

**Name of meeting:** Cabinet  
**Date:** 7 March 2017

**Title of report:** Sufficient primary pupil places in the Huddersfield North area

### **Purpose of report**

- The report will provide information in relation to the Council's duty to secure sufficient primary school places to meet basic need across the wider area of Huddersfield south-west, Huddersfield west, Huddersfield north-west and Huddersfield north, and focus on the strategy for a specific proposal for the Huddersfield north area.
- To present a proposal to establish a new primary Free School in a new building to serve Huddersfield north for 420 pupils aged 4-11 years. This will put children first by ensuring they are able to secure a place in the area that they live.
- To seek Cabinet approval to begin the relevant statutory process to invite proposals to run a new primary Free School in Huddersfield north.
- To seek Cabinet approval for the proposed next steps and outline timescales.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	Yes - proposal to build a new 420 place primary school
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports)</a>?</b>	Yes 02/04/2015
<b>The Decision - Is it eligible for "call in" by Scrutiny?</b>	Yes
<b>Date signed off by Director &amp; name</b>  <b>Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance?</b>  <b>Is it also signed off by the Assistant Director - Legal Governance and Monitoring?</b>	Gill Ellis, Director for Children's Services, 23 February 2017  Debbie Hogg, 22 February 2017  Julie Muscroft, 22 February 2017
<b>Cabinet member portfolio</b>	Cllr Masood Ahmed - Community Cohesion and Schools

**Electoral wards affected:** Ashbrow and Greenhead

**Ward councillors consulted:** Yes

**Public or private:** Public

## **1. Summary**

- Kirklees Local Authority has a statutory duty to ensure that there are sufficient high quality school places to meet the needs of Kirklees families and communities. This is described as “basic need”.
- Over the last several years, the school age population in Kirklees has increased by approximately 20%, from the smallest pupil age group (which is now in the secondary schools) to the current Reception and pre-school age groups. This is not uniform across the district. The overall population figure masks a varied pattern of rapid growth in some areas of Kirklees and reduction in other areas.
- It is proposed to develop additional primary school places to meet the basic need in the area, by establishing a new 420 place primary school in a new building at Clare Hill Playing Fields, Huddersfield (the location is subject to planning approval and the council acquiring the site)
  - to cater for pupils aged 4 to 11
  - with a PAN of 60 for 4 to 11 year olds, providing 420 primary school places.
- Subject to land purchase and resolution of planning matters it is likely that the school would need to initially open in modular accommodation in September 2018, with the new school building to follow in September 2019 at the latest.
- This report is to seek approval to begin a process to secure these places.

## **2. Information required to take a decision**

### **2.1 The provision of school places to meet “basic need”**

- Kirklees Local Authority has a statutory duty to ensure that there are sufficient high quality school places to meet the needs of Kirklees families and communities. This is described as “basic need”.
- Over the last several years, the school age population in Kirklees has increased by approximately 20% from the smallest pupil age group (which is now in the secondary schools) to the current Reception and pre-school age groups. A similar pattern is repeated in most urban LAs nationwide.
- The pattern of change in the school age population varies across Kirklees. In more rural areas the pupil population is generally decreasing, in some more urban areas it is fairly steady, but in other urban areas there is a significant increase in pupil numbers.
- Over the last 4-5 years additional places have been established in line with growth across some geographical areas, for example in west Dewsbury, north Huddersfield and west Huddersfield.
- The pattern of projected pupil numbers in Kirklees has been published in the document “Securing sufficient high quality learning and childcare places.” This has been shared widely with stakeholders, including school leaders and is available on the Kirklees Council website at;  
<http://www.kirklees.gov.uk/beta/schools/pdf/securing-sufficient-school-places15.pdf>

In areas of increased need for school places, the growing pupil population has so far been accommodated by working collaboratively with schools by either:

- using existing unfilled capacity in schools and/or,
- establishing one off “bulge” classes and/or,
- making a permanent expansion to schools– starting with additional pupils in Reception places and then increasing the size of each year group in turn as the pupils progress through the school.
- establishing primary places as part of an all-through school arrangement including KS3 and 4 provision.

