

Report of Director of Children and Families

Report to Executive Board

Date: 24th June 2020

Subject: Outcome of statutory notice on a proposal to permanently increase learning places at Allerton Grange School from September 2021



Are specific electoral wards affected? If yes, name(s) of ward(s): Roundhay	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<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
Will the decision be open 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

1. Main issues

- This report contains details of a proposal brought forward to meet the local authority's duty to ensure a 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. The process followed in respect of this proposal is detailed in this report. The decision maker in these cases remains the local authority (LA).
- A consultation on a proposal to expand Allerton Grange School from a capacity of 1200 to 1500 students by increasing the admission number in year 7 from 240 to 300 with effect from September 2021 took place between 6 November and 3 December 2019. The outcome of this consultation was detailed in a report presented to Executive Board at its meeting on 12 February 2020 who gave

permission for the LA as proposer, to publish a Statutory Notice in respect of the proposal.

- A Statutory Notice was published on 30 March 2020 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 27 April 2020, anyone could raise views/ concerns that had not previously been raised or addressed during the public consultation. There were six representations made during the representation period. One of the representations received objected to the proposal on grounds not previously raised during the first stage of public consultation; one objected on grounds previously raised during the first stage of public consultation; one made comments on highways related concerns not previously raised; and three made comments on concerns raised previously during the public consultation period, which were consequently addressed in a report presented to Executive Board at its meeting on 12 February 2020. These comments neither objected to nor offered un-caveated support for the proposal.
- Where formal objections are received in respect of school organisation proposals, the Executive Member for Learning, Skills and Employment will engage with the Chair of Children and Families Scrutiny Board and agree next steps. The outcome of those discussions is conveyed to scrutiny board members so that they might express agreement or otherwise. Appendix 1 shows the stages of decision making. As objections were received during the representation period, this process was followed. A briefing was provided for the chair of Scrutiny Board containing full details about both objections received together with a recommendation to advise Scrutiny Board members that no further scrutiny is needed. Scrutiny Board has since determined that further scrutiny of the objections received is not required.
- This report summarises the representations received during the statutory notice period and seeks approval from Executive Board on the recommendations below.

2. Best Council Plan Implications

- 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 and young people in Leeds. Providing places close to where projected demand for places is increasing allows improved and more sustainable accessibility to local and desirable school places, is an efficient use of resources, and reduces the risk of non-attendance.
- By providing new high quality school places within a well-established, Ofsted rated 'good' school, this proposal would support the LA's strategy to improve attendance, achievement, and attainment – the 3As; and the achievement of the Best City Priority to help 'young people into adulthood, to develop life skills and be ready for work'.
- This proposal would establish high quality mainstream school places, actively contributing towards achievement of the Child Friendly City aspiration to 'improve educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes' In addition, the longstanding third 'obsession' – improve school attendance – has been expanded to improve attendance, achievement, and attainment – the 3As.

- Overall, this proposal offers good value for money through its capacity to support the achievement of the Best Council Plan outcome that states ‘We want everyone in Leeds to do well at all levels of learning and have the skills they need for life’.

3. Resource Implications

- Planning permission would need to be granted prior to the commencement of any construction works required. Once the feasibility stage is complete and, subject to the proposal gaining approval to proceed to detailed design stage, 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. The scheme would also be subject to relevant stakeholder consultation.
- At its meeting on 12 February Executive Board gave provisional ‘Authority to Spend’ approval of £4.82m for this scheme. Once design freeze has been reached, School Places Programme Board will be asked to confirm Authority to Spend for the proposed scheme along with any necessary risk fund application, in line with the governance arrangements set out above.

Recommendations

Executive Board is asked to:

- a) Approve the proposal to permanently expand secondary provision at Allerton Grange School from a capacity of 1200 pupils to 1500 pupils in years 7 to 11 with an increase in the admission number from 240 to 300 with effect from September 2021;
- b) Approve the recommendation to exempt the decision from call-in for the reasons set out in paragraph 4.5.2 below; and
- c) Note the responsible officer for implementation is the Head of Learning Systems.

1. Purpose of this report

- 1.1** This report contains details of a proposal brought forward to meet the LA’s duty to ensure a sufficiency of school places, which supports the achievement of the Best Council priority to improve educational attainment and close achievement gaps. This report describes the outcome of a Statutory Notice published under the Education and Inspections Act 2006 and in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 in regard to a proposal to expand secondary school provision at Allerton Grange School and seeks a final decision in respect of this proposal.

