

Report sponsor: Andy Smith, Strategic Director  
of People Services  
Report author: Diane Whitehead, Head of  
School Organisation and Provision

## **Secondary School Place Planning Proposal – Saint Benedict Catholic Voluntary Academy**

### **Purpose**

- 1.1 The Council has a legal duty to ensure that sufficient school places exist for those pupils residing within its administrative boundary. Following a high level of growth in the primary sector, pupil numbers are now increasing in secondary schools. Secondary school expansions were implemented in September 2018 and September 2019, through close partnership working with schools and academy trusts, to meet the increasing demand for places.
- 1.2 Current City-wide secondary pupil numbers and projections are set out in Appendix 1 to this report. Based on projections, the peak year for the City-wide Year 7 in-take will be 2023-24. Following discussions with the Department for Education (DfE), the Council has been asked to consider providing the required additional places through temporary Published Admission Number (PAN) increases across a number of schools.
- 1.3 Close partnership working with the secondary schools' sector has progressed to consider and develop options for creating the required additional secondary school capacity, through temporary PAN increases, as set out in paragraph 4.7. Following co-production with the secondary schools' sector, temporary PAN increases have been put forward by five secondary schools, with one of those schools, Saint Benedict Catholic Voluntary Academy, requiring an expansion as a result of offering to accommodate a higher number of additional pupils.
- 1.4 A feasibility study has been completed by the Saint Ralph Sherwin Catholic Multi Academy Trust, to scope the temporary secondary school expansion proposal, at Saint Benedict Catholic Voluntary Academy (the Academy), as part of the Council's forward planning to ensure the commissioning of sufficient school places over future years. The proposal is to provide an additional 90 year 7 places in September 2023 and in September 2024 (180 places in total) at the Academy.
- 1.5 Following the request from the DfE, it is necessary to move forward with the secondary school temporary PAN increases set out in paragraph 4.7 and to approve the necessary amendments to the approved school capital programme, as set out in Appendix 2

### **Recommendation(s)**

- 2.1 To approve the addition to the 2022/23-2024/25 Capital Programme of this priority Saint Benedict Catholic Voluntary Academy scheme for £6.165m for an additional 180 temporary places, and approve scheme commencement, as outlined in paragraphs 4.9 to 4.12, and as set out in Appendix 2.
- 2.2 To approve the amendment of the approved 2022/2023-2024/25 capital programme for this scheme, to be funded from the reallocation of approved School capital programme budgets, and reduce the requirement for additional borrowing and associated costs, as outlined in Appendix 2 and paragraph 7.4.
- 2.3 To delegate authority to the Strategic Director for People Services, in consultation with the Cabinet Member for Children and Young People, and the Strategic Director of Corporate Resources, subject to negotiation of acceptable terms, to award a grant for up to £6.159m to Saint Ralph Sherwin Catholic Multi Academy Trust to deliver the capital works associated with the scheme, as outlined in paragraph 4.9 to 4.12, for an additional 180 secondary school places.

### **Reason(s)**

- 3.1 The proposed temporary expansion scheme is needed to ensure the Council can deliver its statutory duty to provide sufficient school places for pupils residing in its boundary.
- 3.2 In accordance with Financial Procedure Rules, this amendment to the Council's capital programme, and the award of the grant, are required to be reported to and approved by Cabinet.

### **Supporting information**

- 4.1 Local authorities have a legal duty to ensure that sufficient school places exist for all children and young people residing within their boundary. The Council must, therefore, plan, organise and commission places in Derby City to ensure sufficient school places are available and that changes in pupil numbers are managed efficiently.
- 4.2 As part of planning for sufficient school places, LAs are expected to retain a degree of surplus places to operate their admissions systems effectively. The precise amount of surplus capacity that is appropriate will vary around the country, depending on local circumstances and it is understood that a margin of around 5% is often applied at LA level. In Derby, around 5% - 10% surplus capacity is considered appropriate to accommodate in-year applications, fluctuations in pupil numbers and cross-border movement between the City and County. The aim is for a good balance of provision, with flexibility to accommodate pupil numbers throughout the year, whilst at the same time not having 'overprovision' in the system.