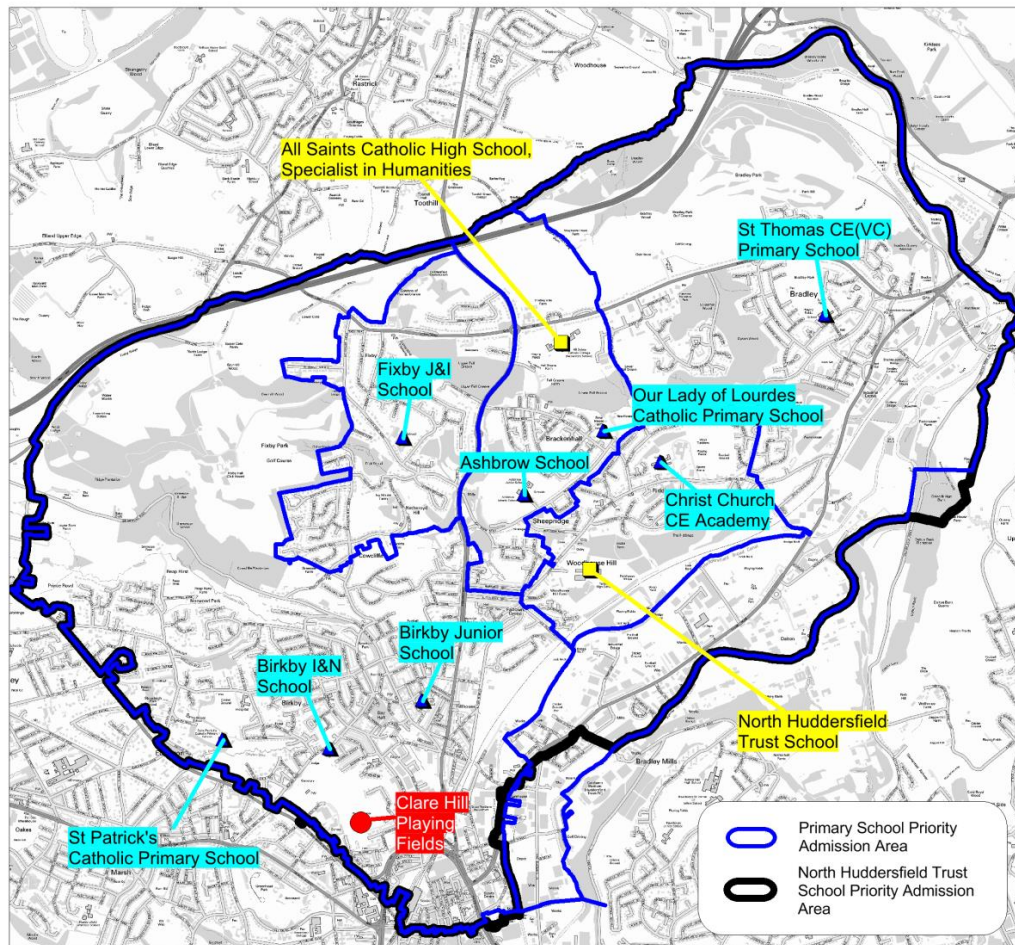
The pupil population data shows that there is a requirement for up to 2,100 (10 classes of entry) additional places across the north, north- west, west and south-west areas of Huddersfield. Part of this requirement has been fulfilled by the places that have already been established across several schools. These include: the primary phase of Royds Hall Community School; Beaumont Primary Academy; as well as additional places at Ashbrow School, Birkby Infant & Nursery and Birkby Junior Schools. In the Huddersfield north area where there is a growth in the pupil population demographic, there is no unfilled capacity in existing schools and so the need for places for September 2018 and into the future requires additional places to be established.

Discussions with groups of schools have been ongoing but the publication of the ‘Securing Sufficient Places’ document in 2013 (and again in 2014 and 2015) helped to clarify the ‘planning areas’ across the LA where additional places need to be established.

LA officers have discussed the pupil place projection data with groups of school leaders to understand their local knowledge of how best to meet the needs of the communities they serve, with a view to exploring opportunities for exploring and developing collaborative and creative solutions to meet the basic need for additional school places where they are needed. This has helped to inform an overall affordable strategy for investment in infrastructure and to shape emerging proposals for additional places.

Following a series of collaborative discussions between the LA and a strategic group representative of providers in the north Huddersfield area, and following exploration in outline of what is technically possible and affordable, the proposals below to support the best educational outcomes for children have been shaped. These are to meet the basic need for additional primary school places in the context of the wider area solutions that are required around the north, north-west, west and south-west areas of Huddersfield.

## 2.2 The current pattern of schools in Huddersfield north.



There are very strong collaborative partnerships between the schools and settings in the north Huddersfield area, where all are working together to provide the highest standard of learning experience to meet the needs of the pupils and their families of the local communities they serve.

