

TRAFFORD COUNCIL

Report to: Executive
Date: 27 September 2021
Report for: Decision
Report of: Executive Member for Children's Services

Report Title

Education and Early Years Basic Need Capital Report

Summary

The Council has a statutory duty to provide sufficient places in schools and early years settings.

To support the achievement of this duty, and to meet any risks in relation to school conditions and access, the Council has received Basic Need capital funding (for expansion of pupil places) of £7.842m for 2021/22 and a nil allocation for 2022/23.

This report further details and updates on the progress that has been made on existing projects to meet demand for places as projected in January 2021.

Section 6 sets out the Council's proposals to address the shortfall of places.

All proposals are at the budget estimate stage and will be met from within the grant allocation available.

Recommendation

That the Executive agrees the proposals contained within this report as the detailed capital programme for 2021/22, specifically:

1. Note the demand for primary and secondary school places in Section 2 and 4
2. Note the feasibility study and options appraisal in Section 3 for refurbishment and expansion of the now amalgamated Stamford Park Primary School and approve the proposal not proceed with the expansion of Stamford Park Primary School and to reallocate the £8m budget and instead proceed with the expansion of The Willows Primary School.
3. Approve the expansion proposals detailed in Section 6:
Willows Primary School (PAN 45 to 60)
Templemoor Infant School (PAN 60 to 90)
Moorlands Junior School (PAN 60 to 90)
Davyhulme Primary School (PAN 70 to 90)
4. Note and agree the completion of previous schemes and the demand for early years places in Section 5.

Contact person for access to background papers and further information:

Name: Sarah Butters, Head of Service – Early Years, School Places and Access
Karen Samples, Director of Education Standards, Quality & Performance

Extension: 912 1056 / 912 5100

Background Papers: None

Relationship to Policy Framework/Corporate Priorities	Ensuring a fair start for all children and young people Supporting our residents when they need it most
Relationship to GM Policy or Strategy Framework	Not Applicable
Financial	The estimated capital cost of the schemes, now recommended for approval in Appendix A, is £11.8m which can be financed by capital grant from the DfE.
Legal Implications:	All changes to schools' status, closure, expansion and amalgamation, and new schools, are subject to statutory processes, which will need to be adhered to as appropriate for each scheme. In addition, the Council has statutory duties in relation to the provision of school and early education places, including using its planning powers to secure provision.
Equality/Diversity Implications	Schools are subject to current legislation regarding Equality and Diversity
Sustainability Implications	School buildings are procured requiring successful contractors to meet required sustainability criteria.
Carbon Reduction	Improving the quality of our School buildings helps to reduce energy and carbon consumption.
Resource Implications e.g. Staffing / ICT / Assets	School buildings are assets that need to be maintained
Risk Management Implications	Operational risk of buildings closing if capital maintenance works not undertaken and insufficient school places
Health & Wellbeing Implications	The condition of School buildings affects the Health and Wellbeing of all staff and pupils.
Health and Safety Implications	All building work is subject to appropriate current Health and Safety/CDM regulations. Failure to respond to condition issues, which have health and safety implications, will find the Council in breach of the Health and Safety at Work Act.

1. Background

- 1.1 There has been a rolling programme of capital expansion across Trafford Schools in order to ensure that the local authority is able to meet its statutory duty in relation to the provision of school and early years places.
- 1.2 The local authority sets its priorities for the allocation of capital resources using these key principles:
- Ensuring there is an appropriate level of school places so every child has a school place and parental choice is maximised;
 - Expanding existing schools to protect financial viability, noting the Department for Education (DfE) no longer supports the creation of schools with one form of entry (FE);
 - Taking account of emerging and changing demographics, including inward migration and housing developments;
 - Using the learning environment efficiently to enhance the provision for vulnerable pupils;
 - Ensuring health and safety issues are identified, prioritised and addressed;
 - Supporting growth and economic investment;
 - Making judicious use of public resources including supporting infant and junior school amalgamations and promoting full forms of entry into infant, junior and primary schools;
 - Supporting Good and Outstanding schools.

