

Report of Director of Children and Families

Report to Executive Board

Date: 17th October 2018

Subject: Outcome of consultation to permanently increase learning places at Benton Park Secondary School from September 2021.



Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Guiseley & Rawdon	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

This report contains details of a proposal brought forward to meet the local authority's duty to ensure sufficiency of school places. The changes that are proposed form prescribed alterations under the Education and Inspections Act 2006. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and accompanying statutory guidance set out the process which must be followed when making such changes. The statutory process to make these changes varies according to the nature of the change and status of the school and the process followed in respect of the proposal is detailed in this report. The decision maker in these cases remains the local authority (LA).

A consultation on a proposal to expand Benton Park Secondary School from a capacity of 1225 to 1500 students by increasing the admission number from 245 to 300 with effect from September 2021 took place between 29th June and 27th July 2018. The schools current SEN and 6th Form provision is unaffected by this proposal.

A total of 223 consultation responses were received of which 75% either strongly or somewhat supported the proposal. 19% strongly opposed or somewhat opposed the proposal and 6% neither supported nor opposed, or were unsure about the proposal. Further details about the responses and issues identified by stakeholders and respondents during the consultation period are detailed in the main body of this report.

Recommendations

Executive Board is asked to:

- Approve the publication of a Statutory Notice on a proposal to permanently expand secondary provision at Benton Park Secondary School from a capacity of 1225 pupils to 1500 pupils with an increase in the admission number from 245 to 300 with effect from September 2021;
- Note that implementation of the decision is subject to feasibility and planning permission as indicated at 4.4.1 of this report and that the proposal has been brought forward in time for places to be delivered for 2021; and
- Note the responsible officer for implementation is the Head of Learning Systems.

1 Purpose of this report

- 1.1 This report contains details of a proposal brought forward to meet the LA's duty to ensure a sufficiency of school places, which supports the achievement of the Best Council priority to improve educational achievement and close achievement gaps. This report describes the outcome of a consultation regarding a proposal to expand secondary school provision at Benton Park Secondary School and seeks a decision to publish a statutory notice under the Education and Inspections Act 2006 and in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 in respect of this proposal.

2 Background information

- 2.1 The increase in the birth rate over the last decade in Leeds, which prompted the need to embark on a programme of primary provision expansion, has so far led to the creation of over 12,000 new primary places across the city. The large increase in existing primary school pupils is now beginning to feed through into the secondary sector, with demand anticipated to grow markedly across most parts of the city until at least 2023-24. The available demographic data has identified that additional secondary school places are required across the North West of the city to meet demand from families.
- 2.2 In June 2018 an initial stakeholder engagement event was undertaken which involved local secondary schools, ward members and other interested parties in order to share demographic data and gather views regarding the best approach to be taken to address future secondary demand in the North West. The proposal to expand Benton Park School formed one of the options put forward at the event and this consultation closely followed.
- 2.3 Consultation on this proposal took place between 29th June 2018 and 27th July 2018. To maximise stakeholder engagement a variety of consultation methods were used, including: email; an online survey; several informal drop-in sessions (for parents, residents and other interested stakeholders to attend), held at the school, offering an opportunity to discuss the proposal with Leeds City Council representatives and providing the opportunity to complete a consultation response form. As well as distributing letters to 700 residents in the local area, details of the proposals and the consultation activity were also advertised to parents and carers; local residents and other interested parties; via letters sent out to parents by Benton Park School; posters and consultation booklets displayed and available from Early Years providers in the local area; via the Leeds City Council website; through various social media platforms and accounts; and by local community groups and organisations active in the Guiseley and Rawdon ward.
- 2.4 Consultation meetings were held with the school's governing body, staff and the pupils of Benton Park School. A banner was also placed at the school site to advertise the consultation and consultation response forms were available for collection and drop off at the school's reception throughout the consultation period.

