

## **Committee: Cabinet**

**Date: 18 January 2016**

Wards: All

## **Subject: Secondary School expansion including new school**

Lead officer: Yvette Stanley (CSF) and Chris Lee (E&R)

Lead member: Councillors Martin Whelton (Education) and Andrew Judge (Asset Management)

Contact officer: Tom Procter/Paul Ballatt (CSF) and James McGinlay (E&R)

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### **Recommendations:**

- A. That work to expand Harris Academy Merton by 2 forms of entry should proceed as soon as possible, with the school providing 210 year 7 places in September 2016, and 240 in September 2017 and beyond
  - B. To note that officers are working proactively with the Education Funding Agency to identify a suitable site for the new Harris Wimbledon School, and it is hoped sufficient progress will be made to enable an announcement in February 2016.
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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. Officers last reported to Cabinet on the matter of secondary school places on 8 June 2015 and are now reporting back on whether to progress the possible expansions of Harris Merton, Harris Morden and St. Mark's Academies. As outlined in detail in the report, due to the general availability of year 7 secondary school places for September 2016, it is proposed to only pursue the expansion of Harris Merton at this stage, but the position will continue to be closely monitored.
- 1.2. With regard to the proposed new Harris Wimbledon school, it was hoped that an announcement on the site could be made at the end of December 2015. Unfortunately this is not possible but officers continue to work with the Education Funding Agency (EFA) and there is currently negotiation for the purchase of two possible sites. It is hoped that the EFA and council will be able to make an announcement in February.

## **2 DETAILS**

### **Introduction**

- 2.1. On 8 July 2015 Cabinet agreed the strategy to facilitate expansion of up to 12 forms of entry by pursuing the opening of the Harris Wimbledon School in partnership with the Education Funding Agency (which would provide 6 forms of entry), and up to 6 forms of entry through the expansions of three schools (from Harris Morden, Harris Merton and St. Mark's Academy) by two-forms of entry each.

### **Expansion of existing schools**

- 2.2. In relation to the school expansions, Cabinet agreed to enter into a pre-construction agreement with Willmott Dixon for the expansion of Harris Morden, Harris Merton and St. Mark's Academy under the SCAPE framework but with clearly costed break-clauses at key stages to allow for the fact that it was not clear all projects will progress to construction, and any scheme may stop after design Stage C.
- 2.3. The next section of this report provides detail on demand issues so that a decision can be made on whether to proceed with expansion of the schools.
- 2.4. Demand issues
- 2.5. The Cabinet report on 8 July 2015 showed that, compared to 2014/15, there is reliably expected to be in the region of 222 additional year 6 pupils from LB Merton primary schools requiring a secondary school place by 2016/17, rising to 511 by 2018/19 (equivalent to 17 forms of entry).
- 2.6. However, forecasting their transfer to Merton secondary schools is much more unreliable and the year 7 forecast into LB Merton schools is lower than the figures above because LB Merton is a 'net exporter' of pupils (Merton residents attending another Local Authority area for state schooling). The expansion requirement was therefore forecast to be 10 to 14 forms of entry by 2018/19. Since the report in July 15 officers have received:
- School roll information for September 2015
  - Pupil preference information for September 2016 (on-time admissions applications closing date was 31 October 2015)
  - A detailed understanding of neighbouring councils' plans and the expected timing of their expansions
  - Secondary school attainment data for 2015
- 2.7. Our analysis from the number of resident admissions applications for September 2016 shows that the expected additional number of pupils up to September 2016 requiring a secondary school place is as forecast - there have been over 200 additional on-time admissions applications from Merton residents from 2014 to 2016 (139 extra in 2015 and a further 66 in 2016).
- 2.8. However, to date this extra demand has not fully translated itself into numbers on roll in LB Merton state funded secondary schools in September 2015, or projected through the admissions preferences for LB Merton secondary schools for September 2016 which have recently been received.
- 2.9. By far our greatest exporting of pupils is to LB Sutton, and this has also been by far the area of greatest change. The latest available information from the GLA shows exports increased from 1372 secondary pupils in 2012/13 to 1564 in 2014/15, and our local information from the admissions database shows this increased further in 2015/16, by the equivalent of more than one form of entry. There has also been a marginal decrease in the numbers of pupils 'imported' to LB Merton.
- 2.10. For 2016/17 the exporting to LB Sutton schools is expected to increase still further as some popular LB Sutton schools will be providing an additional 6 forms of entry in 2016/17, which is on top of the 3½ additional forms of entry provided in 2015/16. This expansion is ahead of the increase in local demand from LB Sutton residents.

- 2.11. However, in future years, there is unlikely to be the same opportunity for LB Merton residents to attend these schools as local demand in Sutton will have caught up with the additional supply of places. The growth in the secondary age child population in LB Sutton is behind LB Merton but it will eventually grow to similar levels, with an additional 495 children from year 6 by 2019/20, and 650 by 2021/22.
- 2.12. Implications for LB Merton school expansion
- 2.13. As outlined above, while it is likely to only be temporary, there is a reprieve in demand for secondary school places, especially towards the south of the borough, due to the additional provision LB Sutton has provided.
- 2.14. Harris Academy Merton continues to be oversubscribed with 479 top 3 preferences for September 2016. It would therefore fill an extra two forms of entry. However, given the extra places available in neighbouring authorities, it is doubtful whether St. Mark's CE, and to a lesser extent Harris Morden, would fill to an increased capacity in the short term.
- 2.15. It is therefore suggested that the expansion of Harris Academy Merton proceeds as quickly as possible, but that officers continue to monitor the position on demand and school standards before committing to the expansion of Harris Academy Morden and St. Mark's Academy. Both schools have some spare physical space at their schools so, should demand materialise, could provide for two years of additional year 7 places before new buildings need to be provided.

