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## SCRUTINY BOARD (CHILDREN AND FAMILIES)

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Call In Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Wednesday, 10th October, 2018 at 10.00 am

*(No Pre-meeting)*

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### MEMBERSHIP

#### Councillors

- H Bithell - Kirkstall;
- K Bruce - Rothwell;
- D Cohen - Alwoodley;
- P Drinkwater - Killingbeck and Seacroft;
- C Gruen - Bramley and Stanningley;
- J Illingworth - Kirkstall;
- W Kidger - Morley South;
- A Lamb (Chair) - Wetherby;
- J Lennox - Cross Gates and Whinmoor;
- K Renshaw - Ardsley and Robin Hood;
- R. Stephenson - Harewood;

#### Co-opted Members (Voting)

- Mr E A Britten - Church Representative (Catholic)
- Mr A Graham - Church Representative (Church of England)
- Mrs K Blacker - Parent Governor Representative (Primary)
- Ms J Ward - Parent Governor Representative (Secondary)
- Mrs V Bryden - Parent Governor Representative (SEN)

#### Co-opted Members (Non-Voting)

- Ms C Foote - Teacher Representative
- Ms H Bellamy - Teacher Representative
- Mrs A Kearsley - Early Years Representative
- Ms C Hopkins - Young Lives Leeds
- Ms D Reilly - Looked After Children and Care Leavers

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**Principal Scrutiny Adviser:**  
**Angela Brogden**  
**Tel: (0113) 37 88661**

Produced on Recycled Paper

# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <ol style="list-style-type: none"> <li>1. To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</li> <li>2. To consider whether or not to accept the officers recommendation in respect of the above information.</li> <li>3. If so, to formally pass the following resolution:-</li> </ol> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items have been identified.</b></p>	

3

### **LATE ITEMS**

To identify items which have been admitted to the agenda by the Chair for consideration.

(The special circumstances shall be specified in the minutes.)

4

### **DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS**

To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.

5

### **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

To receive any apologies for absence and notification of substitutes.

6

### **CALL IN BRIEFING PAPER**

1 - 6

To consider a report from the Head of Governance and Scrutiny Support advising the Scrutiny Board on the procedural aspects of Calling In the decision.

7

### **PROPOSAL TO INCREASE PRIMARY PLACES AT MOOR ALLERTON HALL PRIMARY SCHOOL**

7 - 40

To consider a report from the Head of Governance and Scrutiny Support presenting background papers to an Executive Board decision which has been called in in accordance with the Council's Constitution. This relates to a proposal to increase primary places at Moor Allerton Hall Primary School.

8

### **OUTCOME OF CALL IN**

In accordance with Scrutiny Board Procedure Rules, to consider the Board's formal conclusions and recommendations arising from the consideration of the called-in decision.

**DATE AND TIME OF NEXT MEETING**

Wednesday, 24<sup>th</sup> October 2018 at 10.00 am (pre-meeting for all Board Members at 9.45 am)

**THIRD PARTY RECORDING**

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts on the front of this agenda.

Use of Recordings by Third Parties – code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.



Report author: Angela Brogden  
Tel: 3788661

## Report of the Head of Governance and Scrutiny Support

### Report to Scrutiny Board (Children and Families)

Date: 10<sup>th</sup> October 2018

### Subject: Call In Briefing Paper

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" 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

1. In accordance with the Council's Constitution, an Executive Board decision has been Called In. The background papers to this particular decision are set out as a separate agenda item and appropriate witnesses have been invited to give supporting evidence.
2. This report advises the Scrutiny Board on the procedural aspects of Calling In the decision.
3. The Board is advised that the Call In is specific to the report considered by the Executive Board and issues outside of this decision, including other related decisions, may not be considered as part of the Board's decision regarding the outcome of the Call In.

### Recommendations

4. The Scrutiny Board is asked to note the contents of this report and to adopt the procedure as detailed within it.

## **1 Purpose of this report**

- 1.1 In accordance with the Council's Constitution, an Executive Board decision has been Called In. The background papers to this particular decision are set out as a separate agenda item and appropriate witnesses have been invited to give supporting evidence.
- 1.2 This report advises the Scrutiny Board on the procedural aspects of Calling In the decision.

## **2 Background information**

- 2.1 The Call In process provides the facility for the Scrutiny Board to require a decision taker to reconsider a decision within a specified time period. This is a separate function from the Scrutiny Board's ability to review decisions already taken and implemented. The eligibility of an Executive Board decision for Call In is indicated in the minutes.

## **3 Main issues**

- 3.1 The Board is advised that the Call In is specific to the report considered by the Executive Board and issues outside of this decision, including other related decisions, may not be considered as part of the Board's decision regarding the outcome of the Call In.

### Reviewing the decision

- 3.2 Because of the unique nature of Call In, particularly with regard to the requirement to conclude the meeting with a recommendation in one sitting, it is important that the meeting has a managed framework. The Scrutiny Board is therefore recommended to adopt the following process:
  - The Members who signed the Call In request will outline their reasons for calling in the decision, defining their concerns and explaining what remedial action they wish to see. If the Chair has agreed in advance that they may be accompanied by other witnesses, these witnesses will also be given the opportunity to briefly outline their concerns in relation to the decision in question.
  - Members of the Scrutiny Board will ask any questions and points of clarification.
  - At this point, the Members who signed the Call In request and any accompanying witnesses will leave the witness table.
  - The Executive Member(s) and/or officer(s) who are representing the decision maker will be invited to join the witness table.
  - The representatives of the decision maker will respond to the issues raised by the Call In request.
  - Members of the Scrutiny Board will ask any questions and points of clarification.
  - If necessary, this stage may involve further questioning by Board members of the witnesses in support of the Call In request. For the avoidance of doubt, there is no provision for the witnesses to cross-question one another.
  - Once Members of the Scrutiny Board have completed their questioning of witnesses, the representatives of the decision maker will leave the witness table.
  - A representative on behalf of each of the parties to the Call In will be invited to join the witness table to sum up. The representative of the decision maker will be invited

to sum up first if they wish to do so. Following this, the representative of the signatories to the Call In request will be invited to sum up having heard the discussion.

- The Scrutiny Board will then proceed to make its decision in relation to the Call In.

#### Options available to the Board

- 3.3 Having reviewed the decision, the Scrutiny Board will need to agree what action it wishes to take. In doing so, it may pursue one of two courses of action as set out below:

#### Option 1- Release the decision for implementation

- 3.4 Having reviewed this decision, the Scrutiny Board may decide to release it for implementation. If the Scrutiny Board chooses this option, the decision will be immediately released for implementation and the decision may not be Called In again.

#### Option 2 - Recommend that the decision be reconsidered.

- 3.5 The Scrutiny Board may decide to recommend to the decision maker that the decision be reconsidered. If the Scrutiny Board chooses this option a report will be submitted to the decision maker.
- 3.6 In the case of an Executive Board decision, the report of the Scrutiny Board will be prepared within three working days of the Scrutiny Board meeting and submitted to the Executive Board. Any report of the Scrutiny Board will be referred to the next Executive Board meeting for consideration.
- 3.7 In reconsidering the decision and associated Scrutiny Board report, the Executive Board may vary the decision or confirm its original decision. In either case, this will form the basis of the final decision and will not be subject to any further call-in.

