

Committee:	<b>Lead Member for Learning and School Effectiveness</b>
Date:	<b>17 April 2012</b>
Title of Report:	<b>Proposed relocation and enlargement of Sidley Community Primary School</b>
By:	<b>Director of Children's Services</b>
Purpose of Report:	<b>To seek Lead Member's conditional approval to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places by relocating to Gunters Lane, Bexhill TN39 4ED</b>

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**Recommendation:**

**The Lead Member is recommended to approve the enlargement of Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places by relocating to Gunters Lane, Bexhill TN39 4BD, conditional upon:**

- **By 31 July 2012 the granting of planning permission under Part 3 of the Town and Country Planning General Regulations 1992**
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**1. Financial Appraisal**

1.1 **Revenue:** The budget of Sidley Community Primary School, will increase in accordance with pupil numbers on roll. The Schools Funding Formula currently also recognises increases in the floor area of schools and provides additional funding. However, changes to individual school budgets may result from the operation of the Minimum Funding Guarantee. The proposal will not affect the schools budget materially.

1.2 **Capital:** The estimated capital cost of implementing the proposal is approximately £1.2 million. The actual cost will be determined through the detailed design, statutory planning and contractual processes. The cost will be funded from the Children's Services Capital Programme for 2012/13 and 2013/14.

**2. Supporting information**

2.1 On 31 January 2012 Lead Member for Learning and School Effectiveness approved publication of statutory notices relating to a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places. The proposal is in response to an increase in demand for reception places as a result of a rising birth rate in Bexhill. In order to achieve the enlargement, we intend to relocate the school from its existing site in Buxton Drive, Sidley, Bexhill TN39 4BD to a new site in Gunters Lane, Bexhill TN39 4ED from September 2012. Copies of the Lead Member report and minutes are attached as **Appendices A and B** respectively.

2.2 The Statutory Notice was published in the Bexhill Observer on Friday 17 February 2012. In addition, the Notice was posted at the main entrance to the school site on Buxton Drive and in the local library. A full copy of the proposal was sent to the school's Governing Body and the Department for Education. The full proposal was also posted on the ESCC website. Copies of the Statutory Notice and full proposal can be found in **Appendices C and D** respectively.

2.3 Publication of the Statutory Notice was followed by a 4-week representation period, when comments or objections could be made to the County Council.

**3. Factors to be considered by the decision maker:**

3.1 Proposed changes to the organisation of schools have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), and the Local Authority must have regard to the statutory guidance set out in the Department for Education's document 'Making Changes to a Maintained Mainstream School', an extract of which is attached as **Appendix E**.

3.2 Before reaching a decision on whether to approve the statutory proposal, Lead Member should consider the following factors.

3.2.1	Did the published notice comply with statutory requirements?	The notice complied with statutory requirements as set out in 3.1 above.
3.2.2	Was a statutory consultation carried out prior to the publication of the notice?	A 4-week period of statutory consultation was carried out during November and December 2011.
3.2.3	Are the proposals related to other published proposals?	The proposal to relocate and enlarge Sidley Community Primary School is not related to other published proposals
3.2.4	Is there a need to create additional places?	<ul style="list-style-type: none"> <li>• The Council believes that there is a need to create additional places at Sidley Community Primary School to begin addressing the predicted shortfall of primary school places in Bexhill as result of a rising birth rate in recent years and planned housing development in the town. This is evidenced in <b>Appendix D</b> (the full proposal) part 24(a).</li> <li>• On 26 March 2012 Lead Member for Learning and School Effectiveness approved a change to the admission arrangements for Sidley Community Primary School, increasing its Published Admission Number from 30 to 75 from September 2013.</li> </ul>
3.2.5	Does the school have a religious character, or follow a particular philosophy, and is there satisfactory evidence of sufficient demand for places?	The school does not have a religious character or follow a particular philosophy, being a community school.
3.2.6	Is the school considered to be popular and successful?	The proposal is about the provision of additional school places in an area of projected pupil growth (see 3.2.4 above) to ensure there is a pattern of provision which matches demand, and is not directly related to the expansion of popular and successful schools.
3.2.7	Will the proposals impact on travel and accessibility?	The Local Authority's current transport policy will continue to apply at the new school. It is considered unlikely that there will be a significant impact on travel arrangements for pupils, including any particular increase in car usage, given the location of the new site in relation to the wider demand for places and the relatively short distance between the existing site and the new site. The Gunters Lane site is approx 1315 metres (0.82 miles) from the existing school site as measured by the shortest available walking route using the Council's Geographical Information System. The sites are approx 1035 metres (0.64 miles) apart 'as the crow flies'. Accessibility to the Gunters Lane site is good. The building is fully DDA compliant.
3.2.8	Has capital funding been identified and secured to enable the proposals to be implemented?	The estimated capital cost of implementing the proposal is approx £1.2 million. The actual cost will be determined through the detailed design, statutory planning and contractual processes. The cost will be funded from the Children's Services Capital Programme for 2012/13 and 2013/14 which was approved by Full Council on 7 February 2012. Extracts of the report and minutes from the meeting are attached as <b>Appendices F and G</b> respectively.
3.2.9	Have any particular issues or objections been raised during the representation	By the end of the representation period no comments or objections had been received

	period which could directly affect the proposal?	
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**4. Types of decision:**

4.1 In considering prescribed alteration proposals, the decision maker can decide to:

- i) Reject the proposals;
- ii) Approve the proposals;
- iii) Approve the proposals with a modification; or
- iv) Approve the proposals subject to a specific condition

4.2 In this instance, if the proposal is approved, this would be subject to the specific condition relating to planning permission. Although consent is not necessary for Sidley Community Primary School to relocate to Gunters Lane for September 2012, planning will be required for minor changes to the site and building (for example boundary fencing and additional windows).

**5. Other considerations:**

5.1 Consideration will need to be given to the future use of the existing Sidley Community School site and buildings once they becomes vacant. This will be subject of a separate report to Lead Member in due course.

**6. Conclusion and reason for recommendation:**

6.1 In conclusion, the Council believes that enlargement of the Sidley Community Primary School's premises from 210 places to 525 places, through relocation to Gunters Lane, Bexhill, will enable the Council to fulfil its statutory duty to provide sufficient school places across the town for the foreseeable future.

6.2 For this reason, Lead Member is recommended to:

- Approve the enlargement of Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places by relocating to Gunters Lane, Bexhill TN39 4BD, conditional upon:
- By 31 July 2012 the granting of planning permission under Part 3 of the Town and Country Planning General regulations 1992.

MATT DUNKLEY  
Director of Children's Services

Contact Officer: Melanie Griffin  
Tel: 01273 335819

Local Members: Councillor Michael Ensor & Councillor Joy Hughes

Background Documents: None



Committee:	<b>Lead Member for Learning and School Effectiveness</b>
Date:	<b>31 January 2012</b>
Title of Report:	<b>Proposed enlargement of Sidley Community Primary School, Bexhill</b>
By:	<b>Director of Children's Services</b>
Purpose of Report:	<b>To seek Lead Member approval to publish statutory notices in respect of a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places.</b>

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**Recommendation:**

**The Lead Member is recommended to:**

- i) Authorise the publication of statutory notices in respect of a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places, by relocating the school to Gunters Lane, Bexhill TN39 4ED; and**
  - ii) Delegate authority to The Director of Children's Services to amend the proposals prior to their publication if required.**
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**1. Financial Appraisal**

1.1 **Revenue:** this proposal will not affect the Schools Formula, although it will affect the budget position of Sidley Community Primary School, which will increase in accordance with rising pupil numbers.

1.2 **Capital:** capital investment will be required to provide additional places at the school. Currently £1.02m is identified in the Capital Programme to provide additional places in Bexhill, made up from £670,000 Basic Need allocation, £115,000 Primary Capital Programme contingency and contributions from previous housing developments of £235,000. Detailed design work will be undertaken to determine the level of capital funding required to deliver the additional places.

**2. Supporting information**

2.1 On the 8 November 2011 Lead Member for Learning and School Effectiveness approved public consultation on a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places. The proposal is in response to an increase in demand for reception places as a result of a rising birth rate in Bexhill. In order to achieve the enlargement, we intend to relocate the school from its existing site in Buxton Drive, Sidley, Bexhill TN39 4BD to a new site in Gunters Lane, Bexhill TN39 4ED.

2.2 As the Gunters Lane site is less than 2 miles from the existing Sidley Community Primary School site, we were not legally obliged to consult on the proposal to relocate the school. The consultation document made clear that we were only seeking views on the proposal to permanently enlarge the school.

2.3 This report details the responses received during the consultation period and seeks approval from Lead Member for the publication of statutory notices.

2.4 Proposed changes to the organisation of schools have to follow a prescribed process established by:

- Education and Inspections Act 2006 (EIA 2006);
- The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2007 which came into force on 21 January 2008;
- The School Organisation and Governance (Amendment) (England) Regulations 2009 which came into force on 1 September 2009)

This process complied with these requirements.

2.5 Consultation took place over a 4 week period between 21 November and 19 December 2011. Approximately one thousand, two hundred (1,200) consultation documents were distributed to interested parties in accordance with The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended). The full distribution list can be found as part of **Annex 1**. The consultation document was also made available on the County Council's website. A number of consultation events were held during the consultation period, including parent drop-in sessions and a public meeting.

2.6 By the close of the consultation period, 66 replies had been received. This equates to a response rate of only 5.5%. Of the responses:

- 27 (40.9%) supported the proposal
- 6 (9.1%) neither agreed or disagreed with the proposal
- 33 (50%) did not support the proposal.

2.7 It is interesting to note that 38 of the 66 respondents (57.6%) were either parents/carers of a child at Sidley Community Primary School and/or members of staff at the school. Of those parents/carers:

- 18 (47.4%) supported the proposal
- 4 (10.5%) neither agreed or disagreed with the proposal
- 16 (42.1%) did not support the proposal

2.8 12 of the 17 members of the local community, who responded, disagreed with the proposal, with traffic congestion and parking in Gunters Lane being the most significant reason for objection. While these are valid concerns they are more relevant to the statutory planning process consultation for the remodelling of the Gunters Lane site and building. Respondents will have an opportunity to comment formally on these particular issues during this process.

