

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 14<sup>th</sup> April 2014

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**WARD(S):** All

**PORTFOLIO:** Councillor Pavitar Kaur Mann – Commissioner for Education and Children

### **PART I** **KEY DECISION**

#### **ARRANGEMENTS FOR NEW FREE SCHOOLS**

##### **1 Purpose of Report**

To seek approval to fund specific school facilities and approval to delegate authority to enable an agreement to be concluded to facilitate the delivery of Free Schools and associated facilities within the Borough.

##### **2 Recommendation(s)/Proposed Action**

Cabinet is requested to resolve:

- (a) That £300,000 of grant funding (Basic Needs Grant) is allocated to fund construction of a new 27 place Special Education Needs resource unit within the SASH Free School; and
- (b) That in principle agreement is given to grant fund (Basic Needs Grant) a contribution to an all weather pitch at Langley Academy on condition that the value for money of the education and community use benefits can be demonstrated and to delegate to the Chief Executive agreement of the amount following consultation with the Leader and Cabinet member
- (c) That the Chief Executive following consultation with the Leader of the Council and Cabinet member is given delegated authority to enter into an agreement and or facilitate discussions to deliver approved secondary Free Schools and associated facilities in Slough.

##### **3 Slough Wellbeing Strategy Priorities**

Priorities:

- Economy and Skills – the delivery of school places for Slough residents will support delivery of skills and qualifications to young people in Slough and improve their life chances. However some uses of land may have greater value to the town's economy if used for purposes other than education.
- Health and Wellbeing – the delivery of well-designed schools with adequate outdoor space will provide an opportunity for young people to live active

lifestyles and contribute to improved fitness and the reduction of childhood obesity and other health risks.

- Regeneration and Environment – using land to deliver school places may have regeneration value and may deliver environmental improvements or damage, e.g. through increased traffic levels. Other uses may have higher regeneration value and different environmental consequences.
- Housing – there is an acute shortage of developable land in the borough and a high pressure for both housing and education land. Decisions on use of land must balance the two needs as well as other needs for community facilities.

#### **4 Joint Strategic Needs Assessment (JSNA)**

- 4.1 Slough's School Places Strategy will support the JSNA by ensuring sufficient school places are available for all resident children. Free Schools are part of the range of solutions being considered by Slough for providing the new places required to 2022.
- 4.2 The number of children with Statements of Educational Need (SEN) requiring specialist resourced provision and special school places is rising slightly faster than the general population. Adding an SEN unit for secondary pupils at the SASH school will create the first of a number of new units that will be required to meet the rising demand.
- 4.3 An all weather pitch accessible to the community will increase the amount of sport able to be played on the school grounds and increase the opportunity for community sports activity out of school hours.

#### **5 Other Implications**

##### **(a) Financial**

- 5.1 Delivery of Slough's School Places Strategy will be dependent on:
- Effective use of the Basic Needs grant and other education funds available;
  - Support to government funded Free Schools where meeting the needs of Slough. Free Schools are externally funded and can be seen as additional investment in the borough. New Free Schools delay the need for the Council to initiate new capital projects and this reduces the capital commitment of the Council.
- 5.2 The Council is also responsible for securing best value from its assets and sources of funding. The Council must balance educational and other community benefits from use of land.
- 5.3 Funding for school places is in a relatively healthy position mainly due to the provision of DfE funded Free Schools. Slough is allocated funding by the DfE annually based on the locally projected shortfall of places. Slough has been allocated £38m for the 4 year period 2013-14 to 2016-17. Latest financial planning suggests that at the end of the current settlement period, to 2016-17, there will be carry forward of £26.5m, although predicted demand beyond that date will outstrip the funds available. At this point Slough would expect to receive a new allocation for 2017-18 and later years. These figures are based on the assumption that no new Free Schools are approved in the interim period and the Council funds all required new school places.

5.4 The proposals are to use £300k to fund SEN places in the SASH Secondary Free School and to make a contribution to the cost of an all weather pitch at Langley Academy. These are comfortably within the funding available to the Council, comply with the Council's strategy of using Basic Needs Grant to complement Free School proposals and to enhance education provision, and subject to agreeing a suitable contribution which reflects the educational and community value generated on the Langley Academy site, represent good value for money.

