

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

Report to:	Councillor Mrs P A Bradwell, Executive Councillor for Adult Care, Health and Children's Services
Date:	09 August 2013
Subject:	Related proposals to amend the age range and expand the capacity at The Isaac Newton Primary School, Grantham (final decision)
Decision Reference:	02147
Key decision?	Yes

Summary:

This report concerns two directly related proposals. One is dependent on the other. The first of the related proposals refers to the amendment of the age range at the school from 3-11 to 4-11. It is the Local Authority's (LA) statutory duty to maintain both a sufficient number of statutory school age places and also early years places to accommodate all Lincolnshire pupils. 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 Isaac Newton Primary School has been temporarily operating as a 4-11 school since September 2012. There will continue to be sufficient capacity for 3 year olds in the area with adequate provision and choice for parents in Grantham if this is made permanent. Following statutory consultation, if the proposal is approved, the age range will be amended to 4-11 with effect from 1st September 2013.

The second of the related proposals in this report is the permanent expansion of the capacity at the school to accommodate the increasing number of primary aged pupils (4-11) in this part of Grantham. The proposed implementation date is 1 September 2014. Existing accommodation would be remodelled and extended to provide additional capacity for primary aged pupils with purpose built foundation stage facilities if this proposal goes ahead. This can only happen if the age range is permanently changed from 3-11 to 4-11 to formalise the temporary 4-11 arrangements which have been in place since September 2012.

When the expansion was proposed in January 2013 the School Improvement Service (CfBT) were confident that the school had the strong leadership and management necessary to drive forward a successful expansion. It has recently been confirmed that the Head Teacher will now be leaving at the end of this academic year and governors are expecting to appoint shortly. CfBT colleagues have confirmed that there is a good field of applicants to appoint from and an update will be available shortly. CfBT are confident that the leadership team already in place at the school are suitable to support an expansion and with a

successful appointment this proposal can be a positive one that will allow the school the opportunity to move forward under a new head.

The LA has co-ordinated the process following statutory guidelines (Department for Education (DfE) guide "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form" and "Making Changes to a Maintained Mainstream School") 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 after which the decision was taken on 15 April 2013 to publish a Statutory Notice on 10 May 2013. This initiated a six week Representation Period up to 21 June 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 within 2 months from the end of the Representation period (by 21 August 2013).

This report seeks to advise the Executive Councillor on making the final decision regarding the proposed amendment to the age range and the expansion of The Isaac Newton Primary School.

Recommendation(s):

That following the completion of the statutory process, in accordance with current legislation, the Executive Councillor for Adult Care, Health and Children's Services is recommended to take the final decision to approve the amendment to the age range to 4-11 with effect from 1 September 2013, and the expansion of the capacity for primary age provision from 315 to 420 places at The Isaac Newton Primary School with effect from 1 September 2014 as detailed in this report.

Alternatives Considered:

1. The council retains the school as it is at present with consequently no change to either the number of early years or primary school places in the area.

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 to ensure that there are sufficient school places for children of a statutory school age.

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 school have been operating as a 4-11 school since September 2012 and therefore the LA must either revert back to 3-11 in September 2014 or

consult on this proposal to amend the age range by September 2014 to avoid being in breach of statutory legislation. However, continuing with a 3 – 11 age range would not be a sustainable option and would result in an oversupply of nursery age provision.

It would lead to further overcrowding, or the transporting of 4 year olds to schools outside of the local area, or the need for an alternative less suitable school expansion would need to be considered that may not be achievable within the required timescales, or the use of mobile classrooms (subject to planning approval) with insufficient infrastructure for the number of pupils being accommodated at the school.

2. The council retains the school as it is at present but 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.

This has 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 right 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.

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.

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.

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.

The proposal will assist in meeting parental preference at this oversubscribed school. 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 proposals have the support of the Governing Body and also the School Improvement Service (CfBT) who are confident that the school has the potential to drive forward a successful expansion which will provide the opportunity to improve the learning experience and outcomes for the children.

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.