2.8 **Annex 1** provides detailed analysis of the consultation process and responses received.

2.9 The publication of statutory notices would initiate a further 4 week period of consultation, known as the representation period. Within two months of the end of the representation period, Lead Member must decide on the proposal taking into account the views of all those affected by the proposal or who have an interest in it, including for example: pupils; parents and carers; staff; other schools; local residents; diocesan bodies and other providers. It is envisaged that a decision would be made at the Lead Member for Learning and School Effectiveness meeting on 17 April 2012.

### **3. Conclusion and Reason for Recommendations**

3.1 The Council has a statutory duty to ensure there is a pattern of school provision across Bexhill which meets current and future demand for places, driven by a rising birth rate and planned housing development. In light of the very low response rate (5.5%) and the fact that a minority of parents/carers of a child at Sidley Community Primary School and/or members of staff at the school who responded did not support the proposal, Lead Member is recommended to:

- i) Authorise the publication of statutory notices in respect of a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places, by relocating the school to Gunters Lane, Bexhill TN39 4ED.
- ii) Delegate authority to The Director of Children's Services to amend the proposals prior to their publication if required.

MATT DUNKLEY  
Director of Children's Services

Contact Officer: Penny Gaunt, Deputy Director, Children's Services  
Tel: 01273 481660  
Local Members: All  
Background Documents: NONE

## ANALYSIS OF RESPONSES

### 1. Background:

- 1.1 East Sussex County Council undertook a consultation between 21 November and 19 December 2011 on a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places. This would be achieved by relocating the school from its existing site in Buxton Drive, Sidley, Bexhill TN39 4BD to a new site in Gunters Lane, Bexhill TN39 4ED.
- 1.2 As the Gunters Lane site is less than 2 miles from the existing Sidley Community Primary School site, we were not legally obliged to consult on the proposal to relocate the school. The consultation document made clear that we were only seeking views on the proposal to permanently enlarge the school.

### 2. Purpose of report:

- 2.1 This report is in two parts:
- Part 1: the consultation process
  - Part 2: analysis of consultation responses

### 3. Part 1: the consultation process:

- 3.1 One thousand two hundred (1,200) consultation documents were distributed in accordance with The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended). Consultees included for example: pupils; parents and carers; staff; other schools in Bexhill; the local MP; the District Council; diocesan bodies and local early years providers. The full distribution list is provided in Table 1 below. The consultation document explained the proposal and provided a range of means to respond. These included: by freepost reply, online questionnaire or by emailing East Sussex County Council. The consultation document was also made available on the County Council's website.

Table 1: Consultation distribution list

Organisation	Number of Copies
Sidley Community Primary School – pupils and parents/carers	200
Sidley Community Primary School – staff	40
Sidley Community Primary School – governors	20
Sidley Community Primary School – main entrance	30
All Bexhill primary schools	15 copies each
All Bexhill secondary schools	15 copies each
All Bexhill special schools	15 copies each
Bexhill College	5
ESCC Councillors	50
ESCC Chief Officers Management Team	7
ESCC Children's Services Senior Management Team	7
Gregory Barker MP	5
DFE	1
Rother District Councillors	45
Diocese of Chichester (Church of England)	5
Diocese of Arundel and Brighton (Catholic)	5
Collington Surgery	30

<b>Cont...</b>	
Little Common Surgery	30
Old Town Surgery	30
Pebsham Surgery	30
The Surgery	30
Sidley Surgery	30
Albert Road Surgery	30
Sussex Voluntary and Community Learning Consortium	10
Bexhill Library	30
Unions: Association of Teachers & Lecturers / NASUWT / NHT / NUT / Voice of the Union of Education Professionals / GMB / UNISON	1 copy each
Sidley Children's Centre	30
Pebsham Children's Centre	30
Egerton Park Children's Centre	30
Amberley Nursery	30
Birkdale Hall Day Nursery	30
Charters Ancaster Nursery School	30
Early Years - Glyne Gap	30
1st Friends Day Nursery	30
Sidley Neighbourhood Panel	25
Spares used for consultation events	106
<b>Total</b>	<b>1,200</b>

3.2 A range of consultation events were held to provide staff, governors and public with further information and evidence of the benefits of enlargement of the school, and to discuss and answer any questions raised. Below is a brief synopsis of each event.

- Prospective parents open morning at Sidley Community Primary School held on Wednesday 23 November 2011 and attended by 9 people. The event was facilitated by colleagues from the school (including the Executive Headteacher and Head of School), 2 officers from ESCC and a representative from the Bexhill Consortium. Generally there was a positive response from those who attended.
- Playground consultation at Sidley Community Primary School held on Monday 28 November 2011. The session was attended by 2 officers from ESCC. There was a mixed response from parents to the proposals.
- Public meeting at Sidley Community Primary School held on Wednesday 7 December 2011 and attended by 12 people. The event was facilitated by colleagues from the school (including the Vice-Chair of the Governing Body, the Executive Headteacher and Head of School) and 2 officers from ESCC. Although concerns were raised during the meeting, generally there was a positive response from those who attended.

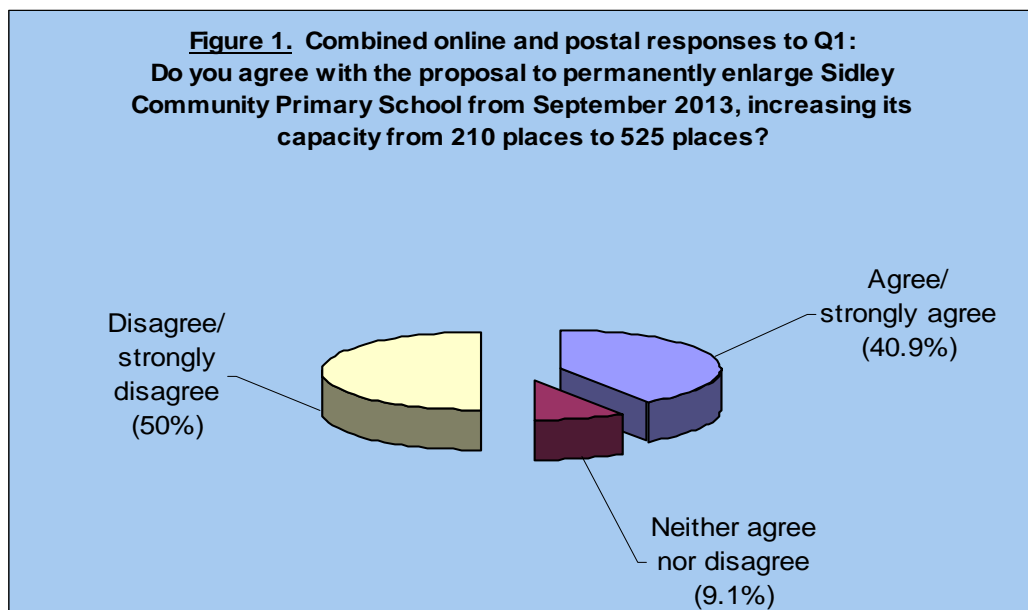
#### 4. Part 2: analysis of consultation responses:

4.1 Question 1 on the questionnaire asked people to indicate whether they agreed with the proposal to permanently enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places. 66 people responded to this question, of which:

- 27 (40.9%) supported the proposal
- 6 (9.1%) neither agreed nor disagreed with the proposal
- 33 (50%) did not support the proposal



4.2 Figure 1 below shows the breakdown of responses as a pie chart.



4.3 Of the 1,200 consultation documents distributed, 59 (4.9%) responded using the paper questionnaire and 7 (0.6%) responded online. This equates to an overall response rate of only 5.5%.

4.4 38 of the 66 respondents (57.6%) were either parents/carers of a child at Sidley Community Primary School and/or members of staff at the school. Of those:

- 18 (47.4%) supported the proposal
- 4 (10.5%) neither agreed or disagreed with the proposal
- 16 (42.1%) did not support the proposal

4.5 12 of the 17 members of the local community, who responded, disagreed with the proposal, with traffic congestion and parking in Gunters Lane being the most significant reason for objection. While these are valid concerns, respondents would have an opportunity to comment formally on these particular issues during the statutory planning process for the remodelling of the Gunters Lane site and building.

4.6 Question 2 asked people to give reasons for their answers to question 1 above. The main areas of concern were: traffic congestion and parking problems in Gunters Lane; the school will be too big; the school would no longer be a part of the community; the risk of exposing young children to the behaviour of older students at the adjacent High School; loss of the swimming pool. Comments from people who supported the proposal included: the move is essential to the continuing success of Sidley School; the larger school will create more work opportunities for people; a move to Gunters Lane with its larger/newer facilities would be extremely beneficial for the children; a new start for the school; opportunities for pupils and staff.

