

**Report of Director of Children and Families**

**Report to Executive Board**

**Date: 23<sup>rd</sup> June 2021**

**Subject: Outcome of consultation to permanently increase learning places at St Edward’s Catholic Primary School from September 2022**



Are specific electoral wards affected? If yes, name(s) of ward(s): Wetherby	<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary**

**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 for making the proposed 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 local authority (LA) is the decision maker in this case.
- A consultation on a proposal to expand St Edward’s Catholic Primary School to permanently increase the number of places offered at the school in Reception from 20 to 30 places from September 2022, took place between 15 January and 11 February 2021.
- A total of 112 consultation responses were received of which 38.4% either strongly or somewhat supported the proposal. 58.9% strongly opposed or somewhat opposed the proposal and 2.7% neither supported nor opposed the proposal. Further details about the responses and issues identified by stakeholders and respondents during the consultation period are detailed in the main body of this report.

## **2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

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’.

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 children live allows improved accessibility to local and desirable school places, is an efficient use of resources and reduces the risk of non-attendance.

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.

Providing additional school places in an already established, Ofsted rated ‘Outstanding’, school in an area where demand for places is increasing will contribute towards the achievement of the Child Friendly City aim of ‘improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes’. In turn, by helping young people into adulthood, to develop life skills, this proposal provides underlying support for the council’s ambition to produce a strong economy and a compassionate city.

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 achievement, attainment and attendance at school.

## **3. Resource Implications**

- Based on initial viability, the indicative cost for delivery of a scheme to support an expansion at St Edward’s Catholic Primary School is expected to be within the range of £360K and £500K. The Diocese has already undertaken some works to provide an additional classroom and extend car parking facilities at the school and planning permission is in place for a seventh classroom. Viability work is currently underway to confirm if this will meet requirements for the expansion to 1FE and when complete should give a more accurate estimate of the cost of the scheme and whether further planning permission is required.
- The proposed expansion would be funded from the Learning Places Programme, primarily through Basic Need Allocations. Along with Basic Need funding there are some Section 106 contributions available arising from local housing development, some of which could be used to part fund the expansion at St Edward’s. The precise funding package would be confirmed at the design freeze stage, and detailed in the relevant Design and Cost report (DCR).

## **Recommendations**

### **Executive Board is asked to:**

- a) Approve the publication of a Statutory Notice on a proposal to permanently expand primary provision at St Edward’s Catholic Primary School and increase the number of places offered at the school in Reception from 20 to 30 with effect from September 2022;

- b) Note that implementation of the proposal would be subject to the outcome of the proposed statutory notice and on the outcome of further detailed design work and planning applications as indicated at section 4.4 of this report;
- c) Note that the proposal has been brought forward in time for places to be delivered for 2022; and
- d) 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 Local Authority'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 consultation regarding a proposal to expand primary school provision at St Edward's Catholic Primary School and seeks approval to publish a Statutory Notice.

