

# **School Organisation Sub-Committee**

## **Agenda**

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**Date:** Tuesday 6th March 2012  
**Time:** 1.00 pm  
**Venue:** Fred Flint Room, Westfields, Middlewich Road,  
Sandbach CW11 1HZ

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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.

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

1. **Appointment of Chairman**

To appoint a Chairman for the meeting

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda

3. **Proposed Expansion of Oakefield Primary and Nursery School, Crewe**  
(Pages 5 - 106)

To consider the proposal to expand Oakefield Primary and Nursery School, Crewe from 315 school places to 420 with a planned implementation date of 1 January 2013.

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For any apologies or requests for further information, or to give notice of a question to be asked by a member of the public

**Contact:** Paul Jones  
**Tel:** 01270 686458  
**E-Mail:** paul.jones4@cheshireeast.gov.uk

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## **SCHOOL ORGANISATION SUB COMMITTEE PROCEDURE**

The Cabinet has adopted the following procedure when exercising its function as the relevant decision maker under Schedule 2 Education and Inspections Act 2006 to consider school reorganisation proposals which attract statutory objections. The Cabinet has also adopted this procedure for the determination of other non statutory education organisation proposals which have attracted objections.

Decisions will be taken by a Committee comprising of 3 or 5 Cabinet members sitting as a Cabinet Sub Committee who will elect one member as Chair.

Representatives from the Chester(CE) Diocesan Board of Education , the Diocese of Shrewsbury Catholic Education and nominated primary, secondary, special school, nursery and foundation school governors (where appropriate) will be invited to attend and offer advice to the Sub Committee where the proposals impact on their sector of educational provision.

### **Part 1 of meetings of the Sub Committee will be held in public.**

#### **Introduction**

- (1) There will be a brief introduction by the Principal Adviser to the Sub Committee to explain the business which is being brought before the Sub Committee, and how it will be considered.

#### **Presentation of the Proposal**

- (2) The Chair of the Sub Committee will ask the Proposers' representative(s) to present the proposal.

*(No more than three presentations and a maximum 15 minutes in total.)*

#### **Local Reaction to the Proposal**

- (3) The Principal Adviser will report briefly to the Sub Committee on the level and nature of responses received, together with any other responses, eg: expressions of support for the proposals.
- (4) The Chair will invite a spokesman or spokesmen representing the objectors to make an oral presentation of their objections.

*(No more than three presentations and a maximum 15 minutes in total.)*

*Objectors are, therefore, invited to work together to co-ordinate their representations and to nominate no more than three spokesmen.*

*Objectors are asked to notify the Democratic Services Officer to the Sub Committee of the name(s) of their spokesman or spokesmen in advance of the meeting.)*

- (5) Representatives for the Diocesan and Governing Bodies where appropriate may each ask questions of the Proposers and Objectors

### **Information Seeking**

- (6) Sub Committee Members may ask the Proposers' representative(s) any questions about:
  - The case for the proposals.
  - Proposers' comments on the objections received.
- (8) Sub Committee Members may ask the objectors' spokesman or spokesmen any questions about the objections received.

### **Advice to the Sub Committee**

- (9) Governor representatives and representatives from the Chester (CE) Diocesan Board of Education and Diocese of Shrewsbury Education Service where appropriate will be invited to make comments to the Sub Committee.
- (10) Elected Members will be invited to make comments to the Sub Committee.

### **Part 2 of the meeting will be held in private.**

*The Sub Committee will then meet in private and everyone else will be asked to leave the meeting at this point, save that elected members of the Borough Council may remain present, in accordance with the Council's Standing Orders relating to Council proceedings.*

### **Review**

- (11) The Sub Committee, advised by the Principal Adviser, will consider whether the Sub Committee has sufficient information to come to a decision, or whether more information, not available at the meeting, is needed.

In exceptional circumstances where significant additional information is required which cannot immediately be provided, it may be necessary for the Sub Committee to adjourn whilst the necessary information is obtained.

- (12) When (either at the first meeting to consider the proposal or at a subsequent meeting if need be) the Sub Committee considers that it has sufficient information to reach a decision, the Sub Committee will consider the issues having regard to each element of the relevant statutory Decision Makers guidance which it is required to consider, before reaching its decision.

**Part 3     Announcement of the Decision in public session**

- (13) The Sub Committee's decision will be made in public following the private review session. It will then be published on the Borough Council's Political Information Network within two working days and the Principal Adviser to the Sub Committee will then prepare and make public a written statement setting out the reasons for the Sub Committee's decision in relation to the relevant Statutory Decision Makers guidance.

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## CHESHIRE EAST BOROUGH COUNCIL

### Report to School Organisation Sub-Committee

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<b>Date of Meeting:</b>	6 March 2012
<b>Report of:</b>	Strategic Director, Children, Families and Adults
<b>Subject/Title:</b>	Proposed Expansion of Oakefield Primary & Nursery School, Crewe
<b>Portfolio Holder:</b>	Councillor Hilda Gaddum

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#### 1.0 Report Summary

- 1.1 This decision paper reports on the outcome of the statutory public notice **(attached as Annex 1)** and details the responses received during the 4 week representation period, which commenced on 18 January 2012 and concluded on 15 February 2012
- 1.2 As the Strategic Commissioner of School Places, Cheshire East Council has a statutory duty to commission sufficient school places for children resident in its area. (The Education and Inspections Act, 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance Amendment)(England) Regulations 2009 which came into force on 1 September 2009).
- 1.3 In response to pupil forecasts, which indicate that there will be a significant shortfall in the number of primary school places in the Crewe area due to population changes, a review of provision was undertaken resulting in a proposal to increase the capacity at Oakefield Primary and Nursery School from 315 places to 420 places. Statutory consultation on this proposal was approved by Councillor Gaddum, Cabinet Member for Children and Families Services, on 14 November 2011.
- 1.4 A report detailing the outcome of the consultation undertaken between 22 November 2011 and 20 December 2011 was presented to the Cabinet Member at a meeting of 22 December 2011, along with a request for permission to issue a statutory public notice proposing the expansion of Oakefield Primary and Nursery School from 315 to 420 school places. A summary of the outcome of the consultation process is included later in this report. A copy of the complete full proposal and its appendices is attached **(Annex 2.)**

1.5 The table below lists the documents included with this report.

Annex	Document
1	Statutory Public Notice
2	Complete Full Proposal
	Appendix 2.1 – Consultee List
	Appendix 2.2 – Consultation Document
	Appendix 2.3 – Consultation Feedback Form
	Appendix 2.4 – Consultation Feedback
	Appendix 2.5 - Crewe Local Area Partnership Actual and Projected Surplus Places
3	Representation Feedback
4	Equality Impact Assessment
5	Guidance issued by the Department for Education – Extract for Decision Makers
6	Guidance for Members – Extracts from the DfE Guidance
	Appendix 6.1 – Ofsted Monitoring Inspection Report
	Appendix 6.2 – Map of Crewe schools in the vicinity

## 2.0 Decision Requested

2.1 That the School Organisation Sub-Committee gives approval to the expansion of Oakefield Primary and Nursery School, Crewe from 315 school places to 420 with a planned implementation date of 1 January 2013.

## 3.0 Reasons for Recommendation

3.1 In making this recommendation, full consideration has been given to the responses received from key stakeholders during the formal consultation period and representation period. A full list of consultees is included at **Appendix 2.1**.

3.2 Feedback from consultees during the formal consultation period was low with the Local Authority only receiving 5 responses, of these, 4 returned comments opposing the proposal to expand the school and 1 had no view. In order to facilitate feedback on the proposal, a formal consultation document was produced detailing the background and rationale for the proposed expansion and explaining the statutory consultation process. (**Appendix 2.2**) Information on how feedback could be provided was included, together with a feedback form (**Appendix 2.3**). Letters were issued to a wide range of stakeholders to inform them of the proposal and invite comments. Stakeholders included Ward Members, Edward Timpson MP, the Diocese and Parish Councils. Information was sent to all the schools in the Crewe Local Area Partnership (LAP). Neighbouring primary schools were issued with letters for distribution to all their parents and carers inviting feedback. The formal consultation document was published on the Council's website and was available in hard copy on request.

3.3 The main concerns expressed during consultation were in relation to the Ofsted category of the school, which at the time of consultation was classified as being in 'special measures' and therefore requiring intervention. It is



important to note that officers gave full consideration to these concerns and reported to the Cabinet Member on 22 December that the current intervention measures by the Local Authority were delivering improved outcomes for all learners within the school and that there was confidence that these improvements were sustainable. A recent Ofsted monitoring visit (1-2 December 2011) concluded that the school has made significant progress in the preceding four months and that the re-structured leadership team was now judged as 'outstanding'. (**Appendix 6.1**) The quality of teaching and learning was judged as good overall. The Local Authority is fully confident that current rates of progress will continue and that the agreed leadership will ensure that all learners achieve the highest standards possible in the short term as well as longer term development of the school. Current interim leadership arrangements are in place for three years which will allow for real embedding of best practices and deliver sustainable improvements for all learners. Full details of the feedback received during consultation are attached as **Appendix 2.4**

- 3.4 Following the Cabinet Member's decision at the meeting of 22 December to issue a public notice on the proposed expansion of Oakefield Primary and Nursery School, a statutory four-week representation period commenced on 18 January 2012 and concluded on 15 February 2012. Members will be aware that any person can submit representations, which can be objections as well as expressions of support for the proposals. The representation period is usually the final opportunity for people and organisations to express their views about the proposals and the body making the decision; in this case the School Organisation Sub-Committee must take these views into account when deciding whether to approve the proposal.
- 3.5 In accordance with the guidance issued by the Department for Education, a statutory public notice was published in the local paper and a copy of the complete proposal and statutory notice were forwarded to The Secretary of State. Comments were invited from key stakeholders including Ward Members, Edward Timpson MP, the Diocese and Parish Councils. Information was emailed to all schools in the Crewe LAP and neighbouring primary schools were issued with letters for distribution to all their parents and carers. Schools have confirmed to the Local Authority that letters were distributed as requested. Copies of the statutory public notices were displayed by officers on the school gates at Oakefield Primary & Nursery School and in other prominent places in the local area. The level of feedback from stakeholders has been low with only 4 responses received by the closing date of 15 February 2012.
- 3.6 One respondent, representing the views of a nearby school, has queried on behalf of the Governing Body, the rationale for the proposal expressing concern about the potential expansion of a school in Special Measures. Concern was also raised about the process used to formulate options prior to the implementation of statutory procedures.
- 3.7 The main concerns expressed by three of the objectors are in relation to the anticipated increase in the volume of traffic and potential health and safety

issues arising from this; specifically the restricted access to residential property within the immediate vicinity of the school, and the increased noise due to a potential increase in the number of pupils attending the school.

- 3.8 Further information in response to these issues is included within **Annex 6** to this report as information for Members when making their decision on the proposal. Full details of the responses received during the representation period are attached as **Annex 3**

#### **4.0 Wards Affected**

- 4.1 Oakefield Primary & Nursery School is situated in Crewe North Ward. However, consultation was undertaken with all the neighbouring wards:-

Crewe Central  
Crewe East  
Crewe West  
Crewe North  
Crewe South  
Crewe St Barnabas

#### **5.0 Local Ward Members**

Councillor Irene Faseyi – Crewe Central  
Councillor Margaret Martin - Crewe East  
Councillor David Newton – Crewe East  
Councillor Chris Thorley – Crewe East  
Councillor Peter Nurse – Crewe West  
Councillor Michelle Sherratt– Crewe West  
Councillor Mo Grant – Crewe North  
Councillor Dorothy Flude – Crewe South  
Councillor Steven Hogben – Crewe South  
Councillor Roy Cartlidge – Crewe St Barnabas

### **6 Financial Implications (Authorised by the Director of Finance and Business Services)**

- 6.1 The Oakefield school proposal was one of the approved schemes by the Cabinet on the 5 September 2011
- 6.2 The building work would be funded from the Council's 2011/2012 Capital Programme. The capital investment required is estimated at £741,000.
- 6.3 Funding for the expanded school will be funded from the Council's Dedicated Schools Grant, which is then delegated to individual schools via a formula that is agreed by the Council's Schools Forum. The Department for Education agree an allocation per pupil for each Council termed the Council's Guaranteed Unit of Funding (GUF), which in Cheshire East Borough Council is £4,695.01. Taking account of a variety of factors each school has an agreed allocation based on pupil numbers, space utilised, levels of deprivation etc. Utilising the current formula deployed by the Council,

Oakefield Primary and Nursery School receives an allocation of £1.426m to support its current 290 children, which in broad terms would increase to £1.524 to support 315 children and £1.913m for 420 children. Taking the Council's current GUF the Council could expect to receive an extra £610k for the additional 130 children assumed within this report, with £487k delegated to the school and the remainder distributed by the formula to schools and the centrally retained budgets.

- 6.4 Once the scheme has received final approval the school finances and plans will be discussed as part of the Council's Schools capital planning and the School's formula setting processes.

