

## WIRRAL COUNCIL

CABINET – 9<sup>th</sup> DECEMBER 2009

REPORT OF DIRECTOR OF CHILDREN'S SERVICES

REVIEW OF SECONDARY SCHOOL PLACES PHASE 1 – SITE FOR A POSSIBLE ACADEMY

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### EXECUTIVE SUMMARY

Following Cabinet's decision on 26<sup>th</sup> November 2009 to revert to an earlier option for secondary school re-organisation in Birkenhead, this report advises Cabinet of the result of consultations with various stakeholders on the possibility of a new Academy being constructed on the Park High site or the Shaftesbury/Borough Road playing field site, provides a likely timeline for the Academy process and updates Cabinet on developments in relation to the sponsor team for the Mixed Academy.

#### 1.0 Background

- 1.1 At its meeting of 29<sup>th</sup> November 2007, Cabinet instructed that Phase 1 of the Secondary Places Review should comprise schools in Birkenhead and Bebington. As in the review of primary school places, the first stage of the Review has been to conduct a process where, on a confidential basis, meetings have taken place with key stakeholders in each of the areas under review. These stakeholders included Ward Councillors as well as officers of the Diocese of Chester and Shrewsbury, headteachers and chairs of governors of schools potentially affected by the Reviews. This comprises the "pre-consultation" phase of the process.
- 1.2 The subsequent report to Cabinet of 26<sup>th</sup> June 2008 provided an update on the demographics for secondary schools in the Birkenhead and Bebington areas, based on the January Census 2008.
- 1.3 At its meeting of 6<sup>th</sup> November 2008, the outcome of the independent Gyte report was reported to Cabinet, along with recommendations for an option to proceed to consultation. This option involved the closure of Rock Ferry High and Park High Schools in order to establish a new 11 to 16 Academy in the Birkenhead area, with the Council as co-sponsor. Cabinet agreed that formal discussions with the DCSF and potential sponsors should begin, including more detailed feasibility studies on the size, location and potential impact of the new Academy on neighbouring schools.
- 1.4 Following additional consultation with stakeholders and in depth analysis of demographic data, at its meeting of 19<sup>th</sup> March 2009, Cabinet approved an amendment to the original consultation option, whereby a 5 FE 11 to 16 Boys Academy would be established near to Prenton High School for Girls, and a 5 FE 11 to 16 mixed sex Academy established at the Park High site. This would require the contemporaneous closure of not only Park High and Rock Ferry High, but also Ridgeway High School. The approval included authorisation for all necessary discussions with potential sponsors, and with Shaftesbury Youth Club as well as drawing up the Statement of Intent and Expression of Interest documentation alongside DCSF appointed consultants. The report and relevant minute are attached as Appendix A.
- 1.5 Cabinet met on 1<sup>st</sup> October 2009, where approval was given for the Expression of Interest documents for the two Academies, and for consultation to begin on the closure of the predecessor schools. The report and relevant minute are attached as Appendix B.
- 1.6 This decision was called in for scrutiny by the Conservative group. The Children and Young People Scrutiny Committee met on 3<sup>rd</sup> November 2009 with a single item agenda. This resulted in the decision being referred back to Cabinet on 26<sup>th</sup> November 2009. The minute is attached as Appendix C.

1.7 At its meeting of 26<sup>th</sup> November, Cabinet decided that the option should revert to that approved on 6<sup>th</sup> November 2008, involving the closure of Rock Ferry High and Park High Schools, in order to establish a mixed Academy for their pupils, on either the Park High site or a new site, e.g. Borough Road Playing fields. The Director was requested to consult with residents associations and Shaftesbury Youth Club on the possibility of the Borough Road/Shaftesbury playing fields site being utilised, with a report to Cabinet on 9<sup>th</sup> December 2009. The minute is attached as Appendix D.