This maximises the impact of basic need funding, whilst providing opportunities to improve the suitability and condition of the existing stock.

- 1.3 Between 2010 and 2022, Trafford received £78m of basic need funding which has been used to commission the expansion of 30 schools and provide an additional 3,891 places. Trafford has been identified by DfE as an exemplar local authority with regards to its effective and efficient use of basic need funding.
- 1.4 The DfE school places scorecard for Trafford indicates:
- Primary forecast accuracy of within 0.1% for 1 year ahead and 1.3% for 3 years ahead and also shows the cost of providing a permanent school place in Trafford is lower than the national figure.
 - Trafford's secondary scorecard indicates forecast accuracy of within 0.9% for 1 year ahead and 0.9% for 3 years ahead.
- 1.5 The DfE utilise data provided in the annual School Capacity (SCAP) Survey to estimate the number of additional places needed in Trafford, based on the DfE's school capacity assessment. An important point to note is that the DfE calculation deploys a methodology which assumes that local authorities will provide places for all pupils who wish to access one in their area. This differs from the local sufficiency assessment methodology which is to ensure that the local authority meets its duty to ensure sufficient places for all pupils resident in our area.
- 1.6 Trafford has good transport links and high performing, popular schools, many of which are oversubscribed, making it an attractive option for pupils from outside of our area. The 3 year average indicates 4% of primary pupils in reception year are not Trafford resident. This figure increases in border areas, for example 8% in Sale East and 6% in Stretford. For secondary pupils in Year 7, the 3 year average is much higher with 16%

of pupils not resident in Trafford. Selective schools are a significant contributory factor with 29% of Year 7 pupils in this sector not resident in Trafford.

- 1.7** Trafford being a net importer of school places creates a significant difference between the DfE estimation of additional places needed and the number of places indicated in our local sufficiency assessment.
- 1.8** Demand for school places is influenced by a broad range of social, economic and demographic factors, reflecting wider trends within community and society at a given point in time. The selective education system in Trafford creates additional complexities, with a unique pattern of pupils in upper year groups in the primary phase moving into the area in preparation for applying for our grammar schools. Additionally, Trafford is not the Admission Authority for 18 of our 19 secondary schools where this responsibility lies with the school's governing body because they are an academy or faith school.
- 1.9** Achieving the right balance between sufficient places and overprovision is critical to maintain stability within the existing school system and to avoid compounding financial challenges for schools.
- 1.10** The Executive have previously approved the following schemes to increase capacity and the table below shows progress to date.

CAPITAL PROJECTS – PREVIOUSLY APPROVED EXPANSION SCHEMES			
School	Description	Progress	Additional Places
2 Schools		Completed Sept 2010	140
3 Schools		Completed Sept 2011	420
3 Schools		Completed Sept 2012	203
2 Schools		Completed Sept 2013	210
4 Schools		Completed Sept 2014	770
5 Schools		Completed Sept 2015	553
Oldfield Brow	Expand from 1 to 2-FE	Completed Oct 2016	210
Brentwood	Relocate and expand to 150	Completed Sept 2016	50
Worthington	Expand from 40 to 1.5-FE	Completed Sept 2016	35
Park Road, Sale	Expand from 45 to 2FE	Completed Sept 2017	105
Broadheath	Expand from 2FE to 3FE	Completed April 2018	210
Brooklands	Expand from 70 to 3FE	Completed Sept 2018	140
Gorse Hill	Expand from 50 to 2FE	Completed June 2019	70
Worthington	Expand from 45 to 2FE	Completed Nov 2020	105
Blessed Thomas Holford	Expand to PAN 290	On target Nov 2021	400
Sale High	Expand from 198 to 210	Ongoing	60
Firs	Expand from 2FE to 3FE	On target Sept 2022	210
Total:			3,891

