

Report of Director of Children's Services

Report to Executive Board

Date: 15th February 2013

Subject: Basic Need Programme

Part A – Permission to consult on a further round of school place expansions for 2014

Part B – Design & Cost Report for Morley Newlands Primary School

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Ardsley and Robin Hood, Bramley, Morley North, Morley South, Kippax and Methley	<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

1. Leeds City Council has a statutory duty to ensure sufficiency of school places. The Basic Need programme represents the Council's response to the demographic pressures in primary school provision. Through this programme it has approved 830 new reception places since 2009. At the December 2012 meeting of Executive Board, permission was granted to publish statutory notices in respect of proposals to expand Little London, Rufford Park and Sharp Lane Primary Schools.
2. The first part of this report requests permission to consult on proposals for the permanent expansion of five further primary schools with effect from September 2014 and the lowering of the age range of Hollybush Primary School.
3. Under the Education and Inspections Act 2006 these proposals constitute prescribed alterations requiring a statutory consultation process. The first step of this process is a public consultation, which would run from 25 February 2013 to 29 March 2013. The consultation in respect of Hollybush Primary School will conclude on 12 April 2013. This paper seeks permission to start that public consultation.

4. These proposals form part of the ongoing programme of work to address capacity and sufficiency across all of Children's Services. This includes provision for primary and secondary school places, early years places and those for children with complex needs. The primary places are proposed in response to demographic growth in the city. Further papers will be brought forward in 2013 to address ongoing sufficiency issues.
5. The second part of this report seeks approval to incur capital expenditure of £9,396,800 for the design and construction of the new and expanded Morley Newlands Primary School. This paper seeks to summarise the key detail of this proposal, with the full design and cost report included at Appendix A for information.

Recommendations

6. Executive Board is asked to approve the following consultations:
 - to expand Allerton Bywater Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014;
 - to expand Asquith Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014;
 - to expand St Francis Catholic Primary School Morley from a capacity of 154 pupils to 210 pupils with an increase in the admission number from 22 to 30 with effect from September 2014;
 - to expand East Ardsley Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014;
 - to expand Robin Hood Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014;
 - to lower the age range of Hollybush Primary School from 5 to 11 to 3 to 11.

Members of the Executive Board are also requested to:

- Authorise expenditure of £9,396,800 from capital scheme number 16505 NEW 000 to fund the project to expand and rebuild Morley Newlands Primary School as part of Children's Services Basic Need programme.

1. Purpose of this report

- 1.1 The first part of this report requests permission to consult on five further primary school expansions to take effect from September 2014 in order to meet the authority's statutory duty to secure sufficient school places. It also seeks permission to consult on lowering the age range of Hollybush Primary School from 5 to 11 to 3 to 11.
- 1.2 The second part of this report provides background information and detail in respect of the proposed expansion of Morley Newlands Primary School and requests authority to spend £9,396,800 from capital scheme number 16505 NEW 000.

2 Background information

- 2.1 At the December 2012 meeting of Executive Board, permission was granted to publish statutory notices in respect of three proposals. This report requests permission to consult on proposals for the permanent expansion of five further primary schools with effect from September 2014.
- 2.2 Under the Education and Inspections Act 2006 these proposals constitute prescribed alterations requiring a statutory consultation process. The first step of this process is a public consultation, which would run from 25 February 2013 to 29 March 2013. This paper seeks permission to start that public consultation.
- 2.3 Solutions have also been explored with some of those schools identified to put in place interim measures to meet likely demand in 2013. These are described in the paper.
- 2.4 These proposals form part of the ongoing programme of work to address capacity and sufficiency across all of Children's Services. Ongoing work projects the need for primary expansion across significant parts of the city by 2016. Options appraisals are currently being undertaken to determine if expansion of existing schools is feasible or if new schools are required. Land searches are also underway to identify other council owned land which may be suitable for a new school.
- 2.5 The primary places described in this paper are proposed in response to the demographic growth in the city, as well as to address the need for additional places due to house building in the city. They are being brought forward at this stage due to the need to meet the continued demand for places and as initial studies have indicated that projects are deliverable on these sites. The lack of any surplus places across many areas of Leeds means that it is becoming increasingly difficult to place children from families moving into Leeds or moving into new housing into a local school, necessitating the need to intensify the pace of activity in relation to primary provision. Further papers will be brought forward in 2013 to address sufficiency issues and describe the requirement for additional permanent primary places with effect from 2015.
- 2.6 The proposal in respect of Hollybush Primary School seeks to formalise the arrangements in respect of the governor led nursery provision delivered

