk](mailto:nara.miranda@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 76

Brighton & Hove City Council

### BRIGHTON & HOVE CITY COUNCIL

### CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

4.00PM, 19 JANUARY 2009

COMMITTEE ROOM 3, HOVE TOWN HALL

### MINUTES

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

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

**Other Members present:** Councillors Allen, Fryer, Kemble, McCaffery and Wakefield-Jarrett

### PART ONE

#### 61. PROCEDURAL BUSINESS

##### 61a Declarations of Interest

61.1 There were none.

##### 61b Exclusion of Press and Public

61.2 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).

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

#### 62. MINUTES OF THE PREVIOUS MEETING

62.1 **RESOLVED** – That the minutes of the meeting held on 1 December 2008 be approved and signed by the Cabinet Member as a correct record.

#### 63. CABINET MEMBER'S COMMUNICATIONS

63.1 There were none.

**64. ITEMS RESERVED FOR DISCUSSION**

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

**65. PETITIONS**

65.1 No petitions had been received.

**66. PUBLIC QUESTIONS****66(i) Public Question – Mr P Beard**

66.1 Mr Beard asked the following question:

“In relation to the proposed extension to Balfour Junior School, Balfour Road, Brighton, and the total disregard of the Council's own publicly pronounced policy of democratic consultation and given the considerable concern of the local residents over the design of the building, and also in the projected increase in traffic congestion, is the Council prepared to temporarily withdraw the planning application and will the department's officers consult with neighbours in accordance with the City Council's adopted Planning Statement on Community Involvement.”

66.2 The Cabinet Member replied:

“The size of this proposed development means that it is not considered a major development in planning terms; it is a relatively small extension to a local primary school that does not impact on a major strategic long view.

As a result of all these factors it was not considered necessary to carry out a widespread pre application consultation with the local residents regarding the form of the building. The statutory process that has to be followed with a project of this nature is the planning process that follows the need to provide additional accommodation for the expanded school.

Consultation is part of the planning process and the necessary notices were placed on the street and in the local paper. In addition to this the nearest neighbours were written to regarding the planning application, although I understand that this was somewhat later than should have ideally been the case. However the time for responses to the planning application was lengthened accordingly.”

66.3 Mr Beard asked the following supplementary question:

“Can you confirm whether or not, at the date of this meeting, a construction contract for the school extension has been put out to tender and, if so, have tenders been received and/or discussions been entered into with a contractor as a preliminary to awarding a building contract?”

66.4 The Head of Capital Strategy and Capital Planning answered the question on behalf of the Cabinet Member and explained that, since October 2008, the council had had in



place a strategic partnership contract. She clarified that this meant that individual schemes, therefore, did not need to go through a procurement process as the procurement had already been done.

**66(ii) Public Question – Mr Marek Kohn**

66.5 Mr Kohn asked the following question:

“Increasing numbers of families in western Brighton and eastern Hove face transport difficulties arising from allocation to Hove Park School, entailing journeys of up to three miles. These difficulties involve child safety, ability to participate in school activities, and costs. A number of us have expressed our concerns to the Director of Children’s Services, last October and subsequently in December after one of our children was threatened with a knife at a bus stop. Will the Board acknowledge these difficulties and work to mitigate them, particularly through improvements in the timing and location of afternoon bus services?”

66.6 The Cabinet Member replied:

“There have always been a proportion of pupils living on the Brighton/Hove border who have had to travel to the Hove Park lower school site if they have not been able to obtain a place at Blatchington Mill. Similarly some pupils in other parts of the City have no choice but to make relatively long journeys because they do not live close to a school. The City is served by a good bus infrastructure which has been designed to meet a variety of travel needs including those of children on the home school journey. Hove Park Lower School is served by a number of routes that either allow direct travel on a single service or link in with other routes to provide cross city coverage. These include the 56, 96, 93, 27A and the various services on the 5 routes. Where children are travelling outside of regular school hours in order to participate in after school activities those using dedicated school bus services will have to switch to other scheduled services whichever school they attend. Hove Park is served by the 5, 56 and 27A in the afternoon which allow direct travel or connections city wide.

The knife incident described in the question was deeply disturbing for the school and particularly for the student who was threatened. Whilst not minimising the seriousness of this incident the Council cannot make arrangements for all services used by pupils to run directly from outside the school either at Hove Park or at other schools because of the potential for criminal activity. It is not unreasonable to expect that children should walk short distances to link with bus services on the outward or return journey, and it is nearly always safe to do so in this part of Hove and elsewhere in the City.

The City Council remains in constant contact with the Brighton & Hove Bus Company to look at the changing pattern of public transport needs and how the City is best served by bus services. Clearly this has to take place within a framework of financial constraints on the Bus Company and the City Council, but that does not preclude changes to services where they can fit with the availability of vehicles and a clear change in the pattern of use. School travel forms one part of that continuing dialogue, and services to all schools in the City, whether scheduled services or designated school services, remain under review. The Council takes the view that bus services in the vicinity of Hove Park Lower School are reasonable. It will, however, ask the CYPT Admissions

and Transport Team, the Public Transport Team and the School Travel Plan Officer to work with the school to review travel patterns and make recommendations on school travel needs based on that evidence.”

- 66.7 Mr Kohn asked as a supplementary question whether the CYPT knew, when it arrived at the view that the 56 bus stop location was safe, that the school's position was that it could not sustain supervision there in the long term. He relayed the school's observation that Police Community Support Officers had patrolled the area on only a few occasions in response to the knife incident, and that by the nature of their duties they could not be expected to provide sustained security.
- 66.8 The Cabinet Member reassured Mr Kohn that officers took matters of safety very seriously and indicated that it was her understanding that the school had been liaising with the CYPT and the police to patrol the area.
- 66.9 The Assistant Director, Schools, Central Area and Schools Support, echoed the Cabinet Member's reassurances with regards to safety issues. He also indicated that he would like to consult with the Head of Transport to find out whether further provisions could be made to provide a more robust solution to this matter. The Assistant Director agreed to write to Mr Kohn in due course with a fuller response.

#### **67. DEPUTATIONS**

- 67.1 No deputations had been received.

#### **68. LETTERS FROM COUNCILLORS**

- 68.1 No Letters from Councillors had been received.

#### **69. WRITTEN QUESTIONS FROM COUNCILLORS**

##### **69(i) Question – Consultation with local residents with regards to the expansion of Balfour Junior School**

- 69.1 For clarity and ease of reference for those members of the public attending the meeting, the Cabinet Member invited Councillor Allen to ask his questions.
- 69.2 Councillor Allen thanked the Cabinet Member for the opportunity to speak. Councillor Allen also recorded his appreciation for Councillor Hyde, the Chairman of the Planning Committee, for, at its previous meeting, the committee having agreed to defer a decision on the application for extension at Balfour Junior School, which would now be subject to a site visit.
- 69.3 Councillor Allen asked the following question:

“Would Councillor Brown please explain why her department failed to ensure that local residents were consulted with regard to the proposed extension to Balfour Junior School?”

69.4 The Cabinet Member read out her response, which had been circulated at the meeting:

“The statutory process that has to be followed with a project of this nature is the planning process that follows the need to provide additional accommodation for the expanded school.

It is for the Local Planning Authority (LPA) to ensure that this legislation is followed. Considerable discussion was undertaken with officers of the LPA prior to progressing the design to ensure that the principle of development was acceptable in planning policy terms. There was also considerable discussion with the head teacher and governing body of the school to ensure that the design proposals suited the schools operation and curriculum delivery. The size of this proposed development means that it is not considered a major development in planning terms, it is a relatively small extension to a local primary school that does not impact on a major strategic long view.

As a result of all these factors it was not considered necessary to carry out a widespread pre application consultation with the local residents regarding the form of the building.

Consultation is part of the planning process and the necessary notices were placed on the street and in the local paper. In addition to this the nearest neighbours were written to regarding the planning application, although I understand that this was somewhat later than should have ideally been the case. However the time for responses to the planning application was lengthened accordingly.”

69.5 In his supplementary comment, Councillor Allen indicated that the consultation process in relation to the extension of Balfour Junior School had been an optimum opportunity for a more integrated approach to consult neighbours in a more proactive way. He expressed his disappointment that officers had failed to make a good use of such opportunity.

69.6 The Cabinet Member acknowledged Councillor Allen’s concerns. She indicated, however, that residents had the opportunity to make their objections as part of the Planning Application that had been submitted.

69.7 The Assistant Director, Schools, Central Area and Schools Support, also welcomed Councillor Allen’s comments and thanked him for his encouragement for better communications between all parties. He reassured Councillor Allen that communication with all the interested parties would always be the first step forward in any consultation process, and a step that officers would keep encouraging in future consultations.

**69(ii) Question – Inflexible timetabling and routing on the part of the bus is making it difficult for children in Prestonville attending Hove Park School to take full part in after-school activities.**

69.8 Councillor Allen asked the following question:

“Inflexible timetabling and routing on the part of the bus company is making it difficult for children in Prestonville attending Hove Park School to take a full part in after-school

activities. As the children live almost three miles from school walking is not a realistic option. Would Cllr Brown please ensure that the council's transport officers negotiate seriously with the bus company over this matter? "

69.9 The Cabinet Member read out her response, which had been circulated at the meeting:

"I cannot agree that the bus company are inflexible in relation to bus services for schools. Over many years we have had a good degree of cooperation from the bus company in meeting the travel needs of schoolchildren. In the current timetable there are a number of school buses which are provided commercially by the operator, at no cost to the city council as well as school services which are financially supported by the Council. A number of years ago, the bus company accommodated our request for Service 96 to be extended to serve Hove Park Lower School, at no additional cost to the city council, and, more recently, the bus company went to a considerable degree of reorganising their routings in order to provide the same facility in the afternoon, again at no cost. Equally, Service 56 was revised to provide a morning outbound journey for children at Hove Park Lower School.

Whilst the Council and the CYPT are supportive of after school activities the provision of additional bus services for schools at varying times after school (there being no set finish time for such activities) would be impractical in terms of vehicle availability and financially prohibitive. Children at all secondary schools will be in the position of needing to use scheduled services in order to return home from after school activities. I can inform you that Service 56, which is financially supported by the city council, has departures from Godwin Road, which is a short walk from Hove Park Lower, at 4.24 and 5.24, allowing children to participate in later activities, and still return to BHASVIC/Seven Dials / Dyke Road Churchill Square/ Preston Circus areas. In addition there is the commercial Route 5 / 5A / 5B from the Grenadier which runs past Churchill Square and links with other services. Whilst the City has a good bus service infrastructure it is not practicable to expect direct services to meet all travel needs, whether for school pupils or other users. The services currently available in the vicinity of Hove Park Lower School provide good links to other parts of the City.

The Public Transport Team has regular meetings with the Brighton & Hove Bus Company to monitor the way in which bus services meet the needs of travellers in the City, for school travel and all other travel needs. It supports the interests of all those users and negotiates improvements within the limits of cost and the availability of vehicles."

69.10 Councillor Allen requested that the situation of those parents living in the above mentioned areas was considered with sensitivity and requested the Cabinet Member looked into this matter again.

69.11 The Cabinet Member thanked Councillor Allen for his questions and comments, and reassured him that she would ask the CYPT Admissions and Transport Team, the Public Transport Team and the School Travel Plan Officer to work with the school to review travel patterns and make recommendations on school travel needs based on that evidence.

**70. NOTICES OF MOTIONS**

70.1 No Notices of Motion had been received.

**71. CONSULTATION ON THE EXTENSION OF SECONDARY SCHOOL CATCHMENT AREA FOR PATCHAM HIGH SCHOOL**

71.1 The Cabinet Member considered a report of the Director of Children's Services concerning the consultation on the extension of the secondary Catchment Area for Patcham High School, which sought views of both parents in the local area and affected schools, regarding a possible change in the catchment area for Patcham High school (for copy see minute book).

71.2 The Assistant Director, Schools, Central Area and Schools Support, indicated that the review of the general admissions process was due in 2012; however, this particular review of Patcham High catchment area came sooner as a result of the School Adjudicator's request.

71.3 The Assistant Director further indicated that, on balance, the views gathered through the different responses received to the consultation reflect the recommendations proposed in the report. He clarified that, if agreed, the changes proposed would be implemented for admissions in 2010.

71.4 The Opposition Spokesperson indicated that she had attended at least one of the meetings carried out as part of the consultation process and she thought that parents were able to understand the practicalities of such proposals. She stated that she supported the recommendations.

71.5 The Cabinet Member indicated that, after attending one of such meetings herself, she understood that parents were concerned about the lack of a safe crossing point in the vicinity of the junction with Carden Avenue. She reported that she had had a firm commitment from the Environment department to have this crossing in place by 2010, when the change is due to take place.

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

- (1) That the response to the public consultation be noted.
- (2) That the Patcham High School Admissions catchment area be changed to include the Westdene and Brangwyn areas with effect from September 2010.
- (3) That the Council explores the provision of improved pedestrian crossing of the London Road in the vicinity of the junction with Carden Avenue.

