



Report of the School Organisation Team

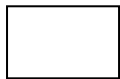
To the School Organisation Advisory Board

Date: 6th July 2011

Subject: Outcome of Statutory Notices for prescribed alterations to Carr Manor High School

Electoral Wards Affected:

Moortown



Ward Members consulted
(referred to in report)

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Executive Summary

1. Leeds City Council has a statutory duty to ensure sufficiency of school places. In response to rising birth rates, it has recently implemented a number of proposals for expansion of primary provision in order to meet this duty, and continues to bring forward further proposals. Such changes require a statutory process, which involves first a public consultation, and then a statutory notice period, both of which allow for representations to be made from stakeholders.
2. At its meeting on 30 March 2011, the Executive Board considered a report on the outcome of consultation on proposals for expansion of primary provision from September 2012, and approved the publication of statutory notices for three of the proposals. The proposals are not linked and should be considered separately. Statutory notices for three proposals for expansion of provision in 2012 were published in April 2011. Two proposals which concerned the expansion of existing primary schools did not receive any representations, and a third was for a change of age range and expansion of Carr Manor High School, using additional land. This notice received six objections, and expired on 27th May 2011, meaning a final decision must be made by 27th July 2011.
3. Leeds City Council Executive Board is the decision maker for proposals relating to school organisation. It has set up the School Organisation Advisory Board (SOAB) to consider proposals and make recommendations when objections to a statutory notice are received. The report describes the proposal, the representations and Children's Services response to them, and the relevant background documentation. The report recommends that SOAB approve the proposal.

1.0 Purpose Of This Report

- 1.1 This report asks SOAB to consider the responses to the statutory notice for the proposed changes to Carr Manor High School, and make a recommendation to Executive Board on a final decision on the proposal. This report describes the representations made to those notices, and asks the Executive Board to make a final decision on the proposals.

2.0 Background Information

- 2.1 The proposal was brought forward as one of a range of measures to ensure the authority meets its legal duty to secure sufficient primary provision. The proposal is to change the age range of Carr Manor High school from 11-18 to 4-18, with a primary admissions number of 30, and expand the physical capacity of the school from 965 to 1175 using land adjacent to and immediately south of the school for the additional accommodation. The public consultation was held from 5 January to 18 February 2011. Responses to the consultation were considered at Leeds City Council Executive Board's meeting on 30 March 2011, and permission to publish a statutory notice was given.

3.0 Main Issues

- 3.1 Six representations were received; one in support, four objections, and a petition with over 500 signatures, which requested road safety improvements in the area. A summary of the issues raised in objection are contained in the following paragraphs. Copies of the verbatim representations are enclosed with this report, and can also be found on www.educationleeds.co.uk/schoolorganisation . Previous Executive Board reports can be found on <http://democracy.leeds.gov.uk> .
- 3.2 **Issues regarding pupil numbers, local need, sustainability and impact on other schools.** Concerns were raised that the provision was not justified based on pupil projections. There was concern about different sets of data used, and the lack of one set of 'correct' data, and new data not being shared publicly. Comments were made that neighbouring schools had not yet filled, and the proposal was not in the right area, which would undermine other local schools. A request was made for an analysis of 2011 preference data. Questions were also raised about the implications of a free school proposer indicating intention to set up in the area.
- 3.3 **Response:** When bringing forward proposals a range of information is considered. Raw birth data gives an indication of how many children will require a place, however populations can change significantly in the four to five years between birth and entering school, and parents may prefer to attend schools in other areas for many reasons, e.g. to access those with a different ethos to their nearest school. Projections model past relationships between births and previous reception cohorts against the unknown pre school population. This can have the limitation of mirroring the past rather than future choice behaviours. For example, where the intake to a school has been constrained by its existing capacity, and pupils have been placed elsewhere, projections will not fully reflect the unmet demand. Priority is given under the admissions policy to children for whom a school is their nearest, so analysis of numbers by the nearest school is also considered. It is important to remember that VA schools do not have a nearest priority area, and so the data should be interpreted accordingly. All this information was presented in the consultation

document. Previous preference data and the level of unsuccessful allocations has not been presented, as the full range of data can become confusing.