#### Failure to agree one of the above options

- 3.8 If the Scrutiny Board, for any reason, does not agree one of the above courses of action at this meeting, then Option 1 will be adopted by default, i.e. the decision will be released for implementation with no further recourse to Call In.

#### Formulating the Board's report

- 3.9 If the Scrutiny Board decides to release the decision for implementation (i.e. Option 1), then the Scrutiny Support Unit will process the necessary notifications and no further action is required by the Board.
- 3.10 If the Scrutiny Board wishes to recommend that the decision be reconsidered (i.e. Option 2), then it will be necessary for the Scrutiny Board to agree a report setting out its recommendation together with any supporting commentary.
- 3.11 Due to the tight timescales within which a decision Call In must operate, it is important that the Scrutiny Board's report be agreed at the meeting.
- 3.12 If the Scrutiny Board decides to pursue Option 2, it is proposed that there be a short adjournment during which the Chair, in conjunction with the Scrutiny Support Unit,

should prepare a brief statement proposing the Scrutiny Board's draft recommendations and supporting commentary. Upon reconvening, the Scrutiny Board will be invited to amend/agree this statement as appropriate (a separate item has been included on the agenda for this purpose).

- 3.13 This statement will then form the basis of the Scrutiny Board's report (together with factual information as to details of the Called In decision, lists of witnesses, evidence considered, Members involved in the Call In process etc).
- 3.14 The Scrutiny Board is advised that there is no provision within the Call In procedure for the submission of a Minority Report.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Prior to submitting a Call In, a nominated signatory must first contact the relevant officer or Executive Member to discuss their concerns and their reasons for wanting to call in the decision. Part of this discussion must include the Member ascertaining the financial implications of requesting a Call In. The details of this discussion should be referenced on the Call In Request Form.
- 4.1.2 The background papers to this particular decision will make reference to any internal or external consultation processes that have been undertaken in relation to the decision.

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

- 4.2.1 The background papers to this particular decision will make reference to any impact on equality areas, as defined in the Council's Equality and Diversity Scheme.

### **4.3 Council Policies and Best Council Plan**

- 4.3.1 The background papers to this particular decision will make reference to any Council Policies and the Best Council Plan relevant to the decision.

### **4.4 Resources and Value for Money**

- 4.4.1 The background papers to this particular decision will make reference to any significant resource and financial implications linked to the decision.

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

- 4.5.1 This report does not contain any exempt or confidential information.
- 4.5.2 The background papers to this particular decision will make reference to any legal implications linked to the decision.

### **4.6 Risk Management**

- 4.6.1 The background papers to this particular decision will make reference to any risk management issues linked to the decision.



## **5 Conclusions**

- 5.1 In accordance with the Council's Constitution, an Executive Board decision has been Called In. This report advises the Scrutiny Board on the procedural aspects of Calling In the decision.
- 5.2 In particular, the Board is advised that the Call In is specific to the report considered by Executive Board at its meeting on 19<sup>th</sup> September 2018 and issues outside of this decision, including other related decisions, may not be considered as part of the Board's decision regarding the outcome of the Call In.

## **6 Recommendations**

- 6.1 The Scrutiny Board is asked to note the contents of this report and to adopt the procedure as detailed within it.

## **7 Background documents<sup>1</sup>**

- 7.1 none

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<sup>1</sup> 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.

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**Report of the Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Children and Families)**

**Date: 10<sup>th</sup> October 2018**

**Subject: Call In – Outcome of Statutory Notice on a proposal to increase primary places at Moor Allerton Hall Primary School**

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

**Summary of main issues**

1. This paper presents the background papers to a decision which has been Called In in accordance with the Council’s Constitution.
2. Papers are attached as follows:
  - Copy of the completed Call In request form
  - Report of the Director of Children and Families presented to Executive Board at its meeting on 19<sup>th</sup> September 2018
  - Extract from the draft minutes of the Executive Board meeting held on 19<sup>th</sup> September 2018
3. Appropriate Members and officers have been invited to attend the meeting in order to explain the decision and respond to questions.

**Recommendations**

4. The Scrutiny Board (Children and Families) is asked to review this decision and to determine what further action it wishes to take.

**Background documents<sup>1</sup>**

5. None used

<sup>1</sup> 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.

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**CALL IN REQUEST**

**Date of decision publication:** 21/09/2018.....

**Executive Board Minute no:** 67.....

**Delegated decision ref:** N/A.....or

**Decision description:** Executive Board decision to approve the permanent expansion of Moor Allerton Hall Primary School, subject to feasibility and planning permission.....  
.....  
.....

**Discussion with Decision Maker:**

Prior to submitting a Call In, a nominated signatory must first contact the relevant officer or Executive Member to discuss their concerns and their reasons for wanting to call in the decision. Part of this discussion must include the Member ascertaining the financial implications of requesting a Call In.

Please identify contact and provide detail.

- Director/author of delegated decision report.
- Executive Board Member

**Detail of discussion (to include financial implications):** Discussion was held between Cllr Dan Cohen and Cllr Jonathan Pryor (Executive Board Member for Learning, Skills & Employment) on Wednesday 26 September 2018 in which financial implications were discussed.

The main consequences were the potential for a delay to the scheme which in turn could have estimated costs linked to classroom hire and other associated matters. We believe these costs to be overstated and that the call in procedure should be factored into the decision making process in any event.

The Executive Board Member asked for a delay in the submission of the call in documentation so that members of the Conservative Group could give the matter full consideration before deciding to go ahead – this was agreed to. Following this it was decided to go ahead with the call in.

**Reasons for Call In:**

All requests for Call In must detail why, in the opinion of the signatories, the decision was not taken in accordance with the principles set out in Article 13 of the Council constitution (decision making) (principles of decision making) or where relevant issues do not appear to be taken into consideration. *Please tick the relevant box(es) and give an explanation.*

✓	Proportionality (ie the action must be proportionate to the desired outcome)
✓	Due consultation and the taking of professional advice from officers
	Respect for human rights
	A presumption in favour of openness
✓	Clarity of aims and desired outcomes
	An explanation of the options considered and details of the reasons for the decision
	Positive promotion of equal opportunities
	Natural justice

**Explanation:** The principle concern is that the permanent expansion of Moor Allerton Hall Primary School has been approved despite the opposition of the independent School Organisation Advisory Board (SOAB) and against the wishes of the majority of consultation responders. The SOAB rejection recommendation was made on the following grounds:

- The school was continually undersubscribed and required improvement;
- Expansion would put strain on the school leadership team;
- Parent preference is not addressed by this proposal;
- Numerous highways issues raised.

It is also the case that the response to the consultation was low. Given this background and the serious concerns raised by SOAB is the Executive Board decision justified and has it taken on board both the findings of the consultation and the advice of this independent Board?

