

## **SLOUGH BOROUGH COUNCIL**

**REPORT TO:** Cabinet **DATE:** 11 April 2016

**CONTACT OFFICER:** Ruth Bagley, Chief Executive  
Tony Madden, Principal Asset Manager

**(For all enquiries)** (01753) 87 5017/ 87 5739

**WARD(S):** All

**PORTFOLIO:** Leader of the Council - Cllr Anderson  
Education & Children - Cllr Mann

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

#### **SPECIAL EDUCATION NEEDS (SEN) AND PUPIL REFERRAL UNIT (PRU)** **EXPANSION NEEDS AND PROPOSAL**

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

To describe the present and future demands for SEN and PRU places, to outline potential options for addressing those pressures and to consider the use of the Thomas Grey and Milan Centre to support the SEN and PRU expansion programme.

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

- 1 The Cabinet is requested to:
  - a. Agree the former Milan Centre building be disposed to Littledown School under a standard Academy 125 lease to create at least 15 new SEN places.
  - b. Subject to (a) delegate authority to agree the final valuation sum to the Assistant Director, Assets Infrastructure & Regeneration in consultation with the Leader, the Commissioner for Education & Children and the Council's section 151 officer
  - c. Agree the Thomas Grey Centre be leased to Haybrook College to create additional capacity from September 2016 at a cost of £35K per annum for 3 years until a permanent solution is built;
  - d. Agree to fund the former Milan Centre purchase by Littledown, the conversion and refurbishment works in the Thomas Grey Centre buildings using Basic Need grant funding.

##### **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

- 2 The proposed use of the Thomas Grey buildings to support the expansion of SEN and PRU provision represents an opportunity to provide additional places in a relatively short period and will mean fewer pupils are placed out of borough.

### 3 Wellbeing 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 – 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 environment improvements or damage e.g. through increased traffic levels. Other uses may have higher regeneration value and different environment 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 the use of land must balance the two needs as well as other needs for community services.

### 4 Five Year Plan Outcomes

- Children and young people in Slough will be healthy, resilient and have positive life chances – the delivery of sufficient school places in an appropriate mix for local children and young people will offer the opportunity for educational attainment and positive life chances.
- The Council's income and the value of its assets will be maximised. Selective use of council land, expansions on existing school land and identification of sites inside and outside the borough will ensure a balanced use of the available land and maximise community benefit. A balanced use of council grant and free school opportunities will maximise the funding available.

### **Other Implications**

#### 5 Financial

5.1 The Financial implications are set out in full in paragraphs 13 to 14. In summary the proposal to expand PRU and SEN places in the borough will reduce the placement and transport costs of unnecessary out of borough placements avoiding a potential revenue burden.

5.2 The cost of these proposals for refurbishment of existing buildings is currently estimated as £850k which represents good value for money in contrast to options of new build, site acquisition etc and can be funded from the Council's current capital allocation for SEN and PRU expansion.

5.3 The Council General Fund will also benefit from the purchase of part of the Thomas Grey site being acquired for Littledown School from Basic Need Grant.

#### 6 Risk Management

6.1 Key risks are set out in the table below.

<b>Risk</b>	<b>Mitigating action</b>	<b>Opportunities</b>
Legal  Challenge from parents of statemented pupils who do not obtain a suitable place.	Agree, publish and deliver a comprehensive strategy for expanding provision.	Delivery of a coherent, comprehensive strategy will set the context for the long term.
Property – Once a site is used by a school it will need release by the Secretary of State for alternative use.	Avoid use of more valuable sites where housing developments are possible.  Use creation of new school sites to seek DfE in-principle approval to release other sites via an exchange or commitment to future release where temporary use is proposed.	
Property – Lack of sites may mean that schools are not ready when required.	Expand existing schools wherever possible to avoid delays with planning new schools and identifying or acquiring sites.	Expanding existing schools reduces the scale of new build required and reduces capital requirements.
Planning challenges.	Sound holistic planning case to demonstrate that sites are best suited.	
Equalities Issues.  Challenges from special interest groups.	Ensure needs of all parts of community are considered and balanced in the strategy.  Appropriate consultation and consideration.	
Equalities Issues – Rise in demand for SEN provision exceeds the availability of places leading to possible challenge and costly replacements outside of the borough.	Combination of expansion and new SEN specialist units required.  Expansion programme agreed via Heads' Groups.	Potential for inclusion of SEN resource bases within new Free Schools.
Financial – Over £150m will be required to fund the full school expansion programme to 2022.	Basic Need funding for new places has been confirmed to 2017-18.  Free Schools are currently externally funded; a number are already agreed with further applications in the pipeline.  Annual capital bids submitted to DfE.	Section 106 contributions where relevant.  Other external capital funding streams such as the Priority School Building Programme (PSBP).
Financial – SEN place funding controlled centrally by EFA, places not viable without adequate revenue funding.	Place planning agreed well in advance and appropriate funding applications submitted annually to the EFA.	