**72. PROPOSED EXPANSION OF LONGHILL SCHOOL**

- 72.1 The Cabinet Member considered a report of the Director of Children's Services concerning the proposed expansion of Longhill School by one form of entry and to carry out the necessary adaptations to the building to facilitate the expansion. The report sought the agreement to proceed to the first stage of the statutory process, which was the initial consultation period required by the Education and Inspections Act 2006 (for copy see minute book).
- 72.2 Officers indicated that they hoped to have the results from the initial consultation process in time for the next CYP Cabinet Member meeting in March 09. However, if this proved to be a tight deadline, they would bring it to the April Cabinet Member meeting. The Cabinet Member indicated that, if required, an extraordinary meeting could be held to consider this one item to avoid any possible delays.
- 72.3 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the proposal to expand Longhill School by one form of entry be noted and endorsed.
  - (2) That the initial consultation with the staff, parents and carers and pupils of the school and any other interested party be agreed.
  - (3) That the results from the initial consultation process be referred to Cabinet Member Meeting in March 2009.

**73. PROPOSED EXPANSION OF DAVIGDOR INFANT SCHOOL**

- 73.1 The Cabinet Member considered a report of the Director of Children's Services concerning the proposed expansion of Davigdor Infant School by one form of entry. The report set out the background and rationale for the proposed expansion and sought agreement to proceed to the next stage of the statutory process, which was the publication of the required Statutory Notices (for copy see minute book).
- 73.2 The Assistant Director, Schools, Central Area and Schools Support, indicated that, in considering how to deal with the shortage of school places in the Hove central area, the only two schools which could accommodate an expansion were Davigdor Infant School and Somerhill Junior School. He reported that a paper on the proposed expansion of Somerhill Junior School would be brought to the Cabinet Member meeting in due course, so that both proposals could be agreed together.
- 73.3 The Opposition Spokesperson welcomed the position taken to also expand Somerhill Junior School. She considered that both schools should work together in terms of forms of entry to avoid discrepancies and situations like the one the city has endured for many years in the case of Balfour Infant and Balfour Junior schools.

- 72.4 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the proposal to expand Davigdor Infant School by one form of entry be noted and endorsed.
  - (2) That the publication of the required Statutory Notices to progress this proposal be agreed.
  - (3) That the results from the statutory consultation process be referred to Cabinet Member Meeting in June/July 2009 for decision.

#### 74. CAPITAL RESOURCES & CAPITAL INVESTMENT PROGRAMME, 2009/2010

- 74.1 The Cabinet Member considered a report of the Director of Children's Services concerning the capital resources and capital investment programme 2009/2010, which informed Members of the capital resources and investment allocated and available to the CYPT (for copy see minute book).
- 74.2 The Head of Capital Strategy and Development Planning explained that the information detailed in the report would be part of a larger report that would be taken and considered at a future meeting of the Cabinet. She also indicated that a further report would be brought to the Cabinet Member meeting in March 2009, detailing how the department intends to spend the funding it will receive from the Capital Grant.
- 74.3 The Cabinet Member and the Opposition Spokesperson welcomed the report and welcomed the opportunity given to the council, through this government funding, to do something about the city's community schools buildings.
- 74.4 **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 £12.150m for investment relating to education buildings financed from supported borrowing, capital grant and revenue contributions be noted.

The meeting concluded at 4.40pm

Signed

Chairman

Dated this

day of

2009





# **CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING**

## **Agenda Item 85**

Brighton & Hove City Council

<b>Subject:</b>	<b>School Admission Arrangements in Brighton &amp; Hove for 2010/11</b>		
<b>Date of Meeting:</b>	<b>2 March 2009</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> <b>293444</b>
	<b>E-mail:</b>	steve.healey@brighton-hove.gov.uk	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No. CYP8230</b>	
<b>Wards Affected:</b>	<b>All</b>		

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Each year local authorities must consult upon school admission arrangements and school admission limits with community schools and voluntary aided schools and neighbouring LEAs. For the first time this year there has also been a requirement to consult with parents living in the City. This consultation takes place approximately 18 months in advance of the school year in which pupils will be admitted under the proposed arrangements. The consultation papers for the 2010/11 admission year for Brighton & Hove are attached as Annex 1.
- 1.2 Local authorities must also set out schemes for co-ordinated admissions, including key dates in the admission process, and also the arrangements for consultation with Voluntary Aided schools in the City and with other local authorities. They must also establish the area (the "relevant area") within which the admission consultation should take place.
- 1.3 In the period up to December 2008 a public and school consultation took place at the request of the Schools Adjudicator to determine whether the Patcham High School catchment area should be extended to include the Westdene/Brangwyn area. This followed concerns from parents that the Patcham catchment area was not large enough to draw sufficient pupils to sustain the school financially. The conclusion, confirmed at the Cabinet Member meeting on January 19th 2009 was that the Patcham area should be extended to include the Westdene/Brangwyn area. This change will not therefore be included in the recommendations for this report other than to note, having already followed a formal consultation process.
- 1.4 The time scale set out in the Education and Skills Act 2008 changed the schedule for consultation on admission arrangements. As a result the consultation process must have been concluded by 1<sup>st</sup> March 2009, with a minimum of 8 weeks consultation time. The Regulations setting out the consultation timescale were not published until shortly before Christmas 2008, so the consultation process could not officially start until shortly before Christmas. However, the City Council must have reached its decisions and confirmed its admission arrangements for 2010/11 by 15<sup>th</sup> April 2009 in order to conform to the requirements of the Admissions Code. The meetings schedule for the City

Council does not include another meeting at which the arrangements can be approved before 15<sup>th</sup> April 2009. This means that there is a gap of only a day between the end of the consultation and the only available meeting to determine the City Council's admission arrangements. It will therefore be necessary to table an addendum to this report setting out any significant issues arising from the consultation.

## **2. RECOMMENDATIONS:**

- 2.1 That the proposed admission arrangements and school admission numbers set out in the consultation documents should be adopted for the admissions year 2010/11, noting the change in the Patcham High School catchment area previously approved at the Cabinet Member Meeting of 19 January 2009.
- 2.2 That the proposed Voluntary Aided School admission arrangements are noted as conforming to the requirements of the Admissions Code.
- 2.2 That the co-ordinated schemes of admission should be approved.
- 2.3 That the City boundary should be retained as the relevant area for consultation for school admissions.

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

- 3.1 The admission numbers in the consultation reflect those previously agreed for 2009/10. However the continuation of the admission number of 120 for Davigdor Infants will be subject to the separate consultation process on enlarging the school. If the school is not enlarged then the admission number will reduce to 90 for 2010/11 as the school would not have the capacity to take the extra pupils.
- 3.2 A separate consultation process is also taking place on increasing the size and intake of Balfour Junior School to accommodate the numbers wanting to transfer from the Infant School. If the increase goes ahead then the school will admit 128 pupils each year from 2010/11 rather than 96.
- 3.3 Another consultation taking place on the possible reconfiguration of St Luke's Infant and Junior Schools, which share the same building, into an all through primary school. If this goes ahead the admission number for the primary school would be 90 rather than the published infant school admission number of 85.
- 3.4 The proposed admission arrangements and priorities for community primary and secondary schools are set out in detail in the attached Annexe 1, the consultation document sent to schools, neighbouring local authorities and the diocesan authorities. As mentioned at 1.3 the catchment area for Patcham High School has been extended for the admission year 2010/11.
- 3.5 For the first time this year parents have been invited to comment on the proposed admission arrangements. This arises from changes set out in the Education and Skills Act 2008. The regulations came into force just before Christmas 2008 and the Council has met its new legal responsibility to publish notices in the local press to inform parents of their right to be consulted. It has

also published a separate consultation document for them. (Annexe 2) The new Regulations also set a revised consultation timetable, requiring an 8 week consultation concluding by 1<sup>st</sup> March.

- 3.6 The co-ordinated schemes of admission for primary and secondary schools (Annexes 3 and 4) set out the admission arrangements and relevant dates for each part of the school admission exercise and the arrangements for coordination between admission authorities. The overall purpose of co-ordination is to ensure that each pupil receives one offer of a school place, so that different admission authorities are not holding open places for pupils that will not be taken up. It also ensures that the admission process takes place in a timely fashion.
- 3.7 Periodically the LA must determine what is known as the “relevant area for consultation”. This area will include the schools and other admission authorities (such as voluntary aided schools) that should be consulted on admission arrangements. A relevant area may be either the LA area, less or more than that, or may include part of neighbouring LA areas. The whole of the LA must be included in one or more relevant areas. Some larger LAs sub-divide into smaller areas for consultation purposes. In Brighton & Hove the relevant area has been set as the city boundary. Whilst there is some cross-border movement of pupils, it has not been seen as significant enough to warrant a cross-border relevant area. The proposal in this year’s consultation is to retain a relevant area co-terminus with the city boundary.

#### **4. CONSULTATION**

- 4.1 The Council scrutinised the Voluntary Aided (VA) Schools proposed admission arrangements for 2010/11. It had no objections to the proposed arrangements, and took the view that the arrangements for all 16 VA schools conformed to the requirements of the Admissions Code. It has recommended one amendment to a form that parents complete at one school to provide information to school governors on religious affiliation. It has also had some discussion with the schools and the diocesan authorities about adopting a common format to assist in the publication of the admission arrangements in the school admission booklet. Any comments from consultation responses received from VA schools will be set out in the tabled addendum to this report, as will comments from schools or parents about VA admission arrangements.
- 4.2 Any parental responses to the consultation will be set out in the tabled addendum to this report.
- 4.3 School responses to the consultation will be set out in the tabled addendum to this report.
- 4.4 Responses from neighbouring local authorities and the Church of England and Roman Catholic diocesan authorities will be set out in the tabled addendum to this report.

## FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 It is not possible to quantify in detail the financial implications of these recommendations. However, any changes to admission arrangements or patterns may impact on the numbers of pupils at individual schools and therefore individual school budget allocations which are largely driven by pupil numbers.

*Finance Officer Consulted: Name: Sue Coleman*

*Date: 06/02/2009*

### Legal Implications:

- 5.2 Section 89 of the School Standards and Framework Act 1998 and subsequent legislation including the Education and Skills Act 2008 require admission authorities to determine before the beginning of the school year, the admission arrangements which are to apply for that year. The determination must be preceded by consultation with the Governing Bodies of Schools within the area of the LA for which the LA is the admission authority, with parents and with neighbouring admission authorities. Consultation must be completed by 1<sup>st</sup> March in the year preceding the admission round, and should be for a period of no less than 8 weeks. Admission arrangements must conform to the Admissions Code which sets out acceptable and unacceptable admission arrangements and priorities. Admission authorities, diocesan authorities, the Admission Forum and parents may refer any admission arrangements that they believe to be contrary to the provisions of the Admissions Code to the Schools Adjudicator. Admission Authorities must determine their admission arrangements following that consultation by 15<sup>th</sup> April.

*Lawyer Consulted: Serena Kynaston*

*Date: 06/02/2009*

### Equalities Implications:

- 5.3 Planning and consultation for school admissions procedures and school places and the operation of the process are conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice with regard to equalities issues as described in the School Admissions Code of Practice.

### Sustainability Implications:

- 5.4 School admission arrangements are intended so far as it is possible to provide pupils with local places where they have asked for them. The planning of school places for the City takes into account the changing population pattern and resultant demand for places. The current pattern of parental preference is reflected in different schools operating both over and under capacity. In planning for school places the Council will have regard to sustainability priorities and seek to provide local places and places which are accessible by safe walking and where possible cycling routes and public transport wherever this is possible.

### Crime & Disorder Implications:

- 5.5 Balanced school communities with firm parental support contribute to orderly and harmonious communities.

Risk and Opportunity Management Implications:

- 5.6 Any change to school attendance patterns and pupil numbers will impact directly on resource allocation both revenue and capital, and on the Council's ability to meet parental expectations on school places. Pupil data and broader population data is used to identify the numbers of school places required and where they should be located. This feeds into the capital programme so that resources are allocated where they will have the most beneficial effect.

Corporate / Citywide Implications:

- 5.7 The allocation of school places affects all families in all parts of the City and can influence where people choose to live. Failure to obtain the desired choice of school can create a strong sense of grievance. The process of expressing a preference and if disappointed, entering an appeal can create intense anxiety for many families in the City. Admission arrangements together with school place planning are framed in such a way as to be mindful of supporting the needs of communities.

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

- 6.1 The City Council is required in law to review its school admission arrangements every year, although following the Education and Skills Act 2008 this will change to once every three years if no changes are made. The consultation is intended to identify alternative proposals for admission arrangements. Issues raised by schools will be set out in the tabled addendum to this report.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The City Council must conform to legislative requirements on the publication of admission arrangements which reflect the requirements of the Admissions Code. The recommendations ensure the City Council's compliance, and reflect the body of debate and consultation which has taken place around admission arrangements in Brighton & Hove this year and in previous years.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Admission consultation document for schools.
2. Parental consultation document.
3. Coordinated scheme of admissions – secondary.
4. Coordinated scheme of admissions – primary.