2. Background information

- 2.1** At its meeting on 12 February 2020, Leeds City Council's Executive Board considered the outcome of the informal 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 30 March 2020 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 27 April 2020 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 27 June 2020. Executive Board is the decision maker for this proposal.
- 2.2** The Statutory Notice was published in the Yorkshire Evening Post and the full proposal was posted on the Leeds City Council website. All parents/carers at the school received notification, along with any stakeholders who responded to the first stage of informal consultation and provided their contact details. Other local schools were also informed about the proposals along with ward councillors, community groups and other relevant stakeholders.
- 2.3** There were six representations made during the representation period. One of the representations received objected to the proposal on grounds not previously raised during the first stage of public consultation; one objected on grounds previously raised during the first stage of public consultation; one made comments on highways related concerns not previously raised; and three made comments on concerns raised previously during the public consultation period, which were consequently addressed in a report presented to Executive Board at its meeting on 12 February 2020. These comments neither objected to nor offered un-caveated support for the proposal. Where formal objections are received in respect of school organisation proposals, the Executive Member for Learning, Skills and Employment will engage with the Chair of Children and Families Scrutiny Board and decide next steps. The outcome of those discussions is conveyed to scrutiny board members so that they might express agreement or otherwise. Appendix 1 shows the stages of decision making. As objections were received during the representation period, this process was followed. A briefing was provided for the chair of Scrutiny Board containing full details about both objections received together with a recommendation to advise Scrutiny Board members that no further scrutiny is needed. Scrutiny Board has since determined that further scrutiny of the objections received is not required. This report summarises the outcome of the Statutory Notice period and seeks a final decision from Executive Board.

3. Main issues

- 3.1** There is a clearly identified need for additional secondary places in the inner north area of Leeds to meet an increase in pupil numbers in future years. Allerton Grange School is popular and has already admitted more pupils than its Published Admission Number (PAN) for the past four years to help meet demand in the area. The school is located within an area of high demographic need, with limited alternative options available to respond to this. The proposed 60 additional permanent year 7 places would provide some much needed additional capacity in Roundhay/Moortown to help manage future pressure.

- 3.2** To manage gradually increasing demand for secondary places in previous years, it has already been necessary to provide some additional temporary places at several schools in the inner north area and to permanently expand Roundhay School by 250 places. Allerton High has also permanently increased its PAN from 198 to 220, creating an additional 110 places in total. With limited options available to meet the overall need, failure to act now and agree high quality expansion schemes at good schools, such as this, is likely to result in the Local Authority failing in its duty to provide sufficient secondary school places.
- 3.3** The expansion of Allerton Grange School is proposed as it will provide 60 more places at an Ofsted rated 'Good' school in an area of high need and is popular with local families, providing an opportunity for more of them to gain a place at their local school. The school's most recent Ofsted inspection took place in February 2020 with inspectors commenting that:
- "Leaders want the best for every pupil. The curriculum is challenging, but there is support in place to make sure that all pupils, including disadvantaged pupils and those with special educational needs and/or disabilities (SEND), can access the work and make progress."
- 3.4** Leeds City Council's Learning Improvement team are supportive of the proposed expansion and have stated that the school's leadership team is very strong, which has driven a positive transformation at the school over the last three years. The quality of the curriculum is one of the best in the city with pupils being offered a primarily academic curriculum. Results have been on an upward trajectory and are now in line with the national average for progress - 74% of pupils took the Ebacc suite of subjects last year. Progress outcomes for disadvantaged pupils is much improved and School Improvement have observed that pupil behaviour is good at the school and that governance is strong and well led by the chair. The head teacher, governing body and staff are confident that if the school were to expand, existing high standards of teaching and learning could be maintained, resulting in improved outcomes for a greater number of local children.
- 3.5** Informal consultation on this proposal took place between 6 November and 3 December 2019. A total of 106 consultation survey responses were received during that consultation of which 52 (49%) either strongly supported or somewhat supported the proposal to permanently expand Allerton Grange School. 48 (45%) either strongly opposed or somewhat opposed the proposal and a further 6 (6%) neither supported nor opposed.
- 3.6** A summary of the main themes from comments submitted during the informal consultation period by those supportive of the proposed expansion is bulleted below;
- 39 of the comments received recognised that an expansion at Allerton Grange School is needed in order to address the rising demand for secondary places in this area. Some also mentioned that expansion would increase the number of local families able to get a place at their preferred choice of school in future years
 - 3 respondents felt that expanding an existing good school which has the required additional space available is preferable to building a new school

