

Notice of Meeting

Cabinet Member for Schools and Learning Decisions



Date & time
Thursday, 12 June
2014 at 2.00 pm

Place
Room 107, County
Hall, Kingston upon
Thames, Surrey KT1
2DN

Contact
Anne Gowing
Room 122, County Hall
Tel 020 8541 9938

Chief Executive
David McNulty

anne.gowing@surreycc.gov.uk

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Anne Gowing on 020 8541 9938.

Cabinet Member for Schools and Learning
Mrs Linda Kemeny

AGENDA

1 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

2 PROCEDURAL MATTERS

2a Members' Questions

The deadline for Member's questions is 12pm four working days before the meeting (6 June 2014).

2b Public Questions

The deadline for public questions is seven days before the meeting (5 June 2014).

2c Petitions

Notice of a petition, "Stopping the demolition and expansion of Lyne and Long Cross School", containing 161 signatures has been received from Mr Stephen Craig. A response will be presented at the meeting.

3 SAYES COURT PRIMARY SCHOOL: EXPANSION

(Pages 1
- 6)

There is increasing pressure for primary school places in Runnymede. In addition to the demand generated by an increasing birth rate, there is a need to provide more school places in the Borough as a result of additional housing and net inward migration. In partnership with the Interim Executive Board, the Local Authority has recently consulted on the proposed expansion of Sayes Court from one to two forms of entry by 2015. Following consultation, a period of 4 weeks has been allowed for any final representations. The Cabinet Member is asked to consider any representations and to decide whether to implement the proposal.

4 STANWELL FIELDS COFE VC PRIMARY SCHOOL: A PROPOSAL FROM THE GOVERNING BODY

(Pages 7
- 12)

The governing body of Stanwell Fields VC Primary School would like to change the status of the school to a Voluntary Aided category from April 2014. They have taken advice from the Diocese of London and Surrey County Council and have consulted with interested parties. The Cabinet Member for Schools and Learning has the responsibility of determining whether or not this proposal should go ahead.

David McNulty
Chief Executive

Published: Wednesday 4 June 2014

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CABINET MEMBER FOR SCHOOLS AND LEARNING**DATE: 12 JUNE 2014****LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR OF CHILDREN, SCHOOLS AND FAMILIES****SUBJECT: PROPOSED EXPANSION OF SAYES COURT PRIMARY SCHOOL FROM 1 TO 2 FORMS OF ENTRY****SUMMARY OF ISSUE:**

There is increasing pressure for primary school places in Runnymede. In addition to the demand generated by an increasing birth rate, there is a need to provide more school places in the Borough as a result of additional housing and net inward migration. In partnership with the Interim Executive Board, the Local Authority has recently consulted on the proposed expansion of Sayes Court from one to two forms of entry by 2015. Following consultation, a period of 4 weeks has been allowed for any final representations. The Cabinet Member is asked to consider any representations and to decide whether to implement the proposal.

RECOMMENDATIONS:

It is recommended that the Cabinet Member for Schools and Learning determine to implement the proposal to expand Sayes Court Primary School from one to two forms of entry by September 2015 subject to planning permission and timescales required for the successful delivery of the building work.

REASON FOR RECOMMENDATIONS:

There have been no formal representations since the publication of the notices and in effect there is no new information for the Cabinet Member to consider. The Local Authority has a statutory duty to ensure that there are sufficient school places in Surrey. Demand for school places has increased significantly in Runnymede in recent years. Expansions have been commissioned at a number of primary schools in Runnymede including Darley Dene Infant School, Trumps Green Infant School, St Ann's Heath Junior School, Lyne and Longcross Church of England Infant School and Thorpe Church of England Infant School. Even with these additional places, most primary schools in Runnymede are expected to be full and to continue to be full in the future and more schools places are needed.

DETAILS:**The Proposal**

1. The County Council, in partnership with the Interim Executive Board of Sayes Court Primary School, is proposing that the school expands from a 1 form entry primary school with a Published Admission Number of 30 (total capacity of 210 pupils), to a 2 form entry primary school with a Published Admission Number of 60 (total capacity of 420 pupils). Subject to consultation, this proposal will become effective from September 2015. Additional accommodation will be provided at the school to cater for the additional pupils joining the school.

