

Report to:	People Committee	Date:	10 October 2019
Report title:	Pupil Place Planning Update		
Report from:	Nick Ireland, Strategic Director of People Directorate		
Ward/Areas affected:	Borough Wide		
Chair of Committee/Lead Member:	Councillor Marian James		
Author(s)/Contact Number(s):	Kieran Holliday, Head of Pupil Based Commissioning, 020 8770 6553		
Corporate Plan Priorities:	<ul style="list-style-type: none"> ● Being Active Citizens ● Making Informed Choices ● Living Well Independently ● Keeping People Safe 		
Open/Exempt:	Open		
Signed:		Date:	26 September 2019

1. Summary

- 1.1. Children, young people and their families are at the centre of Sutton's ambition to ensure that its residents can make informed choices about their lives, to stay active, to live well independently and to stay safe. The London Borough of Sutton in partnership with schools from across the Borough, have a very strong track record in ensuring a sufficiency of school places in response to the changing demographics experienced in recent years.

2. Recommendations

- 2.1. To note the latest position on the 2019 planning round for reception and year 7 places across schools in the Borough.
- 2.2. To note the latest position on the expansion of Hackbridge Primary School.
- 2.3. To note the project completion report on the delivery of Harris Academy Sutton on the former hospital site in Belmont.
- 2.4. To note the latest position with respect to the DfE managed delivery of a new free school on the disused all weather pitch site at the Rosehill site.

3. Background

- 3.1. The Local Authority has a statutory duty to ensure there are sufficient school places in the Borough. This covers early years, primary, secondary and special school places. Since 2007, the Local Authority has delivered 20 primary school expansions (over 4,300 additional places), 10 secondary school expansions and a new secondary school (over 3,000 additional places) and expanded Sherwood Park onto a split site (72 additional special school places).
- 3.2. There have been a number of challenges in Sutton to overcome in the delivery of school places. Increases in demand for primary school places have been generally greater in Sutton than elsewhere. Between 2010 and 2019 the number of primary pupils in our schools has increased by 35% (in comparison to the London average of 24% and the national average of 21% 2017 DfE scorecard). At secondary level, Sutton is the highest importer of secondary age pupils compared to any other London Borough - about 35-40% of the total roll of our secondary schools are of pupils resident in another Borough (19% of Merton and 10% of Croydon resident secondary pupils attend a school in Sutton) - largely due to having a selective schools system, secondary schools located near to the Borough's borders and schools with faith based admissions criteria that recruit pupils from further afield.
- 3.3. Despite these challenges, place planning has been successful in the Borough to date. Data from the Government's 'basic need scorecard' (a dataset that compares place planning data for local authorities):
- The Borough's forecasts have proved accurate to date (three year primary forecast accuracy of 0.2% and at secondary 1.6%, in comparison to a London average of 4.7% and 3.6% respectively)
 - Over the last three years, on average about 93% of parents get a top three preference offer for primary reception place, (against a London average of 95%) and at secondary, 92% of parents get a top three offer against a London average of 88%.
 - Sutton's schools are generally good and popular schools - 96% of schools are 'Good' or 'Outstanding'
 - Sutton also has the lowest unfilled capacity in both the primary and secondary sector than any other London Borough. Whilst low capacity can carry risk, it is evidence of an efficient system and, given that schools are only funded for the pupils they have on roll, ensures the financial viability of schools.
- 3.4. Whilst Local Authorities have kept the overall responsibility for ensuring a sufficiency of good quality school places, the context in which Local Authorities plan school provision has changed significantly over the last 5-10 years and Local Authorities (LA) now have far less control over the process. For example:
- Government policy is that all new schools should be an Academy/Free schools. Local Authorities cannot open LA maintained provision.

- The majority of schools now control and set their own admissions criteria (e.g. academies, Free schools, voluntary aided schools, foundation schools) which dictates how many pupils are admitted to schools and on what basis.
- Much of schools capital delivery is now centralised in central rather than local government. Local Authorities therefore have the duty to provide sufficient places, but do not necessarily have all the levers to deliver on that duty.
- The role is increasingly one of collaboration and influence rather than direct control.

3.5. It is in this context that we must consider place planning in the Borough. Whilst place planning can be very challenging in this context it should be noted that schools in Sutton have worked effectively and constructively with the Local Authority throughout the expansion programme to date.

4. Issues

4.1. 2019 Place Planning Round - At the March 2019 People Committee, officers updated the Committee on the applications for reception places for primary schools in the Borough as well as the outcomes on national offer day for secondary school applications for the forthcoming academic year. Since that report, primary national offer day passed on 16 April 2019 with 96 per cent of children being offered a place at a preferred school. 84 per cent of the total number of Sutton's applicants - or 2,290 children - secured a place at their first preference school. There were no reception age pupils that were not offered a reception place at a primary school on national offer day this year. At secondary level, there were 52 pupils that were not offered a year 7 place on national offer day.

