

**Report of Sufficiency and Participation Team, Children and Families Service**

**Report to School Organisation Advisory Board**

**Date: 20 February 2018**

**Subject: Outcome of Statutory Notice on proposal to increase places at Allerton Church of England Primary School**



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

**Summary of main issues**

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 change and status of the school and the process followed in respect of these proposals is detailed in this report. The decision maker in these cases remains the local authority (LA).

Consultation on a proposal to expand Allerton Church of England (C of E) Primary School from a capacity of 420 pupils to 630 pupils by increasing the admission number from 60 to 90 with effect from September 2018 took place from 26 June 2017 to 21 July 2017. At its meeting on 13 December 2017 Leeds City Council's Executive Board gave permission for the local authority, as proposer, to publish a Statutory Notice in respect of the proposal. A Statutory Notice was published on 8 January 2018. Publication of the Notice marked the start of a four week formal consultation, also known as the 'representation' stage as prescribed in the 'Prescribed Alterations' regulations. During this four week period which ended on 5 February 2018 anyone could object to or comment on the proposal. Two objections and two comments were received.

## **1 Purpose of this report**

- 1.1 This report describes the representations made during the representation period in relation to the proposal to expand Allerton C of E Primary School and asks School Organisation Advisory Board (SOAB) to consider the responses and make a recommendation to Executive Board on a final decision on the proposal.

## **2 Background information**

- 2.1 The proposal has been brought forward to ensure that the LA meets its statutory duty to provide sufficient school places.
- 2.2 The proposal is to permanently expand primary provision at Allerton C of E Primary School from a capacity of 420 pupils to 630 pupils with an increase in the admission number from 60 to 90 with effect from September 2018.
- 2.3 The expansion of Allerton C of E Primary School has been proposed as it is a good school (Ofsted January 17) and was judged to be Outstanding in the Statutory Inspection of Anglican and Methodist Schools (SIAMs) report (January 17). The school is popular with local families, situated within an area of high demographic need.
- 2.4 A consultation on the proposal took place from 26 June 2017 to 21 July 2017. During that time 92 responses were received of which 34 respondents supported the proposal, 36 respondents disagreed with the proposal and 22 respondents neither agreed nor disagreed with the proposal.
- 2.5 Concerns and a response to those concerns were detailed in a report to Executive Board in December 2017. Executive Board approved the recommendation to publish a Statutory Notice in respect of the proposal.
- 2.6 A Statutory Notice was published on 8 January 2018. Publication of the Notice marked the start of a four week formal consultation, also known as the 'representation' stage as prescribed in the 'Prescribed Alterations' regulations. During this four week period which ended on 5 February 2018 anyone could object to or comment on the proposal.
- 2.7 As set out in the Department for Education's statutory guidance for proposers and decision makers a final decision must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator, therefore by 4 April 2018.

## **3 Main issues**

- 3.1 The representation period provided the opportunity for all stakeholders to consider further the expansion of primary provision at this school.
- 3.2 Two objections were received during this period, and two responses containing comments on the proposals. The responses that contained comments were from local residents, who expressed highways related concerns relating to; congestion at peak times, cars parking on both sides of the road blocking driveways, parked

cars restricting the bus route and making the road dangerous due to restricted view, cars parking on double yellow lines, lack of crossing or crossing patrol, single entrance to school being an issue for both cars and pedestrians. One suggestion made was to expand the existing Park and Ride car park and to create a pedestrian entrance to the primary school. A copy of the objections are appended to this report and concerns outlined below.

3.3 **Concerns:** That additional children at the school will increase traffic during peak times; Road safety in light of existing and future parking issues; Existing and likely increase to inconsiderate/illegal parking e.g. parking on double yellow lines and blocking drives; Traffic entering and exiting the school's single vehicular access point is dangerous; Increased congestion and decreased traffic flow; Anti-social behaviour connected with parking near to the school; Problems with buses passing safely near to the school; Pedestrian access to the school via a small gate is dangerous; Lack of pedestrian crossing points; Lack of policing of existing permits and double yellow lines; LCC should consider creating separate entrances to the school in order to distribute traffic more evenly.

3.4 **Response:** In the report to Executive Board following consultation, concerns about Highways issues were addressed as follows:

3.5 "The LA acknowledges the concerns relating to an increase in traffic in the area due to existing traffic issues and we will work with colleagues in Highways Services to look at ways of managing this where appropriate. Highways would take account of the existing bulge cohorts in terms of assessing the highway impact. During the consultation a number of suggestions were made regarding how increases to traffic could be managed which included:

- A review of the current park and ride arrangement off King Lane and potential to create a formal pedestrian walk-through from the park and ride onto Lingfield Approach;
- Further use of double yellow lines near to the school;
- Assessment of the traffic verges on Lingfield Approach and Lingfield Drive and potential to create parking/drop off;
- A review of the current bus routes/times at pick up/drop off;
- Potential for making the gate at the back of school more accessible to create an additional entrance to school;

If the proposals were taken forward a full traffic survey and transport statement would need to be produced for any planning application which would need to demonstrate how the increases to traffic could be mitigated and which would include a consideration of these and any other potential solutions for helping to manage the increases to traffic and congestion. Parents and local residents would have the opportunity to formally comment on any planning applications".