Rationale

2. Demand for school places – Demand for school places has increased significantly in Runnymede in recent years. There are a number of different factors that can affect the demand for school places in an area. The most important is the birth and fertility rates in an area. Based on figures provided by the Office for National Statistics, births in Runnymede dipped from 1996 to a low point in 2001 with about 815 births a year. Births have risen since 2006 to just under a 1000, resulting in an increase in the number of families applying for a school place. It should be noted that the recent increases in applications in Runnymede are unlikely to be the result of the number of births alone. There are other factors such as; additional pupils from housing growth, inward and outward migration, parental preferences and the changing percentage of parents applying for independent or private provision - all of which can affect the number of applications in any given year making application yields difficult to model.

Increases in demand are not uniform across the Borough with some areas experiencing more pressure than others. Addlestone is an area where the pressure has increased over the last three or four years. There are eight primary schools in Addlestone with a collective PAN of 270 (the number of places those schools admit at Year R). The total numbers on roll at year R in these schools has risen from 217 in the academic year 2010/2011 to 285 in 2013/14 with the Local Authority commissioning a bulge class at Sayes Court in 2013 to meet the additional demand. A further 30 places at Year R in the area will help meet the additional demand and provide a small number of space places to enable some degree of parental choice.

3. Housing development in the Borough - Runnymede Borough Council is responsible for housing. They are in the process of consulting on their core strategy which will, among other things, identify how many additional homes may be provided in the Borough in the future. Targets range from a minimum of circa 2400 to a high of 4500 additional dwellings in the Borough by 2026. How many additional dwellings are actually provided will depend on the availability and suitability of land in the Borough. Although the number of houses and the timeframes for when development will take place are not yet certain, it should be noted that all primary schools in the Borough are currently near capacity already. It should also be noted that with the exception of the proposed development at the old 'DERA' site, most of the additional housing is likely to be in the existing urban areas of Addlestone, Chertsey and Egham and it is therefore important to build capacity now and in the future in these areas.
4. Parental Preferences - the Local Authority has a duty to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools. Sayes Court was oversubscribed in 2013 for the first time in a few years as the pressure for places has increased. The school requires improvement so it is not clear whether the school will continue to be oversubscribed in the future, however the improvements that the school have made to date and the support that the school is receiving from the Local Authority, as well as the Bourne Academy Trust, should stand the school in good stead for the future. Growing to two forms of entry will help the school to improve in the future and offers the following key benefits: (i) increased leadership capacity, (ii) economies of scale and financially more viable, (iii) sharing of teaching expertise and staff retention.

5. Location of pupils – Parental preference is important, but the Local Authority is mindful that popularity can be transient and that additional provision, where possible, should be located as local to the demand as possible. Surrey County Council believes that local schools should serve their local communities. Sayes Court is in good proximity to the main pupil population in Addlestone. In 2013 there were 96 reception age pupils living within half a mile of the school against an available 30 places with a similar number in 2014.
6. Site and Logistics - Sayes Court was formally a 2FE Junior school so there is some spare capacity in existing buildings which will be important when planning the project. The site is more than large enough for a 2FE primary school with no significant planning policy constraints identified at this stage. Surrey County Council will be able to phase the project avoiding the need for temporary accommodation. Given the nature of the sites that other primary schools occupy, there are few alternatives to expanding Sayes Court that are deemed acceptable from a cost and planning point of view.

CONSULTATION:

7. Public consultation was undertaken on this proposal in January 2014. A consultation document was published to all statutory stakeholders including parents and local residents. The document was published on 14 January 2014 with consultation responses required by 14 February 2014. Taking into account the responses to the consultation, the Cabinet Member approved to publish notices on the proposal on 12 March 2014.
8. Following this decision and the completion of a feasibility study, public notices were published at the school on 15 May indicating the Local Authority's intention to implement the proposal and inviting any further representations from the local community before a final decision is made. There were no representations made during this period.

RISK MANAGEMENT AND IMPLICATIONS:

9. Surrey County Council will be delivering and managing this project. The in-house project management team will have compiled a project risk register and will monitor and update this document at regular intervals. The current strategy is to create additional classroom accommodation to the rear of the site which is well screened from existing residential properties. There are no significant planning risks at this stage. It will be important that the school, contractor and Surrey County Council project management team work closely together to manage the construction risks to ensure the site is safe, the compound and access points are sensible, and that pupil safety is paramount.
10. Other risks relate to the capital budget and programme for the scheme. A full planning application has not yet been submitted, so it is not yet clear that mitigation measures might be necessary in terms of local amenity and traffic as well as the capital budgets that might be required for their implementation. This risk will be managed by ensuring a contingency sum is budgeted as part of this project. In terms of timescales, September 2015 is a challenging timeframe but may be achievable as there is some allowance in the programme for delays with the planning application or during the construction phase.

