

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:	19 March 2013
Subject:	Proposed relocation and expansion of Crowland South View Community Primary School (final decision)
Decision Reference:	02114
Key decision?	Yes

Summary:

The proposal under consideration is to expand Crowland South View Community Primary School to ensure that there are enough primary school places in Crowland to accommodate the increasing pupil numbers in the area. This expansion will involve the relocation of the primary school onto the Postland Road site formerly used for secondary education by the St Guthlac School which has now closed and is part of the University Academy, Holbeach. The proposed implementation date is 1 September 2014.

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 Crowland.

The LA has, in collaboration with the school, co-ordinated 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 15 October 2012 with a five week period of consultation which closed on 19 November 2012 after which the decision was taken on 14 December 2012 to publish a Statutory Notice on 3 January 2013. This initiated a four week Representation Period up to 31 January 2013 when written objections and comments may be submitted. The process is now entering the final stage when the LA, as decision maker, must take the final decision regarding the proposal.

This report seeks to advise the Executive Councillor on making the final decision regarding the proposed relocation and expansion of Crowland South View Community Primary School.

Recommendation(s):

That following the completion of the statutory process, in accordance with current legislation, the Executive Councillor for Children's Services and Lifelong Learning is recommended to take the final decision to approve the relocation and expansion of Crowland South View Community Primary School with effect from 1 September 2014 as detailed in this report.

Alternatives Considered:

1. That the proposal to relocate and expand Crowland South View Community Primary School is rejected and the council retains the school as it currently is with consequently no increase in the number of school places in the area.

However, the above alternative would have the following disadvantages:

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

It would place further pressures on the primary school in Crowland where the numbers on roll are already at capacity, leading to concerns over the consequent impact on the quality of education provided as the school becomes overcrowded.

It would lead to either further overcrowding or additional mobile classrooms (subject to planning approval) with insufficient infrastructure for the number of pupils being accommodated on an already undersized split site.

It would likely lead to children being offered places at villages outside of Crowland, 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 proposal to relocate and expand Crowland South View Community Primary School is rejected and the council retains the school as it currently is but looks to increase capacity at other primary schools in the surrounding area.

Other options in this area have been explored to increase capacity. 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 South View is the only primary school in the heart of the Crowland community where the children live. LA officers, therefore, consider that Crowland South View Community Primary School is the most appropriate primary school in the area for expansion and this

proposal has the support of the Headteacher and the Governing Body.

Reasons for Recommendation:

- To enable the LA to meet its statutory obligation to ensure that there are sufficient school places in Crowland 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. The County Council believes that this proposal reinforces the priorities in the Children and Young People's Plan (CYPP) and provides the best solution to meeting the long term educational and social needs of the children in the area to ensure that children have the best possible chance of fulfilling their potential. This proposal will both enhance the quality of local provision and sustain local provision.
- 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.
- To avoid overcrowding as this would likely lead to a negative impact on the quality of education provided.
- To avoid increased transport costs, the negative impact of extra travelling time on children and extra car usage which would be likely to follow if it were necessary for children to take up school places in the villages outside of Crowland.
- Officers have already investigated the potential alternatives. Following consideration of the area, the existing schools and the increasing pressure on primary school places the LA considers the proposal to relocate and expand Crowland South View Community Primary School to be the best available solution to meet the needs of the children and parents of Crowland with the resources available and to address the expected shortage of primary school places 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 impacting on demand for primary school places putting significant pressure on primary schools across the country, such as South View. The former St Guthlac site and buildings offer an excellent opportunity to address the shortage of space at the current South View Primary School.

The school have admitted above their intake of 46 to provide 60 Reception places for local children for September 2012 by making maximum use of all available accommodation as they have done in previous years. Population data shows that there is expected to be a long term requirement for more than 46 places per year group. They will be asked to over offer up to 60 places again for September 2013 to meet local demand. It is not possible to sustain these increased numbers beyond 2013 within existing accommodation. A permanent sustainable solution is needed to accommodate additional children to avoid further overcrowding and/or transporting 4 year old children to alternative schools outside of their local community. The South View site already has 3 temporary classrooms, an undersized playground, a shortfall of general accommodation and operates on a split site with a playing field having no facilities which is more than 250 metres away across a busy road. There are no development opportunities on the current school site and with pupil numbers expected to remain above 46 there will be a shortage of classroom space from September 2014. Any additional accommodation added to the current site would further reduce the already limited outdoor play area. Moving to a larger site with better facilities will address many of these issues and provide accommodation that is fit for purpose with the potential to provide additional facilities. In addition, the LA and Crowland South View Community Primary School are committed to working with Crowland Parish Council and the residents of Crowland to continue to provide community facilities.