3.6 The Highways Team has further indicated that a transport assessment would be carried out to fully assess the existing situation and the impact that the proposed

development would have on the surrounding roads. This would include the current bus routes in the area. Following the assessment, a package of measures to mitigate the effects of the development would be put forward, the emphasis being on promoting and encouraging sustainable travel to and from the site such as walking, cycling and public transport and reducing the need for travelling to and from the site by private car. As part of the initial consultations, existing safety concerns were raised and a review of the parking, crossing facilities and traffic management measures will be required to determine the off-site highway works required to mitigate the proposed increase.

- 3.7 A decision not to proceed at this stage may result in fresh consultations on new proposals, and places may not be delivered in time. It may also result in further bulge cohorts being delivered in other local schools which would be more costly in the longer term. The LA's ability to meet its statutory duty for sufficiency of school places in the short term may be at risk.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The process in respect of the proposals has been managed in accordance with the relevant legislation and with local good practice.
- 4.1.2 The Statutory Notice was published in the Yorkshire Evening Post on 8 January 2018. Copies of the Statutory Notice were displayed at the entrance to the school and on lampposts in the area near to the school. The full proposal was posted on the school's website and on the Leeds City Council website and parents informed, along with any stakeholder who responded to the original consultation where contact details were provided. Other local schools and the Dioceses were also informed about the proposals.
- 4.1.3 Stakeholders had the opportunity to comment or object to the proposals either in writing or by email.
- 4.1.4 During the consultation ward members gave their broad support for the proposals providing that the Highways and parking issues were addressed. Details of the Statutory Notice were subsequently shared with local ward members and parish councillors. No further comments were received.

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 The EDCI screening form for the proposals at Allerton C of E Primary School has been completed and is attached as an appendix to this report.

### **4.3 Council policies and Best Council Plan**

- 4.3.1 This proposal offers good value for money through its capacity to support achievement of the Best Council outcome to give everyone the chance to do well at every level of learning, gaining the skills they need for life.
- 4.3.2 This proposal is being brought forward to meet the LA's statutory duty to ensure there are sufficient school places for all the children in Leeds. Providing places

close to where children live allows improved accessibility to local and desirable school places, is an efficient use of resources and reduces the risk of non-attendance.

- 4.3.3 This proposal contributes 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 towards delivery of targets within the Children and Young People's Plan such as our obsession to improve behaviour, attendance and achievement.
- 4.3.4 It is important when bringing any proposals forward that there is a degree of certainty that any change would not have a negative impact on teaching and learning.
- 4.3.5 Allerton C of E Primary School was rated good in its January 2017 Ofsted inspection and was judged to be outstanding in the Statutory Inspection of Anglican and Methodist Schools (SIAMS) report in January 2017. The Governing Body and Senior Leadership Team are confident that its dedicated staff team can meet the needs of every child who attends the school, managing the change whilst maintaining standards.

#### 4.4 **Resources and value for money**

- 4.4.1 Pre-feasibility budgets, based on high-level calculations, are estimated at £3.9m for the proposed expansion of Allerton C of E Primary School. This was reported to Executive Board in December 2017.
- 4.4.2 The proposed scheme would be subject to planning permission which would need to be granted prior to the commencement of construction works. Once the feasibility stage was complete and schemes proceeded to the detailed design phase, budgets would be realigned to reflect that all parties have agreed the final design and cost estimates, which would take account of site investigations and survey information, in accordance with standard project and risk management principles. Schemes would also be subject to relevant stakeholder consultation.
- 4.4.3 This expansion would be funded from the Learning Places Programme, primarily through Basic Need Allocations. The precise funding packages would be confirmed at the design freeze stage, and detailed in the relevant Design and Cost reports.

#### 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 Leeds City Council's Executive Board is the decision maker for proposals relating to school expansions. It has established SOAB to consider proposals where objections are received during the representation period following publication of a Statutory Notice. After hearing any objections and the case for the authority, SOAB then makes any recommendations to Executive Board. If the decision maker does not make a decision on the proposals within two months of the end of the representation period, the matter must be referred to the Schools Adjudicator.

#### **4.6 Risk Management**

- 4.6.1 This proposal has been brought forward in time to allow places to be delivered for 2018. A decision not to proceed at this stage may result in fresh consultations on new proposals, and places may not be delivered in time. It may also result in further bulge cohorts being delivered in other local schools which would be more costly in the longer term. The LA's ability to meet its statutory duty for sufficiency of school places in the short term may be at risk.
- 4.6.2 The majority of the school site at Allerton C of E Primary School is protected playing pitches. Early consultation with Sport England would be required to obtain approval to build on the existing playing pitches in order for the proposed expansion to progress.
- 4.6.3 There is also 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 children is one of our top priorities. This proposal has been brought forward to meet that need to ensure that children in Leeds have the best possible start to their learning, and so deliver our vision of Leeds as a child friendly city. These proposals would also offer choice and diversity to parents.

### **6 Recommendations**

- 6.1 The Children and Families Service believe that the issues raised during the consultation and representation periods do not present insurmountable barriers and that these can be addressed. We ask School Organisation Advisory Board to consider the issues raised and to recommend to Executive Board that these proposals be approved.

### **7 Background documents**

- 7.1 Public consultation booklet.
- 7.2 Executive Board report 13 December 2017 - Outcome of consultation to increase learning places at Allerton Church of England Primary School.

- 7.3 EDCI screening form.
- 7.4 Allerton C of E Primary School Full Proposal.
- 7.5 Allerton C of E Primary School Statutory Notice.
- 7.6 Copies of anonymised objections received.