

Wards Affected:

Campbell Park & Old Woughton, Woughton & Fishermead

ITEM 9**DELEGATED DECISION****19 APRIL 2016****PROPOSAL TO INCREASE JUNIOR SCHOOL PLACES THROUGH AN EXPANSION OF ORCHARD ACADEMY**

Responsible Cabinet Member: Councillor Miles, Cabinet member for Children and School Improvement

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Executive Summary:

The Council has a statutory duty to ensure there are sufficient school places in Milton Keynes. Following the expansion of Shepherdswell Academy and The Willows School and Early Years Centre, an additional 45 junior school places are required for Central Milton Keynes. Without adding additional places the Council would be required to allocate places for children at junior schools across the borough which is likely to incur travel costs for the Council

Orchard Academy is the planned junior school for residents who live in the same area as these two infant schools. The school is judged by Ofsted to be 'Good' and has been oversubscribed for a number of years. The school and the Academy Trust to which it belongs are in favour of expanding the school. The site is considered suitable to accommodate an additional 120 children. A six week consultation with the local community and parents at the schools has also established that 95% of respondents are in favour of an expansion.

As an academy, the process to expand the school is led by the school and its Academy Trust. Therefore, the purpose of this report is to clarify the need for an expansion and recommends the Council supports the expansion through committing to delivering the required capital scheme.

1. Recommendation(s)

That the expansion of Orchard Academy be supported by commencing a Council led capital scheme that will provide an additional 45 places per year group (a total of 120 additional places) for September 2018, subject to planning permission.

2. Issues

- 2.1 In 2012 Shepherdswell Academy (an infant school for children aged 4-7) and The Willows School and Early Years Centre (also an infant school for children aged 4-7) each increased the number of children they admitted by 15, enabling a total of 60 children to go to Shepherdswell Academy and 45 children to go to The Willows. This means 105 children are able to join an infant school in this area in one year group. From September 2016, The Willows School will start to admit 60 children per year group, increasing the number of places per year group to 120.

- 2.2 At the moment, children living in the catchment area for The Willows School and Shepherdswell Academy are planned to transition to Orchard Academy, which is a junior school for children, aged 7-11, located in Springfield. The catchment area of Orchard Academy covers Campbell Park South, Springfield, Fishermead (roads north east of Pencarrow Place and Mullion Place), South Central Milton Keynes and Woolstone.
- 2.3 The school offers 75 places per year group. In June 2014 the school was judged by Ofsted as "Good". The school has growing in popularity with local families and has been oversubscribed for the last two years. For September 2016 there have been 123 preferences expressed for the school, 90 first preferences.
- 2.4 The Council has already worked with Orchard Academy to ensure there are additional places as a temporary arrangement. In September 2015 the school admitted an additional 15 children into year 3 and has again agreed to admit more than the 75 places they are legally required to do for the year 3 class in 2016. However, the school can only accommodate up to 90 children per year group (not 120), and, due to the layout of the existing building, could only do this for a maximum of four years.
- 2.5 To understand the community's perspective, a six week consultation started on 8 February 2016. The consultation was published on the Council's website with a questionnaire. Information was sent to identified interested parties, including all schools within the liaison group of The Milton Keynes Academy, the Parish Council, Ward Councillors, Milton Keynes MPs, the Diocese for Church of England and the Catholic Church as well as Trade Unions. Two public information events were held to coincide with parents evening at Orchard Academy.
- 2.6 The Annex to this report summarises the responses to the formal consultation. In total there were 86 responses, 95% supported the proposal to increase junior school places, with 94% in favour of the Council supporting Orchard Academy to expand. Themes in favour of the proposal to expand Orchard Academy included: recognition of a need for more school places; the opportunity to build on the success and ambition of the Ofsted rated 'Good' school, and the fact that it is a natural scheme building on the expansion of the two feeder infant schools. There were concerns about the impact more children in a class might have on standards, which perhaps reflects the fact that until recently the school has been undersubscribed, and the PAN of 75 makes three classes of 25. The expansion proposal would expect classes to have 30 pupils each, and there would be space to accommodate the additional 1.5 classes. The school and the Academy Trust to which it belongs (EMLC) are confident the expansion would not negatively impact on existing and future students, instead it would, "...enable the school to further develop" (Duncan Mills, EMLC Managing Director).
- 2.7 Only one person, who recognised the need to expand junior school places, suggested alternative solutions to the proposal to expand Orchard Academy. One suggestion was to change the catchment area of Jubilee Wood Primary School. The school already has a 60 place intake at year 3 to accommodate all the children from Oldbrook First School and is already being expanded to

accommodate the demand from its own catchment area and cannot be increased any further. Therefore, to change and increase the catchment area of Jubilee Wood Primary School would not be a suitable way to meet the increase in demand at year 3. The alternative suggestion was to consider a new school in Campbell Park or Woolstone, drawing demand away from Shepherdswell and Orchard Academies. Unfortunately there are no sites identified for education provision in either area. Additionally it would not be considered best use of public resources to reinvest funding that has already been made in The Willows School and Shepherdswell Academy and to re-deliver places in a different locality.