4.7 Table 2 below summarises the comments received. A full list of responses is available for inspection.

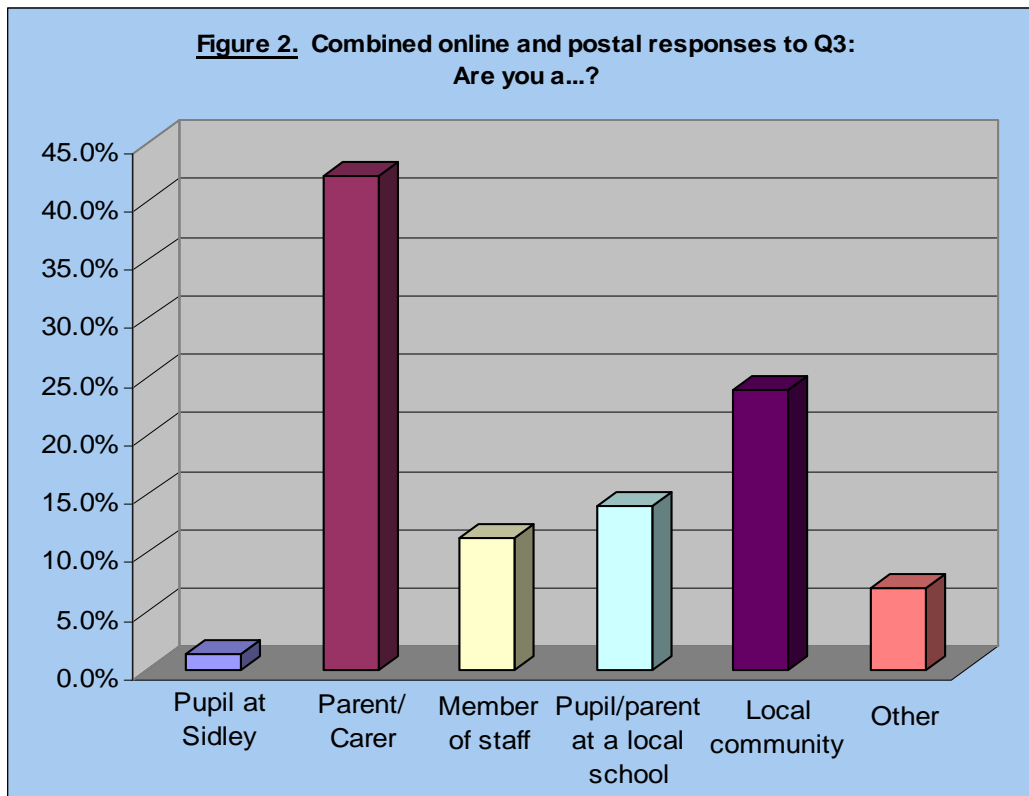
Table 2: Summary of main comments

Comment summary	
1	Strongly disagree. Traffic congestion already a problem, would be very dangerous with more students.
2	Strongly agree. This move is essential to the continuing success of Sidley School.
3	Strongly disagree. The school will no longer be a part of the community. It will be too big. No swimming pool.
4	Neither agree nor disagree providing each class doesn't increase by 30 pupils.
5	Strongly disagree. Moving Sidley School to the proposed site will leave a very large gap in Sidley – it will cause hardship to the Sidley parents and in many ways leave the area without a focus or identity.
6	Strongly disagree. I do not think it is a good idea to put another school at Gunters Lane as traffic and parking will be a problem. Where will parents be able to park? The road system will become even more congested than it is now.
7	Strongly agree. Concerned older children will bully the little ones
8	Strongly disagree. The children will not benefit from a large environment. The children are so small and need a smaller environment to do well before senior school
9	Strongly agree. It will give other people chance to get work
10	Strongly disagree. Traffic congestion in Gunters Lane with 2 large schools – safety and noise – parking.
11	Strongly agree. The existing school building fabric is run down, plus prone to flooding, which has happened three times in the last 10 years, at great expense. A move to Gunters Lane with its larger/newer facilities would be extremely beneficial for the children
12	Neither agree nor disagree. I don't know how I feel but I do think it will be a big change for the children having to get used to a new building and a whole new environment
13	Strongly agree. We would need a much better bus service from Bexhill to the new site
14	Agree. Although I have agreed what plans have you for the old site. Regarding the new location can the existing roads cope and the local infrastructure
15	Strongly disagree. Too much congestion, dangerous, it's bad enough now.
16	Agree. It will be a new start for the school
17	Agree. Opportunities for pupils and staff
18	Disagree. Just won't have the same atmosphere as the current smaller classed school which I think is better for younger children. They may feel lost within a larger pupil school.
19	Strongly agree. I agree with increasing school size. However increased traffic at Gunters Lane would be an issue. In an already very congested area. Will there be enough secondary places in Bexhill available once the new children enter year 7.

4.8 In answer to question 3, respondents classified themselves as:

- 1 (1.4%) were pupils at Sidley Community Primary School
- 30 (42.3%) were parents/carers of children at Sidley Community Primary School
- 8 (11.3%) were members of staff at Sidley Community Primary School
- 10 (14.1%) were pupils or parents/carers of a child at a local school
- 17 (23.9%) were members of the local community
- 5 (7%) were classed as other

4.9 The responses to question 3 totalled 71. This is because some respondents ticked more than one box. Figure 2 below shows the breakdown as a bar chart.



4.10 'About you' questions. We collect this information to ensure that we are seeking the views of everyone in our community and to demonstrate that we are complying with relevant diversity and equalities legislation. The responses to the 'About you' questions are available for inspection.

4.11 A copy of the consultation document is provided below.

4.12 At the time of writing, 4 responses had been received after the closing date of the consultation period.

November 2011

## Have your say on a proposal by East Sussex County Council to increase the size of Sidley Community Primary School

**The consultation runs from 21 November to 19 December 2011.**

Due to a rising birth rate in Bexhill, there is an increase in demand for reception places. The Council proposes to make Sidley Community Primary School larger, so that it can accommodate more pupils from September 2013. In order to achieve this we intend to relocate the school to Gunters Lane. We are consulting with a wide range of people, and welcome your views on this proposal.



## What is the proposal?

The proposal is to permanently enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places. This would increase its Published Admission Number (the number of places the school can offer in each year group) from 30 places to 75, that's 2.5 classes per year group rather than 1.

This consultation document is for pupils, parents and carers, staff, the local community and other interested parties. The Council will consider all the views put forward before we decide whether to continue with the proposal to enlarge. We welcome your views on this proposal.

## What is the background to this proposal?

Due to a rising birth rate in Bexhill, there is an increased demand for reception places. Births in Bexhill have risen from 289 in 2004/05 to 368 in 2008/09, an increase of 27% in 4 years. This trend is similar to what is happening in other areas of the country.

The Council has a duty to ensure there are sufficient school places available for all children. We must also ensure that the number, location and organisation of pupil places offers the best value to the taxpayer.

Following construction of the new Bexhill High School building in Gunters Lane, the school's former premises (known as the Year 7 Block and adjacent to the new High School building) became vacant in October 2010. The Council believes this building is suitable for remodelling as a primary school and is well located to serve the rising demand for primary school places. In order to increase Sidley Community Primary School's capacity from September 2013, we would relocate the school from its existing premises in Buxton Drive to the former Year 7 Block during the 2012/13 academic year.

At this stage we are only seeking your views on the proposal to permanently enlarge Sidley Community Primary School. It is important to note that if it were enlarged, the school would have to move to Gunters Lane.

## What size would the enlarged school be?

The Council proposes to increase the size of the school to accommodate up to 75 pupils in each year group. The school's capacity would increase from 210 pupils in 7 classes to 525 in 18 classes.

The school would grow gradually as each larger year group moves through the school. It is anticipated that the increased capacity of 525 could be reached in the 2018/19 academic year, as illustrated in the table below.

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Maximum reception year intake	30	75	75	75	75	75	75	75
Approximate number on roll	175	225	275	320	375	425	470	525

## Who would fund the enlargement of the school building?

It is the intention of the Council to fund the permanent enlargement of the school's premises.

## When would building work start and finish?

The Council anticipates that building work on the former Year 7 Block would begin in summer 2012 and would be completed in summer 2013. The exact programme would be determined through the building design and planning process.

## Who makes the final decision and when?

We wish to enlarge the school with effect from September 2013. In order to achieve this, a number of statutory procedures have to be followed. These are:

The Council will consider all the views expressed during the consultation, which closes on 19 December 2011. We then have several choices and the next steps would depend on what decision was taken. Following consideration of the consultation responses we could choose to:

- stop the process - in this case the enlargement of the school would not proceed;
- change the proposal - in this case the next steps would depend on what the changed proposal was; or
- continue with the proposal - the Council would publish a Statutory Notice for the enlargement of the school in the local paper, probably in February 2012, after which would follow a further 4-week consultation period (known as the representation period).

The Council is the final decision maker for this proposal. We have a duty to make a final decision on the proposal within two months of the end of the representation period. This decision would probably be taken in April 2012. In considering its decision the Council could:

- reject the proposal;
- approve the proposal;
- conditionally approve the proposal; or
- approve the proposal with a modification

Alongside this process the Council will separately consult during January and February 2012 on increasing Sidley Community Primary School's Published Admission Number from 30 to 75 from September 2013. We have to determine admission arrangements for the school by 15 April 2012.

## Who is being consulted?

The Council is consulting with pupils, parents and carers, staff, other local schools and trade unions. We are also consulting with a wide range of other groups including the Borough Council, the local MP, and the Church of England and Catholic Diocesan Boards.

## How do I have my say?

This consultation runs until **19 December 2011**.

You can give your views by:

- Completing the attached questionnaire
- Completing the online questionnaire at: [www.eastsussex.gov.uk/yourcouncil/consultation](http://www.eastsussex.gov.uk/yourcouncil/consultation)
- Emailing the County Council at [schoolsamp@eastsussex.gov.uk](mailto:schoolsamp@eastsussex.gov.uk)
- Attending a prospective parents open morning at **Sidley Community Primary School** on **Wednesday 23 November 2011 from 9.15am**
- Attending a playground 'drop-in' session at **Sidley Community Primary School** on **Monday 28 November 2011 from 3pm**
- Attending a public meeting at **Sidley Community Primary School** on **Wednesday 7 December 2011 between 6.30 and 8pm**



# Consultation – Response Form

Our proposal is to permanently enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places. This would increase its Published Admission Number (the number of places the school can offer in each year group) from 30 places to 75, that's 2.5 classes per year group rather than 1.

In order to achieve this we would relocate the school from its existing premises in Buxton Drive to the former Year 7 Block during the 2012/13 academic year.

The Council would welcome your views on the proposal. Please complete this response form and return it to the address at the bottom of the page no later than 19 December 2011.

**Q1. Do you agree with the proposal to permanently enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places?**

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

**Q2. If you wish, please give your main reasons for your answer to Q1 above, and/or any other options you think the Council should consider:**

**Q3. Are you a...?**

- Pupil at Sidley Community Primary School
- Parent/carer of a child at Sidley Community Primary School
- Member of staff at Sidley Community Primary School
- Pupil or parent/carer of a child at a local school
- Member of the local community
- Other (please say) \_\_\_\_\_

Once completed, please tear off this page along the perforation, fold and return it in the window envelope provided by **19 December 2011** to the address below.

Please ensure that the address is clearly visible in the window of the envelope.  
**You don't need a stamp.**

**Sidley Community Primary School Consultation  
FREEPOST BR157  
County Hall  
St Anne's Crescent  
Lewes BN7 1SG**

**About you ...** We want to make sure that everyone is treated fairly and equally and that no one gets left out. That's why we ask you these questions. We won't share the information you give us with anyone else. We will only use it to help us make decisions and make our services better.