previously by the Local Authority but since September 2011 by the leadership and management of the school. Consultation in respect of Hollybush Primary School would conclude on 12 April 2013.

- 2.7 On the 27th of July 2011 the Executive Board approved the expansion of Morley Newlands Primary School to a maximum capacity of 630 pupils, by increasing the admission number at the school from 60 to 90, i.e. 2FE to 3FE, from September 2013.
- 2.8 In order to accommodate these additional pupils, Children's Services proposes to construct a new school building as part of its Basic Need programme. Whilst Basic Need is a sufficiency-driven programme, the project provides an opportunity to resolve long-standing condition issues with the existing school buildings. Detailed information is contained within the full DCR at Appendix A.

3 Main issues

- 3.1 Under the Education and Inspections Act 2006 the proposals constitute prescribed changes requiring a statutory process, of which public consultation is the first step. If approved, the consultation would run from 25 February 2013 to 29 March 2013. Dependent on the issues raised it could then be possible to seek approval to move to the statutory notice stage in July 2013, and a final decision in September 2013.
- 3.2 Increases in nursery provision are not proposed as part of these primary school expansions. This is because it is considered that there are either already sufficient early years places, or options are available through the private voluntary and Independent sector to increase provision. The proposal in respect of Hollybush Primary School seeks to formalise the provision already in place.
- 3.3 **Proposal one: To expand Allerton Bywater Primary School** from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014. The schools within the Lower Aire Valley face particular pressures as they serve distinct areas where there may be small increases/decreases in the number of pupils from year to year. There is particular pressure for places in the area served by Allerton Bywater Primary School, Great Preston Church of England Primary School and Lady Elizabeth Hastings Church of England Primary School, Ledston due to rising demographics and also house building in the area. The greatest increase can be seen in the number of children whose nearest school is Allerton Bywater Primary School. The school admitted over their admission number in September 2012.
- 3.4 There are more under 5's children in the area than there are places available, with an increased demand in 2013. Thereafter, whilst there is a small decline in the under 5's present in the area, it is expected that the house building close to Allerton Bywater Primary School will continue to bring new families to the area.
- 3.5 The school has agreed to admit an additional reception cohort of 30 in September 2013 to manage the immediate need for school places. These children will stay with the school for the whole of their primary education.

- 3.6 Discussions have taken place over the last few months with the Brigshaw Trust of which Allerton Bywater Primary School is a member to share planning pressures within the area, adopt a holistic view and to ensure a collective approach. The Trust has welcomed the approach and officers will continue to work with the Trust to manage the ongoing demand for school places. The governing body have indicated their support for expansion.
- 3.7 **Proposals two and three: To expand Asquith Primary School and St Francis Catholic Primary School Morley.** Previous reports have indicated pressure in the Morley Area, Morley Newlands has been the subject of previous consultation and statutory notice and will expand to three form entry in September 2013. This project has progressed and the second part of this report requests authority to spend in order that the project to deliver additional places at Morley Newlands can proceed as planned.
- 3.8 There continue to be more under 5's children living in the area than there are places available. 1st preferences as at September 2012 were higher within the planning area than places available and 370 children were allocated a place in schools in the area, requiring the admission of additional children to Asquith Primary School as detailed in 3.11 below.
- 3.9 There is also little surplus capacity across higher year groups meaning that when new families move to the area it becomes increasingly difficult to place children together in a local school. The birth data available indicates that the demand for places is sustained.
- 3.10 It has not been possible to identify physical building solutions at other schools in the planning area. A building solution is possible at Asquith to create a two form entry primary school. It is recognised that any build solution will require a variation in the PFI contract. The building at Morley St Francis can be extended to provide accommodation for 30 children within each year group. Funding has been identified by the diocese and by the LA to support the associated building work at Morley St Francis.
- 3.11 **Proposal two: To expand Asquith Primary School** from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014. Asquith Primary School admitted an additional 22 children into reception in September 2012 and have agreed to accommodate a further additional reception cohort of up to 30 children if required in September 2013. They have accommodation available to do so although some remodelling work will be required. The governing body have indicated their support for expansion.
- 3.12 **Proposal three: To expand St Francis Catholic Primary School Morley** from a capacity of 154 to 210 pupils with an increase in admission number from 22 to 30 with effect from September 2014. The expansion would better facilitate the management of classes within the school and contribute to meeting the need for increased demographics in the area. The catholic diocese are in favour of the expansion of the school.

