

**Report of Director of Children’s Services**

**Report to Executive Board**

**Date: 21 September 2016**



**Subject: Outcome of statutory notices on proposals to increase primary and secondary learning places in Holbeck, Kirkstall-Burley-Hawthorn, and Burdantofts planning areas.**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s)		
Part A – City & Hunslet		
Part B – Kirkstall		
Part C – Burdantofts and Richmond Hill		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

**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 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.

This report is divided into three parts;

### **Part A — Outcome of Statutory Notice on a proposal to expand Hunslet Moor Primary School**

Consultation on a proposal to expand Hunslet Moor (Community) Primary School from a capacity of 315 pupils to 420 pupils by increasing the admission number from 45 to 60 with effect from September 2018 took place from 29 February to 25 March 2016. At its meeting on 22 June 2016 Executive Board gave permission for the local authority, as proposer, to publish a statutory notice in respect of the proposal. Part A of this report gives details of the finalised proposal and seeks a final decision from Executive Board.

### **Part B –Outcome of Statutory Notice on a proposal to expand Hawksworth Wood Primary School.**

Consultation on a proposal to expand Hawksworth Wood (Community) Primary School from a capacity of 210 pupils to 420 pupils by increasing the admission number from 30 to 60 with effect from September 2017 took place from 29 February 2016 to 25 March 2016. At its meeting on 22 June 2016 Executive Board gave permission for the local authority, as proposer, to publish a statutory notice in respect of the proposal. Part B of this report gives details of the finalised proposal and seeks a final decision from Executive Board.

### **Part C Outcome of Statutory Notice on a proposal to expand primary and secondary provision in Burmantofts**

Consultation on a proposal to expand Shakespeare (Community) Primary School from a capacity of 315 pupils to 630 pupils by increasing the admission number from 45 to 90 with effect from September 2018 took place from 29 February 2016 to 25 March 2016. This expansion involves a relocation of the primary school to the Dolly Lane site, former Primrose High School.

Linked to the above is a proposal to expand secondary places at The Co-operative Academy of Leeds from a capacity of 900 students to 1,200 students with an increase in the admissions number from 180 to 240 with effect from September 2019. The Academy would expand into the existing primary school site. In the case of The Co-operative Academy of Leeds, the Co-operative Academies Trust is the proposer.

At its meeting on 22 June 2016, Executive Board gave permission for the local authority to publish a statutory notice in respect of the proposals. Part C of this report gives details of the finalised proposal and seeks a final decision from Executive Board

Statutory notices for all the above detailed proposals ran concurrently, commencing on 5 July 2016 and concluding on 2 August 2016. They provided opportunities for respondents to make representations regarding the proposals. A final decision on each of the proposals must be made within two months of expiry of the notices, therefore by 2 October 2016. There were no representations during the statutory notice period.

## **Recommendations**

Executive Board is asked to:

- Approve the proposal to expand Hunslet Moor (Community) Primary School by increasing its capacity from 315 pupils to 420 pupils, increasing the admission number from 45 to 60 with effect from September 2018.
- Approve the proposal to expand Hawksworth Wood (Community) Primary School by increasing its capacity from 210 pupils to 420 pupils, increasing the admission number from 30 to 60 with effect from September 2017.
- Approve the proposal to expand Shakespeare (Community) Primary School by increasing its capacity from 315 pupils to 630 pupils, increasing the admission number from 45 to 90 with effect from September 2018.
- Approve the linked proposal to expand The Co-operative Academy of Leeds by increasing its capacity from 900 students to 1200 students, increasing the admission number from 180 to 240 with effect from September 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 local authority's duty to ensure sufficiency of school places, and which support the achievement of the Best Council priority to improve educational achievement and close achievement gaps. This report is divided into three parts to describe the outcome of each of the statutory notices and seeks final decisions on each of these proposals.

