

From: **Patrick Leeson, Corporate Director, Education, Learning and Skills**

To: **Roger Gough, Cabinet Member for Education & Health Reform**

Decision No: **13/00013/2**

Subject: **Proposed relocation of Laleham Gap (Special) School**

Classification: **Unrestricted**

Past Pathway of Paper: **Education Cabinet Committee 19 March 2013 and 21 June 2013**

Future Pathway of Paper: **Cabinet Member decision**

Electoral Division: **Thanet**

Summary:

This report seeks the agreement of the Cabinet Member to relocate Laleham Gap (Special) School and increase the designated number of pupils on roll, following the completion of the Statutory Public Notice period. The decision is being taken without consideration by a Cabinet Committee, in accordance with procedures set out in the Council's Constitution for such occasion.

Recommendations:

The Cabinet Member for Education and Health Reform is asked to consider the responses to the Statutory Public Notice and agree to relocate Laleham Gap (Special) School and increase the designated number from 152 to 170.

1. Introduction

- 1.1 The Special Educational Needs section of the Kent Commissioning Plan for Education Provision 2012-17 identifies the current provision available across the County and outlines plans for providing new/enhanced accommodation for ten Special schools including Laleham Gap School.
- 1.2 On 19 March 2013, Education Cabinet Committee recommended to the Cabinet Member for Education, Learning and Skills that a consultation takes place on the proposal to relocate Laleham Gap (Special) School and increase the designated number.
- 1.3 The public consultation took place between 15 April 2013 and 27 May 2013. A public meeting was held on 2 May 2013. A total of 22 responses were received with 14 supporting the proposal and 7 objecting to the proposal.
- 1.4 On 5 June 2013, the Cabinet Member for Education and Health Reform, following consideration of the consultation responses, took the decision to issue a Statutory Public notice.
- 1.5 The Statutory Public Notice ran between 13 June 2013 and 28 July 2013.
- 1.6 The responses to the Statutory Public Notice are set out below.

2. Financial Implications

2.1 The costs associated with the relocation of Laleham Gap School from January 2015 are outlined below.

a. Capital: The new build is funded through the Government's Priority Schools Building programme

b. Revenue: There are no additional revenue implications

c. Human: There are no human resource implications

3. Bold Steps for Kent and Policy Framework

3.1 This proposal will help to secure our ambition, "to ensure every child can go to a good school where they make good progress and to support vulnerable pupils, including pupils with special educational needs and disabilities, so that they achieve well and make good progress".

3.2 The Special Educational Needs section of the Commissioning Plan relating to the future provision for children with special educational needs will be updated in line with the development of the Kent's Strategy for SEN and Disability. Kent's Strategy for SEN and Disability's overarching aim is to improve the health, well being, attainment and progress, and quality of provision, for children and young people with SEN. An important aspect of this is to review and develop the capacity of special schools.

4. The Proposal

4.1 The proposal is coming forward following a successful bid for funding to rebuild the school through the Government's Priority Schools Building programme. This will mean that for the first time the school can be consolidated in purpose built buildings on a single site. The proposed new site is at New Haine Road in Ramsgate currently owned by EKO at Westwood Cross, adjacent to the Marlowe Academy. A planning application is due to be submitted and subject to planning permission, building work is expected to start on the site from early 2014 with the intention that the school will be operating from the new site by September 2015. It is also proposed to increase the designated number of the school from 152 to 170.

5. Outcome of Statutory Public Notice

5.1 Three responses objecting to the proposal were received.

5.2 Two of the three respondents had previously provided a reply to the public consultation and these were taken into consideration when the Cabinet Member took his decision to issue the Statutory Public Notice.

5.3 The third respondent suggested that the school would benefit more by increasing staff levels and availability of Therapists. The AEO for East Kent provided the following response to the objection: The Priority Schools Building Programme capital funding cannot be used for revenue costs such as increasing staff levels and availability of Therapists. In addition the current school buildings are insufficient and outdated.

6. Legal Implications

6.1 Should the decision not be taken at this stage, there is a risk that delay to the project to replace the school will affect the delivery of the capital programme and prolong the current school provision which is insufficient and outdated.

7. Equality Implications

- 7.1 An Equality Impact Assessment was carried out at the start of this consultation and is available via the following link:
<http://consultations.kent.gov.uk/consult.ti/LalehamGapSchool/consultationHome>

8. The Officer Scheme of Delegation

- 8.1 The Officer Scheme of Delegation; under Appendix 2 part 4 of the Council's Constitution, provides a clear and appropriate link between this decision and the actions needed to implement it. For information it is envisaged, if the proposal goes ahead, that the Director of Property & Infrastructure Support will sign contracts on behalf of the County Council.

9. Urgency

- 9.1 If the decision is not taken outside of the Cabinet Committee cycle, via the procedures outlined in the council's constitution there will be insufficient time to procure and deliver the works. This would lead to a negative impact on the implementation of the project and necessary building works would be delayed with the real possibility of the school not being built in time. The County could fail to meet its statutory obligations to provide school places, and would incur significant reputational risk.
- 9.2 In accordance with the procedures set out in the Council's Constitution the Chairman of the Scrutiny Committee, and other required consultees agreed that the decision could not reasonably be deferred until the Cabinet Committee in order to follow KCC's normal governance procedures. All local members have been informed of the further decision.
- 9.3 Senior Managers Rebecca Spore, Director of Property and Infrastructure Support and Patrick Leeson, Corporate Director of Education, Learning and Skills also agreed that the decision could not be reasonably deferred to the next Cabinet Committee meeting.

10. Conclusions

- 10.1 The proposal to relocate Laleham Gap School and increase the designated number of the school from 152 to 170 and will provide a purpose built school to cater for pupils with Special Educational Needs.
- 10.2 Two of the three objections received to the Statutory Public Notice had been considered previously by the Cabinet Member when taking his original decision to issue the Statutory Public Notice.
- 10.3 Funding has already been secured for the proposal to commence.

11. Recommendation(s)

Recommendation(s): The Cabinet Member for Education and Health Reform is asked to consider the responses to the Statutory Public Notice and agree to relocate Laleham Gap (Special) School and increase the designated number from 152 to 170.

12. Background Documents

12.1 Commissioning Plan For Education Provision 2012-17

<http://kent590w3:9070/documents/s34295/FINAL%20VERSION%20Kent%20Comm%20Plan%20Ed%20Prov%202012-17%20attached%20to%20WEB%20SITE%2020%20SEPT.pdf>

12.2 Education Cabinet Committee report – 19 March 2013 Primary Commissioning and relocation of Special Schools (Special School Review) – Thanet District

<http://kent590w3:9070/documents/s38884/Item%20B9a%20Primary%20Commissioning%20and%20Relocation%20of%20Special%20Schools.pdf>

12.3 The public consultation document is available via the following link:

<http://consultations.kent.gov.uk/consult.ti/LalehamGapSchool/consultationHome>

12.4 The Cabinet Member Decision to issue the Statutory public notice is available via the following link:

<http://consultations.kent.gov.uk/consult.ti/LalehamGapSchool/consultationHome>

12.5 The Statutory Public Notice is available via the following link:

<http://consultations.kent.gov.uk/consult.ti/LalehamGapSchool/consultationHome>

13. Contact details

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