(b) Risk Management

5.5

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal  Challenges from government and specific interest groups to overall strategy	Ensuring sound basis to strategy	Delivery of a coherent, comprehensive strategy will set the context for the long term
Property  Challenges from landowners  Planning challenges  Provisional sites not suitable	Negotiation (and possible CPO)  Sound holistic planning case to demonstrate that sites are best suited  Sound initial consideration avoiding wasted effort	Use of schools on some sites may support regeneration of the area
Human Rights  Challenges from specific interest groups	Sound basis to strategy  Appropriate consideration and consultation	
Health and Safety  Traffic risks	Avoiding sites which present high risks  Sound transport planning	
Employment Issues		
Equalities Issues  Challenges	Ensure needs of all parts of community are considered and balanced in the strategy	
Community Support  Risk of objection	Consult as appropriate  Communicate scale of the problem and benefits	
Communications	Effective communication plan	Improving understanding of the constraints under which the Council operates
Community Safety		

Financial Inability to resource need	Use available funding streams and delivery models  Realistic scheme proposals	Supporting appropriate Free School promoters to target resources
Timetable for delivery Obstacles and delays	Effective project plan linked to projected need  Resourcing of project team	
Project Capacity Inability to develop and deliver a comprehensive programme	Resourcing of project team matching manageable programme	
Other		

(c) Human Rights Act and Other Legal Implications

- 5.6 There are no Human Rights Act Implications of the proposed action. The Council will be required to follow its governance requirements in any decision making that has implications for the Council or any assets it holds or has an interest in.

(d) Equalities Impact Assessment

- 5.7 The proposals have a positive impact since they enable an increase in the number of school places across the borough, improving access and choice for all. They specifically increase access to SEN education and increase access to SEN education in a mainstream setting. They also increase community access to sports provision.

## 6 Supporting Information

- 6.1 The pressures of population expansion on school places have been reported to Education and Children's Scrutiny. A strategy to deliver predicted expansion has been developed which takes account of the Council's obligations to secure school places for all Slough children and the considerable land use pressures in the borough which mean that the opportunities for councils to deliver school places are limited.
- 6.2 The overwhelming priority of a school places strategy is to continue to deliver high quality and improving education to the young people of the borough. The principles of the strategy are to:
- Prioritise expansion or delivery of schools to maximise the benefit to Slough residents;
  - Support expansion of selective schools only where the expansion will not add to the imbalance between selective and non-selective places;
  - Allow for adequate playing fields on or very easily accessible to the site. The strategy recognises the high levels of child obesity and poor levels of physical activity in Slough;
  - Maximise the available sources of funding or schemes for delivery;

- Be part of a holistic plan for future developments in the borough;
- Recognise that land use pressures must result in provision being made outside the borough;
- Be sufficiently flexible to respond to acceleration or deceleration in demand.