## **2. Background information**

- 2.1** The Boston Spa primary planning area referred to in this report includes the following primary schools; Primrose Lane Primary, Bramham Primary, Lady Elizabeth Hastings Church of England Primary, St Mary's C of E Primary and St Edwards Catholic Primary.
- 2.2** The demand for primary school places in the Boston Spa area has grown in recent years. Although the birth rate for the area fluctuates we are not seeing a decline in births as has been seen in other areas of the city. The variation in the cohort size has actually reduced in recent years and future cohorts are more consistently in the middle of the range. Cohort sizes in this area consistently grow from birth to starting school and there has been an increase in the numbers of children of primary school age arising from new housing developments. There is also some further housing that may come forward in the near future.
- 2.3** Over the last few years some primary schools in Boston Spa have admitted additional pupils, above their Published Admission Number (PAN), in response to a rising demand for Reception places. As the number of primary-aged children living in Boston Spa is expected to increase further over future years, additional permanent places are now required to address the growing need.
- 2.4** There have been ongoing discussions with schools in the Boston Spa area about the need to create some additional primary school places and the proposal to expand St Edwards Catholic Primary School has been developed through discussions between Leeds City Council, the Catholic Diocese, the governing body and the head teacher of the school.
- 2.5** Public consultation on the proposal took place between 15 January and 11 February 2021 to seek the views of parents, local residents and other stakeholders. To maximise stakeholder engagement a variety of consultation methods were used, including email communications and an online survey. Two online consultation sessions were also held for parents, residents and other interested stakeholders which gave attendees an opportunity to discuss the proposal with representatives from the school leadership team, as well as the council's Sufficiency and Participation and City Development teams. Leaflets advertising the consultation were delivered to residents in the local area. Details about the consultation were also sent to all local primary and secondary schools in the area and to other stakeholders. Information was available via the Leeds City Council website and through various social media platforms and accounts.
- 2.6** Consultation meetings were held with the governing body, and staff of St Edwards Catholic School, and pupils at the school completed feedback forms with their class teachers. Local ward members have also been fully briefed on the proposal.

### **3. Main issues**

- 3.1** There is an identified need for additional primary places in the Boston Spa area to meet anticipated demand in future years. Additional temporary places have been offered at a number of schools in the area to help meet demand for places in recent years and St Edward's Catholic Primary School which is popular and consistently over-subscribed offered an additional 10 places above its PAN for Reception 2020 to ensure sufficient Reception places were available in the local area. The proposed 10 additional permanent Reception places would address the anticipated increased demand for places in the area going forward.
- 3.2** There are five schools in the Boston Spa planning area. Bramham Primary has already been expanded from 20 to 30 places, Primrose Lane Primary already has a PAN of 30 and cannot be expanded further due to site constraints, and Lady Elizabeth Hastings C of E Primary is also on a constrained site that could not support expansion. St Marys C of E Primary and St Edwards Catholic primary are both faith schools with a PAN of 20 and there is potential to expand to 30 on these sites. It is possible that we will need to expand both schools to 30 in future years dependent upon general growth and further housing coming forward in the area and at present an additional 10 places is anticipated to be sufficient to meet anticipated demand. St Edwards having already undergone recent changes to add a sixth classroom and additional car parking facilities would be a simpler and more affordable expansion scheme to undertake.
- 3.3** St Edward's Catholic Primary School was rated 'Outstanding' by Ofsted at its most recent inspection and is popular with families. The head teacher and governing body 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.
- 3.4** A total of 112 survey responses were received during the consultation period of which 43 (38.4%) either strongly supported or somewhat supported the proposal to permanently expand St Edwards Catholic Primary School, 66 (58.9%) either strongly opposed or somewhat opposed the proposal and a further 3 (2.7%) neither supported nor opposed. The majority of respondents who either strongly or somewhat opposed the proposal were local residents who had Highways related concerns or would have preferred the LA to expand St Mary's.
- 3.5** A copy of the responses received can be requested from the Sufficiency and Participation Team at [educ.school.organisation@leeds.gov.uk](mailto:educ.school.organisation@leeds.gov.uk)
- 3.6** A summary of the views expressed by the survey respondents who supported the proposal is listed below;
- The most frequent comment made, by 30 respondents, was that an expansion at St Edwards Catholic Primary School is needed in order to address the rising demand for primary school places in the Boston Spa area. Some respondents linked the increased need to housing developments in the area and some mentioned that increasing places available would encourage young families to move into the area which would be of benefit to the village.
  - 9 respondents commented positively about the teaching and pastoral support that is available at St Edwards and how this could be extended to more children through the expansion. Comments made by the respondents included; that the school is rated outstanding; has strong leadership; has dedicated staff and; provides an excellent quality of education.

