



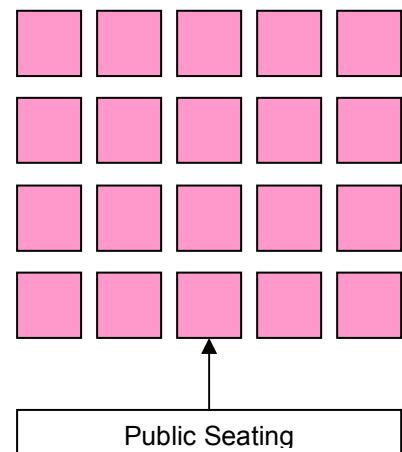
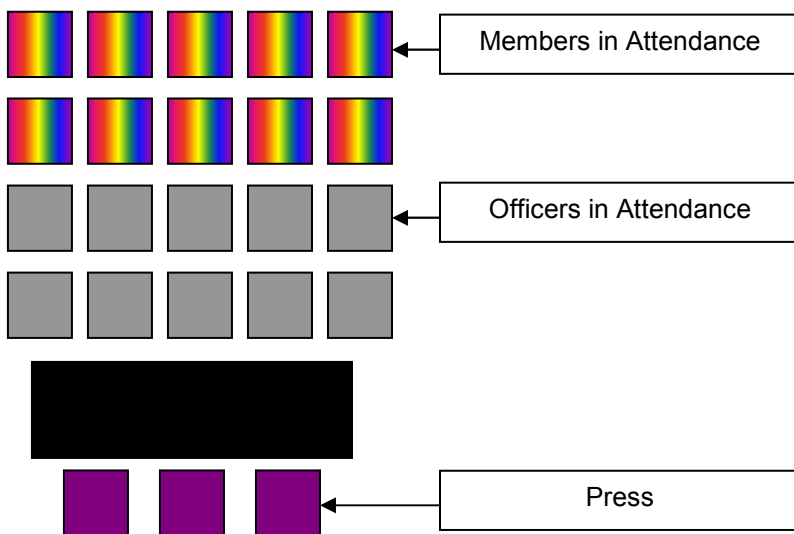
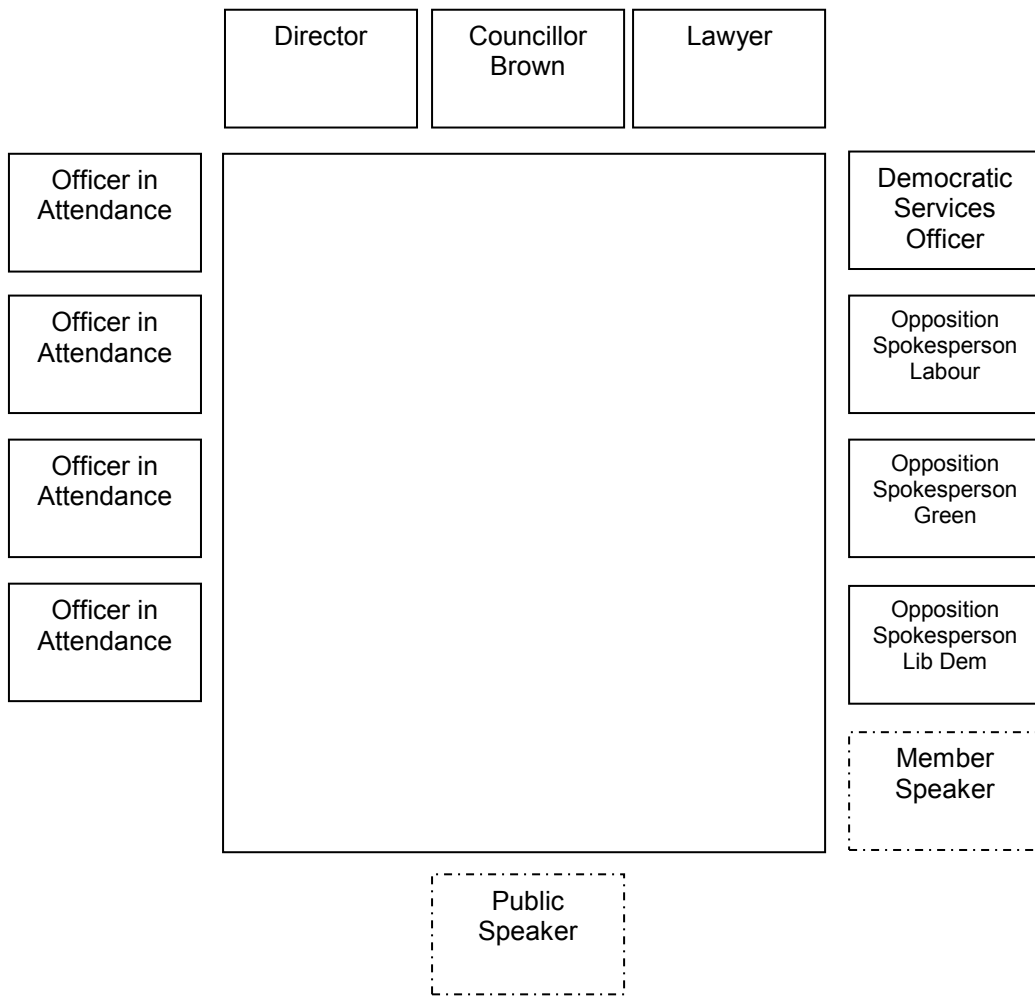
Brighton & Hove
City Council

Cabinet Member Meeting

Title:	Children & Young People Cabinet Member Meeting
Date:	6 July 2009
Time:	4.00pm
Venue	Committee Room 3, Hove Town Hall
Members:	Councillor: Mrs Brown (Cabinet Member)
Contact:	Nara Miranda Democratic Services Officer 01273 291004 (voicemail only) nara.miranda@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

1. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

2. MINUTES OF THE PREVIOUS MEETING

1 - 8

Minutes of the Meeting held on 20 April 2009 (copy attached).

3. CABINET MEMBER'S COMMUNICATIONS

4. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokesperson
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Petitions, Public Questions, Deputations, Letters from Councillors, Written Questions from Councillors and Notices of Motion will be reserved automatically.

5. PETITIONS

No petitions received by date of publication.

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

6. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 29 June 2009)

No public questions received by date of publication.

7. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 29 June 2009)

No deputations received by date of publication.

8. LETTERS FROM COUNCILLORS

9 - 10

(i) **Early Years Capital Grant** – Letter from Councillor Carden (copy attached).

9. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

10. NOTICES OF MOTIONS

No Notices of Motion have been referred.

11. EARLY YEARS CAPITAL GRANT

11 - 22

Report of the Director of Children's Services (copy attached).

Contact Officer: Caroline Parker Tel: 29-3587

Ward Affected: All Wards;

12. PROVISION OF FREE CHILD CARE PLACES FOR TWO YEAR-OLDS IN THE MOST DISADVANTAGED COMMUNITIES

23 - 28

Report of the Director of Children's Services (copy attached).

Contact Officer: Vicky Jenkins Tel: 29-6110

Ward Affected: All Wards;

13. EXPANSION OF DAVIGDOR INFANT SCHOOL AND SOMERHILL JUNIOR SCHOOL

29 - 34

Report of the Director of Children's Services (copy attached).

Contact Officer: Gillian Churchill Tel: 29-3515

*Ward Affected: Brunswick & Adelaide;
Central Hove; Goldsmid;*

14. EXPANSION OF LONGHILL SCHOOL

35 - 40

Report of the Director of Children's Services (copy attached).

