

Meeting: Executive
Date: 14 May 2013
Subject: **Commissioning New School Places for Implementation from September 2015**

Report of: Cllr Mark Versallion, Executive Member for Children's Services

Summary: This report outlines seven projects within the New School Places Programme 2013/14 – 2017/18 where local pressures of demographic growth require new school places to be provided from September 2015 and one project within the New School Places Programme with a target completion date of September 2014.

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: Ampthill, Stotfold and Langford, Arlesey, Shefford, Silsoe and Shillington, Houghton Conquest and Haynes, Northill, Cranfield and Marston, Biggleswade North, Biggleswade South, Leighton Buzzard North, Leighton Buzzard South, Aspley & Woburn, Heath & Reach

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. The eight proposals outlined in this report are contained within the Council's New School Places Programme 2013/14 – 2017/18 and are capital funded as outlined in Appendix A to this report through Basic Need Grant and S106 contributions. The whole programme represents a total investment of £104M in New School Places, whereas the projects outlined in this report account for £21.8M of expenditure. As reported to the Council's Executive in March 2013 the level of Department for Education (DfE) Basic Need Grant allocated to the Council for 2013/14 and 2014/15 represents a significant increase on previous years although the allocations beyond this period will not be known until late 2014/15. The Council's Executive approved the New School Places Programme 2013/14 – 2017/18 in March 2013 and acknowledged that the programme now reflects a significantly reduced capital contribution, on current planning assumptions, that the Council may be required to provide from its own resources of approximately £1m in 2015/16.
2. The day to day running costs of school provision is met through revenue funding which is made available to each school as part of the dedicated schools grant and is based primarily on the numbers of pupils attending, which will increase accordingly in an expanded school.
3. Where necessary, additional revenue support for relevant costs can be accessed on application through the Growth Fund established by the Schools Forum, for Schools and Academies that are undertaking significant expansion on commission from the Council.
4. Capital expenditure within the New School Places Programme 2013/14 – 2017/18 is subject to the Council's Code of Financial Governance and expenditure to commission feasibility studies and design work required for projects within this rolling programme has been approved by the Executive Member for Children's Services, in consultation with the Deputy Chief Executive/Director of Children's Services as per Sec 4.10.7 of the Council's constitution.

Legal:

5. 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.
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.

7. DfE regulations outline the requirements and process for proposals to expand Council maintained schools and these include full public consultation, the publication of statutory proposals and the decision making process. The Council is decision maker for proposals relating to maintained schools, two of which are set out in this report relating to the proposed expansion of St Andrews CofE VC Lower School, Biggleswade and of Russell Lower School in Ampthill.
8. The DfE has also produced guidance for Academies wishing to make significant changes including proposals to enlarge premises by a significant proportion. The process, which is overseen by the Education Funding Agency on behalf of the DfE requires consultation and subsequent submission by the Academy of a report for determination by the Secretary of State. The proposal to expand Etonbury Middle School and to change its age range to provide additional places for the upper school age range on its site has been required to follow this process. Likewise the proposals to expand Cranfield CofE Academy and the Academy of Holywell Middle in Cranfield will require this process to be followed as a result of the proposed increases in additional places, in comparison with the existing schools capacity.
9. The proposals to expand St Marys Lower in Stotfold and Robert Bloomfield Middle in Shefford as set out in this report, will not be required to follow this process as the proposed increases in capacity do not reach the trigger point set out in the DfE guidance. Likewise the proposal relating to Vandyke Upper School has not required DfE approval.

Risk Management:

10. The eight proposals to commission new school places and to allocate related capital investment outlined in this report implements the identified need to manage demographic growth in the previously published school organisation plan and mitigates the risk on the Council of failing in its statutory duty to provide sufficient school places.
11. 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.
 - Potential for overspend on any project within the programme
 - Inability of schools to recruit suitable additional staff.
12. Without the formal process of strategic planning and implementation of required projects 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 Section 106 monies will not be able to be properly planned or 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.

13. The commissioning of each of the eight projects in this report will include risk assessment and management criteria to ensure these and the proposed procurement route are clear to decision makers. Contract and construction risks will be overseen through the project management of the agreed projects which may be led by the schools, with appropriate safeguards in place as set out in the Procurement section below.

Staffing (including Trades Unions):

14. Staff and Trades Unions will be consulted on the proposals to expand the schools in this report as part of the informal and statutory consultation process required by regulations and DfE guidance.
15. Schools will have the support of their commissioned HR Providers where any proposals require changes in school staff structures or to terms and conditions of employment. The Council's Schools Statutory HR Team will monitor restructures to ensure redundancy charges to the Council are minimised and justified.
16. Each expanding school will need to increase the numbers of teaching and non-teaching staff to support the increase in pupil numbers. This will be funded through the school's Dedicated School Grant budget and the increased share which the school will receive.

Equalities/Human Rights:

17. The consultation and decision making process set out in regulation for proposals to expand Academies and Council maintained schools requires an evaluation on a project by project basis of any equalities and human rights issues that might arise.

Public Health:

18. Extended Services around School and Early Years settings will be further developed as a result of the growing school population.
19. 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:

20. Schools have an important role in working alongside a range of other agencies to ensure safety in their local communities. The potential to further promote and support robust partnerships is one of the principles by which options for new school places are evaluated.

