

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:	15 April 2013
Subject:	Related Proposals to amend the age range of The Isaac Newton Primary School in Grantham and to expand the capacity to take additional primary age children
Decision Reference:	02148
Key decision?	No

Summary:

This report concerns two directly related proposals. The first of the related proposals refers to the amendment of the age range at the school from 3 - 11 years to 4 - 11 years and therefore remove the nursery class at the school. It is the Local Authority's (LA) statutory duty to maintain both a sufficient number of early years places in Lincolnshire and also sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. The LA works with the maintained sector and also private, voluntary and independent providers to ensure sufficient early years places. Currently there is an over-sufficiency of pre-school provision for 3 year olds in Grantham. The nursery provision of The Isaac Newton Primary School has been temporarily closed since September 2012. The school and the LA believe that the provision of LA maintained nursery class is no longer necessary at The Isaac Newton Primary School and there would continue to be sufficient early years places in the area to ensure adequate provision and choice for parents in Grantham. Following statutory consultation, if the proposal is approved, the age range will be amended with effect from 1st September 2013.

The second of the related proposals of this report concerns the permanent expansion of the capacity at the school to ensure that there are enough primary school places in Grantham to accommodate the increasing pupil numbers in the town. The proposed implementation date is 1 September 2014. The LA believes that this proposal is the best available option to address the increasing pressure on primary school places in the area and fulfil its statutory duty of ensuring that there are sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. It is proposed that the space formerly occupied by the nursery provision will be remodelled and extended to provide additional capacity for primary aged pupils with purpose built foundation stage accommodation.

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 and "Making Changes to a Maintained Mainstream School" in Appendix B) in accordance with the terms of the Education and Inspections Act (EIA) 2006 as updated by the Education Act 2011. Consultation commenced on 28 January 2013 with a seven week period of consultation which closed on 18 March 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 C.

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 amendment to the age range and the expansion of The Isaac Newton Primary School. If the Executive Councillor gives approval there will follow a further six 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 August 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 amend the age range at The Isaac Newton Primary School with effect from 1 September 2013 and expand the capacity at the school with effect from 1 September 2014 and will also 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 or amendment to the age range at the Isaac Newton Primary School.

However, the above alternative would have the following disadvantages:

There would potentially be insufficient available primary school places in Grantham for September 2014 and beyond and the LA would be unable to comply with its statutory duty within Grantham to ensure that there are sufficient school places for children of a statutory school age. There would also be a surplus of early years places in Grantham and the LA would therefore not be complying with its statutory duty within Grantham and the surrounding area of maintaining the sufficiency of early years places. Under statutory guidelines a prescribed alteration, such as this amendment to the age range, can only be in force for a maximum of two years as a temporary measure before formal proposals are consulted on. The designated nursery class has been closed since September 2012 and therefore the LA must either re-open the nursery class in September 2014

(which as detailed in this report would not be a sustainable option) or consult on this proposal to amend the age range by September 2014 to avoid being in breach of statutory guidance.

It would place increasing pressure on other primary schools in Grantham, many of which are already at full capacity, leading to concerns over the consequent impact on the quality of education provided.

It would lead to either further overcrowding, or the need for alternative less suitable school expansion to be considered that may not be achievable within the required timescales, or additional mobile classrooms (subject to planning approval) with insufficient infrastructure for the number of pupils being accommodated at the school.

It could also lead to children being offered places either within a part of Grantham outside of their local community or possibly further afield within villages outside of Grantham. This would potentially lead to increasing transport costs and increased car usage together with concerns over the impact of this additional travelling time on the children concerned.

The school have chosen to offer above their usual intake in 2012 and 2013 in response to parental preference. However, the LA have identified a need for additional places in this area of Grantham for September 2014 and beyond.

2. That the Statutory Notice is not published, the consultation process is stopped on the related proposals and the LA looks to other schools in Grantham or the surrounding area to implement the changes required. This would mean that the Isaac Newton Primary School remains as it currently is with no amendment to the age range and no further expansion of primary age places.

However, 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. The Isaac Newton Primary School is the most appropriate primary school in the area for expansion. Also if the consultation process on the two related proposals is stopped this would not address the surplus of early years places. The related proposals have the support of the Headteacher and Governing Body and also the School Improvement Service (CfBT) who are confident that the school has the strong leadership and management required to drive forward a successful expansion which will provide the opportunity to improve the learning experience and outcomes for the children.

Reasons for Recommendation:

To enable the LA to meet its statutory obligation to ensure the sufficiency of both early years and primary school places in Grantham.

