

Item No: 10.	Classification: Open	Meeting Date: 20 July 2010
To	Cabinet	
Report title:	Outcome of the final consultation process on the proposed permanent enlargement of Lyndhurst school	
Ward (s) or groups affected:	Borough wide	
Cabinet Member	Councillor Catherine McDonald, Children's Services	

FOREWORD – COUNCILLOR CATHERINE McDONALD , CABINET MEMBER FOR CHILDREN'S SERVICES

- 1 This report asks the Cabinet to approve the enlargement of Lyndhurst primary school from a one and a half form (315 pupils) to a two form entry (420 pupils) school and to increase its admission number from 45 to 60 pupils from September 1 2010.
- 2 The recommendation has the principal benefit to the local authority that it will provide permanent additional primary school places in the south of the borough to accommodate the ongoing pressure for primary school places. In addition it will permanently enlarge the school to a two form entry primary school from a one and half form entry school, which is the size that is considered to be the most appropriate for primary school organisation.
- 3 I have looked at the statutory process that has been undertaken and am satisfied that all the education stakeholders have been given the opportunity to comment on the proposed changes. The funding for this comes from the ring fenced grant for additional places. If the money is not used for this purpose it would have to be returned to the DfE.
- 4 The consultation period finished on 11 June 2010 and the authority needs to make a decision before 11 August 2010, therefore it is important that the Cabinet considers the proposal at its 20 July meeting.
- 5 The proposal makes good sense for the authority and the school and I am therefore asking the Cabinet, after consideration of the officers' report set out from paragraph 7 onwards to approve the recommendation set out below.

RECOMMENDATION

- 6 That in the light of the outcome of the statutory consultation process the Cabinet agrees to permanently enlarge Lyndhurst Primary School's capacity from 315 to 420 pupils and to increase the school's admission number from 45 to 60 pupils from September 1 2010.

BACKGROUND INFORMATION

- 7 The previous Executive, at their meeting on 24 November 2009, agreed to initial consultation on the proposal to permanently enlarge Lyndhurst School in size from one and a half to two forms of entry and increase its admission number from 45 to 60 from 1 September 2010.
- 8 Following the initial informal consultation stage, the Council agreed to the publication of the required statutory notice.
- 9 The formal statutory process on the permanent enlargement to Lyndhurst School has now

been carried out and Cabinet are recommended to agree the permanent enlargement of Lyndhurst primary school from one and half to two forms of entry and to increase its admission number from 45 to 60 pupils from 1 September 2010.

KEY ISSUES FOR CONSIDERATION

Policy implications

- 10 There is pressure for primary school places across the borough but initially manifesting itself in the south of the borough. A strategy was agreed by the previous Executive on 24 November 2009 to provide both temporary bulge classes and permanent enlargements of primary schools to meet this need. The school roll projections suggest that additional places are required locally in the south of the borough but mostly to accommodate a population bulge, with only a modest permanent increase in numbers.
- 11 In Southwark the 2009 primary admissions round was characterised by an unprecedented degree of concern about reception class places from residents in the East Dulwich area in the south of the borough. This problem had not been predicted by the projections available at the time. In the south of the borough there had been many more applications for school places than were available, particularly as a very large number of late applications were received. This gave rise to the need to add places in 2009 at short notice.
- 12 As a result of the pressure for places the Council opened three additional reception classes, including a half form of additional reception class at Lyndhurst. This was on a temporary basis but it was agreed that initial consultation should be carried out on the permanent enlargement of Lyndhurst school to a full two forms of entry. This was consistent with the planning principles agreed as the basis for the Primary Capital Programme, that half form entry schools have some difficulty in terms of vertical grouping and the extra burden this puts on schools to effectively support the National Curriculum and therefore where appropriate the enlargement of half form entry schools should be pursued. In addition enlarging Lyndhurst school, which is a popular school that serves the area, would provide a permanent additional half form of entry in the south of the borough where there was pressure for places. In order to accommodate the additional pupils from the bulge class two portable classrooms have been installed at the school.
- 13 Lyndhurst primary school is an effective primary school. The school was judged to be good with many outstanding features during its last Ofsted inspection.

