

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

Report to:	Councillor Mrs P A Bradwell, Executive Councillor: Adult Care and Health Services, Children's Services
Date:	22 June 2015
Subject:	Proposal to Expand the Capacity at Spalding Parish Church of England Day School (final decision)
Decision Reference:	I0090030
Key decision?	Yes

Summary:

This report concerns the permanent expansion of the capacity at Spalding Parish Church of England Day School to ensure that there is the required number of primary school places in Spalding to accommodate the increasing pupil numbers in the area. The proposal would expand this Ofsted rated 'Good' school from a 2 form entry (420 places) to a 3 form entry (630 places) and would have a proposed implementation date of 1 September 2016. If this expansion proposal is approved additional classrooms would be provided together with the additional accommodation required to provide the appropriate infrastructure and facilities for the number of pupils on roll. This would include ensuring that there would be adequate outdoor play area, group rooms, toilets and hall space. It would also provide an opportunity to provide kitchen facilities for hot school meals to be prepared on site for the children at the school.

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 Reception in Spalding.

The LA is co-ordinating the process following statutory guidelines published in The Department for Education (DfE) guide "School Organisation Maintained Schools Guidance for proposers and decision-makers" January 2014 (with attached Annex A and B) in accordance with the terms of the Education and Inspections Act (EIA) 2006 as updated by the Education Act 2011.

On 22 January 2015 a five week period of consultation commenced which closed on 26 February 2015 and is further referred to later in this report in the Consultation section. A summary of written responses received is also attached in Appendix A.

Following the consultation period the decision was taken on 18 March 2015 to

publish a Statutory Notice on 2 April 2015. This initiated a four week Representation Period up to 30 April 2015 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 within 2 months from the end of the Representation period (by 30 June 2015). This report seeks to advise the Executive Councillor on making the final decision regarding the proposed expansion of Spalding Parish Church of England Day School.

Recommendation(s):

The Executive Councillor for Adult Care, Health and Children's Services approves the expansion of the capacity for primary age provision from 420 to 630 places at Spalding Parish Church of England Day School with effect from 1 September 2016. This decision is conditional upon planning permission being given approval before 31 December 2015.

Alternatives Considered:

1. The Council retains the school as it is at present with no expansion of the capacity at Spalding Parish Church of England Day School.

However, the above alternative would have the following disadvantages:

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

It would place increasing pressure on Spalding Parish Church of England Day School and other primary schools in the Spalding area, some of which are already offering places above their Published Admission Number (PAN) at the request of the LA. Any further over-offers for future intakes would lead to concerns over the consequent impact of overcrowding on the quality of education provided if additional accommodation is not provided.

It would likely lead, in the future, to children being offered places at schools outside of their local community and potentially outside of Spalding with increasing transport costs and traffic from potential increased car usage, and also concerns over the impact of this additional travelling time on the young children concerned.

2. The Council retains the school as it is at present with no expansion of the capacity at Spalding Parish Church of England Day School but looks to increase capacity at other primary schools in the surrounding area.

Other options in and around this area of Spalding have been explored and all primary schools have been considered for potential expansion. However, none have been found to be as suitable due to reasons such as geographical location in relation to demographic pressures, undersized

sites, distance that pupils would have to travel, parental preference, impact on standards, potential planning challenges and the fact that other schools are of suitable sizes for the areas they serve. This is the most appropriate primary school in the area for expansion. Options for further additional places potentially needed in Spalding are also being considered.

Reasons for Recommendation:

To enable the LA to meet its statutory obligation to ensure that there are sufficient school places in Spalding for all children of statutory school age. 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 primary school age in Lincolnshire. The LA would not be actively participating in this process if it did not see significant advantages for children and young people, their parents/carers and the local community.

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 reinforces the priorities in the Children and Young People's Plan (CYPP) and will both enhance the quality of provision and sustain local provision. It is also an opportunity to reduce the potential need for temporary classrooms on site in the future. The new classrooms and additional facilities such as toilets, group rooms, hall space and suitable outdoor hard play area will not only provide additional accommodation for increased pupil numbers on roll in the future but will also benefit the children already on roll.

