
REPORT OF THE CHIEF EXECUTIVE OF EDUCATION LEEDS

EXECUTIVE BOARD: 12 February 2010

SUBJECT: Outcome of consultation for the expansion of primary provision for September 2010

EXECUTIVE SUMMARY

1 PURPOSE OF THIS REPORT

In October 2009 the Executive Board approved statutory public consultation on prescribed alterations to:

- permanently expand 17 primary schools with effect from September 2010;
- to add community specialist provision for up to 14 pupils with complex medical physical needs at New Bewerley Primary School; and
- to note that the previously agreed consultation on the addition of community specialist provision for up to 14 pupils with complex medical physical needs at Whitkirk Primary School would be managed alongside this consultation.

This report details the outcome of that combined consultation, and seeks permission to publish a statutory notice.

2 BACKGROUND INFORMATION

In July 2009, the Executive Board approved plans to change admissions limits at a number of primary schools across Leeds in order to meet increasing demand for primary places for September 2010. The Schools Adjudicator has indicated the Local Authority has the power to admit over the published admission number to these increased numbers. In most cases however, a further statutory process is required to expand a school's physical capacity.

In addition, a statutory process is required for the inclusion of community specialist provision for children with Special Educational Needs at New Bewerley. The previously approved consultation for addition of community specialist provision for children with Special Educational Needs at Whitkirk was also managed alongside these consultations, to ensure both schemes could be accommodated.

In October 2009, the Executive Board gave permission to consult on these changes. This report details the outcomes of that consultation.

3 RESOURCE IMPLICATIONS

The capital works required to deliver the expansion of schools for 2010, including the schools outlined in this report, will be funded through the Education Capital Programme. The estimated costs are £12.2m at this stage, and will be subject to review and development. Further reports, seeking financial approval for the fully costed specific schemes will be brought to the Board.

£1.7m has been allocated by the DCSF following a bid of over £10m for additional resources.

4 **RECOMMENDATIONS**

The Executive Board is asked to:

- i) note the outcome of statutory public consultation on the prescribed alterations to
 - permanently expand the primary schools identified in 2.3 of this report
 - to add community specialist provision for up to 14 pupils with complex medical physical needs at New Bewerley Primary School, and
 - to add community specialist provision for up to 14 pupils with complex medical physical needs at Whitkirk Primary School
- ii) to approve the publication of a statutory notice in respect of these proposals.
- iii) note that a report detailing the response to the statutory notice will be brought back to the Executive Board in Summer 2010 for final determination.

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SUBJECT: Outcome of consultation for the expansion of primary provision for September 2010

Electoral Wards Affected:

All

Ward Members consulted
(referred to in report)

Specific Implications For:

Equality & Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call-in

Not Eligible for Call-in
(Details contained in the Report)

1 PURPOSE OF THIS REPORT

- 1.1 In October 2009 the Executive Board approved statutory public consultation on the prescribed alterations to;
- permanently expand 17 primary schools with effect from September 2010, and
 - to add community specialist provision for up to 14 pupils with complex medical physical needs at New Bewerley Primary School.
- 1.2 It was also asked to note that the previously agreed consultation on the addition of community specialist provision for up to 14 pupils with complex medical, physical needs at Whitkirk Primary School would be managed alongside this consultation.
- 1.3 This report details the outcome of that combined consultation, and seeks permission to publish a statutory notice.

2 BACKGROUND INFORMATION

- 2.1 In July 2009, the Executive Board approved plans to change admissions limits at a

number of primary schools across Leeds in order to meet increasing demand for primary places for September 2010. The Schools Adjudicator has indicated the Local Authority has the power to admit over the published admission number to these increased numbers in 2010. However, a further statutory process is required for proposals which result in permanent expansion of the school's physical capacity

- by more than 30 pupils, and
- by 25% or 200 pupils (whichever is the lesser)

2.2 In addition, a statutory process is required for the addition of community specialist provision for children with Special Educational Needs (SEN) at New Beverley, and at Whitkirk.

