

Report of: Sufficiency and Participation Team, Children and Families Service

Report to: School Organisation Advisory Board

Date: 15 August 2018

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



Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Rounday, 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 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

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 the representation period there were 8 objections and 11 comments.

1 Purpose of this report

- 1.1 This report describes the representations made during the representation period in relation to the proposal to expand Moor Allerton Hall Primary School and asks School Organisation Advisory Board (SOAB) to consider the responses and make a recommendation to Executive Board on a final decision on the proposal.

2 Background information

- 2.1 The proposal has been brought forward to ensure that the LA meets its statutory duty to provide sufficient school places.
- 2.2 The proposal is to permanently 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.

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. 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.

- 2.3 A public consultation on the proposal took place from 23 March to 4 May 2018. During that time 135 responses were received of which 71 respondents supported the proposal, 59 respondents disagreed with the proposal and 5 respondents neither agreed nor disagreed with the proposal.
- 2.5 Concerns and a response to those concerns were detailed in a report to Executive Board in June 2018. Executive Board approved the recommendation to publish a Statutory Notice in respect of the proposal.
- 2.6 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.

3 Main issues

- 3.1 The representation period provided the opportunity for all stakeholders to consider further the expansion of primary provision at this school.

3.2 Eight objections were received during this period, and 11 responses containing comments on the proposals. The responses that contained comments were from a range of stakeholders expressing both support for and concerns about various aspects. A copy of the objections that were received are appended to this report and summarised below along with the council's response.

3.3 **Objections to the proposal**

- 3.3.1 '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 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.
- 3.3.2 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.
- 3.3.3 If families living closer to Moor Allerton Hall were to preference the school some Talbot families would not get a place.
- 3.3.4 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?
- 3.3.5 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.
- 3.3.6 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.

3.3.7 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.

3.4 **Response to objections to the proposal**

3.4.1 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.

3.4.2 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.

3.4.3 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.

- 3.4.4 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.
- 3.4.5 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.
- 3.4.6 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.
- 3.4.7 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.
- 3.5 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 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The process in respect of 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 proposals at Moor Allerton Hall Primary School has been completed and 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 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 **Legal Implications, Access to Information and Call In**

4.4.1 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.

- 4.4.2 Leeds City Council's Executive Board is the decision maker for proposals relating to school expansions. It has established SOAB to consider proposals where objections are received during the representation period following publication of a Statutory Notice. After hearing any objections and the case for the authority, SOAB then makes any recommendations to Executive Board. If the decision maker does not make a decision on the proposals within two months of the end of the representation period, the matter must be referred to the Schools Adjudicator.

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. This proposal has been brought forward to meet that need to 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. These proposals would also offer choice and diversity to parents.

6 Recommendations

- 6.1 The Children and Families Service ask School Organisation Advisory Board to consider the issues raised and to provide a recommendation to Executive Board on a final decision on the proposal.

7 Background documents

- 7.1 Public consultation booklet.
- 7.2 Executive Board report 27 June 2018 - Outcome of consultation to increase learning places at Moor Allerton Hall Primary School.
- 7.3 EDCI screening form.
- 7.4 Moor Allerton Hall Primary School Full Proposal.
- 7.5 Moor Allerton Hall Primary School Statutory Notice.
- 7.6 Copies of anonymised objections received.