- 8 respondents felt that teaching and learning at St Edwards would benefit as a result of an expansion as it will bring in more funding for staff and resources.
- 11 comments mentioned that an expansion could have benefits to the school in terms of improvements to facilities (e.g an additional classroom).
- 11 respondents felt that increasing the number of places would benefit the school in allowing a move to single aged teaching. Respondents felt that this would benefit the children and would reduce the size of classes in the upper end of school where some mixed classes have been above 30.
- 2 respondents commented that increasing places at St Edwards would enable the majority of parents to walk their children to school rather than drive.

**3.7** A summary of concerns raised by respondents and responses to those concerns is given below;

**3.7.1 Concern about potential negative impact on traffic and highways:** 33 respondents raised concerns around increased traffic, inconsiderate parking, road safety issues, highways infrastructure being unable to cope and concern over possible increase in levels of air pollution as a result of increased traffic. Comments received expressed concern that there would be increased traffic on roads around the school which would exacerbate existing issues, some also suggested that a better alternative would be to build a new school or relocate St Edwards to reduce traffic on Westwood Way. A number of comments around inconsiderate parking also suggested that a drop off point should be created for parents/carers from all local schools to be able to use to drop children off safely and one respondent requested that the School Streets initiative, which restricts access to roads outside primary schools at opening and closing times, be considered for Westwood Way.

**Response:** If the proposed expansion were to progress a full traffic assessment and a transport statement, based on the results of surveys commissioned for this project, would be produced to support the development of the scheme and fulfil any associated planning requirements that may arise. This would include an assessment of current highways issues and modelling what the impact would be of additional traffic in the area. Specifically these would look at concerns raised by residents and parents, such as parking around the school and safe walking routes. Leeds City Council encourages sustainable travel and although it is expected that the majority of children would walk to school any planning application required would need to demonstrate how any issues resulting from an increase in traffic could be mitigated. An updated school Travel Plan would also be required which would encourage sustainable modes of travel for pupils. Leeds City Council's 'Travelwise Team' would support school to identify measures that could be incorporated into the travel plan that ensured safe routes to and from school and promote walking, cycling and scooting. The school already promotes walking, cycling and scooting to school and runs a "Walk on Wednesdays" initiative, those children who take part for each half-term get entered into a prize draw for a £5 reward voucher. St Edwards has recently had some improvements made which created a number of additional on-site parking spaces. The school feel that the number of parking spaces will be adequate to accommodate all staff, including catering staff and any visitors' cars in the car park following the expansion. As part of any expansion process we would always review the number of parking spaces available to ensure that this was sufficient for all staff.

Recent census information shows that the majority of children who attend St Edwards Catholic Primary School live within Boston Spa and that 54 percent of pupils walk or cycle to school. Some families also make use of the nearby Church Fields car park and walk to school from there. Any future development would continue to support these trends and promote sustainable methods of travel.

The School Street Initiative would not be appropriate on Westwood Way as it is a 'through route' carrying traffic from the High Street in the direction of Clifford.

The increase in pupil numbers would happen gradually over several years so the full impact of increased numbers of pupils would not take place suddenly. Although there will be an increase in the admission limit of 10 places per year group for Reception to year 6 it should be noted that the school already has more than 20 pupils on roll in most year groups and the overall number of children on roll at last census was 169, meaning the net gain in the school population will actually be closer to 40 pupils than 70.

**3.7.2 Concern that expanding St Edwards would provide places for Catholic children living outside the village and not help with the local sufficiency issue:** 18 comments received expressed concern that extra places at St Edwards will bring in more children from outside the village as Catholic children are prioritised in the Admissions Policy ahead of those living locally, 2 went on to question whether the potential use of Section 106 (S106) monies to help support the costs of the expansion would be within the terms of the S106 agreement.

**3.7.3 Response:** The majority of pupils attending St Edwards live within the Boston Spa area. The school offered an additional 10 places in Reception in 2020, offering a total of 30 places. 18 places were offered to Catholic families based on faith criteria and the other 12 places were offered to non-Catholic families based on distance. All of the children allocated a place at the school had listed the school as a preference. St Edward's is popular with both Catholic and non-Catholic families in the area and so is anticipated to continue to serve a local need.

