

Open Report on behalf of Debbie Barnes, Executive Director of Children's Services

Report to:	Councillor Mrs P A Bradwell, Executive Councillor for Adult Care, Health and Children's Services
Date:	21 June 2017
Subject:	Proposal to Expand Capacity at Market Deeping Community Primary School (final decision)
Decision Reference:	I013554
Key decision?	Yes

Summary:

Lincolnshire County Council has a statutory duty to ensure that there are sufficient school places within its area to accommodate all pupils of statutory school age who live in Lincolnshire.

This report concerns the permanent expansion of the capacity at Market Deeping Community Primary School. This is to ensure that there is the required number of primary school places within the Market Deeping area of Lincolnshire to accommodate increasing pupil numbers. The proposal would expand the school to a 1.5 form entry (45 places) from 1 form of entry (30 places) with a proposed implementation date of 1 September 2018. The Local Authority believes that this proposal is the best available option to address the increasing pressure on primary school places in this area of Lincolnshire.

The Local Authority is co-ordinating the process following statutory guidelines published in the Department for Education (DfE) guide "Making 'prescribed alterations' to maintained schools. Statutory guidance for proposers and decision-makers" (April 2016) in accordance with the terms of the Education and Inspections Act 2006, as updated by the Education Act 2011.

On 16 January 2017 a four week period of consultation commenced which closed on 13 February 2017 and is further referred to later in this report in the Consultation section. A summary of written responses received is also attached in Appendix A.

Following the consultation period the decision was taken on 7 March 2017 to publish a Statutory Notice on 24 March 2017. This initiated a four week Representation Period up to 21 April 2017 when written objections and comments may be submitted. The process is now entering the final stage when the Local Authority (LA), as decision maker, must take the final decision regarding the proposal within 2 months from the end of the Representation Period (by 21 June 2017).

This report seeks to advise the Executive Councillor on making the final decision regarding the proposed expansion of Market Deeping Community Primary School.

Recommendation(s):

That the Executive Councillor approves the expansion of the capacity at Market Deeping Community Primary School with effect from 1 September 2018.

Alternatives Considered:

1. Alternatives Considered:

The Council retains the school as it is at present with no expansion of the capacity at Market Deeping Community Primary school.

The above alternative would have the following disadvantages:

It is likely that there would be insufficient primary school places in the Market Deeping area. Therefore the LA may be unable to comply with its statutory duty to ensure that there are sufficient school places for children of a statutory school age in the locality in future years.

It would place increasing pressure on Market Deeping Community Primary School and other primary schools in the area.

It would likely lead, in the future, to children being offered places at schools outside of Market Deeping. This would result in an increase of transport costs and traffic from potential increased car usage. There are also concerns over the impact of this additional travelling time on the children concerned.

2. The Council retains the school as it is at present with no expansion of the capacity at Market Deeping Community Primary School but looks to increase capacity at other primary schools in the surrounding area.

Other options in and around this area of the Deepings have been explored. All primary schools have been considered and consulted with for potential expansion, but none have been found to be as suitable due to various reasons. These reasons include; geographical location in relation to demographic pressures, undersized sites, distance that pupils would have to travel, parental preference, impact on standards, potential planning challenges and the fact that other schools are of suitable sizes for the areas they serve. This is the most appropriate primary school in the area for expansion.

3. The Council retains the school as it is at present with no expansion of the capacity at Market Deeping Community Primary School but looks to add

the required capacity by proposing a new school to serve the surrounding area.

This option has been explored. The number of additional places required at this time (0.5FE/15 per year group) is not enough to justify the need for an entirely new school which would go into direct competition with four other schools that already exist in the Market Deeping/Deeping St James area. It is considered to be more desirable to support expanding an existing school to secure their viability, rather than introduce a new small school into an urban setting where there are already other providers. It would also not be the decision of the LA to do this, as new schools are now all considered as 'Free Schools' with the decision maker being the secretary of state for education. There is an expectation that new schools will be at least 1FE/30 per year group, if not larger, before approval be given. If capacity of any more than 0.5FE were made available in this area then it could have a detrimental impact on the roll and viability of existing schools. There would also be a need to identify a suitable site in relation to where the need for places is. Market Deeping Community Primary School is already ideally located and set up to be a larger school than it is now. The impact of known further housing development is considered to be manageable within the existing estate of schools in the area without the need for a new school, but all options will continue to be considered as more information regarding housing and demographics is received in future years.

