

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Cllr Paul May, Cabinet Member for Children's Services	
MEETING/ DECISION DATE:	On or after 02 March 2024	EXECUTIVE FORWARD PLAN REFERENCE:
		E 3516
TITLE:	Bath and North East Somerset Council School Organisation Plan 2023 – 2029	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 Bath and North East Somerset Council School Organisation Plan 2023 – 2029		

1 THE ISSUE

- 1.1 Section 14 of the Education Act 1996 places a statutory duty on local authorities to secure that sufficient schools for providing primary and secondary education are available for their area. The Act also requires authorities to secure that special educational provision is made for pupils who have special educational needs.
- 1.2 The School Organisation Plan 2023 – 2029 at Appendix 1 (the Plan) outlines the current level of mainstream and Special Education Needs and Disabilities (SEND) school provision in the Authority and projected pupil numbers up to admissions in September 2027 for primary age and 2029 for secondary age pupils. Estimated pupil numbers and places likely to be required as a consequence of future planned housing development expected to be delivered within the Adopted Core Strategy and Placemaking Plan period up to 2029 are also outlined.

2 RECOMMENDATION

The Cabinet Member is asked to;

- 2.1 Approve the proposed strategy for the provision of school places within the 2023 – 2029 Plan period.
- 2.2 Confirm that the finalised School Organisation Plan 2023 – 2029 can be published on the Bath and North East Somerset Council website.

3 THE REPORT

- 3.1 The Local Authority retains responsibility for pupil place planning in its area. In order to do this effectively the Local Authority must identify where new school places will be required as a result of underlying population growth and pupils generated from new housing development, how much additional provision is required and when. This additional provision might be provided via Basic Need funding from the Government or Section 106 (S106) Developer Contributions or Community Infrastructure Levy (CIL) as a result of new housing developments.
- 3.2 The Council's School Organisation Plan is a strategic document that sets out the pupil projection figures and the Council's strategy for ensuring the provision of sufficient places. The Council has a commitment to ensure that young people with SEND and an Education, Health and Care Plan (EHCP) are given the support they need. The Council's priorities are set out in the SEND Education Strategy and Action Plan 2021-2024.
- 3.3 The Plan will serve as a useful planning tool to identify any areas of need, when any investment in places may be needed and at what level and also to inform discussions with Developers concerning S106 Developer Contributions, including land.
- 3.4 The Plan Appendix 1 to this report contains all the information that the Panel should require in order to be able to assess the proposed strategy. A summary of the key issues impacting on pupil place planning is set out below.
- 3.5 Despite significant changes to the educational landscape with the majority of schools becoming Academies and free schools being established, the Local Authority still retains the responsibility for pupil place planning in its area and for ensuring there are sufficient schools available.
- 3.6 Due to the delivery of new schools and school expansions over recent years and to one further expansion at St Keyna Primary school in Keynsham currently being planned, primary school provision is expected to be sufficient within the Plan period.
- 3.7 Should future proposed new housing development identified in the Local Plan in a particular area be projected to result in a shortfall of primary school places, the Authority will apply CIL funding or seek S106 Developer Contributions to provide additional school places. These places are likely to be delivered via the expansion of existing schools.
- 3.8 In those areas where options for delivery of additional places via the expansion of existing schools is limited because the schools cannot be expanded as the sites they occupy are not large enough, any future housing allocation in these areas would require whole new schools to be provided.
- 3.9 Existing secondary school provision is expected to be sufficient for future pupil numbers within the Plan period.
- 3.10 Should a shortfall of secondary school places be projected as a result of future proposed new housing development identified in the Local Plan, the Authority will apply CIL funding or seek S106 Developer Contributions to provide

additional school places. These places are likely to be delivered via the expansion of existing schools.

- 3.11 Officers will continue to work closely with colleagues in Planning Policy to ensure that any land requirements for school expansions or for the provision of new schools are reflected in the Local Plan.