The proposal will assist in meeting parental preference. The Government has made it clear that the wishes of parents should be taken into account in planning and managing school estates. DfE guidance states that places should be allocated where parents want them and that successful and popular schools be allowed to grow. Spalding Parish Church of England Day School was rated overall by Ofsted as a 'Good' school at its last inspection in October 2014. The school has been oversubscribed for the last five years on 1st and 2nd preferences. The demand for Reception places in Spalding is projected to increase and there is further evidence of the increased popularity of the school in that for the intake in September 2015 the school is oversubscribed on 1st preferences only (64 1st preferences and 19 2nd preferences). Lincolnshire County Council (LCC) currently achieves 93% first preference parental satisfaction and this proposal will contribute to retaining or improving on that. It is also situated in an ideal location in relation to the demand for places expected in the short and long term. This proposal will ensure that parents will be able to send their children to a school in the local area.

The LA considers the proposal to be the most appropriate available solution to the expected shortage of primary school places in this area of Spalding to enable local children to attend their local school. There are also proposals to

increase the capacity at other schools in Spalding but this proposal is not directly related to any other proposal. This proposal has the support of the Headteacher and Governing Body and also the School Improvement Service (CfBT). CfBT believes that the Headteacher, senior leadership team and governors at Spalding Parish Church of England Day School have the capacity and potential to take on additional pupils into the Reception year group, and to expand to a 3 form entry school in the future. This will ensure a good education for the local children, based on the school's recent 'Good' Ofsted inspection, providing the opportunity to improve the learning experience and outcomes for the children to enable them to reach their full potential. It will also avoid children being transported to other schools outside of their local community.

1. Background

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is resulting in increased demand for primary school places. There is expected to be a long term requirement for more school places. Spalding and the surrounding area will experience a shortage of available places if capacity at one or more of the local schools is not increased, or additional capacity added through alternative means. This is evidenced in the table below which shows the LA projections for the whole of Spalding:

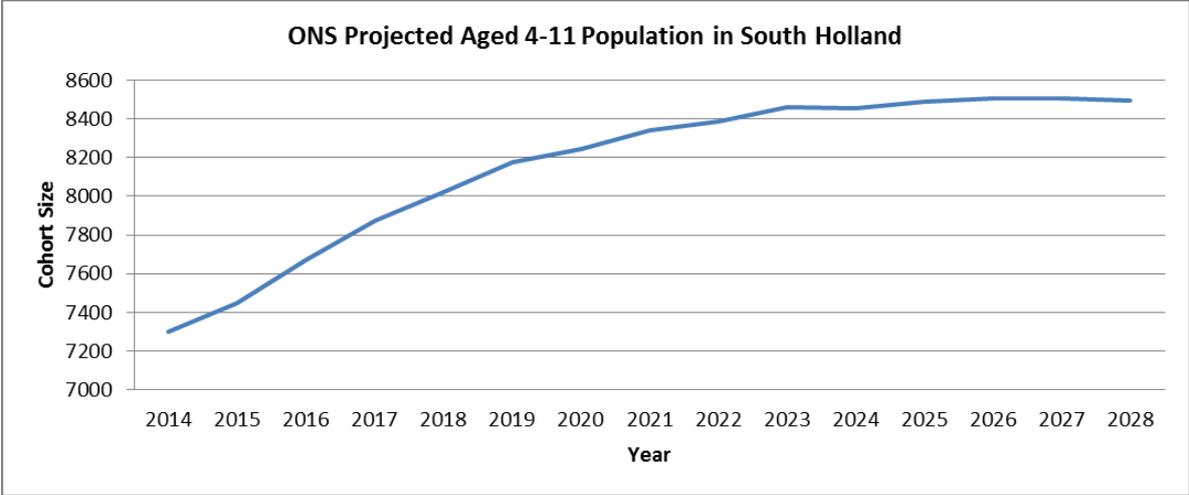
Forecast Years	Min Projected Surplus							Max Projected Surplus Places						
	R	1	2	3	4	5	6	R	1	2	3	4	5	6
2014	22	1	-4	4	9	7	9	21	-3	-8	0	5	3	5
2015	-54	22	1	-4	4	9	7	-63	10	-11	-19	-11	-9	-11
2016	-88	-54	22	1	-4	4	9	-103	-73	1	-20	-25	-20	-18
2017	-34	-88	-54	22	1	-4	4	-60	-114	-80	-4	-25	-30	-22