2.3 The full details of the changes that were consulted on are in the table below.

Primary School	Current Admission Limit	Planned Admission Limit	Current Capacity	Required capacity	SEN provision
Ireland Wood	30	60	210	420	
Iveson	30	45	210	315	
Mill Field	45	60	258	420	
Blenheim	30	60	210	420	
Brudenell	40	45	239	315	
Ingram Road	30	45	210	315	
Greenmount	45	60	343	420	
New Beverley	45	60	315	420	14 places
Beeston	60	90	420	630	
Hugh Gaitskell	75	90	525	630	
Ebor Gardens	30	60	210	420	
Victoria	50	60	318	420	
Highfield	45	60	315	420	
Moor Allerton Hall	45	60	315	420	
Swarcliffe	30	45	210	315	
Whitkirk	45	60	315	420	14 places
Thorner CE	20	30	156	210	

2.4 Brudenell Primary already has an admission limit of 40 but does not have sufficient existing capacity to sustain this size of cohort as they move through the school. Additional accommodation is necessary which meets the criteria for a prescribed alteration. In providing the additional accommodation it is intended to increase the admission limit to 45.

2.5 In October 2009, the Executive Board gave permission to consult on these changes. This report details the outcomes of that consultation.

3 THE MAIN ISSUES

3.1 The consultation ran from 2nd November to 11th December 2009. A single consultation document described the city-wide context of changing demographics, as well as the local situation for each of the areas where change was proposed. It was made available to parents through all schools and local early years providers, libraries, and via the Education Leeds website. It was also distributed to ward members, the Church of England and Catholic dioceses, trade unions, and neighbouring authorities.

- 3.2 A series of public meetings were held in affected communities, which were advertised in the local press and through posters at affected schools. Where there were clusters of schools a single meeting was initially arranged within that community, so that a discussion could address the issues for the area as a whole. Additional meetings were also arranged for individual schools where the schools felt it was required. For those schools without close neighbours in these proposals, for example Thorner CE Primary, individual meetings were held.
- 3.3 Governing bodies had previously been engaged with, and support for the proposals secured, and further meetings were arranged as required. Staff and School Councils were consulted through the school, and where the head teacher and governing body felt it appropriate an officer from Education Leeds attended.
- 3.4 Full details of the responses received can be found in Appendix 1. A summary of the issues raised, and the response to them is provided below.
- 3.5 **Concern over the certainty of pupil projections and the sustainability of the proposals, especially given past removal of places.**
- 3.51 Pupil projections are based primarily on the known births by postcode area, and therefore are reasonably robust at this level, but local distribution of those children into individual schools can vary. We have a legal duty to ensure that there is sufficient provision in the area for those children. We are therefore confident that the proposals will not result in long travel distances, and will not undermine neighbouring schools. We have looked at the city wide situation, and at neighbouring areas in developing the specific proposals. The intention in formulating the proposals was to ensure all parents can access good local schools, a principle that has been universally accepted and welcomed throughout the consultation.
- 3.52 Education Leeds is mindful of past experience, and is proposing changes which allow flexibility in the areas, scaled to respond to need but without undermining neighbouring schools. All the changes are proposed on the basis of permanent expansion. Current long term ONS data projects birth numbers continuing to rise, albeit at a slower rate, until around 2018.
- 3.6 **How had schools been identified, and will new schools be considered?**
- 3.61 The first step in developing the proposals was to identify the areas where more places were needed. Further detail on the demographic data for each school was then considered. Next a combination of desktop work and site visits established where viable schemes existed. Input from the schools, and additional information on parental preference patterns, and the ability of the schools to manage the changes were also considered. The proposals emerged from the analysis and the informal consultation process. In developing proposals we were also mindful of the longer term pupil projections, the sustainability of the proposals, and the possibility of delivering further schemes to meet continuing need. Schools were chosen which we believe fit well into that longer term picture. Proposals for new schools are likely to form a part of the long term response to a growing population, but cannot be delivered by 2010 which is the scope of these proposals. The authority has legal duties to consider, such as consideration of expanding popular and successful schools, securing choice and diversity of provision, and ensuring sufficiency of provision. These were all taken into account in developing the proposals, as well as the sustainability and impact on neighbouring schools and areas.