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 3 year old provision of The Isaac Newton Primary School has not been offered since September 2012 due to a low uptake and an over-sufficiency of places in the area. There will continue to be sufficient early years places in the area to ensure adequate provision and choice for parents in Grantham. 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. This has been demonstrated by population data from NHS GP registrations and the Office of National Statistics. 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.

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.

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.

Following statutory consultation, if the related proposals are approved, it is proposed that building and refurbishment work 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.

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.

The requirements for decision making relating to the amendment of the age range at maintained mainstream schools are set out in the guide "Making Changes to a Maintained Mainstream School" as published by the DfE.

The guides set 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) Are the proposals related to other published proposals? The two proposals in this report will be determined together and are therefore each dependant on the success of the other. However the two proposals in this report are not related to any other published proposals.
- (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

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. The Complete Proposal (attached as

Appendix A) 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 a total of 5 written valid responses received in the consultation period with only 2 submitted by parents, both of which were in favour of the related proposals in this report.

The Isaac Newton Primary School is a popular school which is consistently oversubscribed as indicated by the numbers of first preference applications received (47 in 2011, 58 in 2012 and 56 in 2013) for the 45 places available in the Reception class. 60 offers have been made and accepted for places in Reception in September 2013. The most recent Ofsted report following an inspection at the school was published in March 2012 with an overall effectiveness rating of "satisfactory". At this time parents were also asked to complete a questionnaire. Most parents and carers who completed a questionnaire believe that their child is being taught well and making good progress.

The LA has put forward the current proposal as the best and preferred option to meet these criteria. The LA also believes that it is important to hear 'the voice of the pupil' and have a system shaped by children. A summary of the consultation with the children of the school is within section 5 (Consultation) of this report.

Standards

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

The Ofsted report noted that "*children usually enter the Early Years Foundation stage with skills below those expected for their age. Biggest gains in learning are evident in Key Stage 1*". The report also confirmed that gaps in the performance of pupils known to be eligible for free school meals are narrowing compared to all pupils nationally and the school has been very successful in helping these pupils.

The opportunity offered by the two related proposals for a new purpose built Reception/Foundation unit will provide a platform on which standards of attainment can improve with enhanced provision at the school. The LA believes that the two

related proposals in this report provide the best option to maintain and improve standards of attainment and promote the fulfilment of each child's potential.

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 lead to 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 Grantham is one of the pressure points in Lincolnshire where there will be a shortage of available places if capacity is not increased.

The table below shows the number on roll (NOR) at the time of the 2013 January School Census (Rec – Y6) together with actual offers made for September 2013 and potential intake numbers for September 2014 to 2016 based on NHS GP

Registration data and historical trends which clearly shows the projected increased need for primary places.

	2016	2015	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6
NOR	50+	59	60	60	58	50	42	47	37	31	42

This proposal is being put forward as a solution to the increasing demand for places for local children in Grantham and it is not anticipated that it will have any adverse impact on the demand for places at other neighbouring primary schools which will continue to offer places for the children within their own surrounding locality.

The Government is committed to ensuring that 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 these proposal will provide the platform for standards to improve.

As detailed above the majority of parents confirmed that they believed that their child is being taught well and making good progress at the school and the school is popular with parents and consistently oversubscribed.

Before approving the proposals 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 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 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. 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 proposal 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 minimum areas of team playing fields to which the school should have access. Currently at Grantham Isaac Newton Primary School the playing field area is already less than that recommended. However the plans for the proposed new construction will not have an impact on the area available for sports activities as we will be remodelling an existing building and extending slightly onto an area of informal tarmac currently unused by the school.

Special Educational Needs (SEN) Provision

The Executive Councillor should consider the impact of the proposals 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 proposals are 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.

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. These are also referred to later in the Consultation section of this report which includes a summary of the response from current pupils. There were no responses received in the Representation Period.

The Decision

In considering the proposal the Executive Councillor can

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

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

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

2. Conclusion

The final decision is required from the Executive Councillor to determine whether to approve the related proposals of the amendment to the age range and the expansion of The Isaac Newton Primary 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 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 whilst also maintaining the sufficiency of early years places in the county.

