

Appendix 2

Cabinet, 12 January 2005

The future for primary education in Rye

Review of site options and costs

1. Introduction

1.1 The consultation paper included five potential options for change. Options 3, 4 and 5 would require new build, either on an existing or a new site. Alongside the consultation exercise, officers have undertaken a review of the feasibility and costs of the five options. This work has included discussion with planning officers of the County Council and Rother District Council and officers of the Environment Agency, including a meeting on 8 December chaired by the Deputy Chief Executive and Director of Corporate Resources and attended by Cllr Jones and Cllr Glazier.

1.2 No additional options have been identified in the course of the consultation exercise.

1.3 The feasibility exercise established at an early stage that Option 5 (two new schools, one in Rye and one in Camber) was unlikely to be achievable, as the number of primary age children in Camber has fallen, and there are now only 58 Camber children attending Freda Gardham; while a small number of Camber children may be attending schools other than Freda Gardham, this does not provide a satisfactory basis for establishing a new primary school. A potential site has been identified. However, the use of the site may be precluded on highway access grounds. The site is not in the County Council's ownership.

1.4 Although there is the prospect of house building in Camber, in our view this is not likely to change the position to such an extent as to justify the establishment of a primary school in Camber. Option 5 has therefore been discounted, and the remainder of this report focuses upon the other four options.

1.5 Each of the options bears a different capital cost, both in gross and net terms. Depending upon the option to be chosen, there is the opportunity to secure capital receipts which will impact upon the net cost of any project to the County Council.

1.6 Sites which may be available for disposal, depending upon the option chosen, include

- the former Thomas Peacocke Lower School site
- the site of Tilling Green Infant School
- the site of Freda Gardham Primary School

The County Council also owns a detached playing field in the Leasam Farm area, which is not currently used by the Community College, and a number of small areas of copse and hedgerow retained for environmental studies purposes. The sites are shown shaded on the map included as Annex A to this report.

1.7 An unconditional offer has been received for the Thomas Peacocke Lower School site. A final decision on this offer has been deferred pending the outcome of this review. Valuations of the two existing school sites have been obtained. Details

of the confirmed or estimated value of each of the three sites are contained in the confidential paper.

2. Option 1: Do nothing

2.1 Under the 'Do nothing' option (ie keep two schools as now), the County Council would still need to undertake some measures to reduce the surplus places in the Rye schools, if the schools were not to be left with additional costs.

2.2 At Tilling Green there is a single building in permanent construction, all of which will continue to be needed while the school remains organised into three classes. There is no realistic, value for money means by which the school's accommodation could be reduced.

2.3 Freda Gardham already has around 115 (35%) surplus places, and this is likely to increase. The school occupies a main building with 11 classrooms and in addition there are two HORSAs (prefabricated reinforced concrete structures, over fifty years old), one of which houses a kitchen and dining room, and the other an after school club and group room. Neither of these two buildings counts towards the school's capacity. All HORSA's are identified in the Asset Management Plan as a high priority for removal or replacement.

2.4 Freda Gardham is currently organised in seven classes. If Option 1 were to be adopted, steps should be taken to make use of the surplus space in the main building and remove the HORSA's. This would require the provision of a new kitchen, use of at least part of the very large hall for dining and some general refurbishment of other parts of the school. If this building is to continue to provide primary education in Rye for the foreseeable future, it will also need significant upgrading of its fabric, externally and internally. The project could also include the development of the proposed rural Rother Children's Centre, for which up to £300 000 (less a proportion of this amount which has been allocated for a project at Northiam) is available until end March 2006.

2.5 There are significant planning concerns about any new development on the Freda Gardham site, even on that part of the site which is already developed. These concerns relate mainly to flooding risk, and have been discussed with the Environment Agency. If it is concluded that the Freda Gardham site should continue to be used, any improvements to the existing building will need to be discussed further with the Environment Agency to ensure that they can be supported.

2.6 A detailed feasibility study has not been carried out for this work to Freda Gardham, but a broad estimate of costs suggests a budget sum of £2.2m would be required to carry out the work indicated in 2.4. This sum excludes the Children's Centre.

3. Option 2: Develop Freda Gardham as a 1.5 form entry school with 10 or 11 classes and close Tilling Green

3.1 There are sufficient classrooms to accommodate a school of this size in the existing Freda Gardham main building. However, this would leave no space for facilities displaced by the removal of the HORSA's, nor for the inclusion of the Children's Centre or any other co-located facilities on this site.

