

SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS AND LEARNING****DATE: 13 MARCH 2014****LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR FOR CHILDREN, SCHOOLS AND FAMILIES****SUBJECT: DETERMINATION OF NOTICES RELATING TO THE PROPOSED ESTABLISHMENT OF A NEW ONE FORM OF ENTRY CHURCH OF ENGLAND VOLUNTARY AIDED PRIMARY SCHOOL IN HORLEY****SUMMARY OF ISSUE:**

The Southwark Diocesan Board of Education (SDBE) has consulted on a proposal to establish a new one form entry Voluntary Aided Church of England Primary School from September 2014.

Subsequent to this consultation the SDBE approved the publication of a statutory notice stating the intent of the SDBE to implement this proposal.

The Cabinet Member is asked to review the comments received during the statutory representation period and on that basis determine the Statutory Notice.

RECOMMENDATIONS:

It is recommended that the Cabinet Member approves the Statutory Notices determining that the proposer, SDBE, establish the Primary School from September 2014, and that subsequent to that approval the proposer, SDBE, asks the Secretary of State to designate the school as one of religious character.

REASON FOR RECOMMENDATIONS:

This action is reflective both of an increasing demand for school places in the Horley area, resulting from an increase in birth rate and significant house building, and an opportunity to provide primary school structure throughout the town. It has been consulted in on with the cooperation of Surrey County Council.

The provision of places both meets the increased demographic pressures in the area and will allow the Council to admit those people who name a Church of England faith school as their preferred option. Furthermore it meets the wider statutory duty to offer all applicants a school place.

It will enable a diversity of provision to be enhanced within the Horley area, where there are currently no faith school spaces, and be part of a strategy that enables Horley residents' access to a local Primary School.

A programme of building works, currently underway, will provide a modern teaching environment that will aid the learning experience for pupils, parents and staff.

DETAILS:

The Proposal

- The Southwark Diocesan Board of Education (SDBE) in partnership with Surrey County Council is proposing that:
 - a new one form entry (1FE) Voluntary Aided Church of England primary school will be provided in north east Horley from 1 September 2014
 - the Published Admission Number (PAN) will be 30
 - from 1 September 2015 a further 26 full time equivalent places will be provided for nursery pupils aged 3 and 4.
 - the School will be proposed and run by Southwark Diocesan Board of Education
 - children will be admitted in Reception each year and the children will progress through the school
 - the school will increase its age range by one year each year and so the school will grow by one year group each year until it is an all through primary school
 - there will be 210 places for boys and girls in September 2020

This is how the places at the school will change over the years:

Proposed Provision	Year	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6
New North East Sector Primary School	2014	30	30	-	-	-	-	-	-
	2015	30	30	30	-	-	-	-	-
	2016	30	30	30	30	-	-	-	-
	2017	30	30	30	30	30	-	-	-
	2018	30	30	30	30	30	30	-	-
	2019	30	30	30	30	30	30	30	-
	2020	30	30	30	30	30	30	30	30

- Surrey County Council is building the school on a site that has been allocated in the North East Sector of Horley. The school site is just to the east of Lake Lane and north of Tanyard Farmhouse on Langshott. The north boundary of the school site is Brookfield Drive and the main entrance to the school will be off Brookfield Drive. The housing estate which is being developed in the area where the school site is located is now known as "The Acres".

Reasons for the proposal

- Pupil numbers have been steadily rising across Reigate and Banstead Borough since 2006. Much of the increase is as a result of the rise in the local birth rate; a significant amount is also due to housing development and inward migration. This is specifically the case in Horley which has been identified for large-scale housing developments to the North East and North West of the town. The North East sector, in which the school will be situated, is being built with new houses being occupied. The Council needs to take account of these trends and provide more school places in the area where they are needed.

4. Historic birth rates for Reigate and Banstead and Surrey are included below.

Borough	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	% Change 2002-2010
Reigate & Banstead	1446	1572	1523	1491	1711	1754	1768	1775	1880	1,871	29.4
Surrey Total	11626	12304	12283	12303	13085	13628	13710	13626	14237	14,097	21.3

5. The new school would be located in the Horley planning area which is served by six other schools: Meath Green Infant and Junior, Horley Infant, Yattendon Junior, Manorfield Primary, and Langshott Primary School.

6. The Council's pupil projections for the Horley planning area are shown in the table below. The 'PAN' is the planned admission number for Reception Year. The 'spare' columns show the projected shortfall in Reception places and in Year 3 when children transfer into junior provision (Key Stage 2).