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

1. None

### **Background Documents**

1. None



**Brighton & Hove**

# Schools' Bulletin

<i>Date: 05 January 2009</i>	<i>Ref: SH Consultation 10-11</i>
<b>To: Governors and Headteachers of all Schools, East Sussex County Council, West Sussex County Council and Diocesan Authorities.</b>	<b>From: Head of School Admissions and Transport</b>
<b>Title: School Admissions Consultation 2010/2011</b>	<b>Action Required By : Voluntary Aided schools 5<sup>th</sup> January 2009, others 1<sup>st</sup> March 2009</b>
<p><b>Admission Arrangements for Brighton &amp; Hove Schools 2010/11</b></p> <p>Governing Bodies of all maintained schools in the City are invited to give their views on the proposals for admission arrangements to Community Schools. The responses to this consultation will be presented to the Cabinet Member for CYPT at a meeting in March 2009. The Admission Forum's comments and advice on the proposed arrangements will also be made known to the Cabinet Member meeting. For the first time this year the consultation must also invite comment from parents in the City who have a child or children between the ages of 2 and 16 years of age. Parents will be directed to the consultation materials through a public notice and may access the consultation through the Council website, or by accessing a hard copy. At the same time the admission arrangements for Voluntary Aided Schools must also be consulted upon. As in the past the Council will provide access for other schools to view Voluntary Aided policies via Education Online, but for the first time will also make them available for public comment on the Council website or by providing hard copy. Please read the section below about Voluntary Aided school consultation.</p> <p>In line with new guidance and regulations from the Department for Children, Schools and Families the consultation process must conclude by 1<sup>st</sup> March 2009, and must run for a period of at least 8 weeks. This also means that Voluntary Aided Schools must provide their draft admission priorities for consultation before Christmas 2008. The two Diocesan Authorities have been in contact with schools to advise them about these changes.</p> <p>Following this consultation, admission authorities that do not change their admission priorities and arrangements will not need to consult again until arrangements for the 2012/13 admissions exercise are due.</p> <p><b>Secondary Schools</b></p> <p>This part of consultation is about the process for the secondary schools admissions system which remains a catchment area system with ballots being used as the tie breaker in each admission priority in the event of oversubscription.</p> <p>No changes are proposed to the over subscription priorities which are applied in the context of an equal preference system as required by the Admissions Code. They are:</p> <ol style="list-style-type: none"> <li>1. Children in the care of a local authority (looked after children).</li> </ol>	

2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link.
4. Those pupils living in the designated catchment area for the school.
5. Other children.

A separate consultation process has been taking place at the suggestion of the Schools Adjudicator as to whether the designated catchment area for Patcham High School should be extended to include the Brangwyn/Westdene area, which is currently in the joint catchment area for Hove Park and Blatchington Mill. This has taken place through a series of public meetings in November and December 2008 and the distribution of consultation documents to those living in the areas affected by the proposal, which are Westdene, Brangwyn, Patcham and the current Hove Park/Blatchington Mill catchment area. This process came to an end on 5<sup>th</sup> December, the final date for the return of the consultation documents. A decision will be made on this proposal by the Cabinet Member for CYPT in January, based on those consultation responses. For the purposes of this consultation it should be noted that the Patcham catchment area could either stay as it is or be extended as described above depending upon the decision in January. No other changes to catchment areas are proposed for the 2010/2011 admission year.

Another school specific change relates to Falmer High School which will become an Academy with effect from 2010/2011. Whilst it will be retaining the same admission priorities as secondary age Community Schools in Brighton & Hove, its admission number will be reduced from 211 to 180.

#### **Admissions Arrangements for Community Infant, Junior and Primary Schools**

No changes are proposed for the admission arrangements to Community Infant, Junior and Primary schools. The over subscription priorities are applied in the context of an equal preference system as required by the Admissions Code. They will retain the current over subscription priorities of:

1. Children in the care of a local authority (looked after children).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link. (For infant, junior and primary schools the sibling link only applies where the home to school distance as measured by the Council's admissions software is less than 2 miles.)
4. Home to school distance (measured by the shortest available route).

More detail about the primary and secondary admission arrangements can be found in the two school admission booklets. Schools have copies of the booklets which can also be viewed on the Brighton & Hove City Council web site.

#### **Relevant Area for Consultation**

The relevant area for school admissions in the city is currently defined as the area within the city boundary. This is the area which the LA uses when consulting on admissions arrangements, and can include other admission authorities and voluntary aided schools outside the city. The area can be larger than LA boundary, or smaller through the operation of a number of different relevant areas within the LA. The use of a relevant area was a requirement of the School Standards and Framework Act 1998, and this requirement remains in force. It is currently defined as the area within the Brighton & Hove city boundaries, so all voluntary aided schools within the city are required to consult all schools within the city boundary about their proposed admission arrangements. No change is proposed to the relevant area for 2010/11.

#### **Voluntary Aided Schools Consultation**



As in previous years Voluntary Aided schools are required to consult with all other city schools and the LA about their proposed admission arrangements for 2010/11. Additionally they must also now consult with parents in the City who have children between the ages of 2 and 16. We will continue to publish proposed arrangements on Education Online, but in order to allow the parental consultation we will also publish on the Council's website. Schools not wishing to use this method of consultation must conduct their own consultation process. In any event they must consult the LA and other City schools before finalising their admission arrangements. Consultation must be completed by 1<sup>st</sup> March 2009, and the Governors must have settled the final version of their admission arrangements by 15<sup>th</sup> April 2009. If you received guidance from the Schools Adjudicator relating to your admissions arrangements for 2009/10 you would be advised to incorporate any changes he recommended.

If schools do not consult then their admission arrangements will be open to challenge by parents and by appeal panels. I cannot emphasise strongly enough that failure to consult will lead to very difficult consequences for the schools concerned. Church of England and Roman Catholic VA schools are reminded that in law they must consult their diocesan authority with their proposed admission priorities before consulting anyone else.

In order to comply with the new DCSF regulations VA schools must consult for a period of 8 weeks before 1<sup>st</sup> March 2009. This means that those schools wishing to use the LA website and Education Online to meet their consultation requirements must provide an electronic copy (Word format please) by 5<sup>th</sup> January 2009 at the latest. Realistically the Christmas break means that it would be better if the documents were forwarded to the School Admissions Team by the end of the autumn term. Diocesan Authorities have already been in contact with schools about the new consultation requirements.

VA Schools have already been informed of this process.

### **Published Admission Numbers**

The proposed admission numbers for each school are attached to this bulletin. Schools are asked to comment on whether they agree with the number shown. These numbers are based on the net capacity range of each school, or in some cases a higher figure. As previously, this list includes the expected admission numbers for voluntary aided schools, which act as their own admission authorities and set their own admission number. I should be grateful for a response from all schools as to whether they agree with the number shown on the attached list.

Please note that the published number of 120 for Davigdor Infants will be subject to the separate consultation process on enlarging the school which has already started. If the outcome of that process is a decision not to extend the school premises then the number will return to 90 for 2010/11.

Another separate consultation process will also be taken forward on the possibility of the St Luke's Infant and Junior schools being reconfigured as an all through primary school. For the purposes of this consultation separate admission numbers have been given for the Infant and the Junior schools which are unchanged from those published last year.

With regards to Balfour Junior School, a separate consultation is under way which could lead to an increase in the school's admission number from 96 to 128. This is dependent upon changes to the school premises. If the increase in admission number is approved it will be introduced for the 2010/11 admission year.

### **Co-ordinated Admission Schemes for 2010/11**

The coordinated schemes are attached for comment.

### **The Admission Timetable for 2010/11**

The dates for applications and allocations for admission for the 2010/11 school year will be:

Infant and Primary Schools:	Closing date	5 <sup>th</sup> February 2010
	Letters to parents/carers	4 <sup>th</sup> May 2010
Junior Schools:	Closing date	13 <sup>th</sup> November 2009
	Letters to parents/carers	22 <sup>nd</sup> January 2010
Secondary schools:	Closing date	23 <sup>rd</sup> October 2009
	Letters to parents/carers	1 <sup>st</sup> March 2010

These dates are set out in more detail in the co-ordinated schemes.

### **The Consultation Timetable**

**5<sup>th</sup> January 2009** Voluntary Aided Schools to have provided the LA with their proposed admission arrangements for 2010/11 for publication if they wish to make use of the LA school and public consultation process using Education Online and the Council website.

**1<sup>st</sup> March 2009** Schools and others to have returned any response to the Community School admission arrangements for 2010/11.

**Mid March 2009** Cabinet Member for CYPT to consider admission arrangements for Community schools, taking into account the consultation responses and any advice provided by the Admission Forum. The proposed admission arrangements for Voluntary Aided schools may also be discussed at this meeting and may be commented upon. Schools and other admission authorities will be notified of the Sub-Committee's conclusions within 2 weeks of the meeting.

### **Documents attached**

1. Reply form
2. Proposed Admission Numbers – Primary
3. Proposed Admission Numbers – Secondary
4. Coordinated scheme – secondary
5. Coordinated scheme - primary

### **Consultation Responses**

Governing Bodies are asked to respond to this bulletin as soon as possible, using the attached response form. The closing date for responses is 1<sup>st</sup> March **2009**. Please note that this consultation bulletin and its attachments are being sent to all schools. The neighbouring Local Authorities of East and West Sussex are also being consulted in accordance with the Admissions Code requirements, and views will also be sought from the Church of England and the Roman Catholic Diocesan authorities. VA colleagues are again reminded that they must have determined their proposed admission arrangements by **5<sup>th</sup> January 2009** and sent them to the admissions team by that date for inclusion on the Council website consultation.

<p><b>Contact Name:</b> Steve Healey <b>Telephone:</b> (01273) 293444 <b>Email:</b> <a href="mailto:schooladmissions@brighton-hove.gov.uk">schooladmissions@brighton-hove.gov.uk</a> <b>Address:</b> King's House, Grand Avenue, Hove</p>	
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**Reply Form – Please return this form to School Admissions, 3<sup>rd</sup> Floor, King's House, Grand Avenue, Hove, by 1<sup>st</sup> March 2009.**

**School Admissions Consultation - Admissions for the 2010/11 academic year**

**Name of School:**

**Name of Respondent:**  
(Please print)

**Signature:**

**School Admission Arrangements and Over Subscription Priorities – Community Secondary Schools**

Please set out below any comments or changes you would propose to the published arrangements.

**School Admission Arrangements and Over Subscription Priorities – Community Infant, Junior and Primary Schools**

Please set out any comments or changes you would propose to the published arrangements.

**Published Admission Number**

This school agrees/disagrees\* with the proposed admission number.

Comments on admission number.

**Voluntary Aided Admission Priorities** (for completion by VA schools only)

I confirm that this school will formally consult with maintained schools in the LA area (the Relevant Area), with the LA, parents and carers and with other consultation partners as required in law about the school's proposed admission arrangements for 2010/11 and will/has provide(d) draft admission arrangements for publication in Education Online. (Please tick the box.)

## CONSULTATION WITH PARENTS AND CARERS

### Admission Arrangements for Brighton & Hove Schools 2010/11

Parents and carers resident in Brighton & Hove with children between the ages of 2 and 16 are invited to give their views on the proposals for admission arrangements to Community Schools and Voluntary Aided Schools in the City. The responses to this consultation will be presented to the Cabinet Member for CYPT at a meeting in March 2009. This is the first year in which the consultation has included parents and carers and takes place under new regulations arising from the Education and Skills Act 2008. **Parents and carers are invited to return their comments on the proposed admission arrangements by 1<sup>st</sup> March 2009.** Responses are welcome by email to [schooladmissions@brighton-hove.gov.uk](mailto:schooladmissions@brighton-hove.gov.uk) or in writing to:

School Admissions Consultation 2010/11  
King's House  
Hove  
BN3 2LS

Following this consultation, admission authorities that do not change their admission priorities and arrangements will not need to consult again until arrangements for the 2012/13 admissions exercise are due.

### Final admission arrangements and right of objection

Once the Council and Voluntary Aided schools have determined their admission arrangements following this consultation, the Council will publish a public notice before 1<sup>st</sup> May confirming those arrangements and setting out where they can be viewed. Once they have been published then parents and carers will have a right of formal objection to the Schools Adjudicator. Details of that objection process will be given in the public notice.

### Secondary Schools

This part of the consultation is about the process for the secondary schools admissions system which remains a catchment area system with ballots being used as the tie breaker in each admission priority in the event of oversubscription.

No changes are proposed to the over subscription priorities which are applied in the context of an equal preference system as required by the Admissions Code. They are:

1. Children in the care of a local authority (looked after children).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link.
4. Those pupils living in the designated catchment area for the school.
5. Other children.

A separate consultation process has been taking place at the suggestion of the Schools Adjudicator as to whether the designated catchment area for Patcham High School should be extended to include the Brangwyn/Westdene area, which is currently in the joint catchment area for Hove Park and Blatchington Mill. This has taken place through a series of public meetings in November and December 2008 and the distribution of consultation documents to those living in the areas affected by the proposal, which are Westdene, Brangwyn, Patcham and the current Hove Park/Blatchington Mill catchment area. This process came to an end on 5<sup>th</sup> December, the final date for the return of the consultation documents. A decision will be made on this proposal by the Cabinet Member for CYPT in January, based on

those consultation responses. For the purposes of this consultation it should be noted that the Patcham catchment area could either stay as it is or be extended as described above depending upon the decision in January. No other changes to catchment areas are proposed for the 2010/2011 admission year.

