

PROPOSED SITE FOR A NEW SECONDARY SCHOOL IN THE NORTH OF THE BOROUGH

Report by the Interim Strategic Director for Learning and Children's Services
Executive Member for Children and Young People's Services

Purpose

The local Authority has a statutory duty as the commissioner of school places to ensure there are sufficient places in schools across the area to promote diversity and parental choice. By 2018 it is anticipated that there will be a shortfall of 460 year 7 places in Kingston, which equates to more than 15 forms of entry.

To ensure that this significant rise in demand can be met the Council made a commitment in December 2008 to provide the additional places by expanding a number of existing secondary schools across the borough and building a new secondary school by 2014 -2015 as part of Kingston's Building Schools for the Future (BSF) strategy.

Recent projections indicate Kingston has sufficient places to meet demand until 2014. The council then expects a 12% rise when the current primary school children transfer to secondary school. The projections are informed by the Greater London Authority's school roll projection service and take account of a number of factors such as local fertility rates, new housing developments and immigration.

The pupil data projections support the need for a new eight form entry secondary school in the area, to provide a local offer for as many children in the north of the borough as possible, and therefore the Council has focused attention on identifying a suitable location in this area. There will also be a need for expansion within existing schools to meet the overall demand.

The Council commissioned a criterion based search of all potential development sites and the only viable options are the North Kingston Centre and the Hawker centre sites. Therefore the only sites available to build a new Secondary school to meet the demand from 2014 are the North Kingston Centre and the Hawker Centre sites.

Between 9 July and 14 September the Council undertook a pre-statutory consultation in respect of the proposed development of the two sites. 38,000 consultation documents were issues. Of the 1,882 responses 51.6% were in favour of the North Kingston site and there were 44% for and 43% against the Hawker site proposal.

Should the Executive agree to the recommendations to progress the new school on the proposed sites a full and statutory Consultation process would commence to establish a new school. Development of a new school is subject to the separate statutory planning process and proposals would need to be adapted accordingly as the detailed design phase progresses. As with any planning application, when the application for the school is submitted it will be assessed against all relevant planning policies.

The new school will be funded from within the national Building Schools for the Future programme. This programme is administered by Partnerships for Schools. It is clear from recent discussions with them that the Council's commitment this autumn regarding the possible location of the proposed new Secondary School will be a critical factor in

Kingston's admission to the programme. Leaving any ambiguity over our intent would be likely to militate against the Boroughs interest.

Action proposed by the Executive Member for Learning and Children and Young People's Services

The Executive is requested to:

1. consider the outcomes of the consultation, including an analysis of feedback;
2. agree to proceed to the statutory process to establish a new secondary school, including formal consultation;
3. request officers to develop the detailed plans for submission of a planning application, to either:
 - (a) locate an 8 form entry secondary school on the North Kingston Centre site with external sport facilities and limited post-16 facilities on the Hawker Centre Site, or
 - (b) locate an 8 form entry secondary school on the North Kingston Centre site with the use of the Hawker Centre Site limited to external sports facilities only; and
4. approve the next steps in the consultation and expansion processes, including ways forward in relation to addressing the impact on the current users of the two sites

Reason for action proposed

Because of the significant increase in the school population the Executive agreed in December 2008 to build a new secondary school by 2014- 2015, as part of Kingston's Building Schools for the Future (BSF) Strategy. Following a criterion based search process and serious consideration of the constraints on a number of possible sites initially identified, the Local Authority proposed the North Kingston Centre/Hawker Centre sites as the only suitable sites for the new school.

The Council has a duty to provide secondary school places for the increasing population in Kingston. A decision on the site for the new school is needed to evidence our 'Readiness to Deliver' to secure the necessary capital funding for the new school via the Building Schools for the Future (BSF) programme in order to deliver the school places by September 2015.

BACKGROUND

1. In June 2008 the Council approved the Local Authority's BSF Strategy and Primary Capital Programme Strategy. BSF will provide the resources to transform secondary education, both in terms of continuing to improve overall standards and in particular to improve the life chances and achievements of under-achieving groups of learners, and the schools where performance is currently below expectations. It will also provide the capital investment, currently estimated at over £280m, to expand the number of secondary school places available in the Borough to match the recent demographic changes.
2. The BSF strategy identifies the need for a new school and intends it to be Kingston's first project within the BSF programme. The Council needs to be able to demonstrate its 'Readiness to Deliver' to formally enter the BSF programme and secure the required funding for the new school. It is clear from recent discussions with Partnership for Schools who administer the BSF Programme that the Council's

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commitment this autumn regarding the possible location of the proposed new Secondary School will be a critical factor in Kingston's admission to the programme. In addition the identification of a site will enable the Council to move forward in early 2010 to formal statutory consultation to establish a new school and to undertake early consultation regarding the competition for the new school provider as required by Partnerships for Schools. Any delay in identifying a site for the new school could jeopardise Kingston's entry into the BSF programme to secure the significant investment needed for all of Kingston's secondary and special schools.

