

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

Report to:	Councillor Mrs P A Bradwell, Executive Councillor for Children's Services and Lifelong Learning
Date:	02 November 2012
Subject:	Proposed expansion of Sutton Bridge Westmere Community Primary School (decision to go to Statutory Notice)
Decision Reference:	02086
Key decision?	No

Summary:

The proposal under consideration is to expand Sutton Bridge Westmere Community Primary School to ensure that there are enough primary school places in Sutton Bridge to accommodate the increasing pupil numbers in the area.

It is the Local Authority's (LA) statutory duty to ensure that there are sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. The LA believes that this proposal is the best available option to address the increasing pressure on primary school places in Sutton Bridge.

The LA is co-ordinating the process following statutory guidelines (see the Department for Education (DfE) guide "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form" in Appendix A) in accordance with the terms of the Education and Inspections Act (EIA) 2006 as updated by the Education Act 2011. Consultation commenced on 10 September 2012 with a four week period of consultation which closed on 8 October 2012 and is further referred to later in this report in the Consultation section. A summary of written responses received is also attached as Appendix B.

This report advises the Executive Councillor on making a decision regarding proceeding to the next stage of the process with the publication of a Statutory Notice, as required by law, to propose the expansion of Sutton Bridge Westmere Community Primary School. If the Executive Councillor gives approval there will follow a further four weeks Representation Period giving another opportunity for people and organisations to express their views and ensure that they are taken into account when the final decision is taken by the Executive Councillor in January next year.

Recommendation(s):

Following the completion of the consultation period, the first phase of the statutory process, the Executive Councillor is recommended to take the next step of publishing a Statutory Notice. This notice will confirm the proposal to expand the capacity at Sutton Bridge Westmere Community Primary School with effect from 1 September 2013 and will enable the continuation of the statutory process to the next stage.

Alternatives Considered:

1. That the Statutory Notice is not published and the consultation process is stopped. This would mean that the school would continue as it is currently and there would be no further consultation on expansion at Sutton Bridge Westmere Community Primary School.

However, the above alternative would have the following disadvantages:

There would be insufficient available primary school places in Sutton Bridge and the LA would be unable to comply with its statutory duty within Sutton Bridge to ensure that there are sufficient school places for children of a statutory school age.

It would place increasing pressure on all primary schools in this area, where the numbers on roll are already at capacity, leading to concerns over the consequent impact on the quality of education provided.

It would lead to either overcrowded schools and/or additional mobile classrooms (subject to planning approval) with insufficient infrastructure for the number of pupils being accommodated.

It would likely lead to children being offered places at villages outside of Sutton Bridge, with increasing transport costs and potential increased car usage and also concerns over the impact of this additional travelling time on the children concerned.

2. That the Statutory Notice is not published, the consultation process is stopped and Sutton Bridge Westmere Community Primary School remains as it currently is with no further expansion but the LA looks to increase capacity at other primary schools in the surrounding area.

Other options in this area have been explored and all primary schools have been considered for potential expansion but none have been found to be as suitable due to reasons such as undersized sites, distance that pupils would have to travel, parental preference, impact on standards and the fact that other schools are of suitable sizes for the areas they serve. Sutton Bridge Westmere Community Primary School is the most appropriate primary school in the area for expansion

Reasons for Recommendation:

To enable the LA to meet its statutory obligation to ensure that there are sufficient school places in the area for all children of statutory school age.

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 enhance the quality of provision and sustain local provision.

The proposal will assist in meeting parental preference. The Government have 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.

The LA considers the proposal to be the best available solution to the expected shortage of primary school places in Sutton Bridge.

To enable the process to continue to the next stage and allow a further opportunity for people and organisations to express their views about the proposal and ensure that they will be taken into account by the Executive Councillor prior to a final decision being taken in January 2013.

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 now starting to have an impact at primary school age putting significant pressure on primary schools across the country where there is a shortage of Reception places. The Sutton Bridge community will experience a shortage of available places if capacity at the local school is not increased.

NHS birth data for the Sutton Bridge area shows that on average over the next 4 years the number of children that will be requiring a primary school place is up to 15 more each year than it has been for the last 7 years. There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community.

Having additional classes and more children on roll at the school will also have financial benefits for the school. 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.

The current Published Admission Number (PAN) for each year group is 30. The school have admitted above the usual intake of 30 to provide 45 Reception places for September 2012 by bringing a former classroom back into use within their

existing accommodation. This proposal being consulted on is to permanently expand the capacity based on PAN at the school from 210 to 315 and so be able to take up to 45 children for all future intakes by building additional classrooms and facilities. This will increase the PAN from 30 to 45 initially only for the Reception intake in 2013 with the PAN for all other years remaining at 30. The increased intake to 45 will then be phased in with each subsequent intake up to 2018 to help ensure that pupil numbers at other local schools are maintained. It will also allow the school to effectively manage staffing and teaching structures.