3.7 Concern about the potential impact on educational outcomes, both in terms of larger schools and staff requirements.

3.7.1 The increase in pupil numbers will bring with it an increase in pupil-based funding, allowing the schools to provide the teaching and non-teaching staff required. The infant class size pledge of 30 children per class still applies, and would not be affected by enlargement. There is no reason to suppose that a larger school means lower standards. It can facilitate a greater breadth and depth of learning offer for children. It can also offer a more beneficial development environment for staff in a school. School Improvement Officers are engaged with the affected schools to support them through these changes. Project managers will further support the schools during the changes.

3.8 Concern about a possible impact that an increase in size might have on the feel and ethos of a school and its role in the community

3.8.1 Whilst the management and leadership of a school will reflect its size, this does not need to impact on the feel of the school for children and families. The existing governing bodies and head teachers have been broadly supportive of the changes, and at Beeston Primary in particular were keen to say they felt this expansion could be managed without impacting on the ethos of the school. Class sizes do not necessarily change as a result of overall expansion, and neither does the staff to pupil ratio, as funding is on a per pupil basis, and based on class sizes of 30.

3.8.2 The potential loss of community feel was of particular concern for some consultees at Thorner, a small village school, where concern was expressed that the expansion would accommodate children from outside the village, diluting the community feel of the school. We do not believe these changes will significantly affect where the school draws from. The school itself requested an increase in admission limit to accommodate local children and to fit with their own school development plans. Some parents argued for an admission number of around 23 or 24 but given the class size legislation any admission number less than 30 could not be robustly or confidently defended at appeal.

3.8.3 The possible inability to hold some whole school events was also raised as a concern in respect of school ethos, and it is possible that some halls may not be able to accommodate the whole school in their main hall for dining, assembly or school concerts etc. Many schools were not concerned about this, and were happy to manage split arrangements. This was not a concern for School Councils.

3.8.4 One respondent noted potential positive impact on the local community, suggesting additional local employment, and community use of facilities eg for elections and at weekends as possibilities. These would need to be agreed with the schools concerned.

3.9 Concerns were expressed on the potential impact of larger schools, and of SEN provision, on transport and traffic issues.

3.9.1 Any additional building works required as part of these projects will be subject to the normal planning permission process. This includes engagement with the Highways Agency, and with local residents. It is recognised that several of the schools, in particular but not exclusively Whitkirk and Beeston, have issues with traffic access now. Any additional pupil numbers, and minibus transport for children wheelchair users, will place an additional requirement on the local road

networks. Remodelling of parking and access to school sites, including the option of drop off zones, will need to be addressed on a school by school basis, and will need to ensure safety of children and all road users.

