

Executive

14 October 2021

Report of the Corporate Director, People
Portfolio of the Executive Member for Children and Education

School Capital Works at Millthorpe School to Accommodate the Expected Demand for Pupils Places from within the Millthorpe Catchment Area by September 2022

Summary

1. The report provides details about the capital work needed to create additional accommodation to fulfil an expected temporary 3-year demand for pupils living in Millthorpe's catchment area in Secondary Planning Area West (SPA West).

Recommendations

2. The Executive is asked to consider:

Approval of Option 3, that is funding of £1.9m from the Basic Needs Fund for capital works to create additional teaching and circulation space at Millthorpe School by grant agreement to South Bank Academy Trust and to delegate authority to the Assistant Director, Education and Skills in consultation with the Director of Governance (or her delegated officers) to take such steps as are necessary to enter into the resulting grant agreement.

Reason: to create the space needed to fulfil the expected demand for a temporary 3-year bulge of pupil places from within the catchment area of Millthorpe School by September 2022.

Background

3. As shown in the tables below, the demand for pupil places at Millthorpe School is expected to increase in September 2022.

4. September 2020 forecast number of additional places required by area:

	2022/23	2023/24	2024/25
Millthorpe Catchment	16	-	26
SPA West (Excluding Millthorpe Catchment)	32	33	10

5. January 2021 forecast number of additional places required by area:

	2022/23	2023/24	2024/25
Millthorpe Catchment	13	-	10
SPA West (Excluding Millthorpe Catchment)	26	18	-

6. Due to the unprecedented events of both the global pandemic and Brexit, changes have been seen in admissions allocation data and trends this year. The projected additional places required from both 2020 and 2021 forecasts have therefore been included as it is impossible to say if or when trends will revert back to what had previously been expected and subsequently how many places will be required 2 to 3 years from now.
7. The advice set out in the Department for Education guidance, 'Making Significant Changes to an Open Academy and Closure by Mutual Agreement' states, "We expect academy trusts to only propose to create additional places in academies that have an overall Ofsted rating of 'good' or 'outstanding.'"
8. Millthorpe School has a current Ofsted grading of 'good' and for the following reasons is expected to require additional places:
9. an increase in the number of children expected to be living in Millthorpe's catchment area;

	2022/23	2023/24	2024/25
Number of children forecast to be living in Millthorpe's catchment	335	313	355

10. increasing popularity from within catchment;

	2018/19	2019/20	2020/21	2021/22

Percentage of catchment children choosing Millthorpe as a 1st preference	51.7%	52.1%	56.2%	56.4%
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11. a decrease in the popularity of Manor from children living within Millthorpe's catchment.

% Children living in Millthorpe catchment and choosing Manor	
2021/22	7.05%
2020/21	7.90%
2019/20	8.11%
2018/19	12.98%

12. It is forecast that the growth in the expected demand for places within the area will produce a temporary 3-year bulge. Current data suggests this may need to be phase 1 of a potential 2-phase scheme to increase places at this school.

Consultation

13. The Local Authority has been working closely with Millthorpe School and the South Bank Trust to discuss the school's existing difficulties in accommodating pupil numbers in a main building originally constructed as a mansion house and its subsequently built annexes. Discussions have included how additional places can be provided to allow the safe circulation and movement of pupils and staff throughout all areas of the school.

Options

14. Option 1

15. Do nothing

16. It would not be possible to meet the needs of the pupils in the current buildings, therefore doing nothing cannot be a recommendation.

17. Option 2

18. Creation of additional teaching accommodation only

19. Millthorpe School was originally built as a mansion house in 1856, and has had a number of extensions since the house became a school in 1920. An increase in pupil demand has put pressure on pupil movement around the site's buildings, and the school are already experiencing crush points in narrow and awkwardly-shaped corridors. Issues also exist around a lack of hard standing areas, inadequate toilet blocks and a lack of dining provision.
20. At present, the school has 1,048 pupils. Additional pupils will exacerbate the existing issues and will impact upon the safe circulation of pupils moving throughout the school.
21. No new classrooms are proposed to be built, instead an under-used toilet block on an upper floor will be removed and two existing ICT suites and a landing area will be utilised to create two classrooms. Rooms that flank the current dining room will be opened out to both the ground and upper floor to allow for additional seating and dual purpose flexible teaching and intervention areas. Re-organising existing areas will ensure Millthorpe is able to take the additional pupils for the temporary 3-year bulge starting September 2022.

22. **Option 3**

23. **Creation of additional teaching and circulation space**

This option creates the same teaching facilities as option 2, however it will also address the severe pressures on circulation spaces that impact upon safety and behaviour within school due to the number of pupils moving around the building.

24. Over-crowding due to increases in pupil numbers now means some corridors due to their narrow structure, steel posts divisions, or awkwardly shaped and have become crush-point areas and therefore a health and safety concern. Inadequate toilet block designs cannot be supervised for behavioural and safety issues; lunchtime periods either means pupils have to stand in very long queues or not to eat lunch.

Analysis

25. **Option 1**

26. Do Nothing

27. It is not possible to accommodate any more pupils at Millthorpe School without addressing issues of health and safety caused by the movement of large numbers of people around buildings where existing space is being compromised.

28. Option 2

29. Additional teaching accommodation only

30. As described above, additional teaching accommodation would fulfil the need for the temporary 3-year bulge curriculum requirement, but would not resolve the existing issue of circulation space, which would be compounded by additional pupils.

31. Any increase in pupils numbers has a direct impact upon learning, such as more pupils leaving lessons to go to the toilet; a deterioration in the attitudes toward learning; crowding in toilet areas; current toilet set ups do not allow for visibility and supervision; a greater risk of damage, self-harming and bullying.