## **2 Background information**

### **Parts A, B and C**

- 2.1 Executive Board has considered the outcome of the consultations for the three proposals. Permission was given to publish statutory notices on these proposals, which were 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 notices were published on 5 July 2016 and expired on 2 August 2016. A final decision on each proposal must be made within 2 months of the expiry of the notice, therefore by 2 October 2016. Executive Board is the decision maker for these proposals.
- 2.2 The statutory notices were published in the Yorkshire Evening Post on 5 July 2016. Copies of the statutory notices were displayed at each entrance to the respective schools and on notice boards at the schools. The full proposals were posted on the schools' websites and on the Leeds City Council website. Stakeholders had the opportunity to make comments in writing, by letter or email.

### **3 Main issues**

#### **Part A – Expansion proposals for Hunslet Moor Primary School**

- 3.1 During the four weeks consultation period there were 39 responses with 95% in support of the proposal to increase the number of school places at Hunslet Moor Primary School.
- 3.2 All of the concerns raised during the consultation were addressed in the report to Executive Board in June 2016.
- 3.3 No representations were received during the statutory notice period.
- 3.4 There is a particular pressure for school places across the Holbeck and Hunslet areas. The expansion of Hunslet Moor Primary School would help ensure that there are sufficient good school places available for children to learn and gain the skills they need for life at a school close to where they live.
- 3.5 The governing body continues to support the proposed expansion and engage well with the Local Authority regarding the process of planning the additional accommodation which would be required. No other information has emerged to suggest that the proposal should not proceed.

#### **Part B – Expansion proposals for Hawksworth Wood Primary School**

- 3.6 During the four weeks consultation period there were 61 responses with 85% in support of the proposal to increase the number of school places at Hawksworth Wood Primary School.
- 3.7 All of the concerns raised during the consultation were addressed in the report to Executive Board in June 2016.
- 3.8 No representations were received during the statutory notice period.
- 3.9 This proposal has been brought forward to meet the projected demand for primary school places across the Kirkstall / Burley / Hawksworth primary planning area from September 2017 onwards. The additional places are required in the area to ensure sufficient primary school places are available for local children.

- 3.10 The Governing Body of Hawksworth Wood Primary School continues to support the proposal to expand primary provision. No other information has emerged to suggest that the proposal should not proceed.

### **Part C - Proposal to expand primary and secondary provision in Burmantofts**

- 3.12 During the four weeks consultation period there were 75 responses with 91% in support of the proposal to increase the number of primary school places at Shakespeare Primary School. 93% of the same respondents supported the proposal to increase the number of secondary school places at The Co-operative Academy of Leeds.
- 3.14 All of the concerns raised during the consultation were addressed in the report to Executive Board in June 2016.
- 3.15 No representations were received during the statutory notice period.
- 3.16 This proposal has been brought forward to meet the projected demand for primary and secondary school places across the Inner East of the City.
- 3.17 The governing body at Shakespeare Primary School continue to support the proposed expansion. Leeds City Council remain fully supportive of the proposal to expand secondary places at The Co-operative Academy of Leeds and continue to work closely with the school and Trust as part of the Local Authority's duty to ensure sufficient secondary school places. No other information has emerged to suggest that the proposals should not proceed.
- 3.18 The Co-operative Academy of Leeds are exploring the potential to include within the expansion proposal some dedicated resourced provision for secondary aged students with Autism Spectrum Condition (ASC). Establishing these Special Educational Needs places would involve a parallel process of consultation led by the Academy and supported by Leeds City Council. The capital cost of the provision would be minimal and the space would be accommodated within the existing floor area.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 Consultations were managed in accordance with all relevant legislation and local good practice. The notices were published in the Yorkshire Evening Post on 5 July 2016 and copies were placed at all of the school entrances. The full proposals were placed on the schools' and Leeds City Council's websites.
- 4.1.2 Stakeholders had the opportunity to make comments in writing, by letter or by email.
- 4.1.3 For each proposal, local ward members were formally consulted during the public consultation stage and were offered the opportunity to comment at the statutory notice stage. Local ward members continue to give their support to each of the proposals.

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

- 4.2.1 The EDCI screening forms have been completed and were attached as an appendix to previous Executive Board reports. The EDCI forms are also attached as an appendix to this report.