Need for places

- 14 There is a projected need for places for reception age pupils in the south of the borough over the next ten years. The projections suggest that additional places are required locally in the south of the borough, but mostly to accommodate a population bulge, with only a modest permanent increase in numbers required. This would be partially met by the permanent expansion of Lyndhurst school. In addition to the half form of entry at Lyndhurst, four other primary schools in the south of the borough will take bulge classes in 2010/11 - one form each at Heber and Rye Oak and half forms at Brunswick Park and St Anthony's primary schools. Further bulge classes are planned in subsequent years, with the need for more permanent places kept under review in the light of projections from year to year, in line with the Council's statutory obligations.

Statutory process

- 15 Following the initial consultation process, the authority had to publish a statutory notice which was displayed on the school gates and published in the local press. The detailed proposals were also sent to the school and the Department. The outcome of this notice consultation is reported to the Cabinet for its decision.

Consultation

Responses to the initial consultation process

- 16 In carrying out the initial consultation process on the proposed enlargement letters were sent to education stakeholders . The consultation period was from 15 January 2010 to 26 February 2010.
- 17 Meetings for parents and carers and staff to discuss the proposal were held at Lyndhurst School on 3 February 2010. The meetings were attended by about 35 parents and carers and staff. They were generally in favour of the scheme for the expansion of the school, with some caveats about the impact of the proposals on the school building and the need for sensitive investment to ensure that the infrastructure is improved to meet the needs of a 2FE school, particularly the playground.
- 18 There were 25 responses to the initial consultation process. 21 in favour of the proposal (with some qualification) and 4 against. From the school community there were 11 responses in support of the proposal, 5 qualified, with queries about the impact of the proposal on the playground to ensure that new buildings do not encroach on play space, that there should be 3 smaller reception classes and that there should be a project manager in charge of the work. There were 10 responses in favour from other schools and education bodies, one qualified that this should be part of a borough wide strategy to ensure that other Southwark primary schools are not disadvantaged by the proposed change.
- 19 There were 4 responses against the proposed enlargement from the school. These were on the basis that the school playground and dining space is too small; that increasing the size of the school would mean that pupils would lose individual attention and that large classes would be difficult to control and the disruption would mean a loss in the sense of community.
- 20 Class sizes in the enlarged school would not necessarily be higher than at present, limited by law to 30 under the direction of one teacher in Key Stage 1. Although the Key Stage 2 classes are not restricted to 30 pupils by statute the class sizes are generally not larger elsewhere in the school, as provided by the funding formula. The increase in roll would be gradual, managed incrementally over a seven year period and the playground space is comparable to many other schools of the same size in Southwark.
- 21 It is proposed to enlarge the school from one and half to two forms of entry to take 60 pupils a year. The previous Executive agreed on 9 February 2010 to the use of resources from the £12 million DCSF capital allocation for additional places. It was proposed to allocate £5 million to fund a permanent extension to Lyndhurst to take the school to two forms of entry and phase out mixed age teaching. This investment would provide new and larger classrooms, a new kitchen and dining facility, an improved front entrance and deal with the lack of an adequate internal staircase. These changes would be sensitive to the school's footprint, particularly the playground, and would be managed effectively. The design of the accommodation would be sensitive to the school's needs as a larger 2FE school.

Responses to the statutory notice

- 22 There have been no responses to the publication of the statutory notice. This is probably as a result of the initial consultation and the assurances that the school will benefit from the investment in additional accommodation to house the increased number of pupils.

Community Impact Statement

- 23 The stated aim of the Council is to ensure all parents have a choice of good schools. Permanently enlarging Lyndhurst School will enable more pupils in Southwark to benefit from its improved and expanded buildings.

Resource implications

Capital

- 24 The then DCSF agreed the allocation of £12.063m in 2009-11 for providing permanent additional primary places in the borough. It was reported to the then Executive at their meeting in February that £5 million would be set aside to fund a permanent extension to Lyndhurst.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law and Governance

- 25 The Cabinet is being asked to agree to the permanent enlargement to Lyndhurst Primary School from one and a half to two forms of entry and to increase its admission number from 45 to 60 as of 1 September 2010.