- 4 comments received suggested that the proposed expansion scheme could offer benefits for standards of teaching and learning at an improving school. The reasons given for this included: an increase in funding; additional teaching accommodation; and an improved study environment for students
- 13 comments were received stating that the expansion scheme would be an opportunity to improve the school's facilities and some felt that an increase in student numbers may benefit the school financially

3.7 During the four week representation period, following publication of the statutory notice, there were six representations made. One of the representations received objected to the proposal on grounds not previously raised during the first stage of public consultation; one objected on grounds previously raised during the first stage of public consultation; one made comments on highways related concerns not previously raised; and three made comments on concerns raised previously during the public consultation period, which were consequently addressed in a report presented to Executive Board at its meeting on 12 February 2020. These comments neither objected to nor offered un-caveated support for the proposal. A summary of the responses received is provided below along with a response from Leeds City Council.

3.8 Summary of comments received during the Statutory Notice period neither objecting to nor offering un-caveated support for the proposal

3.8.1 Concerns related to highways and transport: A respondent provided caveated support for the proposal provided that it would not result in more teachers parking on Talbot Avenue, or additional parking restrictions being put in place near housing situated close to the school on Talbot Avenue. Another of the respondents requested information about the actions that would be taken to mitigate the impacts of increased traffic at drop-off and pick-up times, should the proposal progress. They also raised concerns about parking along Lidgett Lane, and surrounding roads such as Brackenwood Drive and Larkhill Road.

One respondent, who was not opposed to the proposal per se, requested that, should the proposal proceed, consideration be given to how existing traffic problems can be relieved, such as the volume of traffic on Talbot Avenue and Talbot Rise at school pick up/drop off times. They also raised the following safety concerns: children running across the road (Talbot Avenue) to get to their parent's car when they are being picked up, and concern that emergency vehicles may be unable to access the area due to traffic congestion.

A further respondent commented on highways concerns not previously raised, including a suggestion that staggered school start and finish times should be introduced to ease traffic congestion. The respondent also stated that dedicated school buses should be provided by the school to reduce car use, or a request should be made to First buses to put on extra public bus services at school drop off/pick up time, with discounts offered to pupils to incentivise their use. Caveated support for the proposal was offered by this respondent on the proviso that these concerns be adequately addressed as part of any approved scheme to deliver the school expansion.

3.8.2 Response: Some comments were received in relation to various highways and transport concerns (road safety; volume of traffic; highways infrastructure; car parking) during the initial period of public consultation on this proposal, and as a consequence, they have been addressed previously in a report presented to Executive Board at its meeting on 12 February 2020. This response is summarised below together with an additional response from the council to the new highways concerns raised during the statutory notice representation period.

Car parking on the school site would need to be increased to accommodate the extra staff required as part of the expansion, and provision of improved cycle facilities and electric parking points to support sustainable travel would also be considered in light of the Council's commitment to carbon reduction.

As part of the recently approved scheme to expand Moor Allerton Hall Primary School a package of highway works have already been proposed, including a new signalised pedestrian crossing on Lidgett Lane and converting the existing zebra crossing on Lidgett Lane at its junction with Brackenwood Drive to a signalised pedestrian crossing. Both of these road safety improvements will also be beneficial to pupils walking/cycling to Allerton Grange School from the south. In addition, the service road to Allerton Grange has now been opened up as a drop off and pick up area for parents to help reduce congestion and parking on the roads around the school.

There is currently no dedicated school bus service serving Allerton Grange School and the local authority does not have control over school bus service operations. However, there are already good public bus links to the school, with two First public bus routes running down Lidgett Lane. These public bus services are already used by a number of children attending the school in place of a dedicated school bus service.

Leeds City Council offers school transport assistance for children who meet certain distance and income based criteria. This assistance provides eligible pupils with free public bus travel to and from school.

It would be for the school to consider what other operational changes it may consider appropriate and needed, such as staggered school start/ finish times for different year groups, in order to further ease traffic congestion. However it should again be noted that the proposal to expand the school is driven largely by a localised need for additional secondary school places, meaning that most of the pupils should be from the local area and, therefore, able to walk to the school. In order to maximise the number of pupils choosing to travel to school in a sustainable way, an updated School Travel Plan outlining the practical steps the school would take to encourage more sustainable travel methods and reduce car use, would be required.

