

**Report of Director of Children and Families**

**Report to Executive Board**

**Date: 21 March 2018**

**Subject: Outcome of Statutory Notices on proposals to increase primary places at Allerton Church of England Primary School and Beeston Hill St Luke's Primary School**



Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Part A – Alwoodley Part B – Beeston & Holbeck		
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/learning places including Special Educational Needs (SEN) 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).

This report is divided into two parts:

**Part A – Outcome of Statutory Notice on a proposal to expand primary provision at Allerton Church of England (C of E) Primary School**

Consultation on a proposal to expand Allerton C of E Primary School from a capacity of 420 pupils to 630 pupils by increasing the admission number from 60 to 90 with effect from September 2018 took place from 26 June 2017 to 21 July 2017. At its meeting on 13 December 2017 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 primary provision at Beeston Hill St Luke's Church of England (C of E) Primary School and to establish SEN provision**

Consultation on a proposal to expand Beeston Hill St Luke's C of E Primary School from a capacity of 315 pupils to 420 pupils by increasing the admission number from 45 to 60 from September 2019 and to establish SEN provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 8 pupils with effect from September 2019, took place from 11 September 2017 to 6 October 2017. At its meeting on 13 December 2017 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.

### **Parts A and B**

Statutory notices for the two proposals detailed in Part A and B were published on 8 January 2018. Publication of the Notices marked 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 5 February 2018 anyone could object to or comment on the proposals. In respect of the proposals at Beeston Hill St Luke's C of E Primary School there were no representations received during the representation period. In respect of the proposals at Allerton C of E Primary School there were four representations made during the representation period, two of which were formal objections and two 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 20 February 2018, the notes of their meeting are attached as an appendix to this report.

### **Recommendations**

Executive Board is asked to:

- Approve the proposal to permanently expand primary provision at Allerton Church of England 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 2018.
- Approve the proposal to permanently expand primary provision at Beeston Hill St Luke's Church of England Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 from September 2019 and to establish SEN provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 8 pupils 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 LA's duty to ensure a sufficiency of school/learning 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 Notices published regarding proposals to expand primary school provision at Allerton C of E Primary School and Beeston Hill St Luke's C of E Primary School, and to establish SEN provision for pupils with complex communication difficulties at Beeston Hill St Luke's Primary School, and seeks a final decision in respect of these proposals.

## **2 Background information**

### **Parts A and B**

- 2.1 At its meeting on 13 December 2017 Leeds City Council's Executive Board considered the outcome of the consultations for these two sets of proposals. Permission was given to publish Statutory Notices, 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 8 January 2018 which marked 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 5 February 2018 anyone could object to or comment on the proposals. A final decision on each proposal must be made within 2 months of the expiry of the Notice, therefore by 4 April 2018. Executive Board is the decision maker for these proposals.
- 2.2 Copies of the Statutory Notices were displayed at each entrance to the respective schools, on notice boards at the schools and on lampposts in the areas near to the schools. The full proposals were posted on the schools' websites and on the Leeds City Council website and parents at both schools informed, along with any stakeholder who responded to the original consultations at each school where contact details were provided. Other local schools and the Dioceses were also informed about the proposals. In addition details of the SEN proposal at Beeston Hill St Luke's C of E Primary School was shared with various parent groups including EPIC (Empowering Parents, Improving Choices), SCOPE and SENDIASS Leeds (Special Educational Needs and Disability Information Advice Support Service).
- 2.3 In respect of the proposals at Beeston Hill St Luke's C of E Primary School there were no representations received during the representation period. In respect of the proposals at Allerton C of E Primary School there were four representations made during the representation period, two of which were formal objections and two 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 20 February 2018, the notes of their meeting are attached as an appendix to this report.

### 3 Main issues

#### Part A – expansion proposal at Allerton C of E Primary School

3.1 During the representation period following publication of the Statutory Notice four respondents commented on the proposal. Two responses were to be counted as ‘comments’ rather than objections and two responses were ‘objections’. The responses that contained comments were from local residents, who expressed highways related concerns relating to; congestion at peak times, cars parking on both sides of the road blocking driveways, parked cars restricting the bus route and making the road dangerous due to restricted view, cars parking on double yellow lines, lack of crossing or crossing patrol, single entrance to school being an issue for both cars and pedestrians. One suggestion made was to expand the existing Park and Ride car park and to create a pedestrian entrance to the primary school. One of the respondents indicated that they did not object to the expansion of the school but had concerns around additional traffic as noted above.

