

Item No.	Classification: Open	Date: 16 February 2012	Decision taker: Cabinet Member for Children's Services
Report title:		Cherry Garden Primary Special School - Consultation on enlargement from September 2014	
Ward(s) or groups affected:		Grange, Peckham	
From:		Strategic Director of Children's Services	

RECOMMENDATION

1. To agree to the consultation on the proposal to increase Cherry Garden Primary Special School in size from 45 to 66 places with effect from September 2014.

BACKGROUND INFORMATION

2. Cherry Garden Primary Special School deals with children with severe and complex learning difficulties, many with additional medical needs. The scheme would provide a new building capable of meeting the anticipated increase in demand for places from its existing size of 45 to a new higher number of 66, with much improved facilities.
3. The then Executive resolved on 29 September 2009 to progress initial consultation in regard to the enlargement of Cherry Garden primary special school, alongside the co-location of Cherry Garden on to the site of Gloucester primary school.
4. A further report was agreed by the then Leader of the Council (under Individual Decision Making powers) on 16 March 2010 to publish the notice on the basis of the responses to the informal consultation process. As Cherry Garden is to be relocated to part of the Gloucester primary school site the notice publication did not go ahead at that time because officers were reviewing the most appropriate actions required to rapidly improve Gloucester primary school, which was experiencing some difficulty.

KEY ISSUES FOR CONSIDERATION

Cherry Garden Special School

5. Cherry Garden is accommodated in a building in Mack's Road, SE16 which does not meet the current standards for this category of pupil, and cannot be expanded. It was therefore necessary to seek an alternative site.
6. The additional places are required to meet the current and anticipated demands from this client group of children. Many children are currently placed out of borough because of a lack of suitable places locally. It had been difficult to identify a suitable site for the new school, given the need for enlargement and the constraints of the available land in the borough.

7. The site identified for the new school building is adjacent to the Tuke Secondary Special School, which has been rebuilt and enlarged under the BSF programme, catering for the same client group. There would be many advantages in developing Cherry Garden on the Gloucester school site. These include the scope for greater integration with primary age pupils in Gloucester, along with the co-location of services with Gloucester primary school. In addition the proposed location between Gloucester and the new Tuke secondary special school would enable the two special schools, both of which cater for pupils with profound multiple learning difficulties (PMLD), to work together in supporting these pupils particularly at the age of transfer. There would also be other efficiencies in the use of resources, including scope for the rationalisation of bus routes with Tuke school students.

Issues emerging since the informal consultation

8. The initial consultation process on the Cherry Garden enlargement and relocation proposal from September 2013 carried out in the autumn of 2009 demonstrated widespread support from stakeholders.
9. The original proposal was based on the works taking place with Gloucester in occupation, with Cherry Garden to move only after the building works were complete in September 2013. The disruption to Gloucester may be more significant and therefore in order to minimise the impact of these works there will be some decanting into the space that will ultimately be occupied by Cherry Garden. This means that the programme of works is now for completion in September 2014, a year later than originally planned.
10. The initial consultation on the increase in Cherry Garden's size from September 2013 was carried out in the autumn of 2009. Under the regulations the statutory proposal should have been published within 12 months of the consultation i.e. by December 2010. This was not the case because of the need at that time to review the most appropriate actions to ensure the rapid school improvement at Gloucester primary school. There are now two brand new year groups in Cherry Garden, containing children whose parents were not originally consulted on the proposal. Therefore it is proposed that a revised consultation process on the school's expansion from September 2014 is carried out with the entire school constituency: governors, parents and teachers and also other local education stakeholders. This would be undertaken in spring 2012 with a view to reporting back by May 2012, publishing the required notice in June 2012 for six weeks and finally reporting the outcome of the statutory notice in September 2012.

Resource implications

11. The cost of the consultation will be met from existing council resources.
12. Since the approval of the original report, steps have been taken to move forward with detailed feasibility around the proposed building works. The Local Education Partnership (4Futures) has been commissioned, as it is the most economical route, to carry out the work.
13. The resources have been earmarked in the Children's Services capital programme to deliver the co-located scheme and detailed development will continue in tandem with this statutory consultation process.

Basis of scheme proposals

14. Services to date have been procured through The Local Education Partnership, 4 Futures. Subject to the procurement route selected, construction work is programmed to commence in early 2013 with a view to completing the special school element in time for a move over the summer of 2014 to start in September 2014. The building works to Gloucester would take place in parallel.

Community impact statement

15. This project has the potential to impact positively on the current and future needs of our residents, in particular children, young people and their parents and carers. It has the potential to be a key driver in delivering improved life chances for the most disadvantaged communities through regeneration and enhanced service provision.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

Legislative basis

16. The Local Authority has school reorganisation duties under the Education Act 1996 and the Education and Inspections Act 2006. The Local Authority is therefore enabled to consult on proposals to effect changes to schools in its area.
17. The Local Authority has a statutory duty under s.14 Education Act 1996 to ensure there is suitable special educational needs provision available in Southwark.
18. The IDM is asked to agree the publication of another consultation seeking views from stakeholders many of whom are new to the school, on the proposal to enlarge Cherry Garden Special School alongside its co-location on to the site of Gloucester primary school.
19. The IDM is enabled to agree the proposal to consult under Part 3D, paragraph 20 of the Council's Constitution.
20. The IDM is advised that consultation must be carried out in line with the duration and manner as set out in the statutory guidance "Expanding a Maintained Mainstream School by enlargement or adding a sixth form – A Guide for Local Authorities and Governing Bodies" updated 1 February 2010. The consultation should clearly and concisely set out the proposals and enable as many stakeholders as possible to comment on the proposals and should be delivered appropriately in consideration of the needs of the stakeholders.
21. Following stakeholder responses from this consultation, the Cabinet Member may be asked to agree to publish a statutory notice to effect the enlargement of the special school outlined in the proposal. The Cabinet Member will be advised of the relevant considerations contained within the relevant statutory guidance and in particular the guidance on Planning and Developing Special Educational Provision: A Guide for Local Authorities and Other Proposers.
22. In the event that the Cabinet Member is asked to publish statutory notices, the equality implications of an Equality Impact Assessment will be presented for consideration.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Cherry Garden Special and Gloucester Primary Schools: consultation on proposed changes (approved 29.9.2009)	Children's Services, 160 Tooley Street SE1 2QH	Martin Wilcox, 020 7525 5018

APPENDICES

No	Title
	None

AUDIT TRAIL

Lead Officer	Romi Bowen, Strategic Director of Children's Services	
Report Author	Martin Wilcox , Children's Services	
Version	Final	
Dated	16 February 2012	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	Yes	No
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team		16 February 2012