The table below is based on NHS GP registration data and shows the number currently on roll (October census 2012) for year groups Reception to Year 6, and also shows the potential Reception intake numbers for September 2013 and 2014 based on 2012 projections.

	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	52	57	61	47	42	58	56	44	37	345

The published admissions number per year group is currently 46 and the permanent capacity is 322. The proposal is to permanently expand the capacity of the school with effect from September 2014 to be able to take up to a PAN of 60 in all year groups with a total capacity of 420.

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.

Following statutory consultation, if the expansion proposal is approved, it is proposed that work will be carried out on the former St Guthlac site commencing during the academic year 2013/14 (subject to planning permission being granted) with the aim of having primary facilities ready for the start of term in September 2014.

The planning application process is dealt with and consulted on separately and there will be an opportunity for those that are interested to be involved throughout the planning process.

Reaching the decision – Preliminary Considerations

The requirements for decision making relating to the expansion of maintained mainstream schools are set out in the guide “Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form” published by the DfE. A copy is attached as Appendix A.

The guide sets out certain checks that the decision maker should follow before proceeding to take a decision. These are addressed below:

- (i) Is any information missing? It is considered that there is no information missing and that the Executive Councillor has before her the information that is required to enable a decision to be reached.
- (ii) Is the proposal related to other published proposals? The answer to this is no.
- (iii) Do the published notices comply with statutory requirements and has the statutory consultation been carried out prior to the publication of the notices? The statutory notice was published in accordance with section 19(1) of the EIA 2006. Consultation must, and has, included all parties specified within the relevant sections of the EIA 2006 including children, staff, parents/carers, the Diocese and other interested parties listed in Appendix B.

Factors to be considered by Decision Makers

In reaching a decision the Executive Councillor must have regard to statutory guidance issued by the Secretary of State as detailed in the attached guide in Appendix A and referred to in the following paragraphs. The Complete Proposal (attached as Appendix C) also includes information which must be considered together with feedback from consultees received throughout the entire process.

A System Shaped by Parents

The Government’s aim is to create a schools system shaped by parents which delivers excellence and equity by implementing a dynamic system in which weak schools that need to be closed are closed quickly and replaced by new ones where necessary and the best schools are able to expand and spread their ethos and success.

The Executive Councillor must take into account the extent to which the proposal is consistent with the LA’s duty to respond to representations from parents about the provision of schools. There were no submissions received from parents in the Representation Period. Of the total of 29 written valid responses received in the consultation period, 17 were from parents with none against, 14 in favour and 3 neither for nor against.

Crowland South View Community Primary School is a popular school which is consistently oversubscribed as indicated by the numbers of first preference

applications received (46 in 2010, 50 in 2011, 59 in 2012 and 55 for 2013) for the 46 places available in the Reception class. In the most recent Ofsted visit the report stated *“most parents and carers speak highly of the school’s work”*

The LA has, therefore, put forward the current proposal as the best and preferred option to meet these criteria.

Standards

The Executive Councillor should be satisfied that the proposal will contribute to raising local standards of provision and will lead to improved attainment for children and young people paying particular attention to the effect on groups that under-perform with the aim of narrowing attainment gaps.

The latest Ofsted report, following an inspection in December 2012, rated the school’s overall effectiveness as good with *“pupils in all years making good progress”*. The report also stated that *“pupils’ achievement across the school is good and has improved since the last inspection. Standards have risen steadily over the last three years so that by the end of Year 6 attainment is above average. At the end of Year 2 attainment in reading, writing and mathematics is above average and well above average in reading by the end of Year 6.”*

The LA believes that this proposal is the best option to maintain and improve standards of attainment and promote the fulfilment of each child’s potential. It will also alleviate pressures on teaching staff which may otherwise be caused by increasing numbers on roll and overcrowded classrooms so avoiding any consequent negative impact on the quality of teaching.

Diversity

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. The Executive Councillor should consider how the proposal will affect local diversity taking account of the range of schools in the area and the impact on the aspirations of parents, and whether the proposal will help raise local standards and narrow attainment gaps. The LA believes that this proposal will maintain and also be likely lead to both improved standards and an enhanced quality of education for current and future children in the area whilst maintaining diversity.

Every Child Achieving their Potential

The Executive Councillor should consider how the proposal will help every child and young person achieve their potential. The LA believes that the proposal will meet this criterion by not only maintaining the range of extended services, the opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs (eg looked after children or children with special educational needs and disabilities) but also by providing the platform for these to improve.

