

Report Reference: **Executive/Executive Councillor**

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

 Report to:
 Councillor Mrs P A Bradwell, Executive Councillor Adult Care and Health Services, Children's Services

Date:	27 June 2014
Subject:	Proposal to expand the capacity at Cranwell Primary School, (final decision)
Decision Reference:	1006427
Key decision?	Yes

Summary:

This report concerns the permanent expansion of the capacity at Cranwell Primary School to accommodate the increasing number of primary aged pupils in the Cranwell area. The proposed implementation date is 1 September 2015. If this expansion proposal is approved further additional classrooms would be provided together with the additional accommodation required to provide the appropriate infrastructure and facilities for the number of pupils on roll. This is also an opportunity to replace the mobile classrooms with purpose built permanent accommodation linked to the main building.

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 Cranwell.

The LA has co-ordinated the process following statutory guidelines published in The Department for Education (DfE) guide "School Organisation Maintained Schools Guidance for proposers and decision-makers" January 2014 (with attached Annex A and B) in accordance with the terms of the Education and Inspections Act (EIA) 2006 as updated by the Education Act 2011. Consultation commenced on 28 January 2014 with a five week period of consultation which closed on 4 March 2014 and is further referred to later in this report in the Consultation section.

Following the consultation period the decision was taken on 19 March 2014 to publish a Statutory Notice on 9 April 2014. This initiated a four week Representation Period up to 7 May 2014 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 7 July 2014).

The LA has been successful in bidding to the DfE for capital funding specifically for this expansion project as part of the Targeted Basic Need (TBN) programme. This capital funding can only be used to spend on the expansion of Cranwell Primary School as per the terms of the grant.

This report seeks to advise the Executive Councillor on making the final decision regarding the proposed expansion of Cranwell 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 expansion of the capacity for primary age provision from 315 to 420 places at Cranwell Primary School with effect from 1 September 2015 as detailed in this report.

Alternatives Considered:

1. The council retains the school as it is at present with no expansion of the capacity at Cranwell Primary school.

However, the above alternative would have the following disadvantages:

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

It would place increasing pressure on Cranwell Primary school and the primary schools in the surrounding area. The numbers on roll are already over the Published Admission Number (PAN) of 45 in 4 out of 7 year groups, leading to concerns over the consequent impact of overcrowding on the quality of education provided if additional accommodation is not provided. They have over-offered for the September 2012 and 2013 intakes. Any further over-offers for future intakes will not be possible without additional accommodation.

It would likely lead to children being offered places at villages outside of Cranwell in the future, with increasing transport costs and potential increased car usage and also concerns over the impact of this additional travelling time on the children concerned.

If the expansion does not go ahead then TBN funding allocated by central government specifically for this project will be withdrawn. It cannot be used by Lincolnshire County Council for any other purpose.

The school would continue within their existing accommodation which includes a double mobile detached from the main school.

2. The council retains the school as it is at present with no increase in the capacity at Cranwell Primary School but looks to increase capacity at other schools in the surrounding area.

Other options in the surrounding area have been explored and all primary schools have been considered for potential expansion. All of the next nearest primary schools are more than 2 miles away (Rauceby is 3.3 miles away and oversubscribed. Leasingham is 3.4 miles away and also oversubscribed). Therefore none have been found to be as suitable due to reasons such as the distance that young children 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.

Reasons for Recommendation:

To enable the LA to meet its statutory obligation to ensure that there are sufficient primary school places in Cranwell. The LA believes that this proposal is the best available option to address the increasing pressure on primary school places in the area and fulfil its statutory duty of ensuring that there are sufficient school places to accommodate all pupils of primary school age in Lincolnshire. The LA would not be actively participating in this process if it did not see significant advantages for children and young people, their parents/carers and the local community.

To ensure that the provision of school places is planned so as to promote high educational standards, enable fair access to educational opportunity for every child and promote the fulfilment of each child's potential. This proposal will both enhance the quality of 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. Cranwell is rated by Ofsted as an 'Outstanding' school.

The LA considers the proposal to be the most appropriate available solution to the expected shortage of primary school places in Cranwell to enable local children to attend their local school. The Headteacher and Governing Body are also supportive of this proposal.

