

SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS, SKILLS AND
EDUCATIONAL ACHIEVEMENT****DATE: 10 SEPTEMBER 2015****LEAD OFFICER: JULIE FISHER, DEPUTY CHIEF EXECUTIVE****SUBJECT: PROPOSED EXPANSION OF DOVERS GREEN SCHOOL****SUMMARY OF ISSUE:**

Surrey County Council (SCC) has consulted on a proposal to expand Dovers Green School by one form of entry from September 2016. The Education Consultation was conducted between 22 June 2015 and 20 July 2015.

The Cabinet Member is asked to review the education rationale for the project and summary of the consultation process/feedback provided within this report and associated Annex and, on that basis, decide whether to determine the associated Statutory Notice.

RECOMMENDATIONS:

It is recommended that the Cabinet Member determines the Statutory Notice, thereby bringing into effect the formal expansion of Dovers Green School by 1 Form of Entry (1 FE) for September 2016.

REASON FOR RECOMMENDATIONS:

There is an increasing demand for primary school places in Reigate and the surrounding area, which reflects a rise in the primary-age population over recent years. In order to meet this demand, SCC is overseeing an ongoing school expansion programme, designed to increase the capacity of the school estate. The proposal to expand the capacity of Dovers Green School by 1 FE is a core element of SCC's strategy to deliver additional places in this area. In line with this, Surrey County Council has undertaken the requisite statutory consultation process to inform the decision making process and no objections have been received as part of this. For these reasons, it is recommended that the Cabinet Member determines the Statutory Notice (appended to this report as Annex 1), so as to bring the expansion of the school formally into effect.

DETAILS:**The Proposal**

1. On 22 June 2015, Surrey County Council published a proposal to:
 - Enlarge Dovers Green School from two forms of entry (2 FE) at Reception to three forms of entry (3 FE) at Reception, to allow for a roll of 270, comprising three classes of 30 pupils in each year group.

- Build additional permanent classrooms and ancillary space to facilitate this.
2. It was proposed that the above enlargement would be effective from 1 September 2016 and that the school would grow incrementally, year-on-year, as the higher intake of 90 pupils worked its way progressively through the age range. However, it should be noted that, as the school has taken an additional bulge year class in the 2014/15 and 2015/16 academic years, the school will effectively reach its new capacity of 270 places in September 2016.

Reasons for the Proposal

3. Reigate and Banstead is experiencing a significant increase in the demand for school places, reflecting both a rise in birth rate and increased house building and migration within the area. Births in the Borough in 2013 were 21.1% higher than births in 2005. A significant number of primary school places have been provided reflecting this demand and further growth is anticipated in the period up to 2022, which needs to be accommodated via further expansions of school provision.
4. Within the Reigate Planning Area, there is presently provision for 296 places per year in Reception, composed of the following:
- Dovers Green Infant School (offering 56 Reception places per annum);
 - Holmesdale Infant School (offering 120 Reception places per annum);
 - Reigate Parish Church School (offering 60 Reception places per annum);
 - and
 - Sandcross Primary School (offering 60 Reception places per annum).
5. Demand for primary school places has been rising in Reigate, in line with the general increase across the whole of the Reigate and Banstead Borough. Projections of future demand for school places are presented in the below table:

Year	Inf. PAN	Inf. Projection	Deficit	Jun. PAN	Jun. Projection	Deficit
2015/16	296	342	46	270	288	18
2016/17	296	346	50	270	292	22
2017/18	296	338	42	270	300	30
2018/19	296	323	27	270	314	44
2019/20	296	315	19	270	315	45
2020/21	296	315	19	270	309	39
2021/22	296	318	22	270	301	31
2022/23	296	321	25	270	298	28
2023/24	296	322	26	270	300	30
2024/25	296	323	27	270	303	33

6. As can be seen from the above, there is a sustained need for additional Infant places in the area. Whilst SCC is managing the immediate pressure for September 2015 in this and the wider area, via the delivery of a number of “bulge” year expansions (including 30 places at Dovers Green), the need for permanent expansions will remain. A core component of the strategy devised to meet this need is the proposed expansion of Dovers Green by a Form of

Entry, which (if approved) would reduce all of the above projected deficits by 34 places.

7. Where possible, the SCC's strategy is to expand high quality provision that meets parental demand, whilst also ensuring that there is a diverse pattern of provision, so as to provide families with some element of choice. The most recent Ofsted report on the school, from April 2009, rates the school as 'Outstanding'. In particular, this report noted that; "outstanding teaching and the high quality of pupils' personal development underpin the very high achievement level. Relationships with adults are extremely positive, and pupils want to do well". The evident quality of education provision at Dovers Green was a key reason underpinning the move to expand this school and thereby increase the provision of high-quality school places to the local community.

