

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:	Proposal to Expand Coningsby St Michael's Church of England Primary School (decision to go to Statutory Notice)
Decision Reference:	02141
Key decision?	No

Summary:

The proposal under consideration is to expand Coningsby St Michael's Church of England Primary School to ensure that there are enough primary school places in Coningsby and the surrounding area to accommodate the increasing pupil numbers in the area. 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 the area.

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 21 January 2013 with a four week period of consultation which closed on 18 February 2013 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 seeks to advise 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 Coningsby St Michael's Church of England 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 later this 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 Coningsby St Michael's Church of England Primary School with effect from 1 September 2014 and will enable the continuation of the statutory process to the next stage. It is also recommended that the capacity at Tattershall Holy Trinity Church of England Primary School is expanded as detailed later in this report. This increase has been suggested and agreed as a result of responses received during the consultation process. However, the expansion at Holy Trinity is not large enough to necessitate a formal statutory process of consultation and therefore does not require the publication of a Statutory Notice.

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 St Michael's Church of England Primary School.

However, the above alternative would have the following disadvantages:

There would be insufficient available primary school places in Coningsby and the surrounding area and the LA would 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 St Michael's Primary school and the primary schools in Tattershall and surrounding area, where the numbers on roll are already at capacity at more than one of the schools in several year groups, leading to concerns over the consequent impact of overcrowding on the quality of education provided.

The school admitted above their usual intake in 2010 and 2011 by offering up to 50 places in Reception and the LA may ask the school to over offer again in 2013. This has been made possible by the school making maximum use of all available accommodation and a mobile classroom, but without the provision of additional accommodation this may lead to either overcrowding or a further mobile classroom (subject to planning approval) with insufficient infrastructure for the number of pupils being accommodated at the school.

It would likely lead to children being offered places at villages outside of Coningsby and Tattershall, 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 St Michael's 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 to expand on this scale 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. An expansion of Tattershall Holy Trinity Church of England Primary School is already being considered in addition to the proposal to expand St Michael's Primary School following feedback received during this consultation process. The proposal to expand St Michael's has the support of the Headteacher and Governing Body. The LA believes that St Michael's Primary School is the most appropriate primary school in the area for an expansion of this size but it is important that the LA consider all views submitted during consultation.

Reasons for Recommendation:

To enable the LA to meet its statutory obligation to ensure that there are sufficient school places in Coningsby and surrounding 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 Coningsby and surrounding area.

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 the final decision being taken.

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. Coningsby and the surrounding area will experience a shortage of available places if capacity at one of the local schools is not increased. There is also an added pressure from RAF families in this area.

The school have admitted above the usual intake of 40 to provide up to 50 Reception places in recent years by making maximum use of all available accommodation and using a temporary classroom. If the demand for places is greater than the 40 places available for September 2013 then the LA may ask the school to over offer again for the Reception intake in September 2013. Beyond this year it will not be possible to meet the growing demand for school places without additional accommodation

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.

The proposal being consulted on is to permanently expand the school from the existing capacity of 280 places based on a Published Admission Number (PAN) of 40 to 420 places (PAN 60), with a proposed implementation date of September 2014. This would increase the PAN initially for the Reception intake in September 2014 with the PAN for all other years remaining at 40. The increased intake to 60 would then be phased in with each subsequent Reception intake commencing in September 2015 until the PAN of 60 applies to all year groups. 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.

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 building work to add necessary additional accommodation will begin during the academic year 2013/14 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

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

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 Coningsby 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 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 to expand the capacity at Coningsby St.Michael’s Church of England Primary School with effect from 1 September 2014. Should a decision be made at the end of the statutory process to expand the school, then the capital costs will be met from Children’s Services capital programme, with on-going revenue costs being 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 arranged for consultation to take place with the children currently attending the school through the school council. The consultation produced a very positive response and the children are generally looking forward to the expansion of the school. A summary of the consultation undertaken by the school council is attached as Appendix C. 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 Clerks of local Parish Councils as well as individual councillors as appropriate.

A letter, (Appendix D) incorporating relevant information and reasons for the proposal, was sent out to interested parties (listed in Appendix E) on 21 January 2013 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. Several appointments were taken up, mainly by parents of current pupils, where concerns about expanding the school were addressed and all consultees were encouraged to submit a formal response to the consultation. There was the opportunity to provide a response to the consultation by letter, email or by returning the response form (Appendix F) attached to the consultation document by 18 February 2013. 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 66 valid responses in total with 11 supporting the proposal, 48 against and 7 neither for nor against the proposal but wishing to raise points for consideration. Out of the total of 66 there were 10 responses from parents of current pupils with only 1 against. Responses were also received from governors and members of staff at the school all of which were in favour of the expansion proposal. The majority of the responses against the proposed expansion have been received from governors, staff and parents representing other schools in the area. (Tattershall Primary School, Holy Trinity C of E Primary School, Mareham-le-Fen C of E Primary School and Kirkby-on-Bain C of E Primary School). Some of these responses have questioned whether there is a need for additional school places in this area and a significant number are against the proposal as they believe that it will have a negative impact on the number on roll at other schools, even possibly leading to the closure of a school in the area. However, the expansion is required to meet the projected demand for places and ensure that the LA meets its duty of providing sufficient places for children of statutory school age. The expansion is proposed to meet the need for additional capacity and not to replace existing capacity in the primary sector. The proposal under consideration was prepared based on data and projection figures that were currently available. This earlier evidence of the need to increase the capacity in the primary sector has been confirmed by updated figures recently released by the NHS since the start of this consultation process. It will be possible therefore to address these concerns and provide further details of the

need for additional places in the Complete Proposal which will be published should the decision be taken to proceed to the publication of a Statutory Notice.

As a result of the feedback received from local councillors and residents during the consultation process it is proposed that the capacity at Holy Trinity Church of England School in Tattershall will also be increased in addition to the expansion at St Michael's Church of England Primary School to meet the needs of both Tattershall and Coningsby residents. This will involve the use of one additional classroom at Holy Trinity enabling the PAN to be increased from 16 to 20 (28 additional places in total) with an implementation date of September 2014. The increased PAN will initially apply to Reception only and then be phased in with each subsequent Reception intake until the PAN of 20 applies to all year groups. If further expansion is required in the future in this area the LA will consider all available options including expansion at Tattershall Primary School and the feasibility of any additional expansion at Holy Trinity and St Michael's.

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 later this year. 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 St Michael's Primary school.

b) Has Executive Councillor Been Consulted?

Yes, the Executive Councillor has been involved in the discussions regarding the proposal to expand St Michael's Primary school.

c) Scrutiny Comments

The decision of whether to proceed to the publication of a Statutory Notice has not been discussed by a scrutiny committee.

d) Policy Proofing Actions Required

An Impact Assessment has been completed and is attached as Appendix G. 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 written responses in the consultation period
Appendix C	Summary of consultation with current pupils
Appendix D	Letter to commence consultation
Appendix E	List of Interested Parties
Appendix F	Consultation Response Form
Appendix G	Impact Analysis

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 Michelle Andrews, who can be contacted on 01522 553269 or Michelle.andrews@lincolnshire.gov.uk.