The TBN capital is allocated specifically for this project and cannot be used for any other purpose. The LA has secured the capital from the DfE through a successful bidding process to fund the extension of the school.

1. Background

National birth rates have been steadily rising in recent years. This increased birth rate, combined in some areas with changes in migrational trends and the effect of new housing development, is now starting to put significant pressure on primary schools across the country. There is expected to be a shortage of school places if additional capacity is not created. Birth data for the Cranwell area shows an increase in births resulting in larger projected intakes than there are currently places for. There is expected to be a long term requirement for more primary school places. The Cranwell community also has the additional pressure of demand for places caused by the increased placement of RAF personnel anticipated by the Ministry of Defence in the next few years at one of the most secure RAF bases in the country. The turbulent nature of service families also puts additional pressure on the school as numbers can fluctuate significantly in a very short space of time. Without the places to allow for this fluctuation then pupils would have to be transported elsewhere or result in infant class sizes of over 30 due to the admission code making allowances for service personnel.

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 young children to alternative schools outside of their local community. It is also an opportunity to replace the deteriorating mobile classrooms with purpose built permanent accommodation linked to the main building.

At the request of the LA the school has admitted above the usual intake of 45 by offering up to 60 Reception places for the intakes in September 2012 and 2013 and has been able to do so by making maximum use of all available accommodation along with the addition of two new classrooms. They have also had to offer over 45 in two of their upper year groups due to mid-year admissions pressures from RAF service families. Beyond the intake in September 2014 it will not be possible to meet the growing demand for school places without additional accommodation. If this expansion proposal is approved further additional classrooms would be provided, subject to planning permission, together with the additional accommodation required to provide the appropriate infrastructure and facilities for the number of pupils on roll.

The proposal being consulted on is to permanently expand the school from the existing capacity of 315 places based on a PAN of 45 to take up to 420 places (PAN 60), with a proposed implementation date of September 2015. This would increase the PAN for all year groups from 45 to 60. As the proposal is to expand by more than 30 places and by more than 25% (a trigger point not previously reached by the recent new building work) there is a statutory process required.

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 2014/15 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2015. 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. There will be an opportunity for those that are interested to respond directly to the planning application for any extension to the school buildings.

Reaching the decision – Preliminary Considerations

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

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

Factors to be considered by Decision Makers

The Consultation and Representation Period

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

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

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

Education standards and diversity of provision

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

The most recent Ofsted report following an inspection at the school was published in December 2011 and evaluated the school as "Outstanding".

The opportunity offered by this proposal for purpose built permanent accommodation to replace deteriorating mobile classrooms will provide a platform on which standards of attainment can improve with enhanced provision at the school.

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

Demand

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

The expansion is required to meet the projected demand for places in Cranwell and to ensure that the LA meets its duty of providing sufficient places for children of statutory school age in the immediate area without the need to transport young children more than 2 miles away. The expansion is proposed to meet the need for additional capacity in Cranwell and not to create surplus capacity nor replace existing capacity in the primary sector therefore not having a significant negative impact on neighbouring primary schools.

As stated earlier in this report, an increased birth rate in recent years is putting significant pressure on primary schools across the country with an expected shortage of school places if additional capacity is not created. Birth data for the Cranwell area confirms that this increase in births is resulting in larger projected intakes than there are currently places for with a long term requirement for more primary school places. The Cranwell community also has the additional pressure of demand for places caused by the increased placement of RAF personnel anticipated by the Ministry of Defence in the next few years.

The number on roll at the time of the census taken in January 2014 was 326 which is broken down by year group in the table below. It also shows the potential intakes for September 2014 to 2016 which is based on NHS GP registration data and historical trends. The admission number per year group is currently 45 with a permanent PAN capacity of 315:

	2016	2015	2014	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	71	57	43	49	51	40	40	50	42	54	326

Data from January 2014 Census, NHS GP Registration, RAF Cranwell Medical Centre and trend analysis

Cranwell will therefore experience a shortage of available primary places if capacity at the local school is not increased. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting young children to alternative schools outside of their local community.

The school is popular with parents and in recent years has been oversubscribed.