The following table shows the data specific to the East of Spalding and the area that Spalding Parish is central to:

Forecast Years	Min Projected Surplus							Max Projected Surplus Places						
	R	1	2	3	4	5	6	R	1	2	3	4	5	6
2014	0	0	-2	3	-1	-8	3	0	-3	-5	0	-4	-11	0
2015	-42	0	0	-2	3	-1	-8	-42	-3	-3	-8	-3	-10	-17
2016	-45	-42	0	0	-2	3	-1	-45	-46	-6	-6	-8	-6	-13
2017	-12	-45	-42	0	0	-2	3	-17	-50	-47	-5	-5	-7	-2

Population data [birth data supported by the Office of National Statistics (ONS)] confirms this expected long term requirement for more places for children of a

statutory school age in Spalding and the surrounding area. This is evidenced by the ONS projections data for South Holland shown below:



There are proposals under consideration for expansions in other parts of Spalding and the surrounding area but this proposal is being put forward to meet the projected demand for places in the local community. The proposal is being made to meet the need for additional capacity and not to replace existing capacity in the primary sector.

Therefore, a permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting primary aged children to alternative schools outside of their local community that are not within a reasonable distance of where they live.

The proposal being consulted on is to permanently expand the school from the existing physical capacity of 420 places based on a PAN of 60 to provide up to 630 places (PAN 90), with a proposed implementation date of 1st September 2016. At the request of the LA and in order to meet the demand for places in the area the school will be asked to admit above the usual intake of 60 by offering up to 90 Reception places for the intake in September 2015 and will be able to accommodate this as a bulge year following some minor internal remodelling. However, it will not be possible to offer this increased intake beyond 2015 without additional accommodation being provided to enable a permanent expansion across all year groups. The proposal being consulted on would increase the PAN initially for the Reception intake in September 2016 to 90 (with the September 2015 over-offered intake of 90 already being on roll) with the PAN for all other years remaining at 60. The increased intake of up to 90 would then be phased in with each subsequent Reception intake until the PAN of 90 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. It will also enable the suitable phasing of the building work if required to minimise disruption. Should demand across the area result in mid-year pressures requiring additional higher year group places then this approach allows the flexibility to add capacity in those year groups at the appropriate time if needed.

Having additional classes and more children on roll at the school will also have financial benefits 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. This opportunity will support the school in maintaining standards and provide a solid platform for further improvements.

Following statutory consultation, if the proposal is approved, it is proposed that building/refurbishment work will begin during 2015 (subject to planning permission being granted) and planned to be completed in advance of the start of term in September 2016. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible. Also any potential building project would look to be isolated on site from the existing provision wherever possible, again to minimise disruption. Suitable additional teaching and resource spaces both inside and outside will be considered to ensure sufficient facilities are in place to accommodate up to 630 primary aged children in total. This will include additional classrooms as well as other areas such as group rooms, toilets, suitable outdoor hard play area and a larger school hall. These new facilities will benefit the children already on roll at the school as well as provide additional accommodation for increased pupil numbers on roll in the future. It will also be an opportunity to ensure that no temporary buildings are necessary on site. The planning application process will include the consideration of issues arising out of the physical expansion of the school such as the need for additional parking and the impact on traffic.