Under Section 106 of the Town and Country Planning Act 1990 (as amended), agreements and planning obligations can be entered into to mitigate the impacts of a development proposal. S106 agreements can be made between local authorities and developers and attached to planning permission outlining conditions which must be fulfilled to make the development acceptable in planning terms. The Church Fields development in Boston Spa is subject to a S106 agreement and the contribution which is index-linked currently stands at £522,033.38 to be "used by the Council as a contribution towards the capital costs of provision of and /or improvements to facilities at primary schools in Boston Spa the need for which directly arises from the Development." At school census in October 2020 there were a number of children living on the Church Fields development who were on roll at St Edwards Catholic Primary School. Along with basic need funding some of the Section 106 contributions could be used to part fund the expansion at St Edward's. The precise funding package would be confirmed at the design freeze stage, and detailed in the relevant Design and Cost report (DCR).

**3.7.4 Concern that places are being created in the wrong school:** 20 respondents suggested that St Marys C of E school should be the school to expand instead, with some respondents noting that the school had recently been through a Managing Staffing Reductions process and an expansion there would have a positive impact on the school's budget, staffing and organisation. There was a suggestion that the expansion and investment of capital funding into St Mary's would help the school to

address some building and condition related issues along with a suggestion that some of S106 monies should be used at St Mary's. Some respondents expressed concern over expanding a faith school which admits on faith criteria and suggested that places are needed in a school that does not prioritise admission based on faith criteria.

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

There are 5 schools across the Boston Spa primary planning area. Bramham Primary School has already been expanded from 20 to 30 places, Primrose Lane Primary School already has a PAN of 30 and cannot be expanded further due to site constraints, and Lady Elizabeth Hastings Church of England Primary School is also on a constrained site that could not support expansion. St Marys C of E Primary and St Edwards Catholic Primary are both faith schools with a PAN of 20 and there is potential to expand to 30 on these sites. It is possible that we will need to expand both schools to 30 in future years dependent upon general growth and further housing coming forward in the area and at present an additional 10 places is anticipated to be sufficient to meet anticipated demand. St Edwards having already undergone recent changes to add a sixth classroom and additional car parking facilities would be a simpler and more affordable expansion scheme to undertake.

Although St Edwards prioritises places based on faith criteria, it is a school that is preferenced by both Catholic and non-Catholic families. The school offered an additional 10 places in Reception in 2020, a total of 30 places, and of these 12 places were offered to non-Catholic families based on distance. The additional places at St Edwards which is popular with local families is anticipated to meet the need for places across the area.

The LA recognises that St Mary's has had a number of issues partly arising from a challenging budget position and has worked with the school to address these. The authority will continue to support the school going forward and will work with the Governing body should further places be needed in the future. In relation to the use of the S106 monies, a feasibility study has been commissioned to look at some potential areas for improvement to the building/site and in principle use of some of the S106 monies will be considered to pay for any works identified and agreed.

**3.7.6 Concern that there is no need for additional places in the area:** 3 comments received expressed doubt over the need for additional places in Boston Spa.

**3.7.7 Response:** Data on births, cohort sizes and allocation patterns are reviewed on a regular basis to look for any changes and identify any emerging need for additional places. In recent years we have needed to offer additional places above the schools admission numbers at some schools, for September 2020 St Edwards offered 10 additional places. Current demographic data on the under 5s living in this area indicates that there will be a continuing demand for places alongside demand from new housing developments. There are a number of housing sites with planning permission in the area which will add to the level of demand for places in Boston Spa.



**3.7.8 Concern about potential negative impact on teaching and learning:** 4 comments expressed concerns that the standards of education and teaching might be compromised were the school to increase in size.