- 3.9.2 Detailed plans will become available during the Spring after the procurement framework is in place. Plans will be drawn up in consultation with the schools, and will have to consider the traffic issues for residents, staff and families. Plans need to be available in time to ensure that schemes requiring additional space can be delivered for September 2010.
- 3.10 **Is there sufficient funding for the expansion and what are the implications for individual school budgets?**
- 3.10.1 There are two aspects to this; the capital funding for the building works and the revenue funding for the ongoing running of the school. The capital for the expansion or remodelling will be provided from the Education capital programme. The capital for the SEN provision will come from the School Access Initiative.
- 3.10.2 Schools are funded on a per pupil basis, and this amount includes funding for teachers, support staff and the resources required. This means that schools should get the funding appropriate for the number of children they admit. The schools also get additional funding for children with SEN in order to make provision for their additional needs. Funding is normally given to schools in the April of each academic year, based on the census taken in the January of that year. Clearly staff and equipment will need to have been in place since the preceding September, and Education Leeds will apply an adjustment factor to the funding formula to ensure delivery of this revenue at the point when it is needed.
- 3.10.3 We have significant experience of managing building projects within Education Leeds, and all schemes will have a dedicated project manager to manage all risks, including to the budget.
- 3.11 **Concern over the details of the building works proposed, for example the impact on outdoor play areas, on the infrastructure of schools and of works traffic during building.**
- 3.11.1 Building Bulletin 99 provides guidance for the space requirements for school sites, and as far as possible any schemes will aim to meet these standards. This includes infrastructure and play space needs. We have taken this into account when selecting schools. The initial building scheme proposals include the provision of toilets, cloakroom and circulation space.
- 3.11.2 In some cases it may no longer be possible to fit the whole school into the hall at one time. Split school assemblies, dinners, and break times can enable schools to manage very effectively with the increased numbers. Some social events such as school plays and schools discos may also require different management. Schools have been selected for proposed expansion partly because Education Leeds feels that there is a workable scheme at the school, which will not compromise the quality of educational provision at the school, and can meet requirements for safeguarding and security. The schools will manage these organisational concerns, and their involvement in the design of any new accommodation will help to mitigate any concerns.
- 3.11.3 Schemes may be delivered in phases, ensuring sufficient accommodation at all times, but as far as possible not building ahead of need. Again schools will have a key voice in determining what provides the best balance for them, minimising

disruption and impact on the delivery of education.

- 3.11.4 The proposals do not involve removal of private users or extended services provision. It is possible that by reorganising such provision schemes could be enhanced, but this will not be imposed. Schools will be challenged about the utilisation of their space to ensure value for money, but the need for additional teaching and non teaching spaces beyond basic classrooms is fully accepted.
- 3.11.5 Additional building will be provided through modular accommodation, which provides high quality buildings, meeting all current buildings regulations, and designed to last in excess of 50 years. It is manufactured off site, enabling it to be assembled on site very quickly, and providing flexibility to be moved in the long term if necessary. Permanent build is not an option given the scale of building required, the time constraints and the budget implications. Modular accommodation has the added benefit of flexibility.
- 3.11.6 Any building works would be subject to the normal planning permission process. This will address issues such as the impact on local residents, protection of mature trees, protection of existing play space, fire safety, sustainability and green issues, and site traffic. Project managers will minimise the possibility of projects running over time.
- 3.12 **Concern over the possible impact of additional teaching time and resources required for children with SEN on the rest of the class. Impact for staff not wanting to teach in the resourced environment.**
- 3.12.1 Children with SEN attract additional per pupil funding which allows for the additional staff support and resources required, which means other children in the class should not be adversely impacted upon
- 3.12.2 The introduction of children with SEN will be gradual. Full training and support will be provided to the school and staff. Ultimately, any staff who find they still prefer to pursue their career in other environments will be free to apply for positions as they become available.
- 3.13 **Concern that the proposes changes were inevitable whatever the views expressed and that the consultation had been poorly advertised**
- 3.13.1 Details of the distribution of the consultation document, the public meetings, press coverage and additional meetings are contained in the appendix.
- 3.13.2 The consultation is needed to make any proposed changes to admissions arrangements permanent through the addition of buildings and physical capacity at the schools. The decision maker, Leeds City Council Executive Board, is obliged to consider all views raised in the consultation. In reaching that decision, the Executive Board will have to balance legal obligation to ensure sufficiency of school places in the locality against any of the concerns raised. They will have to consider the implications of not proceeding with any of the proposals.
- 3.13.3 It has been necessary to conduct initial feasibility studies, and it will be necessary to undertake further detailed planning work ahead of the final decision being made, to ensure schemes can be delivered in time for children arriving in September 2010. This work is done at risk, knowing that the proposal may be rejected. It does not imply the decision is already made. These proposals have head teacher and governing body support, giving confidence that workable schemes can be delivered, and further information and consultation will follow.

