

# PORTFOLIO HOLDER REPORT

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Date of Meeting: 27 April 2016

Report of: Kath O'Dwyer, Executive Director- Children's Services/Deputy CEO

Subject/Title: Proposed School Expansions - Crewe

Portfolio Holder: Cllr Liz Durham, Children and Families

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## 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 Crewe in response to increasing pupil populations. The data produced indicates the need for an extra 420 school places (reception to year 6) which, if agreed, would provide 60 more reception class places in this area.
- 1.2. This decision paper seeks Portfolio Holder permission to support the proposals made by the governing bodies/academy trusts to expand their schools from 420 to 630 places for implementation in 2017 in response to this Local Authority identified forecast shortfall.
- 1.3. This paper explains the rationale for the proposed change and reports on the feedback received during consultation, which took place between 25 February and 25 March.

## 2 Recommendation

2.1 That approval is given to:

- Support the proposal made by the Monks Coppenhall Community Primary School Governing Body to expand the school from 420 places (2FE) to 630 (3FE) places providing an additional 210 pupil places to commence during the academic year 2017-2018
- Support the proposal made by Hungerford Primary Academy to expand the school from 420 places (2FE) to 630 (3FE) places providing an additional 210 pupil places to commence during the academic year 2017-2018
- To inform the Wistaston Academy Trust that their proposal to expand the school from 420 places (2FE) to 630 (3FE) places cannot be supported on this occasion and the reasons for this.

## 3 Reasons For Recommendations

- 3.1 This recommendation is made on the basis of the outcomes of the consultation exercise (**Appendix 1**), which includes Hungerford Primary Academy and Wisaston Academy pupil feedback (**Appendix 1.1**) and Monks Coppenhall pupil feedback as **Appendix 1.2**, together with a review of the latest data, which has included the October 2015 based interim pupil forecasts, the location of schools with forecast spare capacity and new housing development in the area as set out in **Appendix 2**. Consideration has been given to particular concerns, namely the impact of expansion

on the future viability of schools with vacancies and the proximity of Crewe schools to planned housing development.

- 3.2 This analysis has informed this recommendation, which is that the solution to the forecast need for Crewe must be met by expansion of the two schools located in the north of the town – Monks Coppenhall Community Primary School and Hungerford Primary Academy. This would ensure that there is sufficient capacity to mitigate the impact of approved new housing development in this area of the town and allowing schools with vacancies forecast over the planning period to meet the demand for school places in the south of the town.
- 3.3 Meetings were held between 29 and 31 March with the headteachers and representatives of governors of the three schools to provide an overview of the responses from the consultation and next steps. The data produced in relation to the latest new housing development pupil yields was shared. For two of the three schools, guidance issued by the Department for Education in relation to the expansion of an existing academy was also shared to facilitate discussion about the requirements for making changes to funding agreements.

### Consultation Feedback Summary

- 3.4 Consultation has been undertaken as a partnership arrangement between the Local Authority and the governing bodies/academy trusts of Hungerford Primary Academy, Monks Coppenhall Primary and Wistaston Academy. The consultation document (**Appendix 3**) has been published on the Local Authority’s website with governing bodies/academy trusts invited to link to this on the schools’ own websites. Consultees are listed in **Appendix 4**.
- 3.5 A total of 183 respondents participated in the consultation exercise.

Respondents	Number
Local Councillor	3
Local resident/other	28
Neighbouring school	50
Governor Hungerford	3
Governor St Mary's	2
Governor Wistaston	2
Staff member Hungerford	11
Staff member Wistaston	26
Parent Hungerford	4
Parent St Mary's	4
Parent Wistaston	50
<b>Total</b>	<b>183</b>

- 3.6 In addition, all three schools were encouraged to invite feedback from their pupils. The approach taken varied from school to school. Pupils attending Wistaston Academy and Hungerford Primary Academy submitted their feedback using the online form provided by the Local Authority. Monks Coppenhall Community Primary undertook consultation with each class and submitted a collective response to show pupils thoughts on the proposal.

3.7 All feedback received (**Appendix 1**) has been considered by the Local Authority to inform its decision-making process. Respondents were provided with the opportunity to comment on one or more of the school expansion proposals. Some respondents have commented on only one proposal whereas others have commented on two or all three of the proposals. The responses for each school are shown below.