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

Reaching the decision – Preliminary Considerations

The requirements for decision making relating to school organisation in LA Maintained schools are set out in Annex B of the guide “School Organisation Maintained Schools January 2014” published by the DfE.

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

Factors to be considered by Decision Makers

The Consultation and Representation Period

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

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

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

Education standards and diversity of provision

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

The most recent Ofsted report following an inspection at the school was published in October 2014 and evaluated the school overall as "Good".

The opportunity offered by this expansion proposal to improve and add to the accommodation offered and to remove the need for temporary accommodation in the future will provide a platform on which standards of attainment can improve with enhanced provision at the school.

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

Demand

The Executive Councillor must consider the evidence presented for any projected increase in pupil population (eg planned housing developments and increasing birth rates) and any anticipated new provision (eg a new free school). A decision must also take into account parental preference and evidence of parents' aspirations for places in the school proposed for expansion together with the quality and popularity of schools in the area that have surplus capacity. Surplus capacity in less popular schools should not in itself prevent the addition of new places. The DfE recognises that for parental preference to work effectively there may be some surplus capacity in the system overall but that competition for places to be taken up will lead to existing schools improving standards.

The proposed expansion is required to meet the projected demand for places in Spalding and to ensure that the LA meets its duty of providing sufficient places for

children of statutory school age in the immediate area, without the need to transport young children more than 2 miles away. The expansion is proposed to meet the need for additional capacity in Spalding and not to replace existing capacity in the primary sector, therefore not having a significant negative impact on neighbouring primary schools.

As stated earlier in this report, an increased birth rate in recent years, coupled with new housing development and an influx of families from Eastern Europe in some areas, is putting significant pressure on primary schools across the country with an expected shortage of school places if additional capacity is not created. Birth data for Spalding confirms that this increase in births is resulting in larger projected intakes than there are currently places for in the area. There is expected to be a long term requirement for more primary school places.

The number on roll for statutory aged children at the time of the census taken in January 2015 was 434 which is broken down by year group in the table below. The Published Admissions Number (PAN) per year group is currently 60 with a permanent PAN capacity of 420:

	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	60	60	60	65	61	66	62	434

Data from January 2015 School Census

There is expected to be a shortage of available primary places if capacity in Spalding is not increased. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting young children to alternative schools outside of their local community and potentially outside of Spalding.

The school is popular with parents and has been oversubscribed for the last five years on 1st and 2nd preferences and the intake in September 2015 is over-subscribed on 1st preference applications alone (64 1st preferences and 19 2nd preferences).

This analysis of demand considers all expected admission applications not only those from the Council's area.

School size

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

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

additional classrooms together with the appropriate infrastructure and facilities for a school of this size.

Proposed admission arrangements

Before approving the proposals the LA must ensure that the admission arrangements of the school are compliant with the School Admissions Code. The proposed increase to the PAN at Spalding Parish Church of England Day School will be processed in accordance with the School Admissions Code to determine admission arrangements for the academic year commencing September 2016.

National Curriculum

All maintained schools must follow the National Curriculum unless they have secured an exemption. Spalding Parish Church of England Day School currently follows the National Curriculum and will continue to do so if the proposed expansion is approved.

Equal Opportunity

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

There are no sex, race or disability discrimination issues arising from this proposal. The LA will continue to be committed to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all.

Community cohesion

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

This expansion will enable the school to admit local children without discrimination and therefore continue to meet the needs of children from all backgrounds represented in the local community.

Travel and accessibility

The Executive Councillor should be satisfied that accessibility planning has been properly taken into account and that proposed changes do not adversely impact on disadvantaged groups. Proposals should not unreasonably extend journey times or

increase transport costs or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. The proposal should be considered on the basis of how it will support and contribute to the Council's duty to promote the use of sustainable travel and transport to school.

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

The LA understands that an increase in the number of pupils attending a school may have an impact on the local road network and access. However, the majority of additional primary aged pupils will 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. 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.

