



Effingham Parish Council

Proof of Evidence
School places

Julie Iles

Former Surrey County Councillor and
cabinet member for All Age Learning

In respect of

APPEALS BY BERKELEY HOMES (SOUTHERN) LTD:

**LAND AT EFFINGHAM LODGE FARM, LOWER ROAD,
EFFINGHAM, LEATHERHEAD, SURREY, KT24 5JR
HYBRID APPLICATION**

**Planning Inspectorate Ref: APP/Y3615/W/22/3298341
Local Authority Ref: 21/P/01306**

and

**HOWARD OF EFFINGHAM SCHOOL, LOWER ROAD,
EFFINGHAM, LEATHERHEAD, KT24 5JR
RESERVED MATTERS APPLICATION (RMA)**

**Planning Inspectorate Ref: APP/Y3615/W/22/3298390
Local Authority Ref: 21/P/00428**

August 2022

Effingham Parish Council

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School Places: Supply & Demand in the Surrey School System

Contents

1. Introduction – Qualifications & Experience
2. Evidence in chief
 - 2.1. Current demand for places
 - 2.2. Current supply of places
 - 2.3. Choice in the system
 - 2.4. Future demand for places
 - 2.5. The Cullum Centre
3. Examination of the appellant’s claims
4. Summary

NOTE: Section 4 serves as the Summary Proof of Evidence.

Jl Annexes

1. SCC School Investment Programme
2. Additional places in planning areas served by The Howard
3. Impact of falling birth rate in the planning area
4. Funding Impact of Falling numbers
5. Minutes of Meeting with Surrey County Council School Places Planning Team, 13 July 2022
6. ‘School Organisation Plan 2020 – 2030’, Surrey County Council
7. ONS National Pupil Projections, 14 July 2022
8. NAS Cullum Autism Centres in Surrey Schools, report to SCC Cabinet, 23 September 2014 (Item 17 on agenda of Cabinet meeting)
9. Minutes of SCC Cabinet meeting, 23 September 2014
10. ‘Guildford Draft Local Plan: Education Review’, School Commissioning, Surrey County Council (*included in evidence base for submission version of Guildford Local Plan, December 2017*)
11. ‘Mole Valley District Infrastructure Delivery Plan’, August 2021 (*included in evidence base for submission version of Mole Valley Local Plan, 2022*)

1. Introduction:

Qualifications and Experience

- 1.1. I am a former Surrey County Councillor being elected in May 2017 to represent Effingham and The Horsleys. The Howard of Effingham is within my constituency, and I am familiar with the application to build a replacement school.
- 1.2. I was appointed to cabinet as the member for 'All Age Learning' in December 2018 in which capacity I assumed responsibility for education planning across Surrey and worked closely with planning officers and education leaders to ensure Surrey County Council met its statutory responsibility to provide sufficient school places and parental choice.
- 1.3. I was part of the council team that completed the £354m investment in an additional 14000 school places in Surrey from 2012 -2019 (Annex 1)
- 1.4. As the cabinet member for All Age Learning, I was responsible for the curation of the School Organisation Plan 2020-2030, which is the current planning document governing school places and admissions for all schools in Surrey (Annex 6)
- 1.5. Prior to my career in politics, I served ten years as a magistrate on the SE Surrey bench and was Chairman of the Youth Panel.
- 1.6. Having worked at The Howard as an Examinations Invigilator for 6 years I have a thorough understanding of the school buildings and workings of the school.
- 1.7. I have offered to present evidence on behalf of Effingham Parish Council in support of the assertion that there are no special circumstances that require expansion of the school to meet demand or choice in the planning area or to support delivery of the current Surrey School's Operation Plan. (Annex 6)

