

## Report to the Cabinet

Meeting to be held on Thursday, 2 September 2021

### Report of the Head of Service - Asset Management

#### Part I

Electoral Divisions affected:  
Brierfield & Nelson West;  
Nelson East; Pendle Central;  
Pendle Hill; Pendle Rural;

### Pendle Secondary School Provision 2022

(Appendix 'A' refers)

Contact for further information:

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#### Executive Summary

Lancashire County Council has a statutory duty to ensure that a primary or secondary school place is available for every child of statutory school age living in Lancashire who requests one.

As a result of a rising secondary school population and increasing primary school population moving through to secondary schools, additional secondary school places are required in Pendle for the 2022/23 academic year and beyond.

This is deemed to be a Key Decision and the provisions of Standing Order C19 have been complied with.

#### Recommendation

Cabinet is asked to:

- (i) Approve a temporary increase, for one year only, in the admission number of:
  - Colne Primet Academy from 165 to 210 places for 2022.
  - SS John Fisher and Thomas More Roman Catholic High School from 160 to 180 places for 2022.
- (ii) Approve a permanent increase in the admission number of:
  - Colne Primet Academy from 165 to 210 places from 2023 (subject to academy consultation and Regional Schools Commissioner approval).
  - SS John Fisher and Thomas More Roman Catholic High School from 160 to 180 places from 2023.

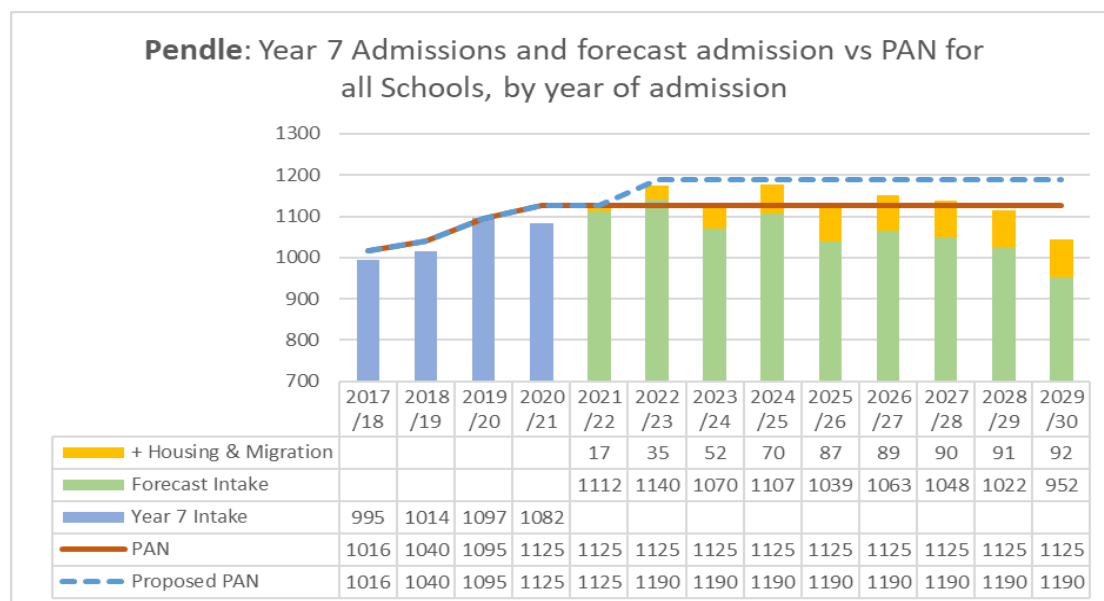
- (iii) Approve the provision of a Special Educational Needs Unit within Colne Primet Academy to provide up to 16 Special Educational Needs places, in addition to mainstream places.
- (iv) Approve the capital expenditure detailed in Appendix 'A' to provide additional accommodation and associated works at Colne Primet Academy and SS John Fisher and Thomas More Roman Catholic High School.

## Background and Advice

### Need for places in Pendle Secondary Schools

There is a rising secondary school population in Pendle due to unprecedented levels of inward migration and a high primary school population forecast to move through to secondary schools.

For 2022, the school place provision forecasts are showing an expected intake to Year 7 of 1175 pupils, and there are currently 1125 places available, leading to a 50-place shortfall. Whilst the population is forecast to fluctuate in subsequent years, in all years to 2028 it is anticipated that there will be insufficient places to accommodate demand and, therefore, the need is for permanent places.



\* PAN = Published Admission Number

### Expressions of Interests and Proposed Schemes

All Pendle secondary schools were invited to a presentation in May 2021 at which the forecast shortfall position was shared and discussions took place with all head teachers, dioceses and trust representatives who concurred that the shortfall of places required additional permanent places in Pendle.