Reasons for Recommendation:

To enable the LA to meet its statutory obligation to ensure that there are sufficient primary school places in Market Deeping to accommodate increasing pupil numbers in the community; and to enable the LA to fulfil its statutory duty of providing school places for all children of statutory school age in Lincolnshire within a reasonable distance from where they live.

To ensure that the provision of school places is planned so as to promote high educational standards, enable fair access to educational opportunity for every child and promote the fulfilment of each child's potential. This proposal will both offer the opportunity to enhance the quality of provision and sustain local provision. It is also an opportunity to address suitability and condition issues (such as the size of the hall) to benefit not just the additional pupils but the ones that are already on roll.

The proposal will assist in meeting parental preference. The Government has made it clear that the wishes of parents should be taken into account in planning and managing school estates. DfE guidance states that places should be allocated where parents want them and that successful and popular schools be allowed to grow. Market Deeping Community Primary School was rated overall by Ofsted as a 'Good' school at its last inspection in January 2013. The school has been over-subscribed for the last two years on 1st preferences and in addition continues to be very popular with 2nd preferences. It is also situated

geographically in an ideal location in relation to the demand for places and future housing development.

The LA considers the proposal to be the most appropriate available solution to the expected shortage of primary school places in Market Deeping. This proposal has the full support of the Governing Body. The LA is confident that the school can drive forward a successful expansion which will provide the opportunity to improve the learning experience and outcomes for the children to enable them to reach their full potential. The LA believes it to be the most appropriate option for expansion in the area.

1. Background

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is resulting in increased demand for primary school places. There is expected to be a long term requirement for more school places.

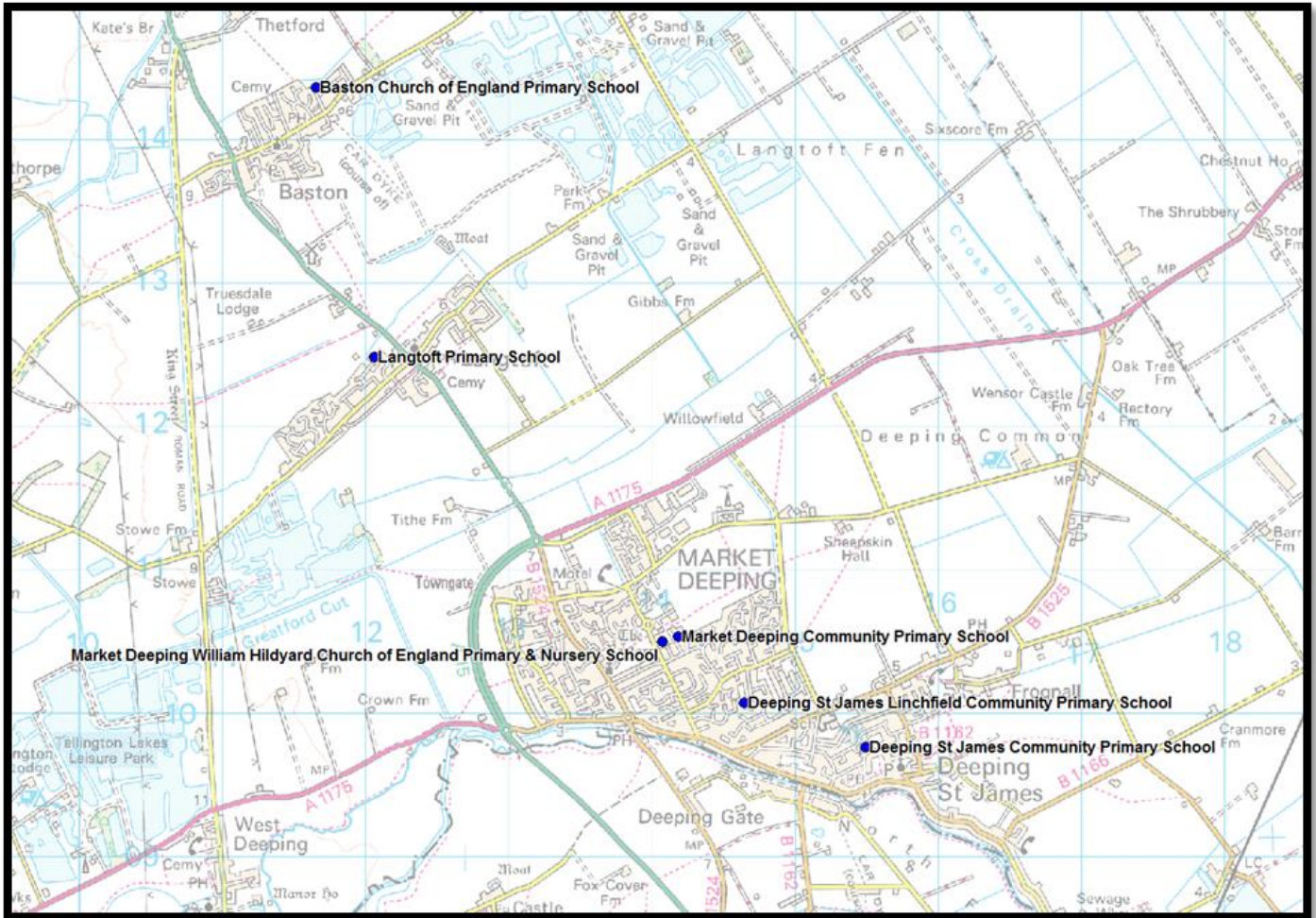
Market Deeping will experience a shortage of available places if capacity at one or more of the local schools is not increased, or additional capacity added through alternative means.