CONDITION / SUITABILITY ISSUES			
St Vincent's	Two additional classrooms to replace 2 very small first floor classrooms.	Complete Dec 2017	-

- 1.11** Most of the schemes detailed have been completed to target date and on budget. There has been a small delay in some projects due to COVID-19, however projects in progress are all on target to complete in line with the revised agreed timetable.
- 1.12** There are ongoing national challenges to project delivery including Brexit, material shortages such as steel, longer lead in times for materials and HGV driver shortages. All risks are logged on project plans but there is some uncertainty about how these factors may impact future delivery timelines and budgets.

2. School Place Demand – Basic Need – Primary

Forecast Methodology

- 2.1** In building projections for future demand for school places, information from a number of sources is collated and analysed including GP registrations, pupils on roll on the termly school census, Local Land and Property Gazetteer (LLPG), Strategic Housing Land Availability Assessment (SHLAA) and coordinated admissions data to forecast migration. Forecast pupil numbers are submitted to the DfE as part of the annual School Capacity (SCAP) survey which generates a Basic Need funding allocation.

Primary Overview

- 2.2** In the 2021 admission round there were sufficient reception places in all areas. On national offer day (16 April 2021) every applicant was offered a place, with 94% of Trafford resident on-time applicants allocated their first preference school and 99% allocated one of their top three preferences. There were reception vacancies in areas usually oversubscribed including Sale East, Sale West and Altrincham. The area where oversubscription was most prominent was Urmston where only 1 reception place remained unallocated on national offer day.
- 2.3** In summer 2021, there were unprecedented levels of additional demand for school places from families newly resident in Trafford. This includes families moving to Trafford from elsewhere in the UK, anecdotally we know about house move delays due to Covid and those taking advantage of the extended stamp duty holiday. It also includes families moving here from abroad and Trafford has welcomed a particularly high number of families arriving from Hong Kong under the visa scheme. The Department for Education (DfE) confirmed Trafford is the LA with the highest number of school place applications nationally, from Hong Kong families.
- 2.4** Between 3 May and 15 July 2021, 606 in-year applications were received for primary places. Of these 419 (69%) were newly resident in Trafford, of which 254 (42%) were from abroad. With variation by planning area, an operational surplus of between 5 and 10% is built into place planning to meet demand from forecast in-year admissions but this volume of requests could not have been foreseen. As a result, the position has been escalated to the Regional Schools Commissioner and the DfE are being kept up to date.

2.5 The new residents are concentrated in the central and south areas of Trafford, with 76% living in Sale and Altrincham planning areas. Due to this unprecedented surge, the vast majority of primary vacancies in these areas have now been allocated with only 36 vacancies (1%) remaining in Sale East and 28 vacancies (1%) in Sale West. There are a total of 258 (4%) vacancies in Altrincham but a large proportion of these are in reception, if this year group is excluded there are 121 vacancies (2%) from Y1 to Y6. Significantly, across both Sale and Altrincham there are a very limited number of vacancies in the upper year groups, Y5 and Y6, where the most in-year applications are usually seen as families move into the area in preparation for applying for our grammar schools.

The following table shows the number of current vacancies and the vacancy rate, summarised by planning area and by year group:

Area	YR		Y1		Y2		Y3		Y4		Y5		Y6		TOTAL		
	No	%	No	%	No	%	No	%	No	%	No	%	No	%	Places	No Vac	Vac %
Altrincham	137	14%	30	3%	19	2%	12	1%	24	2%	35	4%	1	0%	6,680	258	4%
Partington	18	15%	26	22%	5	4%	35	29%	30	25%	12	10%	2	2%	840	128	15%
Sale East	12	3%	2	0%	14	3%	2	0%	2	0%	2	0%	2	0%	3,360	36	1%
Sale West	18	5%	1	0%	9	2%	0	0%	0	0%	0	0%	0	0%	2,765	28	1%
Stretford	78	11%	81	12%	74	11%	27	4%	72	11%	21	3%	14	2%	4,766	367	8%
Urmston	4	1%	30	6%	11	2%	30	6%	29	6%	12	2%	20	4%	3,570	136	4%
Grand Total	267	8%	170	5%	132	4%	106	3%	157	5%	82	3%	39	1%	21,981	953	4%