Contact Officer: Gillian Churchill *Tel:* 29-3515

Ward Affected: East Brighton;
Rottingdean Coastal;
Woodingdean;

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

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Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Nara Miranda, (01273 291004 (voicemail only), email nara.miranda@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 26 June 2009

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

Agenda Item 2

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

4.00pm, 20 APRIL 2009

COMMITTEE ROOM 3, HOVE TOWN HALL

MINUTES

Present: Councillor Mrs Brown (Cabinet Member)

Also in attendance: Councillor Fryer (Opposition Spokesperson) and Hawkes (Opposition Spokesperson)

Other Members present: Councillors Davis, Mitchell and Kemble

PART ONE

93. PROCEDURAL BUSINESS

93a Declarations of Interest

93.1 There were none.

93b Exclusion of Press and Public

93.2 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Children & Young People considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

93.3 **RESOLVED** - That the Press and Public be excluded from the meeting during consideration of Item 106 in Part Two of the agenda.

94. MINUTES OF THE PREVIOUS MEETING

94.1 **RESOLVED** – That the minutes of the meeting held on 2 March 2009 be approved and signed by the Cabinet Member as a correct record.

95. CABINET MEMBER'S COMMUNICATIONS

95.1 There were none.

96. ITEMS RESERVED FOR DISCUSSION

96.1 **RESOLVED** – All items were reserved for discussion by the Cabinet Member.

97. PETITIONS

97.1 No petitions had been received.

98. PUBLIC QUESTIONS**98 (i) Public Question – Mr McGregor**

98.1 Mr McGregor asked the following question:

“The Somerhill Governors are disappointed to note that the proposed expansion has been sent to informal consultation before suitable plans have been made available to parents. At no time since January 2008 have Davidgor & Somerhill schools been consulted together, and any combined activities have been initiated by the schools, not the Local Authority. The proposed feasibility study undertaken in July 2008, turned into nothing of substance and I wrote to Di Smith about this in September 2008 expressing concerns. This could almost be considered a deliberate attempt to minimise engagement, despite words to the contrary. However, I would like to concentrate on the future and would like to ask the *Cabinet Member* how they propose to ensure that real and effective participation will be actively supported by the Council, to ensure that any expansion is innovative and visionary, to ensure that we have schools fit for learning and teaching for the next 25 years.”

98.2 The Cabinet Member thanked Mr McGregor for his question and gave the following reply:

“As Cabinet Member for the CYPT, I attended the public consultation meeting held at Somerhill on 2 April 2009 where assurances were given regarding the issues you have raised. I am happy to reiterate these assurances and confirm the following:

- The Council through its officers will willingly collaborate openly with both schools on all aspects of design, planning, approval timelines and building stages.
- It is recognised by the Council that feedback from both schools must be considered together as represented by our agreement to publish statutory notices in parallel and to consider responses to these consultations at the same time prior to determining whether the expansion of both school is to go ahead.
- That all of the current outside space for the two schools, i.e. play and sports areas, will be protected wherever possible and every attempt made to maximise the existing space and to increase it where possible.
- That B&HCC will apply a strategic and 21st century vision for schools and include this proposed expansion to ensure that every opportunity for innovation and improvement is seized.

- That B&HCC's architects and planners will involve and consult with the two schools' appointed working parties to seek their approval and to achieve the highest quality building that befits these two schools and the site they share.
- That all residents in surrounding streets affected by the building programme will be consulted by B&HCC's Planning Department and be invited to view the architect's plans at an early stage in the planning process.

I am glad that both school governing bodies are eager to work together and with the Council in planning this potentially very exciting expansion of two successful and popular schools enabling greater numbers of children within the locality to attend their local schools."

- 98.3 Mr McGregor indicated that he thought there was little information to base this proposal upon. He stated that Mr Healey, the Head of School Admissions & Transport, had visited Somerhill Junior School and provided the governing body with figures about the expected expansion of the population in the Hove area. Mr McGregor queried how robust those figures were.
- 98.4 The Cabinet Member stated that the information provided was based on current data. The Head of School Admissions and Transport further explained that, according to that data, there was an indication that the expanding population trend was due to continue. He acknowledged that any trend was potentially subject to change at any given time; however, the city council was working with the information that was currently available.

99. DEPUTATIONS

- 99.1 No deputations had been received.

100. LETTERS FROM COUNCILLORS

100 (i) Letter – Primary School Admissions, East Brighton Area

- 100.1 A letter was received from Councillor Mitchell regarding the primary school admissions in the East Brighton Area.
- 100.2 The Cabinet Member thanked Councillor Mitchell for her submission and gave the following reply:

"Following the meeting on 2nd March, officers have started to look in detail at the options for providing additional local primary school places in the longer term for children living in the area which might be described as south-east Kemptown. Officers have looked at the numbers of pupils currently attending maintained schools who live in that area, where they currently go to school and how they might have improved priority for access to reasonably local places. This covers not only capital options for the provision of places, but the degree to which this group of residents can expect to access any additional places provided within the published admission arrangements.

Two options have been identified for a more detailed feasibility study. These are:

- Extend Queen's Park Primary School by 15 places (half a form of entry) from 45 to 60. There are limitations to the site and before this can be considered as a likely option a thorough assessment of the site and the building options would be necessary. A further issue for consideration is the possibility that any additional places would be taken up by children living closer to the school. Clearly this only yields 15 places whilst the indication is that around 30 children in every academic year group live in the south east Kemptown area. The school is filled to the current capacity of 45 every year.
- Extend St Mark's CE Primary by one form of entry. Geographically St Mark's is the closest school to the area in question. (Queen's Park is the third closest, but the nearest Community School). The main issue here would be the school's voluntary aided (VA) status, where the Governing Body rather than the Council is the admission authority. At present places are allocated with priority to those with a religious affiliation, and the school is filled to capacity every year with the current admission number of 30. In order to take this option further it would be necessary to negotiate with the Governing Body and the Diocesan Authority about the possibility of a second form of entry being allocated to children simply living within the Parish of St George's (which includes Kemptown) who may not have a religious affiliation. This would not change the school's VA identity, and would be consistent with advice given by the DCSF to VA schools on making a proportion of places available to the local community. It is possible that some parents would not be in agreement with their child attending a school with a religious ethos. Again, a detailed assessment of the potential site and building limitations will be undertaken.

Officers have had preliminary discussions with the school Head Teachers and the Church of England Diocesan Authority. Members will be kept informed of the progress of the feasibility study."

100.3 Councillor Mitchell recorded her thanks for the feasibility study being undertaken to address the issue. She requested that ward councillors were kept informed of the progress in relation to this matter and asked what the process was, in terms of the Cabinet Member Meetings timescales, for further reporting on this matter.

100.4 The Schools Futures Project Director indicated that discussions would be taking place with the Head Teachers and Governing Bodies of St Marks CE Primary School and Queens Park Primary School; he also stated that other issues, such as the Brighton Marina development, would also be considered in this process. The Director indicated that the process should be concluded by the end of the Summer term and only after that officers would be in position to report back.

100 (ii) Letter – Davigdor Infant and Somerhill Junior Schools' expansion

100.5 A letter was received from Councillor Davis regarding the expansion of Davigdor Infant and Somerhill Junior.

100.6 The Cabinet Member thanked Councillor Davis for submitting her letter in relation to the above matter.

- 100.7 Councillor Davis noted that her submission was similar in content to the public question previously considered and, therefore, she had received the same response to her letter.
- 100.8 Councillor Davis stated that she wished the proposed expansion of Somerhill Junior to be a positive initiative for the council and the city, and be worthy of winning awards, as opposed to being a proposal decided upon in a rushed manner. She indicated that she was reassured that consultation was taking place on the proposal.
- 100.9 Councillor Davis noted what had happened in relation to Davigdor Infant, which had resulted in retrospective planning permission, and urged the Cabinet Member to ensure that proper consultation was carried out with all the relevant parties to avoid people's frustration with unwanted developments they are unaware of.
- 100.10 The Cabinet Member noted Councillor Davis's comments and reassured her that it was also her wish to avoid future difficulties where such developments were concerned.
- 100.11 Councillor Hawkes noted that there existed a need for a better corporate and democratic response where public interest was concerned and supported Councillor Davis's request for a thorough consultation with whole areas as and when required.
- 100.12 The Schools Futures Project Director referred to the similar proposal to expand Longhill School. He reported that a meeting had taken place at the school with residents and the planner, which had worked very well; he indicated that this was a practice that officers would like to encourage schools to support and build upon in future as a way forward in consultation processes.
- 100.13 The Cabinet Member proposed that Councillor Davis contacted her, or officers, to indicate which local areas she would like officers to consult with in relation to the proposal for the expansion of Somerhill Junior.
- 100.14 **RESOLVED** – That the letters be noted and a copy of the responses given be sent to Councillor Mitchell and Councillor Davis respectively.