It is recommended that the proposal be 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.

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 within the report.

4. Resource Comments:

A decision to expand the capacity at Grantham Isaac Newton 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. To amend the age range at the school the LA must similarly follow the appropriate guidance of the DfE in accordance with current legislation.

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 and assembly. This produced a very positive response and the children are generally looking forward to the changes being consulted on. Pupils considered in detail the implications of the proposals and how they will impact on the school. They supported the proposals and put forward suggestions about what the additional provision might be able to offer with ideas that may be able to be put into practice by the school. 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, staff, the Chief Executive of the District Council, the Parish Clerk of neighbouring Parish Councils as well as individual councillors as appropriate.

A letter incorporating relevant information and reasons for the proposals was sent out to interested parties 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 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 full written responses received during consultation have been provided to the Executive Councillor for consideration. To briefly summarise, 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. Of the other 3 there was 1 from a governor at the school and 1 from a neighbouring school, both in favour. The remaining response was from a neighbouring LA which was neither for nor against, with no objections to either of the proposals. Comments received included views that the proposals can only be good for the long term future of the school and address anticipated future needs.

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 15 April to proceed to Statutory Notice. A statutory 6 week Representation Period was entered into on 10 May 2013 commencing with the publication of the Statutory Notice (Appendix B) in the local press, at the school gates and within the local community. The Complete Proposal, available in paper and electronic format (Appendix A) to which the Statutory Notice refers, was sent to interested parties as detailed in the statutory guidance and was also published on the website www.lincolnshire.gov.uk/provisionplanning. The Representation Period provides a further opportunity for people and organisations to express their views and ensure that they are taken into account when the final decision is taken although no responses were received 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 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.

The last stage of the statutory process would be the implementation of the proposal with the amendment to the age range to 4-11 with effect from 1 September 2013, and the expansion of the capacity from 315 to 420 for primary

age provision at The Isaac Newton 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 28 January 2013. The local and district councillors have been involved in the consultation on this proposal and the Executive Councillor for Adult Care, Health and Children's Services has been engaged throughout the entire process.

a) Has Local Member Been Consulted?

Yes, the local member has been made aware of the proposals to amend the age range and expand the capacity for primary 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 and expand the capacity for primary provision at the school.

c) Scrutiny Comments

The Children and Young People Scrutiny Committee considered the expansion proposal at its meeting on 26 July 2013. *Comments from this meeting are to be included here to inform the Executive Councillor when making her final decision which is due to be taken on 9 August 2013:- ...*

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 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	Complete Proposal
Appendix B	Statutory Notice

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
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	Lincolnshire County Council Committee Records Reference 02148 15 April 2013
Expanding a maintained mainstream school by enlargement or adding a sixth form	http://www.education.gov.uk/schools/leadership/schoolorganisation/b0075166/other-changes-to-a-school-and-expansions
Making changes to a maintained mainstream school (other than expansion, foundation, discontinuance and establishment proposals)	http://www.education.gov.uk/schools/leadership/schoolorganisation/b0075166/other-changes-to-a-school-and-expansions
List of interested parties, letter to commence consultation, the consultation response form and the responses received from all interested parties including the children.	All available on request from the Property and Technology Management Team, Children's Services
Impact Analysis	Available on request from the Property and Technology Management Team, Children's Services

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

Complete Proposal
to Amend the Age Range and Expand
The Isaac Newton Primary School in Grantham

MATTERS TO BE SPECIFIED IN SECTION 19 OF THE EDUCATION AND
INSPECTIONS ACT 2006

PROPOSALS TO MAKE PRESCRIBED ALTERATIONS TO A SCHOOL

10 May 2013

Contact details

This proposal has been published by Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ regarding the amendment of the age range and the expansion of the capacity at The Isaac Newton Primary School, Dysart Road, Grantham NG31 7DG

Implementation

The proposal is in two parts which are related. The first part is to amend the age range with effect from 1 September 2013 and therefore remove the nursery class at the school. The second of the related proposals is to permanently expand the capacity at the school with effect from 1 September 2014. The two related proposals are being made to ensure that there are sufficient primary school places in Grantham to accommodate the increasing pupil numbers in the community and to enable the Local Authority (LA) to fulfil its statutory duty of providing school places for all children of statutory school age in Lincolnshire whilst also maintaining the sufficiency of early years places in the county.