2.6 All in-year applications received during the summer term surge have been allocated a school place, meaning the local authority has now met its statutory duty with regards to offering a place although it is noted that parental preference is less likely to have been accommodated and not all places may be accepted so there will continue to be movement.

2.7 This has been achieved through allocating to schools through the normal admissions process and through utilisation of the Fair Access Protocol (FAP). The FAP is designed to ensure that unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a place as quickly as possible. 35 children were allocated places through the FAP on 19 July 2021 and it will continue to be utilised when required, although it is noted that there will come a point where schools cannot physically accommodate additional pupils. Infant class size regulations limit class sizes in Key Stage 1 and many schools in Sale and Altrincham are already overfull in in Key Stage 2, with 76 places allocated over the published admission number in Altrincham, 41 in Sale East and 71 in Sale West.

2.8 Enhanced monitoring and reporting of in-year applications, the impact of inbound migration and school vacancy rates (including where the local authority is not the admission authority) has been implemented with fortnightly reporting to be shared with Leadership and monthly reports for review by Place Shaping Board and the School Places and Capital Group. Intelligence is shared amongst neighbouring authorities via the GM Pupil Place Planning Group and the regional Educational Building and Development Officers Group (EBDOG).

2.9 The LA is working closely with DfE Pupil Place Planning Team to identify potential short term options and emergency measures, which currently include the following:

- An audit of schools in Sale and Altrincham was carried out with a view to identifying any surplus space which could house a bulge class. The repurposing of the ICT suite at Willows Primary School in the Altrincham planning area was

identified and the school have agreed to creation of a mixed Y5/Y6 bulge class for a 2 year period. A short programme of work is underway which will bring an additional 30 places online by October 2021.

- Broadheath Primary School in Altrincham planning area has a published admission number (PAN) of 90 but due to demand, has been operating and is staffed for 60 PAN in lower year groups. The school is already at 90 in YR and an extra 30 places in Y5/6 bulge class were created in summer 2021. This means they are at 90 in YR, Y4, Y5 and Y6. They are currently only staffed for 60 PAN in Y1, Y2 and Y3 but have available empty classrooms for an additional 30 places in each of these years. These places are not currently included in the reported vacancy information and so can be unlocked for additional mixed age class/es in these lower year groups as and when they are needed, pending recruitment.
- A temporary mobile classroom option has been built in to the costings for the Moorlands Junior School expansion proposal in Sale East, but it is noted there are significant national supply chain issues for mobile units on the back of Covid and Brexit. Assuming a unit could be sourced and these temporary additional places are required, the projected timeline for installation is 12 months and this could create up to 60 additional places.
- Catchment areas identify priority areas for admission to community schools, voluntary controlled schools, and to some academies. These areas are reviewed annually to ensure that sufficient places exist in each area, or neighbouring area, to accommodate all the children resident in that area. Review of catchment areas scheduled for the September 2023 admission round will particularly focus on Sale East, to further improve prioritisation of places for Trafford residents.