## **2.0 Establishment of a new mixed Academy – Rock Ferry High and Park High**

2.1 The report “Independent assessment of the Wirral LA’s context and secondary review” commissioned by the Office of the Schools Commissioner (OSC) following the 26<sup>th</sup> June 2008 Cabinet report proposes an option for reorganisation of secondary school provision in the Birkenhead area involving the closure of Rock Ferry High and Park High schools, combined with the establishment of an Academy, suggesting that a new building for the Academy should be constructed, rather than utilising either of the existing sites. The report also suggests the inclusion of a 14-19 “hub” (referred to as a vocational centre) and the inclusion of a Studio school to expand the current offer available to students at risk of becoming NEET (Not in Employment, Education or Training).

2.2 This option, amended to propose an 11 to 16 age range Academy, potentially incorporating the “hub” element in partnership with other schools, colleges and work based learning providers, with the Council as co-sponsor, was approved by Cabinet on 6<sup>th</sup> November 2008, and reaffirmed by Cabinet on 26<sup>th</sup> November 2009.

2.3 Both schools would cease to exist as institutions on the implementation date, operating as a split site Academy until transition to a single site is complete. The exact arrangements for transition would be agreed during Feasibility. Existing pupils of both predecessor schools would be guaranteed a place at the new Mixed Academy.

2.4 The Sanderling Unit for young people with special educational needs based at Rock Ferry High School, would be relocated to the Mixed Academy.

## **3.0 Site issues**

3.1 As the Academy is expected to open initially in the existing buildings of both Park High and Rock Ferry High schools, there are substantial ownership and land issues to resolve prior to the establishment of the Academy. The Academy Trust would usually own the buildings and site in which the Academy is based, however Park High is part of the Council’s PFI scheme until 2031. If the freehold is transferred to the Academy Trust, rather than reverting to Council ownership in 2031, ownership of the buildings and land would revert to the Academy Trust. Rock Ferry High’s site is currently in Council ownership.

3.2 The Council would like to ensure that ownership of both sites would remain with the Council. A leasing arrangement would need to be agreed for both sites, otherwise ownership would be transferred to the Academy Trust at the inception of the Academy.

3.3 Both existing buildings are well within the size requirements for a secondary school accommodating the projected 750 pupils. The present capacity at Park High is 1,250 pupils, and at Rock Ferry High, 1,232 pupils.

3.4 Cabinet asked for an evaluation on the final site for the new Mixed Academy are the former Park High site, and the Shaftesbury/Borough Road playing field site. Accordingly the governing bodies of the two schools, residents associations and Shaftesbury Youth Club have been asked for their views on the two potential locations for the Academy.

## **4.0 View of Tranmere Hall Estate Residents Association and Mount Estate Residents Association**

4.1 A joint response from the two residents associations was received via e-mail on 29<sup>th</sup>

November 2009. The full response is attached as Appendix E.

- 4.2 The view of the two residents associations is that they would oppose the construction of a school on the Shaftesbury/Borough Road playing fields site. They believe that Shaftesbury Youth Club's development plan would make better use of the playing fields, and would improve quality of life for local residents, rather than worsen it.
- 4.3 Further, the residents associations assert that if a new school were to be proposed on Shaftesbury Memorial playing fields, they would mount a campaign and petition calling for an independent assessment by the Planning Inspectorate, adding delay into the school reorganisation process.
- 4.4 Regarding the Park High site, they point out that it is already in Council ownership, is already in use as a school and is consequently unlikely to meet with resident opposition or planning issues.