Legislative Background

- 26 When considering the proposals outlined within the body of the document, the Cabinet should have regard to the Local Authority's general duties under the following legislation and ensure that the proposals are consistent so as to meet those duties, in particular, Section 14 of the Education Act 1996. This states that the council should consider whether it has sufficient schools, in number and character, to secure the education of all children's educational needs in the borough.

Factors to be taken into account by the Cabinet prior to implementation

- 27 The Cabinet must satisfy itself as to the adequacy of the Consultation. In doing so the Cabinet must be confident that the following issues have been fully considered:
- (a) Has all the information been provided?
 - (b) Did the published notices comply with the statutory requirements?
 - (c) Are the proposals linked or related to other published proposals?
 - (d) Were the responses to the proposals fully considered and clear responses provided with reasons?
- 28 It is clear from the report that there have been extensive consultations which includes putting the proposals to parents, carers and staff of Lyndhurst School. In addition, the four concerns raised were clearly addressed. These steps are in accordance with the provisions set out in the DfE Decision Makers' Guidance for expanding schools and is compliant with legislation.

Departmental Finance Manager

Revenue

- 29 The expansion of places for this school, as a bulge class, took effect from September 2009, and the school was funded for these additional places through the 2009-10 Dedicated Schools Grant.
- 30 Funding for the projected additional pupils in 2010-11 onwards, as for all pupils in schools, will be delivered through the ring-fenced Dedicated Schools Grant (DSG) and is based on the previous year's January School Census of actual pupil numbers. Therefore, the funding to the school for the 2010-11 financial year was based on the number of pupils on roll at the school in January 2010. This roll figure along with all the other pupils in the borough drives the final value of the DSG for Southwark. This will be the source of funds for the school for all future years.
- 31 The DSG value per pupil for 2011-12 is yet to be announced by central government, however the equivalent figure in 2010-11 was £6200. It must be remembered that this is not the amount actually paid per pupil to a school as the DSG funding has to fund, in addition to the schools' Individual School Budgets, other activities such as children with special educational needs, etc.
- 32 Therefore whilst this school is providing for additional pupils to the borough there are no negative revenue consequences of this proposal.

Capital

- 33 As set out above, funding for the capital works required to expand the number of places at Lyndhurst has already been identified from the £12.063M additional capital grant allocation provided by the then DCSF to meet increased demand for places in Southwark in the primary sector. This funding will be delivered in 2010-11, but tight conditions are to be imposed on the usage of these resources and it has been made clear that, in the event that any authority's pupil numbers in the January 2012 census fall short of the forecasts submitted for September 2011, the Department reserve the right to claw back where there has been undue over-funding. It is, therefore, important that additional places, including those at Lyndhurst, are delivered as a matter of urgency.
- 34 In its application form the Department explained that, if there is a *significant* variance between the authority's forecast and actual future pupil numbers then the Department reserve the right to claw back over-funding from future Council allocations. The current projections continue to forecast growth in the borough's primary school population. The 2010 projection based on a high number of 4 year olds requiring reception places and including the local planning margin anticipates that there will be growth in the area to the extent that there should not be a significant variance between the forecast numbers and the actual numbers of pupils at primary schools in the area. Notwithstanding this, less than half the £12 million capital allocation would have been applied for this project so, if the numbers did not materialise and the Department required a claw back, there would still be unapplied resources available.
- 35 The funding for the £5.0m expansion is, as follows: £4,875,000 from the additional places grant (total grant is £12.063m), £50,000 from the school's Devolved Formula Capital Grant and £75,000 from the DfE grant for kitchens and dining rooms.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
DfE Regulations and Guidelines	Tooley Street	Martin Wilcox 020 7525 5018

AUDIT TRAIL

Cabinet Member	Cabinet Member for Children's Services	
Lead Officer	Romi Bowen, Strategic Director of Children's Services	
Report Author	Martin Wilcox, Education Planning Officer	
Version	Final	
Dated	9/07/10	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law and Governance	Yes	Yes
Finance Director	Yes	Yes
Date final report sent to Constitutional/Community Council/Scrutiny Team		9 July 2010