

## **Children and Young People Overview and Scrutiny Panel**

**Date: 10 February 2020**

### **Subject: Expansion of Merton Medical Education Services into to Lavender Nursery site and closure of Lavender London Road Nursery**

**Ward:** Lavender London Road is in Lavender Fields ward but the proposal serves a wider area

**Lead officer:** Hannah Doody, Interim Director of Children, Schools and Families

**Lead member:** Councillor Eleanor Stringer, Joint Deputy Leader and Cabinet Member for Children and Education.

**Contact officers:** Tom Procter, Head of Contacts and School Organisation

Allison Jones, Head of Early Years, Family Wellbeing and Early Help

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#### **Recommendation:**

Prior to it being considered by Cabinet in March, for Panel Members to comment on the proposed expansion of Merton Medical Education Services, and so to close Lavender London Road Nursery, as set out in this paper and the consultation document (Appendix 1).

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#### **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 Merton Medical Education Services is part of Melbury College and is currently permanently located in 'The Bungalow' adjacent to the main Pupil Referral Unit building at Canterbury Road, on the same site as the Chaucer Centre. The building is now too small for the growing number of secondary aged pupils who are unable to attend mainstream schools for medical reasons.
- 1.2 A review has been undertaken for best use of council assets for this provision and more widely.
- 1.3 Lavender Nursery (Sure Start Children Centre London Road) currently provides up to 80 part-time, term-time only nursery places for 2-year-olds who are eligible for free nursery education, and up to 48 full-time all-year-round places for children aged 2, 3 and 4 for fee-paying families.
- 1.4 On 25 January 2020 the council commenced a consultation to expand Melbury Medical provision into Lavender Nursery, and so close the provision at this site, with sufficient nursery places available elsewhere.
- 1.5 The consultation closes on 22 February 2020 and Children and Young People Overview and Scrutiny Panel is invited to comment on the proposal

during this consultation phase, and before the matter is considered by Cabinet in March.

- 1.6 The consultation paper is provided as appendix 1, and this paper provides further detail on the background.

## **2. DETAILS**

### **Need for additional places for children with medical needs**

- 1.1 Part of Melbury College, Merton Medical Education Services offer high quality, bespoke education provision for highly vulnerable students who live in Merton and who are unable to attend mainstream school because of medical and/ or mental health needs.
- 1.2 Students can be referred by their mainstream school if they have, or will have 15 days of absence from school because of their medical condition. The school will need to provide medical evidence from a hospital consultant or CAMHS professionals.
- 1.3 They offer home tuition, in community provision, on line learning, a placement at the Canterbury Road campus or a combination of some/all of these, depending upon the individual needs of the student. SENDIS (Special Education Needs Integrated Service) also refers students with EHCP's if they are in Key Stage 4 (national year groups 10 and 11), as the most suitable provision to support these vulnerable pupils.
- 1.4 The number of pupils referred to Merton Medical Education Services has increased year on year. Last year, 63 students benefitted from the services. However, the limited accommodation at the Canterbury Road campus only allows up to 20 students to be accommodated at any one time, with pupils requiring the support of small class groups of no more than 10. There has therefore needed to be an over reliance on home tuition, and only KS4 pupils on site. Numbers are forecast to increase, both as the general secondary age population increases, and the increase in children with mental health needs that are unable to remain in mainstream secondary schools
- 1.5 Due to lack of space at Canterbury Road, Merton Medical Education Services temporarily moved to Worsfold House, Church Road, Mitcham, in September 2020. However, this is not suitable as a permanent location. The building is too large, and the site has been earmarked by the council for housing.

### **Feasibility of an extension on its current site**

- 1.6 The default position in the capital programme is to increase the on-site provision at the Canterbury Campus to 40 pupils, at a capital cost of circa £600,000 to £900,000.

- 1.7 However, expansion to 40 pupils may not be sufficient in the medium term, and there is a risk that a further project would be required in the near future. Moving to a new site with a larger building would meet the growing need with much more teaching time and a rounded offer. It could facilitate access to a broader curriculum, rather than 1:1 home tuition, and access to specialist on-site facilities such as food technology, Art, Design Technology, PE and Computing.
- 1.8 Should Merton Medical Education Services move from the Canterbury Campus the space released will provide opportunities for the Pupil Referral Unit (PRU), where, with the growth in the general secondary school population, there is also growing demand and the need for additional accommodation, especially in the KS3 cohort and those more vulnerable PRU pupils who may struggle in the larger PRU building.

### **Alternative site solutions for medical provision**

- 1.9 Officers have considered the potential sites currently within Children, Schools and Families management that could provide for additional SEND provision.
- 1.10 There are only two buildings currently not in permanent use. Firstly, Whatley Avenue, SW20 (former Adult Education building recently used temporarily by Harris Academy Wimbledon). This has been earmarked to provide specialist provision, catering for children with ASD (Autism Spectrum Disorder), for approximately 80-90 pupils. Secondly, Worsfold House. However, as referenced in paragraph 1.5 this is not suitable as a permanent location.
- 1.11 There are primary schools with surplus places but it would be challenging to have a distinct area that could be a provision operated by another provider, and especially to provide for secondary aged children on a primary school site. However, there is space to consider expanding nursery places/provision according to need, where there are schools with surplus accommodation
- 1.12 The network of Children's Centre buildings and Youth Centres have been considered but had to be discounted as too small. However, the exception identified was Lavender Nursery, a local authority run childcare setting that is a discretionary service. While it was discounted for Special Educational ASD provision as being too small for the size of school needed, it has been considered for the medical provision.
- 1.13 Lavender Nursery could be adapted to provide for up to 60 children for the medical provision at a fraction of the cost in the capital programme compared to extending at Canterbury Road.