Discussions have already been taking place between the school and other interested parties to consider how potential access and traffic concerns can be mitigated in relation to the planning application. In particular options are being looked at to spread drop off and pick up locations and also to create new locations to help alleviate any potential congestion as well as the possibility of creating a new path over the small park to the rear of the school and linking it to cycle and scooter storage to encourage walking, cycling and scooting to school. The school has been asked to update and produce a robust travel plan.

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

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

Capital

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

This proposed expansion will incur capital costs that the LA will manage through the Children's Services capital programme. All capital costs are being covered by DfE Basic Need funding. The funding is provided to add capacity to primary provision where it is needed and is not intended for alternative uses elsewhere. The capital project aims to create the required facilities to allow for up to 630 pupils to be accommodated.

School premises and playing fields

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

Appendix D shows the site plan for information and highlights the areas for remodelling and new building. At this stage there are only proposed designs of how the school might be expanded. Initial feasibility studies have indicated that expansion will be achievable without significantly impacting on the existing school premises. The expansion may present challenges in meeting the DfE playing field requirements for a 3 form entry school on the school site itself but every effort will be made to minimise any negative impact on the playing field and hard play area. In addition one option being pursued is the possibility of sourcing access to additional playing field space. Discussions are already underway to try to obtain access to a new sports venue adjacent to the school which would provide additional hard surface play area and specialist sports facilities. Sufficient suitable accommodation and outdoor space will be provided for the maximum number of children that the school will be expected to accommodate.

Special Educational Needs (SEN) Provision and SEN Improvement Test

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

Further Legal issues

Equality Act 2010

Apart from its obligations to consider the statutory guidance referred to the Council also has obligations under the Equality Act 2010 which must be taken into account by the Executive 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. This involves having regard to the need to:-

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

(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 and maternity; race; religion or belief; sex; sexual orientation: section 149(7). This involves having due regard to the need to tackle prejudice and promote understanding.

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

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

A reference to conduct that is prohibited by or under this Act includes a reference to:

- (a) A breach of an equality clause or rule
- (b) A breach of a non-discrimination rule

It is important that the Executive is aware of the special duties the Council owes to persons who have a protected characteristic as the duty cannot be delegated and must be discharged by the Executive. The duty applies to all decisions taken by public bodies including policy decisions and decisions on individual cases and includes this decision.

To discharge the statutory duty the Executive must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

There is virtually no risk of there being an adverse impact under the Equalities Act 2010 arising out of this proposal. The expansion of the school will result in the

provision of additional school places which will be available to all local children and continue to be allocated under the current admissions policy which does not discriminate against anyone sharing a relevant protected characteristic. Any new accommodation will also benefit the pupils already on roll at the school and not just those new pupils joining. 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. The impact assessment demonstrates an overall positive outcome with the benefits of the proposal far outweighing any negative impact.

Child Poverty Strategy

The Council is under a duty in the exercise of its functions to have regard to its Child Poverty Strategy. Child poverty is one of the key risk factors that can negatively influence a child's life chances. Children that live in poverty are at greater risk of social exclusion which, in turn, can lead to poor outcomes for the individual and for society as a whole.

In Lincolnshire we consider that poverty is not only a matter of having limited financial resources but that it is also about the ability of families to access the means of lifting themselves out of poverty and of having the aspiration to do so. The following four key strategic themes form the basis of Lincolnshire's Child Poverty strategy: Economic Poverty, Poverty of Access, Poverty of Aspiration and Best Use of Resources.

The provision of additional places at the school arising out of the expansion would support the strategy as follows:-

- If the expansion does not go ahead this would likely lead to overcrowding with concerns over the consequent impact on the quality of education. The expansion will allow more children to attend a school rated by Ofsted as 'Good' and promote the fulfilment of each child's potential. This is likely to improve their sense of achievement which in turn can improve personal aspiration.
- The additional places will enable more children to attend their local school so improving access to all local children together with the consequent cost benefits for the parents.
- Avoid increased transport costs, both financial and environmental, and increased traffic from potential car usage that would be likely if the expansion does not go ahead with children then having to be offered places outside of their local community.
- The expansion would result in a better use of resources through the adoption of a PAN of 90 and mitigate any potential increase in Home to School Transport costs.