2. Evidence in chief

- 2.1. Prior to the initial application for an expanded replacement school, Surrey was experiencing a surge in birth rate, which fuelled demand for school places. However, the birth rate peaked in 2012 and has since fallen away. Demand for primary places peaked in 2016 and is likely to peak in secondary in 2022/23 as the primary peak works its way through the school system. (Annex 6 – SCC SOP 2020-2030)
- 2.2. This initial surge in demand solicited a response by Surrey County Council which embarked upon a 5 year £354m plan to expand school places by 14000 places by 2018. (Annex 1)
- 2.3. This investment plan included an additional 2 FE at The Priory, also within the Leatherhead & Dorking Planning Area and now completed. This aimed to address an area around Dorking town that had been a ‘hot spot’ for demand within the combined planning area. (JI Annex 2 p.2 Figure 1)
- 2.4. In total, since the original consent, around 12 FE have been added directly in the Planning Areas that The Howard has traditionally served and from which it draws most of its pupils. (JI Annex 2 P.2 Figure 2)
- 2.5. The combined effect of additional places and declines in pupil numbers in Surrey now ensures that Surrey County Council is well equipped to meet both its statutory requirement to provide sufficient choice and number of places to Surrey residents. Specifically, within Leatherhead & Dorking, the two principal planning areas served by The Howard, the demographic trend is consistent with national trends and is already beginning to register in the most recent phase of admissions for September 2021. This shows a surplus in places across the planning area (JI Annex 3)
- 2.6. Historically, The Howard has also supported a shortfall in places to the northeast of the Guildford Town Planning Area in Guildford Borough. However, the new Hoe Valley Free School is now fully operational and provides an additional 4 forms of entry to this area. (120 places).
- 2.7. The adopted Guildford Local Plan Strategy and Sites (LPSS) makes provision for a new school under the Wisley airfield development (site allocation A35 in the LPSS), which would provide a further 4 forms of entry to this area if required. This is alongside potential provision of a 4FE secondary school on the Gosden Hill site allocation (A25 in the LPSS). These provisions were based on the document ‘Guildford Draft Local Plan: Education Review’ (JI Annex 10) from SCC, which was part of the evidence base for the submission version of the Local Plan in December 2017. More details can be found in the Proof of Evidence of EPC witness Liz Hogger.
- 2.8. The Leatherhead and Dorking Planning areas (within Mole Valley District) are planned together because of the cross-boundary with Guildford Borough Council and the location of The Howard within this borough. The emerging Mole Valley Local Plan proposes allocating land for residential development in the Mole Valley

District. The evidence base for this emerging Plan includes the Mole Valley District Infrastructure Delivery Plan of August 2021 (JI Annex 11), which states:

'In the Leatherhead secondary school planning area, the data shows a modest shortfall over most of the period to 2020-30, with the maximum shortfall being 55 pupil places (equivalent approximately 2FE) in the 2023-24 academic year. This means that there is not a requirement to construct entire new schools and MVDC has formulated policies within the Local Plan to allow SCC to expand facilities within the school estate where and when they are required.

The Dorking secondary planning area is projected to be in surplus throughout the 10-year forecasting period.

It should be noted that Howard of Effingham Secondary School has consent to relocate and expand by an additional 2FE. If this goes forward, additional capacity will be created within the Leatherhead secondary planning area.

The forecasts only cover a 10-year period and SCC advises that, whilst at present there is no identified need for additional schools and school places can be accommodated within the existing school estate, the need for additional infrastructure should not be discounted. Pupil place need will be reviewed as part of a future five-year review of the Local Plan.'

The peak alluded to is consistent with the 2012 birth-rate peak highlighted in 2.1 above. In my experience, the county authority can never completely discount the need for additional infrastructure as they would not have recourse to developer contributions if needed at some later date. The demographics data suggests that additional places are most unlikely to be required. More details about the emerging Mole Valley Local Plan can be found in the Proof of Evidence of EPC witness Liz Hogger.

- 2.9. In the current 2020-2030 Schools Organisation Plan for Surrey (which as cabinet member of All Age Learning I oversaw) no further expansion of school places is proposed for the areas served by The Howard. The expansion of the school is not assumed within the plan because the planning area is now well served both in choice and number of places. (JI Annex 6 p. 32 and 40)
- 2.10. In a meeting with EPC in July 2022, SCC confirmed that *"whilst the current SOP did not depend upon expansion of The Howard, SCC is keen to secure all additional places and that depending upon housing developments, the expansion might play a role in supporting provision in Northeast Guildford / Guildford Town."* (JI Annex 5: Minutes of EPC Meeting with SCC 13th July 2022)
- 2.11. The latest figures reported by the ONS (July 2022) now also indicate that the downturn in births is likely to continue into the 2030s resulting in a 944,000 projected decline in the number of children in state schools by 2032. It is unlikely that additional places at The Howard will be needed in the next decade, and it is, therefore, difficult to justify the claim to very special circumstances based on unmet demand at the school or in the planning area. (JI Annex 7: ONS Projections)
- 2.12. As the former cabinet member for All Age Learning, I can also speak with authority about the Cullum centre. This facility was intended as a fully funded