School size

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

The numbers on roll are already over the PAN in 4 out of 7 year groups leading to concerns over the consequent impact of overcrowding on the quality of educational provision if additional accommodation is not provided. This expansion will provide additional classrooms together with the appropriate infrastructure and facilities for a school of this size.

Proposed admission arrangements

Before approving the proposals the LA must ensure that the admission arrangements of the school are compliant with the School Admissions Code. The proposed increase to the PAN at Cranwell Primary School will be processed in accordance with the School Admissions Code to determine admission arrangements for the academic year commencing September 2015.

National Curriculum

All maintained schools must follow the National Curriculum unless they have secured an exemption.

Cranwell Primary School currently follows the National curriculum and will continue to do so if the proposed expansion is approved.

Equal Opportunity

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

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

Community cohesion

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

This expansion will enable the school to admit children of RAF personnel as well as local families and therefore continue to meet the needs of children from varied backgrounds.

Responses to the consultation were received from varying sectors of the community ie parents (including parent governors and also staff) of current pupils, governors, church and parish council representatives and they were all in favour of the expansion. Comments were raised with reference to the need for suitable outdoor space, hall space, hot school meal facilities, and the impact on traffic and all of these will be taken into consideration in the design and future planning of the school buildings and site if the proposal goes ahead.

Travel and accessibility

The Executive Councillor should be satisfied that accessibility planning has been properly taken into account and that proposed changes do not adversely impact on disadvantaged groups. Proposals should not unreasonably extend journey times or increase transport costs or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. The proposal should be considered on the basis of how it will support and contribute to the Council's duty to promote the use of sustainable travel and transport to school.

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

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

of additional primary aged pupils 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.

Capital

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

This proposed expansion will incur capital costs in the region of £600,000 and the LA will fund the necessary capital costs. All capital costs are being covered by the TBN funding which was successfully bid for directly to the DfE. This funding can only be used for this specific project to add capacity to Cranwell Primary School and if not used is not available for alternative uses elsewhere. The capital project aims to create the required facilities to allow for up to 420 pupils to be accommodated and this will include the removal of temporary accommodation to be replaced with permanent buildings therefore maximising long term value for money.

School premises and playing fields

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

The proposed new build is to be sited on soft landscaped space not currently in use by the school due to its location on the site. There will be no reduction in formal team games area (hard play or playing field). The removal of the mobile classrooms will allow useable hard play area (playground) to be increased, providing more outdoor hard play for team games. The LA is also actively seeking options for additional playing field area. As opportunities become available and capital funds are secured this will allow further enhancement of the provision.

Special Educational Needs (SEN) Provision and SEN Improvement Test

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

2. Conclusion

The final decision is required from the Executive Councillor to determine whether to approve the proposal to expand the capacity at Cranwell 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 and the Representation Period (see section 5) must be considered

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

It is recommended that the proposal be implemented to ensure the best educational opportunities for the children of Cranwell. 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:

If the decision to expand the school is approved then the capital costs will be met with additional grant funding secured from the DfE through a bidding process under the Targeted Basic Need Fund with on-going revenue costs being funded from the Dedicated Schools Grant.

5. Consultation

In order for the school to expand the LA must follow the necessary statutory legal processes as required by the Secretary of State in accordance with the EIA 2006, the Education Act 2011 and the guidance of the DfE regarding expansion.

Under these guidelines the LA must ensure that sufficient time and information are provided for people to understand and form a view on the proposal and make a response. Under the DfE guidelines which came into effect in January 2014 there is no longer a prescribed consultation period prior to the publication of the Statutory Notice and Complete Proposal regarding significant changes to schools (including physical expansions). However there is a "*strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication*". The LA has conducted a five week period of pre-consultation to fulfil this expectation and also to operate a fair and open process and ensure all views are considered.. Any documentation issued must set out the problem that is being addressed and invite comment on one or more solutions. The LA must explain the decision making process and take all reasonable steps to draw the proposal to the attention of all those who might be interested and take into account their views.