Birth data supplied by Lincolnshire Community Health Service (for January 2017) confirms this expected long term requirement for more places for children of a statutory school age in Market Deeping. This data is shown below (it does not include any additional pupils that may be as a result of new housing development over the next few years):

Reception Intake Year (excludes new housing and out of county children)					
Parish	PAN	R2017	R2018	R2019	R2020
Market Deeping	60	76	78	67	81

(PAN – Published Admission Number. The figure above combines the PAN of both Market Deeping Community Primary School and William Hildyard CE Primary – currently both have a PAN of 30).

The map below shows the location of Market Deeping Community Primary School and other primary schools within the locality.



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It is already evident that there are not enough school places for the September 2017 Reception intake and so Market Deeping Community Primary School have agreed to over-offer up to 45 places on a PAN of 30 to ensure that there are sufficient places this year. This is possible for one year within existing accommodation, but additional accommodation is needed if this were to be a permanent increase to the PAN.

Birth data shows a consistent cohort size above the capacity in this area going forward. There will also be additional pupils from ambitious new housing development plans in the area that is not factored into the above data. Therefore, a permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and to allow for a reasonable level of surplus capacity to accommodate pupils moving into the area.

The proposal being consulted on is to permanently expand Market Deeping Community Primary School from the existing capacity of 210 places based on a PAN of 30 to 315 places (PAN 45), with a proposed implementation date of 1

September 2018. The school admitted the usual intake of 30 in September 2016, but had an additional 8 pupils on a reserve list for Reception places.

The proposal being consulted on would increase the PAN initially for the Reception intake in September 2018 to 45. The increased intake of up to 45 would then be phased in with each subsequent Reception intake until the PAN of 45 applies to all year groups. The proposal is not to apply the new PAN of 45 to all year groups from the outset. This phased approach will allow the school to effectively manage staffing and teaching structures and help to ensure that pupil numbers at other local schools will be maintained. Should demand across the area result in mid-year pressures requiring additional higher year group places then this approach allows the flexibility to add capacity in those year groups at the appropriate time if needed.

Having additional classes and more children on roll at the school will also have financial benefits. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

If the proposal is approved, it is proposed that building/refurbishment work will begin later in 2017 (subject to planning permission being granted) and planned to be completed in advance of the start of term in September 2018. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible. Suitable additional teaching and resource spaces both inside and outside will be considered to ensure sufficient facilities are in place to accommodate up to 315 primary aged children in total. This is proposed to include additional teaching and intervention spaces as well as other areas such as toilets and a significant extension to the school hall.