- 4.3 As a result of increasing pupil numbers, secondary school expansions were implemented in the City in September 2018 and September 2019, through close partnership working with schools and academy trusts. The approach has been to deliver additional secondary school capacity across different areas of the City to accommodate growing demand for places.
- 4.4 Pupil numbers and projections are regularly updated, monitored, and reviewed in order to address any projected shortfalls in places and ensure sufficient levels of operational surplus capacity. The latest City-wide secondary pupil projections are set out in Appendix 1.
- 4.5 To accommodate the continuing projected growth in secondary pupil numbers, a proposal had been scoped to expand a secondary school (Landau Forte College) to create an additional 104 places per year group (Years 7-11), as set out in Appendix 2. However, through our ongoing discussions, the DfE requested that the Council consider alternative options for providing the additional places, including temporary Published Admission Number (PAN) increases across a number of schools. The DfE outlined that the landscape in Derby has changed, with recently improved Ofsted ratings for some schools.
- 4.6 Further partnership working has, therefore, taken place with the secondary schools' sector to co-produce options, with headteachers and school leaders, for creating the required additional secondary school capacity through temporary PAN increases.
- 4.7 Following co-production with the secondary schools' sector, temporary PAN increases have been offered by five secondary schools totalling 127 additional Year 7 places in 2023/24 and an additional 90 Year 7 places in 2024/25. The schools that are proposed to accommodate additional secondary pupil numbers from September 2023, by applying bulge year groups / temporary PAN increases, are as follows:

<b>School</b>	<b>Current Year 7 PAN</b>	<b>No. Additional Places</b>	<b>Proposed Bulge Temporary PAN</b>	<b>Academic Year(s)</b>
Bemrose School	220	10	230	2023/24
City of Derby Academy	210	10	220	2023/24
da Vinci Academy	150	10	160	2023/24
Landau Forte College	196	7	203	2023/24
Saint Benedict Catholic Voluntary Academy	245	90	335	2023/24 and 2024/25
<b>Total</b>		<b>127</b>		

The above higher temporary PANs would move through the schools each year.

- 4.8 Following dialogue and consultation with Bemrose School, City of Derby Academy and da Vinci Academy, the above temporary bulge year groups can be accommodated without the need for additional capital works.

4.9 A £6.165m capital programme scheme is proposed for the additional 180 places at Saint Benedict Catholic Voluntary Academy. Following the Trust's initial feasibility work, the anticipated costs of the project have been jointly agreed with the Trust. Due to current volatility in construction costs, and the final design works being undertaken, final costs could vary. The Trust have agreed to continue to develop and progress the scheme in line with the available budget.

4.10 The proposed scheme consists of four principal elements:

- limited re-configuration of existing accommodation to provide additional teaching space for September 2023,
- a new build block containing a number of science teaching spaces, science prep rooms, toilets and ancillary space for September 2024,
- external works to facilitate the new block, and
- fixtures, fittings and equipment for the new science teaching block and re-configured accommodation.

The final number of science teaching spaces within the proposed new block is subject to further detailed design and feasibility work. The Trust are aware of the budget available and have agreed to ensure the scheme is delivered within this funding, and will factor in contingencies and building inflation

4.11 It is proposed that the construction works associated with the project will be funded through a standard Council grant agreement with the Trust, as the Trust will be responsible for delivery of this project and undertaking the works directly, working closely with their appointed professional and technical advisors.

4.12 The initial admission of an additional 90 places in Year 7 in September 2023 at the Academy can be accommodated within the existing accommodation at the school. However, it will be necessary to provide additional accommodation as set out in paragraph 4.10 for September 2024, due to the further 90 additional places being offered in September 2024. The Trust will work with its specialist consultants and professional advisors to develop and deliver this scheme, which is anticipated to be completed in 2024, subject to detailed design and planning permissions.

4.13 The DfE have recently announced that Saint Benedict Catholic Voluntary Academy have been selected for inclusion in the DfE School Rebuilding Programme (SRP). The SRP is a building condition led programme aiming to replace the highest priority school buildings based on priority condition needs. The SRP is a ten-year programme, with the first tranche of schools announced in 2021. The DfE are still to confirm the programme for any SRP works at the Academy, but it is unlikely that any SRP works will be complete for September 2024. Therefore, the Academy require the proposed expansion scheme, as set out in paragraph 4.10, to progress ahead of any SRP works. The Academy's programme and proposals have been shared with the DfE who have raised no objections to proceeding whilst the DfE continue to develop their SRP programme.

