

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

Report to:	Councillor Mrs P A Bradwell, Executive Councillor for Adult Care, Health Services and Children's Services
Date:	28 June 2013
Subject:	Proposal to expand Coningsby St Michael's Church of England Primary School (final decision)
Decision Reference:	02142
Key decision?	Yes

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 has 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 21 January 2013 with a four week period of consultation which closed on 18 February 2013 after which the decision was taken on 19 March 2013 to publish a Statutory Notice on 3 April 2013. This initiated a four week Representation Period up to 1 May 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 expansion of Coningsby St Michael's Church of England 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 expansion of Coningsby St Michael's Church of England Primary School with effect from 1

September 2014 as detailed in this report.

It has also been agreed 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 the consultation responses received but is not a large enough expansion to necessitate, and can be implemented without, a formal statutory process.

Alternatives Considered:

1. That the proposal to expand Coningsby St Michael's Church of England 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 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 pressures 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, 2011 and 2012 by offering up to 50 places in Reception and the LA has asked 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 being provided. 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 proposal to expand Coningsby St Michael's Church of England 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 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 being progressed 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.

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. 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 Coningsby and Tattershall.
- 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 expand St Michael's Primary School to be the best available solution to meet the needs of the local children and parents with the resources available and to address the expected shortage of primary school places in Coningsby and the surrounding 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 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 LA work with the RAF Community Development officers to ensure that quantitative information is taken into consideration when determining long term primary and secondary provision requirements in RAF areas.

The school has 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. The LA has asked the school to over offer again for the Reception intake in September 2013 should the demand for places be greater than the 40 places available under the Published Admission Number (PAN). Tattershall Holy Trinity and Tattershall Primary schools have also both offered above their PANs for September 2013. Beyond this year it will not be possible to meet the growing demand for school places without additional accommodation

The proposal being consulted on is to permanently expand Coningsby St Michael's Church of England Primary School from the existing capacity of 280 places based on a 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 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.

The total number on roll at the time of the census taken in January 2013 was 277. The table below shows the number currently on roll and also shows the offers of places in Reception for September 2013 and potential intake numbers for September 2014 and 2015 based on NHS GP registration data and historical trends. The published admissions number per year group is currently 40 with a permanent capacity of 280:

	2015	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	65	71	42	44	48	48	33	40	37	27	277

Data from January 2013 Census and NHS GP Registration trend analysis

The following table shows the population by school age for Coningsby and Tattershall according to the latest NHS GP registration data. This is the natural catchment area for the local schools and clearly demonstrates the increase in future primary pupil numbers in the local area. It does not take into account future

housing developments in the area (mostly concentrated in Coningsby) or the high mobility of RAF families.

Intake Year/Current Year Group	2016 Rec' Intake	2015 Rec' Intake	2014 Rec' Intake	2013 Rec' Intake	Current Rec'	Current Y1	Current Y2	Current Y3	Current Y4	Current Y5	Current Y6
Age as at 31 August 2012	0	1	2	3	4	5	6	7	8	9	10
Area Total	89	97	96	87	77	81	83	76	70	58	53

Data from NHS GP Registrations as at April 2013

There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community.

Having additional classes and more children on roll at the school will also have financial benefits for the school. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

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.

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. There were 66 written valid responses received in the consultation period. Out of this total of 66 responses 10 were received from parents of current pupils with only 2 against the proposal. (Summary of responses attached as Appendix D)

Coningsby St Michael's Church of England Primary School is a popular school which is consistently oversubscribed as indicated by the numbers of first and second preference applications received (60 in 2010, 59 in 2011, and 53 in 2012) for the 40 places available in the Reception class. 42 offers have been made for places in Reception in September 2013. The most recent Ofsted report published for the school follows an inspection in November 2012 which states that "*most parents and carers are happy with the education their children receive. However, a small minority expressed concerns about the school's communication with them and felt they were not kept well informed about their children's progress. Inspectors found that the school is now communicating more regularly with parents and carers so that they understand and welcome the necessary changes to push forward achievement*"

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 underperform with the aim of narrowing attainment gaps.