32. Option 3

33. Provide additional teaching and circulation space

34. In order to ensure the safe movement of pupils and staff during lunchtime periods, it is proposed to extend the dining room area to open out adjacent teaching areas for flexible intervention, teaching and dining use; adapt the servery area to enable a better queueing system and pupils' movements through to paying points; install an additional servery in the upstairs seating area and create a seating area outside the dining room. This will enable pupils to congregate safely, allow the queue for the servery to keep moving and will create essential additional seating that will allow staff to better supervise pupils.

35. Many pupils, such as those with anxiety and vulnerable pupils eligible for free school meals are opting not to eat lunch due to the time taken to queue and buy food which leaves very little time to eat and digest their purchases. Additional pupils will compound this

issue, increasing stress and leading to lower concentration levels in lessons during the afternoon.

36. Current analysis from the Royal College of Paediatric and Child Health has determined that one in three children are overweight or obese by the time they start secondary school. This increase is leading to more cases of type 2 diabetes, asthma and high blood pressure in children. For pupils to have easy, unobstructed access to good quality, nutritionally balanced meals and where they are given enough time to eat at school is one way of tackling failures in the social or home environment.
37. It is proposed to also make adaptations to other areas affected, such as creating 2 classrooms out of an existing ICT suite and a landing by removing an under-used toilet block on an upper floor. As above, creating better movement of pupils in corridor areas by adapting spaces that impact upon safety and behaviour due to the number of people moving around at class change-over periods, crush-points and toilet areas will resolve existing issues caused by over-crowding.
38. A high level BB103 calculation has taken place to determine the space usage of the school based on the current layout. The result of the calculation shows that non nett areas which include corridors, cloakrooms, changing rooms, kitchen areas and toilet provision within Millthorpe fall approximately 2,738m² below the DfE's recommended BB103 guidelines.
39. Resolving the dining and circulation issues by September 2022 will offset the existing situation that will be exacerbated due to the expected temporary 3-year demand for pupil places and will also negate the need to make changes to these areas in the future to accommodate for a potential phase 2.
40. Pressures currently being experienced throughout the construction industry means it is far better to resolve these circulation issues now rather than delaying as it will risk further increases in prices for critical materials, such as steel.

41. Implications

Financial

42. A budget of £700,000 would be required for the work as described in option 2. However, the recommended option is option 3 for which a budget of £1,900,000 would be required. This will be funded by a further allocation from the remaining uncommitted Basic Need grant. There is approximately £6,500,000 remaining which has not been allocated, so option 3 would reduce the remaining unallocated Basic Need grant to £4,600,000.

Risk Management

43. Millthorpe School is best placed to meet the requirement for additional pupils. Failure to secure these places could result in the Local Authority not meeting its statutory duty to secure sufficient secondary school places for the children in York.
44. The classroom creation and circulation work will be carried out during the summer holidays 2022. Work may need to be carried out whilst pupils are on site as well as during the summer holiday in order to ensure it is completed on time. An early decision on funding is therefore needed to ensure the timescales can be met.
45. Due to a lack of supply and an increase in demand, the cost of some materials has risen. Once the supply of materials recovers, the increased costs for materials are unlikely to reduce.
46. As a result of the market conditions and the increasing pressures on building and construction, a substantial contingency has been included within the budget estimate for this scheme.

Council Plan

Well paid jobs and an inclusive economy

47. The spaces being created at Millthorpe School will provide additional pupils with a place at a good and increasingly popular school.

A greener and cleaner city

48. The adaptations at Millthorpe School will be created using the existing footprint.

Getting around sustainably

49. A travel plan will be devised to scrutinise the movement of people and vehicles and to develop ideas to resolve this. This will be provided alongside the planning application.

A better start for children and young people

50. The spaces being created at Millthorpe School will provide the pupil places needed to fulfil the expected, forecasted demand.

Legal

51. Section 13 of the Education Act 1996 imposes a duty on the council as local education authority to “contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary, secondary and further education are available to meet the needs of the population in their area.” Section 14 of the Act expands on this duty by requiring the council to secure sufficient schools in “number, character and equipment” to provide all pupils with appropriate education.
52. The school site is currently leased to South Bank Academy Trust for 125 years from 31 March 2016. Officers will work closely with Legal Services to identify whether there are any implications for the lease associated with the building works and ensure any risks arising from such implications are mitigated as much as possible.
53. Any proposed works will need to be commissioned via a compliant procurement route under the Council’s Contract Procedure Rules and the Public Contract Regulations 2015. The value of the works outlined above falls significantly below the relevant threshold for the procurement of works under the Regulations (i.e. £4,733,252), therefore a full procurement exercise under the Regulations will not be required in this instance. However, a competitive process for quotations will still need to be advertised and run under the Contract Procedure Rules.
54. It is understood the funding for the construction will be provided to South Bank Academy Trust through a grant agreement, with the works to be procured and managed by the Trust. The grant

agreement will contain obligations governing the use of the funding to ensure all relevant legal requirements and compliance is achieved, along with claw back provisions for breach of those obligations.

Other

55. None.

Good health and wellbeing

56. A travel plan will be developed where students, staff and visitors will be encouraged to use public transport, local cycle routes and walk to the site wherever possible.

Human Resources (HR)

57. There are no HR implications.

Equalities

58. The schemes will maximise pupils' opportunities, provide support and enable staff to carry out their duties efficiently.

Crime and Disorder

59. There are no crime and disorder implications.

Information Technology (IT)

60. There are no IT implications.

Property

61. Millthorpe School is leased to the South Bank Academy Trust for 125 years.

Contact Details

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Report
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Date 29/9/21

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Wards Affected: List wards or tick box to indicate all

All

For further information please contact the author of the report

Annexes:

Annex 1 – Equalities Impact Assessment