## 2.3 Current primary and secondary schools

### Primary

- **Ashbrow School** provides education for 3 to 11 year olds (including nursery provision) with a Published Admission Number (PAN) of 60 pupils per year group.
- **Birkby I & N School** provides education for 3 to 7 year olds (including nursery provision) with a PAN of 150 pupils per year group.
- **Birkby Junior School** provides education for 7 to 11 year olds with a PAN of 150 pupils per year group.
- **Christ Church CE Academy** provides education for 3 to 11 year olds (including nursery provision) with a PAN of 30 pupils per year group.

- **Fixby J & I School** provides education for 4 to 11 year olds with a PAN of 45 pupils per year group.
- **Our Lady of Lourdes Catholic Primary School** provides education for 3 to 11 year olds (including nursery provision) with a PAN of 30 pupils per year group.
- **St Patrick's Catholic Primary School** provides education for 4 to 11 year olds with a PAN of 60 pupils per year group.
- **St Thomas CE(VC) Primary School** provides education for 3 to 11 year olds (including nursery provision) with a PAN of 60 pupils per year group.

As demonstrated above some primary schools provide early learning and childcare places alongside statutory school places. Schools represent just one sector of the diverse early learning and childcare market in this area

#### Secondary

- **All Saints Catholic High School, Specialist in Humanities** provides education for 11 to 16 year olds with a PAN of 180 pupils per year group.
- **North Huddersfield Trust School** provides education for 11 to 16 year olds with a PAN of 180 pupils per year group.

## 2.4 The Proposals

### **A new primary free school proposed to be located on Clare Hill Playing Fields**

It is proposed to develop additional primary school places to meet the basic need in the area, by establishing a new 420 place primary school in a new building

- to cater for pupils aged 4 to 11
- with a PAN of 60 for 4 to 11 year olds, providing 420 primary school places.

Subject to land purchase and resolution of planning matters it is likely that the school would need to initially open in modular accommodation in September 2018, with the new school building to follow in September 2019 at the latest.

This requires a statutory process to establish a new school, where there is a presumption to seek free school proposals. An outline timeline indicating the steps that would be followed for this process is shown in section 6 below.

The primary places would be built up in stages, starting with a 60 place Reception class in September 2018, and increasing year by year over 6 further years as the primary pupils progress through the school which would result in a two class entry, 420 place primary provision. The table below shows how this would be implemented.

	infant / key stage 1			junior / key stage 2				Total primary pupils
	Reception	Y1	Y2	Y3	Y4	Y5	Y6	
2018-19	60							60
2019-20	60	60						120
2020-21	60	60	60					180
2021-22	60	60	60	60				240
2022-23	60	60	60	60	60			300
2021-22	60	60	60	60	60	60		360
2022-23	60	60	60	60	60	60	60	420
2023-24	60	60	60	60	60	60	60	420

*Diagram illustrating how the proposed pupil numbers would build up over successive school years as each new Reception class joins the school, to give 7 year groups of 60 pupils, i.e. 420 pupils in total*

Clare Hill Playing Fields are not currently in the ownership of the Council. The owners of the land, Greenhead College, have confirmed their willingness to work with the Council, with a view to the Council acquiring some of the site for the purposes of a new school.

On 18 October 2016 Members authorised officers to submit an application for outline planning permission for the new school building on the identified site and to undertake further work to progress negotiations for purchase of the land subject to a successful planning application outcome.

The application for outline planning permission was submitted on 20 December 2016 and the anticipated date for the outcome being received is April/May 2017. An actual purchase would be subject to a further report to Cabinet around Spring 2017 and the successful securing of an outline planning permission, with a view to purchasing the land in June/July 2017.

The Council's Strategic Investment Plan has identified capital provision of £10.9m for this project though at this early stage this is an indicative amount that will be subject to a detailed cost appraisal in the coming months.

