

Summary Sheet

Council Report

Cabinet and Commissioners' Decision Making Meeting – 11 July 2016

Title

Proposal to commence procedures to establish a primary school on the Waverley development site.

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Director Approving Submission of the Report

Ian Thomas –Strategic Director, Children and Young Peoples Service's (CYPS)

Ward(s) Affected

Holderness, Rother Vale, Brinsworth and Catcliffe.

Report author:

Dean Fenton, Service Lead – School Planning, Admissions and Appeals

Executive Summary

- 1.1 The Waverley development site is a new residential and business community based in Catcliffe, Rotherham. The site has outline planning consent for up to 4,000 homes, retail units, cafes, community facilities, a hotel, a primary school and green infrastructure.
- 1.2 Following the construction and occupation of 450 dwellings the Local Authority has a responsibility to ensure a sufficiency of school places in the area and satisfy parental first preferences, as far as is possible.
- 1.3 This report provides an update on the Waverley development and the educational infrastructure implications and seeks approval to commence procedures to establish a primary school on the site.

Recommendations

- 2.1 It is recommended that Cabinet approve:
 - The commencement of procedures to establish a primary school on the Waverley development site.

List of Appendices Included

NA

Background Papers

Report to:

Cabinet Member for Children, Young People and Family Services

5th December 2012

Proposal to establish catchment area arrangements for the Waverley Estate

Cabinet Member for Children, Young People and Family Services

16th March 2013

Annual update on the Waverley Development

Cabinet Member for Education and Public Health Services

15th July 2015

Annual update on the Waverley Development

Commissioner Manzie

July 2015

Annual update on the Waverley Development

Consideration by any other Council Committee, Scrutiny or Advisory Panel

NA

Council Approval Required

NA

Exempt from the Press and Public

No

Title: Proposal to commence procedures to establish a primary school on the Waverley development site.

1. Recommendations

1.1 It is recommended that Cabinet approve:

- The commencement of procedures to establish a primary school on the Waverley development site.

2. Background

2.1 An initial report on the educational infrastructure on the Waverley development was brought to the Cabinet Member and Advisor for Children, Young People and Family Services on 5th December 2012. The report outlined the number of proposed dwellings, pupil yield, education infrastructure implications and developer financial contributions. The recommendations below were approved at that meeting:

2.1.1 The permanent removal of the Waverley Development (formerly Orgreave Mining Site), from the Treeton C of E Primary School catchment area.

2.1.2 A shared interim catchment area for primary provision of Education for pupils living at the Waverley Estate of Catcliffe Primary School and Brinsworth Howarth J & I school be established until the opening of the first Waverley new build School.

2.1.3 A temporary increase in Admission Number from 30 to 45 by expansion of Brinsworth Howarth Primary School to meet expected future place demand until the first Waverley Primary School is constructed.

2.1.4 An initial catchment area line to be established to define the provisional catchment area boundaries, subject to review until such time as the development is established to a point where a permanent catchment area boundary for both primary and secondary provision can be accurately determined.

2.2 The Waverley development will provide up to 4,000 new residential dwellings with a developer education infrastructure contribution agreement of £11.2m in place (made under Section 106 of the Town and Country Planning Act 1990 S106). This would create two primary schools both two form entry with 60 pupils per year group.

2.3 Rotherham Metropolitan Borough Council Officers regularly meet with Harworth Estates the Principal Developer for Waverley, who also represents Barratt Homes, Harron Homes and Taylor Wimpey Homes in relation to the development. This meeting has become more formal since April 2016 with the creation of the Waverley project group.