School Building Requirements

8. The school site has sufficient capacity to enable expansion in its existing location. Naturally, though, a building programme will be required to provide the permanent facilities to allow for the increase in pupil intake. To this end, SCC has allowed for an appropriate capital sum for this project, within the Basic Need Capital Programme element of its Medium Term Financial Plan (MTFP)
9. Following a series of design workshops with the school to develop the building proposal, a planning application for the associated scheme was submitted in May 2015 and subsequently approved on 22 July 2015.

<u>CONSULTATION:</u>

10. As a Community school, the increase in admission number was the subject of a Council-led consultation process which was held for a 4-week period, between 22 June and 20 July 2015. This process engaged a range of interested stakeholders, including the school community, local residents, local admissions authorities and the Surrey School Admissions Forum. On 9 July 2015, a consultation evening was held at the school, to which all interested parties were invited. In all, only one response was made to the consultation. The response was neither in support, nor opposed to the proposal and the comments provided are quoted in full below:

"The model at Dovers Green (DG) is so good it is difficult to know what the impact would be on learning if the school increased its size by 50%. One of the great things about DG is the inclusion of children with additional needs into the mainstream teaching. If the PAN increases to 90, will this be affected?"

11. It is the shared view of the Council's School Commissioning Team and Dovers Green School that the proposed increase in capacity will not have an adverse impact on teaching and learning at the school. Similar increases in capacity have been undertaken across the County and have, in large part, made a positive contribution to the operation of the school, both in terms of staff and curriculum development and also in terms of the economies of scale that can be derived from such changes. The inclusion of pupils with additional educational needs will not be adversely affected as a consequence of this proposal; the dedicated resource centre will continue to be operated at the

school, whilst the enhanced staff pool will bring additional resource to support the inclusion agenda. It is also worth noting that, by the time of the proposed expansion, the school will already have filled two-thirds of its additional capacity under this proposal, as a function of having taken two bulge year classes in the previous two academic years. As such, the school will have already been operating close to the proposed new capacity and will have had the opportunity to develop its new operating model, under similar circumstances.

RISK MANAGEMENT AND IMPLICATIONS:

12. As the education consultation has been completed in compliance with the relevant legislation governing such decisions, there is no outstanding risk in this respect.
13. There are naturally risks associated with the building project required to facilitate this expansion. Ultimately, these are, in large part, related to cost and programme, i.e. the capacity to deliver the requisite project within the defined financial parameters, in time for the opening of the new provision. It should be noted that this project is targeted at delivery of the new buildings by September 2015, as to be able to accommodate the bulge class for the 2015/16 academic year (which would otherwise take the existing buildings over their natural capacity). A Risk Register is being maintained and updated on a regular basis by the Project Manager of the scheme and this serves to both mitigate risk (in part) and to provide early foresight of any issues as they materialise. A contingency allowance appropriate to the scheme has been included within the project budget to mitigate for potential identified risks. As the project is now complete, it is clear that it has been managed within the allocated budget and to programme, subject to closure of the final account.

Financial and Value for Money Implications

14. The building project associated with this proposal is included in SCC's Basic Need Capital Programme element of its 2015-20 MTFP, within the demountables element for 2015/16.

Section 151 Officer Commentary

15. The S151 Officer confirms that the basic need expansion scheme for this school is included in the 2015-20 MTFP.

Legal Implications – Monitoring Officer

Public Sector Equality Duty

16. The public sector equality duty (Section 149 of the Equality Act 2010) applies to the decision to be made by the Cabinet Member in this report. There is a requirement when deciding upon the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups, and eliminate any unlawful discrimination. These matters are dealt with in the equalities paragraphs of the report.

Pre-consultation

17. There is a clear expectation in public law that the Council should carry out a consultation process whenever it is considering making significant changes to service provision, particularly including the closure of any of its resources. There is a statutory requirement for consultation in this context as set out in the School Organisation Maintained Schools Guidance for Proposers and Decision Makers dated January 2014 and the School Admissions Code 2014. Such consultation will need to involve those directly affected by such changes together with relevant representative groups. It will be important that the material presented to consultees provides sufficient information to allow for intelligent consideration and response in relation to the proposals. This information will need to be presented in a way that consultees will understand. The responses to the consultation will need to be conscientiously taken into account when the Cabinet Member makes any future decision in relation to the school.

