

**SURREY COUNTY COUNCIL****CABINET MEMBER FOR SCHOOLS, SKILLS AND  
EDUCATIONAL ACHIEVEMENT****DATE: 3 MARCH 2016****LEAD OFFICER: JULIE FISHER, DEPUTY CHIEF EXECUTIVE****SUBJECT: PROPOSED EXPANSION OF FURZEFIELD PRIMARY SCHOOL****SUMMARY OF ISSUE:**

Surrey County Council has consulted on a proposal to expand Furzefield Primary School by 1 form of entry from September 2016. The Education Consultation was conducted between 18 January and 15 February 2016.

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 Annexes 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 Furzefield Primary School by 1 Form of Entry (1 FE) for September 2016.

**REASON FOR RECOMMENDATIONS:**

There is an increasing demand for primary school places in Merstham as well as the wider Reigate and Redhill area, which reflects a rise in the primary-age population over recent years. In order to meet this demand, there is a need to expand school capacity in the area. The proposal to expand the capacity of Furzefield Primary School by 1 FE is a core element of Surrey County Council's (SCC) strategy in this respect. In line with this, SCC has undertaken the requisite statutory consultation to inform the decision making process and a single formal objection was 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 18 January 2016, Surrey County Council (SCC) published a proposal to:
  - Enlarge Furzefield Primary 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 630, 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. As such, the school would effectively reach its new capacity of 630 places in September 2022. The incremental expansion in capacity is shown in the table below (it is worth noting that the school presently has two bulge year classes working their way through later school years):

Year	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total
2016/17	90	60	60	60	90	90	60	<b>510</b>
2017/18	90	90	60	60	60	90	90	<b>540</b>
2018/19	90	90	90	60	60	60	90	<b>540</b>
2019/20	90	90	90	90	60	60	60	<b>540</b>
2020/21	90	90	90	90	90	60	60	<b>570</b>
2021/22	90	90	90	90	90	90	60	<b>600</b>
2022/23	90	90	90	90	90	90	90	<b>630</b>

### Reasons for the Proposal

3. Reigate & Banstead is experiencing a steady increase in 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 2014 were 27.7% higher than births in 2002. A significant number of primary school places have been provided reflective of this demand and further growth is anticipated in the short- to medium-term, which needs to be accommodated via further expansions of school provision.
4. Within the Merstham Planning Area, there is presently provision for 90 places per year in Reception, composed of the following:
- Merstham Primary School (offering 30 Reception places per annum); and
  - Furzefield Primary School (offering 60 Reception places per annum).
5. Demand for primary school places has been rising in Merstham, in line with the general increase across the whole of the Reigate & Banstead Borough. Projections of future demand for school places are presented in the below table:

Year	YR PAN	YR Projection	Deficit
2015/16	90	96	6
2016/17	90	104	14
2017/18	90	105	15
2018/19	90	104	14
2019/20	90	103	13
2020/21	90	104	14
2021/22	90	105	15
2022/23	90	105	15
2023/24	90	106	16
2024/25	90	108	18

6. Due to the high degree of cross-area pupil movement, the above projected deficits should also be viewed in the context of projections of demand for school places across the wider Reigate & Redhill area (the numbers below incorporate the numbers above):

Year	YR PAN	YR Projection	Deficit
2015/16	870	944	74
2016/17	900	994	94
2017/18	900	979	79
2018/19	900	956	56
2019/20	900	945	45
2020/21	900	951	51
2021/22	900	957	57
2022/23	900	961	61
2023/24	900	966	66
2024/25	900	973	73

7. As can be seen from the above, there is a sustained need for additional Primary places within Merstham as well as the wider Reigate and Redhill area. Whilst SCC managed the immediate pressure for September 2015 in Merstham and the wider area via the delivery of a number of “bulge” year expansions (including 30 places at Mershtam Primary School), the need for permanent expansions remains. A core component of the strategy devised to meet this need is the proposed expansion of Furzefield by a Form of Entry, which (if approved) would reduce all of the above projected deficits by 30 places.
8. Where possible, 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 November 2012, rates the school as ‘Good’. In particular, this report noted that “pupils are keen and enthusiastic to attend school and show positive attitudes both to each other and to their learning. They enjoy their lessons and behave well in and around school”. The evident quality of education provision at Furzefield 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**

9. 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).
10. Should the decision be taken to proceed with the expansion, design workshops will be undertaken in partnership with the school to develop the building proposal, on the basis of which a planning application will be submitted and consulted upon separately.