The school is located in the so called school places 'black hole' so there is a clear need for additional primary provision in this part of North Leeds. However, given the school's improvement journey is this the most appropriate location for these additional places? The Council's desired outcomes are presumably to deliver expanded provision in this part of Leeds but part of that desired outcome, we assume, would also be to provide good quality provision given the stated ambition of Leeds being the 'Best City for Learning'. Whilst we are supportive of the school on its improvement journey, and back the staff and governing body, we are far from sure if this expansion will help the school improve its standards, indeed the disruption caused by the expansion may well be a significant obstacle. Therefore are the aims of this clear and consistent and will the desired outcomes contribute towards the 'Best City for Learning' ambition?

On proportionality this scheme will cost £4.2m and once delivered it cannot be undone. As noted above the school is working hard to improve, is the Council confident that will happen and certain that this expansion will not get in the way of improvement? If not is the use of these financial resources proportionate?

Leeds City Council Scrutiny Support

2 non-executive Members of council if they are not from the same political group.

This Call In request should be submitted to Scrutiny Support, 1st Floor West, Civic Hall by 5.00pm by no later than the fifth working day after the decision publication date. The following signatories (**original signatures only**) request that the above decision be called in.

Nominated Signatory ..... *D.A. Cohen* .....  
Print name ..... **DAN COHEN** .....  
Political Group..... **CONSERVATIVE** .....

Signature..... *Norma Harrington* .....  
Print name ..... **NORMA HARRINGTON** .....  
Political Group... **CONSERVATIVE** .....

Signature..... *Ryan Stephenson* .....  
Print name ..... **RYAN STEPHENSON** .....  
Political Group... **CONSERVATIVES** .....

Signature..... *Dawn Collins* .....  
Print name ..... **DAWN COLLINS** .....  
Political Group..... **CONSERVATIVE** .....

Signature..... *Benny Anderson* .....  
Print name ..... **Benny Anderson** .....  
Political Group..... **CONSERVATIVE** .....

Leeds City Council Scrutiny Support

Signature..... *W. J. Viner* .....

Print name ..... *WYNNE KIBOR* .....

Political Group..... *Mostly Bangers Independents* .....

Signature..... *[Signature]* .....

Print name ..... *JONATHAN BENTLEY* .....

Political Group..... *LIBERAL DEMOCRATS* .....

Signature.....

Print name .....

Political Group.....

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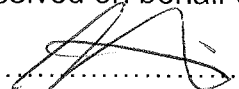
Political Group.....



Leeds City Council Scrutiny Support

For office use only: (box A)

Received on behalf of the Head of Governance and Scrutiny Support by:

 (signature)

Date: 27/9/18. Time: 16.05. SSU ref: 2018/19/67/69

For office use only: (box B)

Exemption status checked:

Call In authorised: Yes/No

Date checked:

Signed: 

Signatures checked:

Date: 27/9/18.

Receipts given:

SCANNED + EMAILED TO R. CLAYTON.

Validity re article 13

\* 5 SAME GROUP + 2 DIVERGENT PARAGS.



**Report of: Director of Children and Families**

**Report to: Executive Board**

**Date: 19 September 2018**

**Subject: Outcome of Statutory Notice on a proposal to increase primary places at Moor Allerton Hall Primary School**



Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Roundhay, Moortown	<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 checked="" type="checkbox"/> Yes	<input 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).

A public consultation on a proposal to expand Moor Allerton Hall Primary School from a capacity of 420 pupils to 630 pupils by increasing the admission number from 60 to 90 with effect from September 2019 took place from 23 March to 4 May 2018. At its meeting on 27 June 2018 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 2 July 2018 marking 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 30 July 2018 anyone could object to or comment on the proposals. There were 19 representations made during the representation period, 8 of which were formal objections and 11 of which were submitted as comments rather than objections. As objections were received the School

Organisation Advisory Board (SOAB) was convened to consider the matter and make a recommendation to Executive Board. SOAB met on 15 August 2018, the notes of their meeting are attached as an appendix to this report. A summary of SOAB's recommendations is included in the conclusions section of this report. This report summarises the outcome of the Statutory Notice period and seeks a final decision from Executive Board.

## **Recommendations**

Executive Board is asked to:

- Approve the proposal to permanently expand primary provision at Moor Allerton Hall 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 2019.
- Note that implementation of the decision is subject to feasibility and planning permission as indicated at 3.9.15 and that the proposal has been brought forward in time for places to be delivered for 2019.
- Note the responsible officer for implementation is the Head of Learning Systems.

## 1 **Purpose of this report**

- 1.1 This report contains details of proposals brought forward to meet the LA's duty to ensure a sufficiency of school places, which support the achievement of the Best Council priority to improve educational achievement and close achievement gaps. This report describes the outcome of Statutory Notice published regarding a proposal to expand primary school provision at Moor Allerton Hall Primary School (PS) and seeks a final decision in respect of this proposal.

## 2 **Background information**

- 2.1 At its meeting on 27 June 2018 Leeds City Council's Executive Board considered the outcome of the consultation on this proposal. Permission was given 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 2 July 2018 marking 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 30 July 2018 anyone could object to or comment on the proposal. A final decision on a proposal must be made within 2 months of the expiry of the Statutory Notice, therefore by 29 September 2018. Executive Board is the decision maker for this proposal.
- 2.2 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 proposals were posted on the school website and on the Leeds City Council website and parents/carers at the school informed, along with any stakeholder who responded to the original consultation and the previous consultation to establish a through-school where contact details were provided. Other local schools and the Dioceses were also informed about the proposals along with ward councillors and community groups.
- 2.3 During the representation period, 19 representations were made, 8 of which were formal objections and 11 of which were submitted as comments rather than objections. As objections were received the School Organisation Advisory Board (SOAB) was convened to consider the matter and make a recommendation to Executive Board. SOAB met on 15 August 2018 and the notes of their meeting are attached as an appendix to this report. A summary of SOAB's recommendations is included in the conclusions section of this report.

## 3 **Main issues**

- 3.1 As indicated in the report to Executive Board in June 2018 one of the main issues in this area is that there are not enough places at Talbot Primary School (PS) for all of the children who live closest to it. A number of the other local schools fill with siblings and their own 'nearest' children making it difficult for some families living nearest to Talbot PS to access a place either at Talbot PS or at most of the other local schools.
- 3.2 A large range of options have been explored over the years to provide the additional places needed in this area. This has included establishing permanent and/or bulge places at a number of local schools and reviewing the feasibility of

further expanding schools to meet the ongoing demand for places. Site suitability, highways and location were among the considerations when assessing which schools could expand. Although Talbot PS was able to admit a bulge cohort of children in 2016 it is not possible to permanently expand it. Moor Allerton Hall PS is situated within a reasonable distance of this area of pressure and would be well placed to address additional demand.

3.3 During the representation period following publication of the Statutory Notice 19 respondents commented on the proposal. 11 responses were to be counted as 'comments' rather than objections and 8 responses were 'objections'. Of the 11 respondents who commented, both support for and concerns about the proposal were raised. A summary of the comments received is provided below along with a response.