Health and Safety  Traffic risks.	Avoiding sites which present high risks.  Sound transport planning.	Promoting green travel plans.
Communications and community support.	Effective communication plan.	Improving understanding of the constraints under which the Council operates.
Timetable for delivery – projects delivered later than required for pupils, or not delivered as planned as schools choose not to cooperate or do not have the capacity to expand.	Forward planning. From approval, large projects are likely to take at least 24 months to complete and open places to pupils.  Projects need to start in good time with the possible risk that this provides some short-term overprovision.  Work closely with schools and heads' groups to ensure buy-in.  Allocate adequate funding for projects.	
Project capacity – Insufficient capacity to deliver such a large expansion programme.	Dedicated project support in place.	

## 7 Human Rights Act and Other Legal Implications

7.1 The Education Act 1996 requires local authorities to ensure that efficient primary, secondary and further education is available to meet the needs of their population; ensure that their education functions are exercised with a view to promoting high standards ensuring fair access to opportunity for education and learning, and promote the fulfilment of learning potential; and secure that sufficient schools for providing primary and secondary education are available for their area.

## 8 Equalities Impact Assessment

8.1 An Equalities Impact Assessment has been carried out for Slough's strategic approach to school place planning; it does not suggest that any changes are required. The positive impacts identified include:

- All Slough children (including new arrivals which comprise a high percentage of BME families) obtaining a school place with a variety of admissions choices/options available
- All new places being highly disabled accessible and
- SEN places expanding

8.2 There may be a negative impact caused by:

- Free schools opening with selective admissions policies and
- Opening non-selective places which would shrink the percentage of selective places (whether by ability or by faith, gender etc.) as a percentage of the total places.

8.3 Both these negative impacts are an acceptable consequence of increasing provision and choice.

## 9 Land and Property Implications

9.1 See section 11 below.

## 10 Carbon Emissions and Energy Costs

10.1 The transfer of the former Milan Centre and lease of the Thomas Grey will support the following aims of the Carbon Management Plan 2015-2020:

- Reducing CO<sup>2</sup> emissions: Investment can be made to improve energy efficiency.
- Saving revenue costs on energy consumption: Costs would be transferred to schools.

## 11 Background

11.1 The term SEN describes a wide variety of needs which require a variety of solutions and the borough currently delivers places through:

- Mainstream schooling
- Dedicated Resource Units based in schools
- PRU schools both including SEN places at Haybrook (secondary) and Littledown (primary)
- A dedicated special school – Arbour Vale
- Out of borough placements.

11.2 There is an existing shortfall of some SEN places for the Borough's school population currently being met by over-occupation of existing capacity and the use of out of borough placements which tend to have a higher unit cost and incur travel costs.

11.3 At its meeting of 22 June 2015 Cabinet endorsed the Council's approach on school place planning. In doing so, Cabinet noted the draft programme for the expansion of SEN and PRU places to meet the forecast increase in demand to 2022. The current forecast and programme as recommended by the SEN Schools Organisation Group is attached as Appendix A.

11.4 Current forecasts show a growth in demand of 278 SEN and PRU places by 2022 creating a further place and financial pressure. These figures are of anticipated volumes linked to population projections and are believed to be sufficiently accurate for planning purposes. More work is planned to refine these estimates and to plan specialist provision for different types of SEN.

11.5 The summary estimates are as follows:

- Resource Units of 50 places in total across primary and secondary phases
- 90 high needs places
- 140 new places similar to those at Haybrook and Littledown including modest primary expansion to c 2024/25

- Modest local assessment capacity.