3 Main issues

- 3.1 The expansion of Benston Park Secondary School is proposed as it is an Ofsted rated 'Good' school in an area of high need and is popular with local families. The school benefits from strong leadership and management and a dedicated staff team who are very positive about the potential permanent expansion. They are confident that existing high standards of teaching and learning can be maintained, resulting in improved outcomes for a greater number of local children.
- 3.2 During the consultation period there were 112 written survey responses received and 111 responses submitted via the online survey; a total of 223 respondents.
- 3.3 In total, 104 of the 223 respondents (47% of the total) strongly support the proposal and a further 64 are somewhat in support of it. In comparison there were 27 respondents strongly opposed to the expansion proposal (12% of the total) and a further 14 who somewhat opposed the proposal. 13 respondents stated that they neither support nor oppose, or were not sure about the expansion proposal.
- 3.4 A large number of those who support the proposal do so on the proviso it involves a new school building or a rebuild of the existing building.
- 3.5 168 of the 223 respondents stated that they found the consultation process was useful.
- 3.6 Of the total number of responses received, 57 were from students of Benton Park School. 26 strongly supported the proposal, 28 somewhat supported the proposal, 3 somewhat opposed and 2 were not sure whether they supported the proposal.
- 3.7 Comments are summarised below. A copy of the responses received can be requested from the Capacity Planning and Sufficiency Team at educ.school.organisation@leeds.gov.uk
- 3.8 A summary of the main themes from comments submitted by those who strongly or who somewhat supported the proposal is bulleted below;
- 122 respondents voiced support for the notion that additional secondary school places are required in this area and that this proposal will help to address this need.
 - Respondents commented that new housing being built in the area will increase demand for school places further in the future.
 - 109 of the survey respondents stated that the current school would need to be demolished and rebuilt in order to address existing building condition issues and to create the required teaching facilities for a larger intake.
 - 19 respondents suggested that more places will be available for young people living in the local area, reducing the distance they may otherwise have to travel to attend secondary school.
 - 11 respondents felt that an increase in student numbers at Benton Park would benefit the school financially and lead to the availability of improved facilities.

3.9 The main concerns raised by respondents and a response to those concerns are summarised as follows;

3.9.1 **Concerns raised about location and the sufficiency of school places:** Concern that additional places are not actually required in this area and that any expansion would lead to a widening of the school's current catchment area rather than serving the local area.

Response: Secondary schools do tend to draw pupils from a wider area than primary schools and, therefore, projections take account of the previous academic year's Year 7 allocations and any population growth across all the areas that pupils actually travel from to attend at a particular school. Expanding provision at Benton Park School would not only provide more places for children living near to the school, but would also provide additional capacity to support increased need in the wider surrounding area from which it traditionally draws its intake.

3.9.2 **Concerns raised regarding the existing school site:** Concern that the existing site is not large enough to accommodate the proposed increase in pupils. Some respondents also raised concerns that the school is in too poor a condition to cope with increases in the number of pupils and that there may be a negative impact on SILC students due to overcrowding,

Response: Early feasibility works carried out by City development colleagues has concluded that the Benton Park School site is large enough to accommodate the proposed increase in pupil numbers. However, to manage the proposed increase in pupil numbers, and to prevent overcrowding, a build scheme would need to be developed and agreed to provide the required additional teaching accommodation and other school facilities needed.

3.9.3 **Concerns raised regarding school operational issues:** Concern that the school will be too big leading to issues with bullying, a decline in behavioural and educational standards and a reduction in educational and pastoral support for pupils requiring additional assistance. Similarly, some commented that there may be a lack of resources available to manage an increase in pupil numbers (i.e. teaching staff) and others held concerns that the proposed expansion would be disruptive for existing pupils. Respondents also raised concerns that the Hub may close as a result of expansion and that staff retention rates may be negatively affected.

Response: The Head teacher and Governing Body are confident that the school can manage an expansion whilst maintaining current good educational standards. The Learning Improvement team within Leeds City Council have been fully consulted on the proposed expansion and will continue to offer support the leadership and staff to achieve good outcomes as the school grows.

Funding for schools is set by central government on a per pupil basis. However, where we expand schools there is additional top up funding available for the first

year to ensure the school has the financial support necessary to recruit additional teaching and support staff.