#### 3.4 **Comments in support of the proposal**

3.4.1 Subject to the Community Centre and Children's Centre moving to the former New Highwood pub site (referred to thereafter as 'the pub site'). This would ensure that sufficient space is made available to meet the needs of the whole school, particularly in relation to play space, leading to a focus on healthy lifestyles.

3.4.2 That the proposed changes to the building include sufficient provision for Children who are Deaf and Hearing Impaired including meeting BB93 performance standard guidelines as plans are developed. That the proposed changes will lead to improved outcomes for deaf children as required by the Special Educational Needs and Disability (SEND) Code of Practice. That parents and deaf children are involved in the expansion process to ensure that they have a voice in helping to shape the proposals, that flashing fire alarms are fitted, and that aspects such as flooring, lighting and decorating requirements are considered to ensure a calm environment with good acoustics.

3.4.3 In the absence of a new school being built, support for the proposal including an indication that the proposed drop-off loop road would reduce the impact of traffic.

3.4.4 That all possible steps are taken to improve pedestrian access to the school.

3.4.5 Using the existing leadership team to shape and guide the expansion is positive and key to using this investment in the school to support its improvement journey. The success of this proposal is very much dependent on the involvement and support of the head and governors.

#### 3.5 **Response to comments in support of the proposal**

3.5.1 The proposal to relocate the Community Centre and Children's Centre to the pub site is predicated on the requirement to meet shortfalls in sports pitch provision at Moor Allerton Hall PS. The school currently has sufficient external areas (soft play, hard play, habitat etc.) for a 3 form entry (FE) school but is lacking in sports pitches. As a grass sports pitch cannot be provided the project is seeking to remedy this shortfall by utilising the location of the Community Centre, subject to relocation, as a hard-surface Multi-Use Games Area (MUGA) that can be used all

year round. This provision is not proposed to have floodlighting. Current local arrangements for grass pitch access, managed locally by Moor Allerton Hall PS, will continue and will be supplemented by access to the MUGA on-site.

3.5.2 The proposed new teaching block will continue the principles established in the main school with respect to the DAHIT provision. This will include appropriate fire alarm beacons for lone working areas, sound-field systems in the required classroom ratio, acoustic enhancements where necessary etc.

3.5.3 Pedestrian access to the school would be considered as part of the full traffic assessment if the proposals were to progress.

### 3.6 **Comments raising concerns about the proposal**

3.6.1 The places are not in the right location to serve the area of need and although an extra 30 school places will have some positive impact on the shortfall within the Roundhay area, this will not make a long term difference under the existing admissions policy unless there is a change to the admissions policy to a catchment model. Concern has been raised that parents in the Talbot area won't preference Moor Allerton Hall PS and the extra places won't be filled, or be filled with children living further away.

3.6.2 If the pub site is included in the plans, alternative parking should be considered for parents and people visiting the Community and Children's Centres as it is currently used by Moor Allerton Hall PS parents.

3.6.3 Highways related concerns including congestion, unsafe parking, pollution and whether consideration will be given to additional parking, crossing points, restrictions on parking on certain roads and whether strategic hedging or trees along the perimeter could be introduced along with parking restrictions banning idling cars around the school to minimise emissions. Also that the planning for this proposal should include safe and healthy routes to school to enable children to travel to school by sustainable means considering that families may be travelling further distances. To increase the likelihood of parents from the Talbot area walking to Moor Allerton Hall PS, pedestrian access from Talbot Road should be considered to reduce the travel distance considerably.

3.6.4 The school would need financial and management support to ensure that the improvement journey the school is currently on is not jeopardised and the education of existing and future children at the school is safeguarded.

3.6.5 Concern that a school that is rated 'Requires improvement' by Ofsted is being considered and what will be done to ensure that the school doesn't deteriorate as it grows.

3.6.6 Concern that as the school grows that the ethos, structure and organisation of the school will be adversely impacted.

3.6.7 Concern about potential use of the former New Highwood pub site for school use as a split site and that moving any part of the school to pub site would not be acceptable, would be contrary to the wishes of the school leadership team as

expressed in its response to the earlier consultation, present unacceptable safeguarding risks and would compromise the ethos of the school. If the land currently occupied by the Community Centre is not secured as part of this proposal, alternative solutions should be considered.

### **3.7 Response to comments raising concerns about the proposal**

3.7.1 In the report to Executive Board in June 2018 following the initial consultation, a response to concerns raised about highways, location and sufficiency, use of the pub site, funding, and the school's improvement journey was provided and considered by Executive Board. Please refer to that report for further detail.

3.7.2 In response to additional concerns raised during the representation period about the impact of the proposal on the ethos, structure and organisation of the school and the financial support that the school would need, it will be for the Governing Body and Senior Leadership Team within the school to manage these aspects if the proposals were to progress. The Governing Body indicated in its response to the original consultation on this proposal that 'the ethos, identity and leadership of the school would be retained as there would be no merger with another school, providing stability for staff'...'improved facilities for the school'...'greater opportunities for staff retention and development with a 3FE school'. The school will receive support from the Authority in terms of its learning improvement journey.

3.7.3 The proposal to relocate the Children's Centre and Community Centre onto the pub site would be predicated on a replication, where practical, of existing facilities.

3.7.4 In its current location the Community Centre has a number of dedicated parking spaces, following negotiation with the Trustees a like-for-like provision is a condition of any potential relocation. The proposals currently in development reflect this requirement. Existing lay-by parking along Lidgett Lane will also continue to be available for people visiting the Community Centre.

3.7.5 The Children's Centre currently has no allocated parking, access for visitors is via an electronically controlled security gate monitored by Moor Allerton Hall PS's main school office. Parking within the school car park is intended for staff only, including employees of the Children's Centre. As such suitable staff parking for Children's Centre employees would be provided as part of any relocation. These parking spaces would also be available for use by the Community Centre outside of their core business hours, e.g. for evening groups, weekend events etc.

### **3.8 Objections to the proposal**

3.8.1 'The Lodge' which sits next to the school site was purchased due to its location and views of Moor Allerton Hall and it has had significant renovations. The proposal will extend the school boundary surrounding the property on three sides, spoiling the views of the Grade II Listed Moor Allerton Hall and will detract from the character of both buildings and Curtilage of The Hall. The one way system will restrict access to the Lodge and increase congestion on Lidgett Lane and will increase noise from traffic. There will be increased noise, light and air pollution due to the proposed Multi Use Games Area. Safety is a concern due to a recent



accident involving two school children. The emergency access road from Lidgett Lane to Allerton Grange Secondary school is to be connected to the Moor Allerton Hall Primary School Access Road and is not authorised to be used as a general access road. The development will increase further water surface run off and flooding. The questions which were raised at the meeting/drop-in session on 19 April relating to the effect of the development upon the Curtilage of Moor Allerton Hall were not answered because the Leeds Council Planning Department did not attend the meeting and not addressed after the meeting. The written objection of 4th May 2018 was not considered in the decision to progress the scheme to Statutory Notice.

