

**Decision Maker:** Council

**Date:** 1<sup>st</sup> July 2013

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** THE KINGSWOOD SITE AND PRIMARY EXPANSION NEEDS

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 020 8461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Corporate Services

**Ward:** Shortlands

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1. Reason for report

- 1.1 At its meeting on 12<sup>th</sup> June 2013 the Executive considered a report setting out a proposal from the Harris Academies chain for a new two form entry primary school in Shortlands built by the Education Funding Agency (EFA) on a site to be provided by the Council at the former care home at Kingswood. The scheme would involve the Council leasing the site to the EFA at a peppercorn rent on standard academies terms and conditions, thereby foregoing a potential capital receipt from the disposal of the site, but would transfer the costs of providing these much needed school places from the Council to the EFA resulting in a significant net saving to the borough. The Executive agreed that, subject to planning consent and consultation with local residents and other interested parties, Council be recommended to approve the proposals for a new school.
- 1.2 Members are requested to refer to the part 2 report to the Executive's meeting for further details of the proposals.
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2. **RECOMMENDATIONS**

**(1) Subject to planning consent and consultation with local residents and other interested parties, the Kingswood site should be utilised as a site for a 2 form entry free school, built at cost by the Educational Funding Agency (EFA) with education provided by the Harris Academy chain, thereby helping to meet an agreed demand for primary school places in Shortlands ward, and across planning areas 2 and 3.**

**(2) Should the proposals for a new school proceed, this site be leased to the EFA for that purpose, on a 125 year peppercorn rent, subject to all necessary consents being received, the site reverting back to the Council should it cease being used for educational purposes.**

## Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Children and Young People.
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## Financial

1. Cost of proposal: Estimated cost The cost to the borough will be that of the potential sale of the site, less the total cost of provision of a new two form entry primary school.
  2. Ongoing costs: N/A. The proposal transfers any future running costs of the school from the local authority to the Harris Federation.
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: £N/A
  5. Source of funding: N/A
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## Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
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## Legal

1. Legal Requirement: Statutory requirement. The Council is required to provide sufficient school places for all Bromley residents that require one. This proposal meets demand in an area with significant proven need.
  2. Call-in: Call-in is not applicable. This is not an executive decision.
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 560 school places will be provided benefitting a proportionate number of families in the Shortlands area.
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes.
2. Summary of Ward Councillors comments: The views of ward councillors are attached to this report.

### **3. COMMENTARY**

- 3.1 The need for additional primary school places in the Shortlands area of the borough was confirmed by the Members' Working Party on School Places, which reported to the Education PDS Committee in November 2012. At its meeting on 12<sup>th</sup> June 2013 the Executive considered a report concerning a proposal for a new 2 form entry primary school in Shortlands to be funded by the Education Funding Authority (EFA) and run by the Harris Academy chain but built on land to be leased by the Council at the former Kingswood care home site.
- 3.2 The report provided the background to the Harris offer, and requested support for leasing the site of the former care home in Kingswood Road, at a peppercorn rent and on standard academies terms and conditions, to the EFA. To do so would mean giving-up a potential capital receipt (about £2.5 - £3m) from the disposal of the site but would transfer all the costs of provision of these places, including that of site and project management, from the Council's basic need grant pot, to that of the EFA. This would result in a significant net saving to the London Borough of Bromley compared with the cost of the Council funding a new school. The Council would retain the freehold of the site and it would revert to the Council should it cease to be used for the proposed school. Final approval from the appropriate Secretary of State would be needed for this to go ahead, and the Department for Education (DfE) was pushing for a decision to be made by the Council before the end of July.
- 3.3 Individual Members of the Executive expressed reluctance for the Council to forego a capital receipt for this site and sought a clearer business case for the proposals, but the Council had a statutory duty to provide sufficient school places, and the DfE was unlikely to provide any funds for new schools other than via academies or free schools. There was significant pressure on school places in this area and legislation restricted infant class sizes to 30 pupils, limiting the possibilities for gradual expansion of other schools. The Kingswood site was relatively small, but size requirements for primary school sites had been removed by the Secretary of State.
- 3.4 Comments from the two Shortlands Ward Members were circulated before the Executive's meeting (see below) – these raised concerns about the long-term need for school places in this area, the unsuitability of the site (sloping, too small, with little scope for playing fields or on-site parking) and parking and traffic in the surrounding area. The Executive recognised these concerns and emphasised the need for democratic processes to be completed with scrutiny of the proposals, good practice on consultation with local residents and other interested parties and rigorous planning procedures. Detailed planning and transport issues would need to be considered at the next stage if the proposals were approved.
- 3.5 The Executive welcomed the opportunity to provide a high quality new school in this area, and, subject to planning consent and consultation, agreed that Council should be recommended to approve the proposals.

#### **Ward Member comments**

- 3.6 The following comments were received from the two Shortlands Ward Members before the Executive's meeting -

The proposal to build a new school in this location raises questions about long term sustainability, and whether there would be an impact on other schools in the area. Whilst it is possible to regulate entries at existing schools by bulge classes, the provision of new schools makes it more difficult to manage if rolls were to fall, as in previous years.

There is concern about whether the site is of adequate size to provide a two form entry primary school. Arrangements would have to be made for off site playing field provision, unlike most other primary schools in the borough. The sloping nature of the site makes development more

difficult and raises questions about whether parking is possible on site, and how satisfactory recreational areas can be created.

If there is very limited parking on site, staff may park in the street which may give rise to conflict with local residents, already affected by commuter parking related to nearby stations, leading to problems further along Kingswood Road and Mays Hill Road. Although it is likely the school will recruit principally from the surrounding area, there is a concern about a growth in traffic, as many parents will bring children to school by car and this may have an impact on local bus services. A comprehensive school transport plan, a parking and road access policy needs to be put in place ahead of the development, and it would be desirable to include the Shortlands Residents Association and surrounding properties in a consultation.

#### **4. POLICY IMPLICATIONS**

- 4.1 This is a new policy direction for the Council reflecting the national change that prevents local authorities from providing new schools for their residents themselves. Rather, we are required to go through either the academy or free school route, commissioning rather than providing new school places. It is likely that all new schools in the borough will, in future, be procured in this manner, with the Council providing the land, the DfE the education provider and the EFA the capital for the build.
- 4.2 Previously where the council was directly involved in providing a school it would usually either acquire or provide the land.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 For detailed consideration of financial implications, Members are requested to refer to the part 2 report to the Executive.

#### **5.1 LEGAL IMPLICATIONS**

- 6.1 For detailed consideration of legal implications, Members are requested to refer to the part 2 report to the Executive.

<b>Non-Applicable Sections:</b>	Personnel
Background Documents: (Access via Contact Officer)	Report to the Executive on 12 <sup>th</sup> June 2013 – The Kingswood Site and Primary Expansion Needs (Not for publication – Financial or business affairs of a person or body)