

Report of Director of Children's Services

Report to Executive Board

Date: 27th July 2016

**Subject: Outcome of statutory notice to increase learning places at
Low Road Primary School and Cottingley Primary Academy**



Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): City and Hunslet, Beeston and Holbeck		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Summary of main issues

1. This report contains details of proposals brought forward to meet the Local Authority's duty to ensure sufficiency of school places. The changes that are proposed form prescribed alterations under the Education and Inspections Act 2006. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and accompanying statutory guidance set out the process which must be followed when making such changes. The statutory process to make these changes varies according to the nature of the changes and the status of the schools. The process followed in respect of these proposals is detailed in this report. The decision maker in these cases remains the Local Authority.
2. Part A: Outcome of statutory notice to increase learning places at Low Road Primary School

Consultation on a proposal to expand Low Road Primary School from a capacity of 140 pupils to 210 pupils by increasing the admission number from 20 to 30 with effect from September 2017 took place from 11 January to 5 February 2016. At its meeting on 20 April 2016 Executive Board gave permission for the local authority to publish a statutory notice in respect of the proposal and the statutory notice period commenced on 28 April 2016, concluding on 27 May 2016. This report gives details of the finalised proposal and seeks a final decision from Executive Board.

3. Part B: Outcome of statutory notice to increase learning places at Cottingley Primary Academy

Consultation on a proposal to expand Cottingley Primary Academy from a capacity of 315 pupils to 420 pupils by increasing the admission number from 45 to 60 with effect from September 2017 took place from 11 January to 5 February 2016. At its meeting on 20 April 2016 Executive Board gave permission for the local authority to publish a statutory notice in respect of the proposals and the statutory notice period commenced on 28 April 2016, concluding on 27 May 2016. This report gives details of the finalised proposal and seeks a final decision from Executive Board.

Recommendations

Executive Board is asked to:

4. Approve the expansion of Low Road (Community) Primary School from a capacity of 140 pupils to 210 pupils with an increase in the admission number from 20 to 30 with effect from September 2017.
5. Approve the expansion of Cottingley (Academy sponsor led) Primary Academy from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2017.
6. Note the responsible officer for implementation is the Sufficiency and Participation Lead.

1 Purpose of this report

- 1.1 This report contains details of proposals brought forward to meet the local authority's duty to ensure sufficiency of school places, and which support the achievement of the Best Council priority to improve educational achievement and close achievement gaps. This report is divided into two parts to describe the outcome of each of the statutory notices and seeks final decisions on each of these proposals.

2 Background information

Part A: Outcome of statutory notice to increase learning places at Low Road Primary School

- 2.1 Executive Board has considered the outcome of the consultation for the proposal and granted permission to publish a statutory notice, which was brought forward under the Education and Inspections Act 2006 and in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The notice was published on 28 April 2016 and expired on 27 May 2016. A final decision on the proposal must be made within 2 months of the expiry of the notice, therefore by 27 July 2016. Executive Board is the decision maker for this proposal.
- 2.2 The statutory notice was published in the Yorkshire Evening Post on 28 April 2016. Copies of the statutory notice were displayed at each entrance to the school and around the school site. The full proposal was also posted on the Leeds City Council website. Stakeholders had the opportunity to make comments in writing, by letter or email.

Part B: Outcome of statutory notice to increase learning places at Cottingley Primary Academy

- 2.3 Executive Board has considered the outcome of the consultation for the proposal and granted permission to publish a statutory notice, which was brought forward under the Education and Inspections Act 2006 and in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The notice was published on 28 April 2016 and expired on 27 May 2016. A final decision on the proposal must be made within 2 months of the expiry of the notice, therefore by 27 July 2016. Executive Board is the decision maker for this proposal.
- 2.4 The statutory notice was published in the Yorkshire Evening Post on 28 April 2016. Copies of the statutory notices were displayed at each entrance to the school and around the school site. The full proposals were also posted on the Leeds City Council website. Stakeholders had the opportunity to make comments in writing, by letter or email.

3 Main issues

Part A: Outcome of statutory notice to increase learning places at Low Road Primary School

- 3.1 During the consultation period there were twenty written responses received and one response submitted via Talking Point. Twenty respondents supported the proposal to increase the number of school places and one respondent neither agreed nor disagreed with the proposal. There were no objections to proposal.
- 3.2 A report was submitted to Executive Board in April 2016 which addressed all concerns raised during the consultation period.
- 3.3 No representations were received during the statutory notice period.
- 3.4 There is a particular pressure for school places across the Hunslet area. The expansion of Low Road Primary School would help ensure that there are sufficient good school places available for children to learn and gain the skills they need for life at a school close to where they live.
- 3.5 The school's governing body remain fully committed the planned expansion and no information has emerged to suggest the proposal should not proceed.