- 3.4 Since then, preference data for the 2011 reception cohort has also become available. Offers were made on 20th April, and showed 28 children for whom the authority could not offer a place at Carr Manor Primary, but it was their nearest school. Whilst the school has long been popular and oversubscribed, this situation has developed so that for the last two years the authority could no longer offer places to all nearest children. This is reflective of the sharp rise in births in the immediate area that has been evident for the last 5 years. All the other schools were full, so children were allocated places in the nearest available school with spaces. 20 children had Carr Manor as their nearest school, expressed a preference for it, and were allocated places outside of the Meanwood planning area. In some cases this was as far afield as Iveson, Burley St Matthias, and Moor Allerton Hall. They could not be offered places at other schools in the area as these had already been filled with children from closer to that school. The proposal was brought forward on the basis of both immediate and wider area need. Any change will inevitably impact on future preference and allocation patterns, but this additional evidence supports the belief that the additional places are needed in the area for local children, and will not undermine any existing schools.
- 3.5 The Steiner Free School proposal that has been referred to in the area and is not decided by the local authority. Decisions will be made by the Secretary of State for Education, by the end of September 2011, for schools wishing to open in September 2012. Should the application fail the authority would not have sufficient time to bring forward alternative proposals. In considering all proposals the authority is mindful of any proposals for Free Schools and plans cautiously, but must make sure it meets its duty for sufficiency. The Steiner group have an interest in finding a site accessible to their existing kindergarten provision in the Meanwood / Chapel Allerton areas. The surrounding areas of Chapel Allerton, Roundhay and Moortown all face significant pressure for places.
- 3.6 **Traffic and road safety issues.** Concerns were raised about site access, traffic volumes and parking on an already congested road, and interaction with existing bus routes, bus stops and cycle paths. A petition requested road safety issues be addressed, and noted 'a strong possibility there will be an increase in traffic and pedestrians due to a new one form of entry school adjacent to Carr Manor High School'. There was also a request for full traffic impact assessment.
- 3.7 **Response:** The new provision will require new buildings, which in turn require planning permission. Highways and road safety issues will need to be addressed as part of this process, and will need to consider the full impact of the complete project from the outset. The provision is intended to meet local demand, and these children will need to travel to school somewhere, so will form part of the overall traffic in the area whatever their eventual destination. Local provision maximises the opportunity to walk to school, and some families may have elder siblings already at the school which will mitigate the traffic issues. Initial appraisal by officers has not indicated a need for a formal traffic impact assessment at this stage.
- 3.8 **Process concerns.** Concerns were raised that there was no full debate of through schools, and a biased positive spin was presented in favour of them. There was concern it was brought forward as an inappropriate avoidance of competition, and that there could be undue influence from the substantive Head Teacher at Carr Manor High School. There was challenge over new data emerging that was not part of the consultation process. There was also concern that any future conversion to

academy status would affect ability to control intake from reception upwards as described in the consultation.

- 3.9 **Response:** The consultation document outlined the preferred option so it was clear what was being consulted on, as is required by law. As was described in the consultation document, other options existed for the use of the site, but this was the preferred option. One of the reasons for preferring it to a new school was the ability to deliver places in time for September 2012, which a competition could not achieve. Public meetings provided the opportunity for challenge and information finding, and to give opinions; it is not for the authority to persuade or present a case for, but for people to ask their questions and state their views. The decision maker is the Executive Board. The additional information on 2011 preferences was only in the public domain on 20th April, so was not included in the consultation materials, but is now available for consideration. The statutory notice describes how the year groups will be established one year group at a time, and the authority would make representations to ensure this is adhered to by whatever governance arrangement exists at the school in future. Further the buildings would be delivered in stages, minimising the opportunity to fill year groups ahead of plan.
- 3.10 **Educational concerns.** There were some generic concerns about through schools, such as parental access to the head teacher, importance of a good start to education in early years / primary, loss of close understanding of younger children required for successful primary environment, loss of incentive for primary teachers due to loss of primary leadership posts, and a request all evidence for this model is reviewed. There was also some specific concern about the governing body of the school delivering on its commitment to employ primary specialists.
- 3.11 **Response:** The school improvement team have provided advice and precedent on through schools, looking at their potential to deliver good quality provision based on evidence of existing schools. If the proposal is approved, it will be for the governing body of the school to determine its staffing structure and leadership posts. It has demonstrated a clear commitment to specialist posts, and to early years, and is actively discussing partnership arrangements with other primary schools to deliver this. It already has several members of staff with primary experience. This proposal creates a new and different type of career development opportunity for primary leaders, potentially with a greater teaching focus and less facilities and admin elements. It is in the interests of the school to secure a positive start to every child's education if it is to deliver the best possible outcomes for its children at every stage.
- 3.12 **Other:** Effect on residents of building disruption and light pollution, flood risk
- 3.13 **Response:** The authority has significant experience of managing building projects and would seek to minimise disruption both the existing schools and residents. Building design would be subject to planning approval.
- 3.14 **Counter proposal:** To wait to make a decision or delay the implementation to make sure the need is there, in particular until outcome of Steiner school is known.
- 3.15 **Response:** The Executive Board must make a decision by 27th July 2011. It can choose to approve the proposal subject to certain conditions such as planning permission being met, or it can choose to make a minor modification such as change the implementation date, but that decision must by law be made now. Changing the implementation date would not allow for a different decision to be made at a later date. To effect a delay in the decision at this stage of the process, the proposal would need to be rejected, and a fresh consultation conducted. This would preclude the delivery of any places by September 2012, and risk failure in the