4 STATUTORY CONSIDERATIONS

- 4.1 Section 14 of the Education Act 1996 places a statutory duty on local authorities to secure that sufficient schools for providing primary and secondary education are available for their area.
- 4.2 Under Section 14 of the Education Act 1996, local authorities also have a statutory duty for securing that special educational provision is made for pupils who have special educational needs.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The Council receives Basic Need (BN) grant funding from the Department for Education (DfE). The funding is allocated to support the provision of sufficient school places where additional need has been identified as part of the annual DfE School Capacity (SCAP) return. The annual allocation fluctuates and was £4.8m in 2021/22, £1m in 2022/23 and zero in 2023/24. Future grant payments identified by the DfE up to 2026 total £5.4m.
- 5.2 The Council has received High Needs Provision Capital Allocation (HNCPA) grant funding to support the provision of new places and improve existing provision for children with SEND or requiring alternative provision. The Council has received HNCPA in 2022-23 of £2.64m and £3.3m in 2023-24.
- 5.3 The Council successfully bid for an additional sum of £4m HNCPA linked to the Safety Valve Programme and work which includes, as part of the commitment from Bath and North East Somerset, to increase the sufficiency of places for children and young people with an EHCP and reduce the overspend in the Dedicated Schools Grant (DSG). This additional HNCPA funding is committed to the SEND Small School with Residential Unit.
- 5.4 Other sources of capital funding that are sometimes available to support new infrastructure projects include Section 106 contributions (S106) and Community Infrastructure Levy (CIL) funding. These sources of funding come from new housing developments to support necessary infrastructure needs.
- 5.5 Revenue funding for pupil places will be provided by the DfE through the DSG. For mainstream pupils the funding is provided through the Schools Block on a per pupil basis. For SEND places the funding is provided through the High Needs Block based on population and pupil characteristics.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance. Significant risks identified are:

- 6.2 *Insufficient SEND places in B&NES of the type required will result in more pupils having to be accommodated in schools located outside of the LA at greater cost. This would also negatively impact on the SEND Home to school transport budget.* Continue delivery of the SEND Capital Programme to create more SEND places via provision of the planned new resource bases and residential provision. Work with the DfE to deliver the new SEND Free School as soon as is possible. To allow more pupils to be accommodated in provision locally within B&NES.
- 6.3 *The Council has a statutory duty to secure that sufficient schools for providing primary and secondary education are available for their area and also for securing that special educational provision is made for pupils who have special educational needs. Failure to ensure this will result in the Council being at risk of breaching its duty.* This Plan sets out the strategy for delivery of sufficient school places of the required type in the right areas across the Authority.

7 EQUALITIES

- 7.1 An Equality Impact Assessment has been completed and can be found on the Equality Impact Assessment page of the Bath and North East Somerset website. No adverse or other significant issues were found.

8 CLIMATE CHANGE

- 8.1 Providing sufficient school places in the right area located close to where families live will reduce carbon emissions by enabling pupils to travel to school sustainably via walking or cycling and reduce the need to make individual journeys by private car and longer journeys to get to schools further away.
- 8.2 Improving the energy efficiency of existing school buildings where possible and designing any new school buildings to be energy efficient and low carbon will also contribute to the achievement of the climate emergency commitments to achieve carbon neutrality by 2030.

9 OTHER OPTIONS CONSIDERED

- 9.1 None.

10 CONSULTATION

- 10.1 The draft School Organisation Plan was shared with the Corporate Management Team then sent to the consultees listed below for a month long consultation period from 17 November to 17 December 2023.
- 10.2 The draft School Organisation Plan was shared with Academy Trust CEOs; primary, secondary, studio and special school and academy Headteachers; school Governing Bodies; the Diocese of Bath and Wells; the Clifton Diocese; Bath College; all Local Councillors to include the Leader of the Council and the Cabinet Member for Children's Services; neighbouring Local Authorities of Bristol, North Somerset, Somerset, South Gloucestershire and Wiltshire; Bath and North East Somerset Council Director of Education and Safeguarding, officers from SEND, Planning Policy, Admissions, Schools Capital and Organisation, Early Years and Adults, Children and Public Health Finance.

- 10.3 All academy trusts and schools are consulted annually and provided with pupil projection data in September each year when Planned Admission Numbers (PANs) are discussed for the next academic year, two years ahead. Projection data is also shared with the Clifton Diocese. The total capacity figure for each school is also checked and confirmed. The last such consultation took place over September - October 2023.
- 10.4 Any schools that are expected to be most affected by increases in child population as a result of underlying population growth in the short term or proposed new housing developments will be consulted at greater length.
- 10.5 A report went to the Children, Adults, Health and Wellbeing Policy Development and Scrutiny Panel on 15 January 2023.
- 10.6 This Single Cabinet Member Report was shared with the Cabinet Member for Children's Services; the Leader of the Council; the S151 Officer; the Monitoring Officer; the Director of Education and Safeguarding; the Director of Children's Services & Education; Bath and North East Somerset Council officers from SEND, Admissions, Schools Capital and Organisation and Adults, Children and Public Health Finance.

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Background papers	None
Please contact the report author if you need to access this report in an alternative format	