3. Access to places in most secondary schools in Kingston is highly competitive, depending on the specific admissions criteria of different schools. When parents do not wish to secure a place for their child in one of the selective schools or Roman Catholic schools, their choice is determined by distance from the remaining six Kingston secondary schools or from the nearest schools in adjoining boroughs.
4. To estimate the number of pupils likely to require a school place in the borough in future years, Kingston upon Thames, in common with many other London local authorities, uses the Greater London Authority's school roll projection service. The projections, which predict school rolls for ten years ahead, take account of a number of factors such as new housing developments, immigration and fertility rates which might affect the number of children requiring a place in a Kingston upon Thames school and are based on Office for National Statistics (ONS) mid-year population estimates calculated at whole borough and ward level and actual numbers on roll in Kingston schools.
5. The local authority supplements the Greater London Authority projections by looking at:
 - the birth to reception class cohort survival rate
 - figures provided by the Primary Care Trust on live birth rates and the number of children being registered with a general practitioner
 - the numbers on roll in private, voluntary and independent nursery provision as well as in nursery classes attached to primary schools
 - the impact of local housing developments.
6. The school roll projections are reviewed regularly by the local authority to ensure that the number of places available is in line with changing demand.
7. There are currently 1,615 places available for Year 7 pupils in secondary schools across the borough. The number of Year 7 pupils on roll in January 2009 was 1,534. The latest pupil projections which were used to inform our BSF Readiness to Deliver submission, indicate that there are sufficient Year 7 places until 2014 when there is a projected shortfall of 18 places. From 2014 there is sustained upward trend with a sharp increase in 2015/16 (12.7%) when the current recent increased number of primary pupils will transfer from primary to secondary school. By 2018 there will be a shortfall of 460 Year 7 places – this equates to 15.3 forms of entry.
8. There is a need therefore to increase the overall places available to meet the projected increase in the secondary population with effect from September 2015, following a significant increase in the birth rate and demographic changes locally. Our plans reflect the need for a new secondary school, along with the expansion of others, to meet overall demand and increase diversity and choice for parents, particularly in the north of the Borough.

9. Based on this analysis of need and in response to concerns of parents in the north of the borough regarding access to a local non-selective school it is proposed to meet the overall need through the provision of a new 8 form entry secondary school in the north of the borough and, in the future, expand a number of existing schools to provide the remaining 7 forms of entry.

PRE-STATUTORY CONSULTATION PROCESS – PROPOSED SITE FOR NEW SCHOOL

10. In July 2009 the Council opened a consultation on 'A proposed site for a new Secondary School in the north of the borough' the consultation closed on 14 September 2009. The closing date was extended from the original date of 17th August following requests from Kingston residents.
11. As set out in the April 2009 Executive Report there is a lengthy consultation process to develop and deliver an expansion Strategy involving a range of stakeholders including schools, parents, local residents, Diocesan representatives and neighbouring Local Authorities. Meetings had previously been held with Headteachers collectively, and with the Southwark Diocese and RC Archdiocese of Southwark.
12. Recent experience of the Local Authority's consultation on primary places demonstrated the need to maximise awareness of the extent of the increase in the school population and the real difficulty of finding a suitable site for a new school in the north of the borough. Hence the consultation document detailed the anticipated rising trend in the school population and gave details of why other potential sites were rejected. Further information regarding other sites considered but not proposed was added to the Council website following the public meeting.
13. A combination of methods was used to maximise knowledge about the consultation and gain as wide a response as possible: paper information and questionnaire, online information and questionnaire, newspaper advertising and an open meeting. As a result of concerns raised about the timing of the consultation falling during the summer the consultation period was extended by four weeks from the original closing date of 17 August until 14 September 2009.
14. Equalities monitoring was included on the questionnaire in order to demonstrate the range of respondents in the local community.
15. The consultation process was publicised on the Kingston website and in the local press with 38,000 consultation documents issued to all households in the Kingston Town neighbourhood and to all parents of pre-school children and children attending Kingston primary schools. Copies of the document were also widely available in the community at the Hawker Centre, the North Kingston Centre, Children's Centres, libraries, doctors' surgeries and Guildhall receptions. Electronic distribution via email was sent to all Councillors, local authority staff and professionals linked to the Children's Trust. A copy of the consultation document is attached at Annex 1 for information.
16. An open meeting was held on 22 July 2009 at the Hawker Centre. The Director of Learning and Children's Services gave a presentation and answered questions from attendees, along with a number of Council Officers from Learning & Children's

Services. The aim of the meeting was to give people the opportunity at an early stage in this process to find out more about the proposal and offer their views. Points raised at that meeting are included in the summary of consultation responses.