3.2 The two objections received raised the following concerns to which our response is also given below.

3.3 **Concerns:** That additional children at the school will increase traffic during peak times; Road safety in light of existing and future parking issues; Existing and likely increase to inconsiderate/illegal parking e.g. parking on double yellow lines and blocking drives; Traffic entering and exiting the school’s single vehicular access point is dangerous; Increased congestion and decreased traffic flow; Anti-social behaviour connected with parking near to the school; Problems with buses passing safely near to the school; Pedestrian access to the school via a small gate is dangerous; Lack of pedestrian crossing points; Lack of policing of existing permits and double yellow lines; Leeds City Council should consider creating separate entrances to the school in order to distribute traffic more evenly.

3.4 **Response:** In the report to Executive Board in December 2017 following consultation, concerns about Highways issues were addressed as follows:

“The LA acknowledges the concerns relating to an increase in traffic in the area due to existing traffic issues and we will work with colleagues in Highways Services to look at ways of managing this where appropriate. Highways would take account of the existing bulge cohorts in terms of assessing the highway impact. During the consultation a number of suggestions were made regarding how increases to traffic could be managed which included:

- A review of the current park and ride arrangement off King Lane and potential to create a formal pedestrian walk-through from the park and ride onto Lingfield Approach;
- Further use of double yellow lines near to the school;
- Assessment of the traffic verges on Lingfield Approach and Lingfield Drive and potential to create parking/drop off;
- A review of the current bus routes/times at pick up/drop off;

- Potential for making the gate at the back of school more accessible to create an additional entrance to school;

If the proposals were taken forward a full traffic survey and transport statement would need to be produced for any planning application which would need to demonstrate how the increases to traffic could be mitigated and which would include a consideration of these and any other potential solutions for helping to manage the increases to traffic and congestion. Parents and local residents would have the opportunity to formally comment on any planning applications”.

- 3.5 The Highways Team has further indicated that a transport assessment would be carried out to fully assess the existing situation and the impact that the proposed development would have on the surrounding roads. This would include the current bus routes in the area. Following the assessment, a package of measures to mitigate the effects of the development would be put forward, the emphasis being on promoting and encouraging sustainable travel to and from the site such as walking, cycling and public transport and reducing the need for travelling to and from the site by private car. As part of the initial consultations, existing safety concerns were raised and a review of the parking, crossing facilities and traffic management measures will be required to determine the off-site highway works required to mitigate the proposed increase.
- 3.6 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 20 February 2018, the notes of their meeting are attached as an appendix to this report.
- 3.7 The expansion of Allerton C of E Primary School is proposed as it is a good school (Ofsted January 17) and was judged to be outstanding in the Statutory Inspection of Anglican and Methodist Schools (SIAMs) report (January 17). The school is popular with local families, situated within an area of high demographic need.
- 3.8 The Governors and Senior Leadership Team are confident that its dedicated staff team can meet the needs of every child who attends the school. The leadership team will continue to rigorously monitor the progress of children; ensuring high standards of teaching and learning are consistently delivered as children progress through each phase of school. The school is part of Noctua Teaching School Alliance, and its experienced middle and senior leaders are committed to improving outcomes for children in the school, but also share their skills and knowledge with colleagues in other schools through the Senior Leadership programme. The school welcomes the opportunity to enable more children to benefit from its commitment to developing respect, caring, tolerance, kindness, honesty and openness.

### **Part B – expansion and establishment of SEN proposals at Beeston Hill St Luke’s C of E Primary School**

- 3.9 During the representation period following publication of the Statutory Notice there were no comments or objections received in relation to this proposal.

- 3.10 The expansion of Beeston Hill St Luke's C of E Primary School and establishment of SEN provision is proposed as it is an Ofsted rated outstanding school in an area of high demographic need, is very popular with local families and is supported by both the Complex Needs and Learning Improvement teams.
- 3.11 The school benefits from strong leadership and management, and a dedicated staff team who are very positive about the potential permanent expansion. They are confident that existing high standards of teaching and learning can be maintained, resulting in improved outcomes for a greater number of local children.
- 3.12 The SEN provision for pupils who may have a diagnosis of ASC and who often have the academic ability but who are displaced from learning as a result of their social difficulties and anxiety, would give the individual pupil a flexible and tailored education as well as providing a safe space within the school. This would be supported by specialist and experienced staff supporting teaching and learning. The aim of the provision would be for pupils to access mainstream classes most of the time with access to a broad and balanced mainstream curriculum. Provision within Beeston Hill St Luke's C of E Primary School supports the authority's drive to make Leeds' provision accessible and inclusive.
- 3.13 The Governing Body fully supports the proposals.