- 2.4 The Section 106 agreement trigger points for the release of funding to develop the primary provision are contractually agreed as follows, following a deed of variation to the original agreement in 2014:
- 2.4.1 *Occupation of the 550th dwelling will release funds for the design / procurement process for the first new school. (5% of total funding for the education contribution)*
 - 2.4.2 *Occupation of the 750th dwelling will release funds to build the first primary school which will eventually be a 2 form entry primary school. (45% of total funding for the education contribution)*
 - 2.4.3 *Occupation of the 1550th dwelling will release funds for the design / procurement process for the second new school. (5% of total funding for the education contribution)*
 - 2.4.4 *Occupation of the 1750th dwelling released funds for a second 2 form entry primary school. (45% of total funding for the education contribution)*
- 2.5 The current position on the Waverley site is that, as of February 2016, 450 dwellings are occupied. It should be noted that the full pupil yield from occupation of new dwellings does not occur instantly
- 2.6 Any new school being established under current Department for Education (DfE) policy will be an Academy or Free School. Sponsorship of the Waverley Schools will be established in due course following DfE guidance and processes to enable the successful sponsor to work with the Local Authority from the outset in relation to the design, build and establishment of the first school.
- 2.7 Table One, in point 6.1 of this report, provides a provisional timeline of landmark events and critical actions. These actions are required between September 2016 and the potential opening date of the school.
- 2.8 It should be noted at this stage the timeline in Table One is provisional and based on current building and occupation of dwellings rates and could be subject to amendment.

3. Key Issues

- 3.1 The Local Authority will need to undertake a series of information sessions for local residents, Elected Members, Local Parish Councils, neighbouring schools and governing bodies and other key stakeholders prior to commencing the process to appoint a preferred Academy/Free School sponsor for the school.
- 3.2 A prospectus will be developed prior to the selection programme outlining the need for the new school and local community overview following the tried and tested Eastwood Village Primary School model. This process will be reviewed and revised where necessary to provide a structure for the Waverley selection process.

3.3 A panel representing stakeholders including the following will be convened to engage in the identification of a potential sponsor:

- Elected Ward Member(s)
- School Governance representation
- Local community school pupil and parent representation
- Senior Local Authority Officer(s)
- Education and Skills Service representatives
- Local business and residential community member representation
- Other relevant stakeholders
- Observer

3.4 Potential sponsors will be required to deliver a presentation to the panel, followed by a series of pre-determined questions focusing on key elements and aspects such as:

- Ethos and Partnership working
- Ensuring Pupil Outcomes
- Inclusion
- Working with the Local Community

3.4.1 Panel members will then grade the applicants individually and following deliberations agree a preferred sponsor. The Panels preferred sponsor option will be recommended to Cabinet to gain approval from Elected Members.

3.5. Once the preferred sponsor is confirmed by Cabinet and ratified by the Department for Education (DfE), partnership working with the Local Authority can be established from the outset of the project in relation to the design, build and establishment of the new school.

4. Options considered and recommended proposal

4.1 A longstanding Section 106 funding agreement stipulates the funding release trigger points and timescale for the use of the funding to create primary school education infrastructure.

5. Consultation

5.1 A range of stakeholder events will be organised to outline the Waverley proposals and plans and to ascertain the views and opinions of stakeholders in advance of commencing the sponsorship process. This will be completed in line with the requirements of the Department for Education guidance of June 2013 – Establishing a new school.

6. Timetable and Accountability for Implementing this Decision

6.1 Provisional timeline – subject to trigger points being reached to release funding and statutory planning processes being completed:

Table One

DATE	ACTION / LANDMARK EVENT
September 2016	Commence process via DfE protocol to appoint an Academy Sponsor.
November 2016	550 th dwelling occupied – triggers release of 5% (£0.56m) of total funding for design phase
January 2017	Select Academy Sponsor and report to Cabinet to approve selection panel's decision and seek ratification from DfE this will then allow the sponsor to be involved in the project from the outset contributing to all aspects of design and establishment of the school
April 2017	'Consultation and design of new school' period
May 2018	750 th dwelling occupied – triggers release of 45% (£5.04m) of total funding for the building of a 1form entry primary school (phase 1 of 2 in relation to school 1)
August 2018	Design code approval
September 2018	Submit planning application
December 2018	Planning Board determination of planning application
January 2019	Application to discharge pre commencement conditions
June 2019	Commence build project
September 2020	School opens