17. The consultation document and the public meeting together constituted an initial informal consultation and were only the first stage in a longer process to establish a new secondary school. The aim of this phase of consultation was to gauge the level of support for the two proposed sites to inform the decision needed before being able to progress the statutory process to establish a new school.

THE STATUTORY PROCESS TO ESTABLISH A NEW SCHOOL

18. In order to establish a new secondary school in the Borough the Executive need to confirm the preferred location of the new school and then proceed to the next, statutory, stage of consultation.
19. The Council has a duty to provide school places for statutory school age children i.e. up to sixteen and is required to commission sufficient places for all children in the area. As the new school is required to meet an increase in the local population, the Council is required by law to invite proposals from potential providers; this is known as a competition process. The statutory process for establishing a new school has six key stages. The following list sets out the stages in chronological order:
 - (i) statutory consultation on specific proposals
 - (ii) publication of first notice (invitation to bid)/proposer engagement/submission of proposals
 - (iii) publication of second notice (proposals) and promotion of public awareness
 - (iv) representations (to allow for comments and objections to be submitted)
 - (v) decision by Local Authority (in some cases Schools Adjudicator)
 - (vi) implementation (subject to the planning approval)
20. Stages one to four take a minimum of ten months with the Council aiming to have the school open for Year 7 intake by September 2015. Should the Council wish to progress the proposal for establishing a new school on the North Kingston and Hawker Centre sites a planning application would be submitted in late 2010, with extensive community consultation at that time. The decision to progress to statutory consultation to establish a new school does not pre-suppose the outcome of the planning application that would be considered under the separate statutory planning process. Development of the new school would therefore still be subject to planning approval, and the Council acting as Local Planning Authority would determine the planning application against all relevant planning policies.
21. The Learning and Skills Council (LSC) currently has the responsibility for commissioning and funding post-16 provision, although these commissioning responsibilities are being transferred to local authorities with effect from April 2010. Advice received since the consultation regarding the proposed sites started is that a separate competition is required for the proposed post-16 provision associated with the new school. This is potentially significant as in the first instance the decision to support the need for the additional post-16 places is taken by the LSC, and only if they consider there to be a projected overall shortfall in provision locally. In addition there is no guarantee that the provider of the additional post-16 places would be the

same provider as for the 11-16 provision, or that the provision would automatically be at the same educational institution. It could be that an existing post-16 provider would compete to expand, or the provider may propose an alternative location.

22. The new national commissioning arrangements for post-16 provision for April 2010 onwards i.e. after the commissioning responsibilities transfer to local authorities, have not been confirmed. In the event that either the case for the additional places does not meet the future commissioning arrangements, or an alternative provider is successful then the school would only need to accommodate places for pupils aged 11-16. This would have a material effect on the overall need for accommodation and the plans for the new school would be adjusted accordingly.

PLANNING ISSUES

23. It is recognised that use of both the North Kingston Centre and the Hawker Centre sites would require the Council to address a number of issues, including planning considerations, such as planning policy designations and the development management/control process. The consultation paper refers to the current planning policy designations for the North Kingston Centre and the Hawker Centre, as set out in the Council's Unitary Development Plan 2005 (as amended), against which proposals will be assessed as part of the statutory planning process. There are significant planning policy constraints with respect to the Hawker Centre site which is designated as Metropolitan Open Land (with the aim to protect the open character of the land), is within the Thames Policy Area, the Thames-side Area of Strategic Character, the Riverside North Conservation Area (with the aim to preserve or enhance the character and appearance of the conservation area) and part of the site is within an area at risk of flooding. The North Kingston Centre is currently used for education so there are no issues with the principle of locating a new school on the site. However any proposals for the redevelopment of the site will require detailed examination of various planning considerations such as the building footprint, height, design and relationship with surrounding uses especially housing. Access, transport, safety and parking implications will also need to be considered.
24. The Council as Local Planning Authority is also preparing a Local Development Framework (LDF) for the borough, which will replace the Unitary Development Plan. Consultation on Issues and Options for the Core Strategy took place between March-May 2009 (www.kingston.gov.uk/corestrategy). The consultation document referred to the need to provide additional school places through expanding existing schools and identifying sites suitable for new schools, to accommodate the substantial increase in demand for school places resulting from housing and population growth, which is a significant challenge. The Preferred Strategy for the LDF is currently being prepared and is due to be considered by the Council's Executive in November 2009. It is intended that this will include policies for the provision for new schools and school expansion in suitable locations.
25. If the recommendation to progress the new school on the proposed sites is approved the informal and statutory schools and planning processes will need to be aligned. A planning application would need to be submitted which would be assessed against all relevant planning policies. As a significant proposal, it would also be subject to Environmental Impact and Sustainability Appraisal of its likely social, economic and environmental effects.