If you would rather not answer any of these questions, you don't have to.

**Q4. Are you.....?**  Male  Female  Prefer not to say

**Q5 Do you identify as a transgender or trans person?**  
 Yes  No  Prefer not to say

**Q6. How old are you?**  **Q7. What is your postcode?**

**Q8. To which of these ethnic groups do you feel you belong ?** (Source 2011 census)

White	Mixed	Asian or Asian British	Black or Black British
<input type="checkbox"/> British	<input type="checkbox"/> White & Black Caribbean	<input type="checkbox"/> Indian	<input type="checkbox"/> Caribbean
<input type="checkbox"/> Irish	<input type="checkbox"/> White & Black African	<input type="checkbox"/> Pakistani	<input type="checkbox"/> African
<input type="checkbox"/> Gypsy/Roma	<input type="checkbox"/> White & Asian	<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Other*
<input type="checkbox"/> Irish Traveller	<input type="checkbox"/> Other*	<input type="checkbox"/> Other*	
<input type="checkbox"/> Other*	<input type="checkbox"/> Arab	<input type="checkbox"/> Chinese	<input type="checkbox"/> Prefer not to say

**\*Other Ethnic Group** If your ethnic group was not specified in the list please describe your ethnic group:

The Equality Act 2010 describes a person disabled if they have a longstanding physical or mental condition that has lasted or is likely to last at least 12 months; and this condition has a substantial adverse effect on their ability to carry out normal day to day activities. People with some conditions (cancer, multiple sclerosis and HIV/AIDS, for example) are considered to be disabled from the point that they are diagnosed.

**Q9. Do you consider yourself to be disabled as set out in the Equality Act 2010?**  
 Yes  No  Prefer not to say

**Q9a. If you answered yes to Q9, please tell us the type of impairment that applies to you.**  
 You may have more than one type of impairment, so please select all that apply. If none of these apply to you please select other and write in the type of impairment you have.

- Physical impairment
- Sensory impairment (hearing and sight
- Long standing illness or health condition, such as cancer, HIV, heart disease, diabetes or epilepsy
- Other, please specify
- Mental health condition
- Learning disability
- Prefer not to say

**Q10. Do you regard yourself as belonging to any particular religion or belief?**  
 Yes  No  Prefer not to say

**Q10a. If you answered yes to Q10, which one?**  
 Christian  Hindu  Muslim  Any other religion, please specify   
 Buddhist  Jewish  Sikh

**Q11. Are you...?**  
 Bi/Bisexual  Gay woman/Lesbian  Other  
 Heterosexual/Straight  Gay Man  Prefer not to say

**Thank you for providing this information, your feedback is important to us.**



## CHILDREN'S SERVICES

Children and Adult Services  
Learning and School Effectiveness  
Children and Families

DECISIONS made by the Lead Member for Children and Adult Services – Councillor David Elkin, and the Lead Member for Learning and School Effectiveness – Councillor Nick Bennett on Tuesday 31 January 2012 at County Hall, Lewes

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Councillors Ensor, Field and St Pierre spoke on Item 4 (see minute 29)

### 27. REPORTS

27.1 Copies of the reports referred to below are contained in the minute book.

### 28. MINUTES

28.1 Councillor Bennett approved as a correct record the minutes of the meeting of 15 December 2011.

### 29. TO REPORT THE OUTCOME OF THE PUBLIC CONSULTATION ON A PROPOSAL TO ENLARGE SIDLEY COMMUNITY SCHOOL

29.1 The Lead Member considered a report by the Director of Children's Services which sought approval to publish statutory notices in respect of a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places, by relocating the school to Gunters Lane, Bexhill, TN39 4ED.

#### DECISION

29.2 RESOLVED to (1) authorise the publication of statutory notices in respect of a proposal to enlarge Sidley Community Primary School from September 2013, increasing its capacity from 210 places to 525 places; and

(2) delegate authority to the Director of Children's Services to amend the proposals prior to their publication if required.

#### Reason

29.3 The County Council has a statutory duty to ensure there is a pattern of school provision across Bexhill which meets current and future demand for places, driven by a rising birth rate and planned housing development.



# Public Notices

Tel: 01424 854600  
 Fax: 01424 852850  
 Email: observerads@jpress.co.uk  
 www.localpagetoday.co.uk

## EAST SUSSEX COUNTY COUNCIL

### ROAD TRAFFIC REGULATION ACT 1984

#### The East Sussex (C706 Broad Street Green, Hove) (Temporary Prohibition of Traffic) Order 2012

To allow Contractors on behalf of BT to replace telegraph poles, East Sussex County Council intend not less than seven days from the date of this notice to make an Order under Sections 14(1) and 15(1)(b) of the Road Traffic Regulation Act 1984, as amended, which will temporarily close the following length of road:-

#### Temporary Road Closure

**C706 Broad Street Green** - between properties called 'Broad Street Green Cottages' & 'Castlehurst Cottage', a distance of 200 metres.

Access for pedestrians should not be affected, and vehicular access for residents and to properties should be maintained whenever possible, with the alternative route for through traffic being signed via A259T Barnhorn Road - B2095 Top Road - C706 Denbigh Road and vice versa.

The Order commences on 4 March 2012 and lasts for a period of 18 months, or until the works are completed, whichever is the earlier. However, it is anticipated the road will only be closed on 4 & 5 March 2012.

If you require any further information telephone the Network Management Office on 0345 60 80 193.

### ROAD TRAFFIC REGULATION ACT 1984

#### The East Sussex (C27 Powdermill Lane, Catsfield/Battle) (Temporary Prohibition of Traffic) Order 2012

To allow East Sussex Highways to carry out drainage investigation works followed by carriageway resurfacing works, East Sussex County Council intend not less than seven days from the date of this notice to make an Order under Sections 14(1) and 15(1)(b) of the Road Traffic Regulation Act 1984, as amended, which will temporarily close the following lengths of road in 2 phases:-

#### Temporary Road Closures

##### C27 Powdermill Lane:-

**Phase 1** - Drainage investigation works - in the vicinity of the Telham Lane junction. The road will be closed for one day between 8 March 2012 and 13 March 2012.

**Phase 2** - Carriageway resurfacing works between the junction with B2204 Horns Corner and Burnhouse Wood, a distance of 800 metres. The road will be closed between 24 April and 27 April 2012.

Access for pedestrians should not be affected, and vehicular access for residents and to properties should be maintained whenever possible, with the alternative route for through traffic being signed via B2204 Horns Corner - A271 Beechdown Wood - North Trade Road - A2100 High Street - Upper Lake - Lower Lake and vice versa.

The Order commences on 8 March 2012 and lasts for a period of 18 months, or until the works are completed, whichever is the earlier. However, it is anticipated the road will only be closed for the durations stated above.

If you require any further information telephone the Network Management Office on 0345 60 80 193.

Philip Baker, Assistant Director Legal & Democratic Services, Governance & Community Services Department, County Hall, Lewes, East Sussex BN7 1UE

17 February 2012.

## EAST SUSSEX COUNTY COUNCIL AS LOCAL AUTHORITY

### Relocation and enlargement of Sidley Community Primary School

Notice is hereby given in accordance with section 19(1) of the Education and Inspections Act 2006 that East Sussex County Council, County Hall, St Anne's Crescent, Lewes BN7 1SG is proposing to relocate Sidley Community Primary School from its existing site in Buxton Drive, Sidley, Bexhill TN39 4BD to a new site in Gunters Lane, Bexhill TN39 4ED, and to increase the school's capacity from 210 places to 525 places by September 2013.

The school will grow gradually as year groups of 30 at the top end of the school are replaced by year groups of up to 75 moving through the school from reception year. It is anticipated that the increased capacity of 525 could be reached in the 2018/19 academic year, as illustrated in the table below.

Academic Year	Year 0 (up to)	Year 1 (up to)	Year 2 (up to)	Year 3 (up to)	Year 4 (up to)	Year 5 (up to)	Year 6 (up to)	Number on roll (up to)
2011/12	30	30	30	30	30	30	30	210
2012/13	75	30	30	30	30	30	30	225
2013/14	75	75	30	30	30	30	30	275
2014/15	75	75	75	30	30	30	30	320
2015/16	75	75	75	75	30	30	30	375
2016/17	75	75	75	75	75	30	30	425
2017/18	75	75	75	75	75	75	30	470
2018/19	75	75	75	75	75	75	75	525

In January 2012 the school had 197 pupils on roll, including 25 in its maintained nursery.

East Sussex County Council will implement the proposal.

This notice is an extract of the complete proposal. Copies of the complete proposal can be viewed at: [www.eastsussex.gov.uk/yourcouncil/consultation](http://www.eastsussex.gov.uk/yourcouncil/consultation)

Alternatively you can request a printed copy of the complete proposal from the address below or telephone: 01273 481758.

Within four weeks from the date of publication of these proposals, any person may object to, or make comment upon the proposals, by sending their representations to: Matt Dunkley, Director of Children's Services (FAO: Gary Langford, School Place Planning Manager), PO Box 4, Children's Services Department, East Sussex County Council, County Hall, St Anne's Crescent, Lewes BN7 1SG, or by emailing: [schools@eastsussex.gov.uk](mailto:schools@eastsussex.gov.uk)

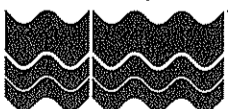
Signed Matt Dunkley, Director of Children's Services, East Sussex County Council

17 February 2012.

#### Explanatory Notes

- In supporting this proposal, East Sussex County Council is consulting on a change to Sidley Community Primary School's admission arrangements for September 2013, which would increase its Published Admission Number from 30 to 75.
- East Sussex County Council anticipates that building work on the premises in Gunters Lane, to enable the school to increase its capacity from 210 places to 525 places, would begin in spring 2012 and would be completed by summer 2013.
- East Sussex County Council will determine this Statutory Notice within 2 months of the end of the representation period. If the Council fails to determine the Notice within this time, it will pass all relevant material to the Schools Adjudicator who will determine the Notice.

East Sussex County Council



## ROTHER DISTRICT COUNCIL

### COUNCILLORS' ALLOWANCES

#### REPORT OF THE INDEPENDENT REMUNERATION PANEL



NOTICE is given that the Council has received a report from the Independent Remuneration Panel appointed in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. The Panel, having taken into consideration the guidance issued by the Government with respect to the Allowances which can be paid to Members of local authorities, has made the following recommendations for the payment of Allowances with effect from May 2012.