- 3.8.2 The school is too far from the area of need and would place pressure on families with one car or who don't drive, contributing to a worsening of air quality.
- 3.8.3 If families living closer to Moor Allerton Hall were to preference the school some Talbot families would not get a place.
- 3.8.4 There are existing traffic issues on Talbot Avenue and the Bentcliffes and this proposal will further increase problems for residents if another entrance is considered on Talbot Avenue. A full traffic and air pollution assessment has not yet been done so how can the council give any reassurances about pollution and safety?
- 3.8.5 The council has a poor record in Early Years development for 3FE schools and how can a school that is in Requires Improvement continue to improve whilst managing greater numbers? A 3FE school is not conducive to a nurturing environment and the issues felt at Roundhay School reflect this. There needs to be a different entry system for 2/3 years to address the sibling issues felt at Talbot Primary School.
- 3.8.6 Modelling data is flawed. The expansion is in the wrong place and a waste of money as the school will not fill. The council has examples of expanding schools that don't fill and if a parent has to drive to a school they will travel further to access a one with a better reputation. The expansion of an existing more desirable school should be considered.
- 3.8.7 Use of the former New Highwood pub should not be for another school due to existing traffic, congestion and litter issues. A better use of it would be for extra care housing for older people.

### 3.9 **Response to objections to the proposal**

- 3.9.1 In the report to Executive Board in June 2018 following the initial consultation, a response to concerns raised about highways, location and sufficiency, use of the pub site and the school's improvement journey was provided and considered by Executive Board. Please refer to that report for further detail.
- 3.9.2 Concerns about traffic and highways was also raised during the public consultation period and commented on within the executive board report of 27 June 2018. Officers acknowledge the concerns relating to traffic in the area due to existing issues and colleagues within Highways Services would look at ways of

managing this where appropriate. If the expansion were to progress a full traffic assessment and a transport statement, based on the results of surveys commissioned for this project would be produced to reflect and support the planning application proposals. This would include an assessment of current highways issues and modelling what the impact would be of additional traffic in the area. LCC encourages sustainable travel so enhancements to or new crossing points would be considered along with the school's travel plan. A pick-up/drop-off area is also being considered which would take some of the traffic off the road and manage it within the site via dedicated parking bays. A full and transparent planning process would be followed if the proposals were to progress.

3.9.3 Concern has been raised during the representation period that an alternative school should be considered for expansion. As previously indicated to Executive Board in June 2018 a large range of options have been explored over the years to provide the additional places needed in this area. This has included establishing permanent and/or bulge places at a number of local schools and reviewing the feasibility of further expanding schools to meet the ongoing demand for places. Site suitability, highways and location are among the considerations when assessing which schools could expand. Although Talbot PS was able to admit a bulge cohort of children in 2016 it is not possible to permanently expand it. Moor Allerton Hall PS is situated within a reasonable distance of the area of need and would be well placed as an Admission Point to address additional demand.

3.9.4 With regard to the comments made about Early Years provision, this proposal is to expand primary provision not early years provision and there is no evidence that the school will be unable to manage its early years setting appropriately. The latest Ofsted report states that Early Years provision is 'good' and makes a number of observations:

Leaders accurately assess children's starting points and they design stimulating activities to meet the diverse needs of individual children. Hence, children get off to a positive start and make at least good progress in the early years. Over the last three years the proportion of pupils achieving a good level of development has continued to improve and is now around that seen nationally. Children are well prepared for Year 1;

Teachers ensure that they promote the values of the school from the time children start attending. The culture of care that is present throughout the rest of the school begins here and is evident in children's thoughtfulness towards each other and adults;

The leader of early years ensures that activities and learning themes run throughout the high-quality learning environment, indoors and in the outdoor area. These promote children's development in all key areas of learning well, and enable children to be happy, resilient and self-confident learners;

Staff have high expectations for what children can achieve, and challenge them effectively to develop early skills in literacy and numeracy. Imaginative teaching, including in phonics, enables children to improve their ability to read and write words and sentences rapidly.

With regards the concern raised about 3 form entry schools having a poor record in early years, there are six 3FE schools within Leeds and all are rated 'good' or 'outstanding' for early years as of their latest Ofsted reports.

- 3.9.5 In relation to the impact of the proposal on the setting of the Grade II listed Moor Allerton Hall, this will be a material planning consideration to be resolved as part of the planning application process.
- 3.9.6 The land surrounding The Lodge is vested with Moor Allerton Hall PS and forms part of their site. It is maintained accordingly by the school. The proposal is to sympathetically extend the school's perimeter fence so it can utilise the full extent of the site, a planting scheme will support this to soften the impact of any new fencing. This will ensure the school site is safe and secure for all pupils and staff. The location of The Lodge next to a 'live' school site has not changed, the proposal seeks to simply define this boundary in-line with the land registry plans.
- 3.9.7 The noted parent / pupil drop-off loop was presented at the consultation following initial consultation with Highways and Planning, these proposals have since evolved and are still in development. Extensive consultation is taking place with both Planning and Highways departments to ensure these proposals address the noted concerns. It is not currently possible to provide further detail on this as work is still ongoing and Highways have not yet completed their final review to ensure their requirements are met. The project will seek to address congestion and traffic issues generated by the school expansion, these are being drawn up in conjunction to the parent / pupil drop-off proposal in consultation with Highways. A package of Highways works will be undertaken based on new survey data and the Transport Statement generated as part of this project.
- 3.9.8 The 'access road' to the secondary school was historically designed as school bus access and service vehicles. Due to congestion along Talbot Avenue, and in consultation with Planning, Highways and the Police, the road was opened for parent / pupil drop-off. Any modifications to this road undertaken by the project will be subject to Highways design requirements and will need to provide suitable drainage based on the design proposal. Note, an attenuation tank is currently connected to this road as part of its original construction ten years ago. Any planning application will include a flood risk assessment covering the proposals.
- 3.9.9 The MUGA will be located on the school site and as such subject to daily use. It will not be illuminated by floodlighting so will generate no light or air pollution. Where applicable the landscaping measures will provide a planting scheme to soften the new developments.
- 3.9.10 If approved, it is expected that the building work will commence through 2019 to ensure delivery of accommodation for the additional intake from September of that year. Much of the internal remodelling will take place during school holidays and in particular the summer holiday period to ensure minimum disruption to the children's teaching and learning.
- 3.9.11 As objections were received the School Organisation Advisory Board (SOAB) was convened to consider the matter and make a recommendation to Executive Board. SOAB met on 15 August 2018 and the notes of their meeting are attached

as an appendix to this report. A summary of SOAB's recommendations is included in the conclusions section of this report.