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26. Finally, it should be noted that the regulations would require the planning application to be referred to the Government Office for London, acting on behalf of the Secretary of State, and the Greater London Authority, acting on behalf of the Mayor of London, both of whom have powers to direct the decision on the application and either one could, in fact, choose to determine the application themselves. In addition Sport England and the Environment Agency would be statutory consultees.

SUMMARY OF FEEDBACK FROM PRE-STATUTORY CONSULTATION PROCESS

27. 38,000 paper copies of the document were distributed. A total of 1,882 consultation responses were received by the extended closing date of 14 September, representing a 5.1% response rate of the documents issued. A summary of the responses received is set out below, and further details are enclosed in Annex 2. A full record of all of the comments received has been placed in the Members Room and on the Kingston website for information.

28. The overall views expressed were:

For the North Kingston Centre site

- 51.6% (972) of people strongly agree or agree with the site proposal
- 35.8% (674) of people disagree or strongly disagree with the site proposal

For the Hawker Centre site

- 44.1% (830) of people strongly agree or agree with the site proposal
- 43.0% (809) of people disagree or strongly disagree with the site proposal.

29. Views varied across different groups of respondents as detailed in the table below:

| | North Kingston Centre | | | Hawker Centre | | |
|-------------------|-------------------------|---------------------------|-------------------------------|-------------------------|---------------------------|-------------------------------|
| | Agree or Strongly Agree | Neither Agree or Disagree | Disagree or Strongly Disagree | Agree or Strongly Agree | Neither Agree or Disagree | Disagree or Strongly Disagree |
| Parents/ Carers | 58.2% | 9.0% | 32.1% | 50.4% | 10.6% | 38.2% |
| KT2 Residents | 53.1% | 8.9% | 36.9% | 45.4% | 9.0% | 44.9% |
| Non-KT2 Residents | 48.7% | 16.1% | 33.6% | 41.6% | 17.5% | 39.2% |
| Centre Users | 38.3% | 14.2% | 46.0% | 27.9% | 9.7% | 61.9% |

* KT2 residents have been selected as they live in the immediate vicinity of the proposed site for the new school.

ISSUES RAISED BY CONSULTEES

30. 80% of respondents made comments. 59% of responses were received on paper and 41% online via the internet. The summary report attached at Annex 2 identifies comments made by consultees within eighteen themes. The Council's response to the issues raised is detailed in Annex 3.
31. It is clear from the comments that many people, both for and against the proposals, felt that the Council had not provided enough information about its proposals at this early stage. This has led people to seek reassurance about how the Council would address people's concerns should the proposals go ahead. In other cases respondents expressed a clear view that they did not support the proposals.
32. Whilst the majority of respondents agreed or strongly agreed with the proposals at both sites there tended to be fewer comments made by people who supported the proposals. Many of the comments regarding the lack of information reflect the tension of needing to consult on the proposed location of the new school at such an early stage in the process before more detail regarding the school is available. Some of the comments indicate that information in the consultation document provided insufficient assurance regarding the proposals.
33. A working group of officers established criteria to assess possible sites against and undertook a review of 25 possible sites. The sites that met most of the criteria were the six listed in the consultation document. After careful consideration only the North Kingston Centre site was considered suitable for the main school building as the other sites were ruled out due to legal and planning constraints, the loss of open space/playing fields and a high risk of not being able to deliver school in time. At the public meeting a number of questions were asked about the reasons for not proposing the other named sites and additional information regarding this was added to the consultation documents on the Kingston website after the meeting. This information is attached at Annex 4.