## 2.5 The free school presumption

There is a legal framework in place that Local Authorities must follow when considering the establishment of a new school. The Guidance issued by the DfE explains that;

*Where a local authority thinks a new school needs to be established, section 6A of EIA 2006 places the local authority under a duty to seek proposals to establish an academy (free school) and to specify a date by which proposals must be submitted to the local authority. In considering the need for a new school, local authorities should factor in any other free school projects that the department has approved and are due to open.*

*(DfE Guidance – 2016)*

*The presumption arrangements require LAs to seek proposals to establish an academy/free school where they have identified the need for a new school in their area. The LA is responsible for providing the site for the new school and meeting all associated capital and pre-/post-opening costs.*

- The decision on all new academy/free school proposals lies with the Secretary of State. Her approval is required as it is the Secretary of State who will enter into a funding agreement with the proposer.*
- LAs must notify the Secretary of State of their plans to seek proposals for a new school as soon as the need for a new school has been agreed.*
- Once the LA has received all formal proposals, they must provide the Secretary of State with details of all proposers. The Secretary of State will then notify the LA if she has any concerns about a proposer's capability or capacity to deliver the proposal and particularly where she is minded not to enter into a funding agreement with a particular proposer.*
- The LA may assess all proposals received and can, if they wish, recommend their preferred proposal. As this is a two stage assessment process, the LA should await the Secretary of State's decision before formally making public the outcome of their assessment. The LA should send the outcome of any assessment to the Secretary of State with all the proposals. Before making her decision on with whom she wishes to enter into a funding agreement, the Secretary of State will take the LA's assessment into account, along with any additional factors of which she is aware. The Secretary of State reserves the right to agree a sponsor of her own choice (from the department's list of approved sponsors) on the basis that she may have further evidence about a proposer, or proposers, which mean that none of those put forward is suitable. The intention is to ensure that the school is always established by the best proposer possible.*
- Local authorities are expected to work with selected proposers to agree a reasonable and mutually acceptable funding allocation for the LA to cover pre- and post-opening costs. The department will provide a one-off payment of £25,000 to the successful proposer for the legal costs associated with establishing a new academy/free school. Upon opening, the school will be funded by the Education Funding Agency on the same basis as other academies and free schools in the same LA area.*

*(DfE Guidance 2016)*

The LA would work with the DfE to follow a process in order to seek a local sponsor to run the new free school.

## **2.6 Cost breakdown**

- The Dedicated Schools Grant Schools Block funding formula allocation will provide funding to address the revenue costs of the new free (academy) school. The school will initially receive an annual, largely per pupil revenue funding allocation in line with the local funding formula for schools and academies. [This will then continue to happen under the proposed National Funding Formula arrangements for schools and academies]. The annual revenue funding allocation will take into account the anticipated growth in pupil numbers each September as the school adds an additional year group each year until it has grown to its intended number of year groups. The DSG will also allocate pre-opening development funding to the new free school taking into



account the method recently used to derive pre-opening support funding for Beaumont Primary Academy. There will also be a need to use DSG funding to support the new school post-opening with the natural diseconomies of scale costs which will be present until the school has reached the intended number of year groups. The Council is expected to work with the selected proposer to agree a reasonable and mutually acceptable funding plan to address the pre and post opening costs. In addition, the successful proposer will receive a one-off grant payment from the Education Funding Agency of £25,000 towards the legal costs associated with establishing the new free (academy) school (DfE 'The Free School Presumption, Departmental Advice for Local Authorities and New School Proposers' – February 2016).

- The Council's Strategic Investment Plan has identified capital provision of £10.9m for this project, though at this early stage this is an indicative amount that will be subject to a detailed cost appraisal in the coming months.

## 2.7 The statutory process

School organisation decisions have to follow a process set out by law. The Council has to have due regard to legislation and follow the statutory processes in respect of these proposals.

Relevant DfE Guidance about these processes are;

- *The free school presumption: Departmental advice for local authorities and new school proposers - February 2016*

The key stages are summarised below.

Establishing a new all-through primary academy	
Activity	
Complete impact assessment	
Publish Cabinet Report to obtain permission to seek proposals to establish an academy/free school	
Seek proposals from academy sponsors to run the new academy school	
Engagement with Department for Education and locally preferred proposer	
Department for Education Sponsor approval	
Successful proposer consultation on whether they should enter into a funding agreement for the new school with the Secretary of State	
Pre-opening processes	
Implementation (new build would follow)	

## 2.8 Equalities Impact Assessment

An initial Equalities and Community Cohesion Impact Assessment has been carried out on the proposals and is published. <http://www.kirklees.gov.uk/you-kmc/deliveringServices/impactAssessments/impactassessments.asp>

The following is a short initial analysis of the likely changes arising from the revised proposals.

- The proposal to establish new primary places in a new primary free school is intended, and is very likely, to have a positive impact for pupils and their families living in the local areas because the aim is to provide places where they are needed, in line with growth in the pupil demographic, which would complement existing local provision.



- The proposal is intended to have a positive impact on families and the local community as a developing centre of community, educational and recreational facilities.
- No adverse impacts are highlighted as part of this proposal.