101. WRITTEN QUESTIONS FROM COUNCILLORS

- 101.1 No Written Questions from Councillors had been received.

102. NOTICES OF MOTIONS

- 102.1 No Notices of Motion had been received.

103. REVISED ADMISSION FORUM MEMBERSHIP AND FUNCTIONS

- 103.1 The Cabinet Member considered a report of the Director of Children's Services, concerning the revised Admission Forum membership and functions, which outlined the key changes as they affect the Brighton & Hove Admission Forum (for copy see minute book).
- 103.2 The Head of School Admissions & Transport noted the value of an Admission Forum and its role in monitoring local admission arrangements. He highlighted the key changes

proposed and how those applied to Brighton & Hove. He noted that the maximum number of core membership was now 20 and that any community members identified had to be appointed by the core membership rather than the Council. He also drew attention to the fact that representation from Falmer academy would now be included and that the option of automatic school attendance and voting rights for all schools had been removed.

103.3 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the proposed membership for the Admission Forum be approved.
- (2) That the changes to the Admission Forum role arising from the Education and Skills Act 2008 be noted.

104. PROPOSED EXPANSION OF SOMERHILL JUNIOR SCHOOL

104.1 The Cabinet Member considered a report of the Director of Children's Services, concerning the proposed expansion of Somerhill Junior School. The report set out the background and the rationale for the proposal and sought endorsement for proceeding to the next stage of the statutory process, which was the publication of the required statutory notice (for copy see minute book).

104.2 The Schools Futures Project Director indicated that it was sensible to run the statutory notices for Davigdor Infant and Somerhill Junior Schools in parallel. He explained that the importance of this parallel process was that if both proposals were agreed, both would proceed; however, if one was refused, both would fail. He indicated that the publication of the statutory notice, which was currently being sought, would allow a further four weeks of consultation.

104.3 The Opposition Spokesperson for the Labour Group welcomed the proposal and recorded her satisfaction to the way that officers were conducting the process and involving the planning department in it. She thought this was a sensible move in order to avoid the faults made in the past.

104.4 **RESOLVED** – That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the proposal to expand Somerhill Junior School by one form of entry from September 2011 be noted and endorsed.
- (2) That the publication of the required Statutory Notice to progress this proposal be agreed.
- (3) That the results from the statutory consultation process be referred to Cabinet Member Meeting in July 2009 for decision.

105. PROPOSED EXPANSION OF LONGHILL SECONDARY SCHOOL

- 105.1 The Cabinet Member considered a report of the Director of Children's Services concerning the proposed expansion of Longhill School. The report set out the background and the rationale for the proposal and sought endorsement for proceeding to the next stage of the statutory process, which was the publication of the required statutory notice (for copy see minute book).
- 105.2 The Schools Futures Project Director referred to the breakdown of responses received in support of and against the proposal following the initial consultation. He explained that the main concerns raised were around traffic and around parking on public highway adjacent to the school, and reported that a planning meeting had taken place to consider the matter. It was also pointed out that some extra parking spaces had already been found.
- 105.3 The Opposition Spokesperson for the Green Group enquired whether the school had a travel plan in place.
- 105.4 The Head of School Admission confirmed the school had such plan in place, and that it would be a requirement of any planning consent that the travel plan was revisited. He also said that school buses stopped on the school premises, which improved travel safety for pupils and kept the adjacent main road clear of buses loading and unloading.
- 105.5 **RESOLVED** - That, having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the proposal to expand Longhill School by one form of entry from September 2010 be noted and endorsed.
 - (2) That the publication of the required Statutory Notice to progress this proposal be agreed.
 - (3) That the results from the statutory consultation process be referred to Cabinet Member Meeting on 6 July 2009 for decision.

106. PART TWO MINUTES - EXEMPT CATEGORY 3

- 106.1 **RESOLVED** – That the non-public minutes of the meeting held on 2 March 2009 be approved and signed by the Cabinet Member as a correct record.

107. PART TWO ITEMS

- 107.1 **RESOLVED** – That the above item and the decision thereon remain exempt from disclosure to press and public.

The meeting concluded at 4.30pm

Signed

Chairman

Dated this day of 2009

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

Agenda Item 8

Brighton & Hove City Council

Letter from Cllr Carden, submitted by email on 17 June 2009

Dear Acting Chief Executive,

EARLY YEARS CAPITAL GRANT

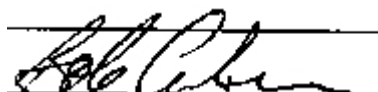
I very much welcome this real investment from the Government in children's play and know what it will mean to the Play Group organisers and to the families in Portslade that use them.

I'm looking forward to working with the council, as the improvements are made and ask that as ward Councillors we are kept up-to-date and fully informed about any developments and the planned improvements.

I would also like to request that the existing user groups of these community facilities are supported, consulted and kept informed throughout the entire process.

It is important that all sections of the community are able to continue to access activities that add quality to their lives, be they younger or older residents. This is a marvellous opportunity for families with young children but we must continue to accommodate the very worthwhile activities for my older residents as well.

Yours sincerely,



Cllr Bob Carden
Labour Member for North Portslade

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

Agenda Item 11

Brighton & Hove City Council

Subject:	Early Years Capital Grant		
Date of Meeting:	6 July 2009		
Report of:	Director of Children's Services		
Contact Officer:	Name:	Caroline Parker	Tel: 293587
	E-mail:	caroline.parker@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: CYP10140	
Wards Affected:	All		

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To agree proposals for allocating the Sure Start Early Years Capital Grant from the Department of Children Schools and Families (DCSF). This is a ring-fenced grant primarily aimed at private, voluntary and independent childcare providers with national aims to:
- improve the quality of the learning environment in early years settings to support delivery of the Early Years Foundation Stage, with a particular emphasis on improving play and physical activities; and ICT resources;
 - ensure all children, including disabled children, can access provision;
 - enable private, voluntary and independent providers to deliver the extension to the free entitlement for 3 and 4 year olds and to do so flexibly.
- 1.2 To agree the capital plans for the Sure Start Children's Centre in Preston Park as part of the development of Phase Three Sure Start Children's Centres to be open by 2010.

2. RECOMMENDATIONS:

- 2.1 To agree to develop the Preston Park Children's Centre at the Fiveways Pre School Playgroup, off Florence Road. The proposal is to replace the existing pre-fabricated building with a Council owned new build which would house both the playgroup and the children's centre at an estimated total cost of £820,000. This is to be funded by £450,000 from Children's Centre funding, £245,000 from the Early Years Capital Grant and £125,000 from the Fiveways Pre-School Playgroup.
- 2.2 To agree the following allocations for the Early Years Capital Grant (full details are in annex 1 and are all subject to further local consultation):
- Stringer Playgroup, Surrenden Campus – up to £160,000
 - St Joseph's Playgroup, Hollingdean- up to £50,000
 - Little Ducklings, Hangleton – up to £70,000
 - Roundabout Nursery – up to £200,000