3. Stamford Park Schools Update

Original expansion and amalgamation proposal

- 3.1** In June 2019, Executive approved the Education and Early Years Basic Need and SEND Capital report which included the proposed amalgamation and expansion of Stamford Park Infant and Junior Schools. Informal consultation began on this original proposal which was to discontinue both Stamford Park Infant and Junior schools and open Stamford Park Primary School. £8m was allocated to this project from Trafford's Basic Need Allocation which had been granted to provide additional places.
- 3.2** In conjunction with the informal consultation, a design and build contractor was procured and design works started with the schools. The brief was to provide a new three-form entry primary school built on the current playing field with the playing field and staff parking being re-provided on the current buildings site. The new build design progressed to the point of initial discussions with the Planning Department and Sport England, a statutory consultee.
- 3.3** During the consultation period, a private individual made an application to Historic England and following an assessment in November 2019, the school buildings were awarded Grade II listed status in February 2020. The listing protects Stamford Park Infant and Junior School, master's house and play sheds with surrounding walls, gates and railings.
- 3.4** This meant the original proposed expansion and new build scheme could not be progressed and was abandoned as a key part of this proposal relied on being able to re-provide the school playing field on the current buildings site.

3.5 The design team, which included representatives from both schools, then undertook a feasibility study to assess the options in light of the listed building status.

Feasibility study

3.6 Stamford Park Primary School Feasibility Study (Appendix B) identified a range of refurbishment and expansion options. An initial options appraisal generated two potential preferred options which were explored in further detail - Option 4B and Option 5.

3.7 Option 4B details a single storey extension to provide new hall spaces, infant classrooms, resource spaces and office accommodation. The Infant School raised concerns as to whether the flexible learning zones could be utilised fully in Key Stage 1 without requiring more staff supervision for the pupils which would increase revenue costs for the new school. The estimated capital cost of this option is £14.6m.

3.8 Option 5 was developed in response to the concerns expressed about Option 4B and incorporates a two storey extension to infant classrooms and single storey extensions to provide new hall spaces, resource spaces and office accommodation. The estimated capital cost of this option is £16.1m.

3.9 These refurbishment and expansion options were discounted due to being significantly over the £8m budget allocated to the initial proposal with the additional risk of working with an aged building of Grade II listed status, subject to approval by the Planning Department and Heritage Officer.

3.10 The option of a new build three-form entry primary school was revisited, see Stamford Park Primary School Feasibility Study New Build Option (Appendix C). As the school field could no longer be re-provided on the current school site, if this option were pursued there would be a Sport England requirement to re-provide playing field space elsewhere, local to the School. Discussions between Education, the Planning Department and Heritage Officer concluded this was not possible and so this option was discounted.

3.11 It was agreed at Place Shaping Board that further analysis of the scope of works should take place to see if there is a deliverable option within the approved budget of £8m. Budget development work was undertaken by Trafford Officers from Education and Place, Amey and the Design and Build contractor to review the cost plan and look at options for reducing costs. Stamford Park Primary School Budget Appraisal (Appendix D) is a summary table showing various iterations of the original Option 4B and Option 5, what they included and the associated costings.

3.12 The cost appraisal included various iterations to review:

- Single storey vs two storey option
- Extent of the refurbishment works vs enabling infrastructure works
- Use of temporary accommodation for the duration of the works vs timescale for delivery
- Option to retain future development of 6 smaller classrooms into 4

Certain elements remained in all options as these were integral to the project:

- Essential mechanical and electrical works to allow the integration of a new build extension
- New halls, kitchen, classrooms, entrance area and office reconfiguration

It is noted that all of the options would create a prolonged period of disruption to teaching and learning from the required phasing of the building works and decant to temporary accommodation on the field site, which was not a requirement within the original proposal.

- 3.13** The least expensive option identified by this exercise was an iteration of option 4b, the single storey extension, at £8.140m. Although only slightly over the original budget allocation, it reflected a significant reduction in the scope of the proposed works, focusing solely on the provision of additional classrooms and hall space to achieve expansion. It would not extend to the inclusion of any of the large scale condition or suitability works outlined in the original proposal. It would also not address the concerns raised as to whether the flexible learning zones could be utilised fully in Key Stage 1 without requiring more staff supervision for the pupils which would increase revenue costs for the new school.