## **4 Corporate Considerations**

### **Parts A and B**

#### **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 Notices were published in the Yorkshire Evening Post on 8 January 2018. Copies of the Statutory Notices were displayed at each entrance to the respective schools, on notice boards at the schools and on lampposts in the areas near to the schools. The full proposals were posted on the schools' websites and on the Leeds City Council website and parents at both schools informed, along with any stakeholder who responded to the original consultations at both schools where contact details were provided. Other local schools and the Dioceses were also informed about the proposals. In addition details of the SEN proposal at Beeston Hill St Luke's C of E Primary School was shared with various parent groups including EPIC (Empowering Parents, Improving Choices), SCOPE and SENDIASS Leeds (Special Educational Needs and Disability Information Advice Support Service).
- 4.1.3 Stakeholders had the opportunity to comment or object to the proposals either in writing or by email.
- 4.1.4 During the original consultation ward members gave their support to the proposals at Beeston Hill St Luke's Primary School. During the original consultation ward members gave their broad support for the proposals at Allerton C of E Primary providing that the Highways and parking issues were addressed. A response to

the Highways issues was given in the report to Executive Board in December 2017. Details of the Statutory Notice were subsequently shared with local ward members and parish councillors for both sets of proposals. No further comments were received.

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

4.2.1 The EDCI screening forms for the proposals at Allerton C of E Primary School and Beeston Hill St Luke's C of E Primary School have been completed and attached as appendices to this report.

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

4.3.1 These proposals offer good value for money through their capacity to support 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 These proposals are being brought forward to meet the LA's statutory duty to ensure there are sufficient school/learning 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 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.

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.

4.3.5 Allerton C of E Primary School was rated good in its January 2017 Ofsted inspection and was judged to be outstanding in the Statutory Inspection of Anglican and Methodist Schools (SIAMs) report in January 2017. The Governing Body and Senior Leadership Team are confident that its dedicated staff team can meet the needs of every child who attends the school, managing the change whilst maintaining standards.

4.3.6 Beeston Hill St Luke's C of E Primary School was judged to be outstanding in its June 2008 Ofsted inspection and maintained that judgment in its interim inspection in April 2011. The school benefits from strong leadership and management and is confident that existing high standards of teaching and learning can be maintained, resulting in improved outcomes for a greater number of local children.

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

- 4.4.1 Pre-feasibility budgets, based on high-level calculations, are estimated at £3.9m for the proposed expansion of Allerton C of E Primary School and £2.7m for the proposed expansion and establishment of SEN provision at Beeston Hill St Luke's C of E Primary School.
- 4.4.2 The proposed schemes would be subject to planning permission which would need to be granted prior to the commencement of construction works. Once the feasibility stage was complete and schemes proceeded to the detailed design phase, budgets would be realigned to reflect that all parties have agreed the final design and cost estimates, which would take account of site investigations and survey information, in accordance with standard project and risk management principles. Schemes would also be subject to relevant stakeholder consultation.
- 4.4.3 These expansions 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 These proposals have been brought forward in time to allow places to be delivered for 2018 in the case of Allerton C of E Primary School and 2019 in the case of Beeston Hill St Luke's C of E Primary School. A decision not to proceed at this stage may result in fresh consultations on new proposals, and places may not be delivered in time. It may also result in further bulge cohorts being delivered in other local schools which would be more costly in the longer term. The LA's ability to meet its statutory duty for sufficiency of school places in the short term may be at risk.
- 4.6.2 The majority of the school site at Allerton C of E Primary School is protected playing pitches. Early consultation with Sport England would be required to obtain approval to build on the existing playing pitches in order for the proposed expansion to progress.
- 4.6.3 There is also a corporate risk associated with failing to provide sufficient school/learning places in good quality buildings that meet the needs of local communities.

## 5 **Conclusions**

### **Parts A and B**

- 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/learning places, including SEN places, for children is one of our top priorities. These proposals have been brought forward to meet that need, and following the appropriate statutory process being followed we now seek to move them to the next stage. This would ensure that children in Leeds have the best possible start to their learning, and so deliver our vision of Leeds as a child friendly city.
- 5.2 Although two objections were received during the representation period in respect of the proposals at Allerton C of E Primary School, the Children and Families Service believe that the issues raised do not present insurmountable barriers and that these can be addressed. Both proposals remain strong and address the LA's statutory duty to provide sufficient school/learning places, to provide places close to where children live, allow improved accessibility to local and desirable 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 Allerton Church of England 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 2018.
- Approve the proposal to permanently expand primary provision at Beeston Hill St Luke's Church of England Primary School from a capacity of 315 pupils to 420 pupils with an increase in the admission number from 45 to 60 from September 2019 and to establish SEN provision for pupils with Complex Communication Difficulties including children who may have a diagnosis of ASC (Autistic Spectrum Condition) for approximately 8 pupils 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.