Some of the new facilities will benefit the children already on roll at the school as well as provide additional accommodation for increased pupil numbers on roll in the future. The design would lend itself to further expansion if required in the future. It will also be an opportunity to ensure that no temporary classrooms are necessary on site. The planning application process will include the consideration of issues arising out of the physical expansion of the school such as parking and the impact on traffic.

The planning application process is dealt with and consulted on separately. There will be an opportunity for those that are interested to respond directly to the planning application at a later date.

Reaching the decision – Preliminary Considerations

The requirements for decision making relating to school organisation in LA Maintained schools are set out in the guide "Making 'prescribed alterations' to maintained schools. Statutory guidance for proposers and decision-makers" (April 2016) published by the DfE.

The DfE does not prescribe the exact process which a decision maker should follow but the decision maker must have regard to this guidance. The decision maker should consider the views of those affected by the proposal and should not simply take account of the numbers of people expressing a view but give greatest weight to those stakeholders most likely to be affected and especially the parents of children at the school concerned.

Factors to be considered by Decision Makers

The Consultation and Representation Period

The Executive Councillor must be satisfied that the appropriate consultation and representation periods have been carried out and that all of the responses received have been given due consideration.

Although there is no longer a prescribed consultation period prior to the publication of the Statutory Notice and Complete Proposal, the DfE's guidance states "*a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication*". The LA conducted a four week period of pre-consultation to fulfil this expectation and also to operate a fair and open process and ensure all views were considered. A Statutory Notice (Appendix B) and Complete Proposal (Appendix C), initiating a four week Representation Period, were published in accordance with current statutory requirements.

Responses submitted during both the Consultation and Representation Period have been made available to the Executive Councillor for consideration when taking the final decision and further details of these responses are provided in section 5 of this report (**Consultation**).

Education standards and diversity of provision

The Executive Councillor should consider the quality and diversity of schools in the area and be satisfied that the proposal will meet the aspirations of parents, contribute to raising local standards of provision and lead to a closing of attainment gaps. The Government's aim is to create a more diverse school system offering excellence and choice so that every child receives an excellent education whatever their background and wherever they live.

Market Deeping Community Primary School was rated overall by Ofsted as a 'Good' school at its last inspection in January 2013.

The LA believes that this proposal provides the best option to maintain and improve standards of attainment with an enhanced quality of education for current and future children in the area whilst maintaining diversity.

Demand

The Executive Councillor must consider the evidence presented for any projected increase in pupil population (e.g. planned housing developments and increasing birth rates) and any anticipated new provision (e.g. a new free school). A decision

must also take into account parental preference and evidence of parents' aspirations for places in the school proposed for expansion together with the quality and popularity of schools in the area that have surplus capacity. Surplus capacity in less popular schools should not in itself prevent the addition of new places. The DfE recognises that for parental preference to work effectively there may be some surplus capacity in the system overall but that competition for places to be taken up will lead to existing schools improving standards.

Market Deeping Community Primary School is popular with parents and has been over-subscribed for the last two years on 1st preferences, and in addition continues to be very popular with 2nd preferences.

Birth data supplied by Lincolnshire Community Health Service (for January 2017) confirms the expected long term requirement for more places for children of a statutory school age in Market Deeping.

Birth data shows a consistent cohort size above the capacity in the immediate area going forward. There will also be additional pupils from ambitious new housing development plans in the area that is not factored into the Health Service data. Therefore, a permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and to allow for a reasonable level of surplus capacity to accommodate pupils moving into the area.

The expansion is required to meet the projected demand for places in Market Deeping and to ensure that the LA meets its duty of providing sufficient places for children of statutory school age in the immediate area. The expansion is proposed to meet the need for additional capacity in Market Deeping and not to replace existing capacity in the primary sector, therefore not having a significant negative impact on neighbouring primary schools.

School size

Assumptions that schools should be of a certain size to be a good school should not be made although the viability and cost-effectiveness of a proposal is an important factor in the decision-making process e.g. the impact on a LA's budget to provide additional funding to a small school to compensate for its size.

If the expansion proposal is not approved with the school remaining at its current size the demand for places would put increasing pressure on the school leading to concerns over the consequent impact of overcrowding on the quality of educational provision if additional accommodation is not provided. This expansion will provide additional appropriate infrastructure and facilities for a school of this size.