- Brighton Unemployed Centre – up to £90,000
- Village Under Fives, Portslade – up to £300,000
- Refurbishment and/or rebuilding of sport pavilions housing early years providers including Dolphins in Nevill Park, Hollingbury Park Playgroup and Westdene Playgroup subject to further assessments and local consultation – up to £790,000.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The local authority has a statutory duty to secure sufficient free early years provision for all three and four year olds and sufficient childcare for children aged 0-14 to allow parents to work or train. At present the early years free entitlement is 12.5 hours a week for 38 weeks a year, usually delivered in 2.5 hour sessions. This is increasing to 15 hours a week for all children by 2010 with increased flexibility so that children will be able to access 15 hours over 3 days. Some providers will need improvements to their premises to deliver this. The local authority also has a duty to improve outcomes for all young children and to narrow the gap for the most disadvantaged. Research has show that children will only benefit fully from early education and care if it is of high quality. A high quality setting needs the right built internal and outside environment and appropriate resources.
- 3.2 The Department for Children, Schools and Families (DCSF) has allocated Brighton & Hove a capital grant worth £1,062,287 a year for the three years 2008/9, 2009/10 and 2010/11. The DCSF's expectation is that the majority of this capital grant will be used to improve the environment in private, voluntary and independent (PVI) settings to support higher quality experiences for young children.
- 3.3 The CMM agreed the following strategy in the September 2008.
- To improve outcomes for young children and to narrow the gap for the most disadvantaged children by targeting funding on those groups with the worst environments identified in a citywide audit of rented premises or where capital alterations are needed to include children with disabilities.
 - To support the Council's childcare sufficiency duty by targeting funding on settings which offer affordable childcare, where childcare places are needed to meet local demand. This will include ensuring that sessional providers can offer the increased entitlement to 15 hours of flexible, free early years provision and could include expanding the number of places where there is clear evidence of unmet demand.
 - To link with the Primary Capital Strategy by aiming to relocate groups in the poorest multi-purpose accommodation into purpose built premises on school sites where possible, taking into account the local demand for places and the quality of existing provision.
- 3.4 The CMM also agreed an initial budget allocation including funding for equipment for voluntary groups and those in shared premises, an extension to

Peter Gladwin School to house a local playgroup, a range of small grants of under £50,000 and feasibility costs. Details of expenditure so far and committed spending are set out in annex 1.

- 3.5 Fiveways Nursery currently has a lease of part of the site at Florence Road which they have held since 1974 and negotiations are in hand for renewal. On the basis of the Children's Centre being approved, the intention is to agree a 25 year lease for Fiveways Pre-school at a peppercorn to reflect their contribution to the capital cost. The lease will need to be agreed by the governors of Downs Junior School.
- 3.6 There are a number of sports pavilions based in parks which also house early years providers. In some cases these buildings are in a poor state of repair. There are also particular challenges when early years providers share premises with sports changing rooms. Negotiations are underway with City Parks and in some cases further consultation may be needed with local users.

4. CONSULTATION

- 4.1 Existing private, voluntary, independent or statutory services for children and families were asked to express an interest in hosting the Children's Centres. In Preston Park there was just one expression of interest by the deadline. The CYPT Board agreed in principle to the children's centre being based at Fiveways. Consultations have been held with Downs Junior School as the land is listed as a schools playing field for this school.
- 4.2 An audit of providers in rented accommodation has been completed and meetings held with City Services. Discussions have taken place with Peter Gladwin School, Village Under Fives and Parish Pre-Schools. Consultations are ongoing with City Services, Property and Design and Portslade Community College. The users of the shared buildings and local ward councillors will be consulted about the detail of the improvements where there may be an impact on other groups.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The capital cost of the Fiveways children's centre project is estimated to be £820,000 of which £450,000 will be met from within the children's centres capital funding of £492,000 that was left unallocated in the April CYPTB paper. A further £245,000 will be funded from the Early Years Capital Grant and it is intended that the remaining £125,000 will come from Fiveways Pre-school by means of a mortgage secured on the property. This will depend on the Council agreeing a 25 year lease. The budget for Children's centre capital for 2009/10 is £772,381 and the budget for 2010/11 is £1,121,961. Revenue costs for the children's centre will be met from the children's centre revenue budget. The remaining funding will be kept as a contingency.

The capital costs of the other projects will be met from the early years capital grant allocation. The DCSF allocation is £3,186,861 for the three years 2008/2011. The first year's funding of £1,062,278 was agreed by CMM in September 2008. The table at annex one shows the funding committed so far:

£790,000. A total of £100,331 was spent in 2008/9. This paper commits a further £1,780,000 and leaves £491,530 unallocated. The split between the financial years is £1,147,00 for 2009/10 and £1,939,530 for 2010/11. Details are in annex 2.

Finance Officer Consulted: Michelle Herrington

Date: 19/06/2009

Legal Implications:

- 5.2 The Childcare Act 2006 introduced a duty on local authorities to both improve all young children's outcomes, and to reduce inequalities between them, through integrated early childhood services. These proposals for the allocation of the early years capital grant will support these duties by ensuring sufficiency of places and improving the quality of the learning environment where most needed. The development of the Fiveways Pre-school will need to take account of the land's status as a school playing field. The Council has certain permitted development rights, in the form of General Consents under Section 77 of the School Standards and Framework Act. One of the General consents that is available to LA's for development of playing fields is when an authority wishes to provide accommodation for services for children. The Children's Centre is just such a development.

Lawyer Consulted: Natasha Watson

Date: 24/06/09

Equalities Implications:

- 5.3 Good quality early years education improves outcomes for all children and particularly those who are most disadvantaged.

Sustainability Implications:

- 5.4 Provision of childcare in local communities supports the sustainable communities goal, as well as reducing climate change and energy use.

Crime & Disorder Implications:

- 5.5 Research shows access to good quality childcare supports children and young people's learning and achievement in later life.

Risk & Opportunity Management Implications:

- 5.6 The "I DO RM" tool will be used for new projects.

Corporate / Citywide Implications:

- 5.7 The relevant corporate and CYPT objective are:
- Reduce inequality by increasing opportunity
 - Enjoy and achieve – improving early years outcomes

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 In Preston Park Fiveways Playgroup was the only provider to express an interest in hosting the Children's Centre by the deadline. See paragraph 7.1 below.
- 6.2 The recommendations follow the guidance from the Department for Children, Families and Schools to target the funding on the private and voluntary sector and for the funding to be based on an assessment of need. The alternative would be to spread the funding across a larger number of childcare providers so

that more providers could have made smaller improvements. The audit and feasibility studies have shown that there are a number of buildings in a very poor state of repair. This may be the only chance of replacing these buildings. Many of the groups in these buildings are run by voluntary management committees and tend to charge affordable fees to parents. Targeting the funding on the settings in greatest need supports the Council's duty to improve early years outcomes and narrow the gap between the most disadvantaged children and their peers.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Fiveways is an extended day playgroup based on local authority land off Florence Road. They are one of the largest early years providers in the city with 52 places and were attended by 101 3 and 4 year olds in January 2009 including 16 children from disadvantaged areas. They also provide places for 2 year olds and collect children from Balfour and Downs Schools for after school care. Fiveways have an outstanding Ofsted judgement.
- 7.2 The early years capital funding aims to improve the quality of the learning environment with a strong emphasis on children accessing a high quality outside environment. There are just over 100 daycare providers in the city in the private, voluntary and independent sector with a wide variation in the standards of premises. An audit has been completed of groups in rented accommodation across the city looking at the state of repair of the building including access to natural light, disability access and children's access to a safe outside space. Many of these buildings and sites are owned by the Council. The poorest quality accommodation is based in buildings which are multi-purpose eg. sports pavilions and have to meet the needs of different users and pre-fabricated buildings that were installed in the 1970s and are now coming to the end of their lifespan.
- 7.3 The report also proposes an extension to the Roundabout nursery to increase the number of spaces for two year olds. This is needed to provide places for children on the child protection register and free places for the city's most disadvantaged two year olds.

SUPPORTING DOCUMENTATION

Appendices:

1. Early Years Capital Funding Summary for 2008/9
2. Early Years Capital Funding Summary for 2009/11

Documents In Members' Rooms:

None

Background Documents

1. CYPT Board Report April 2009 Phase Three Children's Centres
2. DCSF Letter – Quality and Access for All Young Children – Three Year Allocations of Early Years Capital Grant

Annex 1

The first year's funding of £1,062,278 was agreed by CMM in September 2008. The table below shows the funding committed so far.