Joint Strategic Needs Assessment (JSNA) and Health & Well Being Strategy

The Lincolnshire JSNA identifies a number of needs that directly relate to young people. (Be Healthy; Stay Safe; Enjoy and Achieve; Positive Contribution; Achieve Economic Wellbeing).

The Lincolnshire Health & Well Being Strategy includes five main themes, with an additional theme of "mental health" running throughout the document. The planned service provision in the county supports the themes of Promoting healthier lifestyles; Improving health and social outcomes for children and reducing inequalities; and Tackling the social determinants of health.

The provision of additional places at the school arising out of the expansion would support both the JSNA strategy and the Lincolnshire Health & Well Being Strategy as follows:-

- Ensuring young children do not have to travel long distances to get to school to avoid negative impact on their health and safety and general wellbeing.
- Ensuring that young children do not have extended school days caused by travel to schools other than their local school which might lead to over tiredness. Fatigue and lack of concentration might otherwise lead to accidents, impaired learning ability and children not reaching their full potential.
- Factors which lead to children not reaching their full potential will also limit their future attainment, their ability to achieve economic wellbeing and the positive contribution that they can make.
- Enabling children to attend a school in their local community and socialise with their friends will contribute to their enjoyment of their time in education with the consequent benefits to the learning process.
- Enabling children to attend a school in their local community will increase the number of children able to walk, cycle or scoot to school which will be beneficial to their health and physical wellbeing.

2. Conclusion

The final decision is required from the Executive Councillor to determine whether to approve the proposal to expand the capacity at Spalding Parish Church of England Day School as detailed in this report. The factors to consider in making this decision are within this report and all valid written responses received during consultation and the Representation Period (see section **5 Consultation**) must be considered.

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

It is recommended that the proposal is implemented to ensure the best educational opportunities for the children of Spalding. The advantages of implementing this proposal are detailed earlier in this report in the “**Reasons for Recommendations**” section.

3. Legal Comments:

The Council is the decision-maker for school alteration proposals of this type under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The decision-maker may reject the proposal, approve the proposal without modification or approve the proposal with such modifications as the Council considers desirable but only after consultation on those modifications with the governing body.

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

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

4. Resource Comments:

If the final decision is taken to expand the school the refurbishment and building costs would be met from DfE capital grant funding, 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; provide the school with even better value for money through the adoption of a PAN of 90, and mitigate a potential increase in Home to School Transport costs.

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

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. Under the DfE guidelines which came into effect in January 2014 there is no longer a prescribed consultation period for significant changes to schools (including physical expansions). However there is a "*strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication*". To comply with this the LA has conducted a five week period of pre-consultation. Any documentation issued must set out the problem that is being addressed and invite comment on one or more solutions. The LA must explain the

decision making process and take all reasonable steps to draw the proposal to the attention of all those who might be interested and take into account their views.

The 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 guidance issued by the DfE in January only prescribes the minimum of who must be consulted and *"any other body or person that the local authority think appropriate and it is unlikely that that there will be any cases where it was not felt appropriate to notify the parents at the school of the proposals"*. The list of interested parties was therefore compiled according to these principles comprising as wide a range of consultees as practicable to ensure that all interested parties were included and incorporated parents of current pupils and the Chief Executive of the District Council as well as individual County, District and Parish Councillors as appropriate. Guidance requires current pupils to be consulted and the children at the school were given the opportunity to discuss the expansion proposal via the school council. The children raised various points for further consideration but overall felt that the expansion would be a *"very good idea"*.

A letter incorporating relevant information and reasons for the proposal was sent out to interested parties on 22 January 2015 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 but none were taken up.