3.2 As has already been noted in 2.5 above, the Environment Agency has expressed strong concerns about any re-development of this site, because of the

flooding risk. It is likely that any proposal for new build on the site would be opposed by the Environment Agency, even if this were on part of the existing built footprint, such as any area vacated by the HORSAs.

3.3 Without improvement to the buildings, it is unlikely that this option would be perceived locally as offering sufficient improvement compared to the current position, such as to justify the loss of choice between schools and of the separate environment for Key Stage 1 children offered by Tilling Green. As a minimum, improvements such as those set out in 2.4 above would need to be included if Option 2 were chosen. After the disposal of Tilling Green and Lower School sites there may be a small residual capital receipt to the Council.

4. Option 3: Develop a new 1.5 form entry school on the Freda Gardham site and close Tilling Green

4.1 This option would require development of school buildings to take place while the existing school continued in operation, and would therefore have to be on a different part of the site. Such development is precluded by the strong concerns of the Environment Agency relating to flood risk. It would not be practical to develop a new school on a phased basis on the same footprint. Given the site layout, any new school would have to be to the south of the existing buildings, and this location would be even more strongly opposed by the Environment Agency. This option cannot therefore be recommended, as the environmental objections to it are unlikely to be overcome.

4.2 Notwithstanding this conclusion, it is important to rehearse other factors which could be taken into account in assessing this option, especially those which have been advanced in the consultation exercise. The Freda Gardham site is very large, with ample playing field space and – were it not for the environmental considerations – room for co-located developments with other services and agencies. The site is well located for a significant part of the population of Rye, and for Camber, but less well located for some parts of the town.

4.3 Nevertheless, the local concerns described in 3.3 above need to be taken into account in the assessment of this option. A judgement would have to be made about whether a new set of buildings would be sufficient to overcome those concerns.

4.4 An initial feasibility study for this option has not been carried out. However based on the budget estimates for options on the alternative sites it is anticipated that the cost of providing a new single storey school on the Freda Gardham site would be in the order of £4,835,000.

5. Option 4: develop a new 1.5 form entry school on a new site and close both Tilling Green and Freda Gardham

5.1 Four possible sites have been investigated for a new school in Rye. Initial footprint sketches and estimated costs have been developed for each of the four sites (including separate single and two storey options for the Lower School site), which are as follows (costs shown in brackets are gross costs):

- Sk01 - Lower school site (single storey building £4,810,000)
- Sk02 - Lower school site (two storey building £4,955,000)
- Sk03 - Lower end of Thomas Peacocke site (two storey building £5,062,000)
- Sk04 - Love Lane end of Thomas Peacocke site (two storey building £4,828,000)
- Sk05 - Tilling Green site (two storey building £4,778,000)

The footprint sketches are attached as Annexes B – F.

Tilling Green site

5.2 The assessment (Annex F) shows that the Tilling Green site is too small to be developed as the site for a new school. The requirement is for 7 – 8 more classrooms than are on the site at present. The additional building requirement, even in a two storey building, together with external requirements such as parking and set down/turning arrangements, would encroach upon the existing playing field, which in any case is insufficient for an all through primary school.

5.3 Locating the school on the Tilling Green site would increase the amount of traffic movement through Rye, with the majority of Freda Gardham pupils, in particular those from Camber, having a longer journey to school and having to travel along the narrow roads around the town's historic core.

Thomas Peacocke Lower School site

5.4 This site was declared surplus to the County Council's requirements in 1998, having served first as a primary school and then as the Lower School for Thomas Peacocke Community College. The buildings have been demolished, and the site is proposed for housing in the emerging Rother Local Plan. An unconditional offer has been received for the site, but a decision on this offer has been deferred pending the outcome of this review.

5.5 The footprint sketches (Annexes B and C) show that an 11 class primary school with sufficient hard play, parking and set down/turning area could be accommodated on this site, either as a single or two storey building. However, there would be no playing field space – the school would have to share playing fields with the Community College. The total playing field area on the Thomas Peacocke site (not including the detached playing field at Leasam Farm) is 38 000 m² – in excess of the 35 000 m² required in regulations for a secondary school of up to 600 students and a 1.5 form entry primary school. Space for the development of the Children's Centre and other co-located services would be very limited.

5.6 The existing access to this site is poor and no longer acceptable in today's planning terms. A particular factor is the proximity of the previous access point to the level crossing in Ferry Road. In order to improve access to this site, it would be necessary to purchase land from the proposed purchaser of the Lower School site and land currently owned by the British Rail Residuary Body (BRRB). An estimate of the cost of this purchase (based on the assumption of a willing vendor) is included in the confidential paper. The owner of the land may choose not to sell to the County Council. While in these circumstances the exercise of compulsory purchase powers may be considered, the legal advice is that this would be unlikely to succeed.