Proposed admission arrangements

Before approving the proposals the LA must ensure that the admission arrangements of the school are compliant with the School Admissions Code. The proposed increase to the PAN at Market Deeping Community Primary School will be processed in accordance with the School Admissions Code to determine admission arrangements for the academic year commencing September 2018.

National Curriculum

All maintained schools must follow the National Curriculum unless they have secured an exemption. Market Deeping Community Primary School currently follows the National Curriculum and will continue to do so if the proposed expansion is approved.

Equal Opportunity

The LA must have 'due regard' to the need to eliminate discrimination, advance equality of opportunity and foster good relations and should consider whether there are any sex, race or disability discrimination issues that arise out of the proposed expansion. There should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all.

There are no sex, race or disability discrimination issues arising from this proposal. All new facilities will be compliant with current equality legislation and result in improved access to the school hall. The LA will continue to be committed to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all.

Community cohesion

The impact on the community must be considered and schools have a key part to play in providing opportunities for young people from different backgrounds to learn from and respect each other and gain an understanding of other cultures, faiths and communities. The decision-maker must take account of the community served by the school and the views of different sections of the community.

This expansion will enable the school to admit local children without discrimination and therefore continue to meet the needs of children from all backgrounds represented in the local community. To support community cohesion it is important that local children attend school within the local community and the school continues to be the hub of the community.

Travel and accessibility

The Executive Councillor should be satisfied that accessibility planning has been properly taken into account and that proposed changes do not adversely impact on disadvantaged groups. Proposals should not unreasonably extend journey times or increase transport costs or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. The proposal should be considered on the basis of how it will support and contribute to the Council's duty to promote the use of sustainable travel and transport to school.

If this proposal goes ahead it should reduce the likelihood of local children having to travel to schools outside of their local community and therefore assist the Council to meet this duty.

The LA understands that an increase in the number of pupils attending a school may have an impact on the local road network and access. However, the majority of additional primary aged pupils are likely to come from within a suitable walking or cycling distance from the school. The LA is committed to promoting the use of sustainable travel and transport to school and this would be reflected in the implementation of an up to date school travel plan. Should the proposal go ahead, all traffic issues will be considered in the planning application process. As part of this process any planning queries will be dealt with through a separate planning consultation and the LA would have to meet stringent requirements at the planning application stage.

The LA will continue to work with Highways, planners and the school to ensure that any potential issues are taken into consideration as part of the planning application process. The LA will continue to look for suitable solutions to help mitigate against all concerns.

The County Council home-to-school transport policy will continue to apply – this provides free home-to-school transport for pupils to their nearest designated school (if it is more than 2 miles away for primary aged pupils) but it is expected that most pupils will live within a two mile radius of the school.

Capital

The Executive Councillor should be satisfied that any land, premises or capital required to implement the proposals will be available and that all relevant parties have given their agreement. A proposal cannot be approved conditionally upon funding being made available. Where the expansion is reliant on the DfE for funding it cannot be assumed that approval of the proposal will trigger the release of capital funds unless previously confirmed in writing.

This proposed expansion will incur capital costs that the LA will manage through the Children's Services capital programme. All capital costs are being covered by a combination of DfE Basic Need funding and Section 106 funding from local housing developers. The funding is provided to add capacity to primary provision where it is needed and is not intended for alternative uses elsewhere. The capital project aims to create the required facilities to allow for up to 315 pupils to be accommodated, with the possibility of expanding further to 420 places in the future.

School premises and playing fields

All schools are required to provide suitable outdoor space to both enable physical education for pupils in accordance with the curriculum and also for pupils to play outside safely. DfE guidelines suggest areas for pitches and games courts but these are non-statutory.

Appendix D shows the overall site plan for information with the areas for remodelling and new building highlighted. At this stage there are no detailed designs of how the school might be expanded, but initial feasibility studies have indicated that expansion will be achievable without negatively impacting on the existing school premises and playing fields. Sufficient suitable accommodation,

playing field and hard team games area will be provided for the maximum number of children that the school will be expected to accommodate.