The full EIA is required and will continue to be revised in the light of any decision taken by Cabinet and following consultation and engagement.

### **3. Implications for the Council**

#### **3.1 Early Intervention and Prevention (EIP)**

EIP is about working across the Council, partners and communities to support people to have the lives they want, with support from the council only when needed. We will help people in the most appropriate way with the money we have available. One of the ways we are doing this is by establishing schools as community hubs, where schools become more involved in delivering a wider range of services within their local community. The new school proposed in this report is intended to have a positive impact on families and the local community as a developing centre of community, educational and recreational facilities.

#### **3.2 Economic Resilience (ER)**

We want Kirklees to be a place where local people have the chance to develop skills, and where communities have good employment opportunities and wages. In line with this, we are committed to making sure that there are enough high quality school places in the areas where communities and families need them.

Opportunities to create extra school places are restricted by the space and capital available and working collaboratively to maximise the impact of services within the constraints of the limited resources available to us is key. LA officers have worked collectively with schools and other partners with a view to exploring opportunities for developing collaborative and creative solutions to meet the basic need for additional school places. This has helped to inform an overall affordable strategy for investment in infrastructure and to shape emerging proposals for additional places to support the best educational outcomes for children, like the one presented in this report.

#### **3.3 Improving Outcomes for Children**

Our aim is that all children in Kirklees have equal access to, and equal opportunities in education, regardless of where they were born or their start in life. We are committed to improve the quality of education in our schools to give every child the best possible start. The proposal to develop plans to seek applications from bidders to run a new primary academy school for Huddersfield north supports a community-wide approach to making sure there are enough high quality learning places to meet the needs of families and communities in the area.

### **3.4 Reducing demand for services**

Supporting families early decreases the need for costly interventions later. One of the ways we are doing this is by establishing schools as community hubs. The new school proposed in this report is intended to have a positive impact on families and the local community as a developing centre of community, educational and recreational facilities. This reduces the need for travel if children are able to be educated locally.

### **3.5 Legal, financial, human resources (HR) and other resource implications**

There would be no HR implications because it is a new school and would be an academy. The Local Authority would liaise with the approved proposer as part of the pre-opening process.

The Secretary of State is the decision maker for selecting the successful proposer.

## **4. Consultees and their opinions**

There has been wide engagement about the need for places with key stakeholders including school leaders, governing bodies and ward members and information has been shared as part of the document “Securing sufficient high quality learning and childcare places” which is available on the Kirklees Council website.

The successful proposers will need to carry out consultation with key stakeholders before the Funding Agreement is signed.

It is intended to carry out engagement about the proposals involving all key stakeholders including: pupils and their families, Governing Bodies, school staff, schools in the local area, ward members, wider community stakeholders and other interested parties. The responses received as part of this consultation would be reported to members to inform a decision on the next steps in the process.

## **5. Next steps**

Subject to decisions made by Cabinet, the indicative timeline for the next stages of the statutory processes are set out below:

<b>Establishing a new all-through primary academy</b>	
<b>Timeline</b>	<b>Activity</b>
February 2017	Complete impact assessment
March 2017	Publish Cabinet Report to obtain permission to seek proposals to establish an academy/free school
March - April 2017	Seek proposals from academy sponsors to run the new academy school
April – May 2017	Engagement with Regional Schools Commissioner and prospective proposers. Local assessment of proposers
June 2017	Cabinet report to feedback on assessment of proposers
June-July 2017	Department for Education Sponsor approval

<b>Establishing a new all-through primary academy</b>	
July 2017	Successful proposer consultation on whether they should enter into a funding agreement for the new school with the Secretary of State
August 2017- August 2018	Pre-opening processes
September 2018	Implementation (new build would follow)

*\* These dates are subject to Cabinet approval and may change.*

## **6. Officer recommendations and reasons**

It is recommended that Members:

- 6.1 Acknowledge the strong collaborative approach demonstrated between school leaders, providers and the LA that have enabled the development of proposals for consultation that seek to ensure the provision of learning places that are intended to be complementary and cohesive to meet the needs of families and the community.
- 6.2 Authorise officers to develop plans for seeking proposals to run a new primary free school for Huddersfield north that supports a community wide approach for enough high quality learning places to serve the families in the area, by establishing a new 420 place primary free school in a new building on Clare Hill Playing Fields.
  - to cater for pupils aged 4 to 11
  - with a PAN of 60 for 4-11 year olds, providing 420 primary school places.
- 6.3 Delegate authority to the Director of Children's Services in consultation with the Cabinet Portfolio lead to:-
  - engage and liaise with all stakeholders in conjunction with the Department for Education and the Education Funding Agency.
  - develop 'invitation to submit proposals to run a new primary academy school' materials on the basis of the proposals.
- 6.4 Require officers to report the outcomes of the 'invitation to submit proposals' to Cabinet for further consideration of the next steps.
- 6.5 Authorise officers from Physical Resources and Procurement to continue to develop options appraisals, undertake further feasibility studies as necessary and design development to firm up costings and proposals for the new school building at the Clare Hill Playing Fields site.

