

Cabinet Member for Children and Families Agenda

Date: Tuesday, 24th January, 2017
Time: 9.30 am
Venue: Committee Suite 1, Westfields, Middlewich Road, Sandbach
CW11 1HZ

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

3. **Public Speaking Time/Open Session**

In accordance with Procedure Rules Nos.11 and 35 a period of 10 minutes is allocated for members of the public to address the meeting on any matter relevant to the work of the body in question. Individual members of the public may speak for up to 5 minutes but the Chairman or person presiding will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers. Members of the public are not required to give notice to use this facility. However, as a matter of courtesy, a period of 24 hours' notice is encouraged.

Members of the public wishing to ask a question at the meeting should provide at least three clear working days' notice in writing and should include the question with that notice. This will enable an informed answer to be given.

4. **Disley Primary School Proposed Expansion** (Pages 3 - 16)

To consider the proposed expansion of Disley Primary School for implementation in September 2017.

Please contact Cherry Foreman on 01270 686463
E-Mail: cherry.foreman@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

Cheshire East Council

PORTFOLIO HOLDER DECISION

Date of Meeting: 24 January 2017

Report of: Kath O'Dwyer, Executive Director of People and Deputy Chief Executive

Subject/Title: Disley Primary School - proposed school expansion

Portfolio Holder: Children and Families Cllr Liz Durham

1. Report Summary

- 1.1. As the Strategic Commissioner of School Places, Cheshire East Council has a statutory duty to ensure a sufficiency of school places for children resident in its area. An analysis of the latest pupil forecasts identified the need to provide additional primary school places in Disley in response to increasing pupil populations. The data analysis indicates the need for an extra 70 school places (Reception to Year 6) which, if agreed, would provide 10 more reception class places in this area.
- 1.2. The proposed expansion to increase the intake from 30 to 40 pupils (not 45 which is a more typical delivery model) is deliberate in that this increase allows for a phased expansion programme based upon a class organisation/curriculum delivery model that best suits the school and therefore learners. The school can further increase to 45 depending upon need and any future increases would not require additional building or capital expenditure.
- 1.3. This paper reports on the outcome of required consultation, which took place between 14 September and 12 October 2016 and requests approval to issue a public notice of the proposed expansion of Disley Primary School from 210 to 280 pupil places with a planned implementation date of September 2017.
- 1.4. The Headteacher and Governing Body of the school are fully supportive of the proposed increase and have confirmed their continued commitment to support their growing local community. The school is seen as an integral part of the local community with village events often held on school premises, such as baby and toddler; post natal groups; jujitsu; slimming and aerobic classes.
- 1.5. The rationale for the proposed expansion of Disley Primary School is set out within the consultation document attached as Appendix 1.

2 Recommendation

- 2.1 That the Cabinet Member for Children and Families authorises the publication of a statutory public notice detailing the Local Authority's proposed expansion of Disley Primary School from 210 to 280 pupil places for implementation in September 2017.
- 2.2 That the proposed expansion is progressed through a phased programme as from September 2017 with an initial phase being to complete the necessary changes to car parking and complete the building of an additional classroom. Phase 2 will follow, following structured dialogue with the school regarding the ongoing arrangements for the current on-site Disley Under 5's Pre-School.

3. Other Options Considered

3.1 As Disley is the only school within this planning area, the options to consider other schools as an alternative to Disley does not exist. The requirement is for the Authority to provide sufficiency of places to meet local demand.

4 Reasons For Recommendations

4.1 This recommendation is made on the basis of the outcomes of the consultation exercise and whilst consultation is no longer statutory, there is a strong expectation on Local Authorities to consult with interested parties in developing their proposals as part of their duty under public law to act rationally and take into account all relevant considerations

4.2 The manner in which consultation is carried out is not prescribed in regulations and it is therefore for the proposer to determine. On this occasion the consultation period spanned 4 weeks from 14 September to 12 October 2016 and a detailed list of stakeholders were invited to offer feedback to the proposal.