	Annual Amount £	No.
<b>BASIC ALLOWANCE</b>	4,237	38
<b>SPECIAL RESPONSIBILITY ALLOWANCES</b>		
Council Leader (inc. leadership of the majority Political Group & membership of Cabinet)	12,376	1
Deputy Council Leader (inc. membership of Cabinet)	3,454	1
Other Cabinet Members	2,692	6
Scrutiny Committee Chairman	2,692	2
Planning Committee Chairman	2,692	1
Licensing & General Purposes Committee Chairman	1,969	1
Other Political Group Leaders	422	3
	+ 73 per Member	currently

#### CO-OPTEE'S ALLOWANCES

Standards Committee Chairman	1,969	1
Other (non-District Councillor) Standards Committee Members	786	3

The figures quoted above have been frozen and are the same as the allowances currently being paid to Councillors for 2011/12. This is subject to change following the changes to the Standards regime with effect from 1 July 2012.

The Panel has also recommended that:

- The Basic Allowance is intended to recognise the time devoted by all Councillors to their work, including meetings of the Council, Cabinet, Committees and Sub-Committees, representation of the Council on outside bodies, meetings with constituents and all incidental costs; the Allowance as recommended is also set to reflect an element of voluntary public service
- The Special Responsibility Allowances are intended to recognise the time devoted by those Councillors who have significant extra responsibilities, but are also set to reflect an element of voluntary public service
- The Co-optees' Allowances are intended to recognise the time devoted by those co-opted Members who serve on the Standards Committee of the Council but who are not elected Members of the Council; the Allowances as recommended are also set to reflect an element of voluntary public service
- A Dependent and Childcare Allowance continue to be made available to Councillors under which they will be reimbursed up to £10.00 per hour for elderly dependent relatives and up to £6.50 per hour for children in respect of costs necessarily incurred in making arrangements for the care, other than by members of their own household, of such dependents or children living with them in order to enable them to perform their duties
- The Basic, Special Responsibility and Co-optees' Allowances as recommended be for one year only from May 2012.
- In respect of the approved duties undertaken by Councillors, the Scheme continue to make provision for a local Travel Allowance, whether by car, motor cycle or bicycle, reimbursement of which be made in accordance with the tax free approved rates set from time to time by the Inland Revenue and that the Scheme also make provision for a local Subsistence Allowance
- A further review be undertaken by the Panel in January 2013 to make recommendations to the Council for the remaining years of the Council.

The recommendations of the Panel are to be considered at a meeting of the Council's Cabinet to be held on 20 February 2012. The recommendations of the Panel and of the Cabinet thereon will be further considered at the meeting of the Council to be held on 27 February 2012.

Copies of the Panel's report are available for inspection during normal office hours at the Council's Community Help Points at the Town Hall, Bexhill, 6 Market Square, Battle and 30a High Street, Rye and can also be viewed on the Council's website.

10 February 2012

Derek Stevens  
Chief Executive

Rother District Council  
Town Hall  
Bexhill-on-Sea  
East Sussex TN39 3JX  
[www.rother.gov.uk](http://www.rother.gov.uk)

#### THE TRUSTEE ACT 1925

##### MR TERENCE PATRICK ARTHUR O'KEEFFE DECEASED

Any person having a claim against or an interest in the estate of the above named deceased late of Bexhill-on-Sea, East Sussex who died on 8th January 2012 must please send particulars in writing to the undermentioned Solicitors for the Executors on or before 20th April 2012 after which date the estate will be distributed having regard only to claims and interests then notified.

Gaby Hardwicke  
Solicitors for the Executors  
Reference: JAC.AL.O'KE78155.1  
2 Eversley Road  
Bexhill on Sea  
East Sussex TN40 1EY  
Tel: 01424 730945

#### The Trustee Act 1925

MR WILLIAM FREDERICK JENNINGS deceased  
Any person having a claim against or an interest in the estate of the above named deceased late of Orchard House, St John's Road, Bexhill-on-Sea, East Sussex who died on 4th February 2012 must please send particulars in writing to the undermentioned Solicitors for the Executors on or before 27th April 2012 after which date the estate will be distributed having regard only to claims and interests then notified.

Gaby Hardwicke  
Solicitors for the Executors  
Reference: JBR.RJO.JEN58892.7  
2 Eversley Road  
Bexhill on Sea  
East Sussex TN40 1EY  
Tel: 01424 730945

## ROAD TRAFFIC REGULATION ACT 1984

### The East Sussex (Carlisle Parade etc., Hastings) (Temporary Road Traffic Restrictions) Order 2012

To facilitate access for contractors to carry out resurfacing works to Carlisle Parade (A259), Hastings, Hastings Borough Council as agent of the East Sussex County Council intend not less than seven days from the date of this notice to make an Order under Sections 14, 15 and 124 of, and Schedule 9 to, the Road Traffic Regulation Act 1984, as amended, which will temporarily create the following traffic restrictions, on the following roads:-

There will be temporary two-way traffic lights in operation in Carlisle Parade. The permanent traffic lights at the junctions of Robertson Street, Harold Place and Albert Road will be temporarily switched off to minimise disruption to traffic.

There will also be a temporary suspension of Pay and Display Parking on the south side of Carlisle Parade as directed.

Temporary Prohibition of right hand turn (Emergency vehicles excepted)

- From Harold Place into Carlisle Parade (A259) and
- From Albert Road into Denmark Place (A259)

The alternative route, in both cases, for vehicular traffic will be via Denmark Place eastbound, Breeds Place roundabout and Denmark Place westbound

#### Temporary One Way Traffic Restriction

Carlisle Parade Service Road (which runs parallel to the main A259 between Nos. 1 and 12, Carlisle Parade) from its western junction with Robertson Terrace to its western junction with Carlisle Parade (A259)

Robertson Terrace (part of) from its junction with Carlisle Parade to its junction with the exit road of the underground car park

The alternative route for vehicular traffic will be:-

Access to Carlisle Service Road via Carlisle Parade and Robertson Terrace

Egress from the underground Car Park and Robertson Terrace via Carlisle Parade Service Road

The Order will come into force on 5 March 2012 and have a maximum duration of 18 months. However, it is expected that the works will be completed in 12 days

The restrictions will be lifted as soon as the works are complete.

Access to properties will be maintained at all times and access for pedestrians should not be affected.

If you require any further information you should telephone the Hastings Traffic Section on 01424 783351

Date published: 17 Feb 2012

Rosoul Shahlou, Parking & Traffic Manager, Hastings Borough Council, Aquila House, Breeds Place, Hastings, East Sussex, TN34 3UY

[www.hastings.gov.uk](http://www.hastings.gov.uk)



## JANICE LOUISE

### PARKER

OTHERWISE JANICE LILIAN PARKER, SPINSTER, LATE OF ST LEONARDS ON SEA, EAST SUSSEX, DIED THERE, ON 17 OCTOBER 2011.

The kin of the above named are requested to apply to:

The Treasury Solicitor (BV), One Kemble Street, London, WC2B 4TS or at [www.bonavacantia.gov.uk](http://www.bonavacantia.gov.uk)

Failing which the Treasury Solicitor may take steps to administer the estate.



Terms and conditions of advertising are available on request



## PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

*NB. If the School Organisation Notice Builder tool is used to create a draft statutory notice, a template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website or you can enter the information required in the expandable boxes below.*

### **Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):**

#### **In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

n/a

#### **In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school .

Proposer: East Sussex County Council

Proposer's address: Children's Services Department, County Hall, St Anne's Crescent, Lewes BN7 1SG.

School details: Sidley Community Primary School, Buxton Drive, Sidley, Bexhill TN39 4BD.

#### **Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

It is planned to implement the proposals in a single phase with building work commencing in spring 2012 and completing by summer 2013.

### Objections and comments

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
  - (b) the address of the authority to which objections or comments should be sent.

Within four weeks from the date of publication of these proposals, any person may object to, or make comment upon the proposals, by sending their representations to: Matt Dunkley, Director of Children's Services (FAO: Gary Langford, School Place Planning Manager), PO Box 4, Children's Services Department, East Sussex County Council, County Hall, St Anne's Crescent, Lewes BN7 1SG, or by emailing: [schoolsamp@eastsussex.gov.uk](mailto:schoolsamp@eastsussex.gov.uk)

### Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

It is proposed to relocate Sidley Community Primary School from its existing site in Buxton Drive, Sidley, Bexhill TN39 4BD to a new site in Gunters Lane, Bexhill TN39 4ED and to increase the school's capacity from 210 places to 525 places by September 2013.

### School capacity

- 5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —
- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The existing capacity of the School is 210 places. The proposed capacity of the school after the alteration will be 525 places.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

The school would grow gradually as year groups of 30 at the top end of the school are replaced by year groups of up to 75 moving through the school from reception year. It is anticipated that the increased capacity of 525 could be reached in the 2018/19 academic year, as illustrated in the table below.

<b>Academic Year</b>	<b>Year R</b> (up to)	<b>Year 1</b> (up to)	<b>Year 2</b> (up to)	<b>Year 3</b> (up to)	<b>Year 4</b> (up to)	<b>Year 5</b> (up to)	<b>Year 6</b> (up to)	<b>Number on roll</b> (up to)
2011/12	30	30	30	30	30	30	30	210
2012/13	75	30	30	30	30	30	30	225
2013/14	75	75	30	30	30	30	30	275
2014/15	75	75	75	30	30	30	30	320
2015/16	75	75	75	75	30	30	30	375
2016/17	75	75	75	75	75	30	30	425
2017/18	75	75	75	75	75	75	30	470
2018/19	75	75	75	75	75	75	75	525

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

Please refer to 5(b) above.

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

In January 2012 the school had the following number of pupils in each year group:

<b>Indicated admission number</b>	<b>Year R</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Year 6</b>	<b>Total</b>
30	23	33	24	20	28	24	20	172

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

In January 2012 the school had 197 pupils on roll, including 25 in its maintained Nursery.

## Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

n/a

## Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

No additional site is required (please refer to 9 below)

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

n/a

## Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

n/a

- (b) the arrangements for safeguarding the welfare of children at the school;

n/a

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

n/a

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

n/a



(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

n/a

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

n/a

### **Transfer to new site**

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

In order to increase the capacity of Sidley Community Primary School it would be necessary to relocate it from its existing site in Buxton Drive, Sidley, Bexhill TN39 4BD to premises in Gunters Lane, Bexhill TN39 4ED. The school would occupy a single site.

- (b) the distance between the proposed and current site;

The new site is approx 1315 metres (0.82 miles) from the existing site as measured using the Council's Geographical Information System (GIS).

- (c) the reason for the choice of proposed site;

Following construction of the new Bexhill High School building in Gunters Lane, Bexhill, the school's former premises (known as the Year 7 Block and adjacent to the new High School building) became vacant in October 2010. The Council believes this building is suitable for remodelling as a primary school and is well located to serve the rising demand for primary school places.

- (d) the accessibility of the proposed site or sites;

Accessibility to the Gunters Lane site is good. The building is fully DDA compliant.

- (e) the proposed arrangements for transport of pupils to the school on its new site; and

The Local Authority's current transport policy will continue to apply at the new school. It is considered unlikely that there will be a significant impact on travel arrangements for pupils, including any particular increase in car usage, given the location of the new site in relation to the wider demand for places and the relatively short distance between the existing site and the new site.

- (f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

The County Council has developed a Sustainable School Travel Strategy. The Council wishes children and young people to be able to:

- travel to and from school more safely
- use more sustainable travel and transport
- improve their health and well being on the journey to school

The strategy sets out the travel and transport choices available to schools in East Sussex, the services and initiatives on offer and what we plan to develop in the future.

The Council will look to discourage car usage by investigating opportunities to improve access to the site for non-car users through the design process for remodelling the new premises.

## Objectives

10. The objectives of the proposals.

The objective of the proposal is to relocate Sidley Community Primary School from its existing premises to a new site and to increase its capacity from 210 places to 525 places with effect from September 2013, in response to an increasing demand for reception places in Bexhill, resulting from a rising birth rate in the town.

## Consultation

11. Evidence of the consultation before the proposals were published including—
- (a) a list of persons who were consulted;
  - (b) minutes of all public consultation meetings;
  - (c) the views of the persons consulted;
  - (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
  - (e) copies of all consultation documents and a statement on how these documents were made available.

East Sussex County Council carried out a consultation between 21 November and 19 December 2011, in respect of the proposal, in compliance with all statutory requirements under section 19(1) of the Education and Inspections Act 2006.

One thousand two hundred (1,200) consultation documents were distributed in accordance with The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended). Consultees included for example: pupils; parents and carers; staff; other schools in Bexhill; the local MP;

the District Council; diocesan bodies and local early years providers. The consultation document explained the proposal and provided a range of means to respond. These included: by freepost reply, online questionnaire or by emailing East Sussex County Council. The consultation document was also made available on the County Council's website.

Annex 1 to this proposal explains the consultation process and provides an analysis of responses received during the consultation period.

### **Project costs**

**12.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The estimated capital cost of the proposal is approximately £1 million, but this figure will be reviewed during the design process. The full capital cost will be met by East Sussex County Council.

**13.** A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

The County Council's Cabinet approved its capital programme for the period 2012/13 to 2015/16 on 26 January 2012. Full County Council approved the capital programme on 7 February 2012.

### **Age range**

**14.** Where the proposals relate to a change in age range, the current age range for the school.

n/a

### **Early years provision**

**15.** Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

n/a - the school already provides for early years pupils in its maintained nursery and no change to this provision is proposed.

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

n/a

- (c) evidence of parental demand for additional provision of early years provision;

n/a

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

n/a

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

n/a

### Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

n/a

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

n/a

- (c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

n/a

- (d) The proposed number of sixth form places to be provided.

n/a

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

n/a

**Special educational needs**

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

n/a

- (b) any additional specialist features will be provided;

n/a

- (c) the proposed numbers of pupils for which the provision is to be made;

n/a

- (d) details of how the provision will be funded;

n/a

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

n/a

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

n/a

- (g) the location of the provision if it is not to be established on the existing site of the school;

n/a

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

n/a

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

n/a

**19.** Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

n/a

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

n/a

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

n/a

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

n/a

**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

n/a

### **Sex of pupils**

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;

n/a

- (b) evidence of local demand for single-sex education; and

n/a

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

n/a

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

n/a

- (b) evidence of local demand for single-sex education.

n/a

### **Extended services**

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

The proposed alterations will not affect the provision of the school's extended services.

### **Need or demand for additional places**

**24.** If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

Due to a rising birth rate in Bexhill, there is an increased demand for reception places. Births in Bexhill have risen from 289 in 2004/05 to 368 in 2008/09, an increase of 27% in 4 years.

It is expected that there will be a shortfall of 2 forms of entry (60 places in reception year) across the town in September 2012. Pupil forecasts predict that the shortfall of places will continue in the coming years.

Pupil forecasts are derived from the Council's Pupil Forecasting Model, which takes account of live and future projected births, pupil census data, transfer rates and new housing development.

East Sussex County Council has a duty to ensure there are sufficient school places available for all children. We must also ensure that the number, location and organisation of pupil places offer the best value to the taxpayer.

A review of primary places in Bexhill identified that the site and buildings at Gunters Lane, Bexhill, are suitable for remodelling as a primary school. This would enable Sidley Community Primary School to be relocated and enlarged to provide additional places required to meet demand by September 2013.

In response to the expected shortfall of places in September 2012, the school could establish temporary additional classrooms in its existing building if required until the site and premises at Gunters Lane are ready for occupation.

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

n/a

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

n/a

**25. If the proposals involve removing places—**

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

n/a

- (b) a statement on the local capacity to accommodate displaced pupils.

n/a

**Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and



secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

The proposal is about the provision of additional school places in an area of projected pupil growth (please refer to 24a above) to ensure there is a pattern of provision which matches demand, and is not directly related to the expansion of popular and successful schools.



department for  
children, schools and families

# Making Changes to a Maintained Mainstream School

(Other than Expansion, Foundation,  
Discontinuance & Establishment  
Proposals)

## A Guide for Local Authorities and Governing Bodies

For further information:

School Organisation & Competitions Unit  
DCSF  
Mowden Hall  
Darlington  
DL3 9BG

Tel: 01325 735749

Email: [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk)

Website: [www.dcsf.gov.uk/schoolorg/guidance.cfm?id=6](http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=6)

Last updated 1 February 2010

## STAGE 4 - DECISION

### Stage 4 – Decision (Paragraphs 4.1-4.69)

#### Who Will Decide the Proposals? (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both.

4.2 Section 21 of EIA 2006 provides for regulations to set out who **must** decide proposals for any prescribed alterations. The Regulations make detailed provision for the consideration of prescribed alteration proposals (see in particular Schedules 3 and 5). Decisions on the prescribed alterations covered in this guide will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the prescribed alteration proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.3 If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

4.4 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph [4.15](#) below) applies equally to the body or individual that takes the decision.

#### Who Can Appeal Against an LA Decision? (Paragraphs 4.5-4.6)

4.5 The following bodies may appeal against an LA decision on prescribed alteration proposals:

- the local Church of England diocese;
- the bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14 and over; and
- the governors and trustees of a foundation (including Trust) or voluntary school that is subject to the proposals.

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA’s decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments

## STAGE 4 - DECISION

made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

### Checks on Receipt of Statutory Proposals (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below);
- Are the proposals "related" to other published proposals? (see paragraphs 4.10 to 4.14 below).

### Does the Published Notice Comply with Statutory Requirements? (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in the Regulations - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

### Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice? (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs 1.2-1.4). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

## STAGE 4 - DECISION

### Are the Proposals Related to Other Published Proposals? (Paragraphs 4.10-4.14)

4.10 Paragraph 35 of Schedule 3, and Paragraph 35 of Schedule 5, to the Regulations provides that any proposals that are “related” to particular proposals (e.g. for a new school; school closure; prescribed alterations to existing schools i.e. change of age range, acquisition of a Trust, addition of boarding, etc; or proposals by the LSC to deal with inadequate 16-19 provision) **must** be considered together. This does not include proposals that fall outside of the Regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11-4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for an expansion of a school are “related” to proposals published by the local LSC<sup>3</sup> which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals, or
- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would

<sup>3</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

## STAGE 4 - DECISION

prevent or undermine effective implementation of the LSC proposals.

### **Statutory Guidance – Factors to be Considered by Decision Makers (Paragraphs 4.15-4.16)**

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.16 to 4.60 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

### **EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT**

#### **A System Shaped by Parents (Paragraphs 4.17-4.18)**

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

#### **Standards (Paragraphs 4.19-4.20)**

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

## STAGE 4 - DECISION

4.20 Decision Makers **should** be satisfied that proposals for prescribed alterations will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

### **Diversity (Paragraphs 4.21-4.23)**

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.55 - 4.59).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the alteration to the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

### **Every Child Matters (Paragraph 4.24-4.25)**

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being.

4.25 This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.



## STAGE 4 - DECISION

### SCHOOL CHARACTERISTICS

#### Boarding Provision (Paragraphs 4.26-4.29)

4.26 In making a decision on proposals that make changes to boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour's travelling distance of the proposed school.

4.27 In making a decision on proposals to introduce new boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at any state maintained boarding school within an hour's travelling distance of the school;
- b. the extent to which the accommodation at the school can provide the new boarding places;
- c. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and
- d. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

4.28 In making a decision on proposals to remove boarding provision, the Decision Maker **should** consider whether there is a state maintained boarding school within one hour's travelling distance from the school. The Decision Maker **should** consider whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

4.29 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour's travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g.

## STAGE 4 - DECISION

taking pupils of the opposite sex or sixth formers) if they form part of the expansion;

e. any impact of the expansion on the continuity of education of boarders currently in the school;

f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and

g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

### **Equal Opportunity Issues (Paragraph 4.30)**

4.30 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

### **NEED FOR PLACES**

#### **Provision for Displaced Pupils (Paragraph 4.31)**

4.31 Where proposals will remove provision, the Decision Maker **should** be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker **should** consider the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for those schools.