### **Harris Wimbledon School**

- 2.16. Following Secretary of State's approval, a new 6-form entry school is planned to be the Harris Wimbledon School. As a Free School, responsibility for opening including identifying a site rests with the Department for Education (DfE). However, councils are required to facilitate the opening of such schools, and officers have been actively engaged with the Education Funding Agency, especially as it is part of our strategy to provide sufficient secondary school places. There is currently negotiation for the purchase of two possible sites, and it is hoped that the EFA and council will be able to announce a preferred position by February 2016.
- 2.17. The opening date for the school currently agreed by the Secretary of State is September 2017, though the council's greater concern is for the school to provide sufficient places by September 2018. Any further delay in announcing a site will impact on the options available.

## **3 ALTERNATIVE OPTIONS**

- 3.1. Cabinet could decide to commit resources now to expand all three schools. However, given the preference information and uncertainty over other additional provision outside the council's control, there is a risk that it could be committing significant resources for places that, at least in the short-term, would not be filled.
- 3.2. The alternative to a new school is the expansion of existing schools. However, Harris Wimbledon has "pre-opening" approval from the Secretary of State so the expectation of government is that it will open by September

2017 or as soon as practical after this date, subject to the timing of the site decision of the EFA.

#### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

- 4.1. The expansion of existing academy schools does not require a statutory consultation in the same way as would be required for other types of schools. The opening of Harris Wimbledon (Free) school will require a statutory consultation, but this would only be after a site is identified.
- 4.2. Due to the different timescale of expansions and different agencies involved (i.e. both EFA and the council) it is not considered appropriate to have a single co-ordinated public consultation.

#### **5 TIMETABLE**

- 5.1. The timetable and related issues described in the main body of this report are to ensure that sufficient secondary school places can be provided for LB Merton residents over the next five years.

#### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

##### **Property Implications**

- 6.1. The design work up to stage C for the 3 schools (Harris Merton, Harris Morden and St. Mark's Academies) is expected to be completed in late January, but the scheme for Harris Academy Merton is sufficiently progressed to confirm that it will be within the £4,478,703 total costs reported to Cabinet on 8 July 2015, with provision in the capital programme from 2015/16 to 2017/18.

##### **6.2. Capital**

- 6.3. The proposed and indicative Capital Programme up to 2025 as contained in the Medium Term Financial Strategy (MTFS) has been revised to reflect Capital provision for secondary schools as contained in this report. It is envisaged that these budgets will be approved as part of the budget setting report to Council in March 2016.
- 6.4. The approved Capital Programme is reviewed monthly as part of monitoring procedures. Revisions to this programme are input into the MTFS where the impact on the financial position of the Council is calculated
- 6.5. Officers continue to be in discussion with the EFA regarding the required council contribution to the Harris Wimbledon School.

##### **6.6. Revenue**

- 6.7. As schools are funded through the Dedicated Schools Grant, there are no direct implications to Merton's General Fund of a new academy opening or increasing the published admission number of the three academies to cope with the increased number of pupil.
- 6.8. There will be implications for the DSG as funding is received on a lagged pupil number basis and funding, while the school fill its year groups, from September to March will need to be funded from the DSG growth fund. An increase in this fund to cover a new school as well as bulges for other secondary academies will reduce the amount available to schools through the funding formula.

- 6.9. Depending on where the new secondary school opens, it could also have an impact on other secondary school pupil numbers which would affect the formula funding they receive

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. The council has a duty under section 14 of the Education Act 1996 to secure that sufficient schools for providing primary and secondary education are available for its area. The Act provides that schools available for an area shall not be regarded as sufficient unless they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. The local authority must exercise its functions under section 14 with a view to securing diversity in the provision of schools, and increasing opportunities for parental choice.
- 7.2. There is a statutory presumption that new publicly-funded schools should be academies. The DfE has confirmed that all new provision academies are now classified as “free schools”. Under section 6A of the Education and Inspections Act 2006, if the council thinks that a new school needs to be established in its area, it must seek proposals for the establishment of an academy (free school) and specify a date by which proposals must be submitted. In considering the need for a new school, the council can take account of any other free school projects that the DfE has approved and are due to open. Non-statutory guidance on the DfE’s expectation of how the free school presumption process should operate in practice and the characteristics and qualities that new school proposers must demonstrate was issued in July 2015.
- 7.3. The Council is able legitimately to access the Scape Framework if appropriate for the project, as the council is identifiable from the OJEU notice in accordance with the Public Contracts Regulations.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. No specific implications

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. No specific implications

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. The increased reliance on other boroughs for secondary school provision makes it harder for the council to effectively plan for sufficient school places, and provides more risk, as we are vulnerable to the decision of other councils and agencies. It is only cost effective to expand schools when there is a high likelihood that they will fill.
- 10.2. In particular, LB Sutton is planning to provide up to two new secondary schools – one by 2018/19, and another by 2020/21, so whether these are implemented, and whether to the planned timescale will have a major impact. Even if they are, such is the increase in demand, that it is likely further secondary school expansion will be required in Merton over and above the collective 8 forms of entry from the new Harris Wimbledon school and Harris Merton expansion.

**11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE  
PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

None

**12 BACKGROUND PAPERS**

12.1. Cabinet 8 June 2016 – “Secondary school expansion”