11.6 Slough has a statutory duty to ensure full time education for pupils who have missed school for more than 15 days.

11.7 Littledown is Slough's only SEN primary school and is the only facility that can cater for SEN pupils with more extreme needs where Arbour Vale is not a suitable placement. The school currently provides places for 42 pupils across these two functions. The School is already full and has no spare capacity. Four additional pupils are due to start from September 2016 and other pupils could be subject to the creation of some expansion space. The total need is estimated as up to 40 places over the next five years.

11.8 Haybrook College is the secondary equivalent school to Littledown School. The college provides both special school and PRU provision and runs a number of different facilities on a number of different sites. The estimated growth for Haybrook College is 100 additional places over the next six years. In the short term there is a requirement for additional PRU places in Key Stage 4 (Year groups 9, 10 and 11) as all places are currently full. In addition the Wexham Park School Room is part of Haybrook College and is shortly to lose the accommodation provided at the Hospital.

11.9 To address these pressures solutions being explored fall into three principal categories:

- Support mainstream and Resource Unit places in a planned way and as the opportunity arises
- Address the current shortfall and the next two years' pressure as soon as possible by considering a range of sites
- Plan towards long term solutions for a new special school or annex and secondary PRU expansion.

Options are being developed to meet this demand. The aim is to bring back a report to Cabinet in June/July 2016 on Haybrook – secondary PRU expansion and other long term projects.

11.10 To address the current shortfall a range of options has been explored using the following criteria:

- Feasibility, size, suitability of buildings
- Availability
- Existing education status and constraints
- Deliverability within the timescale
- Ease of management, e.g. proximity to related uses
- Costs – capital and revenue.

11.11 The following table summarises the options and illustrates why use of the Thomas Grey buildings was identified as the preferred option for further consideration.

Building	Pro and Cons	Comment
Weekes Drive Community Centre	Approximately 460m <sup>2</sup> and would not meet requirements. Currently available. Exploring long term booking with nursery provider.	Too small
Upton Lea Community Centre	Used by a range of community groups including Milan Group recently moved from the Milan Centre.	Not currently available
Maria Cowland	Approx. 250m <sup>2</sup> , Currently leased to Age Concern who are vacating 1 <sup>st</sup> December. Will be demolished shortly thereafter.	Too small
Chalvey Pavilion	2 rooms and kitchen - too small to consider.	Too small
323 High Street	Already occupied by Haybrook for a different cohort of pupils. A longer lease under consideration.	Unavailable
Haymill College site	The site is large enough and available. Housing is the preferred future use.	Housing the preferred use
Thomas Grey Centre	The site is available, is the right size and is already used for educational purposes. Using the site for SEN would reduce or eliminate the scope for housing.	Available and correct size

11.12 The proposal is to dispose of that part of the Thomas Grey buildings formerly occupied by the Milan Centre to Littledown School on a 125 year Academy lease and to lease the remainder of the Thomas Grey building to Haybrook College for three years pending a suitable long term solution being implemented.

11.13 The Thomas Grey buildings are a single storey Council-owned asset located at Queens Road. Historically the building's use has been partitioned by a locked internal door to provide separate services. The Council-occupied areas will become vacant later this year to coincide with the opening of the Curve. However, opportunities for alternative use of the remainder of the site are constrained by the reserved rights under the academies legislation for Littledown to the hall, access and parking written into their existing 125 year lease and by the utility supply and configuration. On this basis, expanding educational use within this asset is a logical way forward.

11.14 This option was considered against the criteria as follows:

<b>Rationale</b>	<b>Lease of Thomas Grey to Haybrook by 3 year lease</b>	<b>Disposal of Part of site to Littledown by 125 year lease</b>
<b>Deliverability</b>	No issues identified.	The former Milan Centre space can easily be incorporated into Littledown