Sustainability:

21. 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:

22. The tendering and approval process for awarding construction contracts will be in accordance with the Council's Code of Procurement Guidance and the thresholds indicated in section 5.1 of the Council's constitution. Where Schools or Academies are able to provide significant reassurance of their ability and capacity to procure and project manage the delivery of the required construction works to time and on budget, the Council will support this arrangement with appropriate oversight and governance in place.
23. Each proposal in the New School Places Programme is required by the Council's Policy Principles on Pupil Place Planning in Schools to be supported by a business case that establishes a guarantee of the quality of the new places being added to the system. Each business case is subject of evaluation against these Principles and the results are considered as part of the final Executive approval of any proposal and before approval to commence expenditure is given. A separate detailed capital business case will be provided for each project to accompany any Executive recommendation to give final approval and to commence expenditure.

Overview and Scrutiny:

24. The Children's Services Overview and Scrutiny Committee considered this report on 23 April 2013 and the Committee expressed its full support for the recommendations.

RECOMMENDATIONS:**The Executive is asked to:**

1. **approve the commencement of informal consultation and the publication of statutory notices for the proposal to expand Russell Lower School, Ampthill from its current capacity of 300 places to provide a total of 450 places with an implementation date of September 2015. The school will also be invited to prepare a business case, the outcome of which will be subject to approval by the Council's Executive in its final determination in December 2013;**
2. **support the commencement of informal consultation and the publication of statutory notices by the School's Governing Body for the proposal to expand St Andrews CofE VC Lower, Biggleswade from its current capacity of 450 places to provide a total of 750 places across two sites with an implementation date of September 2015. The school will also be invited to prepare a business case, the outcome of which will be subject to approval by the Council's Executive in its final determination in December 2013;**

3. invite the Academy of Holywell Middle School to prepare a business case, the outcome of which will be subject to approval by the Council's Executive in December 2013 and to undertake consultation and approval processes required as an Academy by the Education Funding Agency to expand from its current capacity of 544 places to provide 720 places with an implementation date of September 2015;
4. invite the Academy of Cranfield Lower School to prepare a business case, the outcome of which will be subject to approval by the Council's Executive in December 2013 and to undertake consultation and approval processes required as an Academy by the Education Funding Agency to expand from its current capacity of 300 places to provide 450 places across two sites with an implementation date of September 2015;
5. invite the Academy of St Marys Lower School to prepare a business case, the outcome of which will be subject to approval by the Council's Executive in December 2013 for commencement of the proposed expenditure as outlined in the New School Places Programme attached at Appendix A to expand from its current capacity of 225 places to provide 300 places with an implementation date of September 2015;
6. approve the detailed capital business case attached at Appendix B, and the proposals of Bedfordshire East Multi Academy Trust to:
 - a) expand the Academy of Robert Bloomfield Middle School to provide 840 permanent places with an implementation date of September 2015, and
 - b) expand Etonbury Academy from its current capacity of 480 places to provide a total of 600 middle school places and a further 300 places to serve the upper school age range with an implementation date of September 2015.

Thereby approving the commencement of the projects and related expenditure, subject to Education Funding Agency approval of the Etonbury Academy proposal and the granting of relevant Planning permissions; and
7. approve the detailed capital business case attached at Appendix C, and the commencement of the proposed expenditure as outlined in the New School Places Programme attached at Appendix A, to expand Vandyke Upper School.

*Reason for
Recommendations:*

To ensure the Council continues to meet its statutory obligations to provide sufficient school places and also to meet the legal requirements placed on the Council by the Education and Inspections Act 2006 regarding proposals to expand maintained schools. Commitment to expenditure and final approval of the proposals set out in recommendations 1-5 will be determined by the Council's Executive in December 2013, informed by the outcome of the consultation exercises, Education Funding Agency approvals where relevant, and business cases which are to be prepared by each School or Academy.