Objections and Comments

Any person or organisation may object to or make comments on the proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by emailing provisionplanning@lincolnshire.gov.uk to be received by the deadline of 21 June 2013.

Alteration description

The related proposals under consideration are to amend the age range from 3 – 11 years to 4 – 11 years and to expand the existing capacity for Reception to Year 6 from 315 to 420 with an increase in the Published Admission Number (PAN) from 45 to 60.

School Capacity and Site

The number on roll for Reception through to Year 6 at the time of the census taken in January 2013 was 307. The table below shows the number currently on roll together with offers made for September 2013 and potential intake numbers for September 2014 and 2015 based on NHS GP Registration data and historical trends. The PAN is currently 45 with a permanent capacity of 315.

	2015	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on roll	59	61	53	58	50	42	47	37	31	42	307

The school and the LA believe that the provision of a LA maintained nursery class is no longer necessary and there will continue to be a sufficiency of early years places in the area. The nursery provision at the school has been temporarily closed since

September 2012. 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.

Objectives

The proposals detailed in this document are to amend the age range at the school with effect from 1 September 2013 and expand the capacity for Reception through to Year 6 with effect from 1 September 2014. The objective of these two related proposals is to ensure both a sufficient number of early years places in Lincolnshire and also sufficient places to accommodate all pupils of a statutory school age.

The LA considers this to be the best available solution to the expected shortage of primary school places in this part of Grantham and 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. 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, potential 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 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). CfBT is 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.

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 reinforces the priorities in the Children and Young People's Plan (CYPP). The proposal will 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 education and sustain local provision.

The publication of the Statutory Notice will enable the statutory and legal processes to proceed. This continuation to the next stage of the process will 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.

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 Education and Inspections Act (EIA) 2006 and updated by the Education Act 2011 together with the guidance of the Department for Education (DfE) regarding expansion. Under current legislation the LA is the decision maker for the related proposals.

Consultation originally began on 28 January 2013 with a letter, incorporating relevant information and reasons for the proposal, being sent to all parents of pupils attending the school informing them of the proposal. Interested parties were also informed as required by guidelines issued by the DfE. In addition individual drop in sessions were offered to parents to discuss the proposal further with an LA officer. These meetings were offered to allow those having an interest in this proposal to be able to gather information, ask questions and get involved in the debate. However, no appointments were taken up.

All parents/carers and other interested parties were given the opportunity to respond as part of the consultation process 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

An analysis of the written responses to the consultation is detailed in Appendix B1 but to briefly summarise 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.

The Headteacher has consulted 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 changes being consulted on. (summary attached in Appendix B2).

Evidence of the consultation before the proposal was published -

- (a) a list of persons and/or parties who were consulted can be found in Appendix A
- (b) the views of the persons consulted are summarised in Appendix B1 together with a summary of the consultation undertaken by the school council in Appendix B2
- (c) a copy of the letter confirming the commencement of the consultation process and incorporating relevant information and reasons for the proposal is in Appendix C
- (e) a copy of the form to send in responses is in Appendix D.

Following the initial letter all documentation relating to the consultation was published online through the County Council website under Current Consultations at www.lincolnshire.gov.uk/provisionplanning

All applicable statutory requirements to consult in relation to the proposal were complied with.

Project Costs

This proposed expansion will incur capital costs and the LA will fund the necessary refurbishment costs from the Children's Services capital programme with ongoing revenue costs funded from the Dedicated Schools Grant.

Special Educational Needs (SEN) provision

The proposals to amend the age range and expand the capacity of the school are not likely to have any impact on 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 refurbished school. Consideration of pupils with SEN will take place and the LA will continue to look to make improvements in the standard, quality and/or range of the education provision for children with SEN.

