

**Report of Capacity Planning and Sufficiency**

**Report to School Organisation Advisory Board**

**Date: 13 November 2014**

**Subject: Outcome of statutory notice on proposals to expand primary provision in Roundhay for 2016**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Roundhay	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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 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

**Executive Summary**

This report contains details of a proposal 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.

In this case the school, Gledhow Primary School is a community school, the proposer is the local authority. There is a consultation period and then a statutory notice period, both of which allow for representations to be made by stakeholders. A statutory notice was published on 26 September 2014 and expired on 24 October 2014. One objection was received.

Under the Education and Inspections Act 2006 a final decision must be made within two months of expiry of this notice, therefore by 23 December 2014, or be referred to the School's Adjudicator for a decision.

Any significant change to the proposal at this stage would require the proposal to be rejected, and fresh consultation to begin, precluding the delivery of places for 2016.

## **1 Purpose of this report**

- 1.1 This report describes the representation made during the statutory notice period in relation to the proposal to expansion of Gledhow Primary School and asks School Organisation Advisory Board (SOAB) to consider the response and make a recommendation to Executive.

## **2 Background information**

- 2.1 The proposal, to expand Gledhow Primary School has been brought forward as part of a programme of expansion of primary provision to ensure the local authority meets its legal duty to secure sufficient school places.
- 2.2 Consultation was carried out from 30 June to 25 July 2014. During the consultation period, 16 written responses were received, 8 in favour, 8 against the primary expansion. The Governing Body of Gledhow Primary School expressed their support for the proposal subject to it meeting the needs of the community.
- 2.3 At its meeting on 17 September 2014 Executive Board considered this consultation feedback and gave permission to publish a statutory notice to increase the capacity of Gledhow Primary School from 420 pupils to 630 pupils, increasing the admission limit in reception from 60 to 90 from September 2016.
- 2.4 The notice was published on 26 September 2014 and expired on 24 October 2014. A final decision must be made within 2 months of the expiry of the notice, therefore by 23 December 2014.

## **3 Main issues**

- 3.1 The statutory notice period provided the opportunity for all stakeholders to consider further the expansion of Gledhow Primary School.
- 3.2 One objection was received in response to the statutory notice. The issues raised by the respondent, in the main, were not new and they had been raised during the consultation phase. The issues raised in objection are outlined in the following paragraphs. A copy of the representation is enclosed with this report and can also be found at [www.leeds.gov.uk](http://www.leeds.gov.uk)

### **3.3 The concerns that were raised are as follows:**

- 3.4 **Concern:** The school has a friendly and close atmosphere which is commented on by Ofsted, and the children feel cared for. This might be eroded with a larger school.

**Response:** The headteacher and governing body are very keen to retain the ethos of the school and are confident that they would manage any changes successfully without losing the close personal relationship with all pupils.

Support would be provided by the Learning Improvement Team at Leeds City Council to assist them in managing the change process. They would also be able to draw upon the experience of other schools that have expanded from 2 to 3 form entry. Contact has already been made with the HT and leadership team of

Westerton Primary School which also expanded from 2 to 3 entry and is an outstanding school.

Research indicates that size is not the determining factor as regards to those schools which are successful. The quality of teaching and learning and of leadership and management are the key drivers for success. Gledhow Primary School benefits from both of these. There is no evidence to suggest that the expansion would have a negative impact upon the education of the pupils.

**3.5 Concern:** There are concerns over the disruption and health and safety issues from the required construction work.

**Response:** Whilst it is not always possible to do all building work during school holidays, any works that are likely to be very noisy or disruptive would be carried out as far as possible whilst pupils and staff are away, whilst also respecting disruption for residents. Any building work carried out while the school is open would be completely segregated from the pupils and staff to ensure safety, and minimise disruption to teaching and learning. All building projects would be carefully managed to ensure the health and safety of children.

**3.6 Concern:** More traffic would mean that the chances of someone being injured or even killed would be increased. It is also likely to increase the issues with roads and drives being blocked and confrontation between drivers such as fighting over parking spaces.

**Response:** It is acknowledged that there is traffic in the vicinity of the school and particularly at peak times e.g. the beginning and end of the school day, and that expansion may increase traffic to the school. However this proposal is designed for local children, minimising this impact as far as possible.

If the proposal progresses any building work would be subject to the normal planning permission process. The Highways Department is a statutory consultee on all planning applications and therefore officers would formally comment on all applications. Any measures identified as a requirement for approval would be incorporated in the scheme of works. In addition a green travel plan would need to be developed by the school focusing on encouraging journeys on foot to school.

**3.7 Concern:** Dog fouling on streets and near the school is already an issue, especially as there is a field at the back of the school used predominantly by dog walkers. The current plans are to bring this field back into school use, which may mean that there is less dog fouling close to the school. However it will probably mean that there is more fouling in the street surrounding the school, as the field will no longer be able to be used.

**Response:** The space in question is land which is already part of the school site and it is maintained by the school but not currently fenced in as part of the school site. Whilst the land may currently be used by dog walkers for exercise, any issues on the land or surrounding areas relating to dog fouling should be reported to the Local Authority as dog fouling is not permissible and is a fineable offence.