## **5.0 View of Rock Ferry High School and Park High School**

- 5.1 Correspondence received from the headteacher, governing body and staff representatives of Rock Ferry High School are attached as Appendix F. The headteacher's letter acknowledges the financial advantages of the Park High site, but expresses his support for a new build school on a new site. Both the headteacher and staff representatives letters express the view that a new build school on a new site would be an exciting new start in a deprived area. Given the likelihood of a high boys:girls ratio in the new Academy, the headteacher believes a strong relationship with Prenton High for Girls would be an advantage, and he stresses the possibilities offered by the proximity of the Shaftesbury/Borough Road site to Shaftesbury Youth Club and Tranmere Rovers football club.
- 5.2 His view regarding the position of staff, where a new build school would assist in amalgamation because there would be no "sitting tenants", is not strictly accurate. In this option both existing schools would close, and all staff of both schools, regardless of current site of employment, would have an equal opportunity to apply for positions in the new Academy.
- 5.3 The staff representatives letter also raises the long history of Rock Ferry High School in its community, and expresses their concern about a "gap" in provision if the Academy is sited at Park High School. However, analysis of where pupils live and go to school shows that the community and area served by Rock Ferry High School is equally served by Bebington High School, which would remain as an alternative local secondary school if the Academy were to be sited at the Park site.
- 5.4 Officers met with headteachers and chairs of Governors from the two schools on 4<sup>th</sup> December 2009. The position of Park High School representatives was that while they would prefer the new Academy to be located at Park's site, they understood that all staff from both schools would be in the same position regarding appointments at the new Academy. They also expressed the view that the new Academy was not a buildings issue, it was the future education of Birkenhead's children and young people that was most important. They wanted clarity on the Academy site as soon as possible, and stressed the importance of moving quickly in order to secure funding.

## **6.0 View of Shaftesbury Youth Club**

- 6.1 Officers met with representatives of Shaftesbury Youth Club on 3rd December 2009. The written submission is attached as Appendix G.
- 6.2 The Shaftesbury YC view is that they wish to retain their site, and develop a Youth Hub to continue to serve the children and young people of Birkenhead. A masterplan has been developed with three options to enhance the facilities – ranging in scale from a major

refurbishment of the existing buildings costing approximately £750,000, to a complete rebuild costing approximately £3.9 million.

6.3 Shaftesbury Youth Club also host 80 pupils who have been excluded from school, and believe that this succeeds because the Club is not linked to any school.

6.4 The Council owned Borough Road element of the total site is large enough to build a 750 place Academy. However the current access is very narrow and would require at minimum a strip of Shaftesbury Playing Field land to enlarge the access. The masterplan options preclude this option due to the location of the proposed Youth Hub development.

## 7.0 Conclusion

7.1 In many cases Academies open in the existing buildings of the schools they replace. The Government's aim is that new or refurbished buildings will be provided within three years of the Academy opening, although they acknowledge that some Academies replace schools that have already been rebuilt or refurbished, as at Park High School, which was recently refurbished through the Council's grouped PFI scheme.

7.2 The Park site is in Council ownership, albeit subject to a PFI contract whereby the Council is a tenant on it's own site. If the Park High site was declared surplus to requirements as a school, the Council would need to find an alternative use for the Park High buildings until 2031 or consider buying out of the PFI contract which is likely to be at high financial cost.

7.3 Geographically, Park High School's site is centrally located to the North and West Birkenhead area the Academy is expected to serve (bounded by the Mersey, the docks, the M53 and Woodchurch/Borough Road) and lies close to good road and rail transport routes. There is scope on the existing Park High site to remodel and refurbish the existing buildings ahead of the Council's BSF programme, which would leave more funding available for other high priority Phase 1 BSF projects, including secondary special schools.

7.4 While existing pupils of both predecessor schools would be guaranteed a place at the new Mixed Academy, long term, it is projected that many future Y7 pupils who would traditionally have attended Rock Ferry High School and who opt for non-Catholic, non-Grammar education, will continue to follow current preference patterns for their area of residence, which would mean increased intakes at Bebington High School and Prenton High School. In combination with the overall reduction in school places in Birkenhead, this will also reduce surplus place issues in the Bebington area.

7.5 In order to build a new Academy on the Shaftesbury/Borough Road site, the following obstacles will need to be overcome:

- Shaftesbury Youth Club will have to change their view and agree to sell or exchange their playing field
- The reservations of the Residents associations
- Planning processes including obtaining permission from Sport England to build on playing fields
- The timescale and requirements of the Academy process
- The various risks of ceasing to use Park High School's site; including revenue implications and questions of proper use of public money following the recent major refurbishment. If an alternative use for the Park High site is found, it would need to produce sufficient revenue to continue to pay the unitary charge.

