

# Outcome of statutory notice on a proposal to permanently increase learning places at Allerton High School from September 2022

Date: 22 September 2021

Report of: Director of Children and Families

Report to: Executive Board

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## What is this report about?

### Including how it contributes to the city's and council's ambitions

- 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 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 permanently expand secondary provision at Allerton High School from a capacity of 1100 to 1400 pupils by increasing the admission number in Year 7 from 220 to 280 with effect from September 2022 and seeks a final decision in respect of this proposal.
- A statutory notice was published on 09 July 2021 marking the start of a four-week formal consultation, as required by the 'Prescribed Alterations' regulations. During this period, which ended on 06 August 2021, anyone could submit comments on or raise objections to the proposal. There were 15 representations received during the statutory notice period of which 13 supported the proposal, 1 did not express support or objection to the proposal and 1 objected to it.
- 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. As an objection was received during the representation period, this process was followed and Scrutiny Board members determined that no further scrutiny of the objection received was required.
- This report summarises the representations received during the statutory notice period and seeks approval from Executive Board on the recommendations below.

## Recommendations

- a) Approve the proposal to permanently expand secondary provision at Allerton High School from a capacity of 1100 to 1400 pupils by increasing the admission number in Year 7 from 220 to 280 with effect from September 2022;

- b) Approve the recommendation to exempt the decision from Call-In for the reasons set out in paragraph 24; and
- c) Note the responsible officer for implementation is the Head of Learning Systems.

**Why is the proposal being put forward?**

- 1 There is an identified need for additional year 7 places in the Alwoodley/Moortown area to meet anticipated demand in future years.
- 2 There has been an increase in the population of children in local primary schools over recent years resulting in a number of primary school expansions. This is now feeding through into secondary schools and the number of children living across the Alwoodley/Moortown area, in particular those living nearest to both Allerton High School and Allerton Grange School, has increased. Current population and admissions data indicate that additional secondary school places will be required in this area by 2022 to ensure local demand is met.
- 3 A number of local schools have been expanded or have offered additional places over recent years and further year 7 places are now needed to help manage the anticipated future demand. Without additional year 7 places at Allerton High School there is a risk that some families living in the area to the north of the school may not be able to access a local secondary school place in future years.
- 4 Allerton High School is oversubscribed and has admitted more pupils than its Published Admission Number (PAN) for a number of years to help meet higher demand in the area. Its PAN permanently increased from 198 to 220 from September 2021 for admission into Year 7, and following secondary national offer day in March 2021, a further 30 places were agreed. This took the total number of available Year 7 places to 250 for September 2021 to help ensure that more local children could be offered a place than at national offer day.
- 5 Allerton High 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.

**What impact will this proposal have?**

**Wards Affected:** Adel & Wharfedale, Alwoodley and Moortown

Have ward members been consulted?       Yes       No

- 6 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.
- 7 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.
- 8 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.

- 9 Allerton High School currently offers resource and partnership provision places for young people with Special Educational Needs and Disabilities (SEND). The resource provision places are for speech and language communication and the partnership places are for young people who are on the roll of the North West Specialist Inclusive Learning Centre. Both types of specialist provision currently on offer at the school would continue if the proposal to permanently expand the mainstream places went ahead.
- 10 The Equality, Diversity, Cohesion and Integration Screening (EDCI) form is attached as an appendix to this report.