3.8 **Concern:** The current plan is to build new classrooms etc. on part of the school playground. Although this loss would be compensated by bringing the field back into school use, this could not be used when wet. I understand that there are plans for some of the current field to be converted to an all-weather play area.

**Response:** The land lends itself to sports usage by the school and it would provide additional green space for school use. Some outdoor hard play area would be lost due the construction of additional school accommodation, however any play space used to accommodate new buildings would be re-provided elsewhere on the site. The school have been keen to ensure the plans for the new school accommodation include sufficient and appropriate play space for the children. The site is sufficiently large to accommodate the additional buildings and there is sufficient play space for a 3FE school, in line with Department of Education guidelines.

3.9 **Concern:** Do not agree with increasing the number of primary school places available in the Roundhay area, if there are then also no plans to increase the numbers of secondary school places available. The demographic data clearly shows that the area of most need is around North Roundhay/Street Lane where Talbot Primary School is the nearest primary school. This will expand the catchment area and just seems to be the cheapest and easiest option, but not the best one for the longer term.

**Response:** Although it is acknowledged that there is a particular issue with children for whom Talbot Primary School is their nearest school, it is not currently possible to expand that school. The expansion of any provision will impact on the patterns of distribution of pupils, but the expansion of Gledhow would address the need for additional places in the immediate area they live in.

As larger cohorts move through the primary schools, there will be a need to expand secondary provision across the area and plans will be brought forward.

## 4 Corporate Considerations

### 4.1 Consultation and Engagement

4.1.1 Consultation was managed in accordance with all relevant legislation and local good practice. The notice was publicised in the Yorkshire Evening Post and copies were placed on all the school entrances. The full proposal was placed on the school and council website.

A banner was placed on the school fence to raise awareness of this phase in the statutory process. A survey was set up using Leeds City Council's Talking Point to enable stakeholders to make comments about the proposals. Stakeholders also had the opportunity to make comments in writing, by letter or by email.

Ward members were formally consulted during the public consultation stage, both individually, and were offered the opportunity to comment at statutory notice phase. No concerns were raised.

### 4.2 Equality and Diversity / Cohesion and Integration

4.2.1 The EDCI impact assessment has been completed and is attached to this report.

### **4.3 Council policies and City Priorities**

- 4.3.1 This proposal has been brought forward to meet the Council's statutory duty to secure sufficient school places. By providing places close to where children live, these proposals improve accessibility of local and desirable schools, thereby reducing the risk of non-attendance and reducing the length of the journey to school.
- 4.3.2 A key objective within the Best Council Plan 2013-2017 is to build a child friendly city. The delivery of pupil places through Basic Need is one of the baseline entitlements of a Child Friendly City. A good quality school place contributes to the achievement of targets within the Children and Young People's Plan such as our obsession to 'improve behaviour, attendance and achievement'. In addition, "Narrowing the Gap" and "Going up a League" agenda and is fundamental to the Leeds Education Challenge.
- 4.3.3 A further objective of the Best Council Plan 2013-2017 is to ensure high quality public services. We want to promote choice and diversity for parents and families and deliver additional school places in the areas where families need them. Meeting this expectation while demonstrating the five values underpinning all we do is key to the basic need programme

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

- 4.4.1 A high level budget for this project has been set at £2.65m. This will be further refined during feasibility stage of the project. The project is intended to meet the local authority's sufficiency duty and the build costs would therefore be met by the local authority. Should the proposal be approved planning applications and requests for authority to spend would be put in place.

### **4.5 Legal Implications, Access to Information and Call In**

- 4.5.1 Leeds City Council's Executive Board is the decision maker for proposals relating to school organisation. It has established School Organisation Advisory Board (SOAB) to consider proposals if representations are received during a statutory notice period, then make recommendations to the Executive Board.
- 4.5.2 Under the Education and Inspections Act 2006 a decision must be made within two months of expiry of the notices (therefore by 23 December 2014), 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

- 4.5.3 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.
- 4.5.4 Any significant modification to a proposal would require fresh consultation, and prevent places being realised for 2016.

## **5 Conclusions**

- 5.1 These proposals are required to ensure the authority meets its legal requirements to ensure sufficiency of primary provision for September 2016. There is evidence of local need for these places, and they offer choice and diversity to parents. Any significant change to the proposal at this stage would mean alternative solutions would not be secured in time for September 2016, and any delay would affect the deliverability of the physical accommodation in time.

## **6 Recommendations**

- 6.1 Children's Services believe that the issues raised during the statutory phase do not to present a barrier to progress and asks that School Organisation Advisory Board considers the issues raised and recommends to Executive Board that these proposals be approved.

## **7 Background documents**

- 7.1 Public Consultation Booklet
- 7.2 Executive Board report 17 September 2014 – Part B: Basic Need Programme 2016 - Outcome of consultation to increase primary school places in Leeds
- 7.3 Gledhow Primary School Full Proposal
- 7.4 Gledhow Primary School Brief Notice
- 7.5 Copy of objection received – Gledhow Primary School
- 7.6 EDCI