

Report of Capacity Planning and Sufficiency

Report to School Organisation Advisory Board

Date: 21st March 2013

Subject: Outcome of statutory notices for the expansion of primary provision in 2014

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Hyde Park and Woodhouse, Otley and Yeadon, Middleton Park		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

Executive Summary

1. Leeds City Council has a statutory duty to ensure sufficiency of school places. In response to rising birth rates, it has 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 12 December 2012, the Executive Board considered a report on the outcome of consultation on proposals to expand Little London Community Primary School, Rufford Park Primary School, Sharp Lane Primary School and Tranmere Park Primary School, and gave permission to publish statutory notices in respect of Little London, Rufford Park and Sharp Lane. The notices were published on 8 February 2013 and expired on 8 March 2013. Five representations were received, one objection to the expansion of Sharp Lane, one objection to the expansion of Rufford Park, one objection to the expansion of Little London and two letters of support were received, one each in relation to Little London and Rufford Park. Under the Education and Inspections Act 2006 a final decision must be made within two months of expiry of the notices, 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 2014.

3. Leeds City Council's 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. Children's Services believe that the issues raised throughout the consultation process do not present insurmountable barriers and that these can be addressed. Children's Services asks that SOAB considers the issues raised and recommends to Executive Board that these proposals be approved.

1 Purpose of this report

- 1.1 This report describes the representations made to the statutory notices for the three proposals, and asks SOAB to consider these responses and make a recommendation to Executive Board on a final decision on these proposals.

2 Background information

- 2.1 The proposals were brought forward as part of a programme of expansions of primary provision to ensure the authority meets its legal duty to secure sufficient school places. The proposals are:

- To expand the physical capacity of Little London Community Primary School from 210 to 630 pupils, with an admission number increasing from 30 to 90 with effect from September 2014 on the adjacent site at Oatland Green;
- To expand the physical capacity of Rufford Park Primary School from 210 to 315 pupils, with an admission number increasing from 30 to 45 with effect from September 2014 on its existing site;
- To expand the physical capacity of Sharp Lane Primary School from 420 to 630 pupils, with an admission number increasing from 60 to 90 with effect from September 2014 on its existing site.

- 2.2 The public consultation was held from 10 September to 19 October 2012 and responses to this consultation were considered at the Council's Executive Board on 12 December 2012 and permission to proceed to statutory notice was given. A fourth proposal to expand Tranmere Park Primary School was also part of this consultation, however, this proposal was stopped to allow officers to carry out further work in this area. The statutory notice for the remaining three proposals was published on 8 February 2013 and expired on 8 March 2013.

3 Main issues

- 3.1 Five representations were received, one objection to the expansion of Sharp Lane, one objection to the expansion of Rufford Park, one objection to the expansion of Little London and two letters of support were received, one each in relation to Little London and Rufford Park. A summary of the issues raised in objection are contained in the following paragraphs. Copies of the representations are enclosed with this report, and can also be found at www.leeds.gov.uk. Previous Executive Board reports can be found at <http://democracy.leeds.gov.uk/ieListMeetings.aspx?CId=102&Year=0>.
- 3.2 **Proposal One: Expansion of Little London Community Primary School** from 210 to 630 pupils, with an admission number increasing from 30 to 90 with effect from September 2014. 1 representation was received in support and 1 against. The governing body reaffirmed their support for the proposal.

- 3.3 **Concern: that in principle schools of over 600 pupils are wrong, particularly in areas of social disadvantage and that the needs of pupils should be put first rather than avoiding the need to go out to tender for a new school.**
- 3.4 **Response:** Little London Community Primary School is a successful primary school. There are many examples of successful 3 form entry primary schools across the country, including those in areas of disadvantage. Leeds has several 3 form entry primary schools, including at least one currently rated as outstanding by Ofsted - Westerton Primary School in the south of the city.
- 3.5 Research indicates that size is not the determining factor as regards to those schools which are successful but that the quality of teaching and learning and the quality of leadership and management are the key drivers for success. Little London Community Primary School benefits from both of these.
- 3.6 Larger schools can offer a greater range of activities, staff expertise and career development for staff. One respondent noted during the consultation phase that the creation of a larger school was a positive benefit where it enabled whole local communities remain together.
- 3.7 One respondent during the representation phase commented in support of the proposal emphasising the many benefits to the community from the expansion of the school including employment opportunities, regeneration of the area as well as the creation of additional places for children at a local, popular and successful school.
- 3.8 The opportunity to expand Little London Community Primary was not taken by the Local Authority in order to avoid opening a new school. The proposal to expand a local successful primary school was brought forward to meet rising demographics in the area and at the same time recognising the regeneration requirements for the area adjacent to the school known as the 'community hub', including the shops, a housing office, play space and a community centre. The community hub project seeks to maintain and improve community facilities in the locality and explore how the local retail offer can be refreshed and improved.
- 3.9 **Proposal Two: Expansion of Rufford Park Primary School** from 210 to 315 pupils, with an admission number increasing from 30 to 45 with effect from September 2014. 2 representations were received, 1 in support and 1 against. The governing body confirmed that they welcomed and supported the proposed school expansion to accommodate the growing number of primary school aged children in the area.
- 3.10 Whilst a high percentage of children attending Rufford Park Primary School walk to school (around 70%), the governing body acknowledged the concerns of residents expressed at the public meeting in October 2012 relating to increased nuisance from traffic in Rufford Avenue and requested that officers from Highways take note of these concerns and devise solutions to minimise this nuisance.
- 3.11 Highways colleagues have indicated that initial measures would include a 20mph speed limit on Rufford Avenue and other adjacent roads to the school including Henshaw Avenue and Henshaw Oval. These would probably require physical

traffic calming measures within the 20mph areas; and amendments, where necessary of existing Traffic Regulation Orders and the possible promotion of new Traffic Regulation Orders