authority's statutory duty to provide sufficiency of places. The authority is already developing proposals for 2013, and any decision on Free Schools will be factored into that round of proposals and consultation.

3.16 **Counter proposal:** To create additional capacity in the Woodhouse area.

3.17 **Response:** The requirement is for places in the Meanwood area. Over provision in the Woodhouse area as an alternative would not create places accessible to this community.

4.0 Implications For Council Policy And Governance

5.0 Leeds City Council Executive Board is the decision maker for proposals relating to school organisation. It has set up the School Organisation Advisory Board (SOAB) to consider proposals and make recommendations when objections to a statutory notice are received.

6.0 Legal And Resource Implications

6.1 The consultation and notices have been managed in accordance with all relevant legislation. Leeds City Council is the decision maker for these proposals. Under the Education and Inspections Act 2006 they must make a decision within two months of expiry of the notices, or the matter will be referred to the school's adjudicator for a decision. The decision maker can in each case:

- Reject the proposal
- Accept the proposal
- Accept the proposal with a minor modification e.g. change of implementation date
- Approve the proposals subject to them meeting a certain condition e.g. grant of planning permission

6.2 The decision maker must give reasons for the decision irrespective of whether the proposals are rejected or approved indicating the main factors/criteria for the decision. SOAB should therefore provide appropriate comment with their recommendations. If the decision maker does not make a decision on the proposals within 2 months of the end of the statutory notice, the Authority must within one week refer the proposals to the Schools Adjudicator for a decision.

6.3 Any significant modification to a proposal would require fresh consultation, and prevent places being realised for 2012.

6.4 The estimated cost delivery of the proposal is £2,574,000, and this will be funded through the education capital programme. This is based on modular accommodation and will be subject to significant development through detailed design. The high level estimate does not include site acquisition costs or provision for any site specific conditions, risk or abnormalities.

7.0 Conclusions

7.1 This proposal is required to ensure the authority meets its legal requirements to ensure sufficiency of primary provision for September 2012. There is evidence of local need for these places, and they offer choice and diversity of provision. Any significant change to the proposal at this stage would mean alternative proposals could not be secured in time for September 2012, and any delay would affect the deliverability of the physical accommodation in time.

8.0 Recommendations

- 8.1 Children's Services recommend that the proposal to change the age range of Carr Manor High School from 11-18 to 4-18, with a reception admission limit of 30, and use land next to the school for the primary provision be approved.

9.0 Background Papers

- 17 June 2009 Expanding Primary Place Provision
- 22 July 2009 Proposed increases in Admissions Limits for September 2010
- 19 May 2010 Outcome of statutory notices for changes to primary provision for September 2010, 2011 and 2012
- 21 July 2010 - Outcome of statutory notices for proposals for expansion of primary provision for September 2011, and
- Outcome of statutory notices for changes to primary age provision in Horsforth for September 2011
- 15 Dec 2010 Primary provision for 2012
- 30 March 2011 Basic Need Programme 2012 – Part A Outcome of consultation on proposals for primary provision for 2012 and Part B Request for Authority to spend.
- 18 May 2011 Basic Need Programme 2012 – Outcome of consultation on proposals for primary provision in 2012