- 3.13 **Proposals four and five: To expand East Ardsley Primary School and Robin Hood Primary School.** Demand for places across the Ardsley/Tingley and Rothwell planning areas has been under review for some time. In Ardsley/Tingley in particular, whilst birth data indicates that there are sufficient places for children living in the planning area, the impact of new housing combined with preference data indicates that the creation of an additional 30 places across the two planning areas would provide the flexibility required to be able to manage the admissions system, offer choice and diversity and prepare for the impact of planned new housing.
- 3.14 House building is underway in the area. Planning permission has been granted in respect of sites locally and construction is underway. This amounts to 72 houses in the Rothwell Planning Area and a further 640 houses in the Ardsley and Tingley Planning Area. The anticipated demand for places from the housing combined with the pressure for places in the area, necessitates the need for expansion in the area.
- 3.15 Viability studies have been commissioned through the Council's JVC partner, Norfolk Property Services Leeds to determine whether Thorpe, East Ardsley or Robin Hood Primary School could be expanded. Options to expand or further expand other schools in the area are not available. The work concluded that it was not possible to expand Thorpe Primary School to 2FE and that the expansion to 1.5FE would have inherent risks. The studies for East Ardsley and Robin Hood concluded that there is at least one option to expand each school that could be delivered with relatively reduced risk. The work required at East Ardsley will necessitate a variation in the PFI contract
- 3.16 The proposals to expand East Ardsley Primary and Robin Hood Primary Schools from 1.5 to 2 form entry, therefore increasing the admission number from 45 to 60 would bring the opportunity to establish single age classes and deliver a more efficient revenue structure for the schools.
- 3.17 **Proposal four: To expand East Ardsley Primary School** from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014. The school have agreed to accommodate an additional 15 children in reception cohort in September 2013. They have accommodation available to do so although some remodelling work will be required. It is anticipated that this can be managed during the school holidays. The governing body have indicated their support for expansion.
- 3.18 **Proposal five: To expand Robin Hood Primary School** from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014. Discussions have been ongoing for some time with the school regarding expansion and the governing body have indicated their support for expansion.
- 3.19 **Proposal six: To lower the age range of Hollybush Primary School** from 5 to 11 to 3 to 11. Since September 2011, the school have taken responsibility for the leadership and management of the delivery of nursery education provision delivered on the school site. The provision is established as a 52 place nursery and has operated since September 2004.