Should the proposal to expand the school be approved, suitable measures to mitigate the risk of disruption to teaching and learning would be developed throughout the design stage of any agreed build solution and in consultation with key stakeholders, including the school's senior management team and governing body. Phasing of any works in accordance with school shut-down periods as well as robust site separation arrangements would assist in minimisation of disruption for pupils and staff. There are no plans to reduce or close down any of the schools current facilities or services offered.

- 3.9.4 **Concerns raised in regard to highways and the environment:** Several respondents raised concerns about an increase in road traffic at school drop-off and pick-up times. Others expressed concerns about an increase in on road parking around the school site and an inability of the roads around the school to cope with more traffic. Some respondents also raised a general concern that road safety would be reduced as a result of the proposed expansion. Other respondents were worried about increased levels of air pollution, that an increase in pupil numbers would lead to more littering and anti-social behaviour within the vicinity of the school and that the expansion of Benton Park may have a negative impact on other nearby secondary schools.

Response: Planning approval requires officers from Highways to formally comment on all applications. A complete reassessment of traffic management measures would be carried out as part of the proposal, the School Travel Plan would also be updated, and measures identified by highways colleagues as required for approval would be incorporated into any final scheme. Requirements deemed necessary may include increased parking enforcement, reduced speed limits and other traffic management measures. Additional on-site parking would be required to accommodate an increase in staffing levels should the proposal go ahead.

The school's leadership team will continue to work with the local community to address any issues that may arise as a result of the proposed expansion, should it be approved.

Demand for secondary school places is projected to rise significantly over the next 6 years. Current forecasts show that there will be insufficient places available across schools located in the outer North West unless more places are created. Therefore, the proposed expansion is unlikely to have a negative impact on any nearby schools.

- 3.10 The proposed scheme for Benton Park School is to rebuild the school. The school has significant condition issues and along with providing the additional places needed, a rebuild would ensure that the school could continue to operate without the need to continually inject significant condition funding over a period of several years. As the building has reached the end of its lifespan, it can never be repaired, just maintained year on year. A new build would also ensure that disruption to students, school staff and the wider community was managed within a shorter timeframe and that the impact on teaching and learning was minimised

to allow the school to deliver its curriculum and ensure positive outcomes for its students. The cost of the proposed scheme is anticipated to be circa £20m, funded from a combination of the Learning Places and Planned Maintenance Programmes, reflecting the increase in admission numbers whilst addressing existing building condition issues. Funding streams would be primarily through Basic Need Grant, council borrowing, Community Infrastructure Levy and School Condition funding. An approach will be made to Central Government for additional funding support based on our latest survey information.

- 3.11 There are two other Leeds Secondary Schools which have similar conditional issues. The Council is committed to seeking a resolution to this as a priority. We are exploring options to deliver the necessary improvements and separate discussions will be held concerning this.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The process in respect of all the proposals has been managed in accordance with the relevant legislation and with local good practice.

- 4.1.2 The consultation was carried out over four week period and included use of an on-line forum and an on-line survey. A number of drop-in sessions were held at the school supported by officers from Highways, Sufficiency and Participation, and the City Development Teams, to discuss the proposals. These were attended by parents, carers, school staff, and local residents. Information was distributed widely, including via the school, to other local schools (primary and secondary), via local Early Years providers, on the Leeds City Council website, the Family Information Service website, Twitter and Facebook. Meetings were held with the governors, staff and student parliament of Benton Park Secondary School. Banners were placed at the entrance to the school to advertise the consultation and leaflets highlighting the consultation, and the timings of the consultation drop-in meetings were distributed to approximately 700 local residents.

- 4.1.3 Local ward members were consulted and are supportive of the proposals provided that highways and parking concerns are adequately addressed.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The EDCI screening form for the proposal is attached as an appendix to this report.

4.3 Council policies and Best Council Plan

- 4.3.1 This proposal offers good value for money through its capacity to support achievement of the Best Council outcome to give everyone the chance to do well at every level of learning, gaining the skills they need for life.