Executive Summary

25. This report outlines seven projects within the Council's New School Places Programme where local pressures of demographic growth within each school's existing catchment area require additional school places to be provided by September 2015. In addition the report outlines a proposal previously made to the Council's Executive in March 2013 to invite the Academy of Vandyke Upper School to prepare a business case for approval by the Council's Executive in August 2013 for commencement of the proposed expenditure as outlined in the New School Places Programme attached at Appendix A. In order to commence the project over the school's summer holiday period the business case and recommendation for approval has been brought forward for Executive's consideration. All of the projects in this report relate to proposals to expand existing provision and no new Schools or Academies are created as a result.
26. Each of the proposals has been developed with support of the Governing Bodies or Board of the relevant school or Academy and each is aligned as set out in the report with the Council's Policy Principles for Pupil Place Planning in Schools as approved by the Council's Executive in February 2013.
27. Six of these proposals relate to the expansion of Academies and two relate to the proposed expansion of Council maintained schools. The Council is decision maker for proposals to expand Council maintained schools, whereas the Council can only invite and not direct Academies to expand and proposals are subject to the Secretary of State's approval and may require amendments to funding agreements and other of the Academy's legal documents.
28. Proposals to enlarge schools and Academies by a significant proportion require consultation to be undertaken, with Academies also required to submit a detailed report to the Education Funding Agency as part of their approval process for the Secretary of State.
29. Each proposal in the New School Places Programme is required by the Council's Policy Principles on Pupil Place Planning in Schools to be supported by a business case in a format set by the Council that establishes a guarantee of the quality of the new places being added to the system. Each business case is subject to evaluation against these Principles and the results are considered as part of the final Executive approval of any proposal and before approval to commence expenditure is given. A separate detailed capital business case will be provided for each project to accompany any Executive recommendation to give final approval and to commence expenditure.
30. The proposals to expand Etonbury Academy and Robert Bloomfield Academy, both members of the Bedfordshire East Multi Academy Trust, are set out in recommendation 6 and Sections 81 to 91 of this report and are supported by a detailed capital business case attached to this report at Appendix B. The outcome of an evaluation of the business case submitted by the Trust is reflected in the main report.
31. The proposal to expand Van Dyke Upper School is set out in recommendation 7, summarised in Sections 98 to 100 of this report and is supported by a detailed capital business case attached to this report at Appendix C. The outcome of an evaluation of the business case submitted by the Trust is reflected in the main report.

32. In all instances where new school places are required and proposals are approved the Council is responsible for committing the relevant capital funding to implement required expansions and new build.
33. This report therefore asks the Executive to consider the proposals to provide new school places in Biggleswade, Stotfold, Arlesey, Ampthill, Shefford and Cranfield and it seeks Executive approval to:
- Commence consultation on the proposal to expand Russell Lower School, Ampthill.
 - Support the proposal of the Governing Body of St Andrews CofE VC Lower School, Biggleswade to commence consultation on its proposal to expand the school.
 - Invite the Academies of Cranfield Lower School and Holywell Middle School, Cranfield to expand and to seek DfE approval.
 - Invite the Academy of St Marys Lower to expand.
34. The report also invites the Executive to consider and to approve the detailed capital business case for the proposals of Bedfordshire East Multi Academy Trust to expand both Etonbury Academy and Robert Bloomfield Middle, and to consider and to approve the detailed capital business case for the proposal of Vandyke Upper School thereby approving commencement of the project and commencement of expenditure.
35. A report will subsequently be made to the Council's Executive in December 2013 to:
- consider the outcome of the consultations and determine the proposals to expand Russell Lower School, Ampthill and St Andrews CofE VC Lower School, Biggleswade;
 - note the outcome of the DfE determination of the proposals to expand Cranfield Academy and Holywell Academy;
 - consider the outcomes of the business cases submitted by each of these schools and by the Academy of St Marys Lower; and
 - approve each project and commencement of the required capital expenditure.

Legal process for proposals to enlarge Council maintained schools and Academies

36. In accordance with the Education and Inspections Act (EIA) 2006 DfE regulations outline the requirements and process for proposals to significantly enlarge Council maintained schools and these include full public consultation, the publication of statutory proposals and the decision making process. The Council is decision maker for proposals to enlarge maintained schools.

37. Proposals to significantly enlarge Academies are dealt with by the Education Funding Agency (EFA) which is responsible for operational work in relation to Academies. The definition of the enlargement of premises by a significant proportion is given in EFA guidance which sets out the process that must be followed by Academies seeking to make such changes.
38. The Secretary of State retains responsibility for the decision to make any significant changes to an Academy even though EFA does the operational work. The Secretary of State needs information on the following to make a decision:
- the educational benefits and value for money;
 - the degree of Council support;
 - the effect on other schools, academies and educational institutions within the Council area;
 - whether the Academy has the capacity to deal with the change and in particular, whether the Academy's leadership and governance has the capacity and the expertise to be able to take-on such a significant transition without being deflected from its primary purpose of schooling. (This would also include consideration of the Academy's financial position);
 - whether changes may be needed to the way the Academy is governed and whether any changes to the school's admission arrangements are being proposed;
 - community support – the degree of support for the proposals that exists in the local community and whether any consultation has been undertaken;
 - whether any issues have been identified around the existing school site: for example whether there are any foreseen proposed adaptations, additions, refurbishments or land transfers that are needed; and
 - whether the proposal is cost-effective both in terms of capital and recurrent funding. The proposal should include some indicative costings and a proposal as to how these might be met.
39. The process that the Academy must follow with its proposal commences with an initial approach to the Education Funding Agency (EFA) with details of the change requested. An 8 week consultation period follows with stakeholders, including parents and other schools. The Academy then submits a report to the EFA providing the information set out in Section 38 above (to include consultation responses and the Academy's response to consultation) and the EFA analyses the business case and makes a recommendation to the Secretary of State. The Secretary of State determines the proposal and EFA notifies the Academy of the decision and any changes required to the Academy's legal agreements and articles.