## **7.0 Legal Implications (Authorised by the Borough Solicitor)**

- 7.1 Section 21 of the Education and Inspections Act 2006 states that regulations will set out who determines any proposals for prescribed alterations, including expansions made under Section 19. Whilst the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, as amended, describe the procedures that must be followed when considering of prescribed alteration proposals and states that local authorities should generally make decisions about such matters.
- 7.2 If a local authority fails to make a decision about a proposal within 2 months of the end of the Representation Period the local authority must forward the proposal, and any representations received, excluding those withdrawn in writing, to the Schools Adjudicator for a decision.
- 7.3 The Act adds, at sub-section 21 - 6 that when a decision maker is exercising their functions under these regulations, they should have regard to the statutory guidance given from time to time by the Secretary of State.
- 7.4 According to paragraph 4.7 of that statutory guidance, upon receipt of the proposal, there are 4 key issues that decision makers should consider before judging the respective factors and merits of the proposal.
- Is any information missing? If so, the decision maker should request this immediately specifying a date by which the information should be provided;
  - does the published notice comply with statutory requirements?
  - has the statutory consultation been carried out prior to the publication of the notice? and
  - are the proposals "related" to other published proposals?
- 7.5 An extract from the Department for Education's guidance entitled '*Extract of Decision Makers' Guidance*' is attached as **Annex 5** and makes it clear that the above list should not be treated as exhaustive, because the importance of each factor will vary depending on the proposal being considered: all proposals should therefore be considered on their individual merits.

- 7.6 The issues considered by officers within this Local Authority to be of relevance to this proposal are set out in **Annex 6**, but again this should not discourage members from considering any other issues that they consider relevant.

## **8.0 Risk Management**

- 8.1 This proposal was identified to address a Basic Need in Crewe. This is in order to ensure that the Local Authority meets its statutory duty to provide sufficient school places in this area. In order to complete this scheme by January 2013 the construction phase would need to commence by late March 2012. There is therefore a key risk resulting from the very tight timetable leading up to this. Disruption to pupils, staff and the community must be kept a minimum during any subsequent building programme, to ensure that standards continue to improve.
- 8.2 In order to assess the viability of this proposal, the Local Authority has undertaken a feasibility study and initial design work to determine how the additional accommodation can best be provided. Because of short time scales and timing fees incurred to date for this work amount to £12,650. This was necessary to ensure that the project, if approved, could be delivered quickly to meet the accommodation needs in the area and to give some cost certainty. A risk is that, if the scheme is rejected these costs are potentially lost.
- 8.3 Members will wish to note that a key risk to the Local Authority in not approving this expansion will be that there will be an insufficient number of reception class places for children resident in this area based on current forecasts and demand for school places. For reception 2011 the Local Authority admitted a total of 1050 children across the 21 primary schools in the Crewe Local Area Partnership (LAP) against a provision of 1006 school places and consequently a number of schools; in negotiation with the Local Authority, exceeded their Published Admission Number. To date, for Reception 2012, the Local Authority has received a total of 1088 requests indicating a shortfall of 82 reception class places. The proposed expansion is intended to contribute to much needed additional capacity in an area of the Borough that has a significant shortfall in the number of pupil places.
- 8.4 An Equality Impact Assessment (**Annex 4**) has been completed in relation to this proposal and concluded that the proposal would have an overall positive impact on several of the areas, specifically parents and carers, young people and socio-economic disadvantaged groups and a neutral impact on the remaining factors.

## **9.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report author:

Name: Rob Hyde

Designation: Principal Manager Organisation and Capital Strategy

Tel No: 01606 271821  
Email: [rob.hyde@cheshireeast.gov.uk](mailto:rob.hyde@cheshireeast.gov.uk)

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**STATUTORY NOTICE****PROPOSAL TO ENLARGE THE PREMISES OF OAKEFIELD PRIMARY  
AND NURSERY SCHOOL**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Cheshire East Borough Council intends to make a prescribed alteration to Oakefield Primary and Nursery School, a community school at Holland Street, Crewe, CW1 3SL from 01 January 2013.

The proposal is to enlarge the premises of Oakefield Primary and Nursery School by increasing the capacity of the school (see note 1). The current capacity of the school is 315 and the proposed capacity will be 420. The number of pupils registered at the school is 283. The current Planned Admission Number for Reception Class is 45 and this will remain the number for September 2012. The maximum number of pupils that could be accommodated in each year group if the proposals are implemented will be 60 and consultation on an increase in the Published Admission Number to apply from September 2013 will take place during the spring term 2012 (see note 2).

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from the Council's website:

[www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk) or can be obtained by writing to Barbara Dale, School Admissions and Organisation Manager, Children, Families and Adults Services, Delamere House (EC), Delamere Street, Crewe, Cheshire, CW1 2LL.

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them by e-mail to [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk) or in writing to Barbara Dale, School Admissions and Organisation Manager, Children, Families and Adults Services, Delamere House (EC), Delamere Street, Crewe, Cheshire, CW1 2LL.

Signed: Lorraine Butcher

Director for Children, Families and Adults

Publication Date: 18 January 2012

**Explanatory Notes**

1 The new extension is intended to assist the school in serving the local community but places will continue to be offered in accordance with parental preference and the Local Authority's Admissions Policy.

2 Published Admission Numbers apply to the normal year of entry, which for Oakefield Primary and Nursery School is the reception class. In accordance with legal requirements, consultation will be undertaken during the spring term 2012 on a proposed increase from 45 to 60 to apply with effect from September 2013.

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## PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

### **Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):**

#### **In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

Not Applicable

#### **In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school .

Oakefield Primary and Nursery School  
Holland Street  
Crewe  
Cheshire  
CW1 3SL

Oakefield Primary and Nursery School is a Community School maintained by Cheshire East Borough Council,  
Westfields,  
Middlewich Road,  
Sandbach,  
Cheshire, CW11 1HZ

#### **Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

January 2013

**Objections and comments**

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
  - (b) the address of the authority to which objections or comments should be sent.

Within 4 weeks from the date of publication of this proposal any person may object to or make comments on the proposal by sending them to:-

Children, Families and Adults Services  
 Organisation and Capital Strategy,  
 Delamere House (EC),  
 Delamere Street,  
 Crewe,  
 Cheshire, CW1 2LL

or via email to [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk).

**Alteration description**

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

The proposal is to expand the school to provide 420 pupil places by increasing the existing capacity by 105 places for implementation by January 2013 Consultation on an increase in the Published Admission Number from 45 to 60 will be conducted separately during the spring term 2012 and in accordance with statutory requirements on proposed changes to admission arrangements.

**School capacity**

- 5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

Current capacity of the school is 315 school places. The proposed new capacity of the school is 420.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

Changes to published admission numbers; which determine the number of pupils to be admitted into the relevant age group, must be made in accordance with the requirements set out in the School Admissions Code. The relevant age group is defined in law as “an age group in which pupils are or will normally be admitted” to the school.

The Published Admission Number (PAN) for this school is 45. Consultation on an increase in the PAN to 60 is underway (Spring 2012) and if determined will apply with effect from September 2013. The proposed increase in the PAN for 2013 is conditional on approval to expand the school from 315 to 420 pupil places.

In the event that approval is given to expand the school for completion in September 2012, the Local Authority will admit pupils above the admission number up to a maximum of 60 pupils into the relevant age group in accordance with the requirements set out in paragraph 1.18 of the School Admissions Code.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

Not applicable

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

Not applicable

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) / paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

There are currently 283 pupils on roll.

### Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Not Applicable

### Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

No new site will be required but the proposal requires 3 extra classrooms to be provided within the existing school site. The site is sufficient to expand to accommodate 420 pupil places retaining adequate playground and playing field provision.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

Not Applicable

### Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

Not Applicable

- (b) the arrangements for safeguarding the welfare of children at the school;

Not Applicable

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

Not Applicable

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

Not Applicable

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

Not Applicable

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

Not Applicable

### Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

Not Applicable

(b) the distance between the proposed and current site;

Not Applicable

(c) the reason for the choice of proposed site;

Not Applicable

(d) the accessibility of the proposed site or sites;

Not Applicable

(e) the proposed arrangements for transport of pupils to the school on its new site;  
and

Not Applicable

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

Not Applicable

## Objectives

10. The objectives of the proposals.

The objective of the proposal is to create additional school places to accommodate the growing demand for places in the local area and address basic need.

## Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;

- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

In accordance with section 19 of the Education and Inspections Act 2006 Cheshire East Council has consulted interested parties on its proposal to expand Oakefield Primary and Nursery School. Consultation was implemented between 22 November 2011 and 20 December 2011 and in accordance with the guidance issued by the Secretary Of State

The consultation documents were published on the Council's website at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk) throughout the process and were made available in hard copy on request. The Council's website has been updated regularly to provide full details and information about the process has been communicated in writing, including email, to all interested parties. Appendix 1 contains the list of persons and parties who were consulted together with information about how the consultation has been implemented.

In order to facilitate feedback on the proposal, a formal document was produced (Appendix 2) detailing the background to the proposal and the statutory consultation process, with information on how feedback could be provided. A feedback form was included with the document. (Appendix 3) An electronic form was made available online to facilitate feedback and interested parties could also provide feedback orally by telephoning the Council. The feedback received as part of this process is summarised in Appendix 4).

### **Project costs**

**12.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The building work would be funded from the Council's 2011/2012 Capital Programme. The Capital investment required is estimated at £741,000.

**13.** A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Authorisation was given at the Cabinet meeting of 5 September 2011 for investment in the proposal.

**Age range**

14. Where the proposals relate to a change in age range, the current age range for the school.

Not Applicable

**Early years provision**

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

Not Applicable

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

Not Applicable

- (c) evidence of parental demand for additional provision of early years provision;

Not Applicable

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

Not Applicable

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Not Applicable

**Changes to sixth form provision**

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—



- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

Not Applicable

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

Not Applicable

- (c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

Not Applicable

- (d) The proposed number of sixth form places to be provided.

Not Applicable

**17.** Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

Not Applicable

### **Special educational needs**

**18.** Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

Not Applicable

- (b) any additional specialist features will be provided;

Not Applicable

(c) the proposed numbers of pupils for which the provision is to be made;

Not Applicable

(d) details of how the provision will be funded;

Not Applicable

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

Not Applicable

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

Not Applicable

(g) the location of the provision if it is not to be established on the existing site of the school;

Not Applicable

(h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

Not Applicable

(i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

Not Applicable

**19.** Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

Not Applicable
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- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

Not Applicable
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- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

Not Applicable
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- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

Not Applicable
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**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

Not Applicable
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### **Sex of pupils**

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

Not Applicable
----------------

- (b) evidence of local demand for single-sex education; and

Not Applicable
----------------

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

Not Applicable
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**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

Not Applicable
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- (b) evidence of local demand for single-sex education.

Not Applicable
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### **Extended services**

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

Not Applicable
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### **Need or demand for additional places**

**24.** If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

The Crewe Local Area Partnership (LAP) has 21 primary schools and 5 secondary schools covering the areas of Crewe, Nantwich, Sandbach, and Shavington. The
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total primary school capacity across this area is 7002 pupil places, 14 of these primary schools are located within Crewe town providing 4925 pupil places for this area.

Pupil forecasts for Crewe indicate that there will be a shortfall of places with only 1% and 2% vacancies across all 14 schools by 2015 and 2016. This gives an average number of vacancies per school of less than one place per year group for 2016.

Of the 14 primary schools serving this area, 13 schools are forecast to be over capacity or to have vacancies below the Council's LAP target of 5%. Of the forecast 83 spaces by 2016, it is important to bear in mind that these are across all year groups and 66% of these vacancies are in one school. If additional capacity is not created, this could mean children travelling across town to access the limited number of places available. (Data attached as Appendix 5)

At both primary and secondary phase, pupils that are admitted to Crewe schools are predominantly resident within the school's 'catchment area' or live within the Crewe LAP. Due to changes in demographics for this area the Local Authority received applications for admission in September 2011 in excess of the 708 reception class places available and interim measures have been taken to alleviate the immediate shortfall in school places. Long term measures are therefore necessary to accommodate the anticipated increase in demand due to population growth within the Crewe area.

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

Not Applicable

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

Not Applicable

**25. If the proposals involve removing places—**

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

Not Applicable

- (b) a statement on the local capacity to accommodate displaced pupils.