5. Background/Chronology

5.1 Disley Primary School is a Cheshire East community school rated “Good” by Ofsted at the last inspection in November 2011. Until 2008 Disley Primary had a Published Admission Number (PAN) of 45 children per year group and accommodated 315 pupils. The school was reduced to 30 PAN, 210 pupils, under Cheshire County Council’s Transforming Learning Communities (TLC) initiative. Until more recently, this school has been able to accommodate the children of Disley but increasing demand means that changes are needed and therefore this proposal would increase the school back to nearer its former capacity

5.2 If some Disley children cannot attend Disley Primary School in the future, consideration will have to be given to where local children could attend. The next nearest alternative Cheshire East schools for pupils to attend are over 4 miles.

5.3 During the consultation period 25 responses were received in total, as set out in the table below:

Expansion Proposal	Responses			
	Support	Do Not Support	No View	Total Respondents
Disley Primary School	21	3	1	25

5.4 The 25 respondents were made up of key stakeholders as follows:

Parish Council	Parent/ Carer	Local Residents	Neighbouring Schools	Total
1	13	8	3	25

- 5.5 Of the 21 responses supporting the proposal (84%), a strong view was expressed that the expansion was the right decision for the school, good for the children and the development of the community as a whole. Whilst many supported the expansion and agreed with the need for additional places, concerns were raised regarding the road network being inadequate and unable to cope with an increased volume of traffic, and issues surrounding road safety and parking.
- 5.6 The rural location of the school makes the concerns relating to local road infrastructure difficult to address. However, in order to mitigate the impact on parking on the school site, the proposed site developments resulting from this expansion include a re-structure and expansion of car parking facilities.
- 5.7 There have been 3 responses opposing the proposed expansion, and 1 no view. The opposition responses were from stakeholders outside Cheshire East. Concerns expressed included the impact on pupil numbers in neighbouring local authorities schools, the introduction of mixed aged teaching, numbers of children in some classes, the lack of playground and cafeteria space and the loss of the IT Suite. In response to these concerns, mixed age teaching already exists within the school and the arrangements for lunch facilities and IT delivery will be considered as part of the second phase.
- 5.8 In addition the school have discussed the proposed expansion with the School Council and although the meeting was held just outside of the consultation period the following feedback was received from the pupils.
- *Collectively, they currently feel there is not enough carpet space in classrooms (i.e. a space where class teaching is done)*
 - *Collectively, they think it's good to have more classrooms to fit everyone in*
 - *Collectively, they think there should be more toilets*
 - *Collectively, they think we would need more teachers if we had more classrooms*
- 5.9 Full details of the responses received during consultation are available.

6 Wards Affected and Local Ward Members

Disley -	Cllr Harold Davenport
Poynton East and Pott Shrigley -	Cllr Howard Murray
Poynton East and Pott Shrigley -	Cllr Jos Saunders
Poynton West and Adlington -	Cllr Michael Beanland
Poynton West and Adlington -	Cllr Mike Sewart
Sutton -	Cllr Hilda Gaddum

7. Implications of Recommendation

Policy Implications

- 7.1 In the event that the proposal is implemented, the Local Authority will determine an increase in the PAN from 30 to 40 pupils per year group, in line with the statutory timescales set out in the School Admissions Code (2014).

Implications for Rural Communities

- 7.2 Providing additional places at this Cheshire East primary school would ensure that local children are not displaced to other schools in Poynton at some distance away or to other schools across the border in Stockport or Derbyshire as capacity at the village

school would be sufficient to meet demand for places in this rural community. Information about the distances to the nearest schools is contained within the consultation document, attached as **Appendix 1**.

Financial Implications

Cost of Expansion:

- 7.3 The proposed expansion would be funded through Basic Need Capital Grant allocation and an anticipated a Section 106 developer contribution of £75, 000.
- 7.4 Based on a desktop analysis of works to be undertaken the estimated cost of the expansion is £450,000. If approved, it is proposed that the scheduled work would be progressed in a two phase approach in order than detailed dialogue and agreement can be reached regarding the onsite Disley Under 5's Pre-School.