5.7 The Rother Local Plan provides for a new road from Ferry Road to the sports centre just north of the railway, across the railway land. This road could provide access to the Lower School site. The Local Plan envisages a signalised junction to cope with the level crossing and fire station opposite. Any development which significantly adds to traffic generation in close proximity to and which would need to cross a level crossing has to be referred to the Secretary of State and rail network operator. This would be the case with the Ferry Road crossing for an access from there. The logistics of securing suitable access, including for pedestrians and cycles, at an affordable cost and in sufficient time does therefore present a major challenge.

Discussions are continuing with the potential purchasers of the Lower School site and the railway land about their intention in relation to this requirement, and how the provision and timing of the road can be matched to the County Council's requirements. Progress on this will be reported orally at the meeting.

5.8 Locating the school on this site would have similar pupil travel implications as are identified for the Tilling Green site in paragraph 5.3 above.

5.9 There is a known problem and risk of flooding with this site. The Environment Agency's preliminary advice suggests that the problem may be soluble but they would require a flood risk assessment. It is understood that development of the Lower School site would have to await completion of the Rye tidal wall and embankment scheme (2007?) for appropriate sea defences and mitigation works for fluvial/run off flood risk. Solutions to the latter may require pumping equipment and alterations to drainage channels. Following discussions with the Environment Agency, a flood risk assessment has been commissioned. Experience suggests that such assessments take several weeks and can take several months. An interim report may be available to be presented orally at the Cabinet meeting.

5.10 Structure Plan and Local Plan policy both seek to protect important features in the townscape/landscape of Rye and the importance of this issue should not be under-estimated. The emerging local plan has a particular policy seeking to protect the setting of Rye, particularly the levels surrounding the citadel. However, this constraint is clearly much less of an issue for the principle of development on the Lower School site, hence its allocation for housing in the Local Plan.

5.11 There is a significant opportunity cost associated with this site, in that the unconditional offer to purchase the site would be lost. This factor is included in the net cost of this location for Option 4 in the confidential report.

Thomas Peacocke playing field sites

5.12 Annexes D and E show footprint sketches on two possible locations on the Community College playing fields. Both these locations would require shared use of playing fields by the primary school and the Community College. The implications of this are set out in more detail in paragraphs 5.22 and 5.23 below. Locating the primary school on the Thomas Peacocke playing fields would allow the disposal of the Lower School site to proceed. This, together with the value of the two existing school sites, is reflected in the net costs shown in the confidential report.

5.13 Locating the school on the southern end of the playing fields (Annex D) would allow greater opportunities for the development of the Children's Centre and other co-located services, although this complementary development would clearly require a larger part of the playing field to be taken. The more northerly location (Annex E) is more restricted, and closer to existing housing.

5.14 The main concerns about the two playing field locations relate to planning and environmental factors, and the loss of playing fields, which are protected by legislation.

5.15 If the application for a new primary school included only a minor provision for non-county council functions (eg doctors' surgery), then the application would still fall to ESCC to determine. Rother District Council would be consulted and their views would be important as they would interpret their Local Plan's provisions. As the whole of the playing field site lies outside the Rye town development boundary,

development would depart from the provisions of both the Structure Plan and the Local Plan, and would almost certainly require referral to the Secretary of State and could provoke a public inquiry. An inquiry could add up to 18 months or more to the timescale, with the risk that it might not succeed.

5.16 Any application for development of a school on the Thomas Peacocke playing fields would have to address this issue of the development boundary, and the impact on the historic setting of Rye. Such a “countryside” location requires proposals to pass certain tests. In essence an applicant must demonstrate a planning need for this location and that no suitable urban sites exist. The planning reasons why the two existing school sites are unsuitable would need to be explained. Such reasons of unsuitability might include size of site, location, access, flood risk.

5.17 Irrespective of the allocation in the local plan for housing, a convincing planning explanation of the reasons why the Lower School site is not suitable would also need to be made. Given the relationship of the Lower School site to the playing field site, arguably this would need to include consideration of an extension of the Lower School site into part of the playing field site.

5.18 However, a case can be made for a playing field site which is in accordance with the Local Plan, despite its location outside the development boundary. The Local Plan (Policy CF1) allows the development of community facilities (including education) outside development boundaries where there is a demonstrable local need, where there is no scope for development within the development boundary, and where the proposal has the general support of the community, is readily accessible by means other than the car, and causes no significant harm to the countryside setting. It may be that development could take place if sufficiently well designed/landscaped without causing unacceptable harm to the citadel and its setting.