Not Applicable
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### Expansion of successful and popular schools

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

<p>At the time of commencement of consultation Ofsted had categorised the school as being in 'special measures' and therefore requiring intervention. It is important to note that full and careful consideration had been given to the status of the school prior to seeking permission to consult on this proposal. The Local Authority is satisfied that current intervention measures would deliver improved outcomes for all learners within the school and that these improvements were sustainable. A recent Ofsted monitoring visit (1-2 December 2011) concluded that the school has made significant progress in the last 4 months and that the re-structured leadership team was now judged as outstanding. The quality of teaching and learning was judged as good overall. The Local Authority is fully confident that current rates of progress will continue and that the agreed leadership will ensure that all learners achieve the highest standards possible in the short as well as longer term development of the school.</p>
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Consultee	Organisation / School	Method of Communication	Date
Council's Web Pages		Live	22.11.2011
Parents/ Carers of Pupils	Oakefield Primary	Letter e mailed to school for distribution to Parents/Carers	22.11.2011
Governing body / Teachers & Staff - school which is the subject of proposal	Oakefield Primary	Letter e mailed to school for distribution	22.11.2011
Governing bodies, Head teachers , staff and parents at immedaite neighbouring schools within Crewe LAP.	Beechwood	E mail with letter to cascade to parents/carers	22.11.2011
	Brierley Primary		
	Hungerford Primary		
	Leighton Primary		
	Mablins Lane Community Primary		
	Monks Coppenhall Primary		
	Underwood West Primary		
	Wistaston Green Primary		
Governing bodies, Head teachers and staff at remaining schools within Crewe LAP. (Primary & Secondary)	Pebblebrook Primary	E mail to schools	22.11.2011
	St Mary's Catholic Primary		
	Vine Tree Primary		
	Haslington		
	Shavington Primary		
	The Berkeley		
	The Dingle		
	Weston Village		
	Wistaston Church Lane		
	Willaston Primary		
	Shavington High		
	Kings Grove		
	Ruskin		
	Sir William Stanier ( Feeder High)		
	St Thomas More		
Diocesan Authority and the Bishop of	Catholic Diocese of Shrewsbury	Email	22.11.2011
	Anglican Diocese of Chester	Email	22.11.2011
MP(s) of the constituencies affected	Mr Edward Timpson	Email	22.11.111
Councillors - Ward Members	Irene Fasey – Crewe Central	Email	22.11.2011
	Margaret Martin - Crewe East		
	David Newton – Crewe East		
	Chris Thorley – Crewe East		
	Peter Nurse – Crewe West		
	Michelle Sherratt– Crewe West		
	Mo Grant – Crewe North		
	Dorothy Flude – Crewe South		
	Steven Hogben – Crewe South		
	Roy Cartlidge – Crewe St Barnabas		
Local District / Parish where the subject school is located	Crewe Green Council	Email	22.11.2011
	Rope Parish Council		
	Weston & Basford		
	Haslington Parish Council		

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**PROPOSAL FOR THE ENLARGEMENT  
OF  
OAKEFIELD PRIMARY AND NURSERY  
SCHOOL, CREWE**

**PUBLIC CONSULTATION DOCUMENT**

**Lorraine Butcher  
Strategic Director  
Children, Families & Adults  
Cheshire East Council  
Westfields, Sandbach  
Cheshire  
CW11 1HZ**

**November 2011**

## OBJECTIVE OF THIS CONSULTATION DOCUMENT

To undertake formal consultations with parents and carers of pupils at Oakefield Primary & Nursery School and other interested parties before a final decision is taken regarding a proposal to make a significant enlargement to Oakefield Primary & Nursery School.

## INTRODUCTION

The Crewe Local Area Partnership (LAP) has 21 primary schools and 5 secondary schools covering the areas of Crewe, Nantwich, Sandbach, and Shavington. The total primary school capacity across this area is 7002 pupil places. 14 of these primary schools are located within Crewe town providing 4925 pupil places for this area.

Pupil forecasts for Crewe indicate that there will be a shortfall of places with only 1% and 2% vacancies across all 14 schools by 2015 and 2016. This gives an average number of vacancies per school of less than one place per year group for 2016.

### Crewe (town)

School	Status
Beechwood	Community
Brierley Primary	Community
Edleston Primary	Community
Gainsborough Primary	Community
Hungerford Primary	Community
Leighton Primary	Community
Mablins Lane Community Primary	Community
Monks Coppenhall Primary	Community
Oakefield Primary	Community
Pebblebrook Primary	Community
St Mary's Catholic Primary	Voluntary Aided
Underwood West Primary	Community
Vine Tree Primary	Community
Wistaston Green Primary	Community

Of the 14 primary schools serving this area, 13 schools are forecast to be over capacity or to have vacancies below the Council's LAP target of 5%. Of the forecast 83 spaces by 2016, it is important to bear in mind that these are across all year groups and 66% of these vacancies are in one school. If additional capacity is not created, this could mean children travelling across town to access the limited number of places available.

At both primary and secondary phase, pupils that are admitted to Crewe schools are predominantly resident within the school's 'catchment area' or live within the Crewe LAP.

Due to changes in demographics for this area the Local Authority received applications for admission in September 2011 in excess of the 708 reception class places available with a total (to date) of 750 admissions. Although the Local Authority has taken measures to alleviate the immediate shortfall in school places, long term measures are necessary to accommodate the anticipated increase in demand due to population growth within the Crewe area.

**The Local Authority is therefore proposing the extension of Oakefield Primary & Nursery School to provide an additional 105 places with a proposed completion date of September 2012.**

Oakefield Primary & Nursery School opened in September 2008 as a new school following the amalgamation of Church Coppenhall Junior and Broad Street Infant schools as a 11-class (315 place), one and a half-form entry school. The school is sited close to Crewe town centre.

## **ADMISSIONS**

The number of children resident within the schools catchment area is nearly double the school's current capacity of 315. It is proposed that the school should be expanded to provide a 2 form of entry primary school with an admission number of 60 pupils per year.

The number of pupils resident within the school catchment area has been increasing since 2009 and this rise is expected to continue in future years. It is therefore recommended that the local demand for places at this school justifies an extension of classrooms to take the school up to 420 places with a PAN of 60 (2FE).

Oakefield Primary & Nursery School is currently in Special Measures following an Ofsted inspection in January 2011. The Local Authority has already implemented an Improvement Plan to address the areas of concern and is confident that by working closely with the school's Leadership Team and Governing Body it will deliver the required positive outcomes for Children, securing a positive evaluation at the next interim inspection.

## **SITE AND BUILDINGS**

The site was originally developed to accommodate a one and a half form entry primary school with 315 pupil places. However the site is sufficient to expand to accommodate 420 pupil places retaining adequate playground and playing field provision.

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## **FINANCIAL ISSUES**

The Oakefield proposal was one of the approved schemes by the Council's Cabinet on the 5th September 2011.

The building work would be funded from the Council's 2011/2012 Capital Programme. The capital investment required is estimated at £741,000 and this represents the balance of the current Children and Families Department Capital programme for Basic Need.

## **TIMESCALES**

It is proposed that the programme for the implementation of any change would be:

<b>22 November 2011 to 20 December 2011</b>	Formal Public Consultations
<b>22 December 2011</b>	The Council's Portfolio Holders decision on Public Notices
<b>3 January 2012 to 31 January 2012</b>	Representation period
<b>6 February 2012</b>	Cabinet decision
<b>13 February 2012</b>	Implementation
<b>September 2012</b>	Date that the enlargement would be completed

## **HOW DO I COMMENT ON THE PROPOSALS**

You can complete our electronic feedback form which can be accessed on the Council's website at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk). All views expressed during consultation will be presented to the Council's Portfolio Holder before a decision will be made on whether to progress to the next stage.

## **WHAT IS THE NEXT STAGE?**

All responses to this consultation will be collated and presented to the Council's Portfolio Holder at the end of the consultation period requesting permission to proceed to public notices. If permission is given, this will mean that a further representation period will commence for a fixed period of 4 weeks, in line with statutory requirements.

At the end of the representation period, a further report will be prepared and presented to the Council's Cabinet for a final decision on the proposal.

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**PLEASE NOTE:**

Where individual queries are received, we will not answer you directly, but we will compile a detailed response to the consultation that will be published on our website with hard copies available on request..

For further information, contact School Organisation and Capital Strategy Team, Cheshire East Council, Delamere House (EC), Delamere Street, Crewe CW1 2LL, e-mail: [SOCS@cheshireeast.gov.uk](mailto:SOCS@cheshireeast.gov.uk) Tel: 0300 123 5012.

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# Consultation Feedback Form

You are invited to comment on Cheshire East Council's proposal to enlarge Oakefield Primary & Nursery School. Please refer to the Consultation document attached, which provides background information in relation to the proposal.

Please tick the relevant boxes to indicate your views and any comments you may wish to make.

Do you agree with the proposal to enlarge Oakfield Primary & Nursery School.	Please tick ( ✓ )		
	Yes	No	No View
Comments (if any)			
(Please continue overleaf, if required.)			

Please tick the following box(s) to indicate any of the following that apply to you:

	Please Tick ( ✓ )
Parent/Carer of Present Pupil(s)	
Governor	
Member of School Staff	
Pupil	
Other (please specify)	

<b>Name:</b>	<b>Date:</b>
<b>Address:</b>	<b>Signed:</b>

**Please return this form to:**

Cheshire East Council, School Organisation and Capital Strategy, Delamere House (EC), Delamere Street, Crewe CW1 2LL

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Connection	Comments
Headteacher of Crewe School	I understand the pressure for places but it seems an extraordinary decision to extend a school in special measures. With the current government drive, many schools in this decision will become academies. the property will then belong to the academy and the LA will have spent precious LA funds unwisely. The LA may say that they have confidence that the school will make good progress and come out of special measures but the possibility that they may not is still a significant risk at present. And spending public money on such a risk is extraordinary timing.
parent of pupil at neighbouring school	I AM VERY WORRIED THAT ALL THIS PUBLIC MONEY WILL BE SPENT ON A SCHOOL WHICH WAS NEARLY TURNED INTO AN ACADEMY AND WOULD NO LONGER BE PUBLIC PROPERTY. I AM ALSO CONFUSED AS TO WHY FUNDING CAN BE FOUND TO INCREASE CAPACITY ON A NEW BUILD AT THIS SCHOOL WHEN HUNGERFORD ARE HAVING TO TEACH TWO CLASSES IN SEPARATE MOBILE BUILDINGS AND HAVE DONE SO FOR A NUMBER OF YEARS AS SINCE I WAS A PUPIL THERE.
Governor	I strongly believe that this sends out entirely the wrong message - this appears to be rewarding for failing and being placed in special measures. What incentive is there for successful schools when failing schools get all the investment? By all means plan for the expansion but make it a condition that they must achieve an OFSTED 'Good' as a bare minimum before committing to the investment
Parent/carer of pupil	My view on the Expansion plan of Oakefield primary and nursery; Im sure as a result of the increased number of children that will be attending in September 2012, the traffic through Holland street will be effected, also the parking is going to get worse not better, and for parents to pick up children and drop off, its not going to be safe for the children. I live on Holland street and my children attend the school, it is awfully cramped and busy every morning and afternoon, the path way around the car park needs to be widened. also a safer drop off point needs to be made. Many children have nearly been knocked over by moving cars weaving in and out of parked cars dropping their child ren off! around the triangle and road. A traffic warden needs to be outside the school at these busy times to stop the people committing these dangerous actions(the parking and dropping off). Police were there a few weeks ago and parents had no choice but to park elsewhere! but im afraid it has not worked and it is not going to ever work without a permanent solution.
Parent/carer of pupil	When I first heard about the expansion, my main concern was regarding the school being in Special Measures. Would it not be advisable to concentrate on bringing the school out of this, before increasing the pupil intake? If it would have no effect on this, then yes, I can see the benifit on an expansion.

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LAP	School	NOR	Capacity	Forecast NOR						Surplus Places							% Surplus						
		Jan'11		11/12	12/13	13/14	14/15	15/16	16/17	10/11	11/12	12/13	13/14	14/15	15/16	16/17	10/11	11/12	12/13	13/14	14/15	15/16	16/17
Crewe	Beechwood School	262	280	265	274	274	274	273	274	18	15	6	6	6	7	6	6%	5%	2%	2%	2%	3%	2%
Crewe	Brierley Primary School	154	161	162	172	186	190	187	187	7	-1	-11	-25	-29	-26	-26	4%	-1%	-7%	-16%	-18%	-16%	-16%
Crewe	Edleston Primary School	217	210	210	211	211	210	210	210	-7	0	-1	-1	0	0	0	-3%	0%	0%	0%	0%	0%	0%
Crewe	Gainsborough Primary and Nursery School	418	420	418	419	419	420	420	420	2	2	1	1	0	0	0	0%	0%	0%	0%	0%	0%	0%
Crewe	Hungerford Primary School	391	420	393	402	408	414	413	414	29	27	18	12	6	7	6	7%	6%	4%	3%	1%	2%	1%
Crewe	Leighton Primary School	402	420	407	412	412	413	412	413	18	13	8	8	7	8	7	4%	3%	2%	2%	2%	2%	2%
Crewe	Mablins Lane Community Primary School	473	510	480	483	484	496	506	496	37	30	27	26	14	4	14	7%	6%	5%	5%	3%	1%	3%
Crewe	Monks Coppenhall Primary & Nursery School	333	360	339	352	365	377	379	378	27	21	8	-5	-17	-19	-18	8%	6%	2%	-1%	-5%	-5%	-5%
Crewe	Oakefield Primary and Nursery School	290	315	293	300	312	315	315	315	25	22	15	3	0	0	0	8%	7%	5%	1%	0%	0%	0%
Crewe	Pebble Brook Primary School	194	210	193	197	199	202	203	204	16	17	13	11	8	7	6	8%	8%	6%	5%	4%	3%	3%
Crewe	St Mary's Catholic Primary School (Crewe)	542	560	548	543	534	547	550	546	18	12	17	26	13	10	14	3%	2%	3%	5%	2%	2%	3%
Crewe	Underwood West Primary School	404	459	416	425	437	440	438	440	55	43	34	22	19	21	19	12%	9%	7%	5%	4%	5%	4%
Crewe	Vine Tree Primary School	206	210	206	205	208	210	210	210	4	4	5	2	0	0	0	2%	2%	2%	1%	0%	0%	0%
Crewe	Wistaston Green Primary and Nursery School	309	390	321	324	329	343	337	335	81	69	66	61	47	53	55	21%	18%	17%	16%	12%	14%	14%
Crewe	Willaston Primary School	199	210	206	209	209	210	210	210	11	4	1	1	0	0	0	5%	2%	0%	0%	0%	0%	0%
Crewe	Haslington Primary School	212	270	212	199	192	182	187	185	58	58	71	78	88	83	85	21%	21%	26%	29%	33%	31%	31%
Crewe	The Dingle Primary School	341	350	341	344	355	357	354	356	9	9	6	-5	-7	-4	-6	3%	3%	2%	-1%	-2%	-1%	-2%
Crewe	Shavington Primary School	223	210	218	213	211	210	210	210	-13	-8	-3	-1	0	0	0	-6%	-4%	-1%	0%	0%	0%	0%
Crewe	The Berkeley Primary School, Wistaston	301	351	298	317	314	321	327	323	50	53	34	37	30	24	28	14%	15%	10%	11%	9%	7%	8%
Crewe	Weston Village Primary School	232	266	240	245	250	251	254	253	34	26	21	16	15	12	13	13%	10%	8%	6%	6%	5%	5%
Crewe	Wistaston Church Lane Primary School	411	420	411	419	420	420	420	420	9	9	1	0	0	0	0	2%	2%	0%	0%	0%	0%	0%
		6,514	7,002	6577	6665	6729	6802	6815	6799	488	425	337	273	200	187	203	7%	6%	5%	4%	3%	3%	3%