## **7. Cabinet portfolio holder recommendation**

We are committed to improve the quality of education in our schools to give every child the best possible start, putting them at the heart of what we do.

We are committed to making sure that there are enough excellent school places in the areas where communities and families need them.

The growing number of school age children gives Kirklees some real challenges in some parts of the borough where there are not enough places and the opportunities to create extra school places are very limited by the space and capital available.

We welcome collaborative solutions where schools and our partners want to work both with each other and with the Local Authority in order to meet the needs of the communities they serve. Discussions with local head teachers, governors and ward councillors mean we can work together to support our families. We are looking at the way other local authorities are operating to see how they are meeting similar challenges.

We also want to consider creative and collaborative approaches that can bring new expertise and energy to the school system and we welcome the way that school leaders and providers have worked together.

For these reasons we support the officer recommendations.

The Cabinet Members for Children's Services endorse the recommendations set out by officers in the previous section of this report. Any further material matters that are brought to our attention in advance of, and during, the Cabinet meeting on 07/03/2017 will be considered and final, oral, recommendations will be made at the end of the discussion of this item at the meeting.

## **8. Contact officer**

Jane Weatherill  
Principal Development and Team Manager  
Kirkgate Buildings  
01484 221000  
[jane.weatherill@kirklees.gov.uk](mailto:jane.weatherill@kirklees.gov.uk)

## **9. Background Papers and History of Decisions**

"Securing sufficient high quality learning and childcare places." Kirklees October 2015

"Securing sufficient school places to enable access for children and young people to an excellent local education system." Kirklees May 2013 and June 2014

<http://www.kirklees.gov.uk/beta/schools/pdf/securing-sufficient-school-places15.pdf>

**Cabinet Reports 22 October 2013:** 2013/14 and 2014/15 Directorate for Children and Young People (DCYP) baseline capital allocation – update on proposals for the allocation of capital funding from the 2013/14 and 2014/15 basic need (New Pupil Places) Programme.

Report in relation to a proposal affecting Royds Hall High School.

**Cabinet Reports 8 April 2014:** Report on the proposals to change the age range of Royds Hall Community School to create an 'all-through' school for pupils aged 4-16 years in order to establish primary places to meet basic need in the western Huddersfield area.

2013/14 to 2017/18 Strategic Investment Plan. Proposals to allocate funding from the Strategic Priorities section of the Capital Plan for new pupil places.

**Cabinet Report 24 March 2015:** Report outlining the current position across Kirklees in relation to securing sufficient learning places for primary, secondary and specialist school age children.

**Cabinet Report 30 June 2015:** Report on the outcomes from the statutory consultation for Members' consideration on the proposal about primary school places in the Huddersfield South West Area

**Cabinet Reports 22 September 2015:** Decision on the proposals to establish a new all-through Church of England voluntary controlled primary school for pupils aged 2-11 years, with early learning and childcare provision by bringing together Dryclough CE (VC) Infant School, Crosland Moor Junior School and Thornton Lodge Nursery School.

Update on the current position following the publication of the invitation to seek proposals to run a new 630 place primary free (academy) school in Huddersfield South West.

**Cabinet Report 17 February 2016:** Council Budget report 2016-19; incorporating Capital, Treasury Management, General Fund Revenue & Housing Revenue Account.

**Cabinet Reports 18 October 2016:** Strategic Investment Plan: Proposals to allocate funding from the Strategic Priorities Section of the Capital Plan for New Pupil Places in the Huddersfield South West Area.

Proposals to allocate funding from the Strategic Priorities section of the Capital Plan for new pupil places in North Huddersfield.

## **10. Assistant Director responsible**

Jo-Anne Sanders  
Acting Assistant Director for Learning and Skills  
Civic Centre 1  
01484 221000  
[jo-anne.sanders@kirklees.gov.uk](mailto:jo-anne.sanders@kirklees.gov.uk)