**Hungerford Primary Academy.**

3.8 Of the 183 responses received 78% commented on the Academy Trust proposal to expand the school from 420 to 630 pupil places with 68% (rounded) of the 142 comments either supporting the proposal or having no view one way or another. This is shown in the table below.

Responses	Hungerford Academy	
Support	43	30%
No View	53	37%
Sub total - Support and No View	96	68%
Do not support	46	32%
<b>Total</b>	<b>142</b>	

3.9 The feedback in support of expansion includes comment about the suitability of the school site having ‘room for expansion’ and maintaining a ‘good outside area’, opportunities for inclusive practice and alternative provision, a good school ethos and good quality education providing value for money and an efficient and effective use of public funds. Pupil feedback has been low (15 responses) but all feedback is positive, demonstrating support for the proposal. Comments received point to opportunities for improving resources, more teachers and support staff, and more friends, and the benefit to children who otherwise may not have a school place.

3.10 Whilst the majority of respondents acknowledged that there is a need for growth in Crewe, 32% objected to this proposal expressing concern about the potential impact on nearby schools where spare places already exist, commenting that a school expansion nearby has the potential to impact on the viability of such schools and must therefore be taken into account. Suggestions were made that consideration should be given to the proximity of schools to new housing developments where the need for places is expected to increase. Comments were also received about the impact on car parking and traffic congestion at drop off and pick up times.

### Monks Coppenhall Primary.

- 3.11 Of the 183 responses received 71% commented on the Governing Body proposal to expand the school from 420 to 630 pupil places with 65% (rounded) of the 130 comments supporting the proposal or having no view one way or another.

Responses	Monks Coppenhall	
Support	29	22%
No View	56	43%
Sub total - Support and No View	85	65%
Do not support	45	35%
<b>Total</b>	<b>130</b>	

- 3.12 The feedback in support of expansion includes comment about Monks Coppenhall being an excellent school that engages with its community, with good staff and teaching. Pupils were asked to consider the proposal to expand and feedback was collated at class level and this has been positive with more children thinking it is a good idea and that they are 'excited about the prospect'. Comments received point to opportunities for improving resources, more teachers and more children to play with and who will bring good ideas. The concerns raised by pupils were about whether a bigger school might mean more noise, less outdoor space and lunch time challenges.
- 3.13 Whilst the majority of respondents acknowledged that there is a need for growth in Crewe, 35% objected to this proposal. The general concerns raised were the same as for all three proposals about the potential impact of expansion on other schools in Crewe where spare places already exist. Suggestions were made that consideration should be given to the proximity of schools to new housing developments where the need for places is expected to increase. Comments were also received about the impact on car parking and traffic congestion at drop off and pick up times.

### Wistaston Academy

- 3.14 Of the 183 responses received, 93% commented on the Academy Trust proposal to expand the school from 420 to 630 pupil places with 65% (rounded) of the 171 comments supporting the proposal or having no view one way or another.

Responses	Wistaston Academy	
Support	99	58%
No View	13	8%
Sub total - Support and No View	112	65%
Do not support	59	35%
<b>Total</b>	<b>171</b>	

- 3.15 The feedback in support of expansion includes comment about the suitability of the 'good quality' school site, that this is an outstanding school, that this would 'benefit the community and children'. Pupil feedback was low and no particular comment was made but confirmed support for the expansion.

3.16 Whilst the majority of respondents acknowledged that there is a need for growth in Crewe, 35% objected to this proposal expressing concern about the impact on school standards, the potential impact on nearby schools where spare places already exist (commenting that a school expansion nearby has the potential to impact on the viability of such schools and must therefore be taken into account), and that consideration should be given to the proximity of schools to new housing developments where the need for places is expected to increase. Comments were also received about the impact on car parking and traffic congestion at drop off and pick up times.

## Conclusion

3.17 The responses received from the 183 consultees included objections, the number of which varies for each proposal. In support of the objection, comment was made inviting the Local Authority to consider concerns in relation to new housing, proximity to existing schools and future viability of schools with vacancies, and parking and highways issues. Recommendation was also made that consideration should be given to the establishment of a new school. This feedback has been fully considered and a summary of the outcome of this investigation is set out below.

## Objection 1 – Future Viability of Schools with Vacancies

3.18 The feedback received shows that the majority of the concerns raised about the proximity of schools with vacancies to the three expansion proposals relate to the proposal to expand Wisaston Academy, with 36 objections on this basis, compared with 21 for Monks Coppenhall Community Primary and 21 for Hungerford Primary Academy.