- 4.3.2 This proposal is being brought forward to meet the LA's statutory duty to ensure that there are sufficient school places for all the children in Leeds. Providing places close to where children live allows improved accessibility to local and

desirable school places, is an efficient use of resources and reduces the risk of non-attendance.

4.3.3 This proposal contributes to the city's aspiration to be the best council, the best city in which to grow up and a child friendly city. The delivery of pupil places through the Learning Places Programme is one of the baseline entitlements of a child friendly city. By creating good quality local school places we can support the priority aim of improving educational achievement and closing achievement gaps. In turn, by providing young people with the skills they need for life, this proposal provides underlying support for the council's ambition to produce a strong economy by compassionate means. A good quality school place also contributes towards delivery of targets within the Children and Young People's Plan such as our obsession to improve behaviour, attendance and achievement.

4.3.4 It is important when bringing any proposals forward that there is a degree of certainty that any change would not have a negative impact on teaching and learning. The Headteacher and Governing Body are confident that they can manage the expansion of the school.

4.4 **Resources and value for money**

4.4.1 The proposed schemes would be subject to planning permission which would need to be granted prior to the commencement of construction works. Once the feasibility stage was complete and schemes proceeded to the detailed design phase, budgets would be realigned to reflect that all parties have agreed the final design and cost estimates, which would take account of site investigations and survey information, in accordance with standard project and risk management principles. Schemes would also be subject to relevant stakeholder consultation.

4.5 The cost of the proposed scheme is anticipated to be circa £20m, funded from a combination of the Learning Places and Planned Maintenance Programmes, reflecting the increase in admission numbers whilst addressing existing building condition issues as noted at 3.10. Funding streams would be primarily through Basic Need Grant, council borrowing, Community Infrastructure Levy and School Condition funding and an approach will be made to Central Government for additional funding support based on our latest survey information. The precise funding packages would be confirmed at the design freeze stage, and detailed in the relevant Design and Cost reports.

4.6 **Legal Implications, Access to Information and Call In**

4.6.1 The processes that have been and will be followed are in accordance with the Education and Inspections Act 2006 as set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, and amended by School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

4.6.2 This report is subject to call in.

4.7 **Risk Management**

- 4.6.1 These proposals have been brought forward in time to allow secondary places to be delivered for 2021. A decision not to proceed at this stage may result in fresh consultations on new proposals, and places may not be delivered in time. It may also result in further bulge cohorts being delivered in other local schools which would be more costly in the longer term. The LA's ability to meet its statutory duty for sufficiency of school places in the short term may be at risk.
- 4.6.2 There is also a corporate risk associated with failing to provide sufficient school/learning places in good quality buildings that meet the needs of local communities.

5 Conclusions

- 5.1 Our ambition is to be the best city in the country. As a vibrant and successful city we will attract new families to Leeds, and making sure that we have enough school/learning places, including SEN places, for children is one of our top priorities. These proposals have been brought forward to meet that need, and following the appropriate statutory process being followed we now seek to move them to the next stage. This would ensure that children in Leeds have the best possible start to their learning, and so deliver our vision of Leeds as a child friendly city.
- 5.2 The majority of the respondents support the expansion of Benton Park Secondary School. However a large proportion of respondents stated that they would only support the expansion if it involved a rebuild of the exiting school. Concerns raised during consultation have been considered, and on balance, the proposal remains strong and addresses the need for school places in the area.
- 5.3 The additional places are required to ensure the authority meets its legal requirement to ensure sufficiency of secondary provision for September 2021. There is evidence of local need for places in the area and it is therefore recommended that the proposal be approved.

6 Recommendations

- 6.1 Executive Board is asked to:
- Approve the publication of a Statutory Notice on a proposal to permanently expand secondary provision at Benton Park Secondary School from a capacity of 1225 pupils to 1500 pupils with an increase in the admission number from 245 to 300 with effect from September 2021;
 - Note that implementation of the decision is subject to feasibility and planning permission as indicated at 4.4.1 of this report and that the proposal has been brought forward in time for places to be delivered for 2021; and
 - Note the responsible officer for implementation is the Head of Learning Systems.

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.