Special Educational Needs (SEN) Provision and SEN Improvement Test

If the proposal is approved there is likely to be no impact with regard to SEN provision other than an opportunity to improve the provision with better access to resources and consistently good quality teaching and learning at the enhanced facilities at the school. The LA will continue to ensure suitable provision for all children with special educational needs and consideration of their needs will take place with physical access being assured should a need be presented. The LA will continue to look to make improvements in the standard, quality and/or range of the education provision for children with SEN and so meet the Special Educational Needs Test.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

An Impact Equality Assessment has been carried out and is available on request. A positive impact in relation to age is that there will be more school places available for children aged 4 to 11 in the Deepings locality, with improved facilities.

There will also be some slight disruption in relation to building work which will cause an adverse impact. However, this would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

Another adverse impact is that the expansion will result in the closure of the school's existing nursery provision for 12 months from September 2017 to September 2018. This will enable temporary use of the nursery class by the school whilst building work takes place. In the interim nursery provision will be re-provided by the childcare providers Madcaps who are located on the Market Deeping Community Primary School site to mitigate the impact, therefore no nursery provision will be lost.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

Having regard to the Joint Strategic Needs Analysis two areas have been identified that are pertinent to this consultation, which are educational attainment and childhood obesity. In relation to educational attainment, by providing extra places local pupils will not have to travel unnecessary distances which could impact their attainment due to an increased school day. It will also be more feasible for children to walk or cycle to school rather than using motorised transport which could exacerbate childhood obesity.

In relation to the Joint Health and Wellbeing Strategy with regards to the theme 'improve health and social outcomes for children and reduce inequalities', we believe that expanding this school will have a positive impact on the local children. This particularly relates to promoting healthier lifestyles as more children within the locality will be able to access a school within walking or cycling distance. Children who attend a local school are more likely to partake in afterschool activities due to the convenience of the locality and the shorter school day.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those

functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

Offering more local education provision, with access to after school activities, could reduce inequalities which could prevent children engaging in anti-social behaviour.

3. Conclusion

The final decision is required from the Executive Councillor to determine whether to approve the proposal to expand the capacity at Market Deeping Community Primary School as detailed in this report. The factors to consider in making this decision are within this report and all valid written responses received during consultation and the Representation Period (see section **6 Consultation**) must be considered.

The LA believes this proposal to be in the best interests of local children and local parents as well as educational provision in the area and it supports the Council's aim of ensuring that as many children as possible can reach their full potential. It also enables the LA to fulfil its statutory duty of ensuring that there are sufficient places to accommodate all pupils of statutory school age in Lincolnshire.

It is recommended that the proposal is implemented to ensure the best educational opportunities for the children of Market Deeping and the wider area. The advantages of implementing this proposal are detailed earlier in this report in the "**Reasons for Recommendations**" section.

4. Legal Comments:

The Council is the decision-maker for school alteration proposals of this type under the School Organisation (Prescribed alterations to maintained schools) Statutory guidance for proposers and decision-makers (April 2016). The decision-maker may reject the proposal, approve the proposal without modification or approve the proposal with such modifications as the Council considers desirable but only after consultation on those modifications with the governing body.

The Council as decision-maker may make the approval of the proposal conditional but only on specified matters contained in the Regulations.

The proposal is consistent with the Policy Framework and within the remit of the Executive Councillor.

5. Resource Comments:

If the final decision is taken to expand the school the refurbishment and building costs would be met from DfE capital grant funding and Section 106 funding, with on-going revenue costs being funded from the Dedicated Schools Grant. The proposal to expand the capacity would help the Local Authority to meet its statutory duty to ensure sufficient places are available and to mitigate a potential increase in Home to School Transport costs.

6. Consultation

In order for the school to expand the Local Authority must follow the necessary statutory processes in accordance with the Education and Inspections Act 2006, the Education Act 2011 and the guidance "Making 'prescribed alterations' to maintained schools. Statutory guidance for proposers and decision-makers" (April 2016) issued by the DfE.

Under these guidelines the LA must ensure that sufficient time and information are provided for people to understand, form a view on the proposal and make a response. Under the DfE guidelines which came into effect in April 2016 there is no longer a prescribed consultation period for significant changes to schools (including physical expansions). However there is a "*strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication*". To comply with this the Local Authority has conducted a four week period of pre-consultation. Any documentation issued must set out the problem that is being addressed and invite comment on one or more solutions. The Local Authority must explain the decision making process and take all reasonable steps to draw the proposal to the attention of all those who might be interested and take into account their views.