Part B: Outcome of statutory notice to increase learning places at Cottingley Primary Academy

- 3.6 During the consultation period twenty four written responses were received and one response submitted via Talking Point. Twenty three respondents supported the proposal to increase the number of school places and two respondents objected to proposal.
- 3.7 A report was submitted to Executive Board in April 2016 which addressed all concerns raised during the consultation period.
- 3.8 No representations were received during the statutory notice period.
- 3.9 The expansion of Cottingley Primary Academy is proposed as it is situated within an area of particularly high demographic need and can deliver the additional places required for children to learn and gain the skills they need for life at a school close to where they live.
- 3.10 The school's governing body remain fully committed to the planned expansion and no information has emerged to suggest that the proposal should not proceed.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Consultation with the communities impacted by these proposals was managed in accordance with all relevant legislation and local good practice. The notices were published in the Yorkshire Evening Post on 28 April 2016 and copies were placed at all of the school entrances. The full proposals were also placed on the Leeds City Council's website and stakeholders had the opportunity to make comments in writing, by letter or email.
- 4.1.2 For each proposal, local ward members were formally consulted during the public consultation stage and were offered the opportunity to comment at the statutory

notice stage. Local ward members continue to give their support to each of the proposals.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The EDCI screening forms have been completed and were attached as an appendix to the previous Executive Board reports. The EDCI forms are also attached as an appendix to this report.

4.3 Council policies and Best Council Plan

- 4.3.1 These proposals are being brought forward to meet the Council's statutory duty to ensure there are sufficient school for all the children in Leeds. Providing places close to where children live allows improved accessibility to local school places helping to support good levels of primary school attendance.
- 4.3.2 These proposals offer good value for money through their capacity to support the delivery of the desired 'Best Council' outcome to give everyone the chance to do well at every level of learning, gaining the skills they need for life.
- 4.3.3 These proposals contribute to the city's aspiration to be the Best Council, the best city in which to grow up and a Child Friendly City. The delivery of pupil places through the Learning Places Programme is one of the baseline entitlements of a Child Friendly City. By creating good quality local school places we can support the priority aim of improving educational achievement and closing achievement gaps. In turn, by providing young people with the skills they need for life, this proposal provides underlying support for the Council's ambition to produce a strong economy by compassionate means. A good quality school place also contributes to the achievement of targets within the Children and Young People's Plan such as our obsession to improve behaviour, attendance and achievement. It is, therefore, important that when bringing any proposal forward, there is a degree of certainty that any change would not have a negative impact on the teaching and learning in the school. Low Road Primary School was rated 'Good' by Ofsted at its most recent inspection. Although Cottingley Primary Academy was rated 'Requires Improvement' at its most recent Ofsted inspection the LCC Learning Improvement team are supportive of this proposal and in the school's most recent Ofsted monitoring inspection visit, which took place on 16th March 2015, the attending Ofsted inspector noted that the senior leaders, governors and the academy sponsor are taking effective action to tackle the areas requiring improvement.

4.4 Resources and value for money

- 4.4.1 An indicative budget for the proposed Low Road Primary School expansion project is estimated at £1.7 million based on a high-level calculation that considers the amount of new build, external/internal works and associated fees. An indicative budget for the Cottingley Primary Academy project is estimated at £750,000 based on the same criteria. Once the feasibility stage is complete for both projects, and they move towards the detailed design phase, the budgets will be realigned to reflect the design freeze or pre-tender estimates which will take account of site investigations and survey information.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The processes that have been and will be followed are in accordance with the Education and Inspections Act 2006 as set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, and amended by School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 4.5.2 This report is subject to call in

4.6 Risk Management

- 4.6.1 The statutory time limit for final decisions on each of the proposals detailed in this report is 27 July 2016. These proposals to increase primary provision have been brought forward in time to allow for the necessary capital programmes so that places can be delivered in Hunslet and Beeston for the 2017 academic year. Any significant change to the proposals at this stage would preclude the delivery of places for these timescales and the authority's ability to meet its statutory duty for sufficiency of school places in the short term may also be at risk.
- 4.6.2 A detailed risk register would be established and would be maintained for each of the projects, if approved. Any delay to the statutory process would increase the risk of delayed delivery of the building solution or financial risk of abortive fees being incurred. The authority's ability to meet its statutory duty for sufficiency of school places in the short term may also be at risk.
- 4.6.3 There is a corporate risk associated with failing to provide sufficient school places in good quality buildings that meet the needs of local communities.

5 Conclusions

- 5.1 Our ambition is to be the best city in the country. As a vibrant and successful city we will attract new families to Leeds, and making sure that we have enough school places for the children is one of our top priorities. These proposals have been brought forward to meet that need, and following the appropriate consultation we now seek to move them to a final decision. They would ensure that children in Leeds would have the best possible start to their learning, and so deliver our vision of a Child Friendly City.
- 5.2 Consultation has shown majority support for the expansion of both Low Road Primary School and Cottingley Primary Academy, and all concerns and objections have been addressed in a previous Executive Board report. No objections were raised at the statutory notice stage and both proposals remain strong as they address the need for school places in the area.
- 5.3 The additional places are required to ensure the authority meets its legal requirement to ensure sufficiency of primary provision for September 2017. There is evidence of local need for places in both areas and it is, therefore, recommended that the proposals be approved.

6 Recommendations

Executive Board is asked to:

- 6.1 Approve the proposed expansion of Low Road (Community) Primary School from a capacity of 140 pupils to 210 pupils with an increase in the admission number from 20 to 30 with effect from September 2017.
- 6.2 Approve the proposed expansion Cottingley (Academy sponsor led) Primary Academy from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 with effect from September 2017.
- 6.3 Note the responsible officer for implementation is the Sufficiency and Participation Lead.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.