### **What consultation and engagement has taken place?**

- 11 The process in respect of the proposal has been managed in accordance with the relevant legislation and with local good practice.
- 12 An initial public consultation on a proposal to permanently expand secondary provision at Allerton High School from a capacity of 1100 to 1400 pupils by increasing the admission number in Year 7 from 220 to 280 with effect from September 2022 took place between 31 March and 7 May 2021. The outcome of this consultation was detailed in a report presented to Executive Board at its meeting on 23 June 2021 who approved the recommendation for the LA as proposer to publish a statutory notice in respect of the proposal.
- 13 The statutory notice was published in the Yorkshire Evening Post on 9 July 2021 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 public 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. Copies of the notice were posted at entrances to the school and on a notice board inside school and information about the statutory notice was shared on social media platforms.
- 14 Details of the statutory notice were shared with local ward members. Local ward members are supportive of the proposal proceeding however they would like to see particular consideration being given to ensuring that any associated traffic and highways issues are minimised.
- 15 During the four-week representation period, following publication of the statutory notice there were 15 representations received of which 13 supported the proposal, 1 did not express support or objection to the proposal and 1 objected to it.
- 16 A summary of the main themes from supportive comments submitted during the statutory notice period is included below (individual respondents may have made more than one of these comments);
  - Benefits to local families, especially those living to the North of the school (8 responses)
  - More secondary school places are needed in the area to address future demand (5 responses)
  - Extra places would enable more young people to walk to school. This would have social, health and environmental benefits and could lead to a reduction of traffic in the area. It would also potentially improve road safety for children going to and from school (3 responses)
  - Allerton High is a popular school with an excellent reputation (1 response)
- 17 Summary of concerns received during the statutory notice period within representations supportive of the proposal;

- a) **Concern about the potential negative impact on the local area near to Allerton High School.** A similar concern was also raised and responded to in the report to Executive Board on 23 June 2021.

Two respondents commented on the existing highways pressure in the area and went on to raise concerns about a potential increase in traffic congestion and parking, particularly at school drop-off and pick-up times and the impact the proposed expansion may have on the environment and on local residents in terms of litter, noise, pollution and the number of people using footpaths. Another respondent questioned why there are so many pupils travelling by car to Allerton High School from outside the area.

**Response:** Allerton High School predominantly serves a local need in the Alwoodley/Moortown area. Of the young people allocated a year 7 place at Allerton High School at National Offer Day in March 2021, 87% lived within a mile of the school and 93% lived within 1.5 miles.

The proposed permanent expansion has been brought forward to address a specific demographic growth within the catchment area and the areas close to the school.

If the proposed expansion were to progress the planning process would require a Transport Statement (TS) and Travel Plan (TP) to be developed to assess the impact of the proposed expansion on the highway network. All highways issues raised within the consultation process would be assessed as part of the TS. The TS would review collision data, speed surveys and an assessment of all existing traffic regulation orders and provide appropriate measures to meet any identified needs within the area surrounding the school.

Leeds City Council's 'Travelwise Team' would support the school and ensure up to date techniques would be incorporated into the TP to promote sustainable travel modes and reduce reliance on single car occupancy journeys. Realistic targets would be set by the TP and on-going promotion and survey work would aim to reduce car borne traffic at drop-off and pick-up times, offsetting some or all of the impact brought about by the proposed expansion.

All identified highways measures needed to help the school expand, including increasing on-site car parking facilities for staff, would be delivered as part of the expansion scheme, were it to progress.

Allerton High School has appointed an Eco Lead for 2021-22 who will work with the whole school community to raise awareness of environmental issues including promoting sustainable travel methods to and from school. The school has high expectations of how its students should conduct themselves both inside school and on their journey to and from school. If the school were to expand, the importance of respecting the local environment would continue to be actively promoted with pupils.

- b) **Concern about admissions arrangements.** A similar concern was also raised and responded to in the report to Executive Board on 23 June 2021.

Three respondents requested changes to the current priority catchment zones; two suggesting that the zones should be abolished so that all children who live in zones 1 and 2 have the same priority for Allerton High School and one saying that the catchment area should be a circle around the school. One respondent also expressed concern about the process that established the priority catchment zones.

**Response:** The priority catchment zones for Allerton High School were introduced in September 2021 to give children living in the more rural area to the north of the school

a more meaningful priority for a local school place. In previous years some families living in this area have expressed a preference for schools in North Yorkshire but more recently these preference patterns have shifted in favour of Leeds schools, resulting in a number of children being at risk of not securing a local school place due to the distance they lived from Allerton High School and other schools.

The zone 1 and 2 priority catchment areas were implemented from September 2021 following a period of consultation and approval for the change being granted by the Office of the Schools Adjudicator. The location of the boundary between zones 1 and 2 was determined through analysis of demographic data.