Actual and Projected Surplus Places		NOR	Capacity	Forecast NOR						Surplus Places							% Surplus						
Education Improvement Partnerships (EIP) Area		Jan'11		11/12	12/13	13/14	14/15	15/16	16/17	10/11	11/12	12/13	13/14	14/15	15/16	16/17	10/11	11/12	12/13	13/14	14/15	15/16	16/17
Crewe		4595	4925	4651	4719	4778	4851	4853	4842	330	274	206	147	74	72	83	7%	6%	4%	3%	2%	1%	2%
Total		4595	4925	4651	4719	4778	4851	4853	4842	330	274	206	147	74	72	83	7%	6%	4%	3%	2%	1%	2%
Local Area Partnerships																							
Crewe		6514	7002	6577	6665	6729	6802	6815	6799	488	425	337	273	200	187	203	7%	6%	5%	4%	3%	3%	3%
Total		6514	7002	6577	6665	6729	6802	6815	6799	488	425	337	273	200	187	203	7%	6%	5%	4%	3%	3%	3%

**Data Sources:** 2011 January School Census, forecasts from Performance & Data team used in DfE 2011 SCAP return and capacity data from School Organisation team and used in DfE 2011 SCAP return.

#### Key to Colour Coding

	less than 5% surplus places
	between 5% and 19% surplus places
	20% or more surplus places

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Connection	Agree with proposal	Comments
Resident	No	<p>I wish to place on record my opposition to the proposed extension to Oakfield Primary and Infant school. I have lived in the above address for more than forty years. Over those years I have seen a number of changes at the school but since the last extension the volume of traffic has grown out of all proportion. It is now so bad accidents are starting to occur.</p> <p>The view from my windows has drastically changed since the lovely trees were chopped down and the industrial fence erected. The noise is greater and the nursery have a radio playing in the summer. I'm not a killjoy where children playing is concerned but I feel enough is enough.</p> <p>Why was the entrance gate in Ryebank Avenue closed? Could it have been because of the traffic and people complained. Well here's another complaint</p> <p>With the extension the problem will only get worse and I don't see why I should be restricted from entering and leaving my property as and when I need to get out of my drive which at times is getting rather difficult now.</p> <p>Not only that, visitors to the school litter the road with their cars for several hours as there is no room on the current car park. We were 'assured' this would not be the case at the time of the last consultation for the previous extension</p> <p>Why not extend some other school in an area that is not so built up. That would make a lot more sense</p>
Resident	No	<p>I have lived at the above address for fifty years. With the extension the traffic has grown out of all proportion, accidents are starting to happen.</p> <p>The gate at Ryebank Avenue was closed? Was it because they complained about the traffic.</p> <p>I am restricted morning and afternoon from leaving and entering my property. As people arrive too early to get a spot close to the school to save walking as some do not live far away. With the new extension coming there will be more traffic, so the school will require a bigger car park for the parents.</p>

Governor of Neighbouring School		<p>I write as Vice Chair of Governors of a Crewe School following a Chairs Meeting yesterday to express some concerns we have about the proposed additional build: -</p> <ul style="list-style-type: none"> <li>• The school was asked to take additional children above PAN into reception September 2011</li> <li>• The school has 40 plus first place preferences, with a PAN of 30 for September 2012</li> <li>• We understand that by February there were still 30 unplaced reception children within the Crewe area</li> <li>• So is giving a limited extension to a school currently in special measures (with a long term history of problems) really the best way to address the shortfall, especially with quality provision?</li> <li>• Should not all Crewe Schools be given the chance to tender for additional places?</li> <li>• Has Cheshire East any accurate projected school numbers for Crewe over the next 5 years?</li> <li>• Is this the first step in a coherent plan, or a one off?</li> </ul> <p>We would like to be re-assured that a holistic approach is being taken to the Crewe child population.</p>
Resident	No	<p>We hereby would like to oppose the expansion to Oakefield Primary School, Holland Street, Crewe. Our reason for this are as follows, we bought our property back in 1999 the school was only a junior side of the school as the Infants was in Broad Street it was surrounded by hedges and trees in fact you would not have known that there was a school there only for a small sign above the hedge ( I have photos of how it used to look) about four years ago they merged the two schools together much to our disapproval due to the look of what can only be described as an ugly building right opposite our property, they cut down all one of the trees to make space for it, they ripped out the hedge to put up a wooden fencing, then much to our amazement they ripped out that out recently and put ugly green metal fencing up, we are now looking at what can only be described as a commercial car park that is lit up all night, we have had to buy blackout curtains in the bedroom at the front of our property.</p> <p>Since the school merged because of the amount of children going to it that are on free school meals, we are now classed as living in a deprived area which has affected property prices round here, that information came from an estate agent from the Halifax. The school now at this present day causes us and my neighbours stress, the sheer volume of traffic to the school is a <b>BIG</b> problem. They closed the other entrance in Rybank Avenue</p>

	<p>after the merger, so all the traffic uses Holland Street. In the last week of school term which I must add was only 4 days, 3 of those days four days, I could not get out of my drive to take my son to school. I had to get irresponsible, and damn right rude parents to move, it's not just parents in cars, delivery vans, even buses, we have elderly neighbours one of which has regular hospital appointments and cannot walk so she needs her access kept clear at all times for her taxis. The traffic police have been a few times and booked some of the drivers and we have had a few visits from traffic wardens, if the school expands that will mean more cars, more deliveries and more buses, this is supposed to be a residential area. The school actually wrote to us last week to arrange a meeting about the traffic problem. We also have problems with parents and children littering from cigarette ends to school newsletters.</p> <p>Why expand this school as there are other schools surrounding this area that are full. i.e Mablins Lane and Leighton Primary, both of these schools serve the Selworthy Estate and surrounding areas and as my son goes to Mablins Lane they have the space for expansion and parking is ample as the Eight Farmers kindly allow us to use its car park.</p> <p>So we don't want this expansion, we don't want yet even more building work, we don't want more traffic, we don't want any of it, thanks but NO THANKS.</p>
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Department/Service	<b>Children and Families</b>	<b>Equality Impact Assessment</b>		
Ref	<b>CHI (AA)</b>	Officer responsible for the assessment	<b>Rob Hyde</b>	
Name of policy procedure function being assessed	Approval to commence statutory consultation on the expansion of Oakefield Primary And Nursery School from 1.5FE to 2FE and thus provide an additional 105 school places, with a proposed completion date of September 2012.		Start date of assessment	<b>11/11/11</b>
Are there are any other policies or procedures associated or linked with this one.	<ul style="list-style-type: none"> <li>• Children and Families Department Capital Strategy 2011/12</li> <li>• Statutory consultation is required for this proposal as the changes, if approved, will fall within the category of a significant enlargement. The additional accommodation proposed for Oakefield Primary &amp; Nursery School would increase the capacity by more than 30 pupils and by more than 25%.</li> <li>• The Local Authority must comply with statutory requirements as set out in The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009).</li> </ul>			
Briefly describe the aims, objectives and outcomes of the policy / procedure / function	The proposal will develop additional school places in a local Primary school. The proposal will have a significant positive impact on the current projected shortfall in school places in Crewe and have at worst a neutral impact on vulnerable and minority groups in the Community.			

	<p>The Crewe Local Area Partnership (LAP) has 21 primary schools and 5 secondary schools covering the areas of Crewe, Nantwich, Sandbach, and Shavington. The total primary school capacity across this area is 7002 pupil places, 14 of these primary schools are located within Crewe town providing 4925 pupil places for this area.</p> <p>The 14 Crewe town primary schools currently provide a total of 708 reception places. However, for Reception 2011 pupils the Authority faced a shortfall and to date has received and placed 750 applications resulting in several schools admitting over their published admission number (PAN) to accommodate these additional pupils.</p> <p>Pupil forecasts for Crewe indicate that there will be a shortfall of places with only 1% and 2% vacancies across all 14 schools by 2015 and 2016. This gives an average number of vacancies per school of less than one place per year group for 2016.</p> <p>The authority is therefore proposing some long term measures, including the proposed expansion of Oakefield Primary &amp; Nursery School.</p> <p>In making this recommendation the authority has given consideration to a number of issues including the number of pupils in each school's catchment area, the number of first preferences received for each school, the current size of the school together with the school sites and those suitable for expansion and the likely costs of extension. Suitable schools also needed to be central to the area of Crewe where the extra places are required.</p>
Who is intended to benefit from this policy –procedure – function?	Young Children and their parents in the Crewe Town area
What factors could contribute to or detract from the outcomes?	<ul style="list-style-type: none"> <li>• Not being able to proceed to consultation and therefore add to the project timeline would affect the timeline to deliver the development by September 2012.</li> <li>• Having a flawed consultation exercise which would breach the Local Authorities statutory</li> </ul>

	requirements as set out above.		
Who are the main stakeholders in relation to the policy – procedure- function? (Please consider key equality groups)	<ul style="list-style-type: none"> <li>• Head Teachers in schools in Crewe</li> <li>• Children, parents and carers in Cheshire East</li> </ul>		
Who is responsible for the policy – procedure – function?	Rob Hyde		
<p>To take us forward in:</p> <p>(a) eliminating discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;</p> <p>(b) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</p> <p>(c) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it</p>			
Please identify any impact (Positive / Negative) this policy, procedure, function or service will have on the following protected characteristics:			
Age - Is there an impact?	<b>Yes - positive</b>	<b>No</b>	<p>Comments/Actions:</p> <p>This will positively impact on the number of school places for young people at Primary school age in the Crewe area.</p>
Carers – Is there an impact?	<b>Yes - positive</b>	<b>No</b>	<p>Comments/Actions:</p>

			The proposal will have a marginally positive impact on persons with dependents and will offer greater parental choice for those families with wider caring responsibilities.
Disability - Is there an impact?	<b>Yes - positive</b>	<b>No</b>	<p>Comments/Actions:</p> <p>The proposal will have a marginally positive impact on young people and parents with a disability because the provision of additional places will overall provide sufficient places closer to peoples place of residence. The proposal will also offer greater parental choice for those families with wider caring responsibilities for household members with a disability.</p>
Gender	<b>Yes</b>	<b>No – neutral</b>	<p>Comments/Actions:</p> <p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. There is an equal gender balance. Girls represent 49% of the Oakefield pupils with boys 51%. This represents a similar school population demographic across all Crewe Wards with 50% male and 50% female.</p>
Gypsies & Travellers - Is there an impact?	<b>Yes - positive</b>	<b>No</b>	<p>Comments/Actions:</p> <p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect however 1.29% of Oakefield pupils have identified themselves as being from the gypsy/traveller community. Across the Crewe Ward 0.35% are identified within this group. The proposal therefore has the potential to be slightly positive for this minority group.</p>