	Expenditure in 2008-9	Committed in 2009/10	Total	
Projects approved and funded from the 2008/9 Allocation				
Small Equipment Grants - budget 100,000				
Expenditure in 2008/9	69318		69318	
			0	
Grants of up to 50,000 - budget of up to £312,00				
Pavillion		40000	40000	
Mile Oak		35000	35000	
Other small Works		100000	100000	
New total			0	
			0	
Feasibility Studies - agreed budget £50,000				
Costs of feasibilites		30000	30000	
			0	
Adpatations for children with disabilities - £100,000 agreed				
Monkey Puzzle		15000	15000	450000
			0	225000
Peter Gladwin extension	31013	470000	501013	125000
			0	800000
			0	;
Total	100331	690000	790331	
Total of				

Annex 2

Early Years Capital Grant Summary

1.6.09

Projects to approve	EY Funding Allocation	Other funding or options	Ownership	Places	Other links	Detail of work
Fiveways, off Florence Rd, Brighton, Central. Will also host a Children's Centre	245,000	Total cost of 800,000. 450,000 from Children's Centre funding. Between £125,000 and 250,000 from Fiveways including possible grants.	Council (CYPT land) - School Playing Field	Established in 1964, designated as a playgroup and after-school club, 50 places. Outstanding judgement and good care judgement in 21/11/07 inspection with 123 children on roll	The land is designated as a playing field for Downs Junior School but is only used for a weekly after school rugby club. Negotiations are underway for a 25 year lease	Issues - pre-fabricated building bought second hand in the 1970s in fair condition but at the end of its life. Inadequate compartmentalisation for fire protection. Not VFM to refurbish such an old building. Replace with a new build including a children's centre extension. Issues - poor decoration, separate toilets and kitchen away from the play area, no secure outside area, (there is a hard surface with no fencing leading to a car park and the road). Work: replace flat roof coverings and windows for the side extension, install security, upgrade fire evacuation from rear door, install canopy to the landscaped area, form new secure play area, replace stage with kitchenette, childrens toilets and shared meeting room. Refurbish internal areas
Village Under 5s, Village Centre, Portslade, West	300,000		Council - CYPT building, part of Portslade Community College.	Opened in 1971. Registered for 30 sessional places, Inspection on 20/9/2007 with good education and satisfactory care judgements, 60 children on roll.	Portslade Community College. Also used for youth activities- youth funding bid not successful.	

Stringer Playgroup, Stringer Way, Brighton, Central	160,000		Council land	Open since 1973, registered for 18 children aged 2-5, inspection on 16/10/07 with good judgements for both care and education and 35 children on roll, term time, school day	Pre-fabricated building bought second hand in the 1970s, timber decay, damp, roof and windows in poor condition, poor toilets. Proposals - options considered for refurbishment or second hand replacement building. Proposal to replace with a new pre-fabricated building.
St Josephs, Davey Drive, Hollingdean, Central	50,000	Exploring options for match funding	RC School	Registered for 12 sessional places, inspection on 8/2/07 - good judgements for both care and education	Pre-fabricated unit in a fair condition but with poor windows and roof covering. Small outside play area on a slope with a turf finish. The slope makes most of the area unusable, no outside storage. Proposals - landscape outside areas and provide storage. Discuss match funding for windows and the roof.
Little Ducklings, Hangleton Community Centre, West	70,000	Considering options for linking with the Hangleton Park children's centre improvements	Council owned community centre	Registered for 24 children 2-5, school day, inspection in 2007 with good judgements, 40 children on roll.	Issues - located on the first floor of Hangleton Community Centre, leaking roof lights, poor acoustics, poor outside play area. Proposals - installation of acoustic system, replacement of flat roof covering and domed rooflights, overhauling doors and windows, improve outside play area and footpath.
Roundabout Children's Centre Nursery, Whitehawk	200,000		Council owned - Children's Centre nursery	Registered for 71 children aged 0-5. Inspection in 2007 with good judgement and 89 children on roll.	Extension to provide 12 more places for two year olds particularly for children on the child protection register and those who entitled to funding for disadvantaged two year olds. Both the over and under 3s unit is is full.

Brighton Unemployed Centre creche, central	Exploring options 90,000 for match funding	Council building, lease to BUC currently being reviewed.	Registered as a sessional provider in 2009 with places for 12 children and a good judgement. 130 children on roll.		Issues - on the first floor with no DDA access. Outside play area also down a fire escape. Toilets need refurbishment and updating the nappy change unit etc. Proposal - Install a lift, increase toilet facilities with DDA toilet.
Dolphins Pre- School, Nevill Park, Hove, West	70,000	Council - Parks building	Opened in 1987. Registered for 30 places for 2-5 year olds. Good judgements for both care and education at the inspection on 7/11/07 with 67 children on roll.	City Services, Environment	Issues - the playgroup shares space and toilets with sports users in this pavilion. The playroom becomes four changing rooms at weekends. This space is in a poor condition with a shared kitchen and toilets. Proposals: to separate the facilities as much as possible with new external and internal stores, children's toilets off the playroom, a room for small group work, redecoration and new floor coverings. Consulting with City Services on the detail of the works.
Westdene Playgroup, Barn Rise, Westdene, Central	Playbuilder funding for the 220,000 new outside area	Council - Property and Design	Open since 1993, open from 8.30 - 2pm, registered for 20 children 2-5, last inspection on 20/3/08 with satisfactory judgement for care (education not inspected) and 50 children on roll.	City Services, Environment	Issues - former parks store, small boarded up windows and very small rooms (no natural light), outside play in out-dated public play park. Proposals - look at options for improving the outside area. This may involve relocating the existing public area which will require planning permission. Replace windows and doors to allow natural daylight and for children to see outside, install security shutters and canopy, refurbish internal areas and toilets, new entrance and improved storage. Consulting with City Services on the detail of the works.

Hollingbury Park, Ditchling Road, Brighton, Central	500,000	Council - Parks building. Proposed change to CYPT ownership.	Open since 1970, registered for 40 children from 9-3 pm, inspection on 20/11/07 - good care and satisfactory education with 53 children on roll	City Services, Environment	Issues - sports pavillion constructed in 1920s, building in a dilapidated state with the external areas of particularly poor condition, poor toilets and kitchen. Proposals - demolition and new build. Refurbishment and a pre-fabricated building are likely to be more expensive. Consulting with City Services on the content of the new build and futuer ownership of the building.
Improvements and/or rebuilding sports pavillions					
Total for June 2009 paper					790,000
					0
Funding already agreed	790331	See annex 1 - Approved by CMM in September 2008			
Total Allocation	2,695,331				
Contingency and not yet allocated	3,186,861				
	491,530				

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The government has recently updated its 2004 Ten Year Childcare Strategy in a document entitled “Next Steps for Early Learning and Childcare, Building on the Ten Year Strategy”. This document commits the government to “offering free early learning and childcare places to the most disadvantaged two year olds in every Local Authority by September 2009, and extend this offer to all two year olds stage by stage”.¹
- 3.2 The new national offer, which will reach 23,000 children per year, offers: ten hours of free care per week in the best quality settings; is available for 38 weeks per year but can be stretched over more weeks if this suits parents; and includes funding for outreach and family support.
- 3.3 The “Next Steps” document states that “evidence suggests that extending a level of free provision to the most disadvantaged two year olds is likely to have a greater positive impact on child outcomes than extending the number of free hours available to three and four year olds ... research shows good quality part time early learning and childcare [at age two] ... brings particular gains in cognitive and early language development. And that children from disadvantaged backgrounds stand to gain most.”²
- 3.4 The offer has a focus on families as well as children in that it also funds outreach and family support in order to “bring the most disadvantaged families on board and support them to remain engaged”.³ Whilst the emphasis is on the benefit for the child, it is intended that it should also benefit parents through giving them more choice about employment and training and thereby contribute to the government’s social mobility and child poverty objectives. Children’s centres are integral to the offer because of their role in provision of outreach and family support.
- 3.5 DCSF guidance is clear that the offer must target children who are economically disadvantaged, that is those living in disadvantaged areas according to the Income Deprivation Affecting Children Index (IDACI). Those who benefit must also be families in receipt of workless benefits. Local authorities can add additional eligibility criteria in order to target provision within their area.
- 3.6 The total amount of funding for this financial year for Brighton & Hove is £201,144 and for next financial year £266,672. This covers the cost of 26 weeks of childcare from September 2009 and 38 weeks of childcare in financial year 2010/11, as well as an amount for family support, outreach and project management. The funding is intended to make the offer available to 104 two year olds from September 2009. This approximates to a little less than one quarter of all two year olds living in workless households.