- 3.9.12 The Headteacher and Governing Body are confident that the school can manage an expansion alongside the school's improvement journey. The Learning Improvement team within Leeds City Council will continue to work with Moor Allerton Hall PS and other partners, to ensure that the progress already made by the leadership and staff at the school continues and that outcomes for children will rise further.
- 3.9.13 During the representation period the Governing Body reiterated its support for the proposal. It notes that having consulted more widely with parents and carers, the Governing Body would underline the importance of gaining the space currently occupied by the Community Centre. This is to ensure that its children will have significant play space to play outside given the focus on healthy lifestyles supported by the Department for Education and Leeds City Council.
- 3.9.14 As previously indicated to Executive Board an option being considered is the potential to utilise the pub site. The freehold for the pub site is owned by Leeds City Council and the leasehold for the building was recently purchased. The site has been allocated to support the proposed development of Moor Allerton Hall PS and curriculum requirements necessary to expand to 3FE. Officers' preferred option is to relocate the Children's Centre which sits currently within the existing school building and the Community Centre which is located next to the existing school building, onto the pub site. A letter of comfort has been received via email from the Trustees of the Community Centre which demonstrates support for the proposal subject to the plans being implemented and a formal lease agreement being put in place.
- 3.9.15 Implementation of the decision - a feasibility study has been commissioned to determine options and ensure we proceed with the most effective solution, financially and educationally. Any scheme would be subject to relevant consultation at the appropriate juncture as informed by the key stakeholders and local ward members and any design/proposals would be drawn up in full consultation with the school based on area schedules provided by the Education and Skills Funding Agency. Planning permission would be required prior to the commencement of any construction. The proposal to increase primary provision in the Moortown area has been brought forward in time to allow places to be delivered for 2019.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The process in respect of all 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 2 July 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 proposals were posted on the school website and on the Leeds City Council website and parents at the

school were informed, along with any stakeholder who responded to the original consultation and the previous consultation to establish a through-school where contact details were provided. Other local schools and the Dioceses were also informed about the proposals along with ward councillors and community groups.

4.1.3 Stakeholders had the opportunity to comment or object to the proposals either in writing or by email.

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

4.2.1 The EDCI screening form for the proposal is attached as an appendix to this report.

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

4.3.1 This proposal supports 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 that 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. The Headteacher and Governing Body are confident that they can manage the expansion of the school whilst continuing to demonstrate improvements in relation to the school's learning improvement journey as indicated in the report to Executive Board in June 2018.

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

4.4.1 Pre-feasibility budgets, based on high-level calculations, are estimated at £4.2m for the proposed expansion of Moor Allerton Hall Primary School. This figure is reflective of progress to date and continued development of a number of complex elements of the proposed project which do not yet have firm costings available. A feasibility study has been commissioned to determine options and ensure we proceed with the most effective solution, financially and educationally. Any

scheme would be subject to relevant consultation at the appropriate juncture as informed by the key stakeholders and local ward members and any design/proposals would be drawn up in full consultation with the school based on area schedules provided by the Education and Skills Funding Agency. Planning permission would be required prior to the commencement of any construction.

- 4.4.2 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 This report is subject to call in.

#### 4.6 **Risk Management**

- 4.6.1 The proposal to increase primary provision in the Moortown area has been brought forward in time to allow places to be delivered for 2019. Bulge places have been offered to ensure a sufficiency of places in 2018 and a decision not to proceed with regard to this proposal may result in a fresh consultation on new proposals, and there is a high risk that places will not be delivered in time. The LA's ability to meet its statutory duty for sufficiency of school places in the short and longer term may be at risk. 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.

- 4.6.2 As indicated in the report to Executive Board in June 2018, as a consequence of the requirement to plan additional places within this area it has been necessary for the Authority to work at risk to develop the expansion proposals based on an increase to 3FE. The Authority has been working closely with the school management team, Highways, Planning, Urban Design, local community groups, ward members and other key stakeholders to ensure these proposals are in keeping with, and respond to feedback provided during the consultation. The critical path programme dates for the design and construction of any new accommodation overlap with the statutory process and if treated sequentially delivery of any permanent solution for September 2019 is not possible. In order to meet statutory obligations for pupil places within the area in September 2019, and provide the essential accommodation, it may be necessary to submit the planning application for the proposed expansion prior to Executive Board's final determination on the statutory process. A planning consultation session will be held early September 2018 with a view to submitting the planning application itself mid-September 2018. This will not circumvent the statutory process as approval to proceed with the construction of any new permanent accommodation at Moor Allerton Hall PS will not be granted by Executive Board unless both

planning permission and statutory approval have been granted. Submission, and potential approval, of planning permission in no way presupposes any final decision on the proposal to expand the school.

## **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 there are enough school places for children is one of the council's priorities. This proposal has been brought forward to meet that need, and following the appropriate consultation and publication of the Statutory Notice a final decision is now sought from Executive Board. If agreed, this proposal will ensure that children in Leeds have the best possible start to their learning, and so deliver the vision of Leeds as a child friendly city.
- 5.2 The details of Statutory Notice and how anyone could respond to it were sent to over 500 stakeholders, the school shared the detail with parents and the Statutory Notice was displayed on lampposts locally as well as being available on both the council and school websites. 19 responses were received of which 8 were objections which in comparison to the number of stakeholders who were informed, is a very low response rate.
- 5.3 As objections were received School Organisation Advisory Board (SOAB) was convened to consider the matter and make a recommendation to Executive Board. SOAB met on 15 August 2018 and the notes of their meeting are attached as an appendix to this report. Although SOAB recognised the need for additional school places in the area, its recommendation to Executive Board was to reject the proposal for the following reasons; that the school was continually undersubscribed and required improvement, that any expansion would place an unwelcome burden on the school's leadership team to deliver improvement, that the proposal would not aid parental preference and there were also significant highway issues that required addressing. These points were previously addressed in the report to Executive Board in June 2018 ahead of the publication of a Statutory Notice.
- 5.4 The Children and Families Service believe that the issues raised as concerns or formal objections do not present insurmountable barriers and that these can be addressed. The proposal remains strong and addresses the LA's statutory duty to provide sufficient school places, to provide places close to where children live, allow improved accessibility to local school places, manage resources effectively and to support good levels of attendance. It is our recommendation that the proposals are approved.

## **6 Recommendations**

- 6.1 Executive Board is asked to:
- Approve the proposal to permanently expand primary provision at Moor Allerton Hall 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 2019.

- Note that implementation of the decision is subject to feasibility and planning permission as indicated at 3.9.15 of this report and that the proposal has been brought forward in time to allow places to be delivered for 2019.
- Note the responsible officer for implementation is the Head of Learning Systems.

## 7 **Background documents**<sup>1</sup>

7.1 None

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<sup>1</sup> 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.



# SCHOOL ORGANISATION ADVISORY BOARD

WEDNESDAY, 15TH AUGUST, 2018

**PRESENT:** Angela Cox in the Chair

Sally Boulton – Schools Group  
Jackie Ward – Governor Group

## 1 Election of a Chair

**RESOLVED** – That Mrs Angela Cox be elected Chair for the duration of the meeting.

## 2 Apologies for Absence

There were no apologies for absence.

## 3 Declarations of Interest

There were no declarations of disclosable pecuniary interest made at the meeting.

## 4 Outcome of consultation to increase learning places at Moor Allerton Hall Primary School

The School Organisation Advisory Board considered a report by the Sufficiency and Participation Team regarding the outcome of a statutory notice on proposals to expand Moor Allerton Hall Primary School from a 2 Form Entry school to a 3 Form Entry School with effect from September 2019. The Board noted that the proposal would increase the capacity of Moor Allerton Hall Primary School from 420 pupils to 630 pupils, with an increase in the school admission number from 60, to 90 pupils.