7.6 The Shaftesbury/Borough Road playing fields was originally suggested as the potential site for a Boys Academy, as a counterfoil to the nearby successful Prenton High School for Girls.

As a mixed school, there is no particular reason to locate the Academy near to Prenton High School. Estimated construction costs for a 750 place 11 to 16 school would be £10-£15 million.

- 7.7 There are attractions to a new site, however the sole potential new site identified, Shaftesbury/Borough Road Playing Fields, is only partially in Council ownership, and the discussions required in order to secure an agreement over usage of the site (which may not be attainable) presents significant risks, is likely to face strong local opposition and could cause substantial delay in the Academy process.
- 7.8 During consultation with stakeholders, the possibility of using the Rock Ferry High site for the Mixed Academy was suggested. The Rock Ferry site is certainly large enough for a new 750 place Academy, and if not a new build, there is scope to improve and rationalize the existing buildings. However the site is located at the very southern end of the area it would be intended to serve, and has a number of other competing schools within a short distance, including Bebington High School, Prenton High School and St John Plessington Catholic High School. Bebington High School's pupil intake area overlaps extensively with the intake area served by Rock Ferry High School.
- 7.9 The DCSF have indicated that although the Academy site would usually be clearly identified in the Expression of Interest (EOI section 4.2), it is possible to identify multiple sites that are under consideration. The final site must be confirmed during Feasibility, otherwise the Funding Agreement cannot be signed. In deciding how to proceed, members should consider that from a consultation perspective, having two or three potential sites during Feasibility increases uncertainty for consultees, reduces clarity, makes transition planning difficult and distracts from the educational vision for the new Academy.

## 8.0 Timelines

### Academies timeline

- 8.1 The process to establish an Academy is set out in stages.
- Statement of Intent (SOI) – this is produced by the Secretary of State and begins the formal process.
  - Expression of Interest (EOI) – this is a pro-forma describing the new Academy, justifications, background, strategy, vision and pupil numbers. It is drawn up by the sponsor team, aided by a DCSF appointed consultant. Governing bodies of predecessor schools are asked for their view, but the document does not include wider consultation with stakeholders.
    - The Expression of Interest must be approved by the Secretary of State, and is then signed by the sponsors. Once approved, approximately £250,000 funding is released for early planning works.
  - Feasibility (usually 3 to 4 months, minimum 2 months) – The DCSF appoint a Project Management company to assist the lead sponsor. This needs to be done using EU procurement arrangements. Feasibility includes Local Authority consultation on the closure of the existing schools, and on the establishment of the new Academies. Various project steering groups are established to look in-depth at staffing structures, curriculum, transition arrangements and so on. A Principal Designate is appointed on an interim contract. Leasing arrangements for land are drawn up.
    - Following the closure consultation (minimum 6 weeks), a Cabinet decision is required whether to proceed with the publication of closure notices for the predecessor schools.
    - Following the statutory closure notices, there is a further 6 week representation period. Cabinet as the local authority's decision making body, must then decide

whether to approve the closure of the predecessor schools, subject to the successful signing of the Funding Agreement.

- Funding Agreement (FA) – This is signed by the sponsors and the Secretary of State, and constitutes the legal establishment of the new Academy. An implementation period follows prior to the formal opening of the new Academy. This period includes recruitment of staff, including TUPE and transition arrangements between institutions, sign off of land leases and the beginning of any required design and building works.