- 2.8 An expansion of a school is considered a significant change in law, however, as Orchard Academy is not maintained by the local authority it is therefore not required to follow a statutory process to enable the expansion. The process to make significant change to an academy is defined in the Departmental Advice: "Making Significant Changes to an existing Academy". The process requires the Academy Trust to request a change to the funding agreement with the Education Funding Agency. This cannot take place until all the relevant approvals are in place, including securing the relevant funding and planning permission.

3. Options

- 3.1 There are three options:

- (a) **Do nothing** Analysis indicates that if no new junior school places were to be built, by 2019 children may struggle to get a local school place and potentially would need to travel further. This could have a financial implication for the Council as families may not be able to access a place of choice within a reasonable distance, which triggers the requirement for the Council to assist with home to school travel. This is not considered a viable option.
- (b) **Support the expansion proposal at Orchard Academy.** The school is the planned junior school for residents who live in this area. Ofsted judged the school to be "Good" at its last inspection in June 2014. The school, and Academy Trust to which the school belongs, is supportive of a proposed expansion. The school is popular and has been oversubscribed for the last two years. The site is large and initial surveys indicate that the school site would be able to accommodate a new building to take 180 more pupils. An expansion of the academy would enable families to access a local junior school. This is the preferred option.
- (c) **Consider an alternative scheme** As Orchard Academy is the planned junior school for children at The Willows and Shepherdswell Academy, and given the oversubscription of the school in recent years, no other schools have been approached about increasing junior provision. No local school came forward as part of this process to identify themselves as wanting to meet the junior school demand for this area. There are no sites that have been identified for education purposes, and there are no

free school proposals to establish new junior school provision. This is not considered a viable option.

4. Implications

4.1 Policy

Ensuring sufficient primary school places within the education system is fundamental to delivering the Council's vision that residents have access to all the services they need and have the support to access opportunities and enjoy a healthy and good quality of life.

4.2 Resources and Risk

- (a) Capital: The scheme is projected to cost in the region of £3.2M, which has been identified in the capital programme as "Junior Transition for CMK – north, 1.5FE" and will be funded from Basic Need Grant.
- (b) Revenue: Schools' revenue funding is part of the Dedicated Schools Grant (DSG) and therefore these proposals do not directly impact on the Council's General Fund.

If this proposal is approved, to support the expansion of the school the Council will ask the Schools' Forum (in June 2016) to approve, in principle, growth funding (out of the DSG) in line with the current growth fund criteria, for the 2018/19 financial year.

However, schools' revenue funding is currently under a Government consultation and is likely to change from the 2017/18 academic year. The Government's proposal is for to allocate growth funding to local authorities based on historic spend. The Council will respond to the consultation before it closes on 17 April 2016.

Without certainty of the budget that will be available to the Council, no commitment can yet be made to provide revenue growth funding.

Y	Capital	Y	Revenue		Accommodation
	IT		Medium Term Plan		Asset Management

4.3 Carbon and Energy Management

The expansion of Orchard Academy supports the Council's Carbon and Energy Management Policy by providing local school places, thereby reducing the need for a reliance on motor vehicles.

4.4 Legal

Section 14 (1) of The Education Act 1996 requires the Council to secure a sufficient supply of school place for all children resident in their borough. This scheme is therefore proposed in line with this duty.

If the proposal to expand Orchard Academy is approved, the next steps would be determined by the Academy itself following the regulations outlined in: “Making significant changes to an open academy” (most recently published in March 2016).

4.5 Other Implications

N	Equalities/Diversity	N	Sustainability	N	Human Rights
N	E-Government	N	Stakeholders	N	Crime and Disorder

Background Papers [Making significant changes to an open academy, March 2016](#) Department for Education advice for all types of academy trust

Annex Summary of the consultation for the proposal to increase junior school places in central Milton Keynes