unit, one of four regional centres in Surrey intended to accommodate local need within each region. Supported by £4m capital funding from the Cullum Family Trust, Surrey County Council, and the National Autistic Society (NAS), the centres are purpose-built, specialist units within mainstream secondary schools for children with autism. The funding for each unit included design, planning, construction/refurbishment, equipping and fitting out. The resource centres were to be planned and built by the NAS. Once delivered the furnished and equipped centres were to be handed over to the host school. The final decision to award the centre to The Howard was made in September 2014, and minutes of the relevant SCC cabinet meeting make no mention of the award being contingent upon a new school, referencing only that *'The 4 sites involved are all recognised by Ofsted as good or outstanding.'* (JI Annex 8 and 9) The remaining three centres have all been built at the intended schools on the existing school sites. Whilst desirable and welcome, there is no justification for claiming special circumstances to support the building of this centre as there is no barrier to its being built now and the funding is already secured.

3. Comments upon the Berkeley Homes Statement of Case

- 3.1. In 1.6 of its statement of case (SOC) Berkeley Homes (BH) claims the Howard: *“do not have sufficient capacity to meet the growing demand for school places identified by Surrey County Council (SCC).”* As evidenced above in 2.1 – 2.9 this assertion is not supported by the demographic evidence of actual numbers of pupils currently ‘in the school system,’ nor with the most up to date projections of pupil numbers by the ONS. (JI Annex 7) It fails to account for the huge investment in additional places made by SCC, in the planning areas served by The Howard and Surrey generally. (JI Annex 1 and JI Annex 2) It also fails to acknowledge that the proposed expansion is not part of SCC plans and that the ability of SCC to deliver its current organisation plan does not rely upon the proposed expansion. (JI Annex 5) SCC has not identified a growing demand for school places in this area (Or the wider area, for that matter) and does not require additional capacity at The Howard to meet its current forecasts. (JI Annex 6) It is also clear from SCC statements to EPC at their meeting of 13th July 2022, that SCC acknowledge that additional places would likely only arise from large scale building development in the planning area. (JI Annex 5). However both the adopted Guildford Local Plan and the emerging Mole Valley Local Plan have discounted any need for expansion of the Howard of Effingham School, as discussed in paragraphs 2.7 and 2.8 above, and also in the Proof of Evidence of EPC witness Liz Hogger.
- 3.2. BH also states: *“Since the original planning application was made to GBC in 2014, the need for the school has not diminished and there remains a profound educational requirement for a new school.”* Here, BH are conflating the need for improved educational facilities (undeniable) with the need for a new school, *“as the least expensive option.”* (Para 26, Inspectors Report, 2018) In stating that the need for a new school has not diminished they are clearly remis in failing to account for the changing pattern of both supply and demand outlined in my evidence paras. 2.1-2.11. Neither does it appear that the appellant has fully considered whether, under considerably changed circumstances, and the claimed spiralling costs, an expanded new build school remains the most cost-effective option and other witnesses will present evidence to challenge that assertion.
- 3.3. It is noted, however, by the Inspector in his report on the consented scheme, (para 59) cost is not directly related to the planning merits of the scheme: *“... and if there is a funding gap which cannot be bridged, the permission will not come to fruition ...”*
- 3.4. The appellant highlights guidance from central government: *“The Government wants to enable new schools to open, good schools to expand and all schools to adapt and improve their facilities. This will allow for more provision and greater diversity in the state-funded school sector to meet both demographic needs and the drive for increased choice and higher standards. ...”* As the cabinet member for All Age Learning at the time of the consented permission, I can attest to the commitment and delivery record of Surrey County Council. The 5 year £354m programme of investment in new Free Schools, expanded faith and academy schools has delivered an estimated 14000 additional places within the Surrey school system. This includes a 25% increase in the current catchment area of The

Howard, including two new free schools, and an additional two forms of entry at The Priory School which sits within the defined SCC planning area for The Howard. (JI Annex 2) SCC consistently achieves above 80% success in meeting 1st preference applications across Surrey. In The Howard Planning Area, 98% success rate was achieved in 2021/22. (JI Annex 3)