The Ofsted report, following the inspection in 2012, rated the pupils' achievement as "requires improvement" noting that there has been some underachievement in the past. However, the report also stated as follows. *"This is a rapidly improving school. Although in the past, pupils did not make enough progress, they are now catching up"* and *"Progress in all year groups has improved this term because of the stronger focus on improving the quality of teaching and pupils' learning"* Six year olds who took the recent phonics test gained better results than pupils nationally and the 2012 test and assessment results in reading at the end of Key Stage 1 were also above average.

With the support and advice of the School Improvement Service (CfBT), 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 Coningsby and the surrounding area is one of the pressure points in Lincolnshire where there will be a shortage of available places if capacity is not increased. As detailed earlier in the "Background" section of this report NHS birth data for the area indicate the projected need for places and there is expected to be a long term requirement for more primary school places than the number of places currently available. This proposal is being put forward as a solution to the increasing demand for places for local children in Coningsby and Tattershall and it is not anticipated that it will have any adverse impact on the demand for places at other primary schools which will continue to offer places for the children within their own localities. The LA has a vital role in ensuring the viability and sustainability of all schools within Lincolnshire and not to create any excess surplus capacity which would be detrimental to an existing school or Academy.

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 the majority of parents confirmed that they were happy with the education that their child receives at the school 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 and concerns have been raised by local residents and the Town Council. 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. 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 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.

The impact of an expansion proposal on a school premises must be considered in the light of the requirements of The Education (School Premises) Regulations 1999 including recommended minimum site size and minimum areas of team playing fields to which the school should have access. Land has been made available from the housing association to increase the overall site size of the school, for which there is now a lease in place. Although this increases the overall site it is not suitable for team games. However the area for the proposed new construction is not used for sporting activities and therefore will not impact on the area available for designated team games. Currently at Coningsby St Michael's Church of England Primary School the area for playing team games is already less than that recommended, and additional pupils on the site would put more pressure on the available outdoor space. To compensate for this the school have access to the Allan Barker Recreation Ground which is directly adjacent to the school and comprises a Multi-Use Games Area (MUGA) and playing field. The school currently uses these facilities for PE, games and extra-curricular activities and a formal agreement is being put in place as part of the expansion proposal.

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 school during the expansion work. 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 4 responses received in the Representation Period which all raised concerns regarding car parking and access and the impact of the additional traffic arising out of the increased pupil numbers. Should this proposal go ahead all such issues will be considered in the separate planning application process and the LA would have to meet stringent requirements at this stage.

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 expansion of Coningsby St Michael's Church of England 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 Coningsby and surrounding area. The advantages of implementing this proposal are detailed earlier in this report in the "Reasons for Recommendations" section.

3. Legal Comments: The legal implications 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: A decision to expand the capacity at Coningsby St Michael's Church of England Primary School with effect from 1 September 2014 will require funding from the 'basic need' element of the capital programme. Any on-going revenue costs will be 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 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 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 F) incorporating relevant information and reasons for the proposal, was sent out to interested parties (listed in Appendix B) 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 G) 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 D. 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 2 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. (Please see table earlier in the "Background" section of this report)

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 19 March to proceed to Statutory Notice. A statutory 4 week Representation Period was entered into on 3 April 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. There were 4 responses received in the Representation Period which, as confirmed above, all raised concerns regarding car parking and access and the impact of the additional traffic arising out of the increased pupil numbers.

As a result of the feedback received from local councillors and residents during the consultation and representation periods of the 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.

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 June 2013. 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 Coningsby St Michael's Church of England 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 21 January 2013. 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 expand Coningsby St Michael's Church of England Primary School.

b) Has Executive Councillor Been Consulted?

Yes, the Executive Councillor has been involved in the discussions regarding the proposal to expand Coningsby St Michael's Church of England Primary School.

c) Scrutiny Comments

The Children and Young People Scrutiny Committee considered the expansion proposal at its meeting on 14 June 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 28 June 2013:-

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 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 pupils' consultation responses
Appendix F	Letter to commence consultation
Appendix G	Consultation response form
Appendix H	Statutory Notice
Appendix I	Impact Analysis

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
Proposal to expand Coningsby St Michael's Church of England Primary School (decision to go to Statutory Notice)	Lincolnshire County Council Committee Records Reference 02141 19 March 2013

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