¹ *Next Steps for Early Learning and Childcare* HM Government 2009 Page 5

² *Ibid.* Page 27

³ *Ibid.* Page 27

- 3.7 It is likely that the 104 eligible two year olds will live in the most 10 to 15% deprived areas according to the IDACI. In order to determine the cut off point for eligibility, an analysis is currently being carried out to discover the number of two year olds living in these areas.
- 3.8 Initial research shows that eligible children are likely to live within one of the following children's centre reach areas: Moulsecoomb, Bevendean and Coldean; City View East and Central; Roundabout; Hollingdean; Tarner; Goldstone, and Knoll and Stanford. The funding does not cover all children living in these areas but only those who have a postcode identified as highly disadvantaged.
- 3.9 The funding does not cover all two year olds living in disadvantaged postcodes and in households on workless benefits; doing so will be a necessary but not sufficient condition. Children are likely to have to meet other eligibility criteria, for example having speech and language needs including English as an additional language, or a disability or special need. Further eligibility criteria will be considered once figures on the likely numbers of eligible children are available. It may be that eligibility criteria can be reduced once the scheme is established, depending on take-up.
- 3.10 It is therefore proposed that in order to meet DCSF guidance the following eligibility criteria be adopted:
- Children living in one of the most disadvantaged postcodes, that is within the 10 per cent most disadvantaged according to the IDACI, **and**
 - Children living in a family in receipt of one or more of
 - Income Support
 - Income-based Job Seeker's Allowance
 - Child Tax Credit at a rather higher than the family element
 - Extra Working Tax Credit relating to a disability, or
 - Pension Credit, **and**
 - Where the child is receiving targeted services and the health visitor considers that the child will particularly benefit from a free childcare place, **and**
 - There is a place available in the scheme
- 3.11 It is proposed to offer free nursery places to children as soon as possible after they reach their second birthday. It may be that in some cases a free nursery place is not immediately available at a time and place where a parent wants it and therefore necessary to operate a waiting list.
- 3.12 Parents who would like to receive the free childcare sessions will not be required to take up all ten hours immediately, but children participating should attend for a least two sessions a week. Parents will be encouraged to take up the full offer.

- 3.13 Consultation will be carried out with potential providers of nursery places. It is proposed that only those with good our outstanding provision will be included in the scheme. Providers are likely to include those in the private and voluntary sector, childminders, as well as those based in children's centres. It may be possible that we have to support expansion of provision in some areas to ensure sufficient places. Consultation will take place on the level of financial support for providers participating in the offer.
- 3.14 Family support and outreach will be managed through children's centre teams and in conjunction with nursery providers where needed. The aim of family support and outreach is to provide appropriate advice and signposting to other services or wider support which a family might need, as well as helping the parent to offer a good quality home learning environment to their child. There are also links to be made with other initiatives including the Family Pathfinder and the Family Information Service outreach strategy.
- 3.15 At present children's centres already fund some disadvantaged two year old children to access free places in nurseries and with childminders. The two year old offer provides the opportunity to expand this provision and to ensure that children with specific needs who might not be eligible for new scheme can still receive a free place. These will include children with a child protection plan, children who are looked after, children of teenage parents, as well as some children targeted for the highest level of health visitor support who are otherwise ineligible for the offer.

4. CONSULTATION

- 4.1 Sure Start area managers, who are key to successful implementation of the scheme, have been consulted on initial proposals.
- 4.2 It is proposed that, where possible, children's centre advisory group(s) should be involved in approving details of the scheme.
- 4.3 Childcare providers will be consulted on the scheme's operation once those eligible have been identified.
- 4.4 Parents will be consulted on an individual basis so that the childcare and associated support can be tailored to each child and family's needs.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 5.1 There are ring fenced allocations within the Sure Start Grant of £201,144 for 2009/10 and £266,672 for 2010/11. The costs of this scheme will need to be contained within these allocations. The scheme will need to be reviewed for 2011/12 depending on the availability of future funding.

Finance Officer Consulted: Jeff Coates

Date: 21/05/2009

Legal Implications:

- 5.2 The proposals should assist the Council in meeting their statutory duty towards children in need under the Children Act 1989. It will also assist in meeting our duties under the Childcare Act 2006. The member must be satisfied that the eligibility criteria contained in the paper is demonstrably fair in all the circumstances outlined.

Lawyer Consulted: Natasha Watson

Date: 24/06/2009

Equalities Implications:

- 5.3 An equalities impact assessment (EIA) for City Early Years and Childcare (CEYC) was completed in April 2009. The EIA found that CEYC, in general, promotes equal opportunities and its policies, strategies and services are unlikely to result in adverse impact for any group.

Sustainability Implications:

- 5.4 Climate change and energy: childcare places will be offered near parents' homes to limit CO2 emissions.

Sustainable communities: the scheme engages parents and develops local partnerships to reduce poverty.

Crime & Disorder Implications:

- 5.5 Research shows access to good quality childcare supports children and young people's learning and achievement later in life.

Risk and Opportunity Management Implications:

- 5.6 The "I DO RM" tool will be used for the scheme.

Corporate / Citywide Implications:

- 5.7 The relevant corporate and CYPT objectives are:
- Reduce inequality by increasing opportunity
 - Enjoy and achieve – improving early years outcomes

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The recommendation follows DCSF guidance. Targeting the funding on children in most disadvantaged communities supports the council's statutory duty under the Childcare Act 2006 (s1) to improve the well-being of young children and reduce inequalities between young children.

7. REASONS FOR REPORT RECOMMENDATION

- 7.1 This report seeks approval for implementation of a scheme which will benefit the most disadvantaged two year olds in Brighton & Hove. It will also support the parents of these children in gaining any additional support they might need and improving their children's home learning environment.
- 7.2 Because funding for the scheme is limited it is necessary to establish eligibility criteria so that it is focussed on the most disadvantaged children. Approval of the eligibility criteria will enable children's centre staff to start to identify the first children who will benefit from free childcare provision.

SUPPORTING DOCUMENTATION

Appendices:

1. None.

Documents in Members' Rooms:

1. None

Background Documents

1. DCSF letter: Extension of the 2 Year Old Offer of Free Early Years Education and Childcare: Invitation to participate dated 29th January 2009.

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

Agenda Item 13

Brighton & Hove City Council

Subject:	Expansion of Davigdor Infant and Somerhill Junior schools		
Date of Meeting:	6 July 2009		
Report of:	Director of Children's Services		
Contact Officer:	Name:	Gillian Churchill	Tel: 29-3515
	E-mail:	gillian.churchill@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. CYP10144	
Wards Affected:	Brunswick & Adelaide; Central Hove; Goldsmid		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform members of the outcome of the statutory consultation on the proposed permanent expansion of Davigdor Infant and Somerhill Junior schools by one form of entry from September 2010 and September 2011 respectively and resultant enlargement of the premises.
- 1.2 To provide the Cabinet Member with sufficient information to be able to determine the proposal.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member confirms the statutory notice and resolves to permanently expand Davigdor Infant and Somerhill Junior schools by one form of entry from September 2010 and September 2011 respectively and enlarge the premises accordingly.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Brighton & Hove City Council has a legal requirement to provide sufficient school places for all school age children in the city. School places should be provided in such a way that parents and pupils can access a local school wherever possible.
- 3.2 Over recent years there has been a considerable increase in the number of children growing up in the part of the city that is served by Davigdor Infant and Somerhill Junior Schools. This is evidenced by the fact that we had to temporarily increase the size of Davigdor Infant School by one form of entry in September 2008 and will have to do so again in September 2009. This increased intake will be looking to access a junior school place in September 2011.