Post-consultation

18. In considering this Report, the Cabinet Member must give due regard to the results of the consultation as set out above and the response of the Service to the consultation comments and conscientiously take these matters into account when making its final decision.

General Decision-Making

19. In coming to a decision on this issue the Cabinet Member needs to take account of all relevant matters. The weight to be given to each of the relevant matters is for the Cabinet Member to decide. Relevant matters in this context will include the statutory requirements, the policy considerations, the impacts of the options on service provision, the medium term financial plan, the Council's fiduciary duty, any relevant risks, the results of the consultation and the public sector equality duty.

Fiduciary Duty

20. The Council owes a fiduciary duty to its Council tax payers, analogous to that owed by trustees responsible for looking after property belonging to other people. Accordingly in deciding to spend money a local authority must take account of the interests of Council taxpayers who have contributed to the Council's income and balance those interests against those who benefit from the expenditure. It will also need to act in a prudent way having regard to the short and long term consequences of the decision.

Best Value Duty

21. The best value duty is contained in s3 of the Local Government Act 1999 as a result of which the Council is under a duty to make arrangements to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The relevant guidance states that Councils should consider overall value, including economic, environmental and social value when reviewing service provision.

School Expansion

22. Section 13 of the Education Act 1996 places a general duty on the Council to secure that efficient primary and secondary education is available to meet the needs of the population in its area. In doing so, the Council is required to contribute to the spiritual, moral, mental and physical development of the community. Section 14 of the Education Act 1996 places a duty on the Council to secure that sufficient schools for providing primary and secondary education are available in its area. There is a legal duty on the Council therefore to secure the availability of efficient education in its area and sufficient schools to enable this.
23. This report sets out how the Authority will meet its duties in response to increasing demand for school places in Reigate.
24. As the school's capacity and published admission number will be increased, a consultation and publication of notices was required. One response was made to the consultation which was neither in support, nor opposed the proposal. This response was duly considered. The School Organisation Guidance and Admissions Code 2014 were duly followed.

Equalities and Diversity

25. The expansion of the school will not create any issues that would require the production of an Equality Impact Assessment (EIA), as no group with protected characteristics will be adversely affected as a consequence of its approval, or otherwise.
26. The new school building will comply with Disability Discrimination Act (DDA) regulations.
27. As a Community school, admissions to Dovers Green are governed by Surrey County Council's Determined Admissions Arrangements. These admissions arrangements give the highest priority to Looked After Children (LAC) and children with exceptional medical or social needs, thus supporting provision for the county's most vulnerable children. The next order of priority employs the "sibling rule", following which priority is given to children for whom the school is the nearest to their home address. Remaining applicants are then sorted on the basis of distance from home to school. There is no proposal to amend the admissions criteria, which are fully compliant with the Schools Admissions Code.

Corporate Parenting/Looked After Children implications

28. This proposal would provide increased provision for primary places in the area, which would be of benefit to the community served by the school. This would therefore also be of benefit to any Looked After Children who have the opportunity of attending the school, with this grouping of children receiving the highest priority ranking within the school's admission arrangements, once faith-based factors have been taken into account.

Climate change/carbon emissions implications

29. The design philosophy is to create buildings that will support low energy consumption, reduce solar gain and promote natural ventilation. The school

will be built to the local planning authority's adopted core planning strategy. Furthermore, the provision of additional school places to meet local demand is likely to have a positive impact on reducing journey times (and therefore carbon emissions), relative to the scenario of not so doing.

WHAT HAPPENS NEXT:

30. Subject to Cabinet Member approval of the recommendation of this report, the next steps are:
- To implement the proposed expansion from September 2016. All necessary associated building works have already been undertaken, as part of the demountables programme for 2015/16 (this work being required, so as to provide for the two bulge year classes already accommodated at the school).

Contact Officer:

Oliver Gill, School Commissioning Officer, Tel: 020 8541 7383

Consulted:

Dovers Green School Governing Body
Parents of pupils attending the school
Local residents
Local Headteachers
Peter-John Wilkinson, Assistant Director for Schools and Learning
Barbara Thomson, Local County Council Member for Earlswood & Reigate South
Reigate & Banstead Borough Council
Unions (NAHT, NASUWT, NUT, GMB, UNISON)
School Admissions Forum

Annexes:

Annex 1 – Dovers Green School Statutory Notice (Full)

Sources/background papers:

- Dovers Green School Consultation Document
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