4.2. There were no actions required to create additional places for primary school places for September 2019. With respect to secondary school places, in order to meet the demand for year 7 places, additional permanent places were created at the following schools by 'over offering' above their published admissions numbers. The Local Authority is grateful to these schools for providing the additional places to meet the demand in the local area:

- Carshalton Boys Sports College - 30 places
- Carshalton Girls High School - 12 places
- Cheam High School - 10 places
- Harris Academy Sutton - 53 places

4.3. As of 24 September 2019 the latest position on the number of reception and year 7 vacancies was the following:

Reception - 70 (2.7% - total available places 2602)

Year 7 - 21 (0.6% - total available places 3425)

4.4. Based on the Council's latest projections, officers are not expecting to require any further primary school places in the Borough in the shorter to medium term, indeed the trend is that primary applications are likely to reduce overall in the Borough over the next few years - though there may still be some localised areas of pressure in our central primary planning area. With

respect to Year 7 places it is likely that there will be additional pressure on places again for September 2020. Based on the latest school census data, the number of pupils in the current year 6 cohort in Sutton's primary schools (looking for a Year 7 place in 2020) is 125 pupils more than it was the previous year (those applying for a Year 7 place for September 2019). Given that 105 additional places were offered at secondary schools last year, all things being equal, it is likely that 6-8 additional forms of entry will need to be found for September 2020.

- 4.5. Update on Hackbridge Primary School - at the People Committee on 14 March 2019, Officers updated members on the following; (i) the poor performance of the contractor working on the project (Lakehouse), (ii) that a contract termination notice had been issued in January 2019, (iii) that a 'Letter of Intent' (LOI) had been signed with Willmott Dixon Construction Ltd for securing and enabling works on site (e.g. securing the site, taking on or replacing the site accommodation / set up, conducting surveys and air tests as required to ascertain the condition of the works) and (iv) negotiations were underway with Willmott Dixon on a contract sum to complete the works and that an urgency report would be required to authorise the decision in order to get works underway as quickly as possible.
- 4.6. Following detailed negotiations with Willmott Dixon a contract sum for the remaining works was agreed via an urgency report (£5,401,314 plus 3.5% contingency - including the enabling works noted above) in May 2019.
- 4.7. Works commenced on site in May and have progressed well to date, following a period of prolonged heavy rainfall the below ground sprinkler tank room was severely flooded which has delayed the project by a further two weeks, however the project is expected to complete on 30 October 2019.
- 4.8. Harris Academy Sutton Project Completion - the project for the new school has been successfully delivered within the expected timeframe and budget. Practical Completion was achieved on 29 July 2019, with a handover meeting which included the Education Funding Agency (EFA) and Harris Federation. Harris completed the fit out of the building over the summer holiday period, while Willmott Dixon continued to commission the building systems. Construction has been to a high standard and full Passivhaus certification is anticipated by Spring 2020, confirming that large buildings can be designed to achieve exceptionally low energy consumption together with excellent indoor air quality. The built design has demonstrably reconciled the council's brief for a 'Gateway building' to the LCH, will be the first passivhaus secondary school in the country while having a low impact on the local setting.
- 4.9. Year 7 and 8 pupils moved into the buildings in early September 2019, and an official opening event has been organised for 8 October 2019. A project completion report is included in Appendix A which marks the final update that officers are expecting to provide to committee on this project.
- 4.10. Proposed new secondary school - Greenshaw Learning Trust (GLT), as previously reported to the Committee, has proposed to open an 8 form entry secondary school and 56 place special school on the Rosehill site. The project is led by the Department for Education (DfE) and Education Funding Agency (EFA) as part of the central free schools programme. The DfE's

appointed contractor, Wates, is the applicant. Following the completion of the lease a planning application was submitted to the Local Planning Authority (LPA) in early June, following the completion of lease arrangements earlier in the year.

- 4.11. Alongside this process, and given the expected demand for places, the Council has identified 3 Robin Hood Lane (the former SCILL building) as a site that would be capable of supporting secondary education such that Greenshaw Learning Trust would be able to open the new school in temporary accommodation for up to 2 years (or until the main buildings are constructed - whichever is sooner). This would require remodelling the existing building to create fit for purpose accommodation in Year 1 with additional temporary buildings created to the rear of the site in Year 2. Officers submitted a planning application for the temporary school on 19 August 2019.
- 4.12. The Planning Committee considered the DfE's planning application for a permanent school on the Rosehill site on 10 September 2019. There was a case officer report recommending refusal which was approved by the Committee through a majority vote. The applicant (DfE/Wates) will now need to decide whether they wish to amend their plans and resubmit, to appeal the committee's decision or to withdraw the application altogether. In any of these scenarios, the DfE and GLT have confirmed that they will not open the school temporarily in September 2020 at the Robin Hood Lane site. This is a decision for the DfE/GLT and not the LA despite the LA having the statutory responsibility to ensure sufficient school places.