- 3.20 The provision currently operates as a governor led nursery and as such could be vulnerable should governors or the headteacher decide that they no longer wish to deliver the provision. Formalising the arrangement would provide long term security, a teacher working full-time within the setting, the development of a strong cohesive Foundation Unit. It would also bring consistency with other schools operating nursery provision.
- 3.21 At the time of the transfer of the management of the provision from the Local Authority to the school, a consultation exercise was carried out and concerns were not identified, indeed numbers have increased rapidly since the school commenced delivery of the provision. Further engagement with stakeholders will take place should permission be granted to consult. The school wish to proceed to the consultation stage in order that the appropriate steps can be taken to lower the age range of the school.
- 3.22 The project to design the new school building has reached 'design freeze' stage and therefore the design is sufficiently developed to provide a level of confidence that the scheme will remain within budget. The project budget is £9,454,600, of which £57,811 has already been approved. This paper seeks authority to spend for the balance, which is £9,396,800.
- 3.23 The project team made a pre-application presentation to the relevant Plans Panel in order to mitigate the risk of objection and increased costs prior to the formal submission of the detailed planning application.
- 3.24 The project remains on programme with the new school becoming operational for the beginning of the Autumn term 2014. The additional pupils starting school in September 2013 can be accommodated in the existing school buildings.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The consultation would be conducted in line with statutory guidance and local good practice. In drawing up these proposals all ward members have been consulted, as have the governing bodies of the schools, and both diocesan education bodies. Consultation in respect of the primary expansions would take place over a five week period from 25 February to 29 March 2013. Consultation in respect of lowering the age range of Hollybush Primary School would conclude on 12 April 2013.
- 4.1.2 Feedback from previous consultation regarding the conduct of consultation will be taken into account should these proposals proceed to the next phase. In some cases informal consultation events will be organised alongside the more formal public meeting to trial an alternative approach and provide an opportunity during the school day for stakeholders to meet with officers. The proposed consultation is prescribed under the Education And Inspections Act 2006, and should the proposals progress would require a further statutory notice period prior to final decision being made.

4.1.3 The proposed scheme and the associated works have been the subject of consultation with Children's Services Officers and school representatives. A Public consultation which included Ward members for Morley was carried out in September 2012. Ward Members and local community groups have also been consulted with directly.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The EDCI Screening Assessments have been carried out and are attached as an Appendix..

4.3 Council policies and City Priorities

4.3.1 Each of the proposals are brought forward to meet the Council's statutory duty to secure sufficient school places. In providing places close to where the children live the proposals will allow improve accessibility of local and desirable school places, and thus reduce any risks of non attendance, thereby addressing one of the obsessions within the Children's and Young People's Plan, and is in line with the aspiration to become a Child Friendly City. New buildings, close to the centres of population will help minimise the carbon footprint in respect of travel to and from school and will improve the overall energy efficiency of the school estate.

4.4 Resources and value for money

4.4.1 The school proposals will be funded from the Children's Services capital programme. An early estimate of the projected capital costs of the proposals at this stage is £5.61m. Section 106 funding has been secured in respect of the housing developments and this will contribute to the overall funding of projects at Robin Hood and East Ardsley.

4.4.2 These proposals have been developed in conjunction with colleagues across the Council, including City Development. Initial conversations have been held with colleagues in Highways and Planning, and have identified where works may be required, but the detail has not been developed or costs included. The proposals will be subject to significant development at individual project level, and does not fully include fees, inflation, site acquisition costs, or provision for any site specific conditions or risk. No feasibility work has yet taken place at this stage on any of the proposals, however in order to meet the proposed date for the statutory increase in admission number of September 2014 it will be necessary to commission feasibility work at risk during the statutory public consultation stage.

4.4.3 The proposal in respect of Hollybush Primary School has no capital resource implications, provision is delivered from existing accommodation on the school site within the Children's Centre.

4.4.4 The design and construction of the new school building and associated external work is estimated to cost £9,396,800 inclusive of professional fees, internal design fees and contingency.

4.4.5 On 2nd August 2011, the Chief Officer for Strategy, Commissioning and Performance Children Services gave approval under Officer Delegation Scheme

(Executive Function) - General delegations to Officers paragraph 2a to incur expenditure in the sum of £57,811.00 for the relocation of temporary accommodation at the school.

4.4.6 Therefore the total project budget is £9,454,600, of which £57,811 has already been approved. This is shown in the table within section 4.5.7

4.4.7 A detailed cost plan has been produced and cost checks have been carried out at end of each key project stage. An external cost consultant has also been engaged to check and validate the cost plan at the end of RIBA stage C and prior to this request for authority to spend. The design is sufficiently developed to provide a level of confidence that the scheme will remain within the agreed budget.