		site with some reconfiguration.
<b>Availability</b>	<p>Available immediately, providing quickest solution.</p> <p>Can provide additional capacity for KS 4 from September 2016 including replacement for Wexham Park School Room (est 30 places).</p>	<p>Building available from March 2016.</p> <p>Can provide sufficient additional capacity from September 2016 for 15 possibly 20 pupils.</p>
<b>Constraints</b>	<p>Could be a future s77 issue if designated for school use – will need to negotiate with DFE.</p> <p>May require planning permission/change of use.</p> <p>Current on site parking is limited.</p> <p>Close proximity of older PRU pupils may be an issue for behaviour of younger Littledown pupils.</p>	<p>Already partly leased to Littledown, therefore any other use would be compromised.</p> <p>May require planning permission/change of use.</p> <p>Current on site parking is limited.</p> <p>Littledown pupils are some of the most vulnerable with extreme emotional and behavioural difficulties – may restrict future use of Thomas Grey for other purposes.</p>
<b>Capital Cost</b>	<p>As former school can be easily adapted.</p> <p>Funded via Basic Needs Grant.</p>	<p>Economical method for expansion.</p> <p>Potentially high M&amp;E costs if modifications required to split services (heating, electricity supply, more heating/cooling).</p> <p>Funded via Basic Needs Grant.</p> <p>Purchase funded by Basic Needs Grant paid to General Fund.</p>
<b>Revenue</b>	<p>Low ongoing revenue costs since the Council retains landlord obligations – asset will generate rental income and Academy will pay business rates and the running costs.</p>	<p>Ongoing revenue costs borne by the school.</p>



<p><b>Other opportunities/ considerations</b></p>	<p>Creates time to identify long term solutions.</p> <p>Building use can be reviewed in 3 years' time.</p> <p>Site potentially has value as a residential development. Business case suggests education uses in the short and longer term are more financially beneficial.</p>	<p>Potential for expansion in 3 years' time.</p>
---	--	--

## **12 Protection of School Land and Buildings**

- 12.1 Any land or buildings used by a school are subject to protection by the Secretary of State and permission must be sought for disposal or change of use. This applies even in the case of temporary use, as is being proposed for Haybrook College's use of the Thomas Grey building.
- 12.2 The application process for the disposal of buildings is relatively straightforward compared to the process for disposing of playing fields - which can be controversial and more likely to be refused. If an application were submitted to change the use of the Thomas Grey Centre in 3 years' time and a replacement facility for Haybrook was provided (particularly one on non-school land) then advice from the EFA is that it is very likely to be approved.

## **13 Valuation Methodology**

- 13.1 In the current market the best value of the site is likely to be determined by its residential development value. Having considered options prepared by external architects and taken account of the layout and attractive façade, the most likely and commercial option would be to convert the buildings into cottages. Initial feasibility studies have identified the potential for 11 cottages.
- 13.2 The proposal is to sell the former Milan Centre to Littledown School based on an independent valuation of the site. The price is likely to be based on the valuation of properties that would have been located on land occupied by the former Milan Centre footprint. Basic Need grant will be used to fund the transaction. Should the rest of the Thomas Grey Centre be disposed of for school use in 3 years' time then the expectation is that a similar purchase arrangement will apply.

## **14 Financial Assessment**

- 14.1 Operational Building Costs: The annual running costs of the Thomas Grey buildings are £53K broken down as follows.

	Building Costs	Business Rates	Total Cost
Former Milan Centre	£14K	£3K	£17K
Thomas Grey Centre	£31K	£5K	£36K

14.2 The saving of these costs has already been built into the financing model for the Curve on the assumption of some form of disposal of the site.

14.3 Pupil costs: Both Littledown School and Haybrook College are at full capacity. Statemented pupils that are unable to obtain a place at one of these schools are placed out of borough. The table below compares the annual costs of a statemented pupil attending a Slough school compared to an out-of-borough facility including the additional transport costs per annum. Any additional transport costs will create a pressure on the Council General Fund. The full cost of any placements is currently funded from the High Needs Block of the Dedicated Schools Grant (DSG). Currently the effect of out-of-borough placements is to reduce the level of funding available for delegation to Slough schools. The High Needs Block is limited and shrinking per pupil and there is no guarantee that there will be sufficient in the HNB for the future. There is a risk that a future shortfall will rest with the Council. This paper seeks to reduce pressures within the HNB by providing more local places.

	Annual cost of Funded by DSG Placement	Annual Transport cost – funded by SBC	Total cost per annum
Out-of-Borough placement in a maintained setting	£34k	£10k	£44k
Out-of-Borough placement in a non-maintained school	£50k-£200K	£10k	£60k - £210k
Placement in a Slough school	£34K	£4k	£38k

14.4 Based on 10 additional pupils per annum, the annual cost could range from £380,000 if all placed in Slough schools, to £2.1m, if at the most expensive out-of-borough settings. Even at the average out-of-borough placement cost of £60k and, allowing for transport costs, this represents a typical annual cost of £700,000.