## **Public/stakeholder engagement**

- 5.1 The Council has worked closely with the Secondary School sector to develop and co-produce the proposals set out in this report. Where a significant change is proposed for an academy school, the academy trust is responsible for consultation and seeking the approval of the Secretary of State. In line with this requirement, the Academy undertook detailed consultation on the proposal, as prescribed by the DfE, in November and December 2022.

### **Other options**

- 6.1 School place planning proposals have been developed with a view to creating additional capacity across schools in the City to accommodate growth in the pupil population. This report sets out options for increasing secondary school places, following engagement with the Secondary Schools' Sector.

### **Financial and value for money issues**

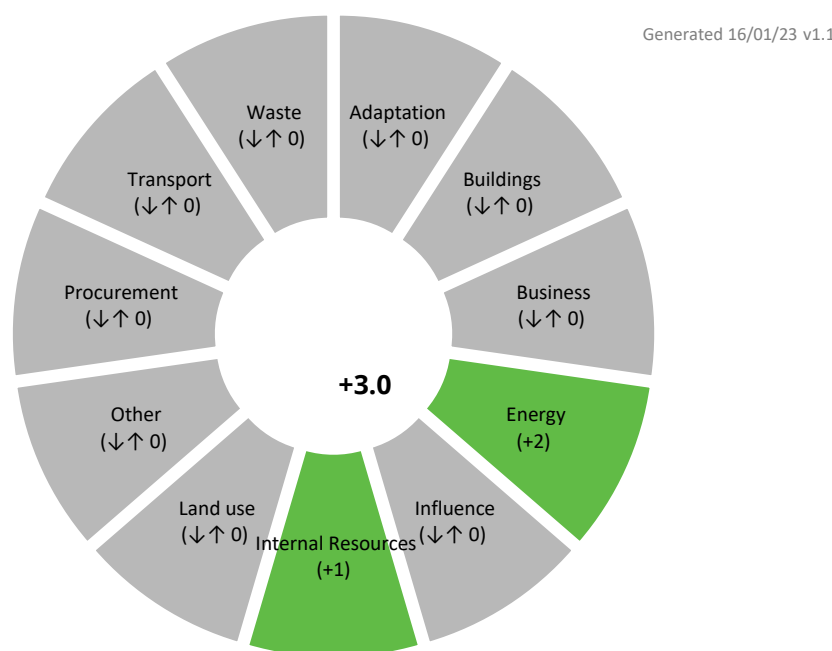
- 7.1 Appendix 2 outlines the current approved capital programme funding available to deliver the required secondary school places, along with the previously proposed scheme at Landau Forte College. The appendix sets out the revised Landau Forte College proposal, the new proposed scheme at Saint Benedict Catholic Voluntary Academy and the saving available to the Council.
- 7.2 In line with other Academy expansions, it is proposed to award grant funding to Saint Ralph Sherwin Catholic Multi Academy Trust, through the Council's standard grant terms and conditions, for the Trust to then undertake the necessary capital works at Saint Benedict Catholic Voluntary Academy.
- 7.3 The anticipated costs of the project have been jointly agreed with the Trust following initial feasibility work completed by their professional and technical advisors. The anticipated construction costs are therefore subject to detailed design work and procurement, and the Council will work closely with the Trust and their professional advisors as the scheme progresses. Payments to the Trust will be made through the Council's standard grant terms and conditions.
- 7.4 The proposal at Saint Benedict Catholic Voluntary Academy requires a smaller capital commitment than the Council had previously committed to the permanent expansion proposal at Landau Forte College. As a result, it is possible to reduce the current capital commitment for the Landau Forte College scheme from £11.890m to £1.291m, as set out in Appendix 2. This provides the Council with the opportunity to reallocate £4.753m in previously committed funding, and to reduce a requirement for additional borrowing and associated costs, as set out in Appendix 2.