40. The Council will support Academies in this process and early engagement has already been undertaken between Council officers and EFA staff to ensure visibility of the proposals contained within this report and of others that may be forthcoming in future years.
41. The outcome of the informal and statutory consultation process for the Council maintained schools of Russell Lower, Ampthill and St Andrews CofE VC Lower, Biggleswade will be reported to the Council's Executive as final decision maker in December 2013 along with a report on the DfE determination of the proposals made in relation to the Academies.
42. Each proposal will be supported by a business case drafted in a format set by the Council that establishes a guarantee of the quality of the new places being added to the system based on the school's vision and educational plan. In addition to its Ofsted rating, the business case will also require the school to outline its performance in terms of results and improvement over time in key stage assessments, in terms of value added and in comparison with other schools in similar circumstances. The business case will require the school to set out its improvement targets.
43. Where the school or Academy that is subject to an expansion proposal is also intended to procure and deliver the capital project with the support of the Council, the business case will require assurances of the capability and capacity of the school to deliver the proposal to time and on budget, based on their expertise and experience. A formal payment mechanism and agreement will also be established between the school and the Council to ensure that the funding is allocated in a timely and appropriate manner and to secure the long-term retention of the additional places.
44. Each business case will be evaluated against the Council's Policy Principles for Pupil Place Planning in Schools and the outcome will be considered as part of the final Executive approval of each project in December 2013. Each project will also be supported by a detailed capital business case as required by the Council's constitution, to support an Executive recommendation for approval to commence expenditure.

Russell Lower, Ampthill

45. As set out previously in the report to the Council's March Executive, new Upper and Middle school places are required in Ampthill as a result of significant housing development in the area which has included sites to the west of Ampthill, and in the vicinity of Dunstable Road and Church Street. Under the adopted Local Development Framework for North Central Bedfordshire 410 dwellings at Land West of Abbey Lane, Ampthill are also proposed.
46. New pupils from current developments underway in Ampthill have already reduced previous surplus places in both Lower Schools serving the immediate area, requiring Russell Lower to bring temporary accommodation back into use. Further developments in Ampthill represent a requirement of more than 100 additional Lower School places which equates to an extra one form of entry in the period to 2021.

47. Ampthill is currently served by two 2 form entry (300 place) Lower Schools and both of these schools have been engaged in an options appraisal which was commissioned to identify the most appropriate school for expansion given that there is no site available for a new school.
48. Consideration was given to splitting the required additional places across both schools but the schools felt this would be detrimental to the organisation of both resulting in the potential for mixed age classes across various age ranges. This option was therefore discounted as unfeasible by the schools.
49. Expanding just one of the existing schools would also enable it to more effectively build capacity in its leadership, management and governance in response to the gradual increases in pupil numbers from the new developments.
50. The options appraisal was commissioned to consider a range of criteria which included;
- each site and its capacity for expansion
 - access, transport and proximity to the new Abbey Lane development
 - build costs
 - the resulting configuration of accommodation and its suitability to deliver against DfE Building Bulletin guidance for Primary schools.
51. The criteria were subject to weighting and were scored to provide an objective outcome which was discussed and shared with the schools. The exercise concluded that the preferred option was the expansion of Russell Lower School, a Community School which was rated by Ofsted as Good with Outstanding features at its last inspection in November 2011. The school has welcomed the outcome of the options appraisal and the opportunity to expand and is therefore preparing a business case for the Council.
52. This proposal was discussed in December 2012 with schools and Academies who work in partnership in the Redborne education planning area and all supported the need for additional Lower School places in Ampthill. The proposed expansion has the support of the school's Governing Body.
53. The report from the school's last Ofsted inspection stated that it works very effectively in partnership with other schools and wider agencies. It has instigated very useful links with local schools so that head teachers offer each other support and advice. Part of this partnership is focused on the monitoring of standards and practice in each other's schools and this is very useful in enabling the school to self-evaluate and action plan with the benefit of a wider range of professional views and experience. Partnerships with other agencies are strong in supporting outstanding care for pupils. Partnerships with other agencies are exceptionally well used in providing high-quality support for potentially vulnerable pupils, so they thrive.
54. The recommendation is therefore to expand Russell Lower School from its current capacity as a 2 form entry (300 place) school to become a 3 form entry (450 place) school on its existing site. If this recommendation is approved, the proposal will be subject to consultation and a further report will be made to the Council's Executive in December 2013 to determine the outcome of statutory processes and to consider the outcome of an evaluation of the school's business case.