School's Budget

- 7.5 The Dedicated Schools Grant (DSG) income received by Cheshire East will only increase if any additional pupils are new to the LA, i.e. have not been included in the DSG allocation previously. The DSG delegated to individual schools is based on the funding formula used in Cheshire East and currently over 80% of that funding formula is pupil led, i.e. based on the number of pupils on roll at the October Census date. This means that the number of pupils on roll in October will inform the funding formula for the following financial year. For schools admitting additional pupils from a September intake, this will therefore be reflected in the schools budget from the following April.
- 7.6 Where there is a significant number of additional pupils in year, the school may qualify for additional financial support from the Local Authority's 'Growth Fund' . However, funds are limited and have to be allocated across the Borough so there may be pressure for schools experiencing growth to manage. Therefore, this cannot be guaranteed at this stage.
- 7.7 The school has already taken measures to ensure compliance with infant class size legislation, which limits infant classes to a 30:1 pupil teacher ratio. The school is currently operating across 8 classes with two teachers teaching the reception class.
- 7.8 The proposal, based upon increasing the agreed intake into reception to 40 pupils, would ensure that the school has the 10 classrooms necessary for a planned intake of 40 pupils per year group as set out below:

Class Organisation for 280 intake

Class	Rec	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Total
1	40*							40
2		13	13					26
3		13	14					27
4		14	13					27
5				13	13			26
6				13	14			27
7				14	13			27
8						13	13	26
9						13	14	27
10						14	13	27
Total	40	280						

*With 2 teachers

- 7.9 This arrangement would require a minimum of headteacher + 12.1 full time equivalent (FTE) teachers to include 10% planning, preparation and assessment time.
- 7.10 Finance officers have provided an indication of the funding implications for this option. This has demonstrated the viability of the aforementioned option. It should be noted that this is based on the current funding formula for 2016-17 and using the school's current characteristics. This assessment has compared the current funding for the school of £773,058 for 2016-17, which is based on 215 pupils on roll in October 2015 and provides for a headteacher + 9.8 FTE.
- 7.11 For the school to deliver the arrangements for 280 pupils as proposed, the estimated budget available to them would be £961,443 which is an increase on the current budget of £188,385. The school would require headteacher +12.1FTE, which is an increase as a minimum of 2.3FTE.
- 7.12 The funding formula for schools and the amount available per pupil are under review nationally and the pupils in the school may attract more or less funding. Therefore, the revised budget figure is provisional until 2017/18 budget figures are available.

Legal Implications

- 7.12 The DfE statutory guidance accompanies the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013 that came into force on 28 January 2014. It provides information on the processes involved in making significant changes to maintained schools (e.g. expansion), establishing new provision and school closure. Key dates are outlined below :

Date	Actions
Jan 2016	Interim forecasts based on October 2015 School Census data. Indicated shortfall at Disley.
26/04/2016	Interim data presented to School Organisation Strategy Group (
29/06/2016	Departmental Management Team approve consultation on the proposal.
July 2016	Forecasts finalised and submitted to DfE via 2016 Annual Return.
13/09/2016	Meet with headteachers of neighbouring Poynton schools
14/09/2016 - 12/10/2016	Consultation period
24/01/2016	Portfolio Holder considers outcome of Consultation
5 Days	Call-in Period
TBC	Public Notice issued
TBC	4 week Representation period
TBC	Cabinet. / School Organisation Sub Committee
5 Days	Call-in Period
September 2017	Implementation of phase 1

- 7.13 Local Authorities are under a statutory duty to ensure the sufficiency of school places in their area. They can propose an enlargement of the premises of community, foundation and voluntary schools. When doing so they must follow the statutory process as set out in the Prescribed Alterations Regulations (2013) if:

The proposed enlargement of the premises of the school is permanent (longer than three years) and would increase the capacity of the school by:

- *more than 30 pupils; and*
- *25% or 200 pupils (whichever is the lesser).*

Equality Implications

7.14 Due to the fact that Disley is the only school within the planning area, there is no impact on other local Cheshire East schools. The expansion provides additional places for local children and has limited impact on bordering schools.