11. From 1 June 2014 Sayes Court is expected to become an Academy as part of the Bourne Academy Trust. Whilst noteworthy, in the case of expansions to meet basic need, the Local Authority is blind to the organisational status of a school when considering where additional places are best provided.

Financial and Value for Money Implications

12. The full business case detailing the financial and value for money implications will be completed as part of the tendering and contracting phase. The business case will be subject to the Investment Panel process.
13. This scheme is included in the 2014/19 Medium Term Financial Plan (MTFP).

Section 151 Officer Commentary

14. The Section 151 Officer confirms that this scheme is included in the current 2014/19 MTFP and that the full financial implications will be detailed in the business case prior to contract tender.

Legal Implications – Monitoring Officer

15. Section 13 of the Education Act 1996 places a general duty on local education authorities to secure that efficient primary education is available to meet the needs of the population of their area.

The *School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007* contain the regulations that apply to prescribed alterations. The Department for Education has published two pieces of Guidance relating to prescribed alterations: *Expanding a Maintained Mainstream School or Adding a Sixth Form* and *Making Changes to a Maintained Mainstream School (Other than Expansion)*. These contain both statutory guidance (i.e. guidance to which proposers and decision makers have a statutory duty to have regard) and non-statutory guidance on the process for making changes to school provision. This Guidance has been followed by the School Commissioning Officer in the development of this proposal.

Equalities and Diversity

16. A full equalities impact assessment has not been undertaken on this proposal as it is unlikely that the proposal would have a negative impact on any groups with protected characteristics. The school does serve both traveller families and families from the armed services but this proposal ensures that there will be sufficient places for children from these groups to attend school in the future. The proposal does not change the nature of the admissions criteria for the school.
17. The new school building will comply with all DDA (Disabilities Discrimination Act) regulations. The expanded school will provide additional employment opportunities in the area.
18. The school will be for children in the community served by the school. If there is sufficient provision available, then it would be beneficial for all children, including vulnerable children.

19. The school will be expected to contribute towards community cohesion and will be expected to provide the normal range of before and after schools clubs, as are provided in a typical Surrey County Council school.

Climate change/carbon emissions implications

20. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. The new buildings will comply or exceed Building Regulations. The contractor will be required to provide a Site Waste Management Plan.

WHAT HAPPENS NEXT:

21. A full business case detailing the financial and value for money implications of this proposal will be completed and submitted to Cabinet for their approval as part of the tendering and contracting phase.

Contact Officer:

Kieran Holliday, School Commissioning Officer (North West), 020 8541 7383.

Consulted:

All schools in Runnymede
Pupils and parents of Sayes Court Primary School
The Interim Executive Board / Bourne Academy Trust
Local Residents
Local Members

Sources/background papers:

- Proposal to expand Sayes Court Primary School, January 2014. A copy of this report can be found here on the SCC website by navigating to, or clicking on, the following: [Learning > Schools > Education Consultation and Plans](#)

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SURREY COUNTY COUNCIL

CABINET MEMBER FOR SCHOOLS AND LEARNING

DATE: 12 JUNE 2014

LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR FOR CHILDREN, SCHOOLS AND FAMILIES

SUBJECT: PROPOSAL TO ALLOW STANWELL FIELDS VC PRIMARY SCHOOL TO CHANGE CATEGORY TO A VOLUNTARY AIDED SCHOOL



SUMMARY OF ISSUE:

The governing body of Stanwell Fields VC Primary School would like to change the status of the school to a Voluntary Aided category from April 2014. They have taken advice from the Diocese of London and Surrey County Council and have consulted with interested parties. The Cabinet Member for Schools and Learning has the responsibility of determining whether or not this proposal should go ahead.

RECOMMENDATIONS:

It is recommended that the Cabinet Member gives due consideration of all the issues and determines whether Stanwell Fields VC Primary School should change category to Voluntary Aided.

REASON FOR RECOMMENDATIONS:

The school has put forward this proposal for a number of reasons; its overall premise being that it believes it will benefit from greater independence as a Voluntary Aided School. A key perceived benefit is that the Diocese of London has undertaken to commit to a programme of capital maintenance using its Local Education Authority Voluntary Aided Programme (LCVAP) budget to improve the building stock and facilities at the school.