CONCLUSIONS

34. The Building Schools for the Future (BSF) strategy for change, approved by the Executive in June 2008, sets out Kingston's plans to transform secondary education in terms of improving overall standards and the performance of underachieving groups of pupils. It also addresses the need to expand secondary schools to accommodate the increasing number of pupils.
35. The Council has a duty to ensure that there are sufficient schools places available and that parents have a reasonable range of options to consider when applying for a school place. Based on forecast pupil projections there is a need to progress the planning and implementation of a significant building programme across the authority area to ensure that there are sufficient places for when the increased intake to Kingston's primary schools move to secondary school from September 2015 onwards.
36. The majority of respondents to the consultation indicated their support for both of the proposed sites to be used to accommodate the new school, although the views were finely balanced regarding the use of the Hawker Centre site. This appears to be partly because of concerns regarding the potential loss of green open space which the Council is committed to protecting. The Council acknowledges the restrictive covenants and planning restrictions that apply to the site and will

therefore need to minimise the extent of the building development proposals for the Hawker Centre site. Any proposals would be subject to the statutory planning process, and a planning application would need to be submitted which would be assessed against all relevant planning policies.

37. In view of the need to provide the school places, the absence of a credible alternative location, and the need to have identified a site in order to move forward to formal statutory consultation to establish a new school in accordance with the required timescales it is recommended that the new school be located at the North Kingston Centre and Hawker Centre sites. This will provide certainty as soon as possible for parents, residents, services and service users regarding the proposed strategy to build a new school.
38. The complexities of the timescales required by the BSF programme and the statutory process for establishing a new school and separate process for post-16 provision mean that at this stage we are unable to confirm detailed proposals for the new school. The opportunities for development on the North Kingston Centre site, and the consequential reduction in requirements for the Hawker Centre site are therefore still to be explored in detail. We recognise that this does not provide the full detail and clarity that would be welcome at this stage, and that there will need to be on-going consultation with a wide range of stakeholders as the project progresses.
39. Finally, any potential development of the new school will be subject to the separate statutory planning process and proposals will need to be adapted accordingly as the detailed design phase progresses.

EQUALITY IMPACT ASSESSMENT IMPLICATIONS

40. In undertaking the role of commissioner of school places in the local area the Local Authority has a statutory responsibility to ensure that there are sufficient school places for all children, to ensure fair access to schools, and to ensure that there are sufficient schools in the area. There is also a duty to promote diversity and increase parental choice. The Government's stated aim is to secure a more diverse and dynamic schools system which is shaped by parents' preferences for a good local school.
41. There is clearly a responsibility for the Local Authority to ensure that the Strategy for expansion reflects the needs of all children in the Borough, and not just those of parents who are more able to express their views. An underlying requirement is that the Strategy will contribute to improving the quality of local provision, and will lead to improved educational outcomes for children. The Local Authority is therefore required to pay particular attention to the effects on groups of children 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. The proposals will also be required to take the needs of other pupils into account e.g. children with learning difficulties and disabilities.
42. The proposals to be developed in Kingston will therefore support the detailed plans within the Children and Young People's Plan to ensure all schools are good and outstanding and the Strategy for Early Intervention and Prevention to support vulnerable young people and 'Close Gaps' in achievement across the Every Child Matters outcomes .

ENVIRONMENTAL IMPLICATIONS

43. There are significant environmental implications arising from the building works that will be required to provide additional school places. A new school will be designed to ensure sustainability and minimise impact. Wherever possible the agreed priorities within the Building Schools for the Future Strategy adopted by Executive in December 2008 and the Local Authorities Readiness to Deliver the BSF strategy document which is expected to be approved by the Department for Children, Schools and Families later this year will be incorporated into building plans. In this way it is hoped that greater efficiencies will be achieved through the design process and the use of ICT, and that the plans will maximise the use of outside spaces for outdoor learning and leisure through careful landscaping. There will also be implications for transport and access to schools; positively, more children living in the north of the borough will be able to walk to school.

Annexes:

1. Consultation document – proposed site for a new secondary school in the north of the borough
2. Summary report of consultation responses
3. Council's Response to the issues raised by consultees
4. Additional information regarding other sites considered but not proposed

Background papers: held by Duncan Clark (author of report), 020 8547 5221; e-mail: duncan.clark@rbk.kingston.gov.uk

1. Building Schools for the Future Strategy
2. Pupil Number Projections Data
3. Pre-statutory Consultation Materials (available on Kingston Website: http://www.kingston.gov.uk/secondary_expansion)
- 4.. Pre-statutory Consultation Responses