8 Risk Management

- 8.1 The proposed expansion is identified to address a Basic Need at Disley Primary School. This is in order to ensure that the Authority meets its statutory duty to provide sufficient school places in this area.
- 8.2 Disley is a community school on the edge of the Cheshire East administrative boundary neighbouring Stockport and Derbyshire. Information about spare capacity and school organisation plans in these areas has therefore been considered, details of which are set out in the consultation document.
- 8.3 If additional places are not provided at Disley Primary School, parents of Cheshire East children who are resident in the school's designated catchment area may be unable to secure places at their local school and may be required to travel some distance to other Cheshire East schools requiring transport assistance, or to schools in other Local Authorities.
- 8.4 The Governing Body of Disley Primary School has confirmed that they are fully supportive of this proposed change.
- 8.5 The proposal will be subject to the necessary planning and Section 77 (School Standards and Framework Act 1998) approvals.

9 Access to Information/Bibliography

- [School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#)
- [School Admissions Code \(2014\)](#)

10 Contact Information

Contact details for this report are as follows:

Name: Mark Bayley

Designation: Head of Service – School Infrastructure

Tel No: 01270 686388

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**DISLEY PRIMARY SCHOOL
EXPANSION PROPOSAL**

**Consultation
14 September 2016- 12 October 2016**

CONSULTATION DOCUMENT

**Jacky Forster, Director of Education and 14-19 Skills, People's Directorate.
Cheshire East Borough Council
Westfields, Sandbach
Cheshire TBC
CW11 1HZ**

What are we consulting on?

We are consulting on a proposal to expand Disley Primary School, taking the school from 210 to 280 pupil places. This would facilitate an increase from 30 to 40 pupils per year group.

The proposal, if agreed, would involve increasing the accommodation at Disley Primary school by two extra classrooms. This would involve a newly constructed classroom at first floor level and the re-modelling of an existing wing of the school to create an additional teaching space.

Why Disley Primary School?

Disley Primary School is a Cheshire East community school rated “Good” by Ofsted at the last inspection in November 2011. Until 2008 Disley Primary had a Published Admission Number (PAN) of 45 children per year group and accommodated 315 pupils. The school was reduced to 30 PAN, 210 pupils, under Cheshire County Council’s Transforming Learning Communities (TLC) initiative. Until more recently, this school been able to accommodate the children of Disley but increasing demand means that changes are needed and therefore this proposal would increase the school back to nearer its former capacity

If some Disley children cannot attend Disley Primary School in the future, consideration will have to be given to where local children could attend. The next nearest alternative Cheshire East schools for pupils to attend are over 4 miles away, as shown in table 5 below.

There are other schools in Derbyshire and Stockport and surplus places in these have been considered. The number on roll at Hague Bar Primary, for example, is forecast to be oversubscribed, whereas Newtown Primary is forecast to have some surplus capacity. High Lane Primary and Brookside Primary are also forecast to have some surplus places. Cheshire East parents would be able to apply for places at these schools if this was their preference although Cheshire East Council would remain responsible for finding residents a school place if their school choices were unsuccessful.

New housing has the potential to increase demand for all these schools and, in so doing, reduce the number of surplus places currently forecast to be available in the future. As Disley Primary is a popular school, this could affect admissions to this school requiring children to travel to schools in other areas.

Why are you being consulted?

The purpose of this consultation exercise is to ensure that the Local Authority can take into account your feedback on the expansion proposal before deciding whether to proceed. This consultation document therefore provides information about the rationale for change and invites you to feedback your views over a four week period.

It is really important to us that you let us have your views. Please read the information below and then send us your comments. Our contact details are provided at the end of this consultation document.

Why is this change needed?

As the Strategic Commissioner of School Places, Cheshire East Council has a statutory duty to ensure a sufficiency of school places for children resident in its area. The latest pupil forecasts indicate a need for more primary school places in Disley village due to new housing and increasing demand in the area of the school.