- 8.2 The “three into two” model had reached the end of the EOI stage. The EOI documents had not yet been signed by the Secretary of State, pending Cabinet’s final decision.
- 8.3 As Cabinet’s decision on 26<sup>th</sup> November 2009 was to recommend a different option involving the establishment of one or more Academies with one of the existing sponsor teams, the process must begin again at the Statement of Intent stage. In this case, the projected course is as follows:

Statement of Intent issued by end of December 2009

Expression of Interest approved by Sponsors (including Cabinet) mid January 2010

Signed off by Secretary of State by end of January 2010

Feasibility begins February 2010

Consultation on closure of predecessor schools (see 8.4 below)

Cabinet decision to proceed with closure of predecessor schools April 2010

Publication of statutory closure notices May 2010

Cabinet decision on closure of predecessor schools July 2010 (within 2 months of representation period)

Funding Agreement signed August 2010

Implementation January 2011 or September 2011 in existing buildings

- 8.4 It has been suggested that the timescale can be compressed. The pre-notice consultation period on the closure of the predecessor schools should last 6 to 8 weeks. Any less than this could leave the Council open to legal challenge at a later date because of insufficient consultation. The 6 week representation period following notice publication is statutory and cannot be compressed any further.
- 8.5 A further factor to be considered is the likely timing for a general election. Advice from DCSF indicates that once a general election is called, a consultation process that has already begun can continue (such as Feasibility), although no public meetings could be held, or decisions taken. Statutory notices that had already been published would continue to run for their 6 week representation period, but no new notices could be published. This is likely to add a further 6 weeks delay to the process, so that the Funding Agreement would not be signed until September 2010 at the earliest.
- 8.6 It is now extremely unlikely that any proposal for change can be implemented by September 2010. The fixed timescale for consultation and statutory representations, including three Cabinet decisions, means that the Funding Agreement is unlikely to be signed until August 2010 at the earliest.

### **Building schools for the Future (BSF) timeline**

- 8.7 On 26<sup>th</sup> June 2008, Cabinet approved a revised BSF submission, dividing it into three phases. Phase 1 comprises Birkenhead Secondary provision and the most urgent Secondary Special School renewal. This linked BSF to addressing the challenges of falling secondary rolls, and the need to invest in Special School accommodation. The Phase 1 submission also met Partnerships for Schools’ (Pfs) prioritisation criteria based on deprivation and examination performance, which gave Wirral the best chance to enter BSF ahead of the original start date of 2015.

- 8.8 In March 2009, Partnerships for Schools (PfS) informed the authority that Wirral's Phase 1 had been prioritised to begin ahead of 2015, potentially as early as 2011. In order to enter BSF early, Wirral must be able to satisfy the PfS Readiness to Deliver criteria and have robust plans in place to deal with school organisation/capacity issues as well as the Transformation/Standards raising agenda. It is up to each authority to decide when to demonstrate their preparedness to deliver, via the submission of a Readiness to Deliver (RtD) document to PfS.
- 8.9 Before starting work on preparing the RtD submission for Phase 1 main BSF, proposals for secondary reorganisation in Birkenhead must be confirmed. There are a number of reasons why this is the case.
- Any RtD submission which does not address the challenges of surplus places will not be approved.
  - If the Mixed Academy is approved, the necessary capital works can be procured with Academy 1 (Birkenhead High School Academy) using the PfS Framework ahead of full Phase 1 BSF.
  - Decisions on Birkenhead mainstream provision will shape the remainder of Phase 1 BSF in terms of available capital, particularly for St Anselm's Catholic College which has some very poor accommodation and the secondary special school schemes which comprise Phase 1 BSF.
- 8.10 Re-organisation should be seen as a "once in a lifetime" opportunity to exploit available finance to improve accommodation for secondary school pupils and complete the programme begun under PFI, rather than a criticism of staff or individual institutions. Complex and difficult organisational decisions must be made before the Council can demonstrate RtD and bring forward Phase 1 BSF, which will then release Phases 2 and 3 BSF investment to the eventual benefit of all Wirral's children and young people.

## 9.0 Sponsor team developments

- 9.1 Cabinet's view on 26<sup>th</sup> November 2009 was that the sponsor team from the "three into two" Mixed Academy scheme (Academy 3) should be put forward to the OSC and the Department of Children, Schools and Families (DCSF) for consideration. This comprised:

University of Chester (lead sponsor)

Wirral Metropolitan College

The Local Authority

The decision on whether a sponsor team is approved rests with the OSC, who issue the formal SOI that begins the Academy process.