If the proposed expansion were to progress, most of the highways and transport related concerns raised during the consultation, including concerns about parking on Talbot Avenue and adjacent streets, and concerns about speeding traffic on Talbot Avenue, will need to be investigated as part of a Transport Assessment, which would be required to support the Planning process. However, it should be noted that bus services are not part of the Transport Assessment.

3.8.3 **Summary of objections to the proposal received during the Statutory Notice period**

3.8.4 **Concerns related to the school's Ofsted rating and learning standards:** A respondent objecting to the proposal has raised concern that, although acknowledging the school's improved Ofsted rating, from 'Requires Improvement' to 'Good', an expansion of the school could be detrimental to the progress it has made, recognised by this improved rating. The respondent also raised concern that Allerton Grange is not yet popular enough, or in a strong enough position academically to warrant an increase in its pupil capacity. They highlight a lower number of parental preferences and recent measurements of academic performance when compared with two other local schools in the area. They go on to suggest that, for these reasons, other schools in the area should be considered for expansion ahead of this one.

3.8.5 **Response:** The School Improvement team have given clear support for this proposal and advised, during the initial phase of public consultation, that Allerton Grange was in a very strong position and that they had a high level of confidence that the school would be judged as 'Good' at its next Ofsted inspection. Consequently, in February 2020, the school was inspected and achieved a 'Good' judgement across all areas.

The Learning Improvement team also provided the comments which addressed concerns regarding pupil outcomes at the initial stage of consultation, which were reported to Executive Board in February this year. The Learning Improvement team's view is that the school's leadership team is very strong, which has driven a positive transformation at the school over the last three years. The latest Ofsted report supports this stating that "Leaders have been quick to respond to the areas for improvement identified in the last inspection. As a result, the quality of education has improved."

The Learning Improvement team have also stated on previous occasion that the quality of the curriculum at Allerton Grange is one of the best in the city with pupils being offered a primarily academic curriculum. Results have been on an upwards trajectory and are now in line with the national average for progress - 74% of pupils took the Ebacc suite of subjects in 2019. Progress outcomes for disadvantaged pupils is much improved and School Improvement have observed that pupil behaviour is good at the school. Governance is strong and well led by the chair. All of this is now supported by the 'Good' Ofsted rating and comments made within their Ofsted inspection report of 4-5 February 2020.

Allerton Grange is a popular school that has chosen to admit more students than it's PAN for the previous four years to help manage increased demand. In 2019 and 2020 it was oversubscribed, with more preferences for a place at the school made than places available.

Were the school to expand, additional teaching and support staff would be required over the five year period that it would take for the school to increase in size by an additional 300 places. The senior leadership team and governing body are confident that the school can manage an expansion alongside its improvement journey. The Learning Improvement team within Leeds City Council will continue to work with the school and, as a part of the holistic assessment of this proposal,

which included a review of which other schools in the area could be expanded to adequately address the identified need, are confident that expansion would not have a negative impact on learning outcomes for students.

3.8.6 **Comment:** A respondent objecting to the proposal raised concerns about additional cars, pedestrians and congestion at school drop off/ pick up times. They also expressed concerns that the proposed expansion may lead to an increase in young people causing anti-social and intimidating behaviour in the local area.

3.8.7 **Response:** The concern raised regarding road safety and traffic congestion have previously been raised during the public consultation period and, consequently, were addressed in a report presented to Executive Board at its meeting on 12 February 2020, as detailed above. The issue of anti-social behaviour was not raised by any of the respondents during the initial public consultation period, so was not included in the February 2020 Executive Board report. An increase in pupil numbers may not result in an increase in anti-social behaviour in the local area. The school has a well-established positive ethos around behaviour and has made the following comments:

We have an established Policy for Positive Discipline that has made an impact on behaviour in and out of school. We have also undertaken a significant amount of work with our students about respect & kindness both in and out of school. We feel that these have made a difference, and Ofsted agree.

We do understand how groups of students can be perceived by the community. We have a staff presence outside the shops on Lidgett Lane after school to help address this issue. We can also look to build this issue into our PSHCE curriculum in the future so student awareness is increased.