Presumption to amalgamate

- 3.14** The headship at Stamford Park Infant School became vacant in January 2021 which triggered the presumption to amalgamate process. Following consultation and then a formal period of representation, on 15 March 2021 Trafford Executive approved the proposal to amalgamate the two schools by discontinuing Stamford Park Infant School and expanding the age range at Stamford Park Junior School. After a period of transition, the proposal was implemented on 1 September 2021 and it is now operational as Stamford Park Primary School.

Revised Proposal

- 3.15** The original proposal was made with the vision to remove all condition and suitability issues along with the creation of an additional 20 places per year group, providing best value. With a dramatically reduced scope to improve the existing schools and a focus on the expansion scheme only, £8.140m is not considered value for money to achieve 20 places per year group, particularly when considering the competing pressures Trafford is now facing as outlined in Section 2 Primary Overview, the demands on Basic Need funding into the future and a nil allocation for 2022-23.
- 3.16** It is recommended that the £8m approved in Education and Early Years Basic Need and SEND Capital Report on 24 June 2019 is reallocated and option 2 of the same report is progressed, an expansion scheme creating 15 places per year group at Willows Primary School (current budget estimate of £3m) as further detailed in section 6.

4. School Place Demand – Basic Need – Secondary

- 4.1** As in the primary sector, oversubscription in Sale West continues in the secondary sector and, every year, a number of vulnerable children from that same area affected by primary oversubscription, cannot achieve a place at the nearest non-selective school.
- 4.2** Based on the LA's annual School Capacity (SCAP) submission the DfE have calculated that there is a short fall of 424 secondary school places across Altrincham and Sale. This is equivalent to 84 places in every year group. The LA has a general duty to provide sufficient places for all the children in its area. However, the DfE's calculations are based on the number of children attending a school in an area,

whether they are Trafford residents or not. Since Trafford, and Altrincham in particular, is a net importer of pupils from outside the area the calculation is skewed towards Altrincham. A significant number of pupils from Sale do seek places in Altrincham because they cannot achieve places at the preferred non selective school in Sale.

- 4.3 The LA approached Ashton on Mersey School, an academy, with an expansion proposal to be funded from Basic Need but this was rejected by The Dean Trust. There are no alternative feasible options for non-selective secondary school expansion in the Sale and Altrincham areas and the LA is in ongoing discussions with DfE about future solutions.
- 4.4 Altrincham Grammar School for Boys, Altrincham Grammar School for Girls and Stretford Grammar School all had successful Selective School Expansion Fund (SSEF) bids which created a total of 335 additional places, although it is yet to be seen how many of these will be secured by Trafford residents.

5. Free Early Education Places

- 5.1 The Council has a statutory duty under the Childcare Acts 2006 and 2016 to secure free early years provision for eligible 2, 3 and 4 year old children in their area. This entitlement is a part time place of 15 hours per week for the 40% most disadvantaged 2 year old children and all 3 and 4 year old children.
- 5.2 The statutory duty was extended by the Childcare Act 2016 to include an additional 15 hours per week entitlement for eligible 3 and 4 year old children. This 30 Hours Free Childcare scheme is for working families and it came into effect in September 2017.
- 5.3 Capital funding was secured for two schemes, now complete, to ensure sufficient places for 30 Hours Free Childcare, creating 52 part time nursery places at Our Lady of the Rosary RC Primary School and an additional 52 at Wellfield Infant and Nursery School.
- 5.4 Capital funding was secured for a scheme at Kings Road Primary School to secure the ongoing provision of early education places for vulnerable 2 year old children alongside expanded nursery provision to meet increased demand brought about by 30 Hours Free Childcare. This scheme saw an increase of 52 part time places in the nursery class for 3 year old children alongside continued provision of 40 part time places for 2 year old children which are delivered in partnership with a private provider on site. The scheme is complete.
- 5.5 Trafford has a buoyant childcare market and despite the challenges of Covid 19 it is anticipated that in the majority of localities the private, voluntary and independent sector will be able to meet demand. More in depth sufficiency and sustainability monitoring is taking place to ensure Trafford continues to meet its childcare sufficiency duties across the different parts of the early years sector in light of the changing economic landscape.