- 9.2 The University of Liverpool and Birkenhead 6<sup>th</sup> Form College have indicated that they would like to be considered for inclusion in the Mixed Academy sponsor team. The addition of co-sponsors to the team should not cause a significant delay to the Academy process, since these are educational sponsors already approved by the OSC.
- 9.3 The composition of the sponsor team is reflected in the composition of the Academy's governing body. DCSF advice is that sponsor teams should have 3 or 4 members. The inclusion of two additional bodies would increase the membership to five, with a concomitant increase in the complexity of the Academy's governance arrangement.
- 9.4 In addition, the Council should consider who might sponsor any future Academy. The Mixed Academy already has a University sponsor, and it may be prudent to reserve the University of Liverpool for consideration as the lead sponsor for any future Academy in Wirral. It would also give the University of Liverpool time to properly consider their Vision and Ethos.
- 9.5 The current EOI was drawn up by the sponsor team named in 9.1 above. Additional co-sponsors would undoubtedly wish to add their own "stamp" on the vision for the new Academy, which must then be completed by mid-January 2010 to meet the timescale outlined above. However, if the lead sponsor is changed at this stage, the EOI vision would

have to be completely rewritten to meet the different requirements, strengths and sensibilities of the new lead sponsor, and it is unlikely that this would be completed within the indicated timescale.

- 9.6 It should be noted that if the sponsor team approved by the OSC involves any entirely “new” sponsors, this will add four to 6 weeks to the entire process. All current sponsors involved in the Academy proposals to date have passed a stringent “due diligence” examination by the DCSF. Any new sponsors would be subject to a similar due diligence examination. The DCSF are also currently devising a list of suitability criteria for new Academy sponsors nationwide which would be applied to any newly introduced sponsors. With a new sponsor, the Expression of Interest would also require significantly more redesign work.
- 9.7 Preliminary discussions with headteachers and chairs of governors of the two predecessor schools indicate that they would be prepared to endorse the EOI as previously submitted in relation to the Mixed Academy with the University of Chester as lead sponsor. Both schools have already begun to establish working relationships with the University of Chester ahead of the establishment of the new Academy. If the lead sponsor were to change at this stage, both governing bodies would need additional consultation and reassurance from the new lead sponsor to assuage their rightful concerns as to the changed direction and vision of the Academy.

## 10.0 Financial Implications

- 10.1 There are none arising directly as a result of this report, though the proposed changes do have very significant implications.
- 10.2 Capital funding for new and refurbished Academy buildings is drawn from the Authority’s capital total under the national Building Schools for the Future programme. The responsibility to provide sites for Academies rests with the LA. There are likely to be significant costs in the management of the Academy programme and the transition stage which will be the subject of future reports.
- 10.3 Establishment of Academies would result in an on-going impact on the Dedicated Schools Grant (DSG). The Academies would be funded via an adjustment to the DSG through replication of the local formula, in addition, funding would also be removed based on the level of central expenditure within the schools budget. This funding adjustment would require the LA to cut central expenditure in line with the reduction in funding. Due to fixed costs, economies of scale and varying support provided for individual schools the budget reduction is unlikely to match the cost reductions achievable by no longer providing certain services to an Academy.
- 10.4 In relation to the Park High site, at the end of the PFI term in 2031, the buildings and land which under Community status would previously have reverted to the Local Authority will be signed over to the Academy Trust without any payment or compensation to the Authority, unless a leasing arrangement is in place.
- 10.5 If the Park High site is declared surplus to requirements as a school during the PFI term, the Council would be liable for the full unitary charge, amounting to approximately £1.2 million per annum and if a suitable alternative purpose could not be found for the building, may incur significant penalty costs to release the Council from the PFI agreement. Termination of the agreement under Clause 37.9 (Authority Default) would result in the Council paying the PFI contract holder the aggregate of:
- the Senior Debt plus an amount of interest;
  - the Early Repayment amount plus an amount of interest;
  - redundancy payments for any employees of the PFI contractor whose contracts are terminated as a result of contract termination and

- the amount for which the share capital of the PFI contractor and the Junior Debt could have been sold on an open market basis had the termination not taken place.