### **Legal implications**

- 8.1 Each local authority with responsibility for education must secure sufficient primary and secondary education to meet the needs of the population of their area, under s.13 S13A and S14 (1) Education Act 1996.

### **Climate implications**

- 9.1 The Academy's proposed scheme will be required to meet all current Building Regulations on environmental performance.
- 9.2 In line with Council requirements for Cabinet reports, an initial Climate Impact Assessment summary is set out below. This indicates that the proposed scheme will make a broadly positive contribution to the Council's climate change commitments, and in particular by making better use of existing resources and by replacing less energy efficient buildings as part of the scheme.



## Socio-Economic implications

- 10.1 The proposed scheme is part of the Council's strategy to provide sufficient secondary school places.

## Other significant implications

- 11.1 None

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu, Head of Legal Services	
Finance	Toni Nash, Head of Finance	17/01/23
Service Director(s)	Gurmail Nizzer, Director of Children's Integrated Commissioning	17/01/23

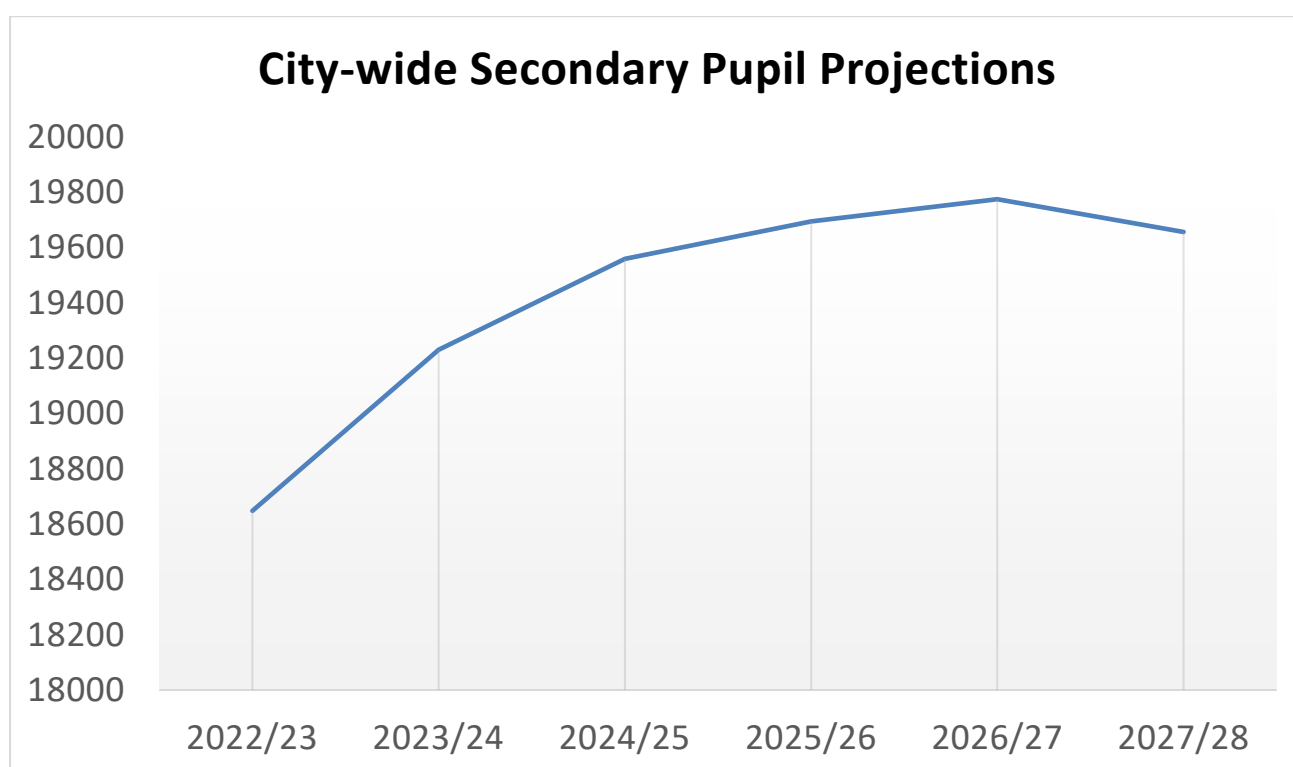
<b>Report sponsor</b>	Andy Smith, Strategic Director of People Services	19/01/22
<b>Other(s)</b>	Diane Whitehead, Head of School Organisation and Provision	17/01/23