Year	PAN	1pref	InfPI	Spare	%	YR	Y1	Y2	JunP	JSpa	Y3	Y4	Y5	Y6	J	Total	Cap	Surplus	%
2010	240	241	240	5	2.1	235	229	241	240	16	224	191	203	198	816	1521	1590	69	4.3
2011	240	296	300	15	6.3	285	233	229	210	-1	211	216	194	207	828	1575	1590	15	0.9
2012	250	280	280	13	5.2	267	293	231	210	2	208	208	214	195	825	1616	1590	-26	-1.6
2013	250	261	250	-11	-4.4	261	250	269	210	13	197	188	190	196	771	1551	1590	39	2.5
2014	250		250	-14	-5.6	264	246	232	210	-21	231	180	174	176	761	1503	1590	87	5.5
2015	250		250	-24	-9.6	274	250	230	210	8	202	211	168	162	743	1497	1590	93	5.8
2016	250		250	-34	-13.6	284	260	235	210	9	201	186	197	158	742	1521	1590	69	4.3
2017	250		250	-45	-18.0	295	270	244	210	4	206	185	175	184	750	1559	1590	31	1.9
2018	250		250	-54	-21.6	304	279	252	210	-2	212	189	173	164	738	1573	1590	17	1.1
2019	250		250	-57	-22.8	307	287	260	210	-8	218	194	176	161	749	1603	1590	-13	-0.8
2020	250		250	-55	-22.0	305	288	265	210	-12	222	197	179	162	760	1618	1590	-28	-1.8
2021	250		250	-48	-19.2	298	285	264	210	-14	224	199	179	164	766	1613	1590	-23	-1.4

7. As evidenced above, there is a demand for additional school places in the local area. This proposal, by providing 210 additional primary places within Horley, will enable the authority to meet the rising demand as part of school organisation changes in the area. This also includes supporting the altering of the upper age range of Langshott Infant school so that it becomes a primary school from September 2014.

8. In addition, this proposal would enable the benefits of primary education to be experienced in Horley and provide for an easier Infant and Junior transfer within the town for all parents. Additionally, the new school would add faith based places into the town, where currently none exists, reflecting the council's duty to consider the diversity of school provision when bringing forward additional provision.

9. A programme of building works will offer a purpose built primary school of high quality offering opportunities for outstanding teaching and learning.

10. The school will form a vital part of the Council's education offer in the local area. Increasing the number of school spaces within Horley is essential in ensuring

that the County Council performs its statutory duty of educating all resident pupils who request a school place.

Planning and capital considerations

11. A building programme is required to provide accommodation for the new primary school. Appropriate capital has been approved to achieve this through the primary capital programme. Detailed work has been undertaken with Surrey County Council Property Services, SDBE and consultants to develop a scheme of works to provide the new school in an appropriate manner and a separate planning application has been submitted pursuant to this.
12. The Scheme was granted full planning permission on 16 October 2013 by Surrey County Council Planning and Regulatory Committee.
13. The programme of works received business case approval from Cabinet on 24 September 2013.

CONSULTATION:

14. A pre-consultation was undertaken by SDBE and Surrey County Council with relevant stakeholders, including the issuing a consultation documentation and the holding a public meeting, which was well attended.
15. School Governors, the local school community (through the Horley Local Partnership) and the local Members have been regularly consulted both during the consultation process and throughout the development of proposals.
16. Details of the intention to open a new school were included within the Surrey County Council Composite prospectus for school admissions for school entry in September 2014. The Council has been receiving expressions of interest for a school place throughout this academic year. In excess of 30 expressions of interest have been received up to February 2014.

Comments Received during pre-consultation

17. All respondents agreed with the need to provide additional reception places within Horley. A concern was raised that one form of entry would provide for all the future need and further additional spaces need to be considered.
18. At the public meeting some concern was raised that admissions will be determined by faith criteria and therefore not allow for local applicants to be successful in gaining a space at the school.
19. Some concern was expressed that expressing an interest for the school would impact on applications for existing school provision.
20. A desire to ensure that the space provided would be of good quality was expressed and that appropriate staff were appointed.

Responses to comments

21. The provision of additional places on the Horley North East site is part of a suite of proposals to both add and improve the pattern of provision within Horley. It is recognised that potential demand from new housing is greater than one form of

entry. The Council is engaged with detailed negotiations with developers on the North West site to ensure that appropriate capital infrastructure is provided to include additional school places. In addition the Council has approved the expansion of Langshott Infant school by an additional 240 junior places and Meath Green Infant School by an additional 60 infant places. The council will continue to monitor the growth within Horley to ensure that appropriate school places are provided.