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 30 March 2020 and the full proposal was posted on the Leeds City Council website. All parents/carers at the school received notification, along with any stakeholder who responded to the first stage of informal consultation and provided their contact details. Other local schools were also informed about the proposal along with ward councillors, community groups and other relevant stakeholders.

4.1.3 Details of the Statutory Notice have been shared with local ward members who have no objections to the proposal proceeding. No further comments were received.

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 the Best Council Plan

- 4.3.1 This proposal offers good value for money through its capacity to support achievement of the Best Council Plan outcome that states ‘we want everyone in Leeds to do well at all levels of learning and have the skills they need for life’.
- 4.3.2 This proposal is being brought forward to meet the local authority’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 aspiration for Leeds City Council to be the best council and for Leeds to be the best city in which to grow up in, 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 learning places and environments we can support the priority aims of ensuring children and young people do well in learning and closing achievement gaps for those vulnerable to poor learning outcomes. We want all children and young people in the city to have access to a wide range of opportunities, develop key life skills, and be supported on ambitious pathways to enable them to thrive supporting the council’s ambition to produce a strong economy and a compassionate city. A good quality learning place also contributes towards delivery of targets within the Children and Young People’s Plan such as the 3A’s strategy to improve achievement, attainment and attendance at school.

Climate Emergency

- 4.3.4 There is an identified need for additional secondary school provision in the Roundhay/Moortown area of Leeds. This proposal would meet some of this increased demand and offer increased choice so that local families are able to access local places and reduce journey times to and from school. Allerton Grange’s close proximity to residential areas which have experienced population growth means that walking to school would be a viable option for many of the extra students who may choose to attend the school.
- 4.3.5 If the proposal is approved Allerton Grange School would need to produce an updated ‘Travel Plan’ which would contain a package of agreed measures to mitigate the potential impact on the highways. Leeds City Council’s ‘Influencing Travel Behaviour Team’ would support these measures and seek to ensure safe routes to and from school by promoting walking, cycling and scooting. Progress on these matters would be monitored and support offered where appropriate.
- 4.3.6 Existing planning policies seek to address the issue of climate change by ensuring that development proposals incorporate measures to reduce the impact on non-renewable resources. The council’s Executive Board has also mandated that the authority should be carbon neutral by 2030. This will result in sustainable/ green infrastructure being required of all future projects in order for planning permission to be granted. To this end if the proposal progresses, any build scheme would explore the potential use of renewable energy and energy saving technologies, with the aim of increasing sustainability and minimising energy consumption. In parallel with this, the Energy Unit will support the design team to identify energy saving measures that can help achieve energy savings comparable to a 47% reduction in average

energy consumption levels, in line with the 2025 requirements. The proposed energy efficiency standards are likely to increase the capital costs for any build scheme required, however, there is as yet insufficient benchmark data available to provide a reliable estimate of how much these additional measures would be likely to add to the cost of the scheme. Leeds City Council promotes an 'Invest to Save' strategy that allows access to funding in order to offset the enhanced capital costs. The improved energy efficiency will also reduce the school's overall running costs, as the building will be more economical to run long-term, eventually paying for the measures put in place.

- 4.3.7 Any contractors tendering for the proposed development will need to demonstrate a robust Waste Management Plan, be registered with The Considerate Constructors Scheme, of which, the main consideration of the scheme falls into three categories: The general public, the workforce and the environment. Contractors will also need to be sympathetic to the Leeds Talent and Skills Plan by striving to employ local trades thus reducing the impact of extended travel.

4.4 Resources, procurement and value for money

- 4.4.1 Planning permission would need to be granted prior to the commencement of construction works required. Once the feasibility stage is complete and, subject to the proposal gaining approval to proceed to detailed design stage, 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. The scheme would also be subject to relevant stakeholder consultation.

- 4.4.2 Provision for children who are deaf and hearing impaired (DAHIT) currently at Allerton Grange School would continue to operate as it does now. Any build solution, which may include the remodelling of existing buildings or changes to the North East City Learning Centre (CLC) building, would replicate the existing provision in the school e.g. sound fields in each classroom.