<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Secondary School Pupil Projections Appendix 2 – Proposed Capital Programme Changes

### Latest City-wide Secondary Pupil Projections

Academic Year	School Year Group							Total
	7	8	9	10	11	12	13	
2022/23	3,571	3,465	3,405	3,325	3,180	887	815	18,648
2023/24	3,712	3,571	3,461	3,387	3,330	945	825	19,231
2024/25	3,600	3,712	3,571	3,434	3,383	980	878	19,559
2025/26	3,484	3,600	3,712	3,571	3,428	989	911	19,695
2026/27	3,492	3,484	3,600	3,712	3,571	996	920	19,775
2027/28	3,451	3,492	3,484	3,600	3,712	990	927	19,656





## Proposed Capital Programme Changes

**Table 1:**  
**New Scheme Summary: Saint Benedict Voluntary Academy Bulge Year Temporary Expansion**

Proposed Capital Scheme Saint Benedict Voluntary Academy: Capital works to accommodate an additional 90 Year 7 pupils in September 2023 and September 2024 (180 in total).	Phasing			Total
	2022/23	2023/24	2024/25	
Current Capital Programme for initial feasibility works	£29,750	-	-	<b>£29,750</b>
Change required to complete detailed design works, planning permission and scheme construction costs for works as set out in paragraph 4.10	-	+£3,000,000	+£3,135,759	<b>+£6,135,759</b>
Revised Capital Programme for the Saint Benedict Scheme.	<b>£29,750</b>	£3,000,000	£3,135,759	<b>£6,165,509</b>

**Table 2: Detailed Capital Programme Changes**

<b>Detailed Capital Programme Changes</b>						
<b>Funding Source/Scheme</b>		<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>	<b>Total</b>	<b>Total</b>
<b>Current Approved Capital Programme</b>	Current Approved Capital Programme - Secondary School Place Planning Scheme: Landau Forte College Derby - Including SEND Element.	£832,742	£11,057,922	£0	<b>£11,890,664</b>	<b>£12,210,782</b>
	Saint Benedict Temporary Expansion Proposal approved feasibility costs.	£29,750	£0	£0	<b>£29,750</b>	
	Remaining Unallocated Basic Need Funding.	£0	£189,236	£101,132	<b>£290,368</b>	
<b>Updated Budget and Proposed New Scheme</b>	Revised Secondary School Place Planning Scheme: Landau Forte College Derby, subject to final confirmation of costs with the College. The remaining budget of £1.291m for Landau Forte College includes up to a maximum of £832,742 for all costs associated with progressing with a smaller temporary bulge year expansion than originally proposed. The revised scheme at the College is for an additional 64 Year 7 places provided in September 2022. The Council is currently reviewing final costs with the College and it is anticipated that these costs will be reduced further in due course. The £1.291m also includes a £459,115 commitment for a previously approved SEND ER Unit at the school, which will be reported separately.	£462,085	£829,772	£0	<b>£1,291,857</b>	<b>£12,210,782</b>
	Proposed Scheme - Saint Benedict Catholic Voluntary Academy - Temporary Expansion - as set out in paragraph 4.9 to 4.12	£29,750	£3,000,000	£3,135,759	<b>£6,165,509</b>	
	Remaining Unallocated Basic Need Funding	£0	£0	£0	<b>£0</b>	
	Funding allocation no longer required and to be reallocated as set out below.	£0	£4,753,416*	£0	<b>£4,753,416*</b>	

\* The £4,753,416 funding no longer required consists of:

- £3,960,856 in originally approved MTFP Futures Borrowing,
- £500,000 in an additional temporary Schools PFI Reserves contribution. This was originally committed to cash-flow a Landau Forte MAT contribution to the previously approved scheme. Instead, this is to be returned to the Schools PFI Reserves now, and
- a remaining balance of £292,560 in previously committed School Condition Allocation funding, which is to be re-instated as School Buildings at Risk funding.