Another school specific change relates to Falmer High School which will become an Academy with effect from 2010/2011. Whilst it will be retaining the same admission priorities as secondary age Community Schools in Brighton & Hove, its admission number will be reduced from 211 to 180, and it will have a sixth form.

### **Admissions Arrangements for Community Infant, Junior and Primary Schools**

No changes are proposed for the admission arrangements to Community Infant, Junior and Primary schools. The over subscription priorities are applied in the context of an equal preference system as required by the Admissions Code. They will retain the current over subscription priorities of:

1. Children in the care of a local authority (looked after children).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link. (For infant, junior and primary schools the sibling link only applies where the home to school distance as measured by the Council's admissions software is less than 2 miles.)
4. Home to school distance (measured by the shortest available route).

More detail about the primary and secondary admission arrangements can be found in the two school admission booklets. Schools have copies of the booklets which can also be viewed on the Brighton & Hove City Council web site.

### **Relevant Area for Consultation**

The relevant area for school admissions in the city is currently defined as the area within the city boundary. This is the area which the Local Authority (LA) uses when consulting on admissions arrangements, and can include other admission authorities and voluntary aided schools outside the city. The area can be larger than LA boundary, or smaller through the operation of a number of different relevant areas within the LA. The use of a relevant area was a requirement of the School Standards and Framework Act 1998, and this requirement remains in force. It is currently defined as the area within the Brighton & Hove city boundaries, so all voluntary aided schools within the city are required to consult all schools within the city boundary about their proposed admission arrangements. No change is proposed to the relevant area for 2010/11.

### **Voluntary Aided Schools Consultation**

Voluntary Aided (VA) schools are required to consult with all other city schools, the LA and parents and carers about their proposed admission arrangements for 2010/11. In order to allow the parental consultation the Council will publish VA schools proposed admission arrangements on the Council's website (see link). Schools not wishing to use this method of consultation must conduct their own consultation process. Consultation must be completed by 1<sup>st</sup> March 2009, and the Governors must have settled the final version of their admission arrangements by 15<sup>th</sup> April 2009.

### **Published Admission Numbers**

The proposed admission numbers for each school are attached to this document. These numbers are based on the net capacity range of each school or in some cases a higher figure. This list includes the expected admission numbers for voluntary

aided schools, which act as their own admission authorities and set their own admission number.

Please note that the published number of 120 for Davigdor Infants will be subject to the separate public consultation process on enlarging the school which has already started. If the outcome of that process is a decision not to extend the school premises then the number will return to 90 for 2010/11.

Another separate consultation process will also be taken forward on the possibility of the St Luke's Infant and Junior schools being reconfigured as an all through primary school. Parents and other interested parties will be invited to comment on the proposals through the publication of a separate public notice. For the purposes of this consultation separate admission numbers have been given for the Infant and the Junior schools which are unchanged from those published last year.

With regards to Balfour Junior School, a separate consultation is under way which could lead to an increase in the school's admission number from 96 to 128. This is dependent upon changes to the school premises. If the increase in admission number is approved it will be introduced for the 2010/11 admission year.

#### **Co-ordinated Admission Schemes for 2010/11**

The coordinated schemes are attached for comment. They set out the arrangements, including dates, for the coordination of secondary and primary admissions. The purpose of this coordination is to ensure that all parents and carers receive one offer of a school place for their child within published timescales.

#### **The Admission Timetable for 2010/11**

The dates for applications and allocations for admission for the 2010/11 school year will be:

Infant and Primary Schools:	Closing date	5 <sup>th</sup> February 2010
	Letters to parents/carers	4 <sup>th</sup> May 2010
Junior Schools:	Closing date	13 <sup>th</sup> November 2009
	Letters to parents/carers	22 <sup>nd</sup> January 2010
Secondary schools:	Closing date	23 <sup>rd</sup> October 2009
	Letters to parents/carers	1 <sup>st</sup> March 2010

These dates are set out in more detail in the co-ordinated schemes.

#### **Other Linked Documents**

1. Proposed Admission Numbers – Primary
2. Proposed Admission Numbers – Secondary
3. Coordinated scheme – secondary
4. Coordinated scheme - primary





## BRIGHTON & HOVE CITY COUNCIL

### Scheme for co-ordinated admissions to secondary schools – Admissions Year 2010/11 (Admissions in September 2010)

#### Introduction

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of a secondary school place at the conclusion of the normal admission round for pupils transferring from primary to secondary school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, Cardinal Newman School, which as a voluntary aided secondary school acts as its own admission authority, and neighbouring Local Authorities (LAs) and admission authorities. It fulfils the requirements of the School Admissions (Coordination of Admissions Arrangements (England)) Regulations 2007 and more detailed arrangements set out in the School Admissions code 2007.

The scheme does not affect the rights of the different admission authorities mentioned to set their own admission priorities, and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer that it is possible to meet following the application of the admission priorities by this LA or by other admission authorities. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

The time scales set out in the scheme work towards the prescribed date (1<sup>st</sup> March or the first working day following 1<sup>st</sup> March where it falls at a weekend) on which secondary school place decisions must be notified to parents/carers. It will also be broadly in line with the time scales used by neighbouring LAs.

#### Key dates

- Online application facility available 1<sup>st</sup> September 2009
- Distribution of admission booklets By 7<sup>th</sup> September 2009
- Closing date for applications 23<sup>rd</sup> October 2009
- Preference data exchanged with Cardinal Newman School and neighbouring LAs 27<sup>th</sup> November 2009
- Cardinal Newman provides Council with provisional ranking order of applicants. 18<sup>th</sup> December 2009
- Neighbouring LAs asked for provisional List of offers to B&H residents, B&H provides Provisional list to those LAs. 18<sup>th</sup> December 2009
- Consider qualifying late applications. 15<sup>th</sup> January 2010

- Finalise allocations and exchange offer details With Cardinal Newman and neighbouring LAs. 5<sup>th</sup> February 2010
- Notification letters posted 1<sup>st</sup> class to parents, decisions available to online applicants. 1<sup>st</sup> March 2010
- Deadline date for acceptance of places and appeals to be heard in the main round. 18<sup>th</sup> March 2010

### **Process and detailed time scale**

1. The school admissions booklet published by the City Council will be distributed to parents at the beginning of September 2009. This LA will have identified those pupils entering Year 6 in city maintained schools (the transfer cohort) from primary school records. Neighbouring LAs will be asked to provide records of Brighton & Hove children attending schools in their areas so that admission booklets and forms can be sent to their parents/carers. Brighton & Hove will in return provide information to other LAs about their residents attending Brighton & Hove schools.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be at a City Community School or a voluntary aided secondary school (Cardinal Newman), or any maintained school outside the City of Brighton & Hove. Those resident in the City must use the Brighton & Hove school admission preference form to indicate their preferred schools, either the paper or online form. No other form will be valid. The LA allocates places on the basis of equal preference, and each preference listed will be prioritised in accordance with the published admission priorities for community and voluntary aided secondary schools in the City. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the preference form will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively the paper form should be completed and returned to the child's primary or junior school in the City, or to the Admissions Team at King's House **by 3.00 on Friday 23<sup>rd</sup> October 2009**. Applicants for Cardinal Newman may wish to return their preference form plus full supporting information (as required by the Governors) to the school directly. If applying online they may wish to send just the supporting information direct to the school indicating that they have completed the common application form online. If returned to the Local Authority, the documents will be shared with the school. This closing date has been set in order to conform to the admission timetables of neighbouring LAs and assist coordination of applications.
4. Where as part of its admission priorities a voluntary aided school within the City or beyond requires additional supporting information, such as a

Governors' form, or proof of denominational commitment, that form or proof should be completed and returned by the same closing date. This is to ensure that target dates for the exchange of pupil information between authorities and the notification date for parents/carers can be met. Provided the LA preference form has been completed and returned, that additional information may be given direct to the school, or handed in with the preference form. Parents/carers will be advised through the admissions booklet of Brighton & Hove or neighbouring LAs, or through school published parent information, of any such additional information requirements for voluntary aided schools.

5. If using an application form rather than online application parents and carers whose children attend maintained primary schools in the City are strongly advised to return the form via the school. Parents who prefer to post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation or receipt in the same way as those applying online or returning the form to their child's school. All maintained junior and primary schools in the city will return secondary preference forms they receive to the LA in batches as they are received, with the final batch as soon as possible after the closing date. Schools should maintain a list to record the date on which each form was received, the school preferences, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

**No later than 27<sup>th</sup> November 2009.**

- ❖ LA will identify the number of preferences (first, second or third) received for each school.
- ❖ Cardinal Newman School will be provided with details of any parental preference (via form or online applications) where it gives the school as a preference (first, second or third) received by the LA. It will apply its oversubscription criteria to prioritise all preferences. Where pupils have a Statement of Special Educational Needs and must be offered a place as first priority this will be indicated. (Statemented pupils must be given priority for school of preference in accordance with the SEN and Admissions Codes of Practice.)
- ❖ West and East Sussex and other LA's as necessary will be forwarded the details of preferences (forms and Online applications) expressed for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has a Statement of Special Educational Needs this will be indicated.
- ❖ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or third), indicating those who have a Statement of Special Educational Needs.

**No later than 18<sup>th</sup> December 2009**

- ❖ Cardinal Newman School will provide the LA with a list showing children in priority order for places at the school. The list will show

which admission criterion was applied to each child and the point at which the final place would be offered. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters are sent on 1<sup>st</sup> March 2010.

- ❖ Other LAs will provide Brighton & Hove LA with a list of which Brighton & Hove pupils could be offered places in their schools. They will advise Brighton & Hove of the reason where a preference cannot be met for inclusion in the allocation letters on 1<sup>st</sup> March 2010.
- ❖ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.

### **Between 29<sup>th</sup> January and 5<sup>th</sup> February 2010**

- ❖ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and those of voluntary aided schools (primarily Cardinal Newman) and other LAs. It will determine in each case which is the highest parental ranking.
- ❖ Final lists of school allocations will be prepared.
- ❖ Letters to parents/carers will be prepared.
- ❖ Consideration will be given to late applications received before the allocation date.
- ❖ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

### **1<sup>st</sup> March 2010**

Letters will be sent to parents/carers. These will be sent via schools, who will then be able to add their own information or messages to parents/carers to the envelope. The LA letter to parents will contain the following.

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at all Brighton & Hove schools were allocated.
- ❖ Where it is a voluntary aided school, the fact that the offer is made on behalf of the governing body of the school.
- ❖ Where it is a school maintained by another LA, the fact that the offer is made on behalf of that LA.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school, a voluntary aided school, and in the case of schools in other LA's, who to contact.

### **18<sup>th</sup> March 2010**

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference. Parents should also have exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

### **Proof of address**

The LA may require parents/carers to provide proof of address if they are offered a place at a community school.

## **Appendix A – Changes of address and late applications**

### **New arrivals in the city**

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference form by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 15<sup>th</sup> January 2009 their application will be included in the main admissions round.

### **Late applications received before the allocation date.**

- I. With the exception of families moving into the area and cases as described at V below, forms received after the closing date will not be considered by the LA until school allocations have been made for those received by the closing date. Any received for Cardinal Newman School will be forwarded to the school, which will decide whether or not to include the application in the main admission round.
- II. Any preference forms for community schools received in respect of children in public care will be included in the main admission round as valid first preferences at any time up to the allocation date on 5<sup>th</sup> **February 2010**. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school of first preference, if necessary negotiating with that school to admit beyond the published admission number in order to do so. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications for Cardinal Newman School or schools in other LA areas for children in public care will be considered in line with the admission arrangements for those schools and the requirements of the Admissions Code.
- III. Applications received after the closing date but before the allocation date on 5<sup>th</sup> February 2010 will be sent a letter allocating a school place on March 2<sup>nd</sup> 2009 or as soon as possible after that date if the volume of late applications is high. Applications received after the allocation date will be sent an allocation letter as soon as possible after 1<sup>st</sup> March 2010.
- IV. Parents/carers living in the City who change a preference as a result of a change of address within the city, and who return the new form and evidence of the address change will have that change considered in

the main round of allocations if it is received by **15<sup>th</sup> January 2010**. They will have to provide evidence of the address change. Those preference forms received after that date will be considered as late applications.

- V. Other late applications where there is good reason for the delay will be considered in the main round of allocations if received by **15<sup>th</sup> January 2010** where independent evidence is given by a third party (usually a professional source such a doctor or social worker) to support the reason for the delay.