- 4.4.3 At its meeting on 12 February 2020, Executive Board gave provisional 'authority to spend' approval of £4.82m on this scheme. The cost of works to accommodate a temporary bulge cohort of 60 pupils (2FE) for September 2020 is also included within this figure. Proposed works to enable the expansion include the remodelling and refurbishment of the former CLC building within the Allerton Grange School site to accommodate general teaching spaces for 6th form in order to facilitate a bulge cohort in the main school building. Further works to the main school building will also be necessary in order to enable the permanent expansion of the school. The CLC building would also be utilised as part of the permanent scheme, to ensure maximum value for money. As the CLC is owned by LCC it would not be subject to PFI fees or approval, achieving further cost savings. Any agreed project would minimise the works to both the existing school and CLC buildings, and employ value engineering to help reduce overall costs.

The precise funding package for the expansion scheme will be confirmed at the design freeze stage, and detailed in the relevant Design and Cost Reports (DCR)."

- 4.4.4 School Places Programme Board (SPPB) provides strong cross council and corporate involvement to ensure that appropriate governance is applied to learning places schemes. The Director for Children and Families, who Chairs SPPB,

provides the final approval of individual scheme DCRs, along with any Capital Risk Fund applications. Executive Board approved the establishment of a Capital Risk Fund to provide a mechanism which enables timely and proportionate responses to variations which are required to individual project budgets. Decisions by the Director of Children and Families to access the fund must be made with the prior approval of the Director of City Development and the Director of Resources & Housing, both of whom are Board members, and be in consultation with the appropriate Executive Members.

- 4.4.5 At its meeting on 12 February, Executive Board gave provisional 'Authority to Spend' approval of £4.82m for this scheme. Once design freeze has been reached, School Places Programme Board will be asked to confirm Authority to Spend for the proposed scheme along with any necessary risk fund application, in line with the governance arrangements set out above.

4.5 Legal implications, access to information, and call-in

- 4.5.1 This report contains details of a proposal brought forward to meet the local authority's duty to ensure a 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. The process followed in respect of this proposal is detailed in this report. The decision maker in these cases remains the local authority (LA).
- 4.5.2 It is recommended that this report be exempted from the Call In process, in line with Executive & Decision Making Procedure Rule 5.1.3. This is because if Executive Board agrees with the recommendation to approve the proposals it must do so within 2 months of the end of the representation period following publication of the statutory notice. If the report was 'called in', Scrutiny Board was convened and it referred the matter back to Executive Board with a recommendation to reconsider its decision, Executive Board would not then be able to do so, as this would be outside of the 2 month period following statutory notice. The Schools Adjudicator would then be required to make a decision on the proposal. In addition, the objections received have already been referred to Scrutiny Board following consideration by the Executive Member for Learning, Skills and Employment and the Chair of Children and Families Scrutiny Board as detailed earlier in this report.

4.6 Risk management

- 4.6.1 This proposal has been brought forward in time to allow secondary places to be delivered for 2021. 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 In response to growing demand for year 7 places, Allerton Grange School has already been admitting over its Published Admission Number (PAN) for the

previous four years. Roundhay School was also permanently expanded, increasing its capacity by 250 pupils across years 7 to 11 and Allerton High has permanently increased its PAN from 198 to 220. As the number of secondary-aged students living in the inner north is anticipated to increase further in future years, additional permanent places are required to address the growing need. A decision not to proceed with the expansion of Allerton Grange could result in insufficient school places in the area.

- 4.6.3 If the proposal does not proceed there is a risk that increased demand for places in the local area would have to be met further from the area of need, reducing the opportunity for more children and young people to walk to their local school, and potentially increasing journey times and car use.
- 4.6.4 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

- 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, is one of our top priorities. This proposal has been brought forward to support learners in Leeds to benefit from being able to access a local secondary place and so delivering our vision of Leeds as a child friendly city.
- 5.2 A majority of respondents support the proposal to expand Allerton Grange School, provided that the additional school facilities and highways concerns are addressed. Concerns raised during consultation have been considered, and on balance, the proposal remains strong and addresses the need for school places in the area.
- 5.3 The additional places are required to ensure the authority meets its legal requirement to ensure sufficiency of secondary provision for September 2021 and beyond. There is evidence of local need for places in the area and it is, therefore recommended that the proposal be approved.

6. Recommendations

Executive Board is asked to:

- a) Approve the proposal to permanently expand secondary provision at Allerton Grange School from a capacity of 1200 pupils to 1500 pupils in years 7 to 11 with an increase in the admission number from 240 to 300 with effect from September 2021;
- b) Approve the recommendation to exempt the decision from call-in for the reasons set out in paragraph 4.5.2 above; and
- c) Note the responsible officer for implementation is the Head of Learning Systems.

7. Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.