- 6.3 In addition officers are currently developing the Additional Needs Strategy to understand and map requirements for specialist provision over the next 8 years. The first part of the delivery of this strategy was to open 6 new SEN units in 2013/14, this included 2 within nurseries, 3 within primary schools and 1 within a secondary school. It is clear that a large growth in provision is required to match the equivalent growth in the school population.
- 6.4 An approach to delivery has been developed which seeks to take advantage of the Government's Free Schools programme for the delivery of new schools and to work with heads and governors of existing schools to secure expansion. The principal route to deliver school expansion is via the Basic Needs Grant, a central fund to which councils can bid on the basis of forecasted need.
- 6.5 Proposals to deliver expansion on existing school sites are subject to the agreement of headteachers and governors who have their own pressures and concerns about scalability, manageability and over-development. Slough's ability to influence development on existing school sites is increasingly limited. As more Slough schools become academies they have autonomy over the future use of their land and buildings and expansion, whilst always a process of negotiation, may become less easy to secure on existing sites.
- 6.6 In this context, the Council has an opportunity to enable delivery of the SASH Secondary Free School including an SEN unit and to enhance provision on the Langley Academy site by contributing to an all weather pitch.
- 6.7 **SASH Free School** - The expected cost of the new school is at least £14m with the full cost of the mainstream project being borne by the DfE. The proposal includes provision of a new 27 place SEN unit which will cater for pupils with complex needs including autism. The Department has not funded the SEN units and has asked the Council to close the funding gap.
- 6.8 The DfE have requested a funding contribution of £300K giving a cost of just over £11K per pupil place. The average capital cost of the four stand alone units created in Slough schools in 2013 was £20K per pupil place. Three of these units were for nursery or infant pupils and would have had considerably lower space requirements than secondary age pupils. The one secondary unit that opened cost just under £26K per place. Therefore although the exact basis of the calculation for the DfE's cost is not known, when compared to recent projects carried out by Slough for similar schemes, the figure represents good value for money.
- 6.9 The proposal also enables a revenue saving. If Slough does not increase capacity for statemented pupils, then pupils will need to be placed out of borough. The table below compares the revenue cost of placing pupils in Slough schools and out of borough. The costs below are for one year only, it should be noted that once a pupil is placed out of borough it is likely they will remain out of borough for the full period of their schooling.

	<b>Funded by DSG</b>	<b>Funded directly by LA</b>
	<b>Placement cost per annum</b>	<b>Average transport cost per annum</b>
Out-of-Borough placement	£60-£100K	£12K
Placement in a Slough school	£32K	£4K

- 6.10 **Langley Academy** has requested funding towards an all weather pitch to enable them to enhance educational provision on site.
- 6.11 The Department will not fund enhancements to sports provision and, if progressed, this will need to be funded locally. At this stage no cost has been identified and will be dependent on the size, quality and other facilities required. Officers have already agreed with the school in principle that an all weather pitch can be made available for community use outside school hours and this will complement the Council's existing and planned MUGA and other outdoor provision. Officers are in discussion with the Department for their view of appropriate quality. Any proposal will be subject to achieving planning permission.
- 6.12 Taking the educational and community benefits into account, Members are asked to approve the principle of making a contribution to all weather provision on condition that the pitch is dedicated to community use outside school hours and that value for money of the education and community benefit can be demonstrated, giving an indicative limit and some flexibility. Members are further asked to delegate conclusion of any agreement to the Chief Executive following consultation with the Leader and the Commissioner for Education and Children.
- 6.13 In addition to the matters described above there are a number of discussions ongoing between officers and the DfE around delivery of Free Schools in and around Slough. One of the main areas of discussion involves sites. Both parties understand how important it is that they work together to ensure pupils have the right schools in the right places at the right time. Identifying and securing sites is difficult for the reasons given earlier but it is hoped that progress will be made on a number of sites in the near future. To facilitate the swift conclusion of these discussions it is proposed to delegate conclusion of any agreement to the Chief Executive following consultation with the Leader and the Commissioner for Education and Children.

## 7 **Comments of Other Committees**

This report has not been considered by any other committees.

## 8 **Conclusion**

- 8.1 Securing sufficient primary, secondary and SEN places for Slough in the face of rapidly rising pupil numbers and severe constraints on land use is a major challenge for the Council. It is essential that opportunities are taken where possible to facilitate delivery in partnership with existing schools and the Department for Education. After lengthy negotiations the Council has opportunities to move forward at relatively low cost. The willingness of the SASH promoters to include a large SEN Unit is an opportunity for the borough to create a new purpose built unit at good capital and revenue value. The opportunity to secure educational benefit and access to an all weather space for community use is considerable.

8.2 These proposals are consistent with the Council's strategy, particularly the principles of maximising sources of funding, ensuring adequacy of playing fields and working with school authorities. Officers will work to ensure that Slough residents can access the places provided.

8.3 Members are asked to approve the funding proposals.

9 **Appendices Attached**

None

10 **Background Papers**

'1' - Report to Education and Children's Services Scrutiny Panel on 5<sup>th</sup> December 2013