### **Lavender Nursery**

- 1.14 Lavender Nursery opened in 2004 as part of Children's Centre provision under the government's Sure Start programme. It was opened with Lavender Steers Mead, which provides the main Children's Centre activities, support

services and co-location with Merton's Community Health provider, with Lavender Nursery providing early education and childcare for 2 – 5 year olds. Early education and childcare provision has developed significantly during this time.

- 1.15 Lavender Nursery (London Road) currently provides up to 80 part-time, term-time only nursery places for 2-year-olds who are eligible for free nursery education, and up to 48 full-time all-year-round places for children aged 2, 3 and 4 for fee-paying families
- 1.16 Based on the current roll for fee paying families (this is subject to change slightly), from September 2021 there will be:
- 36 children who will go to school reception class in September 2021 – i.e. will be leaving regardless
  - 24 children who would have ordinarily had the option to remain at Lavender, who will require alternative provision under this proposal
- 1.17 This provision can be provided through other means as follows:
- the private, voluntary, or independent sector, where within a 1 mile distance there are 9 private all-year-round full day care nurseries with good Ofsted inspections (or waiting for their first inspection)
  - nursery classes in primary schools, where within a 2 mile distance there are 14 primary schools with nursery classes, some offering 30 hour funded places for 3 and 4-year-olds. The council will continue to work with schools wanting to offer the 30 hours (extended entitlement) to meet the needs of families
  - the childminding sector where, within a mile there are 20 to 25 childminders
- 1.18 It is recognised that there are generally fewer places available via the free childcare scheme for eligible 2-year-olds, hence the aim is to relocate the existing council-run 80 places to the following three designated children centre sites, whilst continuing to support sufficiency across the whole childcare market:
- Lavender Steers Mead Children's Centre CR4 3HL
  - Acacia Children's Centre CR4 1SD
  - Abbey Children's Centre SW19 2JY.
- 1.19 The council's Childcare Sufficiency Assessment report shows that the population of Merton's under-fives has decreased in recent years and the forecast from the GLA demography unit is for it to continue to decrease over the next five years. This is likely to reduce the demand for childcare. However, the secondary aged population has increased substantially and is forecast to still modestly increase over the next five years.

### **3. ALTERNATIVE OPTIONS**

- 3.1 A series of site options for Melbury Medical are summarised in the main body of this report, alongside the implications of closing Lavender Nursery.
- 3.2 Following the consultation Cabinet could decide not to proceed with the proposal in the consultation and keep Lavender Nursery open. In this instance either more children would have to be Home Educated by Merton Medical Education Services, or an alternative permanent building would need to be found that is cost effective to the council.

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

- 4.4 A public consultation commenced on Monday 25 January 2021 and ends of Monday 22 February 2021. It is on the council's consultation page <https://consult.merton.gov.uk> and the following specific groups have been directly contacted:
- All parents with children currently at the nursery
  - Early years sector – 360 registered childcare providers (including childminders) in Merton
  - Headteachers of all Merton state funded schools
  - All Merton councillors

4.5 A webinar is also planned to discuss the proposal before the end of the consultation period.

4.6 Early responses to the consultation indicate support to the proposal from Merton schools as it will provide much needed specialist provision. However, concern has been raised from a number of parents currently benefitting from the nursery provision regarding alternative affordable quality childcare.

#### **5. TIMETABLE**

- 5.1 It is planned that a report is considered by Cabinet in March to decide whether to proceed with this proposal. If it is agreed Lavender Nursery would shut in August 2021. Works would then commence to adapt the building so that it is suitable for the Medical Education services provision by late 2021/early 2022.
- 5.2 An early decision is preferred by Cabinet so that the council and families can plan for September 2021 and beyond.

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

- 6.1 The proposal will require significantly less capital expenditure than the alternative option of expanding the building at Canterbury Road.
- 6.2 The council's ongoing expenditure on Lavender Nursery is greater than the income received. The proposal will therefore contribute to required council

savings although, if the proposal goes ahead, redundancies are anticipated, with the associated costs for this.

6.3 While DfE grant was used to build the original Sure Start centre, the experience of councils who have re-purposed buildings is that no money is clawed back if it is continued to be used for Education purposes.

6.4 Full financial implications will be provided as part of the report to Cabinet

### **Impact on Tamworth Recreation Ground and paddling pool**

6.5 The paddling pool and park are independently managed. The proposal is that the area currently designated to 'Education for Nursery' becomes provision for Merton Medical Education Services. Tamworth Recreation Ground and paddling pool will not therefore be impacted by this proposal.

## **7. LEGAL AND STATUTORY IMPLICATIONS**

7.1 The Lavender Nursery site's land is a charity trust and Merton Council is the Trustee. The proposals for this change of use for this building in compliance with this Trust are currently being considered.

7.2 Lavender Nursery is considered part of the Sure Start/children's centre provision made by the Council under the Childcare Act 2006. The current consultation is intended to meet the requirements for consultation under section 5D of that Act.

7.3 Full legal implications will be provided as part of the report to Cabinet.

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

8.1 An equalities impact assessment will be required before a decision is considered by Cabinet. A draft has been written, and may need to be amended following the consultation.

## **9. CRIME AND DISORDER IMPLICATIONS**

9.1 None specific

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

10.1 This would be a major project that will require a risk and issues log.

## **11. APPENDICES – the following documents are to be published with this report and form part of the report**

- Appendix 1 – Consultation document

**12. BACKGROUND PAPERS**

None

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