

**Meeting:** Children's Services Overview and Scrutiny Committee  
**Date:** 15 January 2013  
**Subject:** Central Bedfordshire's Policy Principles for Pupil Place Planning in Schools and annual refresh of the Council's New School Places Programme 2013/14 – 2017/18  
**Report of:** Cllr Mark Versallion , Executive Member for Children's Services  
**Summary:** Attached at Appendix 1 is a report to be considered by the Council's Executive on 5 February 2013 which will inform the outcome of the consultation on the proposed Policy Principles for Pupil Place Planning in Schools and will seek their adoption. The report also outlines the annual refresh of the Council's rolling five year investment programme in new school places to fulfil the Council's statutory duty regarding sufficiency of school places and to implement the identified need in the previously published school organisation plan.

**Advising Officer:** Edwina Grant, Deputy Chief Executive/ Director of Children's Services  
**Contact Officer:** Pete Dudley, Assistant Director for Learning, Commissioning and Partnerships  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Executive  
**Key Decision** Yes

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

The report supports Central Bedfordshire's Medium Term Plan: *Delivering your priorities – Our Plan for Central Bedfordshire 2012- 2016* and the specific priority of Improved Educational Attainment.

### **Financial:**

1. This programme reflects an estimated total capital investment in new school places commissioned within the period 2011/12 to 2018/19 of £101M. This is funded by developer contributions and Basic Need grant income from the Department for Education (DfE). The programme also reflects a significant capital contribution, on current planning assumptions, that the Council may be required to provide from its own resources of approximately £11.85M in 2015/16, although this may be offset by significant income in following years. Further detail on this forecast will be provided to Executive in March 2013.

2. A further report will be presented to Executive in March 2013, updated following the DfE announcement of basic need grant, expected to be made in January 2013. The report will also bring forward a number of specific commissioning proposals for approval and it will also provide clarity on cash flow within the programme and amendments that may be required to the Council's current Capital Programme.
3. The DfE allocations to the programme based on 2012/13 allocations, could amount to approx £4m per annum although the allocation methodology has been changed for 2013/14 onwards and the announcement was expected at the time of writing this report. A verbal update will therefore be given to Executive. This is in addition to the current S106 planning obligations summarised in the report. It is important that this is drawn together into a single capital pot in order to deliver the requirements of the Council over the next 5 years.

**Legal:**

4. Section 14 of the Education Act 1996 places a duty on Councils to secure sufficient and suitable school places to provide for 5 – 16 year old statutory aged children in its area. The Education and Inspections Act 2006 gives Councils a strategic role as commissioners, but not providers, of school places to promote parental choice, diversity, high standards, the fulfilment of every child's educational potential and fair access to educational opportunity.
5. In terms of new or expanded school or Academy provision, requirements of the decision making process include full public consultation. Details of options, processes and decision makers for commissioning new school places are set out in this report.
6. The main legislation governing school organisation is found in sections 7-32 of the Education and Inspections Act 2006, The School Organisation (Establishment and Discontinuance of Schools) (England Regulations 2007 and the School Organisation (Prescribed Alterations to Mainstream Schools) (England) Regulations 2007. This legislation relating to new school provision has most recently been amended by the Education Act 2011.

**Risk Management:**

7. This programme of commissioning new school places and related investment of capital implements the identified need in the annually refreshed school organisation plan and mitigates the risk on the Council of failing in its statutory duty to provide sufficient school places. Key risks include:
  - Failure to discharge legal and statutory duties/guidance.
  - Failure to deliver the Council's strategic priorities
  - Reputational risks associated with the non delivery of required school places.
  - Financial risks, including;
  - Non realisation of anticipated Section 106 monies and anticipated levels of government grant.
  - Non realisation of a reduction in programme costs.

8. Without a formal process of strategic planning in place there is a risk that the DfE will not approve future allocations of Basic Need Funding to the Council. There is also a risk that S106 monies will not be able to be properly planned in order to achieve the spend of funds in an appropriate and timely manner. This reinforces the importance of the Council adopting a new Development Strategy and Community Infrastructure Levy in 2014 to ensure that well designed appropriately located housing is supported by educational infrastructure.
9. The commissioning of each scheme identified within the programme will include risk assessment and management criteria to ensure these are clear to decision makers. Contract and construction risks will be overseen through the project management of the agreed projects.

**Staffing (including Trades Unions):**

10. Staff and Trades Unions will be consulted on any options proposed as a result of this programme where the Council is the decision maker. Where the Council is not the decision maker, Governing Bodies and Academy Trusts will make their own arrangements for consultation. These arrangements will not be subject to quality control by the Council although the Council may offer comment as a consultee.
11. Schools will have the support of the Council's Human Resources team in order to meet the Council's statutory responsibilities as employer where these are implicated throughout any change management process.
12. Both the Church of England and Roman Catholic Diocese have been informed of this programme and are represented by their Education Officers on the Children's Services Overview and Scrutiny Committee.
13. Whilst there are no immediate human resource implications for the Council resulting from this programme, there are issues which need to be considered both within Children's Services and corporately particularly in the Property and Assets Team in terms of the capacity to deliver. This is subject of a separate exercise which is currently considering the most effective procurement of programme management support for the delivery of the programme.

**Equalities/Human Rights:**

14. The commissioning and decision making processes set out within this report include an evaluation on a project by project basis of any equalities and human rights issues that might arise from proposals to expand existing or to create new schools.

**Public Health:**

15. Extended Services around School and Early Years settings will be further developed as a result of the growing school population.

16. The range of extended services that may be provided in schools includes:

- Parenting and family support officers.
- Transition support for pupils, schools and families.
- Combined clubs and after school activities.
- Holiday activities.
- Support for vulnerable pupils and families i.e. siblings group and young carers.

**Community Safety:**

17. The Council has a statutory duty to consider community safety implications in undertaking its delivery of core services. The community safety impact and the opportunity to reduce crime and disorder, by working in partnership with schools, will be considered in conjunction with the Council's duty to secure sufficient and suitable school places to provide for 5 – 16 year old statutory aged children.

**Sustainability:**

18. Whilst there may be additional costs in order to meet sustainability objectives for new build and/or expansion of existing schools, these will be contained within the costs identified for each individual project within the programme. These measures would contribute to reduced running costs through better energy and resource efficiency, alongside creating a better learning environment for the pupils.

**Procurement:**

19. The programme of capital investment outlined in this report requires significant engagement with the Council's Procurement Team to ensure that value for money is secured and a range of potential procurement routes are considered, including the use of national frameworks that already exist and have been used on major capital projects in Central Bedfordshire including All Saints Academy, the University Technical College and the current Alternative Provision Free School scheme.

**RECOMMENDATION:**

- **The Children's Services Overview and Scrutiny Committee are asked to consider the content of the report.**

Appendices:

Appendix 1 – Executive Report – Central Bedfordshire's Policy Principles for Pupil Place Planning in Schools and annual refresh of the Council's New School Places Programme 2013/14 – 2017/18

Appendix A – Central Bedfordshire Schools Organisation Plan

Appendix B - Responses to the consultation on the proposed Policy Principles for Pupil Place Planning in Schools **Note: This is not attached as it will be provided in a hard copy draft at the meeting as the consultation period for the Policy Principles for Pupil Place Planning in Schools will not expire until the 15 February 2013.**

Appendix C – Summary indicative programme New School Places 2012 - 2017