## **CONSULTATION:**

11. As a Community school, the increase in admission numbers was the subject of a Council-led consultation process which was held for a 4-week period, between 18 January and 15 February 2016. This process engaged a range of interested stakeholders, including the school community, local residents, local admissions authorities and the Surrey School Admissions Forum. On 3 February 2016, a consultation evening was held at the school to which all interested parties were invited. A summary of the feedback from the consultation evening is appended to this report as Annex 2. In total, two formal responses to the consultation were received, with one of these being opposed to the proposed expansion.
12. As can be seen from Annex 2, the feedback from the consultation evening raised a number of issues, most of which were neutral in character. One core, common concern was raised in relation to the proposal, in terms of the perception that parking around (and access to) the site at peak drop-off/pick-up times was an issue. Whilst this concern could not be fully dealt with at this stage, it is an issue that will be comprehensively addressed through the design and planning process for the proposed new build. In this respect, should it be deemed that highways measures are required to mitigate the level of expansion proposed, these will be integrated into the wider scheme. As such, should the decision be taken to proceed with this proposal, this concern will be relayed to the project delivery team, to inform that phase of the project.

## **RISK MANAGEMENT AND IMPLICATIONS:**

13. As the education consultation has been completed in compliance with the relevant legislation governing such decisions, there is no outstanding risk in this respect.
14. 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 line with the timeline for increased demand. A Risk Register is being maintained and updated on a regular basis by the Project Manager of the scheme and this should serve 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.

## **Financial and Value for Money Implications**

15. The building project associated with this proposal is included in SCC's Basic Need Capital Programme element of its 2016-21 MTFP. A scheme of works will be developed and agreed by Property Services and this will subsequently go to Cabinet for approval. All schemes are expected to remain within the funding that has been allocated to them in the MTFP.

## **Section 151 Officer Commentary**

16. The basic need expansion scheme for this school is included in the 2016-21 MTFP.

**Public Sector Equality Duty**

17. 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**

18. 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.
19. Expansion of the capacity of Furzeffield Primary School by 1 Form Entry from two forms of entry (2 FE) at Reception to three forms of entry (3 FE) at Reception to allow for a roll of 630, comprising three classes of 30 pupils in each year group, is defined under Chapter 2 of the Guidance as a significant change. Such consultation thus needed to involve those directly affected by such changes together with relevant representative groups. It was important that the material presented to consultees provided sufficient information to allow for intelligent consideration and response in relation to the proposals. This information needed to be presented in a way that consultees understood. 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 expansion.

**Post-consultation**

20. In considering this Report, the Cabinet Member must give due regard to the results of the consultation as set out in Annex 2 – Summary of Consultation, 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**

21. 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**

22. 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**

23. The best value duty is contained in Section 3 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**

24. 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.
25. This report sets out how the Authority will meet its duties in response to increasing demand for school places in Merstham, in line with the general increase across the whole of Reigate and Banstead Borough.
26. As the school's capacity and published admission number will be increased, a consultation and publication of notices was required. Responses to the consultation were considered carefully and the School Organisation Guidance and Admissions Code 2014 were duly followed.

<b><u>Equalities and Diversity</u></b>
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27. 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.
28. The new school building will comply with Disability Discrimination Act (DDA) regulations.
29. As a Community school, admissions to Furzefield 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**

30. 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.

#### **Climate change/carbon emissions implications**

31. 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:**

32. Subject to Cabinet Member approval of the recommendation of this report, the next steps are:
- To implement the proposed expansion from September 2016.
  - To take a Business Case for the associated capital works scheme to SCC's Cabinet at a future date.
  - If approval to the above referenced Business Case is granted, the project will move to delivery, with a view to having the expanded school facilities ready to accommodate the new cohort, in line with the timeline for increased demand. At present, it is expected that the school can accommodate the forecast growth for September 2016 within its existing facilities and that, consequently, the new facilities will need to be available for September 2017.

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#### **Contact Officer:**

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

#### **Consulted:**

Furzeffield School Governing Body  
Parents of pupils attending the school  
Local residents  
Local Headteachers  
Julie Stockdale, Head of School Commissioning & Admissions  
Bob Gardner, Local County Council Member for Merstham & Banstead South  
Reigate & Banstead Borough Council  
Unions (NUT, NASUWT, NAHT, ATL, GMB, UNISON)  
School Admissions Forum

**Annexes:**

Annex 1 – Furzefield Primary School Statutory Notice (Full)

Annex 2 – Summary of Consultation Feedback

**Sources/background papers:**

- Furzefield Primary School Consultation Document
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