Equal Opportunity Issues

The Executive Councillor should consider whether there are any sex, race or disability discrimination issues that arise out of the proposed expansion. There needs to 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. 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.

Need for Places – Creating Additional Places and the Expansion of Successful and Popular Schools

When considering a proposal to expand an existing school the Executive Councillor should consider whether there is a need for expansion and take care not to create unnecessary surplus capacity. As detailed above Crowland is one of the pressure points in Lincolnshire where there will be a shortage of available places if capacity is not increased. Based on information from the Office of National Statistics, combined with local NHS birth data there is expected to be a long term requirement for more than 46 places per year group in the area.

The Government is committed to ensuring that every parent can choose an excellent school for their child and therefore the wishes of parents should be taken into account in the planning and management of school estates. There is a presumption that proposals to expand successful and popular schools should be approved and only be turned down if there is compelling objective evidence that such expansion would have a damaging effect on standards overall in the area. The LA believes that not only will there be no damaging effect on standards but that this proposal will provide the platform for standards to improve.

As detailed above “*most parents and carers speak highly of the school’s work*” and the school is popular with parents and consistently oversubscribed.

Before approving the proposal the LA must ensure that the admission arrangements of the schools will fully meet the provisions of the School Admissions Code. The proposed increase to the PAN at the school will be processed in accordance with the School Admissions Code to determine admission arrangements for the academic year commencing September 2014.

Travel and Accessibility for All

The Executive Councillor should be satisfied that facilities are accessible by being located close to those who will use them and that proposed changes do not adversely impact on disadvantaged groups. Proposals should not have the effect of unreasonably extending journey times or increasing transport costs or result in too many children being prevented from travelling sustainably due to unsuitable 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 village 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 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 the school travel plan. Concerns were also raised during consultation regarding the siting of a primary school on a busy road. However, 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 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.

Funding and Land

For any expansion proposals the Executive Councillor should be satisfied that any land, premises or capital required to implement the proposals will be available. The expansion proposal will involve relocation to a new site, however, this site is owned by the LA. The project is included in the 2012/2014 Capital Programme therefore, should this proposal to expand be approved, capital investment will be provided and any revenue implications will be financed by the Dedicated Schools Grant.

Following an expansion proposal school premises must continue to meet the requirements of The Education (School Premises) Regulations 1999 including minimum areas of team playing fields to which the school should have access. Under the current proposal for relocation and expansion at Crowland South View Community Primary School these requirements will be met. Both the site size and the outdoor hard play area required to provide sufficient suitable play space are well above the minimum required for a 420 place primary school. This proposal offers the opportunity to address existing issues of an undersized playground and a playing field with no facilities on a split site away from the current school premises.

Special Educational Needs (SEN) Provision

The Executive Councillor should consider the impact of the proposal on the Special Educational Needs provision taking into consideration statutory guidance and be assured that the proposal is designed to improve on existing arrangements and enable all children to fulfil their potential.

The following key factors must be considered in order to meet the requirement to demonstrate likely improvements in provision:

- a) improved access to education and associated services including the

- curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
- b) improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
 - c) improved access to suitable accommodation; and
 - d) improved supply of suitable places.

If the expansion proposal is approved there is likely to be no impact with regard to SEN provision other than an opportunity to improve the provision at the refurbished and relocated 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.

Views of Interested Parties

The Executive Councillor should consider the views of all those affected by, or who have an interest in, the proposal. This includes statutory objections and comments submitted during both the consultation phase and the Representation Period. The Executive Councillor should not simply take account of the numbers of people expressing a particular view when considering representations made but should give the greatest weight to representations from those stakeholders most likely to be directly affected by the proposal. All representations, especially from the direct stakeholders, must be considered by the Executive Councillor in relation to this proposal prior to the decision being taken.

All responses to the consultation period have been received and made available to the Executive Councillor (in Appendix D) and are also referred to later in the Consultation section of this report. A summary of the responses from current pupils is also attached as Appendix E. There were no responses received in the Representation Period.

The Decision

In considering the proposal the Executive Councillor can

- reject the proposal
- approve the proposal
- approve the proposal with a modification (e.g. the implementation date) or
- approve the proposal subject to meeting a specific condition

It is not recommended that the Executive Councillor lays down any specific conditions and therefore the 'Alternatives Considered' section at the start of this report simply deals with the rejection or approval of the proposal.

Reasons must be given for the decision taken including the main factors and criteria whether the proposal is accepted or rejected.

2. Conclusion

The final decision is required from the Executive Councillor to determine whether to approve the relocation and expansion of Crowland South View Community Primary School as detailed in this report with an implementation date of 1 September 2014. 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 Appendices D and E).