All schools were invited to submit expressions of interest and two out of six schools submitted these. Both school schemes were assessed for feasibility and both schemes are now proposed to be brought forward, subject to Cabinet approval:

- Colne Primet Academy: raising admission number from 165 to 210 providing an additional 225 places permanently from 2022/23.
- SS John Fisher and Thomas More RC High: raising admission number from 160 to 180 providing an additional 100 places permanently from 2022/23.

These two schemes combined will offer an additional 65 places per year, against peak shortfalls of 50 places in both 2022 and 2024. Both schemes combined ensure that sufficient places are available for future year groups through to 2028 and allow for inward migration levels to be accommodated.

### **Special Educational Needs units in mainstream schools**

In line with Special Educational Needs and Disability Sufficiency Strategy, both schools were consulted about the provision of a Special Educational Needs unit as part of their mainstream expansion. Both schools expressed an interest in an Special Educational Needs unit; the Inclusion Service discussed proposals with both schools and determined that a proposal for only one school to provide a Special Educational Needs unit be taken forward, subject to Cabinet approval:

- It is proposed that Colne Primet Academy provide a Special Educational Needs unit of up to 16 places permanently.

The Special Educational Needs unit will be built as part of the main expansion project and will accommodate pupils with Social Emotional and Mental Health needs.

### **Additional accommodation required**

Colne Primet Academy and SS John Fisher and Thomas More RC High both require additional accommodation to place the additional pupils from 2022:

- Colne Primet Academy require an additional 12-15 classroom building to standalone from the rest of the building, with increased dining facilities, internal remodelling and associated works. The Academy also require additional works to create a 2 classroom Special Educational Needs unit within the existing buildings.
- SS John Fisher and Thomas More RC High require an additional 6 classroom building incorporating increased science provision, with increased dining facilities, internal remodelling and associated works.

As neither scheme is likely to be completed by September 2022, the projects will also require provision of temporary accommodation for the first year only, details of which are included in Appendix 'A'.

### **Consultations**

The proposal from SS John Fisher and Thomas More RC High does not meet the guidelines of a statutory expansion, therefore no consultation is required.

The Colne Primet Academy proposal is considered a significant enlargement by the Department for Education, and as an academy they will be required to consult on their increased admission number and to submit a business case to the Regional Schools Commissioner for decision. As an academy, outside of local authority control, the duty is for the Academy to carry out the consultation and business case not the local authority, however council officers will support the Academy in this process.

Cabinet's decision and the commitment of the local authority to provide additional places is required to be submitted with the business case. Therefore, Cabinet is asked to approve the scheme subject to the academy's consultation and the academy's business case to the Regional Schools Commissioner.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

There is a risk that the Colne Primet Academy proposal may not receive approval from Regional Schools Commissioner. However, council officers have worked with Academy Trust colleagues and, in turn, with the Deputy Regional Schools Commissioner. Indications are that the proposal would be supported, subject to business case. The Academy Trust will submit a full business case and council officers will work to ensure that all information is available for their business case.

If additional secondary school places are not created, there remains a risk that the Authority would fail in its statutory duty to ensure that a maintained school place is available to all Lancashire children of the appropriate age range who want one.

Providing additional places increases the overall capacity in the area and, if primary school pupils do not move into the secondary schools as forecast for 2022 intake, or there is either an increased level of outward migration or significant reduction in the level of inward migration of families from this area, there may be surplus places created by the proposals. In these circumstances, the authority proposes to work with the group of Pendle schools to ensure that there is a strategic approach to the level of places.

### **Financial**

Appendix 'A' contains the financial details of the proposals as detailed above. Cabinet is asked to approve the capital expenditure detailed to provide the additional accommodation at both Colne Primet Academy and SS John Fisher and Thomas More Roman Catholic High School to deliver all proposals.

The projects will be funded by Basic Need Grant allocations and this has been accounted for within the existing Basic Need allocation. There is also a very small amount of Section 106 education contributions also allocated to the projects.

There is a risk at present that the county council does not have sufficient Basic Need funds to fully fund all proposals in the longer term. Basic Need allocations are received annually and there is likely to be sufficient basic need funding available in 2022/23 based on the future allocations currently forecast. However, there is a risk that approval of these projects will commit the resources to be received and this may lead to additional future requests being unaffordable against current basic need allocation prior to the next allocation being received in 2022. There is also the risk that the anticipated receipt in 2022/23 does not materialise at the expected level.

Should the expansion of both the school and academy be approved then both would receive revenue funding assistance to account for pupils starting in school two or three terms before the increased numbers are reflected within the school budget. This will be provided through the Growth Funding in accordance with the rules agreed by the Lancashire Schools Forum. This will ensure that neither school is financially disadvantaged by the expansion.

### **List of Background Papers**

Paper	Date	Contact/Tel
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None

Reason for inclusion in Part II, if appropriate

Appendix 'A' is not for publication - Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The appendix contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.