The data shown in the table below shows a forecast shortfall for Disley Primary School over the five year forecasting period of 42 pupil places based on current patterns of parental preference, new housing pupil yields and allowing for a level of operational surplus, which is intended to facilitate admission mid year, some degree of parental choice and reasonable journey times to school.

Table 1 - Forecast shortfall for Disley Primary School

Disley Primary – Pupil Place Forecasts Shortfall (-) or Surplus Places (+)					Disley Primary – Pupil Place Forecasts Including 2% operational surplus.				
2016	2017	2018	2019	2020	2016	2017	2018	2019	2020
-27	-45	-45	-47	-42	-31	-49	-49	-51	-46

Data Source – October 2015 Based Forecasts

The approved housing developments in the area of the school that have been included in the pupil forecasts, and which have informed the need for expansion of the village primary school, are shown in the table that follows. The estimated number of school aged children from this new housing is referred to in the table as the 'pupil yield'¹

¹ Pupil yields are derived from the number of new houses with 2 or more bedrooms planned for the development and to this is applied a formula to produce a pupil yield. The formula is number of 2+bedroomed houses multiplied by 0.19 to give a primary school yield and the number of 2+bedroomed houses multiplied by 0.15 to give a secondary school yield. Housing developments and pupil yields as at April 2016.

Table 2 – Pupil Yield from new housing developments

Housing Development	Catchment Area School	Number of Houses	Total Pupil Yield	Pupil Yields Included in Forecasts	Post 2021 Pupil Yield (Not included in Forecasts)
Fibrestar	Disley Primary School	121	22	10	0 <i>(12 included in 2014 forecasts)</i>
Land at Redhouse Lane	Disley Primary School	39	7	7	0
Total		160	29	17	0

The development at Fibrestar has already commenced and as at March 2016, 86 of the 121 houses had been completed.

Increased demand from new housing and the changing demographics in the area have resulted in an increase in the number of children resident within Disley Primary School's catchment area and the number of reception class applications that it receives, both of which exceed the current capacity and planned intake to the school of 30 reception class places.

Table 3 – Number of catchment children and reception class applications

Admission Year	Number of Children Resident in the Catchment Area.	First Preferences for Reception Places
2013	45	36
2014	43	35
2015	43	37
2016	50	40

Figures as at August 2016 January

2016.

In order to accommodate the increasing number of requests for reception class places, the school has admitted above its Published Admission Number of 30 places since September 2013 and has admitted more children mid year due to demand, as shown below:

Table 4 – School census data

School Census Count	Rec	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Oct-15	33	37	35	29	31	27	23	215
Jan-16	34	38	35	31	31	28	24	221

The Published Admission Number (PAN) confirms the number of children to be admitted into the reception class at the normal point of entry to the school. This extra capacity if approved would facilitate an increase in the PAN from 30 to 40, allowing for 10 extra reception class admissions each year.

The PAN for September 2017, which was determined by Cabinet on 9 February 2016, is 30. Admissions above the determined PAN are permitted under the School Admissions Code if the admission authority decides that it can accommodate additional pupils in any year group. Should this proposal be approved, the admission authority would be in a position to admit above the 30 PAN for September 2017 and then determine the higher PAN of 40 for September 2018 reception intake and subsequent years.

The geographical location of Disley Primary in Cheshire East is fairly unusual in that there are no other Cheshire East schools within walking distance. For example, Kettleshulme is the next nearest Cheshire East school but this is over 4 miles away and is not on a direct public transport route. The journey is by hilly, country roads that are sometimes inaccessible during winter months.

Alternatively, pupils could attend primary schools in Poynton, but again, there is no direct public transport route which can lead to long journey times. The table below shows the three nearest Cheshire East schools to Disley together with the distances measured using the post code address points of each school – therefore school to school. As the Disley catchment area residents live in the area surrounding their local primary school, distances for families will vary according to where they live in relation to the primary school.