- 3.3 The proposal is to permanently expand Davigdor Infant and Somerhill Junior Schools so that they become four form entry school with a yearly intake of 120 from September 2010 and 2011 respectively.
- 3.4 To support the expansion of the schools there will be an extension of both schools that will be funded by a combination of the Primary Capital Programme funding, the schools Devolved Formula Capital and other council capital funding. These extensions will provide additional classrooms to accommodate the extra pupils. There will also be some internal remodelling and refurbishment to provide accommodation that will better fit the needs of current teaching and learning and the delivery of a broad and balanced curriculum. The dining facilities of both schools will also be improved to better meet the needs of the pupils and staff.
- 3.8 At the Cabinet Member meeting held on 20th April 2009 it was agreed to publish the statutory notice required to progress this proposal.
- 3.10 The notice was published in accordance with the requirements of the Education and Inspections Act 2006 on 1st May 2009. Copies of the full proposal were made available to any person or body that requested one.

4. CONSULTATION

- 4.1 Consultation on the expansion of the community school must follow the processes set out in section 19 (1) of the Education and Inspections Act 2006 (EIA 2006) and the statutory guidance issued by the DCSF. Section 16(2) of the Act provides that before publishing any proposals for expanding a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between October 2009 and January 2009 in respect of Davigdor Infant School and February 2009 and April 2009 in respect of Somerhill Junior School.
- 4.2 The Children and Young People Cabinet Member authorised the Director of Children's Services to proceed to publish the required statutory notices for the expansion Davigdor Infant and Somerhill Junior schools by one form of entry from September 2010 and September 2011 respectively at Cabinet Member Meetings held on January 19th 2009 in respect of Davigdor Infant School and 20th April 2009 in respect of Somerhill Junior School. The subsequent 4 week representation period was the final opportunity for people and organisations to express their views about the proposals.
- 4.3 Statutory notices were published in the local newspaper on 1st May 2009. In addition notices were displayed at the entrances to the school and at other places used by the community. The Statutory notice stated where copies of the full proposal could be obtained from.
- 4.4 The Statutory notice forms part of the full proposal. Copies of the full proposal were sent to the Anglican and Catholic diocese, the governing body of the school, the Children and Young People Cabinet Member, ward councillors, the local MP and the DCSF. Copies of the complete proposal have to be made available to anyone who requests a copy during the publication period.

- 4.5 There were no requests received for a copy of the full proposal during the publication period. A copy of the full proposal information is in the Members room.
- 4.6 There were no representations or objections received during the publication period.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any implications for funding the additional floor area at Davigdor Infant and Somerhill Junior schools will be met from the Individual School Budget (ISB), which may increase as a result of any additional pupils into the Authority as a result of the expansion. If no additional pupils come into the Authority then the additional funding Davigdor Infant and Somerhill Junior schools will receive will come from within the existing ISB. Any capital costs arising from the proposal would have to be met from within the Education Capital Programme which includes streams such as the Primary Capital Fund, NDS modernisation and a contribution from the schools Devolved Formula Capital (DFC). The full cost of this project is not yet known but will be reported in due course.

Finance Officer Consulted: Michelle Herrington

Date: 09/06/2009

5.2 Legal Implications:

- 5.2.1 Statutory Notices were published on 1st May 2009 in accordance with Section 19(1) of the Education and Inspections Act 2006 and the accompanying School Organisation Regulations (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). The statutory four week period for representations to be made followed. The closing date for receipt of representations or objections was 29th May 2009.
- 5.2.2 Decisions on expansions of community schools are taken by the LA with some rights of appeal to the schools adjudicator. In this instance the Children and Young People Cabinet Member will act as the Decision Maker for the Local Authority.
- 5.2.3 The DCSF does not prescribe the process by which an LA carries out their decision-making function but the LA is required to have due regard to statutory guidance published by the DCSF. A full copy if the DCSF guidance 'Expanding a Maintained Mainstream School or adding a Sixth Form' is in the Members Room. Paragraphs 4.15 to 4.64 of the Guidance set out the factors which must be considered by Decision Makers when determining a statutory proposal.
- 5.2.4 In addition the DCSF provides that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;
- a. Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided;
 - b. Does the published notice comply with statutory requirements?
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 it may be judged invalid and the Decision Maker should consider whether they can decide the proposals

- c. Has the statutory consultation been carried out prior to the publication of the notice?

Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. 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 yet been met, the Decision Maker may judge the proposals to be invalid and should 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

- d. Are the proposals linked or related to other published proposals?
This is not the case for the proposals relating to this expansion.

- 5.2.5 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals
- approve the proposals
- approve the proposals with a modification
- approve the proposals subject to them meeting a specific condition

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. In this instance there are no circumstances where a conditional approval would be acceptable.

- 5.2.7 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision. Section 7 of this report gives the reasons for the decision based on the legislative framework within which the decision must be decided.

Layer Consulted: Serena Kynaston

Date: 22/05/2009

Equalities Implications:

- 5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice as described in the Admission Code of Practice

Sustainability Implications:

- 5.4 Planning and provision of school places are intended, so far as it is possible, to provide pupils, parents and carers with local places where they have asked for them. This is subject to limitations in school capacity, the funding available and the priority order for capital development determined by the Council

Crime & Disorder Implications:

- 5.5 There are no implications for the prevention of crime and disorder arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal

Corporate / Citywide Implications:

- 5.7 All planning and provision to for school places in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective coordination of planning arrangements should lead to sufficient school paces in all areas of the city and the removal of excess provision.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The alternative option would be to leave Davigdor Infant and Somerhill Junior schools as three form entry Schools.
- 6.2 This is not considered as acceptable since it will not address the need to provide local school places where they are needed within the city.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Over the last few years there has been year on year growth in the number of pre-school age children registered with General Practice (GP) Surgeries in the city. This increase seems particularly acute in the area of the city served by Davigdor Infant School. It is anticipated that this situation is going to continue. Information on GP registration data shows that the number of children registered in this part of the city has increased from 150 in 1999 / 2000 to 350 in 2006/2007.
- 7.2 The Council has a statutory duty to provide a maintained school place for any child that wants one. We are committed to working with schools to make them centres for community learning, and supporting them in meeting the wider needs of the community by engaging social services, health, the police, and the voluntary sector. For this to be successful it is important that children can access a primary school that is local to their home.
- 7.3 Expanding both schools by one form of entry (an additional 30 places each year) will ensure that more families can access their local school. This means that children will be able to attend school with friends that they have made prior to starting school, parents will not have to travel long distances to deliver their children to school and extended services offered by the schools can be tailored to meet the needs of the whole community.
- 7.4 The schools are covered by the Councils admissions arrangements which strives to provide truly local schools which serves its most immediate community and assists in the aspirations of the Local Authority in terms of green travel arrangements.
- 7.6 Capital is available under the Primary Capital Programme to implement the necessary changes to the school. A scheme has been designed that will enable

the school to accommodate the additional pupils and also provides enhancements to disability access, pupil safety and school catering arrangements.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents In Members' Rooms

1. Copy of the full proposal information
2. DCSF Guidance document 'Expanding a maintained Mainstream School or Adding a Sixth Form'

Background Documents

1. None

CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

Agenda Item 14

Brighton & Hove City Council

Subject:	Proposed Expansion of Longhill School		
Date of Meeting:	6 July 2009		
Report of:	Director of Children's Services		
Contact Officer:	Name:	Gillian Churchill	Tel: 29-3515
	E-mail:	gillian.churchill@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. CYP10146	
Wards Affected:	East Brighton; Rottingdean Coastal; Woodingdean		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform members of the outcome of the statutory consultation on the proposed permanent expansion of Longhill School by one form of entry from September 2010 and resultant enlargement of the premises.
- 1.2 To provide the Cabinet Member with sufficient information to be able to determine the proposal.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member confirms the statutory notice and resolves to permanently expand Longhill School by one form of entry from September 2010 and enlarge the premises accordingly.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Brighton & Hove City Council has a legal requirement to provide sufficient school places for all school age children in the city. School places should be provided in such a way that parents and pupils can access a local school wherever possible.
- 3.2 Brighton & Hove has been experiencing a rise in the number of children registered with GP's across the city for the last 5 years. This is already having an impact in the number of school places needed in primary schools and will start to impact in the secondary sector in the future.