#### **Received after the allocation date**

- I. Where an application is received after the allocation date, from a parent/carer living in the City, they must use a Brighton & Hove preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for Cardinal Newman School or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the form. Brighton & Hove will endeavour to send a decision to the parent /carer either as soon as possible once it has reached a decision, or has been informed of a decision by the other admission authority.
- II. If a change of preference or preference order is received following the decision letter on 1<sup>st</sup> March 2010 and the home address has not changed, that changed preference will not be considered until after 30<sup>th</sup> June 2010. This allows reasonable time for the consideration of late first applications and the operation of the reallocation pool where places have been offered and refused.
- III. All applications received after the beginning of the autumn term will be regarded as outside the admission round. Nonetheless, Brighton & Hove will act as the point of contact for all preferences for parents/carers living in the City, and will liaise with Cardinal Newman School and other LAs over applications for admission to schools other than Brighton & Hove Community Schools. The Brighton & Hove preference form should be used in all cases by City residents and returned to the Brighton & Hove Admissions Team. The same arrangements will apply to applications for admission to schools for year groups other than the normal admission group in Year 7. Where the LA, Cardinal Newman School or another admission authority is not able to offer a place in accordance with a parental preference, the LA will offer a place at the nearest school to the home address of the applicant with a vacancy in the appropriate year group. Admissions to Years 12 and 13 in those schools that make such provision will be regarded as transfer admissions rather than admission at a normal

point of entry. (The majority of such pupils will have attended the school from Year 7, or transferred to the school in Key Stage 3 or 4.)

### **Re-allocation Pool**

- I. Brighton & Hove will operate a re-allocation pool system for its community schools. (It is a matter for voluntary aided schools such as Cardinal Newman to decide whether or not to operate a waiting list system.) The ranking within this system will be based on the Brighton & Hove admission criteria. All children will be automatically placed in the re-allocation pool for the community school for which they have expressed the highest preference, although parents will be asked to indicate if they wish to be placed in the re-allocation pool for a different preferred school when the allocation letters are sent on 1<sup>st</sup> March 2010. Places will be offered to children from the pool as soon as a place becomes available at an over subscribed school and the admission priorities have been applied. This LA will notify other LAs as appropriate if it offers a place from the pool at a Brighton & Hove school to a pupil living outside the City. The pool will operate until the end of the Autumn Term.
- II. Parents/carers who want to keep their child's name in the re-allocation pool after that time must inform the LA. They must renew the place each term thereafter. Applicants outside of the main admission exercise will be placed in the re-allocation pool for one term and must also ask for the child's name to remain in the pool each term thereafter.
- III. Other admission authorities may or may not elect to operate a re-allocation or waiting list system. If they are able to place a child resident in Brighton & Hove in one of their schools they are asked to notify this LA at the earliest opportunity.

### **School Admission Appeals**

- I. Parents/carers wishing to appeal against the LA's or a voluntary aided school's decision not to offer a place at a preferred school should do so in writing by 18<sup>th</sup> March 2010 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal, or ask a voluntary aided school to arrange an appeal for a school that was not included on the original preference form. It will only arrange an appeal for a school that was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the form. If a parent/carer wishes to receive a decision for a school not included in their original preference, and thus acquire a right of appeal, they must complete a further preference form. However, unless there is a good reason for a change of preference this new form will not be considered until after 30<sup>th</sup> June 2010.
- III. Parents/carers will receive 14 days notice of the date of the appeal hearing, and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.

- IV. Whilst the City Council, other LAs and the Governing Bodies of voluntary aided schools will make every effort to hear appeals within 6 school weeks of the allocation letter being sent out, as suggested in the Code of Practice, they cannot guarantee this time scale. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct affect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the parent/carer or if appropriate to the student.
- VI. Appeals will be heard for refusals to places in Years 12 and 13 on the basis that they are school transfers.

### **School transfers**

Where parents/carers are seeking a school transfer without having changed address, the LA or the receiving school will not normally offer a place until the beginning of the following term. Exceptions will be allowed where:

- The pupil has been permanently excluded from a school.
- An earlier move is strongly recommended by a doctor, educational psychologist, education welfare officer or social worker.
- There are other exceptional circumstances that lead the Director, Children and Young People's Trust, to conclude that an earlier move is advisable.



## BRIGHTON & HOVE CITY COUNCIL

### Scheme for co-ordinated admissions to infant, primary and junior schools – Admissions Year 2010/11 (Admissions in September 2010)

#### Introduction

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of an infant, primary or junior school place. This will be on a set date following the conclusion of the normal admission round for pupils seeking admission to school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, and voluntary aided schools which act as their own admission authority.

The scheme does not affect the rights of voluntary aided schools to set their own admission priorities, and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer following the application of the admission priorities by the Local Authority (LA) or by voluntary aided schools. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

Where parents/carers wish to apply to school outside Brighton & Hove, they should contact the LA within which the school is located.

The time scales set out in the scheme will be broadly in line with the time scales used by neighbouring LAs.

#### Key dates

- Online application facility available 1<sup>st</sup> September 2009
- Closing date for applications 5<sup>th</sup> February 2010
- Distribution of admission booklets October/November 2009
- Preference data exchanged with Voluntary aided schools. 26<sup>th</sup> February 2010
- Voluntary Aided schools provide Council with provisional ranking order of all applicants. 19<sup>th</sup> March 2010
- Consider qualifying late Applications. 16<sup>th</sup> April 2010
- Finalise allocations and provide schools with offer details. 16<sup>th</sup> April 2010
- Notification letters posted to parents/carers, decisions available to online applicants. 4<sup>th</sup> May 2010
- Deadline for acceptance of places and appeals to be heard in the main round. 21<sup>st</sup> May 2010

## Process and detailed time scale – infant and primary schools

1. The school admissions booklet published by the City Council will be distributed to parents/carers applying for infant or primary school places in October/November 2009. This LA will have identified those pupils seeking places in school through a publicity campaign conducted via schools, other council services, the press and other media and other means. Schools will be asked to act as a collection point for information about pupils seeking school places.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be for Community Schools or voluntary aided schools within the city. The Brighton & Hove school admission preference form must be used to indicate their preferred schools, either paper or online version. No other form will be valid. They should list the schools in order of priority (e.g. 1, 2, 3). The LA allocates places on the basis of equal preferences, and each preference listed will be prioritised on the basis of the published admission priorities for community and voluntary aided schools. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the preference form will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively the paper form should be completed and returned to their local infant/primary school or to the Admissions Team at King's House, Grand Avenue, Hove **by 3.00pm on 5<sup>th</sup> February 2010**.
4. Where as part of its admission priorities a voluntary aided school requires additional supporting information, such as a Governors' form, or proof of denominational commitment, that form or proof should be completed and returned by the same closing date. This is to ensure that target dates for the exchange of pupil information and the notification date for parents/carers can be met. Provided the LA preference form has been completed and returned, that additional information may be given direct to the school, or handed in with the preference form. Parents/carers will be advised through the admissions booklet for Brighton & Hove, and through school published information, of any such additional information requirements for voluntary aided schools. Parents/carers with queries about voluntary aided school admission requirements should contact the school for further information.
5. If using an application form rather than online application parents and carers are strongly advised to send their form via a preferred school. Parents who post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation in the same way as those applying online or returning the form to a school. All maintained infant and primary schools in the city will return preference forms to the LA

in batches as they are received, with the final batch as soon as possible after the closing date. Schools should maintain a list to record the date on which each form was received, the school preferences, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

**6. No later than 26<sup>th</sup> February 2010**

- ❖ LA will identify the numbers of preferences (first, second and third) received for each school.
- ❖ Voluntary aided schools will be provided with details of parental preferences where their school is given as a preference (via form or online). They will apply oversubscription criteria to prioritise all preferences. Where pupils have a Statement of Special Educational Needs (naming the school) and must be offered a place as first priority this will be indicated. (Statemented pupils must be given priority for school of preference in accordance with the SEN and Admissions Code. This applies to all maintained schools, including Voluntary Aided.)

**No later than 19<sup>th</sup> March 2010**

- ❖ If oversubscribed, voluntary aided schools will provide the LA with a list showing which children in priority order for places at the school. The list will show which oversubscription criterion was applied to each child, and the point at which, if all those children were to be admitted, the final place would be offered. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters are sent on 4<sup>th</sup> May 2010.
- ❖ The LA will apply its own admission priorities for all community school preferences.

**7. No later than 26<sup>th</sup> March 2010**

- ❖ The LA will establish where more than one offer could be made on the basis the application of its own and voluntary aided school admission priorities, and will determine in each case which is the highest ranked on the basis of parental ranking. It will then inform voluntary aided schools where this may affect their prioritised lists of applicants. Adjustments can then be made by those schools where an applicant has been offered a higher ranked place at another school. This may allow voluntary aided schools to offer places to pupils who were not originally sufficiently highly on the list to be offered a place. Only one offer of a place will be made to a community or a voluntary aided school after this adjustment process.

**8. No later than 16<sup>th</sup> April 2010**

- ❖ Final lists of school allocations will be prepared.
- ❖ Letters to parents/carers will be prepared.
- ❖ Consideration will be given to late applications received up to this date.

- ❖ Discussions will take place with other admission authorities as necessary to resolve any remaining unallocated applications.

#### 9. **4<sup>th</sup> May 2010**

Online applicants will be able to see the decision online. Letters will be sent to parents/carers. Although prepared by the LA these will be sent via schools, who will then be able to add their own information or messages to parents/carers to the envelope. The LA letter to parents will contain the following.

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at the preferred schools were allocated.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school or a voluntary aided school.

#### **21<sup>st</sup> May 2010**

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference. Parents should have also exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

#### **10. Proof of address**

The LA may require parents/carers to provide proof of address if they are applying for a community school place.

### **Appendix A – Changes of address and late applications**

#### **New arrivals in the city**

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference forms by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 19<sup>th</sup> March 2010 their application will be included in the main admission round.

#### **Late applications received before the allocation date**

- I. With the exception of families moving into the area and cases as described at V below, forms received after the closing date will not be considered by the LA until allocations have been made for those received before the closing date. Any received for a voluntary aided school will be forwarded to the school. The school will decide whether or not there is a good reason to include these late applications in the main admission round, but will only consider them if they are received before 19<sup>th</sup> March 2010.

- II. Any preference forms received for community schools in respect of children in public care will be included in the main admission round as valid preference at any time up to 16<sup>th</sup> April 2010. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school ranked highest on the preference form. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications to voluntary aided schools received on behalf of children in public care will be considered in line with the published admission policy for each school and the requirements of the School Admission Code.
- III. Applications received after the closing will be sent a letter allocating a school place as soon as possible after the main notification date of 4<sup>th</sup> May 2010.
- IV. Parents/carers living in the City who change any preference as a result of a change of address, and who return the new form by 19<sup>th</sup> March 2010 will have that change considered in the main round of allocations. They will have to provide evidence of their new address and will not have their changed application accepted without that evidence.
- V. Other late applications where there is a good reason for this will be considered in the main round of allocations if received by 19<sup>th</sup> March 2010 where independent evidence is given by a third party (usually a professional source such as a doctor or social worker) to support the reason for the delay.

### **Applications received after the allocation date**

1. Where an application is received after the allocation date, from a parent/carer living in the City, they must use a Brighton & Hove preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for a voluntary aided school or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the form. Brighton & Hove will endeavour to send a decision to the parent /carer either as soon as possible once it has reached a decision, or has been informed of a decision by the other admission authority.
11. If a change of preference or preference order is received following the decision letter on 4<sup>th</sup> May 2010 and the home address has not changed, that changed preference will not be considered until after 30<sup>th</sup> June 2010. This allows reasonable time for the consideration of late

first applications and the operation of the waiting list where places have been offered and refused.

111. All applications received after the beginning of the autumn term 2010 will be regarded as outside the admission round. Nonetheless, the LA will act as the point of contact for all preferences from parents/carers living in the City. The LA will liaise with voluntary aided schools over applications for admission to those schools, and will inform parents of their admission decisions, if necessary allocating an alternative school place. The LA preference form should be used in all cases. The same arrangements will apply to applications for admission to schools for year groups other than the normal Reception year. (See also School Transfers below.) This ensures that the LA has a full record of pupil admissions, and supports both the schools and the LA in their responsibilities for pupil tracking and safety.

### **Waiting List**

- I. Brighton & Hove will operate a waiting list system for its community schools. (It will be for Voluntary Aided schools to decide whether to use a waiting list system.) The waiting list ranking will be based on the LA admission criteria. Rankings within each priority will be determined by the shortest available route from home to school. All children will be automatically placed on the waiting list for the community school for which they have expressed the highest preference, although parents will be asked to indicate if they wish to be placed on the waiting list for a different preferred school place when places are allocated on 4<sup>th</sup> May 2010. Places will be offered to children from the waiting list as soon as a place becomes available at an over subscribed school and the admission criteria have been applied. The waiting list will operate until the end of the Autumn Term.
- II. Parents/carers wishing to keep their child's name on the list for longer than the end of the Autumn Term must inform the LA. They must renew the waiting list place each term thereafter. Applicants outside of the main admission exercise will be placed on waiting lists for one term, and must ask for the child's name to remain on the waiting list each term thereafter.