There was also the opportunity to provide a response to the consultation by letter, email or by returning the response form attached to the consultation document by 26 February 2015. Copies of the letter commencing consultation and the response form were also published on the County Council website under the webpage "Current Consultations" on www.Lincolnshire.gov.uk/schoolorganisation

All written responses received during consultation have been provided to the Executive Councillor for consideration and further details are confirmed in this report in Appendix A. To briefly summarise, however, there were 30 valid responses in total with 23 in favour, 4 against the proposal and a further 3 which were neither for nor against the proposal but raised points for consideration. The largest number of responses was received from teaching and non-teaching members of staff at the school with all 15 supporting the expansion proposal. 11 responses were received from parents of current pupils with only 2 against the proposal. Over a third of responses recognised the need for additional places and a third also believed the proposal would have a positive impact in providing future opportunities not only for the pupils but also for the staff and the wider community. Concerns raised by those objecting to the proposal were regarding the increased noise and congestion caused by additional traffic and also the potential for a negative impact on educational standards. All comments made and issues raised will be taken into consideration by the Executive Councillor in the decision making process.

1 of the 4 responses against the proposal was from the Diocese of Lincoln Board of Education during the initial consultation period. This response was fully understanding of the need for additional school places. However, despite the recent 'Good' Ofsted grade the board still had some concerns about the potential impact of any major change to the school and wished to consider the proposal in

more detail before giving a final response. The school, the LA and Diocese have worked together during the representation period to ensure that a successful expansion is achievable whilst not negatively impacting on standards. The Governing Body and Headteacher have agreed to work collaboratively with the Diocese going forward and the Diocese has confirmed that they are satisfied that the school can successfully expand and develop the educational provision in Spalding. The Diocese has withdrawn the objection expressed during the consultation period and has given its support to the expansion proposal.

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 18 March to proceed to Statutory Notice. A statutory 4 week Representation Period was entered into on 2 April 2015 commencing with the publication of the Statutory Notice (Appendix B) in the local press, on the Lincolnshire County Council's website and at the school gates. The Complete Proposal, available in paper and electronic format (Appendix C) to which the Statutory Notice refers, was sent to interested parties as detailed in the statutory guidance and was also published on the website under the webpage 'Current Consultations' at www.lincolnshire.gov.uk/schoolorganisation. The Representation Period 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. No responses were received during the Representation Period.

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

The last stage of the statutory process would be the implementation of the proposal with the expansion of the capacity from 420 to 630 for primary age provision at Spalding Parish Church of England Day School with effect from 1 September 2016 if it is decided to proceed.

a) Has Local Member Been Consulted?

Yes, the local member has been made aware of the proposal to expand Spalding Parish Church of England Day School.

b) Has Executive Councillor Been Consulted?

Yes, the Executive Councillor has been involved in the discussions regarding the proposal to expand Spalding Parish Church of England Day School.

c) Scrutiny Comments

The Children and Young People Scrutiny Committee will meet on 5 June 2015 to consider this report concerning the proposal to expand the capacity at Spalding Parish Church of England Day School (Final Decision).

The comments of the committee to be included here when known.

d) Policy Proofing Actions Required

An Impact Analysis has been completed. 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 existing site, local road network and access and address any other concerns that potentially might arise out of this 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.

6. Appendices

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

7. Background Papers

Document title	Where the document can be viewed
Report on the proposal to expand the capacity at Spalding Parish Church of England Day School (decision to go to Statutory Notice)	Lincolnshire County Council Committee Records Reference I008557 18 March 2015
The DfE guide "School Organisation Maintained Schools Guidance for proposers and decision-makers" January 2014; letter to commence the operator selection process; list of interested parties; blank response form.	All available on request from the School Organisation Planning Team, Children's Services
Impact Analysis	Available on request from the School Organisation Planning Team, Children's Services
Individual consultation responses	Individual responses available to be viewed by the decision maker. Content of responses anonymised and summarised in Appendix A

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