It is possible that this could be calculated to remove one school from the PFI contract, leaving 8 to remain in the PFI group scheme. Once paid, the Park High site would then revert to the Council and could be disposed of, subject to planning permissions in relation to English Heritage listed landscape and disposal of playing fields regulations, including Secretary of State and Sport England approvals.

10.6 Academies that open in the predecessor school buildings may be entitled to a small additional capital grant to cover costs such as renewed signage and other small capital projects required to open the school as an academy.

## 11.0 Staffing Implications

11.1 There are none arising directly as a result of this report. There are, however, important implications arising out of the proposals and these will be set out in a further report as proposals become more specific.

11.2 The staffing implications of entering Building Schools for the Future will be significant. Again, this will be the subject of a future report.

11.3 As a PFI school, the Academy Trust will not be able to directly employ staff providing services under the PFI contract until the end of the contract.

11.4 If approved, the creation of the Mixed Academy will require significant staff transfers under TUPE, provision of staff matched to the transition arrangements and the management of the transfer from existing staffing structures to the new Academy.

11.5 Costs arising from redundancies agreed prior to establishment of a new Academy are shared between the LA and the DCSF. Any redundancy costs arising following the establishment of the Academy are to be met from the Academy's budget.

## 12.0 Equal Opportunities Implications

12.1 It is essential to plan school provision across the Authority so that it is both efficient and effective in the interests of all pupils. Consultation will need to address very carefully the impact of any preferred options on pupils which are served by the schools concerned.

12.2 An equality impact assessment will be carried out on this report.

## 13.0 Community Safety Implications

13.1 Rationalisation and refurbishment of schools allow the most vulnerable accommodation to be removed and other security improvements carried out.

## 14.0 Local Agenda 21 Statement

14.1 The provision of efficient and effective education is a vital part of serving local communities; inefficient use of resources is wasteful both in educational and physical resource terms.

14.2 New school buildings and extensions are required to achieve a minimum standard of BREEAM energy rating of "Very Good". In order to achieve this, the design of a new Academy building would follow as far as possible the DETR/DCSF guidelines in BB87 for "Energy efficient design of new buildings and extensions for schools and colleges". This includes items such as low-energy electrical fittings, water saving devices and the use of sustainably sourced timber.

## 15.0 Planning Implications

15.1 The relationship between housing development policy and school place provision is a factor in considering surplus place removal. The major regeneration drivers in Birkenhead are the

Housing Market Renewal Initiative, with redevelopment proposals in Rock Ferry (Fiveways), Tranmere (Church Road) and North Birkenhead (currently the area to the west of the Laird Street Bus Depot), and Wirral Waters. Although the Wirral Waters proposals aim to provide a significant number of new dwellings in North Birkenhead, this is to be phased over 30-50 years and the annual output of new dwellings from the scheme is projected to peak at 650 in any one year. The Audit Commission says that 100 new houses generates approximately 4 pupils per year group and the Children and Young People's Department believe that this number can be accommodated in the existing and planned provision. Although new house building and conversion in the last 5 years has ranged from 511 (2005/06) to 771 (2007/08) gross across the Borough, the effect of demolitions has reduced this to between 102 (2004/05) and 515 (2007/08) net new dwellings, with no additional demand for new secondary school places. Over this period, when new housing development has been increasingly focused on the east of the Borough in Wallasey and Birkenhead, secondary school rolls have continued to fall due to the decrease in births.