St Andrews CofE VC Lower, Biggleswade

55. As set out previously in the report to the Council's March Executive, the Land East of Biggleswade development will require new school places to be secured to serve the growing population. In addition to the existing schools, this will require additional accommodation for Lower School places in the Kings Reach area on a site which has been secured under a S106 legal agreement.
56. This new development represents a requirement of an additional 300 Lower School places. The transfer to the Council of the land at Kings Reach is now imminent and the Council is now in a position to commission a provider for these additional lower school places.
57. As part of its ongoing liaison with schools and academies in each of its planning areas the Council has been working with schools in the Biggleswade area that collectively comprise Biggleswade Community Union of Schools (BCUS). Within the scope of these discussions has been the need to consider and plan for the impact of demographic change across the area over the next five years and beyond, particularly the impact of the land east of Biggleswade development.
58. The pressure on existing provision and the need for more places across lower schools in the Biggleswade area has been at the forefront of many of the discussions with this partnership of schools, who have been actively engaged in identifying management options for their own schools and for the Council's commissioning of new provision. The partnership has considered the range of options available to the Council for configuring provision on new sites, as set out in previous reports and within the Council's Policy Principles approved by Executive in February 2013.
59. The option to promote a new school under a new Academy sponsor gave rise to concern from local schools that a new sponsor may not integrate or add value within what is felt to be an effective 0-19 local partnership of schools. As an alternative option, the Council is able to propose and is the decision maker for expansions to existing community, voluntary controlled, voluntary aided, foundation and trust schools.
60. The expansion of an existing school, effectively creating an annexe to an existing school site would mirror federation arrangements elsewhere in Central Bedfordshire where schools are similarly managed and governed across two or more sites. This would also retain a school's existing site ensuring that the need to provide local schools for local children, ensuring a sense of community belonging and also promoting sustainable modes of travel is fulfilled.
61. In consultation with local schools this is recommended to be a more favourable option providing an opportunity for a local school with an established record in terms of standards to expand. The Council, as decision maker, would then be able to confirm a preferred provider for the new site in a shorter timeframe than would be possible if a new Academy sponsor was sought, enabling the design, construction and implementation process to be as short as possible and the impact of the immediate development on other local schools and the partnership to be minimised.

62. This option will also enable the Council to work with an existing school to bring forward additional temporary measures if they are necessary, on its existing site ahead of the new accommodation being ready. This provides an opportunity for an existing school to also grow its leadership and management capacity alongside the expanding school population, ensuring an effective transition to combine the new site in due course.
63. In discussion with BCUS a proposal has now come forward from St Andrews CofE VC Lower School, with the support of the school's Governing Body, in conjunction with Edward Peake CofE VC Middle School, to expand the Lower School across both its existing and the new Kings Reach site. Whilst the partnership arrangements between the two schools have yet to be formalised it is anticipated that this will take the form of a soft federation between the two schools with St Andrews Lower School as the named provider. This proposed partnership also has the support of the St Albans Diocese.
64. The resulting school would have a capacity to provide for an extra 300 places in addition to those on its existing site (450). Whilst the existing school would need to grow its Leadership, Management and Governance capacity it is already well placed to do so as a relatively large single site lower school. In June 2011 the school received an Ofsted rating of Good with Outstanding features and the Inspection report stated that the experienced head teacher provides good leadership and educational direction and is supported well by other senior and key leaders. A productive partnership had been established with parents and carers, who were pleased with the care and education provided for their children. Very strong partnerships with other agencies promote pupils' learning and development.
65. The proposed size of the new school will comply with the guidelines set out in the Council's overall Policy Principles in relation to school size being based on two sites. The school is currently seeking advice on the potential need for additional SEN provision based within a mainstream school setting for local vulnerable learners and this may also form part of the school's business case.
66. The recommendation is therefore to support the School's Governing Body and their intention to commence consultation to expand St Andrew's CofE VC Lower School from its current capacity as a 3 form entry (450 place) school to become a 5 form entry (750 place) school across two sites. As a Voluntary School, the Governing Body is able to bring forward this proposal and a further report will be made to the Council's Executive in December 2013 to determine the outcomes of statutory processes and of an evaluation of the school's business case.

Cranfield Lower School, Cranfield

67. Cranfield has been identified as a growth area within Central Bedfordshire both within the previously approved development framework (notably a development known as Home Farm which has current permission for development with approximately 400 homes still to be built) and the current framework with an allocation of about 130 new homes on land to the rear of Central Garage.
68. The area is served by Cranfield Lower School which is in the immediate proximity of the new developments and therefore ideally placed to cater for the growing local population.

69. When considering the Home Farm development, it was recognised that there would be a need to expand school provision to cater for the new housing. Through a S106 agreement Bedfordshire County Council secured an area of off-site playing field within the Development but some distance from the school, to potentially enable Cranfield Lower School to expand on its existing site through the release of its existing playing field land and use of the off-site area. This proposal was not fully supported by the school at that time but was enshrined within the S106.
70. Subsequently, the development to the rear of Central Garage for some 130 homes was allocated and an opportunity arose to review the previously proposed method of expanding the lower school to then consider its expansion over a second site i.e. within the development land to the rear of Central Garage. A site has now been allocated within the development to either provide a new school, or the expansion of the existing school across two sites.
71. A Development Brief for the site has now been approved to include the new school provision and Children's Services has been working closely with Planning and Highways colleagues to address concerns over the additional traffic that could be anticipated if/when the school site is brought forward. Further work will continue with colleagues as part of the planning processes that run in parallel with those dictated by education law.
72. A number of options have been discussed with the school, which is now an Academy, and the St.Albans Diocese (as Trustees) over how future provision could be arranged given the various constraints and the likely funding envelope which would be available. The Governors appointed consultants through the St.Albans Diocese to support them in assessing the feasibility of each of the options in terms of buildings and cost, so that they can decide which would be their preferred solution. As a result, the development of the school over two sites, either with 2 forms of entry on one site and 1 form of entry on the other, or split key stages over the two sites, has emerged as the school's preferred option. The proposed expansion has the support of the academy's Governing Body.
73. The recommendation is therefore to invite the Academy of Cranfield Lower School to expand from its current capacity as a 2 form entry (300 place) school to become a 3 form entry (450 place) school across two sites.
74. The Academy, which was rated as Good with Outstanding features by Ofsted at its last inspection in June 2010, is aware that if this Executive recommendation is approved it will be required to undertake public consultation and seek EFA approval, in addition to the preparation of a business case for evaluation, the outcome of which will be considered in the final decision which will be made by the Council's Executive in December 2013 to enable implementation by September 2015.