### **School Admission Appeals**

- I. Parents/carers wishing to appeal against the LA's decision not to offer a place at a preferred school should do so by 21<sup>st</sup> May 2010 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal or ask a voluntary aided school to arrange an appeal for a school that was not included on the original preference form. It will only arrange an appeal for a school which was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the form. If a parent/carer

wishes to receive a decision for a school not included in their original preference, and thus acquire a right of appeal, they must complete a further preference form. However, unless there is a good reason for a change of preference this new form will not be considered until after 30<sup>th</sup> June 2010.

- III. Parents/carers will receive 14 days notice of the date of the appeal hearing, and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Appeals for on-time applications must be heard within 30 school days of the closing date for appeals to be lodged. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct effect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the pupil and the parent/carer.

### **School transfers**

Where parents/carers are seeking a school transfer for their child to another school without having changed address, a place will not normally be offered by the receiving school until the beginning of the following term. Exceptions to this rule will be allowed where:

- The pupil has been permanently excluded from another school.
- An early move is strongly recommended by a doctor, educational psychologist, Education Welfare Officer or Social Worker.
- There are other exceptional circumstances which lead the Director, Children and Young People's Trust, to conclude that an early move is advisable.

### **Junior schools**

Co-ordinated arrangements for admission to junior schools will follow the same pattern as set out for infant/primary schools except that the relevant time scales shall be as follows.

- a) The school admission booklet will be distributed to parents in September 2008.
- b) Preference forms should be returned to the current school or to the Brighton & Hove School Admissions Team by 3.00pm on **13<sup>th</sup> November 2009**.
- c) The LA will identify the number of preferences received for each school and will make indicative allocations to community schools by **4<sup>th</sup> December 2008**. The voluntary aided junior school, St Nicolas CE Junior, Portslade, will have been provided with details of parental

preferences where the school is a preference as soon as possible after the closing date.

- d) St Nicolas CE Junior will provide the LA with a list showing how all pupil preferences for the school are prioritised, and the admission criterion applied in each case by **9<sup>th</sup> December 2009**.
- e) The LA will determine whether any applicants to St Nicolas can be offered a higher ranked preference at another school. It will then work with the school to make any adjustments to the school's places offers that result by **11<sup>th</sup> December 2009**.
- f) The final list of school allocations will be prepared by **8<sup>th</sup> January 2010**. The preparation of letters of notification to parents/carers will start by this date. Late applications received up to this date will be considered.
- g) Letters will be sent to parents/carers confirming the school allocated for their child on **22<sup>nd</sup> January 2010**.



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 86

Brighton & Hove City Council

**Subject:** Capital Programme, 2009/2010  
**Date of Meeting:** 2 March 2009  
**Report of:** Director of Children's Services  
**Contact Officer:** Name: Gillian Churchill Tel: 29-3515  
E-mail: Gillian.churchill@brighton-hove.gov.uk  
**Key Decision:** Yes Forward Plan No: CYP7786  
**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, Structural Maintenance, New Pupil Places, Schools Access Initiative, Primary Capital Programme and Target Capital Fund cost centres for 2009 / 2010

#### 2. RECOMMENDATIONS:

- 2.1 The Children and Young People Cabinet Member to recommend to Cabinet the allocation of funding on the basis set out in paragraphs 3.3 to 3.50 below.
- 2.2 Subject to Cabinet approval, approve the allocation of funding as shown in Appendices 2 to 7.

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

- 3.1 The Cabinet Member received a report on the Capital Resources and Capital Investment Programme for 2009/10 at the meeting on 19<sup>th</sup> January 2009. The recommendations from that report have been included in the report by the Director of Finance and Resources, entitled Capital Resources and Capital Investment Programme for 2009/10. This report was considered by Cabinet on 12<sup>th</sup> February 2009 and Budget Council on 26 February 2009. The full capital programme for CYPT is attached at Appendix 1
- 3.2 Six 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 £2,234,304 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 £3,074,914 is available for transforming education in primary phase schools);

**Targeted capital Fund** (under which £2,000,000 is available for works to secondary schools, particularly 14 – 19 diplomas, SEN and disabilities, pending inclusion in the full BSF programme);

### 3.3 **NDS modernisation**

3.4 The Council recently submitted a revised Expression of Interest (EoI) to the Department of Children Schools and Families (DCSF) in respect of the Building Schools for the Future (BSF) programme. It is hoped that as a result of this revised EoI the timeframe for entering the BSF programme will be foreshortened.

3.5 There is a considerable amount of work to be completed prior to being admitted on to the BSF programme by the DCSF and Partnership for Schools (PFS). It will be necessary to prepare a Secondary Strategy for Change which details the authorities approach to transforming secondary education and a Readiness to Deliver document prior to being able to draw down BSF funding for the individual elements of the programme.

3.6 The experience of authorities already in BSF is that this initial work will cost in the order of £3million and the LA is expected to fund this work from within its own resources.

3.7 It is recommended that £1million from the NDS budget is allocated to this initial phase of work to progress our bid for BSF.

3.8 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.

3.9 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.

- 3.10 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.
- 3.11 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.
- 3.12 A bid has been made to the Asset Management Fund to meet half the costs of undertaking the necessary upgrade works at two schools within the city, a requirement of bids to the Asset Management Fund is that departments meet 50% of the cost of the work from within their own capital resources. It is recommended that £75,000 is allocated from the NDS budget for this purpose.
- 3.13 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 £525,000 is allocated from NDS funding to carry out additional structural maintenance in the 2009 / 2010 financial year.
- 3.14 The extent of the work at each school will be the subject of further discussion with schools. Schools who benefit from this additional funding will be required to make a contribution to the costs involved from their Devolved Formula Capital allocations.
- 3.15 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.
- 3.16 It is recommended that £150,000 is allocated for advanced design.
- 3.17 The above recommendation will leave £34,000 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.

3.18 A summary of expenditure on each of the items listed above is included at Appendix 2.

### 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 NDS Devolved Formula Capital.

3.22 A summary of the work planned for the 2009 / 2010 financial year is shown at Appendix 3 .

### 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 1<sup>st</sup> December 2008, it was agreed to progress proposals to expand Balfour Junior School by one form of entry from September 2010. The required Statutory Notices have been published to provide the final opportunity for the community to comment on these proposals.

3.26 It is intended that the results of this proposal will be reported to the Cabinet Member meeting on 2<sup>nd</sup> March 2009 for a final decision on the proposal. A scheme to extend the school to enable this proposal to be implemented has been progressed over the last year and it is intended that part of the cost of this extension should be met from the New Pupil Places Budget.

3.27 Subject to the determination of the statutory notices for the proposal to expand Balfour Junior School it is recommended that £335,000 should be allocated to this project.

3.28 At the Cabinet Member Meeting held on 1<sup>st</sup> December 2008, it was agreed to progress proposals to permanently expand Davigdor Infant School by one form of entry from September 2010. The required statutory notices will be published on 1<sup>st</sup> May 2009 (this proposal is linked to a similar proposal to expand Somerhill Junior School by one form of entry from September 2011). The statutory notices will provide the final opportunity for the community to comment on these proposals.

3.29 It is intended that the results of this proposal will be reported to the Cabinet Member meeting in June / July 2009 for a final decision on the proposal. A scheme to extend the school to enable this proposal to be implemented has been progressed over the last year and it is intended that part of the cost of this extension should be met from the New Pupil Places Budget.

3.30 Subject to the determination of the statutory notices for the proposal to expand Davigdor Infant School it is recommended that £333,831 should be allocated to this project.

3.31 A summary of expenditure is included at Appendix 4

### **3.32 Schools Access Initiative Fund**

3.33 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.

3.34 It is recommended that the remaining £216,679 be allocated to continue the work to meet the targets of the Accessibility Plan for Schools.

3.35 It is recommended that the funding is allocated as indicated above.

3.36 A summary of expenditure is included at Appendix 5.

### **3.37 Primary Capital Programme**

3.38 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.

3.39 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. As mentioned at points 3.25, 3.26, 3.28 and 3.29 above proposals to expand Balfour Junior School and Davigdor Infant School have been progressed.

3.40 Subject to the determination of the statutory notices for the proposal to expand Balfour Junior School it is recommended that the balance of funding needed to complete this project be met from this funding stream.

3.41 Subject to the determination of the statutory notices for the proposal to expand Davigdor Infant School it is recommended that the balance of funding needed to complete this scheme be met from this funding stream.

3.42 A summary of expenditure is included at Appendix 6.

### **3.43 Targeted Capital Fund**

3.44 As part of the Council's future development of schools within the city it is proposed to expand Longhill School by one form of entry and to carry out the necessary adaptations to the building to facilitate this expansion. A report was presented to the Cabinet Member Meeting held on 19<sup>th</sup> January 2009, detailing the reasons for this proposal.

3.45 Work on the design of the scheme will progress alongside the statutory processes necessary when proposing an alteration of this nature to a community school.

3.46 Subject to the determination of the statutory processes for the proposal to expand Longhill School it is recommended that £1,600,000 should be allocated to this project.

3.47 This year we will look to identify another major scheme to be taken forward in the next financial year. We will need to undertake advanced design which in turn gives us more certainty of completing the construction element of the scheme within one financial year. It is recommended that £100,000 is allocated for advanced design for future schemes under the Targeted Capital Fund.

3.48 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.

3.49 These costs fall to the Council and it is recommended that £300,000 is allocated to this element of the Falmer project.

3.50 A summary of expenditure is included at Appendix 7.

## **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 The report sets out the allocation of capital resources that were approved at Cabinet on 12<sup>th</sup> February 2009 for inclusion in the 2009/10 Capital Investment Programme. The revenue implications of any schemes proposed will be met from existing school resources.

*Finance Officer Consulted: Rob Allen, Strategic Finance*

*Date: 4/02/2009*

### Legal Implications:

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

As recommended in the report, the proposal for the allocation of funding towards the areas identified within the programme need to be forwarded to Cabinet for approval.

There are no 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.

*Layer Consulted: Serena Kynaston*

*Date: 26/01/2009*

### 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 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 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 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 2009 2010
2. Summary of expenditure under NDS funding
3. Summary of expenditure under Structural maintenance funding
4. Summary of expenditure under New Pupil Places funding
5. Summary of expenditure under Schools Access Initiative funding
6. Summary of expenditure under Primary Capital funding
7. Summary of expenditure under Targeted Capital funding

**Documents In Members' Rooms**

1. None

**Background Documents**

1. None



## Appendix 1

### Children and Young Peoples Trust Capital Investment Programme 2009/10

Capital Scheme	Spend to March 2008	Approved Payments 2008/09	<b>Profiled Payments 2009/10</b>	Profiled Payments 2010/11	Profiled Payments 2011/12	Total Scheme Cost to 2011/12
	£'000	£'000	<b>£'000</b>	£'000	£'000	£'000
<b><u>CHILDREN AND YOUNG PEOPLES TRUST</u></b>						
<b><u>Approved Schemes</u></b>						
• Extended Schools *		74	<b>615</b>	183		872
• Surestart Early Years *		158	<b>1,967</b>	1,062		3,187
• Childrens Centres Phase 3 *		20	<b>1,322</b>	540		1,882
• Falmer Academy – Swan Downer & caretakers flat				557		557
• Devolved Formula Capital	2,515	2,789	<b>146</b>			5,450
• Aiming High for Disabled Childrenn *		88	<b>359</b>			447
<b><u>New Schemes</u></b>						
• New Pupil Places			<b>669</b>	669	670	2,008
• Modernisation			<b>2,234</b>	2,305	2,300	6,839
• Capital funding direct to schools			<b>2,885</b>	2,885	2,900	8,670
• Primary Capital Programme			<b>3,075</b>	5,453		8,528
• Structural Maintenance			<b>920</b>	920	920	2,760
• Schools Access Initiative			<b>367</b>	367	370	1,104
• Targeted Capital Fund			<b>2,000</b>	6,000		8,000
• Harnessing Technology Grant *			<b>616</b>	662		1,278
• Youth Capital Fund *			<b>122</b>	122		244
• Children's Social Services *			<b>43</b>	44	45	132
<b>Total for Service</b>	2,515	3,129	<b>17,340</b>	21,769	7,205	51,958

\* Note – These budgets are managed separately. They are referred to in this appendix for completeness but they are not commented on in this report .

Note – If the Building Schools for the Future programme is successful an annual sum of £1.0m to support the programme will be contributed from a combination of the above resources and has yet to be identified. This will be reported to the Children & Young People Cabinet Member Meeting in March 2009.