- 15.2 Any proposals after the consultation and decision making process for school re-organisation would be subject to the usual planning processes. Policy L1 of the North West of England Plan – Regional Spatial Strategy to 2021 (RSS) requires local authorities to take account of the views of the local community (including service users) and carry out an assessment of demographic, sporting, recreational, cultural, educational, skills and training and health needs in local communities. Furthermore, they should ensure that accessibility by public transport, walking and cycling is a central consideration.
- 15.3 The development of land designated in the Unitary Development Plan (UDP) as a playing field or the removal of playing fields from community use may be required by these proposals. This could be offset by designating all or part of one of the existing school sites as green space/playing field, and/or by intensifying the use of existing playing fields through improvements.

### **Rock Ferry High School**

- 15.4 The site of the buildings of Rock Ferry High School is shown as within the Primarily Residential Area on the UDP and in principle, if no other factors were to be considered, residential redevelopment would be appropriate. The site lies within the priority area for new development identified in the Council's Interim Planning Policy for New Housing. It is also in the area subject to Policy LCR3 of RSS, which supports new house building, stating that the quality and choice of housing should be expanded, in line with the approach set out in Policy L4 of RSS.

### **Shaftesbury Playing Fields**

- 15.5 If the new Academy is built at the Shaftesbury Playing Field site, subject to the assessment of playing field need and the views of Sport England, it may be necessary to form additional playing fields to compensate for those lost at Shaftesbury Playing Field. The existing Rock Ferry High School playing fields were shown in the UDP as being subject to Policy RE7, although that is now deleted and national policy in PPG17 applies. The assessment of compensatory provision required by PPG17 might suggest the use of the entire existing site of Rock Ferry High School as a replacement for playing space lost at Shaftesbury. Only if an assessment concluded that it was unnecessary to use the site of the existing buildings at Rock Ferry for compensatory provision of playing space, then it may be possible to consider other uses for the built area of the Rock Ferry site. The assessment should also consider whether the existing playing fields adjacent to Rock Ferry High School alone might have the potential to compensate for the Shaftesbury Playing Field. Currently, Rock Ferry High School is not shown as being within an area of open space deficiency in the UDP.

- 15.6 A planning statement in relation to Park High School's site was not available within the timescale of this report.

### **16.0 Anti-Poverty Implications**

16.1 The redistribution of funding released by school reorganisation, in combination with the Authority's intention to realign the schools budget to give higher levels of funding to schools with high levels of deprivation, as well as improved accommodation, goes towards raising aspirations and narrowing the attainment gap for vulnerable groups, which is one of the Council's priorities.

## 17.0 Social Inclusion Implications

17.1 School re-organisation and transforming accommodation through the forthcoming Building Schools for the Future programme and other schemes, provides opportunities to promote joint agency work to promote co-ordinated solutions for pupils and their families. There is scope for community participation in the design process of any new school buildings, raising the school's profile within the community.

## 18.0 Local Member Support Implications

18.1 Secondary school reorganisation has relevance to all Wards.

18.2 The schools specifically mentioned in the report and appendices, and the Wards in which they are situated, which are Claughton and Rock Ferry.

## 19.0 Background Papers

DCSF Supply of School places return 2009

DCSF guidance on Surplus Place Removal

Pupil and Capacity data held by the LA

Reference documentation and guidance on the Academy programme produced by the DCSF

DCSF Consultation on accreditation of School Providers and Schools Groups and on Academy Sponsor Selection – Annex A [www.dcsf.gov.uk/consultations/](http://www.dcsf.gov.uk/consultations/) (ends 22<sup>nd</sup> January 2010)

## 20.0 Recommendations

The Cabinet advise the Director on their decision to proceed in relation to:

- i) the inclusion of the Park High site, Rock Ferry site, and the Shaftesbury/Borough Road playing field site as potential sites for the Mixed Academy in the Expression of Interest, subject to a Statement of Intent being issued by the OSC
- ii) the inclusion of Birkenhead 6<sup>th</sup> Form College and the University of Liverpool within the Mixed Academy sponsor team, proposed to the OSC for inclusion in the Statement of Intent
- iii) identifying the lead sponsor for the Mixed Academy sponsor team, proposed to the OSC for inclusion in the Statement of Intent

**Howard Cooper**

**Director of Children's Services**