Holywell Middle School, Cranfield

75. In addition to the housing development in the Cranfield area outlined in the section above, and the required additional capacity to provide new school places for the lower school age range, additional middle school places are also required.

76. The Academy of Holywell Middle School in Cranfield serves the immediate area and is also catchment school for a new housing development of 670 properties being built in Wootton in Bedford Borough. A total of 720 middle school places are required to serve the growing local population in the catchment area. The school, which was rated as Good by Ofsted in its most recent inspection in July 2011 currently has a net capacity able to accommodate 544 children. The proposed expansion has the support of the Academy's Governing Body.
77. The recommendation is therefore to invite the Academy of Holywell Middle School to expand from its current capacity to become a 5 form entry (720 place) school. The proposed enlargement of the Academy will trigger the process that requires public consultation and EFA approval, in addition to the preparation of a business case for evaluation, the outcome of which will be considered in the final decision which will be made by the Council's Executive in December 2013 to enable implementation by September 2015.

St. Marys CofE Academy, Stotfold

78. Significant housing development in the Stotfold area has already required the Council to provide an additional 150 lower school places through the enlargement and relocation of Roecroft Lower School, completed in 2012. However, further pressure on places in the catchments of Gothic Mede Lower, Arlesey and Fairfield Lower School, Stotfold has removed any flexibility locally to manage increases in pupil numbers across the local area and now requires additional permanent provision to be provided to serve Stotfold itself.
79. Stotfold is served by two Lower Schools, Roecroft Lower which is now a 2 form entry (300 place) school on its new site on the land south of Stotfold development, and St Marys CofE Academy, a 1 ½ form entry (225 place) school. Pupil forecasts in the area indicate a sustained requirement for approximately a further ½ form of entry (75 places) of lower school provision.
80. St Marys CofE Academy was rated as Outstanding by Ofsted in its last inspection. The proposed expansion has the support of the Academy's Governing Body.
81. The recommendation is therefore to invite St Marys CofE Academy to expand from its current capacity as a 1 ½ form entry (225 place) school to provide a 2 form entry (300 place) school from September 2015. If this recommendation is approved a further report will be made to the Council's Executive in December 2013 to consider the outcome of an evaluation of the school's business case and to approve the project.

Bedfordshire East Multi Academy Trust

82. In response to the identified demographic growth outlined in the Council's New School Places Programme and the Council's previously published School Organisation Plan, Bedfordshire East Multi Academy Trust has submitted a business case to the Council detailing its proposals for providing the additional Middle School places required in Shefford and Arlesey and the additional Upper School places required in the catchment of Samuel Whitbread Academy. The Trust currently comprises Samuel Whitbread Academy, Robert Bloomfield Academy and Etonbury Academy.

83. These requirements are as a result of housing allocations of approximately 1,506 new dwellings for the period up to 2017 for the Samuel Whitbread area (Shefford, Stotfold, Arlesey and surrounds). This includes the 290 dwellings being provided at the site currently under construction at Land South of Stotfold, 300 dwellings in the North-East of Arlesey, 102 in Clifton, 63 in Stondon, 68 in Meppershall, 24 in Shillington, 231 in the rest of Shefford and 310 in Stotfold. The remaining 118 dwellings will be provided at smaller sites across Arlesey, Henlow, Shefford, Stotfold and the surrounding areas.
84. The additional need for places generated by these developments are expected to be met through use of existing capacity supplemented where necessary by the expansion of existing schools.
- Some of the new places required to serve the Lower School age range are already in place, have been approved or are currently planned. In particular these include the enlargement of:
- Roecroft Lower School, Stotfold
 - Fairfield Lower School, Stotfold
 - Shefford Lower School, Shefford
85. The impact of this scale of housing development in required additional middle school provision in the Shefford area justifies permanent provision of 840 places, currently provided by Robert Bloomfield Academy utilising some temporary accommodation. The proposed capital investment of £1.4m will enable the replacement of the temporary accommodation with permanent provision on the school's Shefford site.
86. Robert Bloomfield Academy was rated Outstanding by Ofsted at its last inspection.
87. The impact of the scale of housing development in the Stotfold and Arlesey area requires an additional form of entry (120 places) of middle school provision. Etonbury Academy caters for the Middle School age range in this catchment and was rated Good by Ofsted in its recent inspection in October 2012. The school currently provides 480 Middle School places and the required enlargement will increase this capacity to 600 places with the potential to expand further in the longer term with planned housing development north of Arlesey.
88. Additional capacity required in the Upper School age range totals 300 places across the catchment of Samuel Whitbread Academy, although a significant majority of these places will be required as a result of the developments in the Arlesey and Stotfold area.
89. The proposal made by Bedfordshire East Multi Academy Trust is to:
- permanently expand Robert Bloomfield Academy to provide the required middle school places in the Shefford area, and
 - to expand Etonbury Academy and change its age range to provide the additional middle school places required in its catchment area and the additional upper school places required

90. The Trust's business case has been evaluated by the Council and the proposals comply with the Policy Principles for Pupil Place Planning in Schools.