- 3.5. The appellant implies that children are currently prohibited from joining The Howard by a lack of school places. (BH SOC 1.6) However, as is evident in JI Annex 2, The Howard already provides choice and provision for a wide catchment area well beyond the defined planning areas it serves within the SCC organisation plan. Almost 4 in every 10 secondary children in Cobham and Downside (Elmbridge) and Wisley, Clandon and Ockham (N.E. Guildford) attend The Howard currently. Both areas also now benefit from expanded choice provided by the school expansion programme in the period following the original consented development. (Annex 2) Freedom of information requests to SCC also confirm that all children living in the catchment area or attending a feeder school, have consistently achieved places at the school, regardless of their stated preference. (EPC SOC Appendix 6.4)
- 3.6. In 4.14 the appellant asserts government policy supports: *“The need for more and better schools to provide choice and drive an improvement in standards, as well as to meet demographic need.”* EPC agree but contend that this general disposition to support is not infinite and SCC having invested considerably in both choice and sufficiency, the appellant does not have grounds that would attract weight in the balance of the argument to justify very special circumstances. EPC asserts there is a difference between support in principle and support derived from need or deficiency.
- 3.7. EPC does not object or oppose THPT’s right to *‘determine their own requirements including expanding and improving their facilities.’* (BH SOC 4.15 ii) It does however challenge the assumption that such ambition provides grounds to justify very special circumstances.
- 3.8. In 7.24 of the appellant's statement of case, the appellant proposes that the expansion will allow *“more local children to attend this popular school.”* As highlighted in 6.11 of EPC Statement of Case, The Howard is consistently able to meet the demand for places of children living in the catchment area or attending a feeder school. Annex 2, figure 1 indicates the 3-mile radius of the school, which the Government Home to School Transport Policy specifies as a measure of ‘local demand.’ Beyond this radius, the Local Authority is required to provide transport to and from school, and policy guidance states that transport journeys should be minimised. Taking the area of the radius as the ‘local catchment area,’ Figure 3 of Annex 2 highlights that, on average, almost 92% of all secondary-age children living within the -mile radius attend The Howard. Beyond this, around 4 in every 10 children living in Cobham & Downside, South of Leatherhead town, Wisley, Ockham and Send, attend The Howard. (JI Annex 2 p.5-6) Further expansion, especially in the context of falling numbers of secondary-age children reported above, will require substantial additional transportation, which is in conflict with the stated aims of the Home to School Transport Policy.

- 3.9. In 7.25 -7.27, the appellant asserts that provision is required to meet the needs of population growth. However, as has been extensively evidenced in section 2 above, the secondary population is falling and is projected to continue to do so well into the 2030s, and SCC has already made extensive provision for additional places across Surrey as well as specifically within the planning area.
- 3.10. In 7.28 -7.30 the appellant alludes to provision of additional infrastructure for strategic development sites. Such sites, already detailed in the Local Plan, have provision for new schools **should** they be required. In the current context of falling numbers on roll, additional provision may not be needed.
- 3.11. In 7.30 the appellant highlights that only one additional FE is planned currently in Surrey and that is at Ash & Tongham. This is because the £354m 5-year programme started in 2013 is now complete and has already delivered at least 12 additional F/E in the planning areas served by the Howard (JI Annex 2, Figure 2)
- 3.12. In 7.31 – 7.33 the appellant argues that the school is consistently and currently significantly oversubscribed. This is not the case. As JI Annex 3 clearly shows The Howard is one of 3 secondary schools in the Leatherhead and Dorking (Mole Valley) area that was undersubscribed in the latest round of admissions, on a first preference basis. Overall, in the combined planning areas, there was a surplus of 125 places which covered both the shortfall in places at ‘The Ashcombe’ school within the combined planning area in addition to other neighbouring areas. The schools alluded to as ‘nearest The Howard,’ are St. Andrews Catholic School and Cobham Free School in the neighbouring borough of Elmbridge. Free schools and Faith schools are indeed popular, but the way to address a shortage of places in Free and Faith Schools is not by expanding The Howard. It is to provide more places in these types of school which SCC has already done and is planning to do with St. Andrews.
- 3.13. In 7.39, the appellant states the expansion is ‘*critically necessary.*’ The evidence does not support this. The school admissions policy prioritises admissions for children from feeder schools and the local catchment area over 1st choice applications from beyond the catchment area. As the freedom of information requests listed in Appendix 6.4 in EPC SOC clearly demonstrates, The Howard consistently meets demand, regardless of preference, for every child from a feeder school regardless of location, and every child who lives within the defined catchment area. In the latest round of admissions, reflecting falling rolls and higher supply, The Howard was undersubscribed on a 1st preference basis. (JI Annex 3)
- 3.14. It should also be highlighted that claims of being oversubscribed are based upon a 5-choice preference system. A child has 5 choices but can only attend one school. The Howard consistently reports all applications (regardless of stated preference) to support its assertion that it is oversubscribed. As Appendix 6.4 of EPC SOC identifies from Freedom of information Requests to SCC, successful first preference applications rarely fall below 90% for applicants to The Howard, and 100% of all applications from children living within the catchment area or attending a feeder school are allocated places regardless of where they live. The Howard is responsible for its own admissions policy and, as explained in 3.13 above, currently prioritises children from feeder schools and the local catchment area ahead of 1st preference