Race – Is there an impact?	<b>Yes</b>	<b>No - neutral</b>	<p>Comments/Actions:</p> <p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. Oakefield has a very typical racial make-up:</p> <p>Race is recorded as the following from Oakefield school:</p> <ul style="list-style-type: none"> <li>• 96% White</li> <li>• 3% Mixed/Dual Background</li> <li>• 0.5% Asian or Asian British</li> <li>• 0.5% Black or Black British</li> </ul> <p>Across all wards in Crewe the following data is recorded:</p> <ul style="list-style-type: none"> <li>• 93% White</li> <li>• 3% Mixed/Dual Background</li> <li>• 2% Asian or Asian British</li> <li>• 1% Black or Black British</li> <li>• 1% Other Groups</li> </ul>
Religion & Belief- Is there an Impact?	<b>Yes</b>	<b>No – neutral</b>	<p>Comments/Actions:</p> <p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>The proposal is applicable to all irrespective of religious belief.</p>
Sexual Orientation -Is there an impact?	<b>Yes</b>	<b>No - neutral</b>	<p>Comments/Actions:</p> <p>The LA does not collect data on the sexual orientation of young</p>

			people. However, there is no evidence to suggest the proposal will have any adverse impact on children within this group. Indeed, all of the proposals enhance equality.
Transgender - Is there an impact?	<b>Yes</b>	<b>No - neutral</b>	<p>Comments/Actions:</p> <p>There is no evidence to suggest that the proposal will have any adverse impact on children/young people in terms of Transgender.</p> <p>Individuals who are vulnerable due to transgender may find no change.</p>
Other socio-economic disadvantaged groups (including white individuals, families and communities) Is there an impact?	<b>Yes - positive</b>	<b>No</b>	<p>Comments/Actions:</p> <p>It is considered that the proposal will have a positive impact on those children/young people included in this group because 46% of pupils within Oakefield school (Reception to Year 6) are eligible for free school meals. Across all of the Crewe Wards only 28% are eligible.</p>
Please give details of any other potential impacts of this policy (i.e. Poverty & deprivation, community cohesion, environmental)	<b>Yes</b>	<b>No - neutral</b>	<p>Comments/Actions:</p> <p>It is considered that the proposal will have no adverse impact.</p>
Could the impact constitute unlawful discrimination in relation to any of the Equality Duties	<b>Yes</b>	<b>No</b>	<p>Comments:</p> <p>The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p>

Does this policy – procedure – function have any effect on good relations between the Council and the Community	<b>Yes</b>	<b>No</b>	Comments: The proposal should be seen as a statement of confidence in the school and its future direction and engender a positive reaction from the local community.
Do you require further data/information/intelligence to support decision making?	<b>Yes</b>	<b>No</b>	Comments:  The Impact Assessment will be reviewed at the end of the Consultation exercise but it is thought that no further intelligence or analysis will be required.
Please specify any question(s)/issues/concerns/actions identified as a result the assessment. What needs to be done?			Comments <ul style="list-style-type: none"> <li>• There are no further concerns identified</li> </ul>

<b>Data Methods/Collection to Support Decision Making</b>		
Please indicate what methods of research, information and intelligence will be/have been used e.g. consultation, reports, comparisons with similar organisations	Internally <ul style="list-style-type: none"> <li>• Desk top research re: legislation, policies, guidance etc</li> <li>• CYPD data</li> <li>• Population data from internal sources</li> </ul>	Externally
Please state who will be/who was involved/engaged/consulted	Internal (Staff/Members/Service/Dept) <ul style="list-style-type: none"> <li>• The Director of Children Families and Adults and SMT approved the Capital proposals in September 2011.</li> <li>• The proposal was approved by Cabinet</li> </ul>	External (stakeholders/service users/partners) <ul style="list-style-type: none"> <li>• The proposal is to go forward with Formal Consultation so that all external stakeholders can be</li> </ul>

	as part of the Mid Year Review.	consulted.
Please indicate any significant expected costs & resource requirements for completing the data collection	<ul style="list-style-type: none"> <li>None</li> </ul>	<ul style="list-style-type: none"> <li>N/A</li> </ul>

### Equalities Impact Assessment (EIA) Action Plan: Making Changes

REF	Action	Responsible Person/s	Action Deadline	Tasks	Progress
	Review the feedback and consider whether the recommendation needs to be amended.	Rob Hyde / Barbara Dale	December 22 2011	<ul style="list-style-type: none"> <li>Review and amend as necessary</li> </ul>	<ul style="list-style-type: none"> <li>Will take place at the end of consultation</li> </ul>
Please state the date the policy/procedure/function will be reassessed? (generally 1-3 yrs)			Comments/Date: This decision will not require review.		

Signed (Service Manager) ...Rob Hyde.....

Date.....11/11/2011.....

Signed (Head of Section) ...Fintan Bradley.....

Date.....01/11/2011.....

Once you have completed this section please email it to the Equality and Inclusion Team. The Equality and Inclusion Team will convene a quarterly meeting of the Fairness and Inclusion Group (FIG) who will quality check our EIA's to ensure we have considered everyone. We plan to send approximately 2-5% of our completed EIAs Forms to the (FIG).



### Quarterly Progress and monitoring

REF	Action	Progress	Completed
	This decision will not require review.		

Once you have completed your quarterly progress report, please email it to the Equality and Inclusion Team

### Measuring Impact & Reporting

Ref	Action	Impact	Outcome	Review Date

Once you have completed your impact report, please email it to the Equality and Inclusion Team. The Equality and Inclusion Team will prepare an annual report for Corporate Management Team and Cabinet on our progress.

### Appendix 1

#### Service Reference Index

Service Reference Index			
Safer & Stronger – <b>SSC</b>	Regeneration – <b>REG</b>	Planning & Housing – <b>PAH</b>	Legal & Democratic Services – <b>LAD</b>

Children & Families – <b>CHI</b>	Adults – <b>ADU</b>	Health & Wellbeing – <b>HWB</b>	Human Resources & Organisational Development – <b>HROD</b>
Policy & Performance – <b>PAP</b>	Corporate Improvement - <b>CI</b>	Environmental – <b>ENV</b>	Borough Treasurer & Head of Assets – <b>BTA</b>

department for  
**children, schools and families**

Extract of

Decision Makers' Guidance for:

Expanding a Maintained  
Mainstream School by Enlargement  
or Adding a Sixth Form

For further information:

School Organisation & Competitions Unit  
DCSF  
Mowden Hall  
Darlington  
DL3 9BG

Tel: 01325 735749

Email: [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk)

Website: [www.dcsf.gov.uk/schoolorg/guidance.cfm?id=5](http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=5)

Last updated 25 January 2010

## EXPANDING A MAINTAINED MAINSTREAM SCHOOL BY ENLARGING OR ADDING A SIXTH FORM - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

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This guidance is extracted, for ease of reference by decision makers, from the full version of the “Expanding a Maintained Mainstream School by Enlarging or Adding a Sixth Form” guide - [www.dcsf.gov.uk/schoolorg/guidance.cfm?id=5](http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=5). The statutory guidance sections are indicated by shading, the word **must** in bold refers to a requirement in legislation, whilst the word **should** in bold is a recommendation.

**Stage 4****Decision Makers’ Guidance on Expanding a Maintained Mainstream School by Enlarging or Adding a Sixth Form (Paragraphs 4.1-4.80)****Who Will Decide the Proposals? (Paragraphs 4.1-4.4)**

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both.

4.2 Section 21 of the EIA 2006 provides for regulations to set out who **must** decide proposals for any prescribed alterations (i.e. including expansions). The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (SI:2007 No. 1289) (as amended) make detailed provision for the consideration of prescribed alteration proposals (see in particular Schedules 3 and 5). Decisions on expansions will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the prescribed alteration proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.3 If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

4.4 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph 4.15 below) applies equally to the body or individual that takes the decision.

**Who Can Appeal Against an LA Decision? (Paragraphs 4.5-4.6)**

4.5 The following bodies may appeal against an LA decision on school expansion proposals:

- the local Church of England diocese;

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- the bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14 and over;
- the governing body of a community school that is proposed for expansion; and
- the governors and trustees of a foundation (including Trust) or voluntary school that is proposed for expansion.

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

**Checks on Receipt of Statutory Proposals** (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below);
- Are the proposals "related" to other published proposals? (see paragraphs 4.10 to 4.14 below).

**Does the Published Notice Comply with Statutory Requirements?**  
(Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in The School Organisation (Prescribed Alterations)(England) Regulations 2007 (SI:2007 - 1289) (as amended) - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

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**Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice?** (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs [1.2](#)–1.5). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

**Are the Proposals Related to Other Published Proposals?** (Paragraphs 4.10-4.14)

4.10 Paragraph 35 of Schedule 3, and Paragraph 35 of Schedule 5, to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provides that any proposals that are “related” to particular proposals (e.g. for a new school; school closure; prescribed alterations to existing schools i.e. change of age range, acquisition of a Trust, addition of boarding, etc; or proposals by the LSC to deal with inadequate 16-19 provision) **must** be considered together. This does not include proposals that fall outside of School Organisation Prescribed Alteration or Establishment and Discontinuance regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11-4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.



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4.13 Where proposals for an expansion of a school are “related” to proposals published by the local LSC<sup>1</sup> which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or
- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

### **Statutory Guidance – Factors to be Considered by Decision Makers** (Paragraphs 4.15-4.16)

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.17 to 4.73 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

### **EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT**

#### **A System Shaped by Parents** (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and

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<sup>1</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

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- the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

#### **Standards** (Paragraphs 4.19-4.20)

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school expansion will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

#### **Diversity** (Paragraphs 4.21-4.23)

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.69-4.72).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

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**Every Child Matters** (Paragraph 4.24)

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with “Every Child Matters” principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

**SCHOOL CHARACTERISTICS****Boarding Provision** (Paragraphs 4.25-4.26)

4.25 In making a decision on proposals that include the expansion of boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour’s travelling distance of the proposed school.

4.26 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour’s travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g. taking pupils of the opposite sex or sixth formers) if they form part of the expansion;
- e. any impact of the expansion on the continuity of education of boarders currently in the school;
- f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and

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g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

### **Equal Opportunity Issues (Paragraphs 4.27)**

4.27 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

### **NEED FOR PLACES**

#### **Creating Additional Places (Paragraphs 4.28-4.30)**

4.28 The Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.29 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be sustainable.

4.30 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

#### **Expansion of Successful and Popular Schools (Paragraph 4.31-4.34)**

4.31 The Government is committed to ensuring that every parent can choose an excellent school for their child. We have made clear that the wishes of parents **should** be taken into account in planning and managing school estates. Places **should** be allocated where parents want them, and as such, it **should** be easier for successful and popular primary and secondary schools to grow to meet parental demand. For the purposes of this guidance, the Secretary of State is not proposing any single definition of a successful and popular school. It is for the

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Decision Maker to decide whether a school is successful and popular, however, the following indicators **should** all be taken into account:

- a. the school's performance;
  - i. in terms of absolute results in key stage assessments and public examinations;
  - ii. by comparison with other schools in similar circumstances (both in the same LA and other LAs);
  - iii. in terms of value added;
  - iv. in terms of improvement over time in key stage results and public examinations.
- b. the numbers of applications for places;
  - i. the Decision Maker should also take account of any other relevant evidence put forward by schools.

4.32 The strong presumption is that proposals to expand successful and popular schools **should** be approved. In line with the Government's long standing policy that there **should** be no increase in selection by academic ability, this presumption does not apply to grammar schools or to proposals for the expansion of selective places at partially selective schools.

4.33 The existence of surplus capacity in neighbouring less popular schools **should not** in itself be sufficient to prevent this expansion, but if appropriate, in the light of local concerns, the Decision Maker **should** ask the LA how they plan to tackle any consequences for other schools. The Decision Maker **should** only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.

4.34 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements in to line with the School Admissions Code.

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**Travel and Accessibility for All** (Paragraphs 4.35-4.36)

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not** adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications). Proposals **should** also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

**16-19 Provision** (Paragraphs 4.37-4.39)

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

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4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

**Addition of post-16 provision by “high performing” schools**  
(Paragraphs 4.40-4.51)

4.40 The Government remains committed to the principle that high performing 11-16 schools **should** be allowed to add post-16 provision where there is parental and student demand, in order to extend quality and choice. But the context in which this principle will operate is changing. From April 2010, the Apprenticeships, Skills, Children and Learning Act 2009 will transfer the responsibility for 16-19 planning and funding from the LSC to LAs. LAs will be responsible for maintaining an effective and coherent system of 14-19 organisation which delivers the new entitlement – to a new curriculum and new qualifications, including all 17 Diploma lines from 2013 and an Apprenticeship place for those who meet the entry criteria - to all young people in their area. Collaboration will be a key feature of 14-19 provision.

4.41 So, while there is still a strong presumption of approval for proposals from high performing schools, that decision **should** now be informed by additional factors: the need for local collaboration; the viability of existing post-16 providers in the local area; and the improvement of standards at the school that is proposing to add post-16 provision. Only in exceptional circumstances\* would these factors lead Decision Makers not to approve a proposal. If the Decision Maker were minded not to approve a proposal, he **should** first consider whether modification of the proposal would enable the proposer to comply with these conditions (see paragraph 4.49).