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 be implemented to ensure the best educational opportunities for the children of Crowland. The advantages of implementing this proposal are detailed earlier in this report in the "Reasons for Recommendations" section.

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 this report.

4. Resource Comments:

The capital costs for this project will be funded from Children's Services Capital Programme and the on-going revenue costs will be financed 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 the school council. This has produced a very positive response and the children are generally looking forward to the relocation and expansion of the school. A summary of the consultation undertaken by the school council is attached as Appendix E. 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, attached as Appendix B, 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 Crowland Parish Council as well as individual councillors as appropriate.

A letter, (Appendix F) incorporating relevant information and reasons for the proposal, was sent out to interested parties (listed in Appendix B) on 15 October 2012 to commence a five 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 and one appointment was taken up. This was a parent who supported the proposal but raised concerns regarding the busy road of the relocated site and the suitability of stairs in a primary school. The LA officer reassured the parent that should the proposal go ahead all traffic issues would be considered in the planning application process and any upstairs classrooms would only be used for Key Stage 2 pupils and not any younger children. There was the opportunity to provide a response to the consultation by letter, email or by returning the response form (Appendix G) attached to the consultation document by 19 November 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 D. To briefly summarise, however, there were 29 valid responses in total with 20 supporting the proposal, 3 against and 6 expressing a view neither in favour nor against the proposal. Out of the total responses received 17 were from parents with none against, 14 in favour and 3 neither for nor against.

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 14 December to proceed to Statutory Notice. A statutory 4 week Representation Period was entered into on 3 January 2013 commencing with the publication of the Statutory Notice (Appendix H) in the local press, at the school gates and within the local community. 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 www.lincolnshire.gov.uk/provisionplanning. The Representation Period provides 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 although no responses were received.

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 in March 2013. The LA 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 relocation and expansion of Crowland South View Community Primary School with effect from 1 September 2014 if it is decided to proceed.

Information regarding this proposal has been updated and made available through the County Council website since official consultation began on 15 October 2012. The local and district councillors have been involved in the consultation on this proposal and the Executive Councillor for Children's Services and Lifelong Learning has been engaged throughout the entire process.

a) Has Local Member Been Consulted?

Yes. The local member has been made aware of the proposal to relocate and expand Crowland South View Community Primary School.

b) Has Executive Councillor Been Consulted?

Yes. The Executive Councillor has been involved in the discussions regarding the proposal to relocate and expand Crowland South View Community Primary School.

c) Scrutiny Comments

The Children and Young People Scrutiny Committee considered the expansion proposal at its meeting on 1 March 2013. Comments from this meeting are included below to inform the Executive Councillor when making her final decision which is due to be taken on 19 March 2013:-

The Children and Young People Scrutiny Committee met on 1 March 2013 and considered a report concerning the Proposed Relocation and Expansion of Crowland South View Community Primary School. The Committee supported the recommendation contained within the report.

In addition, the Committee raised a question over the potential impact of the expansion of the school on pupil numbers at neighbouring primary schools. However, the Committee was reassured that the evidence available suggests the impact on the other local primary schools is likely to be minimal.

d) Policy Proofing Actions Required

An Impact Analysis has been completed and is attached in full as Appendix I. In summary the analysis undertaken indicates that there is some potential for minor

negative impact but that this is far outweighed by the benefits of the proposal. The LA would look to mitigate negative impact on the local road network and access and address any other concerns that potentially might arise out of this relocation and expansion proposal. The stringent requirements at the planning application stage would include the active involvement of the Highways Department as well as a detailed travel plan.

Apart from its obligations to consider the statutory guidance referred to the Council has obligations under the Equality Act 2010 which must be taken into account by the Executive Councillor when coming to a decision.

The Council must, in the exercise of its functions, have due regard to the need to:

(1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy & maternity; race; religion or belief; sex; sexual orientation: s 149(7).

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

The Council believes that this proposal will not lead to any discrimination and that in recommending the proposal the Council is having due regard to its obligations under The Equality Act.

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	List of Interested Parties
Appendix C	Complete Proposal
Appendix D	Summary of written consultation responses
Appendix E	Summary of consultation with pupils
Appendix F	Letter to commence consultation
Appendix G	Consultation response form
Appendix H	Statutory Notice
Appendix I	Impact Assessment

7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Proposed relocation and expansion of Crowland South View Community Primary School (decision to go to Statutory Notice)	Lincolnshire County Council Committee Records Reference 02113 14 December 2012

This report was written by Michelle Andrews, who can be contacted on 01522 553269 or Michelle.andrews@lincolnshire.gov.uk .