7. Financial and Procurement Implications

- 7.1 The school building project will be procured through the 'YorBuild' framework. Funding for the build will be provided through the Section 106 funding agreement. The Section 106 agreement will assure the funding being available on a phased basis for the first Waverley new school as trigger points for the release of funds are reached.
- 7.2 Funding for the new school during the first year of operation will be from the Contingency for Pupil Growth Fund within the Schools Block of Dedicated Schools Grant.
- 7.3 The cost of the additional teaching and learning spaces required, during the interim catchment area period at Brinsworth Howarth J & I School, have been funded from the Basic Need funding allocation (allocated to Local Authorities by the Department for Education (DfE) to address school capacity shortfalls) and a Section 106 agreement from the Brinsworth area in relation to housing development which has contributed towards the permanent new Foundation Unit. The total cost of this project was £250k.

8. Legal Implications

- 8.1 Timelines stipulated in the Section 106 agreement in relation to the commencement of planning and building the new school will need to be adhered to as they are legally binding and linked to 'trigger points'.
- 8.2 Following completion of the build project there will need to be a transfer of land and building assets to the Academy Trust sponsoring the school as required under the DfE's Academy conversion process.

9. Human Resources Implications

- 9.1 The new school will create employment opportunities in relation to school leadership, teaching and learning support and ancillary posts such as caretaking, cleaning and catering required following opening of the school. All employees will be recruited and employed directly by the Academy Trust. Some ancillary roles such as caretaking, cleaning and catering may be contracted services however; this is for the Academy Trust Board to determine.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 It is proposed to create Early Years, Special Educational Needs resources along with other services for children and families on site in addition to mainstream primary school education facilities. The school will be designed to ensure it is fully accessible in relation to both physical and learning resources to enable pupils of all abilities to access education at the school.

11. Equalities and Human Rights Implications

- 11.1 The new school will allow more parents and carers to access their first preference of school in future years allowing their child to access primary stage education in a modern and innovative learning environment.

12. Implications for Partners and Other Directorates

- 12.1 There may be some initial impact on neighbouring schools' pupil numbers when the new school opens, as there will inevitably be some pupil movement as parents and carers apply for a place at the new school for their child. This however would be mitigated and minimised as far as possible, as the new school would open initially as a one form entry school (30 pupils per year group) and would not open to all year groups in the first year of operation, as the school will require time to establish a staff group and working arrangements and build relationships with pupils and parents / carers prior to commencing statutory tests and assessments.
- 12.2 For the reasons outlined above, the school is likely to open to specified year groups and subsequent Reception / Foundation Stage 2 pupils in the years following so the school pupil population increases year on year.

12.3 There will need to be involvement and engagement with Planning Department, Asset Management Services, Finance Section and Schools Forum who will all be engaged and involved in the development of the new school. This will be managed by the establishment of a Waverley Project Group to coordinate the project and by regular progress and impact reporting to the Councils Senior Leadership Team and Elected Members at appropriate points.

13. Risks and Mitigation

13.1 The main risk when establishing school catchment areas in a new development is that there could be too much demand for a specific school due to a disproportionate amount of housing generated pupil yield compared to place availability. As the arrangement is currently of a temporary nature until the opening of the first primary school and clear definition of the boundary for secondary schools can be determined, the risk will be managed as outlined in the background section of this paper at 2.1.2 and 2.1.3. As more houses are built, the clearer the boundary for catchment areas will be defined.

13.2 There are always risks and uncertainties when school place provision is considered, since future pupil numbers are based on estimations. Over provision at one school could influence pupil numbers at other schools. The Local Authority uses the DfE model formula for pupil number forecasting and it is projected that for 1,000 houses within the development this will generate an eventual pupil yield of 30 pupils per year group - hence the phased implementation of primary school provision within the development. Local Authorities are obliged, however, to provide sufficient places, promote diversity and increase parental preference.

14. Accountable Officer(s)

Karen Borthwick (Assistant Director for Education and Skills)

Approvals Obtained from:

Strategic Director of Finance and Corporate Services:
Joanne Robertson (Finance Manager CYPS) - 18.4.2016

Director of Legal Services: Named officer
Neil Concannon (Solicitor) 20.4.2016

Head of Procurement:
Helen Chambers (Principal Officer) 7.6.2016

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