6. Proposals

- 6.1 The Council has expanded a number of primary schools and added 3,891 new places during the last eleven years including new accommodation set to open in September 2022.

6.2 Since the last report to Executive dated 25 January 2021 there have been no minor basic need schemes.

6.3 Following a thorough analysis of the options and review by School Places Group and Place Shaping Board it is recommended to proceed with the following proposals:

a) Altrincham Area – Expand Willows Primary School (PAN 45 to 60)

- Live births relatively static when considering future reception cohorts, but significant impact from inbound migration.
- Inbound migration trend in upper year groups as families move into the area to access the selective education system.
- No current vacancies in upper year groups and limited vacancies in other year groups.
- Additional 130 pupils in total expected from new housing developments within next 5 years which equates to additional 0.62 FE.
- Willows Primary School is a community school and this expansion would remove the current requirement for mixed age classes which is a strategic priority.
- Conversion of ICT suite agreed with Headteacher and Governing Body to create a Year 5/6 bulge class as an emergency measure from October 2021 until permanent expansion achieved in 2023.
- This expansion proposal was the second preferred option after Stamford Park to create places in Altrincham, agreed by Executive in June 2019.

b) Sale East Area – Expand Templemoor Infant School (PAN 60 to 90)

c) Sale East Area – Expand Moorlands Junior School (PAN 60 to 90)

- Live births projected to decrease for 2022 reception cohort and then level out, but significant impact from inbound migration.
- Inbound migration trend in upper year groups as families move into the area to access the selective education system.
- No current vacancies in any year group, aside from limited vacancies in reception and Year 2.
- Places in all year groups brought online early as part of Worthington 0.5 FE expansion, now completely full in all year groups rather than growth moving through school.
- Additional 20 pupils in total expected from new housing developments within next 5 years which equates to additional 0.09 FE
- Templemoor Infant School and Moorlands Junior School are community schools and are further from the Manchester border than other options in this planning area so less likely to fill with out of borough children.

d) Urmston Area – Expand Davyhulme Primary School (PAN 70 to 90)

- Live births projected to dip for 2022 reception cohort and then return back to current levels from 2023.
- This is the only planning area where live births increased overall when considering children born between 2016 and 2019 and some of this 8.1% growth

over the 3 years is already now in the school system which has reduced the usual vacancy rate.

- Additional 13 pupils in total expected from new housing developments within next 5 years which equates to additional 0.09 FE.
- Davyhulme Primary School is a community school in a central location within the planning area and this expansion would remove the current requirement for mixed age classes which is a strategic priority.
- Best value option when considering the site and existing accommodation.

7. Financial Implications

7.1 Trafford has Basic Need allocation of £7.842m for 2021-22 (£2.496m of which was allocated in the January 2021 report) and nil for 2022-23. Grant allocations are based on projections of pupil numbers across both the primary and secondary sectors. Although this is not a ring-fenced grant it is a Council priority to ensure sufficient primary and secondary school places exist.

7.2 In the Education and Early Years Capital Programme report of 16 March 2015, £500k was allocated to Barton Clough Primary School to support a DfE bid to rebuild the Early Years Block. £355k remains allocated for this purpose but numerous bids to DfE have failed and with increasing funding pressures on Basic Need it is proposed that this funding be returned for reallocation to other priority projects. The trust were formally informed this would be the case if the most recent bid was unsuccessful.

7.3 The projects proposed in this report are at the budget estimate stage and are yet to be fully costed, the estimated capital expenditure of £11.8m can be financed from the following funding streams;

- Basic Need Capital Grant 2019-20 reallocation
- Basic Need Capital Grant 2021-22

As detailed in Appendix A: Proposed Capital Projects, Table 1.