- 22. As a Voluntary Aided School the admissions arrangements at the proposed school are controlled by the Governing Body and SDBE. A Governing Body has been established and has given regard to the comments received during pre-consultation, this has also been considered by the SDBE. The concern about ensuring a local intake whilst also maintaining a specific Church of England intake has been given detailed thought by both bodies. The proposed admission arrangements, as detailed in the statutory notice, have been designed to offer a compromise between these two positions. Ten places will be offered on faith based criteria with 20 open spaces for the local community. It is further anticipated that vast majority of faith based places will also be drawn from the local community.
- 23. The application process for places to start in September 2014 has not taken place within the coordinated admissions process for Surrey applicants, as a result no expression of interest for a place at the new school has been considered when determining applications for existing provision that will be reported to parents on 15 April 2014. The allocation of places for entry to the new school in September 2014 will be based on the admission criteria as laid out in the Statutory Notice, this may result in applicants receiving an offer of a school place for two schools. Applicants would then need to decide which school offer to accept.
- 24. The development of the building programme has taken place, in consultation with officers and professionals from both Surrey County Council and SDBE, to reflect current guidance for the provision of new school buildings to include the appropriate provision of external space and play space. SDBE has appointed a headteacher who, subject to notice approval, will take up post in April 2014. The headteacher designate is an existing headteacher within Surrey and is making use of the professional support offered by SDBE, Babcock 4s and Surrey County Council to develop appropriate curriculum models and appoint relevant staff.

Statutory Notice

- 25. Following SDBE approval statutory notices were published on 6 February 2014. The representation period was valid for four weeks from that date.
- 26. One response was made to the Statutory Notice requesting further details of the proposal. No other comments were received.

RISK MANAGEMENT AND IMPLICATIONS:

- 27. A project to deliver the new school buildings for September 2014 is required and as such there are risks associated with this proposal. There is a risk that the project will not complete within the timescales outlined above and there may be site abnormalities not identified as part of the initial feasibility exercise. A risk register is being maintained and updated on a regular basis by the schools consultants.

28. Should the approval of additional school places not be granted there is the risk that Surrey would fail to meet its statutory duty in providing sufficient school places, without mitigation at another site.

Financial and Value for Money Implications

29. The building project resultant from this proposal is included in the County Council's school basic need capital programme as part of the 2014/2019 Medium Term Financial Plan. A scheme of works has been developed by Property Services and the estimated costs will change as the scheme progresses through the work phases.

Section 151 Officer Commentary

30. The Section 151 Officer confirms that this scheme is listed in the approved 2014/19 MTFP capital programme. The scheme capital cost implications were considered in an Officer report to Cabinet on 24 September 2013.

Legal Implications – Monitoring Officer

31. 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. Section 14 of the Education Act 1996 places a duty on local education authorities to secure that sufficient schools for providing primary education are available in their area. Section 5 of the School Standards and Framework Act 1998 places a duty to promote high standards. There is a duty to provide efficient education and sufficient schools to do so.
32. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013 that came into force on 28 January 2014 provide statutory and non statutory guidance on the process for making prescribed alterations to schools, including the establishment of new provision. Regulation 36 of these regulations provide for the establishment of a new schools outside of the presumption for the all new provision to be Academy Schools in limited circumstances, of which the establishment of new Voluntary Aided Schools is one.

Equalities and Diversity

33. The governing bodies of voluntary-aided and foundation schools are able to define their own admissions criteria and thus take account of admissions on the basis of faith. Those schools designated by the Secretary of State as having a religious character (faith schools), such as the proposed school, are permitted to use faith-based oversubscription criteria in order to give higher priority in admissions to children who are members of, or who practise, their faith or denomination. This only applies if the school is oversubscribed.
34. The Local Authority has exerted local influence whereby the proposal will give priority for two thirds of the total places to local children. In addition all Church schools must give priority to Looked After Children and children with a statement of Special Educational Need. Voluntary Aided and Foundation schools are also duty bound to consult the Local Authority and schools within Surrey's Relevant Area on an annual basis.

35. With this being an increase in provision no direct disadvantage is being caused to any designated group similarly with the highest priority given to Looked After Children and pupils on the SEN register and/or who would benefit from a statement of educational need, this proposal will support our most vulnerable children.

Corporate Parenting/Looked After Children implications

36. This action is key in ensuring that the appropriate numbers of school places are provided to meet the demand of our residents. All places provided have the highest priority given to children in the care of the local authority.

Safeguarding responsibilities for vulnerable children and adults implications

37. The Council has a duty to promote and improve educational outcomes for all children, particularly for vulnerable and disadvantaged children. The provision of school places is essential in meeting this duty.

Climate change/carbon emissions implications

38. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. The provision of additional school places local to demand, required by parents and children who would otherwise need to travel to a different sites for their education will reduce overall journeys within the council.

WHAT HAPPENS NEXT:

39. The next steps are:

- Should the Cabinet Member determine the Statutory Notices positively the proposal will be confirmed and the SDBE will establish the new school from September 2014.
- Following approval the Council and Governing body of the school will accept formal applications for a reception place at the school starting in September 2014.

Contact Officer:

Nicholas Smith, School Commissioning Officer 020 8541 8902

Consulted:

Nick Wilson, Strategic Director for Children Schools and Families
Dorothy Ross-Tomlin, Council Member Horley East
Horley Learning Partnership
Public and Parents

Sources/background papers:

- SDBE Consultation Document
- Statutory Notice

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