\* Exceptional circumstances in which the Decision Maker might reject the proposal to add a sixth form to a presumption school would include if there is specific evidence that a new sixth form was of a scale that it would directly affect the viability of another neighbouring, high quality institution that itself was not large in comparison to other institutions of that type. Exceptional circumstances might also include a situation where there are a number of presumption schools in the same area at the same time and/or where there is clear evidence that the scale of the aggregate number of additional 16-18 places far exceeds local need and affordability and is therefore clearly poor value for money.

4.42 There **should** be a strong presumption in favour of the approval of proposals for a new post-16 provision where:

- a. the school is a high performing specialist school that has opted for an applied learning specialism; or
- b. the school, whether specialist or not, meets the DCSF criteria for ‘high

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performing' and does not require capital support.

4.43 The school **should** ensure that, in forwarding its proposals to the Decision Maker, it provides evidence that it meets one of the criteria at paragraph 4.42 above.

4.44 Where a new sixth form is proposed by a specialist school that has met the 'high performing' criteria and which has opted for an applied learning specialism, capital funding may be available from the 16-19 Capital Fund.

4.45 This presumption will apply to proposals submitted to the Decision Maker within:

- a. two years from the date a school commences operation with applied learning specialist school status; or
- b. two years from the date a school is informed of its Ofsted Section 5 inspection results which would satisfy DCSF criteria for 'high performing' status as set out at <http://www.standards.dcsf.gov.uk/specialistschools/guidance2007/?version=1>

NOTE: 'submitted to the Decision Maker' above refers to when proposals and representations are with the Decision Maker, following the end of the representation period.

4.46 The increase in the period in which a school is eligible to expand its post-16 provision recognises the time required to embed the new presumption places within a local 14-19 delivery plan and for effective collaboration to take place.

4.47 New post-16 provision in schools **should**, as appropriate, operate in partnership with other local providers to ensure that young people have access to a wide range of learning opportunities. In assessing proposals from 'high performing' schools to add post-16 provision, Decision Makers **should** look for:

- a. evidence of local collaboration in drawing up the presumption proposal; and
- b. a statement of how the new places will fit within the 14-19 organisation in an area; and
- c. evidence that the exercise of the presumption is intended to lead to higher standards and better progression routes at the 'presumption' school.

4.48 If a school has acted in a collaborative way and has actively attempted to engage other partners in the local area, but it is clear that other institutions have declined to participate, that fact **should not** be a reason for declining to approve a proposal. The onus is on other providers to work with a school which qualifies for the presumption of approval for new post-16 provision.



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4.49 The Decision Maker **should** only turn down proposals to add post-16 provision from schools eligible for the sixth form presumption if there is compelling and objective evidence that the expansion would undermine the viability of an existing high quality post-16 provider or providers. The fact that an existing school or college with large numbers of post-16 students might recruit a smaller number of students aged 16-19 is not, of itself, sufficient to meet this condition, where the “presumption” school can show that there is reasonable demand from students to attend the school after age 16.

4.50 The existence of surplus capacity in neighbouring schools or colleges that are not high performing **should not** be a reason to reject a post-16 presumption proposal. It is the responsibility of the LA to consider decommissioning poor quality provision as well as commissioning high quality provision. The LA should therefore plan to tackle any consequences of expansion proposals for other schools.

4.51 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the mandatory Schools Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements into line with the School Admissions Code.

### **Conflicting Sixth Form Reorganisation Proposals (Paragraph 4.52)**

4.52 Where the implementation of reorganisation proposals by the LSC<sup>2</sup> conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

### **16-19 Provision ‘Competitions’ (Paragraphs 4.53-4.56)**

4.53 Non-statutory competitions for new 16-19 provision were introduced from January 2006. They are administered by the regional arm of the LSC, in line with the LSC’s current role as commissioner of 16-19 provision. The Government intends to transfer the responsibility for 16-19 provision from the LSC to LAs from

<sup>2</sup> References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

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2010.<sup>3</sup>

4.54 The current arrangements for the establishment of new institutions by competition involves a two-stage approval process:

- a. the competition selection process;
- b. approval of the outcome by existing processes (e.g. Decision Maker approval of school/LA proposals and Secretary of State approval of college/LSC proposals, as required by law).

4.55 Competitors will be eligible to apply to the 16-19 Capital Fund. Where a competition is 'won' by a school, they **must** then publish statutory proposals and these **must** be considered by the Decision Maker on their merits.

4.56 Where proposals to establish sixth forms are received, and the local LSC is running a 16-19 competition, the Decision Maker **must** take account of the competition when considering the proposals.

### FUNDING AND LAND

#### Capital (Paragraphs 4.57-4.59)

4.57 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.58 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.59 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will

<sup>3</sup> The ASCL Act will remove the LSC and also the power of LAs to establish sixth form schools, whether by a competition or otherwise. Section 126 of the Act amends section 16 of the Education Act 1996 and sections 7,10 and 11 of EIA 2006.

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protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

#### Capital Receipts (Paragraphs 4.60-4.62)

4.60 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in “related” proposals) the Decision Maker **should** confirm whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

a. Community Schools – the Secretary of State’s consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998). (Details are given in DCSF Guidance 1017-2004 “The Protection of School Playing Fields and Land for Academies” published in November 2004) -

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&>).

b. Foundation (including Trust) and Voluntary Schools:

- i. playing field land – the governing body, foundation body or trustees will require the Secretary of State’s consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
- ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State’s consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the Schools Adjudicator to determine. (Details of the new arrangements can be found in the Department’s guidance “The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator” - <http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DfE-1017-2004&> ).

4.61 Where expansion proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the

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governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.62 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.75).

### **New Site or Playing Fields** (Paragraph 4.63)

4.63 Proposals dependent on the acquisition of an additional site or playing field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

### **Land Tenure Arrangements** (Paragraph 4.64)

4.64 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

### **School Playing Fields** (Paragraph 4.65)

4.65 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

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Where the Secretary of State has given 'in principle' agreement as at paragraph 4.60(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

### **SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION**

#### **Initial Considerations** (Paragraphs 4.66-4.67)

4.66 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise ) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and

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h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

4.67 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

#### **The Special Educational Needs Improvement Test (Paragraph 4.68)**

4.68 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.69 to 4.72 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

#### **Key Factors (Paragraphs 4.69-4.72)**

4.69 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

- a. identify the details of the specific educational benefits that will flow from the proposals in terms of:
  - i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
  - ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
  - iii. improved access to suitable accommodation; and

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- iv. improved supply of suitable places.
- b. LAs **should** also:
- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
  - ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
  - iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
  - iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.70 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.71 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.72 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

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**OTHER ISSUES****Views of Interested Parties** (Paragraphs 4.73)

4.73 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

**Types of Decision** (Paragraph 4.74)

4.74 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.75 below).

**Conditional Approval** (Paragraphs 4.75-4.76)

4.75 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of any site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;



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- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;
- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with BSF programme;
- g. the agreement to any change to admission arrangements specified in the approval, relating to the school or any other school or schools (this allows the approval of proposals to enlarge the premises of a school to be conditional on the decision of adjudicators to approve any related change in admission numbers);
- h. the making of any scheme relating to any charity connected with the school;
- i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;
- j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a foundation body must be established and that the school must form part of a group for which a foundation must act;
- k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;
- ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;
- l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and
- m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007(4) the occurrence of such an event.

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(4) S.I. 2007/1288.

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4.76 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should** be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1<sup>st</sup> September one year, and enlarge on 1<sup>st</sup> September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Staindrop Road, Darlington DL3 9BG or by email to [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk)) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

#### **Decisions** (Paragraphs 4.77-4.79)

4.77 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.78 A copy of all decisions **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk));
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese;
- each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and

STAGE 4

- where the school is a special school, the relevant primary care trust, an NHS trust or NHS foundation trust.

4.79 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

**Can proposals be withdrawn?** (Paragraph 4.80)

4.80 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisation@education.gsi.gov.uk](mailto:school.organisation@education.gsi.gov.uk). Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

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### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

The information presented below is intended to assist Members in their decision-making on the proposal to expand Oakefield Primary and Nursery School from 315 to 420 school places. Please refer to the DfE 'Extract of Decision Makers' Guidance' (**Annex 5**)

#### 1 EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

DfE Guidance	Extracted Paragraph/s	Current Position	Impact of Expansion
<b>A System Shaped by Parents</b> The Government's aim - a schools system shaped by parents which delivers excellence and equity....a dynamic system in which weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and the best schools are able to expand and spread their ethos and success.	4.17	<p>Ofsted currently categorise Oakefield Primary school as being in "special measures" and therefore requiring intervention. It is important to note that full and careful consideration had been given to the status of the school prior to seeking permission to consult on the proposed expansion. Officers took advice from colleagues in the Strategy, Planning &amp; Performance team who are satisfied that intervention measures would deliver a more positive outcome for the school.</p> <p>A recent Ofsted monitoring visit (1-2 December 2011) concluded that the school has made significant progress in the last 4 months and that the re-structured leadership team was now judged as outstanding and the quality of teaching and learning was judged as good overall. (<b>see Appendix 6.1</b>)</p>	The Local Authority is fully confident that current rates of progress will continue and that the current interim leadership arrangements, which are in place for three years, will allow for real embedding of best practices and deliver sustainable improvements for all learners.

### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

<p>The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas.</p> <p>In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents.</p> <p>The Decision Maker should take into account the extent to which the proposals are consistent with the new duties on LAs.</p>	4.18	<p>The Crewe Local Area Partnership (LAP) has 21 primary schools and 5 secondary schools covering the areas of Crewe, Nantwich, Sandbach, and Shavington. The total primary school capacity across this area is 7002 pupil places, 14 of these primary schools are located within Crewe town providing 4925 pupil places for this area.</p> <p>The pupil census taken in January 2012, indicates that there are currently 4667 pupils attending the 14 town schools providing an overall surplus of just over 5.5%. However, much of this surplus is in the upper year groups and concentrated within a small number of schools.</p> <p>Live Birth data for the period 2004 to 2010 indicates that the overall birth rate for Cheshire East is just over 6% which is below the national average of 13% . However the number of live births vary from one area of the authority to another with Crewe and Nantwich seeing an increase of 14% between the same period.</p>	<p>This proposal was identified to address a Basic Need in Crewe. This is in order to ensure that the Authority meets its statutory duty to provide sufficient school places for its residents in this area of the Borough.</p> <p>The area Crewe is under pressure in the lower aged groups and therefore primary schools with the potential to expand have been identified to provide the much needed additional capacity.</p>
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**Additional Information for Members – Factors to be Considered by Decision Makers**

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

Decision Makers should be satisfied that proposals for a school expansion will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. Decision-makers should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.	4.20	See paragraph 4.17 – 4.18 above	See paragraph 4.17 – 4.18 above
<b>Diversity –</b> The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.	4.22	See paragraph 4.17 – 4.18 above	See paragraph 4.17 – 4.18 above
Decision Makers should consider how proposals will impact on local diversity. They should consider the range of schools in the relevant area of the LA and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.	4.23	Of the 21 primary schools in the Crewe LAP 20 are Community Schools offering a total of 6442 school places and 1 is Voluntary Aided offering a total of 560 school places.  The 14 Crewe town primary schools consist of 13 Community Schools'	The proposal would increase the total number of available school places in community schools by 105 and therefore increasing the opportunity for parental preference to be met.

### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

		offering a total of 4365 school places and the 1 Voluntary Aided offering a total of 560 school places.	
<p><b>Every Child Matters –</b> The Decision Maker should consider how proposals will help every child and young person achieve their potential in accordance with “Every Child Matters” principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This should include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.</p>	4.24	<p>Oakefield Primary and Nursery School offer nursery provision 5 mornings a week between 8.35am and 12.00am. for 26 children aged 3 and 4</p> <p>Although the school do not operate any before or after child care facilities they do provide a number of after school clubs. The number and type of extra curriculum activities on offer change each term but include Art, Crafts, Football, Netball, Books, Reading, Sewing and Choir.</p> <p>In addition the school provides extended services to the wider community consisting of :-</p> <ul style="list-style-type: none"> <li>• English and Maths tuition</li> <li>• parental support ( family learning)</li> <li>• Adult learning – training for Teaching Assistants to level 1 and 2.</li> <li>• Mothers and Toddlers – 1 afternoon a week</li> </ul>	<p>The school are currently investigating the possibility of extending the nursery provision to 52 places thus allowing more children to develop life skills.</p> <p>After school clubs and the extended services to the local community will continue should the proposed expansion go ahead.</p>



### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

		<p><b>SEN –</b> Oakefield Primary and Nursery School is a fully inclusive mainstream primary school with 283 children on roll, no school places are specifically reserved for pupils with special educational needs or disabilities. Currently the school has 5 statemented children and 3 children at school action plus on roll which is equivalent to an overall of 2.8% which is below the Cheshire East average of 15% and the national average of 20%</p>	<p>If the proposal to expand the school is approved, the increased capacity will deliver additional places for all children, including those with special educational needs and thereby the impact of the proposal will have a positive impact on parents and carers seeking places for their children.</p>
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### SCHOOL CHARACTERISTICS

Guidance	Paragraph/s	Current Position	Impact of Expansion
<p><b>Equal Opportunity Issues –</b> The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while</p>	4.27	<p>The local authority is bound by the Admissions Code and regulations and this does not allow for any discrimination in respect of sex, race or disability.</p> <p>Oakefield currently has a typical racial make-up which compares to the racial make-up across all Crewe wards.</p> <p><b>Oakefield Primary &amp; Nursery</b> 96% White 3% Mixed/ Dual Background</p>	<p>The racial make-up of the school is not expected to be impacted upon by the proposed expansion and it is expected that the overall impact will be neutral.</p> <p>The proposed expansion will have a marginally positive impact on young people and parents with a disability because the provision of additional places will overall provide sufficient places closer to peoples places of residence. The proposal will also offer greater parental choice for those</p>

### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

ensuring that such opportunities are open to all.		<p>0.5% Asian or Asian British 0.5% Black or Black British.</p> <p><b>All Crewe Wards</b> 93% White 3% Mixed/ Dual Background 2% Asian or Asian British 1% Black or Black British 1% Other</p>	families with wider caring responsibilities for household members with a disability.
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## 3 NEED FOR PLACES

Guidance	Paragraphs	Current Position	Impact of Expansion
<p><b>Creating Additional Places –</b> The Decision Maker should consider whether there is a need for the expansion and should consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker should take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus places in the neighbouring less popular or successful schools should not in</p>	4.28	<p>The Crewe Local Area Partnership (LAP) has 21 primary schools and 5 secondary schools covering the areas of Crewe, Nantwich, Sandbach, and Shavington. The total primary school capacity across this area is 7002 pupil places, 14 of these primary schools are located within Crewe town providing 4925 pupil places for this area.</p> <p>The 14 Crewe town primary schools currently provide a total of 708 reception places. However, for Reception 2011 pupils the Authority faced a shortfall. The Pupil Census undertaken in January 2012 has shown</p>	<p>This scheme was identified to address a Basic Need for school places in the Crewe area.</p> <p>The proposed expansion is intended to contribute to much needed additional capacity in an area of the Borough and ensure that the Authority meets its statutory duty to provide sufficient school places in this area.</p> <p>The Oakefield proposal is one of four changes proposed for this area at this stage. The extent of expansion in the other three schools is small and therefore falls outside school</p>

### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

<p>itself prevent the addition of new places.</p>	<p>that across the 14 primary schools there are currently 751 pupils in Reception and several schools have admitted above their published admission number (PAN) to accommodate these additional pupils.</p> <p>To date, for Reception 2012, the Local Authority has received a total of 1088 requests indicating a shortfall of 82 reception class places</p> <p>Overall pupil forecasts for the Crewe LAP indicated that there would be a total of 6577 pupils across all year groups by September 2011. The number of pupils on roll across all year groups as shown by the January 2012 pupil census is 6619 an increase of 42 pupils or 0.64% above original forecasts.</p> <p>Pupil Forecasts for Crewe LAP already indicate that there will be a continuing shortfall of places with only 1% and 2% vacancies across all 14 schools by 2015 and 2016. The additional numbers on roll and in particular the increased numbers on roll in the lower year groups will have negative impact on current forecasts and the increase the expected shortfall</p>	<p>organisation statutory procedures which must be implemented for increases of 30 pupils or more and 25% increase on the current capacity. If the proposal to enlarge Oakefield is approved, the combined increase in the number of reception class places for the area of Crewe would be 32. This would deliver a much needed increase in the overall capacity (all year groups) of 224 places to address basic need for this area. Work is ongoing to identify further expansion opportunity.</p> <p>It is important to note that any additional housing in this area will add further pressure on school places. Where additional capacity is required due to increased pupil populations arising out of new housing developments, capital contributions will be sought from developers during the planning application process.</p>
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### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

		The authority is therefore proposing some long term measures, including the proposed expansion of Oakefield Primary & Nursery School.	
<p><b>Expansion of Successful and Popular Schools-</b></p> <p>The Government is committed to ensuring that every parent can choose an excellent school for their child. They have made clear that the wishes of parents should be taken into account in planning and managing school places. Places should be allocated where parents want them, and as such, it should be easier for successful and popular schools to grow to meet parental demand</p> <p>For the purposes of the guidance the Secretary of State does not propose any single definition of a successful and popular school. It is for the Decision Maker to decide whether a school is successful and popular, however, the following indicators should be taken into account.</p> <ol style="list-style-type: none"> <li>1. The schools performance</li> <li>2. The number of applications for places.</li> </ol>	4.31	<p>Although Ofsted currently categorise the school as being in “special measures” and therefore requiring intervention the school continues to receive applications in excess of its published admission number. The number of first preference applications for reception class in 2010 and 2011 exceeded the school’s published admission number (PAN) of 45 and the number of first preference applications for reception 2012 is currently 45. However, Oakefield Primary and Nursery School has traditionally received a number of late applications following the offer date.</p> <p>In addition the number of children resident within the schools catchment area has been steadily increasing since 2009 and is now nearly double the school’s current capacity of 315 school places Given the increasing live births in the Crewe area this is expected to continue to rise in future years.</p>	<p>A recent Ofsted monitoring visit (1-2 December 2011) concluded that the school has made significant progress in the last 4 months and that the re-structured leadership team was now judged as outstanding and the quality of teaching and learning was judged as good overall.</p> <p>The local authority is confident that the progress will continue and expect the school’s popularity to increase accordingly.</p>

### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

Before approving proposals the Decision Maker <b>should</b> confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer <b>should</b> be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements in to line with the School Admissions Code.	4.34	<p>Oakefield Primary and Nursery School is a Community school and Cheshire East Council is the admissions authority.</p> <p>As the Admission authority for all community and voluntary controlled schools the Council are responsible for the allocation of school places in accordance with the Council's published admission arrangements.</p> <p>The Council's admission arrangements are determined and comply to the mandatory provisions of The School Admissions Code issued under Section 84 of the School Standards and Framework Act 1998(SSFA 1998)</p>	N/A
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## 4 IMPACT ON THE COMMUNITY AND TRAVEL

Guidance	Paragraph/s	Current Position	Impact of Expansion
<b>Travel and Accessibility for All -</b> In considering proposals for the reorganisation of schools, Decision makers should satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them	4.35	<p>In making this recommendation the authority has given consideration to a number of issues including the number of pupils in each school's catchment area.</p> <p>The additional capacity is required in the central area of Crewe to</p>	Parents and carers wishing to access local provision will have greater opportunity to secure places at a nearby school and therefore within a reasonable distance if the proposed increase in capacity is agreed. As an example, the number of pupils due to be admitted into the reception class for

### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

and the proposed changes should not adversely impact on disadvantaged groups.		accommodate the increased demand for school places	2012 who are resident in the area normally served by Oakefield Primary is currently 79 compared with an admission number of 45 places. Additional capacity would therefore provide for more places in future years.  A map of the local area, which shows the primary schools in this vicinity. Attached as <b>Appendix 6.2</b>
In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 2007BKT-EN at <a href="http://www.teachernet.gov.uk/publications">www.teachernet.gov.uk/publications</a> . Proposals should also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school	4.36	See paragraph 4.35 above	If additional capacity is not created in the central area of Crewe this could mean that children are travelling across town to access the limited number of places available.

### Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

## 5 FUNDING AND LAND

Guidance	Paragraph/s	Current Position	Impact of Expansion
<b>Capital –</b> The Decision maker should be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this should be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises.	4.57	The building work would be funded from the Council's 2011/2012 capital programme. The Capital investment required is estimated at £741,000.  Funding for the proposed scheme was approved by Cabinet at the meeting of 5 September 2011.	N/A
<b>School Playing Fields-</b> The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools should have access. The Decision Maker will need to be satisfied that either the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation	4.65	The site was originally Church Coppenhall Junior School and amalgamated with Broad Street Infant in Jan 2007. Initially both schools continued to operate from separate sites whilst the junior school was extended to accommodate both schools. Both schools moved into one site following completion of building works in the Summer of 2008.	Although, originally developed to accommodate a one and a half form entry primary school with 315 places the school site is large enough to accommodate 420 school places and retain adequate playground and playing field provision.

## Additional Information for Members – Factors to be Considered by Decision Makers

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

### 6 OTHER ISSUES

Guidance	Paragraph/s	Current Position	Impact of Expansion
<p><b>Views of interested parties –</b> The Decision Maker <b>should</b> consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker <b>should not</b> simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker <b>should</b> give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.</p>	4.73	<p>A formal consultation process was implemented by the authority between 22 November and 20 December 2011. Full details of the feedback received during the consultation are attached as <b>Appendix 2.4</b></p> <p>The outcome of the consultation was presented to the Cabinet Member for responsibility for Children and Families Service on 22 December whereupon a decision was taken to issue a statutory public notice attached as <b>Annex 1</b></p> <p>The attached <b>Annex 3</b> details the responses received during the 4 week representation period, which commenced on 18 January 2012 and concluded on 15 February 2012</p>	<p>The main concerns expressed by 3 of the objectors are in relation to the anticipated increase in the volume of traffic and potential health and safety issues arising from this, the restricted access to residential property within the immediate vicinity of the school, and increased noise due to a potential increase of pupils attending the school.</p> <p>Highways have no recorded incidents of personal injury in the last 5 years. However, they are aware of concerns from local residents in the area. There have been site meetings between the school and the Police Community Support Officer (PCSO) who are actively involved in monitoring the situation and have been at the premises at the start and end of the school day.</p> <p>The school has also started to stagger the start times in the morning by opening the school doors and allowing parents to drop children off from 8.35 a.m. The school believe this has helped alleviate the problem but will continue to work with the residents and</p>



**Additional Information for Members – Factors to be Considered by Decision Makers**

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

			<p>the PCSO.</p> <p>The representation received from a neighbouring school expressed concern that the Local Authority was seeking to extend a school currently in special measures, querying if this was the best way to address the shortfall and asking if the process should involve the opportunity for all schools to 'tender' for additional places.</p> <p>Members are advised that the process implemented by officers involved a review of existing provision in the area and identifying schools that had a sufficient site to allow for expansion, where a cost effective enlargement could be achieved with minimum disruption to pupils and taking into account the current size of schools in the area and the preferred option of delivering primary schools as either 1 (30 per year group) or 2 (60 per year group) forms of entry as far as possible, to provide for ease of compliance with Infant Class Size Legislation that requires that no more than 30 pupils are taught by a single school teacher .</p>
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**Additional Information for Members – Factors to be Considered by Decision Makers**

Using relevant extracts from Department for Education (DfE) Statutory Guidance - 'Expanding a Maintained Mainstream School'

			<p>The Oakefield proposal is therefore one of four changes proposed for this area at this stage. The extent of expansion in the other three schools is small and therefore falls outside school organisation statutory procedures which must be implemented for increases of 30 pupils or more and 25% increase on the current capacity. If the proposal to enlarge Oakefield is approved, the combined increase in the number of reception class places for the area of Crewe would be 32. This would deliver an overall increase in capacity of 224 places to address basic need for this area.</p>
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5 December 2011

Mr C Brislen  
Executive Headteacher  
Oakefield Primary and Nursery School  
Holland Street  
Crewe  
Cheshire  
CW1 3SL

Dear Mr Brislen

**Special measures: monitoring inspection of Oakefield Primary and Nursery School**

Following my visit to your school on 1 and 2 December 2011, I write on behalf of Her Majesty's Chief Inspector of Education, Children's Services and Skills to confirm the inspection findings.

The inspection was the second monitoring inspection since the school became subject to special measures following the inspection which took place in January 2011. The full list of the areas for improvement which were identified during that inspection is set out in the annex to this letter. The monitoring inspection report is attached and the main judgements are set out below.

Progress since being subject to special measures – satisfactory

Progress since previous monitoring inspection – good

Newly Qualified Teachers may be appointed.

This letter and monitoring inspection report will be posted on the Ofsted website. I am copying this letter and the monitoring inspection report to the Secretary of State, the Chair of the Governing Body and the Director of Children and Adult's Services for Cheshire East.

Yours sincerely

Marguerite Murphy  
Her Majesty's Inspector

September 2011



## **Annex**

### **The areas for improvement identified during the inspection which took place in January 2011**

- Improve leadership and management, including governance, at all levels, and increase their capacity to improve by:
  - ensuring leaders focus the attention of all staff on school priorities
  - ensuring senior leaders and the governing body recognise the urgency required in driving improvement, and setting a clear vision and high expectations
  - prioritising tasks for school improvement that have clear success criteria against which progress can be measured
  - developing skills in the accurate assessment and analysis of pupils' attainment by rigorously tracking the progress of all groups of pupils from their confirmed starting points
  - ensuring the monitoring of teaching is thorough, focusing on the impact of teaching on pupils' progress in lessons and over time
  - ensuring governors hold the school to account and are more rigorously involved in evaluation and challenge.
  
- Raise attainment and improve pupils' progress by:
  - ensuring that, in Key Stage 1, pupils' basic skills are fully embedded so that they are successfully prepared for their future education
  - ensuring that all teachers have a clear and accurate picture of pupils' attainment and progress in their classes and across the school.
  