Need for places

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.

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.

Expansion of successful and popular schools

The Government is committed to ensuring that every parent can choose an excellent school for their child with the wishes of parents being taken into account. There is a strong presumption that proposals to expand popular and successful schools should be approved. DfE guidance states that places should be allocated where parents want them and that successful and popular schools be allowed to grow. This proposal will assist in meeting parental preference.

The most recent Ofsted report following an inspection at the school in March 2012 rated the school's overall effectiveness as "satisfactory". At this time parents were also asked to complete a questionnaire. Most parents who completed a questionnaire or spoke with inspectors during the inspection believe their child is being taught well and is making good progress.

The school is popular with parents and in recent years has been oversubscribed as indicated by the numbers of first and second preference applications received (76 in 2013; 76 in 2012; 69 in 2011) for the 45 available places in the Reception class.

Related Proposals

The proposals to amend the age range and expand the capacity at The Isaac Newton Primary School are not related to any other statutory proposal.

What will happen now?

Any person may object to or make comments on this proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln, Lincolnshire, LN1 1YQ or by emailing provisionplanning@lincolnshire.gov.uk

At the close of the 6 week representation period (statutory formal consultation) on 21 June 2013 responses will be collated and analysed and a final report will be presented to the Executive Councillor in August 2013 for a decision on the related proposals. The Representation Period is the final opportunity for people and organisations to express their views about the proposal and ensure that they will be taken into account by the decision maker.

Proposal to amend the age range and expand the capacity at The Isaac Newton Primary School in Grantham.

NOTICE IS HEREBY GIVEN in accordance with the Education and Inspections Act 2006 as updated by the Education Act 2011 that Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ intends to make the following prescribed alterations to The Isaac Newton Primary School, Dysart Road, Grantham NG31 7DG under Parts (1) and (2) as below. **These 2 proposals are related.**

Part 1

In accordance with section 19(3) of the Lincolnshire County Council intends to make a prescribed alteration to amend the age range from 3 – 11 years to 4 – 11 years and therefore remove the Local Authority nursery provision at the school. The designated nursery class has been temporarily closed since September 2012. Following this proposal there will remain adequate local provision of early years places in Grantham and the Local Authority will fulfil its statutory duty of maintaining sufficient early years places in the county.

This proposed alteration will take effect from 1 September 2013. All statutory consultation requirements in respect of this proposal have been complied with.

Part 2

In accordance with section 19(1) of the Act Lincolnshire County Council intends to make a prescribed alteration to expand the school from the existing net capacity of 315 to 420 with an increase in the Published Admission Number (PAN) from 45 to 60. The PAN will increase initially only for the Reception intake in September 2014. The increased intake to 60 will be phased in with each subsequent intake until the PAN of 60 applies to all year groups.

It is proposed that the space formerly occupied by the nursery provision will be remodelled and extended to provide the additional capacity for primary aged pupils with purpose built foundation stage accommodation.

This proposed alteration will take effect from 1 September 2014. All statutory consultation requirements in respect of this proposal have been complied with.

The current net capacity of the school is 315 and the proposed capacity will be 420. The current PAN is 45 and the proposed PAN will be 60. There are currently 309 pupils on roll in Reception to Year 6.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained by writing to: Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by calling 01522 553329 or by emailing provisionplanning@lincolnshire.gov.uk or through the website www.lincolnshire.gov.uk/provisionplanning

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by emailing provisionplanning@lincolnshire.gov.uk.

Signed: Debbie Barnes
Director of Children's Services
Lincolnshire County Council

Publication Date: 10 May 2013

Explanatory Notes

1. The proposal to expand the 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 of the school. Both proposals will be determined together and therefore are dependant on the success of the other.

2. A copy of the County Council's Home to School Transport policy can be obtained on-line at www.lincolnshire.gov.uk/parents/schools/school-transport

3. Further details on the consultation which have led to these proposals can be accessed on-line under "Current Consultations" via www.lincolnshire.gov.uk/provisionplanning