## Appendix 2

<b>NDS Funding for 2009 / 2010</b>	<b>£2,234,304</b>
<b>NDS Expenditure for 2009 / 2010</b>	
Funding for BSF	£1,000,000
Improvement works to meet the requirements of L8 (Legionella Regulations)	£ 125,000
Asbestos related works	£ 125,000
Work arising from the Fire Risk Assessments following amendments to Fire Regulations	£ 200,000
Work to improve ventilation issues in School Kitchens	£ 75,000
Condition related works	£ 525,000
Advanced design	£ 150,000
<b>TOTAL</b>	<b>£2,200,000</b>



## Appendix 3

### Structural Maintenance Funding for 2009 / 2010

**£920,000**

### Structural Maintenance Expenditure for 2009 / 2010

School	Bid	Estimated costs
<b>GENERAL</b>		<b>£238,000</b>
Stanford Junior	Masonry repairs to rear elevation & replacement structural posts to concrete canopy	
St Lukes Junior	Masonry repairs - Phase 3	
Downs Infants	Repair corroding lintel to first floor classroom	
Blatchington Mill	Replace perimeter gutter to front elevation of main building and brickwork repairs to brick lintel	
Downs Junior	Toilet refurbishment	
Coombe Road Primary	Refurbishment of Infant toilets including remedial work to roof	
Portslade Infants	Refurbish boys toilets in main building – Yr1 & Yr2.	
<b>ROOFING</b>		<b>£393,000</b>
Coombe Road Primary	Replacement to pitched roofs and flashings – Top Block	
Bevendean Primary	Renew coverings to defective areas to flat roofs (leaks above toilets, chair store and canteen) include renewing rooflights	
Carden Primary	Renew flat roofs (Rolling programme - Phase 1)	
Queens Park Primary	Renew coverings to flat roof over M3 and area outside Hall (south elevation)	
Downs Junior	Recover pitched roofs to single storey Ruby Road elevation roofs	
Peter Gladwin	Replace large sections of flat roof (classrooms/boiler)	
Jeanne Saunders Centre	Replace roof covering	
Balfour Infant	Replacement main hall roof covering	
Blatchington Mill	Replacement flat roof covering over kitchen	
West Hove Infants	Replace flat roof covering over mobile classroom	
Downs Infants	Replace defective area of flat roof covering to covered walkway and replace high level windows to hall (including cavity trays)	
<b>WINDOWS &amp; DOORS</b>		<b>£5,000</b>
Carden Primary	Concrete repairs to windows in KS1 & KS2.	
<b>CARETAKERS HOUSES</b>		<b>£30,000</b>
Queens Park Primary	Tanking and damp repairs to caretakers house	
Various	Remedial works identified in condition surveys	
<b>ELECTRICAL</b>		<b>23,000</b>
Royal Spa	Replace External Lighting	
Various	Remedial works identified in Test & Reports	

<b>MECHANICAL</b>		<b>£111,000</b>
Blatchington Mill	Replace Hot & Cold Water Services in east block (Legionella implications) - <b>Phase 1</b>	
Surrenden Pool	Replace sand filters (3no.) and associated pipework	
Rudyard Kipling	Convert boilers to sealed system	
Balfour Junior	Replace Existing Boiler Flue	
<b>YOUTH</b>		<b>£12,000</b>
Hangleton Youth Centre	Replace roof covering	
<b>KITCHENS</b>		<b>£8,000</b>
Various	Works identified from EHO reports	
	<b>TOTAL</b>	<b>£820,000</b>

The remainder of this budget will be used to meet the cost of professional fees in preparing specifications, tenders, contract administration and monitoring this work.

## Appendix 4

<b>New Pupil Places Funding for 2009 / 2010</b>	<b>£668,831</b>
<b>New Pupil Places Expenditure for 2009 / 2010</b>	
Proposed Expansion of Balfour Junior School	£335,000
Proposed Expansion of Davigdor Infant School	£333,831
<b>TOTAL</b>	<b>£668,831</b>





**Appendix 5**

**Schools Access Initiative Funding for 2009 / 2010**

**£366,679**

**Schools Access Initiative Expenditure for 2009 / 2010**

Meeting the needs of individual pupils as they move through the school system

£150,000

Works towards meeting the aims of the Schools Accessibility Strategy

£216,679

**TOTAL**

**£366,379**



## Appendix 6

<b>Primary Capital Funding for 2009 / 2010</b>	<b>£3,074,914</b>
<b>Primary Capital Expenditure for 2009 / 2010</b>	
Advanced Design	£ 150,000
Proposed Expansion of Balfour Junior School	£1,741,941
Proposed Expansion of Davigdor Infant School	£1,182,973
<b>TOTAL</b>	<b>£3,074,914</b>



## Appendix 7

<b>Targeted Capital Funding for 2009 / 2010</b>	<b>£2,000,000</b>
<b>Targeted Capital Expenditure for 2009 / 2010</b>	
Advanced Design	£ 100,000
Proposed Expansion of Longhill School	£ 1,600,000
Proposed Falmer Academy Council funded works	£ 300,000
<b>TOTAL</b>	<b>£2,000,000</b>



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 87

Brighton & Hove City Council

**Subject:** Proposed Expansion of Balfour Junior School  
**Date of Meeting:** 2 March 2009  
**Report of:** Director of Children's Services  
**Contact Officer:** Name: Gillian Churchill Tel: 29-3515  
E-mail: [gillian.churchill@brighton-hove.gov.uk](mailto:gillian.churchill@brighton-hove.gov.uk)  
**Key Decision:** Yes Forward Plan No. CYP7788  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform members of the outcome of the statutory consultation on the proposed permanent expansion of Balfour Junior School by one form of entry from September 2010 and resultant enlargement of the premises.
- 1.2 To provide the Cabinet Member with sufficient information to be able to determine the proposal.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member confirms the statutory notice and resolves to permanently expand Balfour Junior School by one form of entry from September 2010 and enlarge the premises accordingly.

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

- 3.1 Brighton & Hove City Council has a legal requirement to provide sufficient school places for all school age children in the city. School places should be provided in such a way that parents and pupils can access a local school wherever possible.
- 3.2 There are two Balfour primary phase schools adjacent to each other – Balfour Infant School and Balfour Junior School. Each school operates as a separate institution with its own head teacher, staff and governing body. Children remain in the Infant school until the age of seven, and then are able to transfer to the Junior School in accordance with the City's admissions criteria. The majority of children wish to transfer from one school to the other in this way. However owing to an historical anomaly while the infant school is a four form entry school, the junior school is only a three form entry school. This means that around 25% of pupils at the infant school are unable to transfer to the junior school with their friends and peers.

- 3.3 The proposal is to expand the junior school so that it becomes a four form entry school with a yearly intake of 128 to match the four form nature of the infant school.
- 3.3 At the Cabinet Member meeting held on 1<sup>st</sup> December 2008 it was agreed to publish the statutory notice required to progress this proposal.
- 3.4 The notice was published in accordance with the requirements of the Education and Inspections Act 2006 on 5<sup>h</sup> January 2009. Copies of the full proposal were made available to any person or body that requested one.

#### **4. CONSULTATION**

- 4.1 Consultation on the expansion of the community school must follow the processes set out in section 19 (1) of the Education and Inspections Act 2006 (EIA 2006) and the statutory guidance issued by the DCSF. Section 16(2) of the Act provides that before publishing any proposals for expanding a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between September 2008 and December 2008.
- 4.2 On 1<sup>st</sup> December 2008 the Children and young People Cabinet Member authorised the Director of Children's Services to proceed to publish the required statutory notices for the expansion Balfour Junior School by one form of entry from September 2010. The subsequent 4 week representation period was the final opportunity for people and organisations to express their views about the proposals.
- 4.3 Statutory notices were published in the local newspaper on 5<sup>th</sup> January 2009. In addition notices were displayed at the entrances to the school and the adjacent infant school and at other places used by the community. The Statutory notice stated where copies of the full proposal could be obtained from.
- 4.4 The Statutory notice forms part of the full proposal. Copies of the full proposal were sent to the Anglican and Catholic diocese, East and West Sussex County Councils, the governing body of the school and the DCSF. Copies of the complete proposal have to be made available to anyone who requests a copy during the publication period.
- 4.5 No requests were received for a copy of the full proposal during the publication period. A copy of the full proposal information is in the Members room.
- 4.6 During the publication period the only representations received related to the design of the proposed building i.e concerns about the planning process. No representations or objections to the proposal to expand the school by one form of entry were received.



## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 Any implications for funding the additional floor area at Balfour Junior School will be met from the Individual School Budget (ISB), which may increase as a result of any additional pupils into the Authority as a result of the expansion. If no additional pupils come into the Authority then the additional funding Balfour Junior school will receive will come from within the existing ISB. Any capital costs arising from the proposal would have to be met from within the Education Capital Programme which includes streams such as the Primary Capital Programme, NDS modernisation and a contribution from the schools Devolved Formula Capital (DFC). The full cost of this project will be reported in due course.

*Finance Officer Consulted:* Sue Coleman

*Date* 05/02/2009

### 5.2 Legal Implications:

- 5.2.1 Statutory Notices were published on 5<sup>th</sup> January 2009 in accordance with Section 19(1) of the Education and Inspections Act 2006 and the accompanying School Organisation Regulations (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). The statutory four week period for representations to be made followed. The closing date for receipt of representations or objections was 2<sup>nd</sup> February 2009.
- 5.2.2 Decisions on expansions of community schools are taken by the LA with some rights of appeal to the schools adjudicator. In this instance the Children and Young People Cabinet Member will act as the Decision Maker for the Local Authority.
- 5.2.3 The DCSF does not prescribe the process by which an LA carries out their decision-making function but the LA is required to have due regard to statutory guidance published by the DCSF. A full copy of the DCSF guidance 'Expanding a Maintained Mainstream School or adding a Sixth Form' is in the Members Room. Paragraphs 4.15 to 4.64 of the Guidance set out the factors which must be considered by Decision Makers when determining a statutory proposal.
- 5.2.4 In addition the DCSF provides that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;
- a. Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided;
  - b. Does the published notice comply with statutory requirements?  
The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals

- c. Has the statutory consultation been carried out prior to the publication of the notice?

Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole

- d. Are the proposals linked or related to other published proposals?  
This is not the case for the proposals relating to this expansion.

In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals
- approve the proposals
- approve the proposals with a modification
- approve the proposals subject to them meeting a specific condition

The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations. In this instance there are no circumstances where a conditional approval would be acceptable.

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

*Layer Consulted:* Serena Kynaston

*Date:* 04/02/2009

Equalities Implications:

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

Sustainability Implications:

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

Crime & Disorder Implications:

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

Risk and Opportunity Management Implications:

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

Corporate / Citywide Implications:

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

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

- 6.1 The alternative option would be to leave Balfour Junior School as a three form entry School.
- 6.2 This is not considered as acceptable since it will not address the anomaly in size between Balfour Infant school and Balfour Junior School. It will also not address the need to provide school places where they are needed within the city.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 It is recommended that the proposal to expand Balfour Junior School by one form of entry are approved as this will resolve the historical anomaly between the size of the junior school and the adjacent infant school.
- 7.2 Balfour Junior School is a popular and successful school that many parents and carers would choose to send their children to if places were available. The expansion of this school will assist in meeting this aspiration of parents and carers.
- 7.3 The school provides a range of extended services to the school community, by expanding the school these services will be available locally to a greater number of people.
- 7.4 Brightin & Hove are currently experiencing rising rolls across most part so the city. The additional form of entry proposed at Balfour Junior School will help meet this increased demand.
- 7.5 The school is covered by the Councils admissions arrangements which strives to provide a truly local school which serves its most immediate community and assists in the aspirations of the Local Authority in terms of green travel arrangements.
- 7.6 Capital is available under the Primary Capital Programme to implement the necessary changes to the school. A scheme has been designed that will enable the school to accommodate the additional pupils and also provides

enhancements to disability access, pupil safety and school catering arrangements.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

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

1. Copy of the full proposal information
2. DCSF Guidance document 'Expanding a maintained Mainstream School or Adding a Sixth Form'

### **Background Documents**

1. None

# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 89

Brighton & Hove City Council

**Subject:** Assignment of Lease at 13 Hollingbury Place  
**Date of Meeting:** 2 March 2009  
**Report of:** Director of Children's Services  
**Contact Officer:** Name: Philip Ward Tel: 294270  
Jessica Hamilton 291461  
E-mail: [Philip.ward@brighton-hove.gov.uk](mailto:Philip.ward@brighton-hove.gov.uk)  
[Jessica.hamilton@brighton-hove.gov.uk](mailto:Jessica.hamilton@brighton-hove.gov.uk)  
**Key Decision:** No  
**Wards Affected:** Hollingbury & Stanmer

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Youth and Connexions Service has occupied the ground floor of 13 Hollingbury Place on an informal basis since April 2008 providing a Connexions Plus Access Point, offering services to young people in the community. The tenant, The Hollingdean Development Trust, now wishes to formalise the arrangement by assigning their lease to the council.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member approves the proposal to take an assignment of the lease for the ground floor of 13 Hollingbury Place.

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

- 3.1 In October 2004 The Hollingdean Development Trust took a 7 year lease of the ground floor of 13 Hollingbury Place at a rent of £7,500 pa. The lease has the benefit of security of tenure and a tenant only rolling break clause.
- 3.2 In April 2008 The Hollingdean Development Trust vacated the property and the Youth and Connexions Service (YCS) of the CYPT took occupation as a Connexions Plus Access Point. This was an informal arrangement and the council paid The Trust £10,500 to cover the cost of rent, rates and cleaning for one year. (The Trust and YCS have a close working relationship and a Youth Worker based at the property previously employed by The Hollingdean Development Trust is now an employee of BHCC, providing continuity of service).
- 3.3 Since the YCS's occupation of the premises it has become one of the most successful community based access points for young people. This supports the

CYPT's broader strategy for providing services to young people in the community where they live.