The Board considered the proposals having regard to the following documents:

- The report of the Legal Adviser to the Board
- The report of the Sufficiency and Participation Team, Children and Families Service
- The consultation booklet entitled “School Places Public Consultation – Proposal to permanently expand Moor Allerton Hall Primary School from September 2019”
- Report of the Director of Children and Families to Executive Board 27<sup>th</sup> June 2018 entitled “Outcome of consultation on proposals to increase learning places at Moor Allerton Hall Primary School”.
- An equality, diversity, cohesion and integration screening document associated with the proposals

- The Notice publicising the consultation published 2<sup>nd</sup> July 2018 “Proposal to permanently expand Moor Allerton Hall Primary School, Lidgett Lane, Leeds, LS17 6 QP to create an additional 210 primary places with effect from 1<sup>st</sup> September 2019
- Written representations were received from eight members of the public who were objecting to the proposal, with a further eleven responses being received containing comments on the proposal.

Mr D Crawley, Sufficiency Planning Manager (Strategic), Children & Families, attended the meeting together with Ms T Waud, Planning Manager Sufficiency & Participation Team. Mr Crawley addressed the proposals and highlighted the following matters in particular:

- There continued to be pressure for school places in the Roundhay area
- Based on straight line measurements, each year there are in excess of 100 children whose nearest school is Talbot Primary
- Additional permanent school places have already been created at several schools across the Roundhay/ Wigton area including: Gledhow Primary, Roundhay Primary, Highfield Primary and Wigton Moor Primary. In addition to this a number of temporary bulge places have been created at some of the other schools.
- No alternative options for additional places in the area of need if proposal does not proceed
- An application to create a new free school which would increase capacity in the area had recently been withdrawn
- The proposals would provide additional primary provision in the Roundhay and North Leeds area.
- Eight objections were received together with eleven responses containing comments on the proposal

In response to questions from the Board, the following issues were discussed:

- The proposal seeks to expand a school which is continually undersubscribed and categorised as “requires improvement”
- Is it appropriate to expand a school which is undersubscribed and requires improvement
- Had a catchment area option been considered
- Was the population of the area increasing
- Were there any substantial housing proposals planned for the area
- Had full consideration been given to further expansion of existing schools in the area
- There continues to be significant highway/traffic issues in the area, expanding a school and adding a further 210 pupils would not help the existing highway situation in the area where current issues remained outstanding
- This was an ambitious and complex plan
- The timescale for a start date of 1<sup>st</sup> September 2019 was challenging

The Board were informed that the Headteacher and Governing Body were confident that they could manage the expansion of the school whilst continuing to demonstrate improvements in relation to the school's learning improvement journey but no details were available

The Board also received verbal representations from the following individuals who were objecting to the proposals:

Saul Clayton – Local Resident

Andrew Kirby – A Roundhay resident with a child of Primary School age

(Both representatives had already provided written representations which were included in the agenda documentation)

The Chair requested all parties to leave the room in order to discuss the proposals. The Board considered the comments raised during the statutory notice period, the contents of the report, the contents of the representations submitted by members of the public during the consultation and the responses to the questions put to Mr Crawley.

The groups entitled to vote and in attendance i.e. Roman Catholic Church Diocese, Schools Group and the Governors Group, were unanimous in their decision to recommend rejection of the proposal for the expansion of Moor Allerton Hall, Primary School.

The Board recognised the need for further school places in the area but were not supportive of the proposal to expand a school which was continually undersubscribed and required improvement, any expansion would place an unwelcome burden on the school's leadership team to deliver improvement. The proposal would not aid parental preference and there were also significant highway issues that required addressing

**RESOLVED** – It was the unanimous view of the School Organisation Advisory Board that the Executive Board be recommended to reject the proposals to permanently expand primary provision at Moor Allerton Hall 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 2019.

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As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

<b>Directorate:</b> Children and Families	<b>Service area:</b> Sufficiency and Participation
<b>Lead person:</b> Richard Amos	<b>Contact number:</b> 0113 37 87232

**Title:** Assessing the consultation process on a proposal to permanently expand Moor Allerton Hall Primary School from September 2019

Is this a:

**Strategy / Policy**     
  **Service / Function**     
  **Other**

**If other, please specify**

The proposal seeks to ensure a sufficiency of school places in the area.

**2. Please provide a brief description of what you are screening**

The Education Act 1996 places a duty on local authorities to ensure there are sufficient school places for all children living in its area. The local authority (LA) is also required to promote choice and diversity, and therefore must also ensure that there are a range of options available to parents.

The proposal is to permanently expand Moor Allerton Hall PS on its existing site from a capacity of 420 pupils to 630 pupils with an increase in the admission number from 60 to 90 with effect from September 2019.

This screening form looks at the equality considerations that have taken place in order to ensure that the consultation and stakeholder engagement process that is required for this proposal is fair and addresses equality, diversity, cohesion and integration from the outset and throughout.

### 3. Relevance to equality, diversity, cohesion and integration

All the council's strategies and policies, service and functions affect service users, employees or the wider community – city wide or more local. These will also have a greater or lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation. Also those areas that impact on or relate to equality: tackling poverty and improving health and well-being.

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		x
Have there been or likely to be any public concerns about the policy or proposal?	x	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	x	
Could the proposal affect our workforce or employment practices?		x
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>	x	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity, cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

### 4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment. Please provide specific details for all three areas below (use the prompts for guidance).

• **How have you considered equality, diversity, cohesion and integration?** (**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The proposal is to permanently expand Moor Allerton Hall PS on its existing site from a capacity of 420 pupils to 630 pupils with an increase in the admission number from 60 to 90 with effect from September 2019. The demographics of the area were considered in

developing the proposal, along with parental preference trends, and projections, and it was concluded that additional capacity is required. The types of schools in the area were also considered, to ensure LCC adheres to its legal duty of ensuring parents are offered choice and diversity.

We consulted with stakeholders through the informal/pre-consultation, which took place from 23 March 2018 to 4 May 2018. The 'normal' length of time to run a pre-consultation is four weeks however we extended this to six weeks due to the school holidays which occurred during the consultation period. This was to ensure maximum engagement. During this period we consulted with various stakeholders, including; parents and carers of pupils including a separate meeting with parents/carers of children who are deaf and hearing impaired, pupils, governors and staff at the school, nearby schools, the Diocese, local community centre, children's centre, Councillors, MP and local residents including local community groups.

To ensure maximum engagement with families we asked the schools to promote the consultation on the proposals through their usual methods of communication such as the school website, texts and any newsletters. In order to engage the wider community in the consultation, we promoted it through posters in the local area; a leaflet drop to over 4000 houses; letters posted to local residents and leaflets being shared with local early years providers. Emails were also sent out with information about the consultation to local organisations and community groups along with the National Children's Deaf Society. There were also a number of digital promotions including via Leeds City Council Social media, school place planning word-press blog and Leeds City Council website.