5. Options Considered

- 5.1. Having identified the Rosehill site, allocated the site in the Local Plan, de-designated the site from Metropolitan Open Land and having planned a temporary school site to allow the DfE sufficient time to build the new school, there are limited options available to the Council at this point given that the project is being led by the DfE and it is for them to respond to the decision by the LPA to respond to the decision to refuse the application. Given that the temporary school will not open, officers will need to identify 6-8 forms of entry (180-240 places) within the existing school estate. This is not expected to be straightforward. Officers are in the process of discussing options with secondary schools and will provide an update at the next People committee. It should be noted that the Local Authority is not in a position to force schools to admit additional pupils beyond their existing Published Admission Numbers.
- 5.2. Officers are not expecting to withdraw the temporary school application, which is likely to be considered at the end of October / early November. This is because any permission would last for three years (and therefore may be used in future years). For obvious reasons the Council will not undertake any tender activity until it is clear from the DfE that the temporary school can open.

6. Impact and Implications

Financial – Capital

- 6.1. Confirmed funding to support the schools' expansion programme totals £175.2m. Total committed expenditure on school expansions stands at £171.9m. This breaks down as Primary Expansions of £80.57m, SEN projects of £9.96m, and Secondary Expansions of £81.36m (Phase 1 & 2 projects totalling £28.4m and £52.96m for the new Harris Academy).
- 6.2. The table below shows the revised cashflow position for the overall school expansion programme, which now shows a surplus of just over £3.3m.

	actual to end 2018-19	2019-20	2020-21	Total
	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>	<i>£'000</i>
Spend	149,964	19,316	2,620	171,900
Funding	-161,879	-12,340	-995	-175,214
Funding (surplus)/gap	- 11,915	6,976	1,625	- 3,314
Cumulative (surplus)/gap	- 11,915	- 4,939	- 3,314	

- 6.3. It should be noted that of the £3.3m surplus funding, £1.985m is uncommitted Special Provision Fund grant. This funding is primarily intended to develop provision for pupils with more complex special educational needs in mainstream and/or special schools. The intention is for this to be committed once the High Needs review is completed. The balance of £1.3m remains to support any further mainstream expansion plans.

Financial – Revenue

- 6.4. All mainstream schools are funded from the Schools block of the Dedicated Schools Grant (DSG). Sutton's Schools block allocation for 2019/20, based on October 2018 census data, is £153.252m. There is an additional 195 funded places at Harris Academy Sutton, from September 2019, included in Sutton's 2019/20 local funding formula. However, due to lagged funding this has not been included in the LA's DSG allocation for 2019/20, which has created a circa £600k pressure.
- 6.5. Growth funding is within the local authority's schools block allocation. The growth fund can only be used to:
- support growth in pre-16 pupil numbers to meet basic need
 - support additional classes needed to meet the infant class size regulation
 - meet the costs of new schools
- 6.6. Local authorities are responsible for funding these growth needs for all schools in their area, for new and existing maintained schools and academies.
- 6.7. The costs of an additional class includes lead-in costs, for example, to provide a teacher, a classroom assistant, if deemed necessary and any set-up costs to meet the need of those pupils

allocated to the school by the LA. The Schools Forum decides on the level and criteria for allocating growth funding. The current growth criteria for 2019/20 for additional classes provides both primary and secondary schools with an additional £51k per annum for the first year and £25.5k in year 2 for all schools and academies with part classes funded pro-rata; based on a class number of 30 pupils.

Legal

- 6.8. The council has a duty under section 14 of the Education Act 1996 to secure that sufficient schools are available for its area to provide the opportunity of appropriate education for all pupils. It must exercise this function with a view to securing diversity in the provision of schools, and increasing opportunities for parental choice.
- 6.9. There is a statutory presumption that new publicly-funded schools should be academies. The DfE has confirmed that all new provision academies are now classified as “free schools”. Such schools may be established following the publication of a notice by the local authority under section 6A of the Education and Inspections Act 2006, or through the DfE’s free school programme. If the council thinks that a new school needs to be established in its area, it must seek proposals for the establishment of an academy (free school) and specify a date by which proposals must be submitted. However, in considering the need for a new school, the council can take account of any other free school projects that the DfE has approved and are due to open.
- 6.10. Where proposals are invited under section 6A, the council would be responsible for providing the site for the new school and meeting all associated capital costs. The capital cost of free schools established under the DfE’s free school programme are funded by the DfE through the EFA.

7. Appendices and Background Documents

Appendix letter	Title
A	Harris Academy Sutton Project Completion Report

Background documents
None

Audit Trail		
Version	Final	25 September 2019
Consultation with other officers		
Finance	Yes	Sue Holmes
Legal	Yes	Sarah Willis
Equality Impact Assessment	No	N/A