#### **Creating Additional Places (Paragraphs 4.32-4.34)**

4.32 Where proposals will increase provision, the Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.33 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be

## STAGE 4 - DECISION

sustainable.

4.34 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

### **Travel and Accessibility for All (Paragraphs 4.35-4.36)**

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not** adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance re 00373 – 2007BKT-EN at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications). Proposals **should** also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

### **16-19 Provision (Paragraphs 4.37-4.39)**

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area, and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of

## STAGE 4 - DECISION

### settings across the area

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

#### **Conflicting Sixth Form Reorganisation Proposals (Paragraph 4.40)**

4.40 Where the implementation of reorganisation proposals by the LSC<sup>4</sup> conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the "related" proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

#### **LSC<sup>4</sup> Proposals to Remove Inadequate School Sixth Forms (Paragraph 4.41)**

4.41 The Learning and Skills Act 2000 (as amended by the Education Act 2005) gives the LSC powers to propose the closure of a school sixth form which has been judged to require Significant Improvement in two consecutive Ofsted inspections. Where a school sixth form is proposed for closure in such circumstances there **should** be a presumption to approve the proposals, subject to evidence being provided that the development will have a positive impact on standards.

### **SCHOOL CATEGORY CHANGES**

#### **Change school category to VA (Paragraph 4.42)**

4.42 If a school proposes to change category to voluntary aided, the Decision Maker **must** be satisfied that the governing body are able and willing to meet their financial responsibilities for building work. The Decision Maker may wish to consider whether the governing body has access to sufficient funds to enable it to meet 10% of its overall liabilities for at least 5 years from the date of implementation, taking into account anticipated building projects.

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<sup>4</sup> References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

## STAGE 4 - DECISION

### FUNDING AND LAND

#### Capital (Paragraphs 4.43-4.45)

4.43 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.44 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.45 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

#### Capital Receipts (Paragraphs 4.46-4.48)

4.46 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in "related" proposals) the Decision Maker **should** confirm whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

a. Community Schools – the Secretary of State's consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998). (Details are given in DfES Guidance 1017-2004 "The Protection of School Playing Fields and Land for Academies" published in November 2004) -

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&>

b. Foundation (including Trust) and Voluntary Schools:

## STAGE 4 - DECISION

- i. playing field land – the governing body, foundation body or trustees will require the Secretary of State's consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
- ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State's consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the School Adjudicator to determine. (Details of the new arrangements can be found in the Department's guidance "The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator" - <http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&> ).

4.47 Where prescribed alteration proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.48 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.63).

### **New Site or Playing Fields (Paragraph 4.49)**

4.49 Proposals dependent on the acquisition of an additional site or playing field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

### **Land Tenure Arrangements (Paragraph 4.50)**

4.50 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in

## STAGE 4 - DECISION

any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

### **School Playing Fields (Paragraphs 4.51-4.52)**

4.51 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

4.52 Where the Secretary of State has given 'in principle' agreement as at paragraph 4.46(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

### **SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION**

#### **Initial Considerations (Paragraphs 4.53-4.54)**

4.53 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change, LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;

## STAGE 4 - DECISION

- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise ) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights **must** be ensured. Other interested partners, such as the Health Authority **should** be involved.

4.54 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

### **The Special Educational Needs Improvement Test (Paragraph 4.55)**

4.55 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set



## STAGE 4 - DECISION

out in paragraphs 4.59 to 4.62 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

### Key Factors (Paragraphs 4.56-4.59)

4.56 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

a identify the details of the specific educational benefits that will flow from the proposals in terms of:

- i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
- ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
- iii. improved access to suitable accommodation; and
- iv. improved supply of suitable places.

b. LAs **should** also:

- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools **should** confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

## STAGE 4 - DECISION

4.57 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.58 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.59 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

### OTHER ISSUES

#### Views of Interested Parties (Paragraph 4.60)

4.60 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

#### Types of Decision (Paragraph 4.61)

4.61 In considering prescribed alteration proposals, the Decision Maker can decide to:

- reject the proposals;

## STAGE 4 - DECISION

- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.64).

### Conditional Approval (Paragraphs 4.62-4.63)

4.62 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of the site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;
- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;
- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with the BSF programme;
- g. the agreement to any change to the admission arrangements specified in the approval, relating to the school or any other school or schools (*this allows the approval of proposals to enlarge the premises of a school to be conditional on the decision of adjudicators to approve any related change in admission numbers*);
- h. the making of any scheme relating to any charity connected with the school;
- i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;
- j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a

## STAGE 4 - DECISION

foundation body must be established and that the school must form part of a group for which a foundation must act;

k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;

ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;

l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and

m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007(5) the occurrence of such an event.

4.63 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should** be taken when setting condition-to-be-met-by dates, particularly if proposals are "related" e.g. if a school is proposed to add a sixth form on 1<sup>st</sup> September one year, and enlarge on 1<sup>st</sup> September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as "related" proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk)) of the date when a condition is modified or met in order for the Department's records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

### Decisions (Paragraphs 4.64-4.66)

4.64 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for

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(5) S.I. 2007/1288.

## STAGE 4 - DECISION

the decision.

4.65 A copy of all decisions **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk));
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese;
- each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and
- where the school is a special school, the relevant primary care trust an NHS trust or NHS foundation trust.

4.66 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

### **Can proposals be withdrawn? (Paragraph 4.67)**

4.67 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk) . Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

## STAGE 4 - DECISION

### **Transitional Exemption Order – Role of Decision Maker (Paragraphs 4.68-4.69)**

4.68 Single sex schools are not required to comply with certain provisions of the Sex Discrimination Act (SDA) 1975. When a single sex school becomes mixed it will automatically become subject to those requirements. Since the change from single sex to co-educational would normally be phased over a period of years by changing the admission arrangements to allow the admission of both sexes, the school would not be able to comply fully with the SDA requirements for some years. Transitional Exemption Orders relax the requirement to comply during the period before the school becomes wholly co-educational.

4.69 Where the Decision Maker receives statutory proposals to alter a single sex school to become co-educational, they **should** treat the proposals as an application for a Transitional Exemption Order and make the order if they approve the proposals.

## Reconciling Policy, Performance and Resources: Capital Programme 2012/13 to 2015/16 ~ Commentary

### 1. Introduction

1.1 Cabinet requested a fundamental review of the capital programme, leading to the preparation of a draft programme which results in schemes that contribute to economic development be given priority, together with an increased emphasis on projects delivering policy steers. To deliver the review it was agreed to:

1. Identify specific economic development initiatives.
2. Critically review the current programme through to 2014/15.
3. Generate and assess new bids, including service transformation opportunities.

Members must also have regard to their duties under the Equality Act (Appendix 4).

1.2 It was accepted that committed projects (largely the current year's approvals) should continue. This meant that the fundamental review focused on projects or initiatives which would start in 2012/13 and beyond. Government grant funding for the Bexhill Hastings Link Road is assumed in this programme (at £56m), and, that the Department for Transport carry responsibility for funding the Baldslow Link Road.

1.3 For this year, onwards, we are looking to group capital and other bids and compare this with all capital and all one-off reserves availability rather than have a separate one off revenue bidding process. (This is subject to the normal limits that legally designated capital resources, such as borrowing, can not be spent on revenue items).

### 2. Resources

2.1 When considering the pot of resources available for allocation it is simplest to work with projections of the net resources (i.e. excluding specific external grants) rather than gross funding. In the context of the full programme, the net resources are shown at Annex 1A headed "Fundamental Capital Review and One-off Priorities".

2.2 The current Capital Programme agreed by County Council in February 2011 comprises projects totalling £295m of gross expenditure between 2011/12 and 2014/15. This was to be funded by £129m of the County Council's resources and the remainder from scheme specific Government grants.

2.3 Since the capital programme was agreed, work has been carried out during the year to complete a review of other reserves, the future prospects for capital receipts and also other normal revenue flexibilities at this time. Cabinet on the 15th November 2011 were advised of amounts which expanded resources by £97m to £226m but that was pending a full review of reserves. Since that date the overall financial position has been re-examined and a further £25m added to capital and one-off resources over the next 4 years.

2.4 The working assumption is that the County Council has £256m of its own resources available to fund capital projects and any other revenue bids, which are not the subject of specific grants, between 2012/13 and 2015/16. An analysis of the full resource position is shown at Annex 1B. Clearly, there may be further grant announcements to come with scope for additional resources for 2012/13 onwards.

2.5 To offset against this £256m of potential net resource, there remains £51m of committed schemes. A full list is at Annex 2 headed "Committed Programme". This means our current estimate of available net resources for 2012/13 through to 2015/16 is £205m.

### 3. The Capital Projects

3.1 Adopting the '2+2' budget discipline it is possible to fund schemes (and their tails of spend) starting in the first two years.

Annex 3 lists all the projects which are grouped in the following categories:

- Economic Development ED
- Highways HR
- Buildings Maintenance BR
- Primary School Places PSP
- Other Service Priorities OSP

3.2 The focus here is on net calls on resources i.e. scheme specific/direct grant funding. There are other schemes with an assessed net nil effect, which will form part of the final programme presented to County Council on 7<sup>th</sup> February, e.g. Lansdowne Secure Unit and Property Rationalisation. (Relying on earmarked capital receipts).

3.3 Consideration has been given to whether the project will be ready to start within the first 2 years (i.e. 2012/13 and 2013/14); projects which can assuredly commence in 2012/13 have been put at the start of the programme. The importance of an exact, or near settled spend profile (and there will be inevitable slippages), is to ensure that the known quantum of resources is directed at schemes which will be progressed within the phasing of the funding envelope.

3.4 The Baldslow link scheme, which was included in the draft list of schemes considered by Cabinet in November, is not currently in the list of bids on the basis it is primarily a DoT/Highways Agency scheme. (If members were to include it in the programme, the phasing would be uncertain, but likely to fall in the latter two years).

### 4. Future Potential Prior Calls on Resources

4.1 This programme covers all capital bids, but because of the importance placed by Cabinet, on integrating capital and revenue planning more closely, it is likely that we will need to take into account significant revenue bids against this resource. For example the emerging Children's Strategic Transformation Plan will require significant one off support. This is estimated at £9.7m over the next 2 years.