- 3.15.4 Some respondents noted they had gained useful information from the consultation and were pleased to be able to contribute. One noted they had changed their views to support the proposals as result of the information received in the meetings.

4 LEGAL AND RESOURCE IMPLICATIONS

- 4.1 The capital works required to deliver the expansion of schools for 2010, including the schools outlined in this report, will be funded through the Education Capital Programme. The estimated costs are £12.2m at this stage, and will be subject to review and development. Further reports, seeking financial approval for the fully costed specific schemes will be brought to the Board.
- 4.2 £1.7m has been allocated by the DCSF following a bid of over £10m for additional resources.

The Executive Board agreed at its December 2009 meeting that Education Leeds undertake consultation on expansion proposals for implementation in 2011. This consultation is now underway and will be the subject of a future report to the board. It is likely that our ability to respond to this need through expansion on existing school sites will become more challenging to deliver and new schools will be needed. This would significantly increase the resource requirements.

5 RECOMMENDATIONS

- 5.1 The Executive Board is asked to:
- i) note the outcome of statutory public consultation on the prescribed alterations to;
 - permanently expand the primary schools identified in 2.3 of this report
 - to add community specialist provision for up to 14 pupils with complex medical physical needs at New Bewerley Primary School, and
 - to add community specialist provision for up to 14 pupils with complex medical physical needs at Whitkirk Primary School
 - ii) to approve the publication of a statutory notice in respect of these proposals;
 - iii) note that a report detailing the response to the statutory notice will be brought back to the Executive Board in Summer 2010 for determination.

6 BACKGROUND REPORTS

22 July 2009 Proposed increases in Admissions Limits for September 2010
17 June 2009 Expanding Primary Place Provision
17 June 2009 Proposal to add specialist community provision at Whitkirk Primary School for pupils with complex physical difficulties and medical needs.
14 October 2009 Proposal for statutory consultation for the expansion of primary provision for September 2010
4 November 2009 Proposal for consultation on expansion of Gildersome Primary School
9 December 2009 Proposals for statutory consultation on the expansion of primary provision for September 2011
6 January 2010 Proposals for statutory consultation on the expansion proposals in Horsforth

APPENDIX 1

List of consultees

The following persons or bodies were consulted:

Consultee	Consultation method
Parents of directly affected schools	documents, posters and spare response sheets
Other primary schools	documents, posters and spare response sheets
LCC Councillors	documents
MPs	electronic link to document
Education Leeds board	documents
Education Leeds Heads of Service	electronic link to document
LCC Leadership Team	electronic link to document
Early Years Managers	electronic link to document
Locality Enablers	electronic link to document
Area Managers	electronic link to document
Leeds Racial Equality Council	electronic link to document
Leeds Chamber of Commerce	electronic link to document
Trades Unions	electronic link to document
Catholic diocese	electronic link to document
C of E diocese	electronic link to document
Children's Centres	documents, posters and spare response sheets
Private Early Years Providers	documents, posters and spare response sheets
All libraries in Leeds	documents and posters
Family of schools (4)	meeting
School Council (4)	meeting
Public (10)	meeting
Area Management (6)	meeting
Staff & Governing body (2)	meeting

Summary of written responses

School	Respondent					Total
	Parent	Local Resident	Member of staff	Governor	Other	
Beeston PS	2					2
Brudenell PS		1				1
Burley St Matthias C of E PS			1			1
Grimes Dyke PS			1			1
Highfield PS	1					1
Manston PS				1		1
Swarcliffe PS	1					1
Thorner C of E PS	7		1			8
Victoria PS	1	2				3
Whitkirk PS	3	6		1		10
Other					2	2
Total	15	9	3	2	2	31

Minutes from the public consultation meetings are available at www.educationleeds.co.uk/schoolorganisation