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

- 4.3.1 These proposals are being brought forward to meet the Council's statutory duty to ensure there are sufficient school for all the children in Leeds. Providing places close to where children live allows improved accessibility to local school places helping to support good levels of school attendance.
- 4.3.2 These proposals offer good value for money through their capacity to support delivery of the desired 'Best Council' outcome to give everyone the opportunity to do well at every level of learning, gaining the skills they need for life.
- 4.3.3 These proposals contribute 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, these proposals provide 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. It is important when bringing any proposal forward that there is a degree of certainty that any change would not have a negative impact on teaching and learning. All three primary Schools were rated 'Good' by Ofsted at their most recent inspections. The Co-operative Academy Leeds was rated 'Requires Improvement' at its most recent Ofsted inspection although the local authority's Learning Improvement team are supportive of this proposal and in the school's most recent Ofsted monitoring inspection visit, which took place on 16th March 2015. The attending Ofsted inspector noted that the senior leaders, governors and the academy sponsor are taking effective action to tackle the areas requiring improvement.

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

4.4.1 Cautious indicative budgets, based on high-level calculations, are estimated at £4.5m for the proposed expansion at Hunslet Moor Primary School, £4m for the proposed expansion at Hawksworth Wood Primary School, £13-15m for the proposed new build expansion of Shakespeare Primary School and £4.4m for the proposed expansion of The Co-operative Academy of Leeds. These proposed schemes are subject to the granting of planning permission which would need to be sought prior to any construction work being carried out.

4.4.2 For each scheme, once the feasibility stage is complete and the schemes move towards the detailed design phase, the budgets will be realigned to reflect that all parties have agreed the final design or pre-tender estimate which will take account of site investigations and survey information.

#### **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 statutory time limit for final decisions on each of the proposals detailed in this report is 2 September 2016. These proposals to increase primary provision have been brought forward in time to allow for the necessary capital programmes so that places can be delivered for the 2017, 2018 and 2019 academic years. Any significant change to the proposals at this stage would preclude the delivery of places for these timescales and the authority's ability to meet its statutory duty for sufficiency of school places in the short term may also be at risk.

4.6.2 A detailed risk register would be established and would be maintained for each of the projects, if approved. For each proposal it is necessary to progress feasibility design work at risk during the statutory notice phase; however the decision to proceed to detailed design stages would not commence until a final decision has been made. Any delay to the statutory process would increase the risk of delayed delivery of the building solution or financial risk of abortive fees being incurred.

4.6.4 There is a corporate risk associated with failing to provide sufficient school places in good quality buildings that meet the needs of local communities.

## **5 Conclusions**

5.1 Our ambition is to be the best city in the country. As a vibrant and successful city we will attract new families to Leeds, and making sure that we have enough school places for children is one of our top priorities. These proposals have been brought forward to meet that need, and following the appropriate consultation we now seek to move them to the next stage. They would ensure that children in Leeds would have the best possible start to their learning, and so deliver our vision of Leeds as a child friendly city.

5.2 The proposals to expand these schools are strong. They would provide additional school places for local children in the areas they are located. No comments were made during the statutory notice period and the concerns raised at the

consultation stage were addressed in the reports which previously went to Executive Board.

5.3 Therefore, it is recommended that the proposals be approved.

## **6 Recommendations**

6.1 Executive Board is asked to:

- Approve the proposal to expand Hunslet Moor (Community) Primary School by increasing its capacity from 315 pupils to 420 pupils, increasing the admission number from 45 to 60 with effect from September 2018.
- Approve the proposal to expand Hawksworth Wood (Community) Primary School by increasing its capacity from 210 pupils to 420 pupils, increasing the admission number from 30 to 60 with effect from September 2017.
- Approve the proposal to expand Shakespeare (Community) Primary School by increasing its capacity from 315 pupils to 630 pupils, increasing the admission number from 45 to 90 with effect from September 2018.
- Approve the linked proposal to expand The Co-operative Academy of Leeds by increasing its capacity from 900 students to 1200 students, increasing the admission number from 180 to 240 with effect from September 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.