Guidance requires current pupils to be consulted and the Headteacher of Cranwell Primary School has consulted with the children currently attending the school through Cranwell Voice, the school council. The school council also met with an LA officer on 12 February. The consultation produced a very positive response and the children are generally looking forward to the expansion of their 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 guidance issued by the DfE in January only prescribes the minimum that must be consulted and "any other body or person that the local authority think appropriate and it is unlikely that that there will be any cases where it was not felt appropriate to notify the parents at the school of the proposals". The list of interested parties was therefore compiled according to these principles comprising as wide a range of consultees as practicable to ensure that all interested parties were included and incorporated parents, the Chief Executive of the District Council, the Parish Clerks of local Parish Councils as well as individual councillors as appropriate.

Consultation originally began on 28 January 2014 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 as detailed above were also informed. In addition, on 12 February 2014, individual drop in sessions were offered to interested parties 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. Several appointments were taken up by parents, staff, children, governors and members of local community groups and organisations. Concerns about expanding the school were addressed and all consultees were encouraged to submit a formal response to the consultation.

All parents/carers and other interested parties were given the opportunity to respond as part of the consultation process by 4 March 2014. Copies of the letter commencing consultation and the response form were also published on the County Council website via the webpage 'Current Consultations' on www.lincolnshire.gov.uk/schoolorganisation

During the consultation there were 7 valid responses in total with all 7 supporting the proposal. Out of the 7 responses there were 4 responses from parents (including parent governors and also staff) of current pupils. Responses were also received from governors, church and parish council representatives. Comments in these responses included "*it being imperative that mobiles be replaced…will provide much needed space for the expanding school*" and "*a logical and necessary step, strongly supported*" and also "*career opportunities*" and "*Important to have sufficient space to accommodate civilian and air force children. If the proposal does not go ahead this might result in service children getting priority and children living in the village not being able to go to the school*". Comments also included reference to the need for suitable outdoor space, hall space, hot school meal facilities, and the impact on traffic. All of which will be taken into consideration in the design and future planning of the school buildings and site if the proposal goes ahead.

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 9 April 2014 commencing with the publication of the Statutory Notice (Appendix A) in the local press, on the Lincolnshire County Council's website and at the school gates. The Complete Proposal, available in paper and electronic format (Appendix B) to which the Statutory Notice refers, was sent to interested parties as detailed in the statutory guidance and was also published on the website under the webpage 'Current Consultations' at www.lincolnshire.gov.uk/schoolorganisation. The Representation Period provides a further opportunity for people and organisations to express their views and ensure that they are taken into account when the final decision is taken. One response was received from a member of the community living near the school who supports the expansion of the school but expressed concerns about the potential increase in traffic and the impact on access for local residents. The points he raised will be taken into consideration when the final decision is made regarding the principle of expansion at the school and if this is approved the planning application will be consulted on as a separate process.

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

The last stage of the statutory process would be the implementation of the proposal with the expansion of the capacity from 315 to 420 for primary age

provision at Cranwell Primary School with effect from 1 September 2015 if it is decided to proceed.

a) Has Local Member Been Consulted?

Yes, the local member has been made aware of the proposal to expand the capacity at the school.

b) Has Executive Councillor Been Consulted?

Yes, the Executive Councillor has been involved in the discussions regarding the proposal to expand the capacity at the school.

c) Scrutiny Comments

The Children and Young People Scrutiny Committee considered the related proposals at its meeting on 13 June 2014. *The Committee supported/did not support (delete as appropriate following CYPSC) the recommendation contained within the report and had no additional comments to make/comments included (insert if there are comments to add).*

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.

6. Appendices

These are listed below and attached at the back of the report		
Appendix A	Statutory Notice	
Appendix B	Complete Proposal	

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
	Lincolnshire County Council Committee Records Reference I006425 19 March 2014

The DfE guide "School Organisation Maintained Schools Guidance for proposers and decision-makers" January 2014 with attached Annex A and B	https://www.gov.uk/government/publicati ons/school-organisation-maintained- schools
List of interested parties; letter to commence consultation; the blank consultation response form; and the responses received from all interested parties including the children during both the consultation and representation periods.	All available on request from the Property and Technology Management Team, Corporate Property, Lincolnshire County Council
Impact Analysis	Available on request from the Property and Technology Management Team, Corporate Property, Lincolnshire County Council

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