**3.7.9 Response:** Were the school to expand, additional teaching and support staff would be required over the period that it would take for all year groups to increase in size to 30 places. The head teacher and governing body are committed to maintaining the current high standards. The head teacher and governing body are confident that the proposed expansion would not have a negative impact on pupils and anticipate that with an increase in pupil numbers the school would be more effective at meeting pupils' needs as it would enable them to move to single aged teaching across the whole school rather than having mixed age classes as is currently necessary in key stage 2.

Schools are funded based on the number of pupils they have on roll. The increase in the number of pupils would attract an increase in funding for the school which would allow the school to enhance their curriculum offer and also enable them to employ more support staff to better support children's individual learning needs and increase the effectiveness of teaching.

**3.7.10 Concern over whether there is enough physical space at the school to accommodate the increase in pupils:** 3 comments received expressed concern that there is limited space within school to accommodate further pupils.

**3.7.11 Response:** If the proposal is approved then building work would be required to provide an extra classroom at the school. The additional space provided would be in line with the recommendations, set out in the Building Bulletin 103 guidance, for a 1FE school. We would work with school to schedule when the building work takes place to minimise disruption.

**3.7.12 Concern that the school has not had a recent Ofsted inspection:** 1 comment received expressed concern that Ofsted has not visited the school since 2011.

**3.7.13 Response:** St Edward's Catholic Primary School is a popular, oversubscribed school which has an 'outstanding' Ofsted rating. Learning Improvement colleagues within Leeds City Council have indicated that pupils achieve highly across all statutory year groups and significantly above national levels, and that both leadership in school and staffing are stable.

**3.7.14 Concern that there is an alleged conflict of interest:** 5 comments received expressed concern that the chair of governors has other business interests that pose a conflict of interest with relation to the expansion of the school, namely that his company is seeking planning permission for a housing development in Boston Spa and that the Chair of Governors did not fully declare this business interest in his Governor profile.

**3.7.15 Response:** The local authority reviews data on births, cohort sizes and allocation patterns on a regular basis to look for any changes and identify any emerging need for additional places. The local authority independently identified a need for school places in this area and went on to discuss this need with the local schools before deciding on a proposal to put forward to expand St Edwards Catholic Primary School.

The Chair of Governors previously set out in the introductory section of his governor profile what his other interests were, however, this has recently been amended to make it more clear in the declaration of interests section what business interests he has. The Chair of Governors has had no input into the decision making process other than as part of the Governing Body which voted unanimously to support the council's expansion proposal. The proposal is and always was being made by the council, and not the school, and so the council is of the view that there is no conflict of interest to answer. The decision on whether or not to expand the school will be made by Executive Board.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

**4.1.1** The process in respect of this proposal has been managed in accordance with the relevant legislation and with local good practice.

**4.1.2** Consultation on the proposal took place between 15 January and 11 February 2021 to seek the views of parents, local residents and other stakeholders. To maximise stakeholder engagement a variety of consultation methods were used, including email communications and an online survey. Two online consultation sessions were also held for parents, residents and other interested stakeholders which gave attendees an opportunity to discuss the proposal with representatives from the school leadership team, as well as Leeds City Council officers. Leaflets advertising the consultation were delivered to residents in the local area. Information about the consultation was posted on the Leeds City Council website and through various social media platforms. The school informed parents and carers of existing pupils and details about the consultation were sent via email to primary and secondary schools in the area to share with their parents and communities. The school also sought views on the proposal from current pupils.

**4.1.3** Consultation responses were received via the online survey and by email from a range of stakeholders.

**4.1.4** Consultation meetings were held with the governing body and staff of St Edwards Catholic School.

**4.1.5** Local ward members have been consulted on the proposal and have expressed support for the proposed expansion.

### **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 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 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 and for Leeds to be 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.
- 4.3.4** Providing additional good quality school places in a well-established, Ofsted rated 'outstanding' school, in an area where demand for places is increasing, will contribute towards the achievement of the Child Friendly City aim of 'improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes'. In turn, by helping young people into adulthood, to develop life skills, this proposal provides underlying support for the council's ambition to produce a strong economy and a compassionate city.
- 4.3.5** 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 achievement, attainment and attendance at school.