4.4.8 Capital Funding and Cash Flow

Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2012 £000's	FORECAST				
			2012/13 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	49.8		49.8				
FURN & EQPT (5)	0.0						
DESIGN FEES (6)	0.0						
OTHER COSTS (7)	8.0		8.0				
TOTALS	57.8	0.0	57.8	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2012 £000's	FORECAST				
			2012/13 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016 on £000's
LAND (1)	0.0						
CONSTRUCTION (3)	7239.3			3411.0	3641.2	187.1	
FURN & EQPT (5)	150.0				147.4	2.6	
DESIGN FEES (6)	149.0	0.0	75.0	60.0	9.0	5.0	
OTHER COSTS (7)	1858.5	0.0	472.1	664.8	588.9	132.7	
TOTALS	9396.8	0.0	547.1	4135.8	4386.5	327.4	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2012 £000's	FORECAST				
			2012/13 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016 on £000's
Basic Needs Grant	3595.0		57.8	0.0	3209.8	327.4	
Capital Maint Grant	5859.6		547.1	4135.8	1176.7		
Total Funding	9454.6	0.0	604.9	4135.8	4386.5	327.4	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Parent Scheme Number:16505 000 000

Title: Basic Need 2013/14

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The proposed changes constitute a prescribed change under the Education and Inspections Act 2006 (EIA 2006). The consultation process would be managed in accordance with that legislation, and local practice.
- 4.5.2 This decision is a Key Decision and will be subject to Call In.
- 4.5.3 The Council's Executive Board has the authority to make this decision under powers granted under Part 3 of the Council's Constitution.

4.6 Risk Management

- 4.6.1 These projects are all complex, involving various partners. Project managers have therefore been assigned to all the projects at this early stage, and discussions have started with some schools regarding the broader detail of the plans although detailed design work has not commenced. The work which has been completed has been to assess the viability of the project and to provide an overview of the issues which would need to be managed, should the projects go ahead.
- 4.6.2 There is significant risk that building projects will not be completed for September 2014, and in these cases the plans include contingencies for accommodation until completion. In order to minimise this risk it will be necessary for the design process to run concurrently with the statutory process. Should the statutory process at any of the schools pause or be withdrawn the LA will be required to pay abortive fees for design work undertaken. Risk registers are being developed, and if approved will be maintained until completion.
- 4.6.3 Risk will be managed through the application of best practice Project Management tools and techniques utilising experienced Project Management resource from the Public Private Partnerships Unit (PPPU). The allocated Project Manager will manage and maintain the project Risk Log, report on risks and escalate where appropriate to the relevant Project Board via regular Highlight Reporting.

5 Conclusions

- 5.1 These proposals form part of the authority's ongoing planning to meet the need for school places across the city due to rising demographics and new housing. Other council directorates are actively involved in the planning process to ensure holistic planning and best use of corporate assets. Secondary planning is forming an increasing part of the work and discussions continue with schools to release existing capacity.
- 5.2 It is necessary to expand Morley Newlands Primary School to a maximum capacity of 630 pupils in order for Leeds City Council to fulfil its statutory duty to provide pupil places.
- 5.3 The project to deliver an expanded and rebuilt Morley Newlands Primary School has been managed by Children's Services in partnership with PPPU and other key stakeholders.

5.4 The project has reached 'design freeze' stage and therefore the design is sufficiently developed to provide a level of confidence that the scheme will remain within budget. The project budget is £9,396,800.

6 Recommendations

6.1 Executive Board is asked to approve the following consultations:

- to expand Allerton Bywater Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014;
- to expand Asquith Primary School from a capacity of 210 pupils to 420 pupils with an increase in the admission number from 30 to 60 with effect from September 2014;
- to expand St Francis Catholic Primary School Morley from a capacity of 154 pupils to 210 pupils with an increase in the admission number from 22 to 30 with effect from September 2014;
- to expand East Ardsley Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014;
- to expand Robin Hood Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2014;
- to lower the age range of Hollybush Primary School from 5 to 11 to 3 to 11.

Members of the Executive Board are also requested to:

- Authorise expenditure of £9,396,800 from capital scheme number 16505 NEW 000 to fund the project to expand and rebuild Morley Newlands Primary School as part of Children's Services Basic Need programme.

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.