The catchment zones are effective at supporting families to the north of Allerton High School to secure a local school place, however recent population growth means that in order to address local demand in future years, as well as the current admissions arrangements continuing, additional year 7 places are required at Allerton High School.

18 Summary of concerns received during the statutory notice period within representations that neither supported nor opposed the proposal.

- a) **Concern that priority catchment boundaries cross residential streets.** One respondent described how the priority 2 catchment boundary crosses Church Gardens in Moortown, resulting in some residents having a priority for Allerton High School and others not. They requested that current catchment areas be reassigned so that all residents on this street have a priority for Allerton High School.

**Response:** Priority catchment areas that are based on nearest school may result in residents of a particular street not all having priority for the same school, as is the case with Church Gardens.

Zones 1 and 2 were introduced into the Allerton High School admissions arrangements from September 2021. Before that, the school had a nearest priority catchment area, the boundary of which is the same as the outer boundary of zone 2. Some properties on Church Gardens are within zone 2 priority catchment area for Allerton High School but others are slightly nearer to Allerton Grange School than Allerton High School and as such have catchment priority for Allerton Grange School. This was also the case prior to the introduction of the priority catchment zones for Allerton High School. Carr Manor Community School recently extended its catchment area and the new boundary includes the whole of Church Gardens, so the residents also have priority for this school.

The current proposal to permanently expand Allerton High School does not include any changes to the admissions arrangements for the school, however if the expansion proposal went ahead there would be more year 7 places available from 2022 onwards. Anyone can apply for a place at the school regardless of their catchment priority school(s).

19 Summary of objections received during the statutory notice period

- a) **Concerns raised by the Governing Body and senior leaders of Carr Manor Community School.** A similar concern was raised and responded to in the report to Executive Board on 23 June 2021.

These respondents are concerned that the proposed expansion of Allerton High School is not sustainable in the longer term, is not supported by data and will consequently lead to more surplus places in other local schools, including Carr Manor

Community School, whose catchment area overlaps with Allerton High School's catchment priority area. The governing body and senior leaders' view is that the identified need is not permanent as current census data indicates a reduction in the number of children who have Allerton High as their nearest school and who will require a place in year 7 from 2024 onwards. They also commented that there is no new housing planned within the catchment area of Allerton High School that would significantly increase the number of children in future years.

Concern was also raised in this response that new secondary provision in the East of the City from 2021 has not been established long enough for any potential impact on schools in the Alwoodley/Moortown areas to be fully understood. The respondents suggested that the statutory notice documentation misrepresented the future secondary need and that a more sustainable and preferable solution would be for schools in the area, including Carr Manor Community School to collaborate to meet the need for places, with temporary measures put in place in the short term.

These respondents were concerned that the increase in PAN at Allerton High School from 198 to 220 from 2021 was done without consultation with other local providers and that this, along with the proposed 60 additional places from 2022 represents an effective increase of 82 places. The respondents suggested that the number of additional permanent places being proposed at Allerton High School is excessive and is being used as a justification for an expensive build scheme. There was also a view expressed that the proposed expansion may be a way for Allerton High to potentially expand its sixth form provision.

**Response:** Pressure on secondary places in and around the Alwoodley/Moortown area has been managed over the past few years with a combination of additional permanent and temporary places created at Allerton High School, Allerton Grange School, Carr Manor Community School and Roundhay School. Current data suggests that 60 additional permanent year 7 places are required in the Alwoodley/Moortown area from 2022 to address future need and to ensure that Leeds City Council meets its statutory duty to ensure sufficient secondary places. The proposal at Allerton High School has been brought forward to address this need and the timing of it has been carefully considered to minimise the potential negative impact on other schools in the area.

220 places were allocated at Allerton High School in September 2016, 2017, 2018, 2019 and 2020 as the school agreed to offer extra temporary places above the formal PAN of 198. Following this, Leeds City Council proposed to permanently increase the school's PAN to 220 with effect from September 2021. This did not require a statutory notice process and under the Admission Code, a school increasing their PAN is not required to publicly consult, however the change was included in the admission policy consultation on the Leeds City Council Secondary Admissions Policy for 2021-2022 which took place between 13 December 2019 and 23 January 2020. The change was highlighted to all Leeds schools and other stakeholders and anyone could comment on any part of the proposed admissions arrangements. The policy was subsequently determined by Executive Board on 12 February 2020.