- 3.4 In September 2008 The Trust offered to formalise the arrangement with YCS and asked the council to enter into a sub-lease. At the same time, in order to protect their position, The Trust actioned their break clause to terminate the lease in April 2009 allowing them to vacate the property in the event that the YCS did not wish to remain in occupation.
- 3.5 Because of the success of the Connexions Plus Access Point the YCS are keen to remain in occupation and sought advice as to how this is best achieved. Following discussions with both The Trust and the landlord all parties are satisfied with the proposal for the council to take an assignment of the lease from The Trust.
- 3.6 The lease has less than 3 years remaining expiring October 2011. It has the benefit of security of tenure and also a tenant only rolling break clause. The initial rent was £7,500 pa and there is an outstanding rent review dated June 2008. It is the intention to agree the reviewed rent at a market level prior to completing an assignment. Under the lease the council will be responsible for rates, repairs and outgoings.

#### **4. CONSULTATION**

- 4.1 The Youth and Connexions Board has been kept informed of proposals.

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

##### Financial Implications:

- 5.1 The report deals with the formal assignment of the lease of 13 Hollingbury Place. The paper indicates that the current lease has an annual rent of £7500 for which there is currently an outstanding rent review dated June 2008. As well as the annual rent the council will also be responsible for rates, repairs and outgoings.

It should be stressed that all additional costs will need to be met from the youth and connexions service budget. It is therefore important that the position is reviewed regularly to ensure that there are no additional costs above the overall funding received.

Finance Officer consulted: Paul Brinkhurst

Date: 13/01/2009

##### Legal Implications:

- 5.2 S120 LGA 1972 enables the council to take an assignment of the lease of this property. It is not considered that any individual's Human Rights Act rights will be adversely affected by the recommendation in this report.

Lawyer Consulted: Anna MacKenzie

Date: 16/01/2009

Equalities Implications:

- 5.3 The use of 13 Hollingbury Place as a community-based access point for young people supports the CYPT's Equalities principles. It will address the needs of some of the most socially excluded young people in Brighton and Hove by providing access to integrated support services in the locality in which they live.

Sustainability Implications:

- 5.4 The use of 13 Hollingdean Place will allow for the sustainability of services to young people in the Hollingdean area. The lease has security of tenure and will allow the CYPT to deliver a locally-based Integrated Youth Support Service in line with Department for Children, Schools and Families (DCSF) strategic objectives.

Crime & Disorder Implications:

- 5.5 The proposals in this paper will fully support the prevention of crime and disorder as set out in the Children & Young People's Plan. The integrated team working out of 13 Hollingbury Place includes a Youth Crime Prevention Worker who works with young people at risk of offending or being involved in anti-social behaviour.

Risk and Opportunity Management Implications:

- 5.6 In order to ensure we identify the full extent of the council's liabilities it is the intention to agree the outstanding rent review prior to completing the assignment.

Corporate / Citywide Implications:

- 5.7 The use of 13 Hollingbury Place as a community-based access point for young people supports the council priorities for community engagement and for working with at risk and vulnerable young people.

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

- 6.1 The council could take a sublease from The Trust but this would not have the benefit of security of tenure. In addition communication with the head landlord would be more difficult as the direct landlord would be The Trust and all communication would be via them.
- 6.2 The council could allow the Trust's lease to end and negotiate a new lease directly with the landlord. This is more time consuming than an assignment as the council would have to negotiate new heads of terms and agree the form of lease. As the existing lease terms are acceptable, this would not necessarily provide an additional benefit.
- 6.3 The council could seek alternative premises but officers have searched the market and supply is limited in the locality. In addition the subject premises are now established as a community facility.

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

- 7.1 The YCS have been in occupation of the property since April 2008 and consider it to be the best location for their Connexions Plus Access Point which is now established and successful.
- 7.2 The provision of services from this location supports the wider CYPT integrated youth support service strategy
- 7.3 The terms of the lease are considered to be reasonable, affordable and value for money.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

None

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

None

#### **Background Documents**

None



# CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

## Agenda Item 90

Brighton & Hove City Council

<b>Subject:</b>	<b>Relocation of the Youth Offending Team (YOT) Service from Ship Street</b>		
<b>Date of Meeting:</b>	<b>2 March 2009</b>		
<b>Report of:</b>	<b>Director of Children's Services Director of Finance &amp; Resources</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Geoff Williams, CYPT</b>	<b>Tel: 296167</b>
		<b>Jessica Hamilton, Property &amp; Design</b>	<b>291461</b>
	<b>E-mail:</b>	<a href="mailto:geoff.williams@brighton-hove.gov.uk">geoff.williams@brighton-hove.gov.uk</a> <a href="mailto:Jessica.hamilton@brighton-hove.gov.uk">Jessica.hamilton@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No.CYP7171</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Youth Offending Team (YOT) currently operate from 22 Ship Street on which the council has a lease until September 2009. In recent years the caseworkers have been unable to see clients on site due to restrictions in the lease and have had to split their service between Ship Street and Ovest House, West Street (another leased in building), resulting in a less efficient and effective service. Ship Street is also now too small for the YOT, which has expanded significantly since 1999. The proposal is not to renew the lease at Ship Street on expiry in September 2009 and take a new lease of alternative premises. This report is complimented by a report in part two of the Agenda.

#### 2. RECOMMENDATIONS:

- That Cabinet Member approves:
- 2.1 The proposal not to renew the lease the council holds on 22 Ship Street.
- 2.2 Taking a lease of suitable premises, yet to be identified, within the next 6 months, with terms to be negotiated on behalf of Children Services by Property & Design under general delegations.
- 2.3 That the Cabinet Member notes the 'fall back' position currently being negotiated should it not be possible to identify suitable premises prior to the expiry of the current lease, which is to renew the existing lease, but on a short term basis thus allowing more time to source alternative accommodation.

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

- 3.1 The YOT is a multi-agency team with approximately 42 staff (full and part-time) and 55 volunteers. The team comprises staff from across the CYPT including Education, Children and Adolescent Mental Health Services and the Young Persons Substance Misuse Service as well as the Police and Probation service. They work with young people from the age of 10 to 17 and occasionally to age 20. The main source of funding is from the Local Authority and the Youth Justice Board (YJB). They also have a prevention budget from the YJB, which is devolved to the Targeted Youth Support Service in order to facilitate early identification and intervention of 'at risk' young people by the community based multi agency teams, so that problems are dealt with before they become intractable.
- 3.2 The YOT work with young people for periods of 3 months to 3 years, though this can be extended, and have an extensive range of interventions including restorative justice, art projects (including the making of a feature length film 'The Front'), cognitive behavioural therapy, family work, group work, anger management, education programmes (including rapid English) and an Employment Project. In an average year they will work with approximately 400 young people and will have approximately 150 young people on their books at any one time.
- 3.3 The YOT took occupation of 22 Ship Street in September 1999 on a 10 year lease at £20,000 pa. The lease is excluded from the security of tenure provisions of the Landlord and Tenant Act 1954 and so has no automatic right to renewal. The rent was reviewed in September 2004. The permitted user clause within the lease is as offices and there are standard restrictions to prevent the council causing nuisance, annoyance or disturbance to occupiers of adjoining premises. In 2006 following complaints from the ground floor tenants of the building (Jeremy Hoyer and England at Home) that YOT's clients were causing a nuisance and/or disturbance, the landlord sought to resolve the dispute by asking the council to formally undertake not to see any clients at the building. Whilst the council did not sign the undertaking, in order to prevent the dispute escalating the YOT ceased seeing clients at the property.
- 3.4 Alterations were carried out to the second floor of Ovest House in West Street (another leased in property) to provide additional interview rooms as well as an Education, Training and Employment Room allowing YOT to hold client meetings, interviews and training there. Some of the YOT staff and administration moved to Ovest House to facilitate the service there whilst the majority of YOT staff remained in Ship Street. This dual location has had an adverse affect on the effectiveness of the YOT service because they have been unable to provide a multi-agency "one-stop" service to its clients resulting in inefficiencies.

- 3.5 In addition, the service has outgrown the accommodation at Ship Street. Since the YOT took the space in Ship Street the team has grown by approximately 10 members and their requirement for space for meeting and training client's has also increased. As the lease is due to end in September 2009 YOT have been investigating alternative accommodation for 3 years and have been unsuccessful in securing suitable premises. Most recently YOT identified a property at 49 Church Road, which met their requirements. However, the landlord's agent agreed terms with another party before YOT had an opportunity to obtain Cabinet Member approval to take a lease on the property.
- 3.6 YOT requires office space of at least 4,000 and up to 4,500 square feet depending on the configuration of the space, to include interview rooms and group rooms. The provision of car parking spaces would be ideal but not essential. The location needs to be central and easily accessible by public transport.
- 3.7 In terminating the lease at Ship Street the council will be likely to have a dilapidations liability. Action is being taken now to prepare a schedule of dilapidations with a view to either carrying out works before the expiry of the lease or to identify budget in the new financial year with which to settle a potential dilapidations claim. The property is generally in good order and it is anticipated that the claim will relate to general wear and tear. Officers will engage agents to complete negotiations to ensure a settlement is reached, which represents value for money within the context of the proposed move. If this is not achievable then the situation will be reviewed.
- 3.8 YOT intend to cover the extra costs by reviewing the staffing establishment and structure to identify savings and by vacating Ovest House. In addition savings will be made by terminating the current annual car park passes for the North Road car park. It is not expected that this will adversely affect delivery. It should also be noted that by regaining client access to YOT premises this will speed up and improve the service being offered, capitalising on the multi agency aspect of the service.
- 3.9 A Steering Group involving senior YOT and Property & Design staff is managing the relocation project and is examining a range of options and contingencies, including seeking an extension to the current lease on a short term basis.

#### **4. CONSULTATION**

- 4.1 Consultation is taking place with the staff affected, partner agencies, local communities and importantly the young people themselves, with their views being fed into the planning process. The Youth Justice Strategy Group and the Youth Justice Board have been advised of proposals.

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

##### Financial Implications:

- 5.1 The report updates on the operational decision to relocate the Youth Offending Team from Ship Street and Ovest House to a new site (yet to be determined). The paper indicates that rent will initially increase which will met from savings as referred to in para 3.8. The paper also refers to a potential dilapidation liability at Ship Street, as well as the council responsibility for all repairs, insurance and

outgoings including business rates and rent reviews relating to the new site. It should be stressed that all additional costs will need to be met from the YOT Budget. It is therefore important that the position is reviewed regularly to ensure that there are no additional costs above the overall funding received.

*Finance Officer Consulted:* Paul Brinkhurst

*Date:* 16/01/2009

Legal Implications:

- 5.2 S. 120 of the Local Government Act 1972 enables the council to enter into this lease. It is not considered that any individual's Human Rights Act rights will be adversely affected by the recommendations in this report.

*Lawyer Consulted:* Anna MacKenzie

*Date:* 19/01/2009

Equalities Implications:

- 5.3 In identifying alternative premises DDA requirements will be taken into consideration to ensure access is suitable for staff and clients.

Sustainability Implications:

- 5.4 It is intended the alternative accommodation will not only meet the YOT's current requirement but will also provide some flexibility to accommodate changes moving forward.

Crime & Disorder Implications:

- 5.5 This proposal supports the development of effective Youth Offending Services, which is a main element of the Crime and Disorder Strategy.

Risk and Opportunity Management Implications:

- 5.6 The value of the dilapidations claim on 22 Ship Street is as yet unknown. However the property is in relatively good order and the YOT are taking action now to assess the potential claim so they can allow for it in their future budget.

Corporate / Citywide Implications:

- 5.7 By moving location the YOT will be able to once again provide a "one-stop" multi-agency service which will not only bring about efficiencies within the service but will also facilitate the better recording of results.

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

- 6.1 A steering group has been established which has and is continuing to explore a range of options aimed at ensuring more effective services are delivered by the YOT at the best possible cost. Negotiations are also taking place with the freeholder of the current premises at 22 Ship Street with a view to developing a 'fall back' option, which is to extend the existing lease on a short term basis. Even if this were possible, it is not however the favoured option, as it would involve continuing the current inefficient arrangement of providing a split service from two sites. It is also the case that the current premises are too small in the long term to accommodate the YOT.

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

- 7.1 In order to avoid a dispute with the landlord of 22 Ship Street the YOT has ceased client meetings on site and is providing a split site service from Ship Street and Ovest House. Because the building can no longer meet their service requirements and is becoming too small the YOT wish to move to alternative premises when their current lease expires in September 2009.
- 7.2 At least one building which was deemed suitable is now no longer available because it was not possible to obtain the necessary approvals in time to secure the lease. A steering group has now been established which is exploring a range of potential premises. By obtaining Cabinet Member approval in principle in advance of any negotiations the YOT will be in a stronger position to negotiate a new lease for suitable premises successfully.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

None

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

None

### **Background Documents**

None



Document is Restricted