In summary:

- Local schools for local children

Both projects seek to provide new school places required by demographic growth within the catchments of Robert Bloomfield Middle and Etonbury Middle. The Etonbury proposal will reduce the need for school transport costs for those children in Stotfold and Arlesey who choose to access the future 13-19 curriculum offer at Etonbury that would otherwise be accommodated within the provision of places for 13-19 year olds at the Samuel Whitbread Academy campus.

- Financially and educationally viable schools (size)

The proposal to replace temporary accommodation with permanent provision at Robert Bloomfield Middle does not represent an overall increase in the capacity of the school but will retain it at 840 places at the upper limit of the Council's guideline size for middle schools. The Council's guidelines for the optimum size of single site schools are not relevant in relation to the expansion of Etonbury Middle which will provide 900 places serving the 9-19 age range as one of three key sites of the multi academy trust which will collectively provide a broad curricular offer.

91.

- Expansion of local popular and successful schools or to link expanding schools with popular and successful schools

Robert Bloomfield Academy and Etonbury Academy are rated as Ofsted Outstanding and Good respectively. Samuel Whitbread Academy was graded as 'requires improvement' with some good elements, including its Sixth Form rated as 'good' throughout by Ofsted in its last inspection in October 2012. With support and governance provided by the Bedfordshire East Multi Academy Trust (BEMAT) Board of Directors the Academy aims to achieve a 'Good' standard within the academic year 2012 /2013.

- The potential to further promote and support robust partnerships and learning communities

Bedfordshire East Multi Academy Trust and Bedfordshire East Schools Trust will utilise this once in a lifetime opportunity of significant capital investment as a catalyst for the Trust's delivery of its Vision and improvements in educational standards across its sites and with other schools in the local learning communities, a number of which are also undergoing significant enlargement including Fairfield Lower, Shefford Lower and Roecroft Lower.

92.

- The ambition to achieve a single phase of education 0 -19 and reduce school transfer points

A key aim of the Multi Academy Trust is to reduce the potential risks associated with transition and transfer between phases. The proposal to change the age range of Etonbury Academy will remove a transfer point for a significant number of children who will choose to stay on the campus throughout key stage 3 and 4. As part of Bedfordshire Multi Academy Trust, children on each of the three sites will receive their education under one umbrella and will benefit from the consistent focus on teaching and learning irrespective of their physical location. Transition planning within one organisation will be enhanced.

- The need to support the Raising of the Participation Age (RPA)

The Trust is developing a curriculum at post 16 which makes excellent use of its partnerships with University of Bedfordshire, Hertfordshire and Cambridge and especially Bedford College at their Shuttleworth campus. Foundation, pre-apprenticeship, vocational and applied courses will provide the platform from which these young people will engage and take full advantage of this opportunity, with planned and implemented work placements to foster employment and enterprise skills. This offer will be implemented and enhanced by the proposed investment in the Etonbury Academy campus providing specialist facilities planned by the multi academy trust.

93.

- To seek opportunities to create inspirational learning environments for the school and to maximise community use

Both sites have been subject to suitability surveys to determine current deficiencies in provision. This information has been further enhanced by an analysis of the curriculum intended to be taught on each site. These issues will be considered as part of the eventual design process. Initial dialogue with planners has indicated a broad acceptance of development at Etonbury Academy. A full planning application will need to consider issues of potential development on playing fields and local highway capacities. To inform these and other issues a full suite of pre-design surveys have been carried out, these involve acoustic, archaeology, environment, ecology, flood, geotechnical, topographic, traffic, travel and utility surveys. The potential to increase community use at Etonbury is being developed in partnership with the Football Association, Sport England and the Council's Leisure Services who are looking at a number of opportunities on the site, as part of the proposed redevelopment.

- To promote the diversity of provision offered in Central Bedfordshire to increase opportunities for parental choice

The proposal to change the age range of Etonbury Academy to cater for the 9-19 year old age range has received significant support from the local community, parents, carers and children at the school. This will clearly add to the diversity of provision in the area and increase options for those living locally, particularly in the Arlesey and Stotfold area.

94.
 - To support vulnerable learners and integrate appropriate Special Educational Needs provision within mainstream schools

A significant benefit of the project will be the opportunities for developing the new provision for SEN and high achieving students which with enhanced provision, more seamless transition and access to a broader range of curriculum choices will enable the Trust to support students more effectively. The proposed 14-19 provision on the Etonbury campus will provide for Special Education Needs and Disabilities students far more effectively than the Trust is currently able to do. Across BEMAT these projects and the forecast growth in pupil numbers will also enable the development of a single point of contact Children and Family Services Team and a single SENCO structure. Children and their families will be supported by these teams throughout their 9-19 journeys by enhanced pastoral support.