- 3.12 Traffic and Highways issues would be considered as part of the planning process should the proposal move forward. Any recommendations from Highways would need to be addressed in the final design solution.
- 3.13 **Concern: that in principle one and half form entry schools are wrong, that they cause the need for mixed age classes making the curriculum harder to deliver.**
- 3.14 Response: There are 11 good and 1 outstanding 1.5 FE primary schools in Leeds. Whilst the expansion would lead to mixed aged teaching, the school is confident that this would be well managed. The proposal was put forward by the school to meet the need for rising demographics in the area closest to the school, in the knowledge that it would expand the school from 1 to 1.5 form entry and create mixed age classes.
- 3.15 Larger schools can offer other benefits such as wider range of staff expertise, increased curricular and extra curricular activities, flexibility in managing classes and greater staff development.
- 3.16 **Proposal Three: Expansion of Sharp Lane Primary School** from 420 to 630 pupils, with an admission number increasing from 60 to 90 with effect from September 2014. 1 representation was received. The governing body put in writing their request that issues relating to the expansion of the school, namely relating to the field adjoining the school, road safety and the new school build were fully considered during the decision making process and these are detailed below. It should be noted that design work commences at risk in the case of all proposals to ensure that a project can be delivered at the school but that the detailed design work and planning approvals cannot be sought until the decision is taken to expand the school.
- 3.17 **Issues relating to the acquisition by the school of the field adjoining the school.** Concern was expressed that the field would not be acquired providing secure access to the additional play space required due to the expansion of the school build on the school site.
- 3.18 **Response:** The inclusion of the field within the secure school site is a core element of the project brief. The field is owned by the Council and currently vested with Parks and Countryside. The process of formally transferring responsibility for the maintenance and management of the field such that it becomes part of the school site is underway and the LA remains committed to ensuring the successful completion of this process. The LA recognises that the support of the governing body is conditional upon the acquisition of the field and the development of a whole school building solution.
- 3.19 **Issues relating to road safety.** Concern was expressed that existing traffic conditions at the beginning and end of the school day would be exacerbated by the increase in pupil numbers. In addition concern was expressed that there

would also be increased traffic in the vicinity of the school due to the planned Asda Superstore adjacent to the school site.

- 3.20 **Response:** Whilst it is customary for the off site design works to commence after planning approval has been sought, in this case colleagues in the Highways Design department have been engaged at a early stage in order that a highways design and building design may be submitted at the same stage, whilst acknowledging that the decision has not yet been taken to expand the school. It is expected that the planning application submitted for the school expansion project will include details of off-site highways work and that any planning approval will be conditional upon this work being completed. This element of the design will take into consideration developments in the local area and their impact on the local road network.
- 3.21 **Issues relating to the new school build.** Governors expressed concern that the building design may compromise the existing provision, and that temporary accommodation would be provided rather than permanent accommodation due to financial constraints. The governing body expressed the view that they had not been sufficiently involved in the design process for the new school.
- 3.22 **Response:** In response to the issues raised by the governing body, regular design team meetings have been arranged with the school to provide updates on key issues e.g. the building design, highways issues, access to the field. Whilst the design process has not been concluded at this stage, options under consideration do not include a series of stand alone modular buildings. The school will be involved in the sign off of all stages of the design and Children's Services will ensure that no key design decisions are made without full consultation with the school.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The consultation and statutory notices have been managed in accordance with all relevant legislation and local good practice. Ward members were formally consulted at the public consultation stage and they have indicated their support for the expansions.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.2 The EDCI impact assessments have been completed and are available on request from the Capacity Planning and Sufficiency Team.

4.3 Council policies and City Priorities

- 4.3.3 These proposals have 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.

4.4 Resources and value for money

4.4.4 The estimated cost of delivery is £9.4 million which will be funded from the education capital programme. The funding provides additional accommodation on each school site for the increased number of pupils. Where the school buildings are not all available until September 2014, solutions will be agreed with the schools to deliver the additional places until all the new accommodation is delivered.

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 set up the School Organisation Advisory Board (SOAB) to consider proposals and make recommendations when objections to a statutory notice are received.

4.5.2 Under the Education and Inspections Act 2006 a decision must be made 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

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 2014.

5 Conclusions

5.1 These proposals are required to ensure the authority meets its legal requirements to ensure sufficiency of primary provision for September 2014. There is evidence of local need for these places, and they offer choice and diversity to parents. Any significant change to the proposals at this stage would mean alternative solutions would not be secured in time for September 2014, 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 throughout the consultation process do not present insurmountable barriers and that these can be addressed. Children's Services asks that SOAB considers the issues raised and recommends to Executive Board that these proposals be approved.

7 Background documents¹

- 7.1 July 2012 Executive Board report – Permission to consult on primary expansions for 2014;
- 7.2 December 2012 Executive Board report – Outcome of consultation on proposals for expansion of primary provision in 2014;
- 7.3 Consultation booklet for each proposal:
 - Proposal to expand Little London Community Primary School from September 2014
 - Proposal to expand Rufford Park Primary School from September 2014
 - Proposal to expand Sharp Lane Primary School from September 2014
- 7.4 Statutory Notices for the above proposals;
- 7.5 Full proposals in relation to the above schools
- 7.6 Copies of representations received.

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.