- Raise the quality of teaching, including the use of assessment to support pupils' learning by:
  - improving teachers' knowledge and understanding of levels of attainment, in order to support the accuracy of their assessments of pupils' learning and progress
  - ensuring that this knowledge is used to plan and teach lessons that appropriately meet the individual needs of all pupils in order to close the attainment gaps between pupils in this school and those nationally
  - capitalising on opportunities in all lessons to assess pupils as they learn, so they can make the best possible progress.

## **Special measures: monitoring inspection of Oakefield Primary and Nursery School**

### **Report from the second monitoring inspection on 1 and 2 December 2011**

#### **Evidence**

The inspector observed the school's work, scrutinised documents and met with the executive headteacher and other members of the senior leadership team, and members of staff. The inspector observed nine lessons taught by nine teachers, most of which were observed jointly with the executive headteacher. The extended writing sessions that take place on Friday mornings were also observed across the school. The inspector reviewed action plans and documentation relating to the school's evaluations of its progress since the last monitoring visit. These included reports from visits conducted at the end of September 2011 by an external consultant and the School Improvement Partner.

#### **Context**

Significant staffing changes have taken place since the first monitoring inspection in June 2011. Four new teachers have been appointed, two in each of Key Stages 1 and 2. The headteacher has left the school and a National Leader in Education (NLE) was appointed in September on a three-year contract as executive headteacher. Together with the newly appointed head of school and the deputy headteacher, these form the core of the school's senior leadership team. Previous proposals to set up a hard federation arrangement with another local school have been shelved. Oakefield now has a National Support School partnership with the NLE's host school, a primary academy in Stoke-on-Trent.

#### **Pupils' achievement and the extent to which they enjoy their learning**

Observations of pupils' learning and progress across the school during this monitoring inspection confirm that significant improvements have been made since the start of the autumn term. Pupils are more consistently well motivated and eager to learn, enjoying a good range of interesting tasks and challenges in lessons and other activities. For example, the lively and systematic teaching of phonics (learning about letters and the sounds that they make) is enthusing pupils in Key Stage 1 as they practise the correct pronunciation of sounds within words. Pupils are keen to show off their newly acquired skills and confidence in blending sounds to read unfamiliar words and segmenting sounds to work out how to spell words. They enjoy helping each other, recognising their own achievements and praising the successes achieved by their classmates. Pupils respond positively to the increased opportunities to apply their basic skills to solving problems, delighting in the praise they subsequently receive from teachers and support staff. For instance, pupils in a Year 1 mathematics lessons listened carefully to the teacher and knew how to 'write down the important numbers first' then explain what strategy they would use to find a solution. Pupils in a Year 2 lesson were engrossed in a range of practical problem-solving tasks to develop their understanding of how to divide a number of objects into equal groups. Some

pupils could then move quickly on to formulate their own more-challenging calculations using much larger numbers.

The extended writing sessions on Fridays allow pupils to develop and apply the skills they have been learning during that week. Observation of this across all classes in Key Stages 1 and 2 confirmed that pupils' progress in writing is beginning to accelerate as a result of this well-structured session. Teachers are consistent in their delivery of these sessions: they demonstrate improved skills in modelling and 'scaffolding' pupils' writing; they promote independent learning through setting pupils' targets, providing learning prompts and reviewing their progress in one-to-one discussions with pupils. This is having a positive impact on pupils' improving writing skills and pride in their work, as they also respond well to the higher expectations of the quality of their handwriting and general presentation of work in books.

Assessments at the end of Year 2 in 2011 confirmed that pupils' attainment in reading, mathematics and particularly writing remains low compared to national averages, despite a small improvement on the previous year. Results in the Key Stage 2 national tests in 2011 also improved slightly, although the proportion of pupils reaching expected levels in both English and mathematics is still well-below average. Although there is still some way to go to demonstrate that pupils' attainment is rising sufficiently rapidly and securely over time, evidence seen during this monitoring inspection indicates that the school is on the right track to improvement.

Progress since the last monitoring inspection on the areas for improvement:

- Raise attainment and improve pupils' progress – satisfactory

### **Other relevant pupil outcomes**

Pupils' positive attitudes and good behaviour are increasingly evident as they are enjoying their lessons more due to better teaching and the school's much improved environment for learning. Attendance is average and rising as pupils' attendance in the autumn term so far shows a good increase on the same period last year. Punctuality has improved significantly as class registers are completed promptly to enable a brisk start to each day. Pupils arriving after the register deadline are required to sign in at the school office. This is reducing lateness as pupils want to be in their classes on time. As pupils' basic literacy and numeracy skills and levels of confidence are growing, so are their independence and ability to collaborate with others to solve problems. Each of these factors is supporting improvements in the skills that contribute to pupils' future economic well-being.

### **The effectiveness of provision**

Significant improvements in the quality of provision since the first monitoring inspection are resulting in the good and occasionally outstanding teaching observed in lessons during this visit, thereby beginning to accelerate the rate of pupils' progress. The curriculum is improving and is more appropriate to pupils' needs and interests. The drive to improve

English is now being matched by a renewed drive to raise attainment and plug gaps in pupils' knowledge in mathematics. Teachers are making better use of information from their more-accurate assessments of pupils' previous learning. Lesson planning follows a common format that is understood by all staff and used effectively to plan activities that focus on the expected learning outcomes for pupils. Tasks are more closely matched to the needs of pupils of all abilities and relate to specific targets for their attainment levels. Attractive classroom displays and 'working walls' help to extend pupils' knowledge and promote independent learning. Teachers are improving their questioning skills to challenge pupils to think and explain their responses more clearly. They use a good range of resources well to enhance learning, for example, interactive whiteboards, pictures, flashcards, mathematical equipment, carefully chosen books and artefacts. More lessons are now characterised by a brisk pace, high expectations and challenge. Teaching assistants are well briefed on lesson plans so that they can make a more-positive contribution to pupils' learning and progress. No time is wasted as they work more effectively alongside the teachers in well-planned classroom activities, helping to assess and review pupils' learning. This also leads to pupils with special educational needs and/or disabilities being more fully involved in activities alongside their peers rather than in smaller groups or individual support outside the classroom. Teachers' marking in pupils' books is detailed and focused on key elements of their learning. It is more consistent in providing appropriate feedback to pupils about what they need to do to improve their work.

Progress since the last monitoring inspection on the areas for improvement:

- Raise the quality of teaching, including the use of assessment to support pupils' learning – good

### **The effectiveness of leadership and management**

Significant changes to the strategic leadership of the school have led to rapid progress since the first monitoring inspection, when progress had been inadequate. A review of the roles and structure of the extended leadership team is promoting a more-determined and rigorous approach to monitoring and evaluation. There is now a strong focus on checking for evidence to demonstrate the impact of the school's actions on driving improvement. All staff are held to account for their role in raising attainment and accelerating pupils' rates of progress. There is a more-accurate and shared view of where the school is now and an understanding of what needs to be done to bring about improvement. Action plans are regularly reviewed against clear criteria by which their effectiveness can be measured so that all staff are well informed about the progress being made in the key priorities for improvement. The governing body is also better informed and, therefore, more knowledgeable and confident in its ability to hold the school to account.

The monitoring and leadership of teaching and learning ensure that this key aspect is at the forefront of the school's work and its increasingly well-focused professional development activities. Most of these are now conducted in partnership with Belgrave St. Bartholemew's Academy, where strong collaborative arrangements and shared leadership are having a very positive impact on the skills of senior and middle leaders at Oakefield. The improvements in

teaching and in the accuracy of assessment information are evidence of successful actions taken by leaders and the increased confidence of staff.

The school has rightly recognised the need to improve provision and outcomes in the Early Years Foundation Stage. Children leaving this stage to enter Key Stage 1 have not been sufficiently equipped with the skills they need in order to make good progress. Rapid improvements have already been made and were evident during this monitoring inspection. Staff express overwhelmingly positive views of the changes that have taken place this term and say they feel revitalised despite all the hard work that is required. Staff who spoke with the inspector were keen to pay tribute to the inspirational leadership of the executive headteacher and the vital contribution of skilled leaders from Belgrave Academy. The school's recent survey of the views of parents and carers also confirms strong support for the new leadership and improved teaching and learning at Oakefield. Most are responding well to the stricter expectations of punctuality and appreciate the corporate and smart identity of the new school uniforms. Although a very small minority feel that bullying still takes place, the inspector found that pupils behave well as a result of a more-consistent application of the school's behaviour policies and higher expectations.

Progress since the last monitoring inspection on areas for improvement:

- Improve leadership and management, including governance, at all levels – outstanding.

### **External support**

The school is making very good use of the significant benefits to be gained from the 'National Leaders in Education' initiative, with part funding also provided by the local authority. This secured the appointment of the executive headteacher and other financial commitments arising from staffing changes. The quality of these key measures, brokered with the National College by the local authority and governing body, is having a strong and positive impact on the school and its growing capacity to sustain improvement in the future.



## Oakfields Primary &amp; Nursery School

## Appendix 6.2



## Legend

- ▲ Oakfields Primary & Nursery School
- ▲ Primary School
- 1 - 3 Mile Radius
- Primary School Catchment Areas



This map shows the specified school and primary schools within 1 Mile. Map Date February 2012.  
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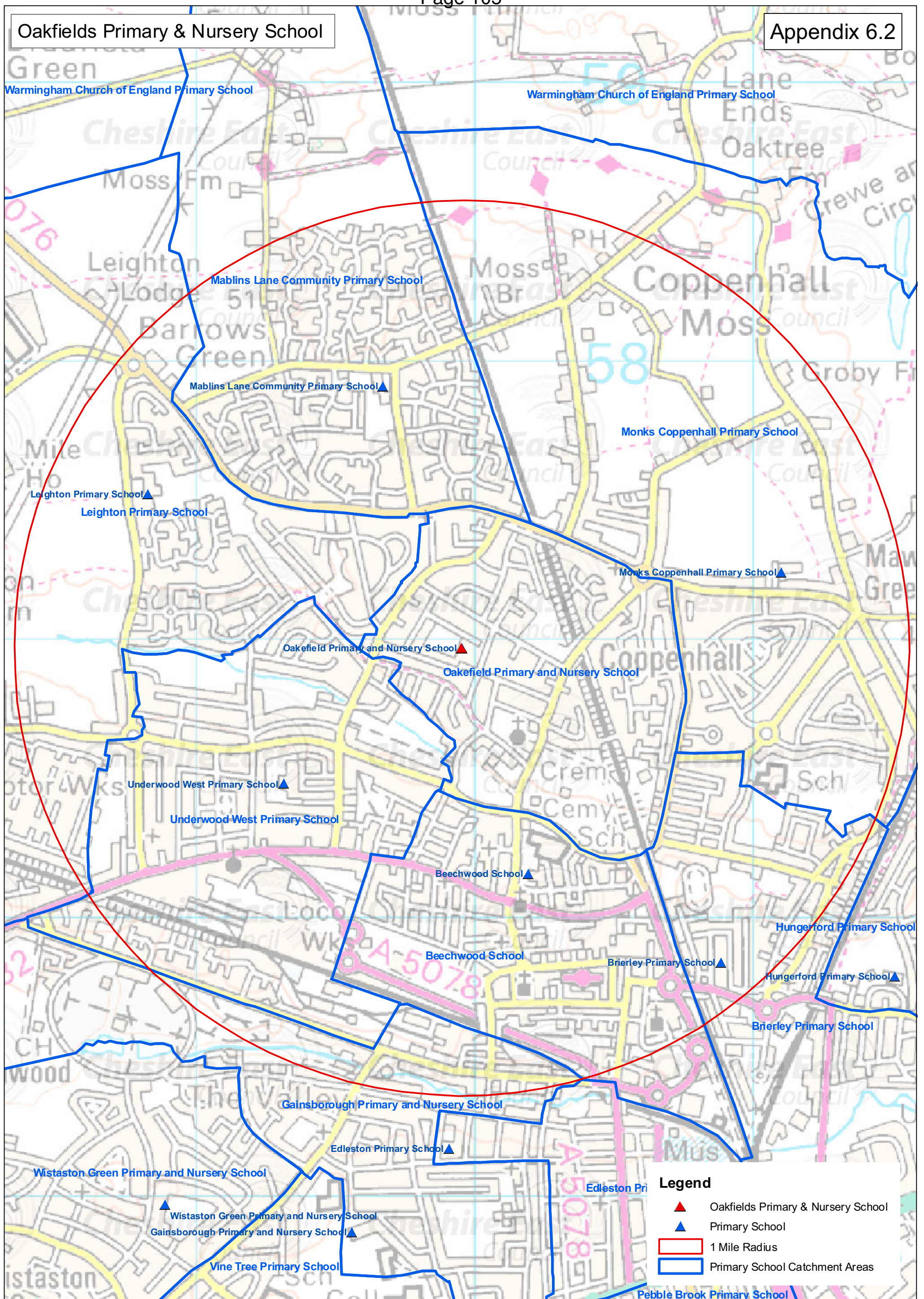


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Oakfields Primary & Nursery School

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