95. The proposed expansion of Robert Bloomfield Academy does not require EFA approval whereas the proposal relating to Etonbury Academy represents a significant change in legislative terms and requires consultation and EFA approval, an 8 week process which commenced on 1 February 2013 and has attracted significant support from parents, carers and stakeholders. The outcome of the consultation and the Multi Academy Trust's report to the EFA is expected to enable an EFA decision in May 2013, although indications from early engagement with the EFA were positive and approval is strongly anticipated.

96. The procurement and construction programme for both of these projects is challenging as outlined in the milestones set out in the detailed capital business case attached at Appendix B and Executive is therefore asked to approve these projects to enable expenditure against the indicated budget immediately upon EFA approval, with commencement of works subject to the granting of relevant Planning permissions.

97. It is therefore recommended that the Executive approve

- the proposed expansion of the Academy of Robert Bloomfield Middle School to provide 840 permanent places with an implementation date of September 2015, and
- the proposed expansion of Etonbury Academy from its current capacity of 480 places to provide a total of 600 middle school places and a further 300 places to serve the upper school age range with an implementation date of September 2015
- the commencement of the projects and related expenditure, subject to Education Funding Agency approval of the Etonbury Academy proposal and the granting of relevant Planning permissions.

Vandyke Academy

98. The Council's Executive received a report on 19 March 2013 that set out five projects within the New School Places Programme 2013/14 – 2017/18 where local pressures of demographic growth require new school places to be provided from September 2014. The report included a recommendation to invite the Academy of Vandyke Upper School to prepare a business case for approval by the Council's Executive in August 2013 for commencement of the proposed expenditure as outlined in the New School Places Programme attached at Appendix A. The recommendation was approved.
99. The proposed Phase 1 expansion of Vandyke Upper School and the funding that has already been secured through S106, is in relation to current housing developments underway in Leighton Buzzard. Phase 1 is based on the school's overall master plan for its potential future expansion from its current capacity of 1003 places to provide 1500 places as a result of the proposed East Leighton Buzzard extension. Phase 1, which is also funded by significant investment by the school, increases the school's capacity slightly but also addresses significant deficiencies in general teaching and changing accommodation.
100. The School has tendered the building contract for these works and is keen to contractually commit and commence on site in May to make maximum benefit of the quiet school site during study leave and over the summer break. The request for approval to commence the project has therefore been set out in this report instead of the August report as previously planned. The Trust's business case has been evaluated by the Council and the proposal complies with the Policy Principles for Pupil Place Planning in Schools as set out in the Council's detailed business case attached at Appendix C.

Conclusion

101. The proposals to expand Russell Lower School and St Andrews CofE VC Lower School, in accordance with the Education and Inspections Act 2006, constitutes a significant expansion of the existing schools which requires both informal consultation and the publication of Statutory Proposals before the Council can finally determine the proposals.

Therefore, it is recommended that Executive approve the commencement of informal and statutory consultation on the proposal to expand the community school of Russell Lower and also indicates its support for the commencement of consultation by the Governing Body of the voluntary controlled school of St Andrews CofE Lower School to provide additional places as outlined within the report.

102. Likewise the proposals to expand the Academies of Cranfield Lower School and Holywell Middle School represents' a significant enlargement of each and it is recommended that Executive invite the Academies to seek the approval of the Secretary of State for Education.
103. The proposal to expand the Academy of St Marys Lower School will add required additional places to the system and while it is not a 'significant' enlargement in legislative terms, it will nevertheless require the Council eventually to commit to expenditure from the New School Places Programme.

For that reason the Executive is asked to invite the Academy, along with the other schools in this report, to prepare a business case for final approval at the Executive's meeting in December 2013.

104. The proposal to expand the Academy of Etonbury Middle School, which has been the subject of consultation and a report now submitted to the Education Funding Agency, is outlined in the business case now provided to the Council by Bedfordshire East Multi Academy Trust. Approval of the Education Funding Agency is anticipated to be received in June 2013 and in order to progress this significant project to its procurement phase the Executive is asked to approve it, subject to the Education Funding Agency approval and the granting of relevant Planning permissions.
105. The proposal to expand the permanent capacity of Robert Bloomfield Middle is also outlined in the business case now provided to the Council by Bedfordshire East Multi Academy Trust at Appendix B. The proposal does not reflect a 'significant' enlargement in legislative terms and has not therefore had to follow the process required by the Education Funding Agency.
106. The proposal to expand the permanent capacity of Vandyke Upper School is outlined in the business case attached at Appendix C. The proposal does not reflect a 'significant' enlargement in legislative terms and has not therefore had to follow the process required by the Education Funding Agency. Executive is asked to approve the business case, enabling the school to enter construction contracts and commence the planned building works as set out in this report.
107. If the remaining recommendations in this report are approved, and in order to ensure that the schemes can be ready for September 2015, further more detailed design work will be commissioned to progress to the next Royal Institute of Building Architects (RIBA) work stage of development and to seek the necessary planning consents.

Appendices:

Appendix A - New School Places Programme 2013/14 – 2017/18 – Projects for September 2015 implementation

Appendix B – Capital Detailed Business Case BEMAT

Appendix C - Capital Detailed Business Case Vandyke Upper School