The Education and Inspections Act 2006 specifically includes as interested parties the registered parents of registered pupils at the school and also the appropriate District and Parish Councils for the area. The guidance issued by the DfE in April 2016 does not prescribe a definitive list of consultees. The list of interested parties was therefore compiled comprising as wide a range of consultees as practicable to ensure that all interested parties were included and incorporated parents of current pupils, the District Council, as well as individual County, District and Parish Councillors as appropriate. Children at Market Deeping Community Primary School were given the opportunity to discuss the expansion proposal via the school council and the majority felt that it would be good for the school.

A letter incorporating relevant information and reasons for the proposal was sent out to interested parties on 16 January 2017 to commence a four week period of consultation. Individual meetings were offered to anyone interested to meet with representatives of the Local Authority at the school to ask questions and raise any concerns; five people took up this offer. There was the opportunity to provide a response to the consultation by letter, email or by returning the response form attached to the consultation document by 13 February 2017. Copies of the letter commencing consultation and the response form were also published on the

County Council website under the webpage "Current Consultations" on www.lincolnshire.gov.uk/schoolorganisation

All written responses received during consultation have been made available to the Executive Councillor for consideration and further details are confirmed in this report in Appendix A. To briefly summarise, however, there were 66 valid responses in total with 7 against the proposal, 43 for the proposal and 16 neither for nor against. All comments made will be taken into consideration by the Executive Councillor in the decision making process.

Following the completion of the consultation period all feedback was considered with a full report (which is referred to in the Background Papers section below and will also be re-considered along with this report) by the Executive Councillor and a decision was taken on 7 March 2017 to proceed to Statutory Notice. A statutory 4 week Representation Period was entered into on 24 March 2017 commencing with the publication of the Statutory Notice (Appendix B) in the local press, on the Lincolnshire County Council's website and at the school gates. The Complete Proposal, available in paper and electronic format (Appendix C) to which the Statutory Notice refers, was sent to interested parties as detailed in the statutory guidance and was also published on the website under the webpage 'Current Consultations' at www.lincolnshire.gov.uk/schoolorganisation. The Representation Period provided a further opportunity for people and organisations to express their views and ensure that they are taken into account when the final decision is taken. Two responses were received during the Representation Period.

Under current legislation the Local Authority is the decision maker for the proposal and is co-ordinating the statutory process before making a final decision next year. The LA, as decision maker, must be able to show that all relevant issues raised are taken into consideration in the decision making process. Points raised can be considered unpersuasive but must not be ignored altogether.

The last stage of the statutory process would be the implementation of the proposal with the expansion of the capacity from 210 to 315 children with effect from September 2018.

a) Has Local Member Been Consulted?

Yes.

b) Has Executive Councillor Been Consulted?

Yes.

c) Scrutiny Comments

The Children and Young People Scrutiny Committee considered this report at its meeting held on 9 June 2017. Comments from the Committee will be passed onto the Executive Councillor.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

An Impact Assessment has been completed and in summary the analysis indicates that there will be no significant impact, positive or negative, arising out of the Executive Councillor's decision.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Summary of written consultation responses
Appendix B	Statutory Notice
Appendix C	Complete Proposal
Appendix D	Site Plan

8. Background Papers

Document title	Where the document can be viewed
Report on the proposal to expand the capacity at Market Deeping Community Primary School (decision to go to Statutory Notice)	Lincolnshire County Council Committee Records Reference I012991
The DfE guide "Making 'prescribed alterations' to maintained schools. Statutory guidance for proposers and decision-makers" (April 2016)	Available on request from the School Organisation Planning Team, Children's Services.
Equality Impact Analysis	Available on request from the School Organisation Planning Team, Children's Services.
Individual consultation responses	Individual responses available to be viewed by the decision maker. Content of responses anonymised and summarised to this report in Appendix A.

This report was written by Matthew Clayton, who can be contacted on 01522 555353 or matthew.clayton@lincolnshire.gov.uk .