5.19 The playing field sites present similar flood risk concerns as described for the Lower School site in 5.9 above. The assessment which has been commissioned includes these sites also.

5.20 Access to the lower playing field site (Annex D) would require agreement with the purchaser of the Lower School site and the railway land over access. The provision of an access road linking Ferry Road to The Grove has been identified by Rother DC as a condition of development of the Lower School and BRRB sites, and this requirement could serve to meet the need for access to a school on this part of the playing field also. However, there would have to be agreement with the purchaser of the Lower School site about provision, location and timing of this road, so that there would be certainty about its availability when the school opened. Negotiations about this are continuing.

5.21 Access to the Love Lane site (Annex E) would have to be via The Grove and Love Lane. These are narrow residential roads with some significant on street parking, and there is also a level crossing on The Grove. The width of these roads could not easily be improved. Of all the possible locations, this site would require the longest route to school by vehicle for many pupils currently attending Freda Gardham. For these reasons, there are significant planning concerns in relation to this location, and it is considered unlikely to secure planning consent.

5.22 Development of a primary school on the playing field would result in a deficiency in playing field area of around 6 600 m². In general, Government policy (Section 77 of the School Standards and Framework Act 1998) would only allow the

loss of any playing field to development if the playing fields that would be lost as a result of the proposed development would be replaced by a playing field or fields of equivalent or better quantity and quality and in a suitable location. If development of a new school takes place on any part of the existing school playing fields, Sport England has to be formally consulted. Furthermore, the Secretary of State has to be notified if any loss of school playing field is proposed and Sport England has objected. The notification has to include appropriate details of the scheme, any proposals for alternative provision and the views of any other planning authority (e.g. Rother DC). There is a risk of call-in and inquiry, either of which could extend the timescales for a new school project.

5.23 With the purchase of a small piece of land adjacent to Love Lane owned by Rother DC, it would be possible to make up this deficiency by developing an area of former allotment land owned by the County Council and retained as an environmental area. This land could either be developed as a grass pitch (estimated cost £100 000) or as a multi-use games area (MUGA) with all weather surface (estimated cost £300 000). The cost of land purchase would have to be added to this. This would provide a very useful flexible space for school sports and would in addition significantly support wider community use to enhance the arrangements already in place at Thomas Peacocke. It is possible that this development could go ahead – but on a slightly smaller scale – without the purchase of additional land, if it can be demonstrated that the MUGA more than compensates in curriculum and community benefit terms for the loss of playing field land to the primary school.

6. Other relevant issues

6.1 The location of any single primary school for Rye needs if at all possible to provide opportunities for the increased collaboration between education and other agencies serving children and families which is at the heart of the Children Act and the development of Children's Services. This means that factors such as space availability but also ease of access, especially for families who may depend upon public transport, must be taken into account.

6.2 A single primary school for Rye must also provide an environment which promotes school improvement and raised standards, so that it can command the confidence of local parents. Leadership and quality of teaching are the most important drivers for achieving this, but these are more readily achieved in a high quality teaching and learning environment.

6.3 Parents, teachers and governors have told us during the consultation that they value the opportunity offered by Tilling Green to focus on the needs of Key Stage 1 children, and that they would wish to see this preserved in any new organisation. The design of any new school must take this aspiration into account. Indeed, it will be important to involve local people closely in the design of a new school and the development of its key characteristics.

6.4 Location of a new school close to Thomas Peacocke CC could provide an exciting opportunity to develop an 'all age campus' which would break new ground in developing continuity of learning and care for all pupils, and new career development opportunities for staff. Parents, teachers and governors have generally welcomed this suggestion, but would want to be reassured that the distinctiveness of the primary and secondary sectors was preserved and that the design of and access to any new school ensured the safety and security of primary age children.

6.5 The Thomas Peacocke Governing Body has confirmed that it would accept use of part of its site for a new school, provided that resources were made available to make up lost playing field area. Some suggestions as to how this could be achieved are described in paragraph 5.23 above. Alternatively, the existing detached playing field could be brought back into use – or an alternative piece of land closer to the college swapped for it – but there would be further costs associated with this.

6.6 The Section 77 requirements will require further discussion with the DfES. This applies also to the Tilling Green and Freda Gardham sites, if these were to be sold.

6.7 All the options result in sites being available for disposal, which affects their net cost to the County Council. However, a significant part of the potential receipts will not be available until after a new school is completed, and there are therefore cash flow implications for the County Council, with much of the cost falling when the Council's capital resources are low.