4.2 Our capital capacity comes from regular revenue contributions to the cost of new borrowing and also to the capital reserve. The challenge of future revenue funding and spend pressures adds pressure to these regular revenue contributions to capital, which in turn would put pressure on overall capital resources.

### 5. Summary of Resources to Support Capital Projects

Total	11/12 into	13/14	14/15	15/16	
	12/13				
	£m	£m	£m	£m	£m
			(indicative)	(indicative)	(indicative)
Total Net Call (Spend/Annex 3)	77	79	44	34	234
Net resource Available Phased/Annex 1)	(77)	(79)	(25)	(24)	(205)
Initial Gap = shortfall	-	-	19	10	29
Potential new grants			(19)	(10)	(29)



5.1 The standard approach adopted in preparing the capital programme has been retained. Under this model all existing schemes and all agreed new starts in the first two years of the programme are fully covered by resources. Schemes referred to in the latter two years of the programme are indicative and far less certain. They depend on more comprehensively worked up plans and costs, which will be available nearer the time, when a substantive decision can be taken. This gives the Council two years to develop its plans for the latter years. However, should members wish, they can allocate a sum of capital for these projects now. This would have a resultant impact upon the Capital Programme as currently proposed. The above assumes the Council's own capital resources are deployed in the first two years. Save for assumed capacity for new borrowing in 2014/15 and 2015/16 – no internal resources are available. An assumption has been made about the level of external grant funding for 2014/15 and 2015/16.

## **6. Risk management**

6.1 In the usual way, the decision for schemes to proceed will only be made when a sound Project Initiation Document (including and EQIA, where appropriate) is in place. In addition, schemes relying in part or whole on external ring fenced resources will only be able to proceed when those resources have been securely confirmed. Beyond that the shape of the gross programme is dominated by some large external grant assumptions (e.g. Link Road, and also Broadband).

## **7. Prudential indicators**

7.1 The draft prudential indicators for the period 2011/12 to 2014/15 are set out in Annex 4. These are required under the "Prudential Code for Capital Finance in Local Authorities" and Part 1 of the Local Government Act 2003. They bring together the capital programme and the impact of capital financing decisions.

## **8. Conclusions**

8.1 When agreed, the draft Capital Programme will be finalised at Annex 5. The total programme amounts to £491m gross. This is heavily supported by scheme specific resources including Government grant of £206m which carries an additional element of risk and uncertainty. There are many major projects covering most services and in the current economic climate such a bold programme is to be welcomed.

### Annexes

- 1 – Fundamental Capital Review and One-off Priorities
- 2 – Committed Programme
- 3 – New projects bids summary – net call on resources
- 4 – Prudential Indicators
- 5 – Proposed Programme

FUNDAMENTAL CAPITAL REVIEW AND ONE OFF PRIORITIES					
	2011/12 into 2012/13	2013/14	2014/15	2015/16	Total
	£m	£m	£m	£m	£m
<b>Summary of all resources</b>					
Current Gross Programme (agreed February 2011)	198.200	74.400	22.100		<b>294.700</b>
Scheme Specific Income (including developer contributions)	118.200	43.300	3.900		<b>165.400</b>
<b>Net Declared Resources @ Feb 2011</b>	<b>80.000</b>	<b>31.100</b>	<b>18.200</b>		<b>129.300</b>
<b>ADD:</b>					
(i) Late Grant Announcement	36.000				<b>36.000</b>
(i) Contingency	5.000				<b>5.000</b>
(ii) Additional Capital Receipt	3.000	1.000	1.000		<b>5.000</b>
(iii) Waste Reserve Release	30.000				<b>30.000</b>
(iv) Further Normal General Resource in 2015/16 From Cabinet 15.11.11				21.000	<b>21.000</b>
	<b>154.000</b>	<b>32.100</b>	<b>19.200</b>	<b>21.000</b>	<b>226.300</b>
<b>ADD:</b>					
(v) Use of internal borrowing provision	3.000	2.000	1.000		<b>6.000</b>
(vi) Unspent 11/12 Budget Capacity	3.700				<b>3.700</b>
(vii) Reduce Insurance Reserve	2.500				<b>2.500</b>
(viii) Council Tax Freeze Grant (Residual)	4.000				<b>4.000</b>
(ix) Additional Grant - Basic Needs (announced 03.11.12)	2.500				<b>2.500</b>
(x) Treasury Management underspend	2.000				<b>2.000</b>
(xi) New Homes Bonus (Provisional)	0.800	0.800	0.800	0.800	<b>3.200</b>
(xii) Additional Transport Grant (announced 14.12.11)	0.500				<b>0.500</b>
(xiii) Improved Council Tax Base (12/13) Estimate.	2.700				<b>2.700</b>
(xiv) Realignment of non specific LTP grant previously in programme	0.900	0.900	0.900		<b>2.700</b>
<b>Provisional Net Resource Available to 2015/16</b>	<b>176.600</b>	<b>35.800</b>	<b>21.900</b>	<b>21.800</b>	<b>256.100</b>
<b>Committed Spend (Annex 2)</b>	<b>46.106</b>	<b>5.365</b>	<b>0.070</b>	<b>(0.180)</b>	<b>51.361</b>
<b>Effective Net Resource Available</b>	<b>130.494</b>	<b>30.435</b>	<b>21.830</b>	<b>21.980</b>	<b>204.739</b>
<b>Net Call on Resource</b>					
Economic Development	19.738	34.651	15.257	15.099	<b>84.745</b>
Highways Related	18.630	13.380	13.994	14.107	<b>60.111</b>
Buildings Related	3.300	3.300	3.300	3.200	<b>13.100</b>
Schools Places	3.697	3.500	3.000		<b>10.197</b>
Particular School Priorities	2.400	3.800			<b>6.200</b>
Efficiency / Transformation	6.521	7.013	5.700	2.700	<b>21.934</b>
Other Service Priority	23.169	13.350	2.281	(1.331)	<b>37.469</b>
<b>Total Call on Effective Net Resource Available</b>	<b>77.455</b>	<b>78.994</b>	<b>43.532</b>	<b>33.775</b>	<b>233.756</b>

## MINUTES

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**EAST SUSSEX COUNTY COUNCIL**

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**MINUTES of a MEETING of the EAST SUSSEX COUNTY COUNCIL held at COUNTY HALL, LEWES on TUESDAY, 7 FEBRUARY 2012 at 10.00 am.**

**Present** Councillors Barnes, Belsey, Bennett, Bentley, Birch, Daniel, Dowling, Elkin, Ensor, Fawthrop, Field, Freebody, Freeman, Glazier, Harris, Healy, Heaps, Howson, Jones, Kenward, Lambert, Livings, Lock, Maynard, O'Keeffe, Pragnell, Reid, Rodohan, Rogers OBE, Scott, S Shing, Simmons, Sparks, Stogdon, St Pierre, Stroude, Taylor, Thomas, Thompson, Mrs Tidy, Tidy, Tutt, Waite, Webb and Whetstone.

**50. Minutes of Last Meeting**

50.1 RESOLVED - to confirm the minutes of the meeting of the County Council held on 6 December 2011 as a correct record.

**51. Apologies for absence**

51.1 Apologies for absence were received from Councillors Gadd, Ost and D Shing.

**52. Chairman's Business**

## NEW YEAR'S HONOURS

52.1 On behalf of the Council the Chairman congratulated all who worked or lived in East Sussex who had been recognised in the New Year's Honours. In particular, the Chairman congratulated Councillor Bob Tidy who had been awarded an MBE for services to local government and the community, to Hilary Lane who retired in 2011 from the post of the Council's Cultural Strategy Manager and who was awarded an MBE, and Des Prichard (Chief Fire Officer and Chief Executive of the East Sussex Fire and Rescue Service) who was awarded an OBE.

## ADVERSE WEATHER

52.2 On behalf of the Council, the Chairman expressed his thanks to all officers who had ensured that services had been maintained during the snow and ice that had been seen over the previous few days.

## CHAIRMAN'S ACTIVITIES

52.3 I have attended a number of engagements since the last County Council meeting including: attending the carol service at Lewes Prison, the Albion in the Community Reception at the House of Commons, Heathfield Works! Presentation by Tomorrow's People and the presentation by the Lord Lieutenant of Duke of Edinburgh Gold Awards at which I welcomed the guests. I visited the Respond Academy, an alternative education and youth project in Hastings and hosted a

## MINUTES

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*(i) provide a sum of £1.5m to help mitigate and smooth high impact effects over the next 3 years, arising from the planned changes in the Adult Social Care service offer*

*(ii) provide a sum of £0.5m over the next 2 years as an investment in street lighting refurbishment to help compensate for the Cabinet announced proposed annual reduction in street lighting maintenance*

*(iii) to provide the sum of £0.5m to use over the next three years, to help mitigate and smooth any high impact reduction in the Children's Services care offer*

*(iv) to finance the above with an additional £2.5m reduction in the total of earmarked reserves.*

56.4 The following motion moved by Councillor Glazier, to adopt paragraph 1 of the Cabinet report was CARRIED:

*(1) approve the Capital Programme in relation to schemes in progress or about to start and those to start in 2012/13 and 2013/14 and to note the schemes provisionally included in the capital Programme in future years as set out in Annex 5 of Appendix 1;*

*(2) note the prudential indicators as set out in Annex 4 of Appendix 1;*

*(3) approve the revenue budget estimates for 2012/13 as set out in Annex 3 (a) of the commentary on the Revenue Budget circulated to all members (Appendix 2);*

*(4) in accordance with the Localism Act 2011 to agree that:*

*(i) the net budget requirement is £356.351m and the amount calculated by East Sussex County Council as its council tax requirement for the year 2012/13 is £240.824m;*

*(ii) the amount calculated by East Sussex County Council as the basic amount of its council tax (ie for a band D property) for the year 2012/13 is £1158.30 and represents a 0% increase on the previous year*

*(5) the borough and district councils be advised of the relevant amounts payable and council tax in other bands in line with the Regulations and to issue precepts accordingly in accordance with the Agreed schedule of instalments (Appendix 2 Annex 3B)*

### **57. Cabinet Report – Reserved paragraphs**

57.2 Councillor Jones moved the reserved paragraphs of the Cabinet's report.

57.3 The motions were CARRIED after debate.