DETAILS:

The School's Proposal and Background Information

1. The Governing Body of Stanwell Fields Primary School wants to change its category to Voluntary Aided. The Governing Body has been considering the future development of the school and has concluded that the best interests of pupils, parents and staff would be served by seeking a change of status to Voluntary Aided.
2. The Governors give a number of reasons for the proposal. In the Headteacher's letter to parents dated 7 May 2013, Mr Franklyn stated that the Governing Body believed that the Voluntary Controlled category reduced their options for linking with other schools and limited their decisions about the future of their school. The Governors also believe that the change of category would bring more financial resources to the capital budget and would protect the

school from being forced into an external academy chain. The school was inspected by OFSTED in January 2014 and requires improvement.

3. Three Spelthorne Borough primary schools have recently become sponsored academies. These sponsorships are by other Surrey Academy chains, none of them are linked to the Diocese of London with which Stanwell Fields has strong ties. Stanwell Fields is receiving targeted support from Surrey County Council (SCC) and other support from the diocese. However there is no desire, currently, for the school to seek academy status in its own right.
4. The school has been promised a significant capital investment by the London Diocese were it to become one of its Aided schools. This is not something which SCC could currently match. The London Diocesan Board has commissioned a five year condition survey and the verbal feedback from this is that there are no major issues to be addressed. The school has some routine outstanding maintenance issues and is on a waiting list for these to be addressed by SCC. The school will become responsible for these if it changes category.
5. The governors are not proposing to cut all ties with the County Council and are committed to a continued working partnership with other local schools. Nor are they proposing to make any alteration to their Admissions arrangements which are currently those of Surrey County Council, the Admissions Authority for all Maintained and Voluntary Controlled schools in the county.
6. Stanwell Fields Voluntary Controlled Primary School was established in September 2004 by the amalgamation of St Anne's Community Infant School and St Mary's Church of England VA Junior School. The two former schools were adjacent to one another on the same site and the current school still operates in these buildings which are not formally linked as a single primary unit. The amalgamated primary school became Voluntary Controlled by Surrey County Council and serves the local parish of Stanwell within the Anglican Diocese of London.
7. Surrey owns the playing fields and the former community infant school building is held in Trust by the diocese. The diocese owns the land on which the two buildings are situated and the junior school building.
8. The Cabinet Member should note that this process is subject to statutory guidance and regulations established in a number of Education Acts and consolidated into the Prescribed Alteration Regulations and various amendments. The Governing Body and its advisers have paid due regard to this legislation.
9. The guidance to the Decision Maker states that he or she "should not simply take account of the numbers of people expressing a particular view.....instead the Decision Maker should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals."

CONSULTATION:

10. The Governing Body initiated a public consultation in May 2013 and published a document which was circulated to stakeholders, local councillors and interested parties listed in the DfE Guidance document. A further public consultation was held from January to March 2014. This was undertaken as the

response to the first consultation had been limited and the Governing Body wished to ensure that all views had been taken into account.

- 11. The first consultation began on 1 May and ran for five weeks and two days until 7 June 2013. The second consultation ran from 10 January 2014 until 4 March 2014 - a total of seven weeks and four days.
- 12. The Governing Body held two open meetings on 14 May 2013 in order to explain its proposals in more detail to interested parties. These meetings were not particularly well attended with only the parents of nine families being present. The notes of the types of questions asked are available from the school. Two further public meetings were held on 22 January and 28 January 2014, at these meetings seventeen people attended representing twenty-one children. One County Councillor also attended. In addition, Governors were available to talk to parents and answer questions at both parents' evenings on 26 and 27 February 2014.
- 13. As a result of the second consultation, the Governors received one hundred and thirty five written responses from interested parties. Of these one hundred and thirteen respondents were in favour of the proposal; ten were unsure and one person was opposed to the proposal. This included forty-nine parents who were in favour of the change; one parent was opposed to the change and no parents were unsure.
- 14. The Governing Body subsequently held a meeting on 18 March 2014 where they considered in detail the responses from the consultation, including the response from the County Council. At this meeting the Governing Body ratified its decision to go ahead with the proposal to change the category of the school.
- 15. Statutory Notices were published by Surrey County Council on behalf of the Governing Body. The consultation ran for the legally prescribed period of four weeks from 22 April to 20 May 2014. No further responses were received by Surrey County Council during this time.

RISK MANAGEMENT AND IMPLICATIONS:

- 16. There are no apparent risks to this proposal going ahead. The management of the school will remain locally with the governing body and the Diocese of London will assume a greater responsibility for the buildings. The school will continue to be publicly funded through Surrey County Council's Local Management of Schools formula.