Table 5 – Next Nearest Cheshire East Primary Schools

Order	School	Walking Distance
1	Kettleshulme St James' Church of England Primary	4.291
2	Worth Primary School	5.038
3	Vernon Primary School	5.163

Consideration has also been given to the availability of places at schools in the neighbouring authorities of Derbyshire and Stockport. The table below shows those schools that are below the 2 mile statutory walking distance ² using school to school distances as aforementioned.

² The statutory walking distance is defined in law as 2 miles for pupils aged under the age of 8 , and 3 miles for those aged 8 and above, although [Cheshire East's Transport Policy](#) includes a variation to the distance limit for primary pupils.

Table 6 – Next nearest neighbouring Local Authority primary schools.

School	Home LA	Walking Distance
Newtown Primary School	Derbyshire	1.318
Hague Bar Primary School	Derbyshire	1.435
High Lane Primary School	Stockport	1.746
Brookside Primary School	Stockport	1.750

Information from Derbyshire and Stockport local authorities has been requested in relation to surplus places in these schools and any plans for change to their capacity in the future to assess the potential availability of school places should the decision be taken not to expand Disley Primary School. The number on roll at Hague Bar Primary (Ofsted rated 'Good') is forecast to be oversubscribed and Newtown Primary (Ofsted rated 'Good') is forecast to have some surplus capacity. High Lane Primary (Ofsted rated 'Good') and Brookside Primary (Ofsted rated 'Good') are also forecast to have some surplus places. There are currently no plans for expansion at these schools. Cheshire East parents would be able to apply for places at these schools if this was their preference although Cheshire East Council would be responsible for finding its residents a school places if their school choices were unsuccessful.

How would the Local Authority fund this proposed school expansion?

The proposed expansion, if approved, would be funded through basic need capital grant and section 106 housing developer contributions. Basic need funding is provided to local authorities to support their capital requirement for providing new pupil places by expanding existing maintained schools, free schools or academies, and by establishing new schools. Section 106 education funding contributions are those agreed with new housing developers specifically to fund the additional pupil places needed due to the new development. In accordance with the Cheshire East Council's Constitution - Finance and Contract Procedure Rules, financial approval of this scheme will be sought at Cabinet as a fully funded supplementary capital estimate.

TIMESCALES

There are 4 statutory stages to expanding a school as follows:

1. Publication
2. Representation
3. Decision
4. Implementation.

Although there is no statutory "pre publication" consultation period there is a strong expectation that schools and Local Authorities will consult interested

parties in developing their proposals. It is anticipated that the programme for the implementation of any change would be:

14 September 2016 to 12 October 2016	4 week Consultation period.
November 2016	Meeting of the Council's Portfolio Holder for permission to issue Public Notices
December 2016 to January 2017	4 week Representation period
February 2017	Cabinet / School Organisation Sub Committee decision
September 2017	Implementation

(actual dates to be confirmed following consultation.

How can you contribute to the decision-making process?

Before any decisions can be taken, the Local Authority would like to hear your views. All feedback received during the consultation period will be considered before a decision is taken on whether to proceed with the proposal. The best way to respond is to complete our electronic survey, which can be accessed on the Council's website at www.cheshireeast.gov.uk. Alternatively you can complete the feedback form which can be accessed on the Council's website at www.cheshireeast.gov.uk , submit your comments by e-mail to: SOCS@cheshireeast.gov.uk or in writing to:

Cheshire East Borough Council,
School Organisation and Capital Strategy Team,
Floor 7, C/O Municipal Building,
Earle Street,
Crewe CW1 2BJ,

Please Note: Individual queries received during the consultation period will not receive a direct response, but will be addressed in the consultation summary produced at the end of the process and published online for all interested parties.

All responses to this consultation will be collated and presented to the Council's Portfolio Holder at the end of the consultation period.

The implementation of an agreed expansion proposal would be subject to the necessary planning and Section 77 (School Standards and Framework Act 1998) approvals, as appropriate.

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