14.5 Cost of purchase of site by Littledown School. The proposal is that Basic Need Grant is used to purchase the site from the Council on behalf of Littledown School.

14.6 Refurbishment costs. The Council's recently approved capital programme for 2016-22 includes £18.6m for the SEN and PRU expansion programme. This funding is split across 3 areas as shown in the table below. This funding represents 27% of the £68m currently confirmed or received for supporting the Education capital programme. The main funding for creating new school places is received in the form of Basic Need grant from the EFA. This grant is not calculated to include any funding for SEN or PRU places (or post-16 and nursery places) although it is expected that costs will be met by the Local Authority. Therefore all school expansion projects must be delivered in a cost effective manner. Current profiling of the Council's Basic Need capital indicates that the funding available will be sufficient for planned projects to 2018-19 at which point new income will be required.

	2016-22 Budget (000s)
SEN Resources Expansion	£2,067
Special School	£12,600
PRU Expansion	£3,900
Total Budget	£18,567

14.7 The Thomas Grey site will require some reconfiguration to create the classbases and support spaces required for Littledown's use. The car park and Littledown playground will also need some reconfiguration to maximise play space while retaining the number of car parking spaces. The buildings have a single pipe system heating the whole building which struggles and the reasons for this are being investigated. Assuming the current heating system can be retained then the proposed budget for the conversion and refurbishment is £450k. This equates to a cost of £30k per pupil place (or £22.5k per place if 20 places are created). An additional £300k may be required to resolve the separation of utilities and the cost of purchase also needs to be considered. Building a new school on a different site, ignoring the site acquisition costs, would be a very expensive option as small schools still require the same number of offices and a hall space. Costs might be 3 times the cost per pupil place.

14.8 The Thomas Grey Centre is ideally configured for a small secondary school and the only works being proposed should Haybrook lease the building are some minor refurbishment and external works. A provisional budget of £100K is suggested to address these items although the final cost will not be known until discussions with the Highways and Building Control teams have taken place and the scope of works is confirmed.

## **15 Update on the wider SEN and PRU expansion programme**

**15.1** Following Cabinet approval in June 2015 work has started to develop long term options. Below is a brief update on each of the projects excluding Littledown and Haybrook. A future report or reports will be brought before Cabinet to consider sites and budgets for each project.

<b>School</b>	<b>Update</b>
Assessment Centre	Seeking to identify existing schools to host additional assessment centre capacity
<b>Resource Units</b>	
Priory School	A number of options are being considered, including consolidation of the various SEN units located in different parts of the school.
Ditton Park (SASH1)	Due to open when the new school building admits pupils in September 2017.
SASH2	Work is progressing on identifying a site for the new school. A report is expected to be brought before Cabinet on site options in June.
<b>Special school/s</b>	
Arbour Vale School	Currently exploring options for expanding Arbour Vale by extension or annex provision. This would be a capital cost to the Council.  Alternatively a site for a new school must be sought.
AND/OR New School	A Free school independent of Arbour Vale, if approved, would be funded by the EFA. The EFA has indicated that a site will need to be identified prior to submission for a bid to be successful.

## 16 Conclusions

- 16.1 The borough has an immediate shortfall of SEN and PRU places and a longer term growth in demand. Immediate and medium term options for expansion of Haybrook College and Littledown School have been explored.
- 16.2 Based on a set of criteria developed to test the availability, feasibility etc of sites the Thomas Grey site is deemed to be the best location to enable immediate expansion of Littledown School, with the possibility of resolving primary need for several years and the short term expansion of Haybrook College pending a permanent solution.
- 16.3 This report suggests that the site of the former Milan Centre be sold to Littledown School (using Basic Need funding) to create at least 15 new SEN places as soon as the legal steps can be completed and that up to £750K (plus the purchase price) of Basic Need funding is used to convert and refurbish the building. It also recommends the Thomas Grey Centre be leased to Haybrook College for a rent of £35K per annum for 3 years from the date it becomes vacant and up to £100K of Basic Need funding is allocated to convert the building.

## 17 Appendices

Appendix A – Draft SEN & PRU Expansion Programme to 2022

## 18 Background Papers

None