Financial and Value for Money Implications

- 17. If a school proposes to change category to Voluntary Aided evidence must be provided that the governing body are able and willing to meet the cost of their financial responsibilities for building work after the proposed implementation date. (Form 18 should be provided to the Department for Education for this purpose). Whilst the Secretary of State has the power to provide grant aid for up to 90% of building work costs, the governors must provide 10% themselves. In bringing forward these proposals the governing body should be able to demonstrate that it has access to sufficient funds to enable it meet 10% of its liabilities for at least five years from the date of implementation. The Governing Body could submit a schedule and/or statement as to how it will meet its liabilities for such costs.

18. The Local Authority has been informed by the Head Teacher that the 10% contribution would equate to approximately £10,000 per annum. The school states that it can raise this sum. Governors are satisfied that there are no major maintenance works required over the next five years. They have already converted some revenue budget into capital and, in addition to this, have around £71,000 in their Devolved Formula Capital budget at present. Also, as a Voluntary Aided school it would become eligible for LCVAP funding from the Diocese but would not be able to claim back VAT on capital expenditure. If the school changes its category the Local Authority would no longer be financially responsible for its buildings or land and would thus reduce its risk.
19. There are no statutory transfers arising as a result of this conversion as the buildings are already held in trust by the London Diocesan Board of Education and Surrey County Council will retain ownership of the playing fields.

Section 151 Officer Commentary

20. The Section 151 Officer acknowledges that there is little impact on the school's revenue budget as a result of the recommendation and the school is expecting to benefit from access to the Diocese's capital funding. The legal implications of the land rights following the change of category have been considered.

Legal Implications

21. School category changes to Voluntary Aided are subject to statutory procedures as established by The Education and Inspections Act 2006 and The School Organisation (prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended). Local Authorities also have a duty to have regard to current statutory guidance, in this particular case 'Making Changes to a Maintained Mainstream School'. When reaching a decision, Cabinet must have regard to The Guidance. Statutory guidance and the regulations have been followed by all parties.
22. The Decision Maker should consider the views of all those affected by the proposals and be satisfied that the statutory consultation has been carried out prior to the publication of the Notice. Details of the consultation should be included in the proposals. The Decision Maker must be satisfied that the consultation meets statutory requirements.

Equalities and Diversity

23. There are no direct equalities implications arising out of the proposal. The Governing Body are not proposing to alter the Admissions Arrangements and therefore places at Stanwell Fields will continue to be open to all applicants, with the highest priority given to Looked After Children and pupils on the SEN register and/or those who would benefit from a statement of educational need, thus supporting provision for our most vulnerable children.

WHAT HAPPENS NEXT:

- If the decision is taken to approve the change of category to Voluntary Aided the Governing Body, as the proposers, are under a statutory obligation to implement the change of category without undue delay. They must notify the Department for Education.

- If the Cabinet Member for Schools and Learning determines not to approve the change of category to Voluntary Aided the Governing Body has the right to appeal to the Local Authority within four weeks of the notification of the decision. On receipt of an appeal the Local Authority must then send the proposals and the representations received (together with any comments made on these representations by the proposers) to the Schools' Adjudicator within one week of receipt of the appeal. The Local Authority should also send a copy of the minutes of the Cabinet Member's Decision Making Meeting and any relevant papers.
- The outcome of the Cabinet Member's decisions will be communicated to the school by telephone and /or email immediately after the meeting. The decision will also appear on the SCC website within 5 days of the decision. The Governing Body will communicate the decision to parents and other stakeholders.

Contact Officer:

Melanie Harris, Schools Commissioning Officer Surrey County Council
Tel. 020 8541 9556 or melanie.harris@surreycc.gov.uk

Consulted:

Parents of pupils on roll at Stanwell Fields School, staff and governors of the school, London Diocesan and Surrey County Council officers, local primary schools, Trade Unions and staff professional associations, the local Member of Parliament, Spelthorne Borough Council, the Parochial Church Council of St Mary's Church, Stanwell, local County Councillor and Borough Councillors, Other Parties Interested in the School

Annexes: None

Sources/background papers:

Making Changes to a Maintained Mainstream School – A Guide for Local Authorities and Governing Bodies
School Organisation – Statutory Guidance January 2014
Minutes of the Governing Body of Stanwell Fields' ratification meeting
School Consultation Document, copies of the consultation responses, notes of the parents' meetings, Form 18 – financial statement

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