3.19 The latest forecasts, as set out in the table below, show the schools in Crewe that are forecast to have spare capacity based on existing patterns of parental preference. The schools are shown by locality, which illustrates that the majority of the spare capacity by 2020 is forecast to be towards the south of Crewe with 87% (193/222) being in this area. A map is attached as **Appendix 5** to illustrate the location of the schools.

## Pupil Forecasts – Spare Capacity

Primary School	Locality	Net Cap	2016	2017	2018	2019	2020
Edleston	Crewe South	210	4	8	10	13	15
Gainsborough	Crewe South	420	7	15	21	24	25
St Mary's Catholic	Crewe South	630	43	62	85	107	110
Vine Tree	Crewe South	210	4	6	9	11	13
Wistaston Academy	Crewe South	420	20	13	14	16	13
Wistaston Church Lane	Crewe South	420	3	7	11	14	17
Brierley	Crewe North	210	3	1	3	5	5
St Michael's	Crewe North	420	23	17	20	23	24
<b>Total</b>		<b>2,940</b>	<b>107</b>	<b>129</b>	<b>173</b>	<b>213</b>	<b>222</b>

Source: October 2015 Based Interim Pupil Forecasts

3.20 On the basis of this assessment, the preferred proposals would be those submitted by Hungerford Primary Academy and Monks Coppenhall Community Primary.

3.21 By comparison, the schools which are forecast to be oversubscribed based on current patterns of parental preference are all located within the north of Crewe, as shown below. On the basis of the latest pupil forecasts, there are no schools in this locality with spare capacity.

#### **Pupil Forecasts - Oversubscribed Schools**

<b>Primary School</b>	<b>Locality</b>	<b>Net Cap</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Beechwood	Crewe North	315	-33	-42	-46	-46	-53
Hungerford Academy	Crewe North	420	7	1	-1	-6	-10
Leighton Academy	Crewe North	420	-65	-76	-85	-98	-115
Mablins Lane	Crewe North	525	-6	-24	-19	-24	-30
Monks Coppenhall	Crewe North	420	-6	-39	-59	-73	-87
Underwood West	Crewe North	432	-16	-28	-36	-47	-58
<b>Total</b>		<b>2532</b>	<b>-119</b>	<b>-208</b>	<b>-246</b>	<b>-294</b>	<b>-353</b>

Source: October 2015 Based Interim Pupil Forecasts

3.22 On the basis of this assessment, the preferred proposals would, once again, be those submitted by Hungerford Primary Academy and Monks Coppenhall Community Primary.

#### **Objection 2 - Housing Development – Proximity**

3.23 The feedback received shows that the other main concerns were related to the proximity of schools to planned new housing development. The majority of responses expressing this concern relate to the proposal for Wisaston Academy, with 36 objections on this basis, compared with 21 for Monks Coppenhall Community Primary and 21 for Hungerford Primary Academy.

3.24 A map showing the location of new housing development is attached as **Appendix 6**. By collating all of the new housing developments considered in this process; and ranking these by their estimated pupil yields and school catchment areas, this also indicates that the majority (81%) of need due to new housing is located within the north of the town, as shown in the table below.

## Housing Development - Proximity

Catchment School	Locality	Sum of Pupil Yields
Monks Coppenhall	Crewe North	183
Hungerford Academy	Crewe North	93
Mablins Lane/Leighton	Crewe North	65
Underwood West	Crewe North	21
Beechwood	Crewe North	12
St Michael's Academy	Crewe North	5
Brierley	Crewe North	3
Mablins Lane	Crewe North	3
<b>Crewe North Total</b>		<b>385</b>
Edleston Primary	Crewe South	8
Wistaston Church Lane	Crewe South	56
Wistaston Academy	Crewe South	27
<b>Crewe South Total</b>		<b>91</b>
<b>Overall Total</b>		<b>476</b>

3.25 On the basis of this assessment, the preferred proposals would be those submitted by Hungerford Primary Academy and Monks Coppenhall Community Primary.

### Objection 3 – Parking and Traffic Congestion

3.26 Feedback on parking and traffic was low with 9 objections to the Wisaston Academy proposal, 5 objections to the Monks Coppenhall proposal and 4 objections to the Hungerford proposal.