After initial offers were made in March 2021, Allerton High School also agreed to offer a further 30 temporary places, taking the total number of year 7 places to 250. Changes were also made to the admissions arrangements for Allerton High School from 2021 with the introduction of zone 1 and 2 catchment priority areas to help support local families to secure a local place, particularly those living to the North of the school. Despite these changes, if additional places were created at other local schools instead of a permanent expansion of Allerton High School it is likely it would

result in some local families being offered a school place an unreasonable distance away from where they live.

Census data is one of several factors used to determine anticipated future secondary need. Although it provides a measure of how many children live in each area at a particular point in time, consideration must also be given to how cohort sizes tend to change as children approach secondary school age. For example, for the cohort that started year 7 in September 2021 there was a 25% increase between October 2018 census and October 2020 census in the number of children living within catchment for Allerton High School. Current census data indicates a continuing trend for the number of children in the Allerton High School catchment to grow over time in the lead up to starting secondary school.

Taking account of all demographic data across schools in the Inner North Secondary Planning Area (the area local to Roundhay School, Leeds Jewish Free School, Carr Manor Community School, Cardinal Heenan Catholic High School, Allerton High School and Allerton Grange School) there is an identified permanent need for additional year 7 places in the area.

New secondary provision has been established at Trinity Academy Leeds from 2021 to meet increasing demand for places in the Central Secondary Planning Area. Initial allocations data for the provision suggests that very few young people living in the area near to Allerton High School were allocated a place there. The impact of this new provision on the area in future years is therefore likely to be limited. Current housing data suggests that there are some new housing units under construction with Allerton High School as their catchment school in addition to some with planning permission.

The need for an additional 60 permanent places at Allerton High School has been identified and the proposed cost of the associated scheme to deliver this represents value for money in terms of current DfE recommendations. If a smaller scheme were to be considered for 2022 there would be a risk that another scheme may be needed to address a potential shortfall of places in future years. This would increase the overall project budget and would not be deemed value for money as it would generate additional fees and prelims as well as the build cost.

The proposal being consulted on is to permanently expand the number of Year 7 places offered at Allerton High School. If the proposal went ahead the new accommodation provided would support this expansion in Year 7 to 11 only. The potential expansion of sixth form provision at the school would be a matter for the governing body to consider and does not form part of this proposal. If any works were to be carried out to existing sixth form accommodation as part of an expansion scheme it would be because of a need to re-purpose existing spaces. If this were the case, any space lost would be re-provided elsewhere.

## **What are the resource implications?**

- 20 Based on initial viability, the indicative cost for delivery of a scheme to support a permanent expansion at Allerton High School is expected to be within the range of £7.5m and £8m. The proposed works would include the construction of new accommodation to provide additional classroom and ancillary facilities to support the proposed expansion. The proposed build scheme would enable the school to continue to operate the existing partnership and resource provisions for young people with SEND.

- 21 The proposed expansion would be funded from the Learning Places Programme, primarily through Basic Need Allocations. The precise funding package would be confirmed at the design freeze stage and detailed in the relevant Design and Cost report (DCR).
- 22 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.

### **What are the legal implications?**

- 23 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.
- 24 It is recommended that this report be exempt from the Call-In process, in line with Executive & Decision Making Procedure Rule 5.1.3. Executive Board is the decision maker for this proposal and statutory guidance states that a final decision must be made within 2 months of the end of the statutory notice period, therefore by 6 October 2021, or be referred to the Schools Adjudicator. Following initial public consultation on the proposal in April/May 2021 the earliest date that Executive Board could consider a recommendation to publish a statutory notice was at their meeting of 23 June 2021, there being no meeting in May. The decision to publish a statutory notice was implemented on 09 July 2021 following the expiry of the call-in period for the June 2021 Executive Board meeting. The representation period ended on 06 August 2021 and as there is no Executive Board meeting in August the earliest a report could go to Executive Board was September. If the decision was then 'called-in' and Scrutiny Board subsequently referred the matter back to Executive Board with a recommendation to reconsider its decision, this could not be done until October Executive Board, which would be outside of the 2 month decision period. The consequence would be that a local decision could no longer be made, and the matter would automatically be referred to the Office of the Schools Adjudicator to decide.
- 25 In addition, the objection received has 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 and Scrutiny Board members determined that no further scrutiny of the objection received was required.