Following statutory consultation, if the expansion proposal is approved, it is proposed that building work to add necessary additional accommodation will begin during the academic year 2012/13 (subject to planning permission being granted) and will be completed in readiness for the start of term in September 2013. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

The necessary planning application process is dealt with and consulted on separately.

2. Conclusion

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 Sutton Bridge and surrounding area. The advantages of implementing this proposal are detailed earlier in this report in the "Reasons for Recommendations" section.

A decision is required at this stage from the Executive Councillor as to whether to proceed to the publication of a Statutory Notice. The factors to consider in making this decision are within this report and all valid written responses received during consultation must be considered (summarised in Appendix B).

3. Legal Comments:

The legal issues to be taken into account in the making of this decision, which is within the remit of the Executive Councillor, are fully set out in the report.

4. Resource Comments:

There are no significant or immediate financial implications arising from the recommendation in this report, i.e. to publish a statutory notice. Should a decision be made at the end of this process to expand Sutton Bridge Westmere Community Primary school, then the building costs would be met from Children's Services capital programme, with additional revenue costs funded from the Dedicated Schools Grant.

5. Consultation

In order for the school to expand the LA must follow the necessary statutory legal processes as required by the Secretary of State in accordance with the EIA 2006, the Education Act 2011 and the guidance of the DfE regarding expansion (Appendix A)

Under these guidelines the LA must ensure that sufficient time and information are provided for people to understand and form a view on the proposal and make a response. The consultation documentation must set out the problem that is being addressed and invite comment on one or more solutions. The LA must explain the decision making process and take all reasonable steps to draw the consultation to the attention of all those who might be interested and take into account their views.

The Education Act 2002 states the requirement for current pupils to be consulted and this was further extended by subsequent legislation to also include all pre-school children over the age of 3. The Headteacher has consulted with the children currently attending the school through school assemblies. This has produced a very positive response and the children are generally excited about the proposal. The EIA 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 list of interested parties was compiled according to statutory guidelines comprising as wide a range of consultees as practicable and including parents, the Chief Executive of the District Council, the Parish Clerk of the relevant Parish Councils as well as individual councillors as appropriate.

A letter, (Appendix C) incorporating relevant information and reasons for the proposal, was sent out to interested parties (listed in Appendix D) on 10 September 2012 to commence a four week period of consultation. Individual meetings were offered to anyone interested to meet with representatives of the LA at the school to ask questions and raise any concerns. However, no appointments were taken up. There was the opportunity to provide a response to the consultation by letter, email or by returning the response form (Appendix E) attached to the consultation document by 8 October 2012. 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/provisionplanning

The written responses received during consultation have been provided to the Executive Councillor for consideration and further details are confirmed in this report in Appendix B. To briefly summarise, however, there were 5 valid responses

in total with **none** against, 4 supporting the proposal, and 1 expressing a view neither in favour nor against the proposal. Of these, 4 were from parents with 3 in favour and 1 neither for nor against.

If the Executive Councillor decides to proceed to Statutory Notice, this would initiate a 4 week Representation Period giving 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 by the Executive Councillor in January 2013. Under current legislation the LA is the decision maker for the proposal and is co-ordinating the statutory process before making a decision at the end of the process. 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.

a) Has Local Member Been Consulted?

Yes, the local member has been made aware of the proposal to expand Sutton Bridge Westmere Community Primary School.

b) Has Executive Councillor Been Consulted?

Yes, the Executive Councillor has been involved in the discussions regarding the proposal to expand Sutton Bridge Westmere Community Primary School.

c) Scrutiny Comments

This has not been considered by a scrutiny committee.

d) Policy Proofing Actions Required

An Impact Assessment has been completed and is attached as appendix F. In summary the analysis indicates that there will be no significant impact, positive or negative, arising out of the Executive Councillor's decision. This report deals only with the question of whether to publish a Statutory Notice and no decision is being made at this time with regard to the expansion of the capacity at the school. The publication of the Statutory Notice enables the statutory process to continue and gives 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 by the Executive Councillor.

6. Appendices

These are listed below and attached at the back of the report	
Appendix A	DfE guide "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form"
Appendix B	Summary of responses in Consultation Period
Appendix C	Letter to commence consultation
Appendix D	List of Interested Parties
Appendix E	Consultation Response Form
Appendix F	Impact Assessment

7. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Matt Clayton, who can be contacted on 01522 553535 or matthew.clayton@lincolnshire.gov.uk.