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 of statutory primary education.

To ensure that there is not excessive surplus of early years provision as this would not represent the best use of the LA's budget. A surplus of early years provision would not support the Council's objectives as outlined in Value for Money Principles. This proposal will also assist in ensuring that the provision of early years places in Grantham is sustainable.

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 both the expected shortage of primary school places and the surplus of early years places in Grantham.

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 August 2013.

1. Background

It is the LA's statutory duty to maintain both a sufficient number of early years places in Lincolnshire and also sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. The LA works with the maintained sector and also private, voluntary and independent providers to ensure sufficient early years places. Currently there is an over-sufficiency of pre-school provision for 3 year olds in Grantham. The nursery provision of The Isaac Newton Primary School has been temporarily closed since September 2012 due to a low uptake and an over-sufficiency of places. The school and the LA believe that the provision of a LA maintained nursery class is no longer necessary at The Isaac Newton Primary School. There will continue to be sufficient early years places in the area to ensure adequate provision and choice for parents in Grantham and the 'Mums and Tots' group will continue to operate at the school. Following statutory consultation, if the proposal is approved, the age range will be amended with effect from 1st September 2013.

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. The growing number of private voluntary and independent pre-school providers has ensured that there is more than enough early years provision in place to cope with these demographic pressures. The increased birth

rate, combined in some areas with inward migration and housing development, is now starting to have an impact at primary school age resulting in a potential shortage of Reception places. Grantham will experience a shortage of available places if capacity is not increased.

Population data (NHS GP Registrations, supported by the Office of National Statistics) shows that there is expected to be a long term requirement for more places for children of a statutory school age in this part of Grantham. 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.

With regard to the expansion of capacity at the school, the proposal being consulted on is to permanently expand from the existing capacity of 315 places based on a Published Admission Number (PAN) of 45 to 420 places (PAN 60), with a proposed implementation date of 1st September 2014. This would increase the PAN initially for the Reception intake in September 2014 with the PAN for all other years remaining at 45. 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.

These two proposals are related and the proposal to expand capacity at the school is conditional on the approval of the proposal to amend the age range with the accommodation previously occupied by the nursery being used for the expansion to the school.

The LA believes that the two related proposals provide the best available option to address both the surplus of early years provision and also the expected shortage of Primary Reception school places in Grantham and to ensure that local children are able to go to their local school. The School Improvement Service (CfBT) are confident that the school has the strong leadership and management necessary to drive forward a successful expansion which will provide the opportunity to improve the learning experience and outcomes for the children.

Having additional classes and more children of statutory school age 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 related proposals are approved, it is proposed that building/refurbishment work utilising the former nursery area to provide appropriate 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.

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 this 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 whilst also maintaining the sufficiency of early years places in the county.

It is recommended that the proposal is implemented to ensure the best educational opportunities for the children of Grantham. 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 C).

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 to alter the age range at The Isaac Newton Primary School with effect from 1 September 2013 and to expand the capacity with effect from 1 September 2014. Should a decision be made at the end of this process to expand the school then the refurbishment costs would be met from Children's Services capital programme, 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 for all pupils, and provide better value for money through adoption of a PAN of 60.

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). To amend the age range at the school the LA must follow the guidance of the DfE as detailed in Appendix B.

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 changes being consulted on. A summary of the consultation undertaken by the school council is attached as Appendix D. 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 neighbouring Parish Councils as well as individual councillors as appropriate.

A letter, (Appendix E) incorporating relevant information and reasons for the proposal, was sent out to interested parties (listed in Appendix F) on 28 January 2013 to commence a seven 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 but 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 G) attached to the consultation document by 18 March 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 C. To briefly summarise, however, there were 5 valid responses in total with none against the proposal. Out of the total responses received 2 were from parents with both in favour.

If the Executive Councillor decides to proceed to Statutory Notice, this would initiate a 6 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 August 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 proposals to amend the age range, thus removing nursery provision, and to expand the capacity for primary age provision at the school.

b) Has Executive Councillor Been Consulted?

Yes the Executive Councillor has been involved in the discussions regarding the proposals to amend the age range, thus removing nursery provision, and expand the capacity for primary age provision at the 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 H. 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	DfE guide "Making Changes to a Maintained Mainstream School"
Appendix C	Summary of written responses to the consultation process
Appendix D	Summary of consultation with current pupils
Appendix E	Letter to commence consultation
Appendix F	List of Interested Parties
Appendix G	Consultation Response Form
Appendix H	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.

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