#### Climate Emergency

- 4.3.6** There is an identified need for additional primary school provision in the Boston Spa area due to changes in the birth rate, increases in the numbers of children of primary school age and several new housing developments. This proposal would help meet the current and future increase in demand and help ensure that local families are able to access local places and reduce journey times to and from school. St Edward's Catholic Primary School's close proximity to residential areas which have experienced population growth means that walking to school would be a viable option.
- 4.3.7** If the proposal is approved St Edward's Catholic Primary School would need to produce an updated 'Travel Plan' which would contain a package of agreed measures to mitigate the potential impact on the highway as a result of the expansion. Leeds City Council's 'TravelWise team' would support school to identify measures that could be incorporated into the travel plan that ensured safe routes to and from school and promote walking, cycling and scooting.
- 4.3.8** 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. 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.

**4.3.9** 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** Based on initial viability, the indicative cost for delivery of a scheme to support an expansion at St Edward's Catholic Primary School is expected to be within the range of £360K and £500K. The Diocese has already undertaken some works to provide an additional classroom and extend car parking facilities at the school and planning permission is in place for a seventh classroom. Viability work is currently underway to confirm if this will meet requirements for the expansion to 1FE and when complete should give a more accurate estimate of the cost of the scheme and whether further planning permission is required.

**4.4.2** The proposed expansion would be funded from the Learning Places Programme, primarily through Basic Need Allocations. Along with Basic Need funding there are some Section 106 contributions available arising from local housing development, some of which could be used to part fund the expansion.

**4.4.3** Once the viability/feasibility stage was complete and the scheme proceeded to the detailed design phase, budgets would be aligned to reflect that all parties have agreed the final design and cost estimate, which would take account of site investigations and survey information, in accordance with standard project and risk management principles. Once design freeze was reached, the precise funding packages would be detailed in the relevant Design and Cost Reports (DCRs) and the Director of Children and Families, in consultation with School Places Programme Board would be asked to approve final Authority To Spend for the proposed scheme along with any necessary risk fund application, in line with the governance arrangements currently in place.

#### **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 for making the proposed 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 LA is the decision maker in this case.

**4.5.2** This report is subject to call in.

#### **4.6 Risk management**

**4.6.1** This proposal has been brought forward in time to allow additional primary places to be delivered for 2022. 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 Local Authority'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 Reception places in recent years, some schools in the Boston Spa area have admitted over their PANs. This includes St Edward's Catholic Primary School which offered an additional 10 places in Reception in 2020. We may also need to offer 'bulge' places in September 2021 ahead of any proposed permanent changes from 2022. As the number of primary pupils living in the Boston Spa area 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 St Edward's Catholic Primary School could result in insufficient school places being available to meet local demand.
- 4.6.3** 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.

## **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 primary place and so delivering our vision of Leeds as a child friendly city.
- 5.2** There was recognition from a number of respondents to the consultation that more school places are needed in this area. The majority of respondents that expressed concerns were local residents and the concerns raised have been responded to in this report. All concerns raised during consultation have been considered, and on balance, the proposal remains strong and addresses the need for school places in the area. It is recommended that the proposal to permanently expand St Edwards Catholic Primary School be approved.

## **6. Recommendations**

- 6.1** Approve the publication of a Statutory Notice on a proposal to permanently expand primary provision at St Edwards Catholic Primary School from a capacity of 140 pupils to 210 pupils with an increase in the admission number for Reception from 20 to 30 with effect from September 2022.
- 6.2** Note that implementation of the proposal would be subject to the outcome of the proposed statutory notice and on the outcome of further detailed design work and planning applications as indicated at section 4.4 of this report;
- 6.3** Note that the proposal has been brought forward in time for places to be delivered for 2022; and
- 6.4** 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.