3.27 It is accepted that an increase in a school's capacity is likely to result in an increase in traffic and parking in the vicinity of the school. As part of the school organisation process, schools that are supported to expand will be asked to review their travel to school plans to ensure that any viable mitigation is made. In addition, the Local Authority's planning process will consider any highways and car parking related issues when considered planning applications to expand a school's accommodation.

3.28 On this basis, the Local Authority is satisfied that full and careful consideration will be given to this concern as part of its decision-making process.

### New School Recommendation

3.29 Feedback also recommended that consideration should be given to the establishment of a new school/Academy. During the early stages of considering viable options, which included the establishment of a new school, an assessment of available land concluded that suitable land holdings were unavailable in the area, which included consideration of the former Lodgefields Primary School site, and that this meant that this option would not be viable for 2017. However, this suggestion can inform discussions on any future need in Crewe.

#### **4 Wards Affected and Local Ward Members**

Crewe Central -	Cllr Irene Faseyi
Crewe East -	Cllr Suzanne Brookfield
Crewe East -	Cllr Clair Chapman
Crewe East -	Cllr David Newton
Crewe North -	Cllr Mo Grant
Crewe South -	Cllr Dorothy Flude
Crewe South -	Cllr Steven Hogben
Crewe St Barnabas -	Cllr Damian Bailey
Crewe West -	Cllr Jill Rhodes
Crewe West -	Cllr Brian Roberts
Leighton -	Cllr Derek Bebbington
Haslington -	Cllr John Hammond
Haslington -	Cllr David Marren
Shavington -	Cllr Steven Edgar
Willaston & Rope -	Cllr Sarah Pochin
Wistaston -	Cllr Margaret Simon
Wistaston -	Cllr Jacqueline Weatherill

#### **5 Policy Implications**

- 5.1 The Local Authority has a statutory duty to provide sufficient places for its residents. Providing additional places in Crewe will ensure that the Authority meets its statutory duty and satisfies parental preference by providing places within their local community and near to their home address.
- 5.2 The number of pupils admitted to a publicly funded school is based on the admission authority's admission arrangements, which includes the published admission number (PAN) and are determined annually. Where an admission authority needs to change its PAN, there is no duty to consult on this if the intention is to increase it. In the event that the proposals are implemented, the relevant admission authorities will need to make a change to their admission arrangements in line with the statutory timescales set out in the School Admissions Code (2014).

#### **6 Financial Implications**

- 6.1 The proposed expansion of the two schools to increase each school's capacity by 210 pupil places (1form of entry) is being funded through Basic Need Capital Grant funding and Section 106 developer contributions. . Section 106 contributions have been negotiated for 89 of the additional pupil places.
- 6.2 Desktop analysis has been carried out to identify budget figures for the proposals. If given the approval to proceed then full feasibility studies will be commissioned to identify more accurately the costs of implementation and this detail will be included within the outline business case, which will be submitted for consideration and approval through the Council's internal financial approval process.
- 6.3 All Capital projects greater than £250,000 are subject to Cheshire East Council's Project Gateway process, which seeks endorsement by way of review and challenge. The need for change in Crewe has already started to proceed through this process.

- 6.4 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.

## **7 Legal Implications**

- 7.1 Under section 14 of the Education Act 1996, every local authority has a statutory duty to provide sufficient school places for all pupils in its area. The Department for Education (DfE) has a strong expectation, especially in areas of basic need, that all 'good' and 'outstanding' academies should consider how they can best support their LA in meeting this duty. To help achieve this, academies can propose either an expansion of their school premises, increase their PAN or admit over PAN.
- 7.2 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.
- 7.3 School Organisation regulations support the government's aim of increasing school autonomy and reducing bureaucracy. They allow schools to have more control when making decisions about their size and composition and therefore enable them to be more responsive to the needs of parents and local communities.
- 7.4 As a consequence of the changes introduced by the 2013 Regulations, governing bodies of all categories of mainstream school can propose the expansion (enlargement) of their school premises without following a formal statutory process. There is, nevertheless, a strong expectation on schools and local authorities to consult with interested parties in developing their proposals prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations. The manner in which consultation is carried out is not prescribed in regulations and it is therefore for the proposer to determine.
- 7.5 The Local Authority cannot propose the expansion of an academy and would therefore need the full support of the academy trust, which itself is required to undertake consultation with the Local Authority, parents, faith sponsors (where relevant) and other schools. Under the terms of their funding agreement, academy trusts are required to seek approval from the Secretary of State or Regional Schools Commissioner (RSC) if they plan to change the provision of their academy and must be able to demonstrate that,
- adequate local consultation has taken place;
  - funding has been secured in relation to the proposed change, and financial arrangements are sound;
  - the change is aligned with local authority place planning; and
  - appropriate planning permissions and other consents required have been secured.