### **What are the key risks and how are they being managed?**

- 26 This proposal has been brought forward in time to allow secondary 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 temporary cohorts being delivered in other local schools which would be more costly in the longer term.

- 27 In response to growing demand for Year 7 places, Allerton High School had admitted over PAN for several years before permanently changing to 220 in 2021. Allerton Grange School also permanently expanded in 2021, increasing its capacity by 300 pupils across Years 7 to 11. As the number of secondary-aged students living in the 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 proposed expansion of Allerton High School could result in insufficient school places being available to meet local demand and the Local Authority's ability to meet its statutory duty for sufficiency of school places in the short term may be at risk.
- 28 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 away 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.
- 29 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.
- 30 The submission of a planning application for the potential scheme has been brought forward on a contingent basis to ensure that any initial phase of accommodation required for September 2022 is achievable. The build programme has an incredibly tight deadline and therefore if a planning application is submitted after final determination from Executive Board the risk associated with needing to provide a temporary solution for September 2022 increases along with the overall project budget.
- 31 The budget range outlined in this report is based on a sense check provided at viability stage which will be verified throughout RIBA stages 1-4 and will be subject to a Design and Cost Report once the figures have been finalised and verified by LCC's consultant, Norfolk Property Services (NPS). There has been a rise in the cost of materials (approximately 1-2%) across current Learning Places projects due to the impact of COVID-19 and Brexit which is expected to continue on future projects. Therefore, this has been identified as a risk on the Allerton High School proposal and is being reported at the earliest opportunity, so Executive Board members and senior officers are aware of the potential budget implications. NPS will continue to monitor the situation but it may be necessary to carry out a value engineering exercise if the cost exceeds the range included at paragraph 20 of this report.

### **Does this proposal support the council's 3 Key Pillars?**

Inclusive Growth       Health and Wellbeing       Climate Emergency

- 32 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'.
- 33 Providing additional school places in an already established, Ofsted rated 'Outstanding', school in an area where demand for places is high 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'. The proposal would also contribute to the achievement of the Best City Priority to help 'young people into adulthood, to develop life skills and be ready for work' which in turn, would provide underlying support for the council's ambition to produce a strong economy and be a compassionate city.
- 34 There is an identified need for additional secondary school places in the Alwoodley/Moortown area due to increases in the number of children living there. 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 thereby reduce journey times to and from school.

- 35 If the proposal is approved Allerton High 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 the school to identify measures that could be incorporated into the travel plan that ensure safe routes to and from school and promote sustainable methods of transport including walking and cycling.
- 36 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. 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. The improved energy efficiency would also reduce the school's overall running costs, as the building would be more economical to run long-term, eventually paying for the measures put in place.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 37 Other secondary schools in North Leeds have already expanded over recent years including Roundhay School which permanently expanded in 2017 and Allerton Grange School which permanently expanded in 2021 following a number of years when additional year 7 places were offered at the school on a temporary basis.
- 38 The proposed expansion of Allerton High School has been brought forward to address a localised and particular need, including in relation to families living to the north of Allerton High School who may not otherwise be able to access a local secondary school place. Because of the distance between where these families live and other secondary schools/academies in the wider area, other options would not have been effective at meeting this local need.

### **How will success be measured?**

- 39 If the proposal is approved the places would be delivered for September 2022 and if successful, would support more local families to access a local secondary school place, particularly those living to the North of the school.

### **What is the timetable for implementation?**

- 40 This proposal has been brought forward in time to allow additional secondary places to be delivered for September 2022.

## **Appendices**

- 41 The Equality, Diversity, Cohesion and Integration Screening form

## **Background papers**

- 42 None