applications. This is why in some years it cannot meet all 1st preference applications. However, The Howard's admission numbers are amongst the highest levels of 1st preference success in Surrey. (Surrey average is 80%) (JI Annex 3)

- 3.15. It should also be noted that on 'National Offers Day,' The Howard always offers above its PAN. This allows for a small level of drop out as some children choose to go elsewhere, often into the private sector or are subsequently admitted to their first preference school on appeal. In 2021/22, for example, The Howard received 219 1st preference applications, and still made 253 offers. Therfield, quoted in 7.34, also offers above PAN. It offered 222 places against a PAN of 210 and 1st preference applications of 138. (JI Annex 3)
- 3.16. Across 7.35 -7.39, the Appellant argues that expansion is still '*critically required.*' The evidence, reasonably considered, does not support this assertion. The appellant fails to take account of the additional 12 + F/E added to the quoted planning areas – a 25% increases in places providing both basic provision and parental choice against a general backdrop of falling numbers of secondary age children. The birth-rate peaked in 2012 in both Mole Valley and Guildford and this 'peak' in births will feed through into secondary demand around 2022 -2023. Since 2012, births in all areas have declined by 14% and 27% in Mole Valley and Guildford respectively. Whilst there will always be peaks and troughs, as schools move in and out of favour from year to year, there is sufficient choice and provision within the system to meet demands into the next decade. (EPC SOC Figure 3, P.20)

4. Summary Statement

- 4.1. EPC has presented evidence that supports their contention that SCC has already provided sufficient places in the planning areas served by The Howard to meet in full its statutory obligations to provide a place in a good school for all children.
- 4.2. We have also provided evidence that supports the contention that SCC has invested substantial amounts into provision of new school places in a diverse range of schools including Free Schools, Catholic Schools, Church aided schools, Academies, and special schools. It has invested in additional F/E in popular and oversubscribed schools to support greater choice.
- 4.3. We have shown that, within the planning areas under review, almost all children consistently achieve their 1st preference school. Expansion of The Howard cannot therefore justify grounds for very special circumstances in this appeal.
- 4.4. Evidence provided through ONS projections and School Operation Plans also highlight the significant decline in demand now apparent within the secondary sector, a trend projected to continue into the 2030s. There is no exceptional demand for places either now or in the next 10 years that provides grounds to support a claim of very special circumstances.
- 4.5. We have supported our view that the Cullum Centre is not dependent upon the appeal decision. There is funding to develop this facility regardless of the outcome of this appeal.
- 4.6. In summary, the circumstances are substantially different to 2014 when the original plans were conceived. Birth rate has peaked, secondary numbers will fall post 2022/23, supply has increased by 25% (12+ F/E) and choice is wider than it has ever been. There can be no justification to support special circumstances for expansion. The school's ambitions are laudable, but do not themselves represent grounds for special circumstances.
- 4.7. Whilst the Parish Council supports the school and acknowledges the school's ambitions to expand, it is our belief that ambition by itself does not justify grounds for the award of very special circumstances required in this case and should carry no weight in the planning balance.