- 7.6 The department expects that only academies that are rated as 'good' or 'outstanding' will seek to expand their premises, in order to increase their intake. Only in very limited circumstances will the RSC consider approval of a proposal to expand from a school in another category, for example:
- where the academy is in an area of critical basic need;
  - all other options for providing additional places have been fully explored; and
  - the academy has a robust improvement plan in place.
- 7.7 Academies rated 'good' or 'outstanding' at their last inspection, proposing to physically expand their school premises, may follow the fast track process, unless the proposal:
- results in an increase of over 50% in the school's capacity; and/or
  - increases pupil numbers to 2,000 pupils or more.

## **8 Risk Management**

- 8.1 Failure to commission additional Crewe primary school capacity would mean that demand for school places will exceed supply leaving some children without a place at a school within a reasonable distance, reducing opportunities for parental choice and challenges through the in year admissions process.
- 8.2 Under the terms of their funding agreement, academy trusts are required to seek approval from the Secretary of State or Regional Schools Commissioner if they plan to change the provision of the academy. Proposals for expansions must be submitted to the department through one of two processes, the 'fast track' application or 'full business case'. An assessment of the proposal will be made before the Regional Schools Commissioner (RSC) or Secretary of State, as appropriate, makes a final decision. In the event that 'fast track' approval is not received, the Local Authority will need to review its position to ensure its sufficiency duty is met.
- 8.3 Before seeking approval the academy trust must be able to show that funding has been secured in relation to the proposed change and that financial arrangements are sound. In the event that the proposals do not receive Local Authority support, the proposers will not have the financial means to implement their expansions and the Local Authority will be unable to meet its sufficiency duty in this area. In the event that financial approval is not received, the Local Authority will need to review its position to ensure its sufficiency duty is met.
- 8.4 It is intended that the new primary school places will be in place for September 2017 to meet the anticipated shortfall in capacity. There is a risk that a September implementation will not be deliverable as proposals of this size would normally require 18-20 months. Risks to implementation include securing planning permission and Section 77 (School Standards and Framework Act 1998) playing field approval.
- 8.5 The Department for Education basic need capital allocations are made to local authorities to support the capital requirement for providing new pupil places by expanding existing maintained schools, free schools or academies, and by establishing new schools. This therefore necessitates that all types of publicly funded schools are considered in the school organisation process.

## 9 Background and Options

9.1 The background to this process is set out in the consultation document (**Appendix 3**) and supporting documentation (**Appendix 2**). The process that has been implemented so far is shown in the table below.

Date	Actions
Jan 2015	Interim forecasts based on October 2014 School Census data.
16/03/2015	Data presented to School Organisation Strategy Group (SOSG)
01/04/2015	Data presented to Crewe Headteachers Partnership meeting
21/05/2015	Crewe School sites assessment and final pupil forecasts including new housing at 15 April 2015 presented to SOSG
12/06/2015	Forecasts including Crewe as a priority area were shared with East Cheshire Association of Primary Headteachers (ECaph)
15/09/2015	SOSG received an update on the options appraisal.
19/11/2015	Forecasts including Crewe as a priority area were shared with Cheshire East Association of Secondary Headteachers
Dec 2015	Meetings with the headteachers and representatives of the governing body for the 3 schools
21/01/2016	Crewe Members Briefings – options for change
02/02/2016	Crewe Members Briefings – options for change
02/02/2016	Informal Cabinet informed of consultation process
24/02/2016	Meetings with Crewe and Shavington Primary and Secondary Headteachers.
25/02/2016 - 25/03/2016	Consultation period
29/03/2016- 31/03/2016	Meetings with headteachers and governor representative of Hungerford Academy. Monks Coppenhall and Wistaston Academy.
27 April 2016	Portfolio Holder considers outcome of Consultation
5 Days	Call-in Period
Sept - Dec 2017	Proposed Implementation

## 10 Access to Information/Bibliography

- [School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#)
- [Making significant changes to an existing academy](#)
- [School Admissions Code \(2014\)](#)

## 11 Contact Information

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