8. Legal Position

8.1 It is important to note that the Council has a general duty under Section 14 Education Act 1996 to ensure that there are available in its area sufficient schools in number, character and equipment to provide for all pupils the opportunity of appropriate education (s. 14 (2)). This general duty has been characterised as a target duty in *Meade v London Borough of Haringey* [1979], rather than absolute, though the Council must be able to show a reasonable cause i.e., an emergency, as to why it cannot fulfil the duty and it must take all statutory steps to overcome obstacles to its fulfilment (*R v Inner London Education Authority ex parte Ali and Another* [1990] COD 317).

8.2 In addition, the Education and Inspections Act 2006 amends Section 14 of the 1996 Act by inserting a new subsection (3A) to require LAs in England, when exercising their powers on the provision of schools in their area under that section, to do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

- 8.3 The Council has a statutory duty under the Childcare Acts 2006 and 2016 to secure free early years provision for eligible children in their area.
- 8.4 The Council has a general duty under Section 2 of the Health and Safety at Work Act 1974 to provide a safe working environment and hence respond to condition issues, which have health and safety implications.

9. Other Options

- 9.1 When considering the expansion of a school, the LA must consider the impact on neighbouring schools and the proposed options will meet the needs of both current and future catchment area children and allow the LA to accommodate in year applicants that cannot achieve places elsewhere, creating the least impact on other schools.
- 9.2 In Sale East, Lime Tree Academy could be expanded from PAN 60 to 90 but it is located in close proximity to the Manchester border, making it more difficult to secure the additional places for Trafford residents.
- 9.3 None of the Capital grants are ring-fenced and could be used for other Council priorities; however they meet the Council's Corporate Priorities of "ensuring a fair start for all children and young people" and "supporting our residents when they need it most".

10. Consultation

- 10.1 Further consultation will be required as changes to schools' status including closure, expansion, amalgamation and new schools are subject to statutory consultation processes and these will be complied with for each scheme.
- 10.2 Individual consultation on the larger schemes has been carried out with appropriate Headteachers and Chair of Governors. Further, more detailed, consultation will be carried out with Governing Bodies if the schemes contained within the report are agreed.

11. Reasons for Recommendation

- 11.1 To ensure compliance with the Council's statutory duties as highlighted in Section 8 - Legal Position.
- 11.2 To support Trafford's vision of Excellence in Education and ensure that pupils are able to thrive and achieve their educational outcomes through fit for purpose and high quality learning environments.

Key Decision: Yes

If Key Decision, has 28-day notice been given? Yes

Finance Officer ClearancePC.....

Legal Officer ClearanceTR.....

CORPORATE DIRECTOR'S SIGNATURE *(electronic)*

A handwritten signature in purple ink that reads "Jill McGregor". The signature is written in a cursive style and is positioned above a horizontal line.

Jill McGregor

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

Appendix A – Proposed Capital Projects

BASIC NEED CAPITAL PROGRAMME – TABLE 1		£m
Allocation c/f from previous report (Jan '21)		5.346
Savings/overspend from previous schemes*		-0.600
Reallocation of previously approved Basic Need monies**		8.151
2022-23 allocation		0.000
Total		12.897
School	Work	Estimated Cost £m
Willows Primary School	Expansion in PAN 45 to 60	3.000
Templemoor Infant School	Expansion in PAN 60 to 90	1.800
Moorlands Junior School	Expansion in PAN 60 to 90	4.000
Davyhulme Primary School	Expansion in PAN 70 to 90	3.000
Total Cost of schemes		11.800
Total Available		12.897
Balance still to allocate		1.097

* Total of Worthington Primary saving, Blessed Thomas Holford Catholic College projected overspend, Firs Primary projected overspend.

** Total of balance of funding for Stamford Park expansion, unspent funding from Barton Clough Primary.