- 3.3 In addition to this there has been a number of planning applications granted in recent years for developments of considerable size at Brighton Marina and Saltdean. This has led us to look closely at the provision of secondary places across the city and particularly in the east of the city in the area of Longhill School.
- 3.4 The proposal is to now expand Longhill School so that it becomes a 9 form entry school with a yearly intake of 270 from September 2010.
- 3.5 Owing to an increase in numbers the school has agreed to take an additional 24 pupils from September 2009. Longhill School has typically experienced peaks and troughs in its admission number but it is anticipated that the trend will be upwards overall for the foreseeable future.
- 3.6 To enable the school to accommodate the proposed permanent additional form of entry it will be necessary to provide additional accommodation at the school. The extent and nature of this accommodation has been discussed with the school following the completion of a detailed curriculum analysis and suitability survey of the school.
- 3.7 The curriculum analysis has shown that in addition to enhanced dining facilities and toilets the school will require additional general teaching spaces. It is proposed that the additional accommodation will be provided in a mix of new build and some internal remodelling.
- 3.8 One of the initial issues raised by the head teacher is the suitability of the dining accommodation which is inadequate even for a school of its current size. This situation has arisen as the school has expanded over time without consideration being given to facilities such as the dining accommodation.
- 3.9 At the Cabinet Member meeting held on 20th April 2009 it was agreed to publish the statutory notice required to progress this proposal.
- 3.10 The notice was published in accordance with the requirements of the Education and Inspections Act 2006 on 1st May 2009. Copies of the full proposal were made available to any person or body that requested one.

4. CONSULTATION

- 4.1 Consultation on the expansion of the community school must follow the processes set out in section 19 (1) of the Education and Inspections Act 2006 (EIA 2006) and the statutory guidance issued by the DCSF. Section 16(2) of the Act provides that before publishing any proposals for expanding a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between January 2009 and March 2009.
- 4.2 On 20th April 2009 the Children and Young People Cabinet Member authorised the Director of Children's Services to proceed to publish the required statutory notices for the expansion Longhill School by one form of entry from September

2010. The subsequent 4 week representation period was the final opportunity for people and organisations to express their views about the proposals.

- 4.3 Statutory notices were published in the local newspaper on 1st May 2009. In addition notices were displayed at the entrances to the school and at other places used by the community. The Statutory notice stated where copies of the full proposal could be obtained from.
- 4.4 The Statutory notice forms part of the full proposal. Copies of the full proposal were sent to the Anglican and Catholic diocese, East Sussex County Council, the governing body of the school, the Children and Young People Cabinet Member, ward councillors and the DCSF. Copies of the complete proposal were available during the publication period in order that they could be provided to anyone who requested a copy.
- 4.5 There were no requests for a copy of the full proposal during the publication period. A copy of the full proposal information is in the Members room.
- 4.6 During the publication period there were no representations or objections received to the proposal. The day after the closing date of the publication period East Sussex County Council reported that they 'noted the proposal'.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any implications for funding the additional floor area at Longhill School will be met from the Individual School Budget (ISB), which may increase as a result of any additional pupils into the Authority as a result of the expansion. If no additional pupils come into the Authority then the additional funding Longhill School will receive will come from within the existing ISB. Any capital costs arising from the proposal would have to be met from within the Education Capital Programme which includes streams such as the Targeted Capital Fund, NDS modernisation and a contribution from the schools Devolved Formula Capital (DFC). The project has been designed to ensure that it does not preclude further investment / development under any Building Schools for the Future project that may arise in the future. The full cost of this project is not yet known but will be reported in due course.

Finance Officer Consulted: Michelle Herrington

Date 09/06/2009

5.2 Legal Implications:

- 5.2.1 Statutory Notices were published on 1st May 2009 in accordance with Section 19(1) of the Education and Inspections Act 2006 and the accompanying School Organisation Regulations (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). The statutory four week period for representations to be made followed. The closing date for receipt of representations or objections was 29th May 2009.
- 5.2.2 Decisions on expansions of community schools are taken by the LA with some rights of appeal to the schools adjudicator. In this instance the Children and Young People Cabinet Member will act as the Decision Maker for the Local Authority.

5.2.3 The DCSF does not prescribe the process by which an LA carries out their decision-making function but the LA is required to have due regard to statutory guidance published by the DCSF. A full copy of the DCSF guidance 'Expanding a Maintained Mainstream School or adding a Sixth Form' is in the Members Room. Paragraphs 4.15 to 4.64 of the Guidance set out the factors which must be considered by Decision Makers when determining a statutory proposal.

5.2.4 In addition the DCSF provides that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;

a. Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided;

b. Does the published notice comply with statutory requirements?
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 it may be judged invalid and the Decision Maker should consider whether they can decide the proposals

c. Has the statutory consultation been carried out prior to the publication of the notice?

Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. 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 yet been met, the Decision Maker may judge the proposals to be invalid and should 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

d. Are the proposals linked or related to other published proposals?
This is not the case for the proposals relating to this expansion.

5.2.5 In considering proposals for the expansion of a school, the Decision Maker can decide to:

reject the proposals

approve the proposals

approve the proposals with a modification

approve the proposals subject to them meeting a specific condition

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. In this instance there are no circumstances where a conditional approval would be acceptable.

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

decision. Section 7 of this report gives the reasons for the decision based on the legislative framework within which the decision must be decided.

Layer Consulted: Serena Kynaston

Date: 22/05/2009

Equalities Implications:

- 5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice as described in the Admission Code of Practice

Sustainability Implications:

- 5.4 Planning and provision of school places are intended, so far as it is possible, to provide pupils, parents and carers with local places where they have asked for them. This is subject to limitations in school capacity, the funding available and the priority order for capital development determined by the Council

Crime & Disorder Implications:

- 5.5 There are no implications for the prevention of crime and disorder arising from this report.

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal

Corporate / Citywide Implications:

- 5.7 All planning and provision for school places in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective coordination of planning arrangements should lead to sufficient school places in all areas of the city and the removal of excess provision.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The alternative option would be to leave Longhill School as an eight form entry School.
- 6.2 This is not considered as acceptable since it will not address the need to provide school places where they are needed within the city.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 It is recommended that the proposal to expand Longhill School by one form of entry are approved as Brighton & Hove are currently experiencing rising rolls across most part so the city. The additional form of entry proposed at Longhill School will help meet this increased demand in a way that provides local places for pupils in the area where they live.
- 7.2 The school is covered by the Councils admissions arrangements which strives to provide a truly local school which serves its most immediate community and

assists in the aspirations of the Local Authority in terms of green travel arrangements.

- 7.3 The public consultation prior to publication of the notices showed that a number of individuals were unhappy with the proposal to expand Longhill School by one form of entry as in their opinion this would make the school 'too large'. This point was considered at that time and on balance it was considered that this would not be the case. This view has not changed during the publication period. There are many examples of popular and successful secondary schools that are 9 forms of entry and larger.
- 7.4 The school currently provide a range of extended services to the school and wider community, this proposal will enhance the facilities that the school is able to offer to the community.
- 7.5 There were no objections or representations received during the course of the publication period.
- 7.6 Capital is available under the Targeted Capital Fund to implement the necessary changes to the school. A scheme has been designed that will enable the school to accommodate the additional pupils and also provides enhancements to disability access, pupil safety and school catering arrangements.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents In Members' Rooms

1. Copy of the full proposal information
2. DCSF Guidance document 'Expanding a maintained Mainstream School or Adding a Sixth Form'

Background Documents

1. None