As part of a previous consultation about potential sites for a free school in the Roundhay area, and following the recent consultation about the idea of joining Moor Allerton Hall PS with Allerton Grange School, a number of stakeholders asked to be kept updated on progress. As this consultation followed on from these we contacted all of the stakeholders for whom contact details were held to inform them of these new proposals. This meant that a wide cross-section of the local community had the opportunity to comment on these proposals.

Stakeholders were able to give their views on the proposals by completing a consultation response form available from the school office, online or at the drop in sessions, via email, or via an online survey. The length of consultation and the variety of methods in which people could respond to the consultation were intended to make the consultation open to all and was in line with DfE guidance.

Following on from this consultation a Statutory Notice was published in the Yorkshire Evening Post on 2 July 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 proposals were posted on the school website and on the Leeds City Council website and parents at the school were 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 along with ward councillors and community groups.

- **Key findings**

**(think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal

could benefit one group at the expense of another)

From the equality impact screening the sufficiency and participation team found that these proposals would have a positive effect on some of the 6 categories listed below;

- Age
- Gender
- Religion
- Ethnicity
- Disability
- Sexual orientation

Additional learning places create more opportunities for all pupils to be supported and to meet their needs at every age, whether they are male or female, and in every school. This proposal supports that aim and would not have an adverse impact on any child or young person who attends the school included in this proposal. The school ethos and accommodation would ensure that all children and young people who attend can take a full part in the school curriculum in an environment that supports their specific needs regardless of religion, ethnic background and nationality. Expansion of the existing school will ensure that it continues to support the needs of its community by providing more places for local children.

Moor Allerton Hall PS has specialist Deaf and Hearing Impaired (DAHI) provision. During the informal/pre-consultation parents and carers of children accessing the DAHI provision were offered the opportunity to attend a meeting with a member of the school place planning and city development teams to discuss how this proposal may affect their children and families personally. This meeting went ahead during the consultation period and following this discussion, parents and carers were able to formally respond with their views. A request was made for a British Sign Language (BSL) interpreter to attend one of the drop-in sessions, which was provided. During the representation period following publication of the Statutory Notice a further meeting was held between a parent requiring BSL interpretation and a council officer to explain the statutory process in more detail and ensure that the parent could respond to the Statutory Notice.

The views of the National Deaf Children's Society were actively sought during the consultation and representation period following publication of the Statutory Notice.

Any new accommodation would meet the Equality Act 2010 and would therefore be accessible for all.

- **Actions**

**(think about** how you will promote positive impact and remove/ reduce negative impact)

If the proposals are taken forward, the extra primary places will be made available in reception from September 2019. All parents/carers will therefore have the option of applying for these places or choosing alternative schools.

During the consultation process, all views and responses were considered equally. If the proposal is approved, during the design process for new school accommodation, the plans would be shared with stakeholders and consulted on. Through the design process, any new accommodation to facilitate the expansion of the school would be compliant with the Equality Act 2010. This would ensure that the building is accessible to all users; students,



staff and visitors.

**5. If you are **not** already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment**.**

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

**6. Governance, ownership and approval**  
Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Richard Amos	Sufficiency and Participation Manager	25 July 2018
<b>Date screening completed</b>		25 July 2018

**7. Publishing**

Though **all** key decisions are required to give due regard to equality the council **only** publishes those related to **Executive Board, Full Council, Key Delegated Decisions** or a **Significant Operational Decision**.

A copy of this equality screening should be attached as an appendix to the decision making report:

- Governance Services will publish those relating to Executive Board and Full Council.
- The appropriate directorate will publish those relating to Delegated Decisions and Significant Operational Decisions.
- A copy of all other equality screenings that are not to be published should be sent to [equalityteam@leeds.gov.uk](mailto:equalityteam@leeds.gov.uk) for record.

Complete the appropriate section below with the date the report and attached screening was sent:

For Executive Board or Full Council – sent to <b>Governance Services</b>	Date sent:
For Delegated Decisions or Significant Operational Decisions – sent to appropriate <b>Directorate</b>	Date sent:
All other decisions – sent to <a href="mailto:equalityteam@leeds.gov.uk">equalityteam@leeds.gov.uk</a>	Date sent:

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**EXECUTIVE BOARD**  
**WEDNESDAY, 19TH SEPTEMBER, 2018**

**PRESENT:** Councillor J Blake in the Chair  
Councillors A Carter, R Charlwood,  
D Coupar, S Golton, J Lewis, R Lewis,  
L Mulherin, J Pryor and M Rafique

**LEARNING, SKILLS AND EMPLOYMENT**

**67 Outcome of Statutory Notice on a proposal to increase learning places at Moor Allerton Hall Primary School**

Further to Minute No. 29, 27<sup>th</sup> June 2018, the Director of Children and Families submitted a report detailing the outcome of a Statutory Notice which had been published regarding a proposal to expand primary school provision at Moor Allerton Hall Primary School and which sought a final decision in respect of this proposal.

Concern was raised by 2 Members regarding the submitted proposal, with reference being made to the representations which had been received as part of the consultation process and the recommendation of the School Organisation Advisory Board (SOAB), as appended to the submitted report. In considering this matter, Members discussed the level and nature of the responses which had been received to the proposals.

Clarification was provided to Members regarding the pool of membership for the Advisory Board, and that there were the required number of attendees at the meeting of SOAB on 15<sup>th</sup> August 2018 to make a formal recommendation. Responding to a Member's enquiry regarding whether SOAB still held the concerns it raised at its meeting, the Board noted that the process was that following SOABs consideration of the proposals and their subsequent recommendation, the recommendation of SOAB was included within the Executive Board report for the Board's consideration as part of the final determination. In considering this, the Board was advised that it was felt that the concerns raised by SOAB had been addressed, and in response to a Member's request, officers undertook to provide further detail to SOAB members confirming that their concerns had been duly considered by Executive Board and also explaining how it was felt that such concerns had been addressed.

As part of the discussion, a request was made that consideration be given to the role of SOAB, with this to be picked up as part of any future review on related matters.

In conclusion, it was confirmed to the Board that no new concerns had been raised further to those referenced by SOAB or which had arisen from the consultation, with the Board noting that it was felt that those existing concerns had been addressed. As such, Members considered the recommendations in

the submitted report, and it was

**RESOLVED –**

- (a) That the proposal to permanently expand primary provision at Moor Allerton Hall 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 2019, be approved;
- (b) That it be noted that the implementation of resolution (a) (above) is subject to feasibility and planning permission, as indicated at paragraph 3.9.15 of the submitted report, with it also being noted that the proposal has been brought forward in time to allow places to be delivered for 2019;
- (c) That it be noted that the responsible officer for the implementation of such matter is the Head of Learning Systems.

(Under the provisions of Council Procedure Rule 16.5, Councillor Golton required it to be recorded that he abstained from voting on the decisions referred to within this minute, whilst under the same provisions, Councillor A Carter voted against the decisions referred to within this minute)

**DATE OF PUBLICATION:** FRIDAY, 21<sup>ST</sup> SEPTEMBER 2018

**LAST DATE FOR CALL IN  
OF ELIGIBLE DECISIONS:** 5.00 PM, FRIDAY, 28<sup>TH</sup> SEPTEMBER 2018