

Cabinet Member for Children and Family Services Agenda

Date: Monday, 22nd April, 2013
Time: 10.00 am
Venue: Committee Suite 1 & 2, Westfields, Middlewich Road,
Sandbach CW11 1HZ

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

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

1. Apologies for Absence

2. Declarations of Interest

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

3. Public Speaking Time/Open Session

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

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

4. Proposed School Expansions - Wilmslow and Macclesfield (Pages 1 - 50)

For requests for further information

Contact: Cherry Foreman

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To approve consultation on the expansion of Wilmslow Grange Community Primary and Nursery School, Dean Oaks Primary School, Lacey Green Primary Academy and Ash Grove Primary School and Nursery

5. **Discharge of Section 106 Agreement to 62561P** (Pages 51 - 54)

To seek approval to discharge the Section 106 Agreement which restricts the occupancy and re-sale of the dwelling constructed at Springbank Farm, Fanshawe Lane, Henbury

6. **Discharge of Section 52 Agreement at Stumps, Farm Lane, Lower Withington, SK11 9DU** (Pages 55 - 58)

To seek approval to discharge the Section 52 Agreement which restricts occupancy of the existing dwelling known as Stumps at Four Oaks Nursery to somebody employed in agriculture or forestry

7. **Proposed Community Consultation upon the Draft Character Appraisal and Management Plan, as part of the Review of the Sandbach Town Centre Conservation Area**

THIS ITEM HAS BEEN WITHDRAWN FROM THE AGENDA.

CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting:	22 April 2013
Report of:	Director of Children's Services
Subject/Title:	Proposed School Expansions – Wilmslow and Macclesfield
Portfolio Holder:	Councillor Rachel Bailey

1.0 Report Summary

- 1.1 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.
- 1.2 This Decision Paper requests approval to commence consultation on a number of school expansion proposals to address increasing demand for school places in the Wilmslow and Macclesfield areas of the Borough. The proposed completion date for these expansions is September 2014.
- 1.3 Full details setting out the rationale for the proposals are included in the consultation documents appended to this report

2.0 Decision Requested

- 2.1 That the Portfolio Holder gives approval to commence statutory consultation on the following proposed expansions for completion in September 2014:
 - **Wilmslow Grange Community Primary and Nursery School, Handforth** - from 210 to 315 pupil places;
 - **Dean Oaks Primary, Wilmslow** - from 315 to 420 pupil places;
 - **Lacey Green Primary Academy** - from 300 to 420 pupils places;
 - **Ash Grove Primary School and Nursery, Macclesfield** – from 105 to 210 pupil places.

3.0 Reasons for Recommendations

- 3.1 It should be noted that the Local Authority cannot propose the expansion of an Academy. This is the responsibility of the Academy Trust. The purpose of including the Lacey Green proposal in the Authority's consultation exercise is to work in collaboration with the Academy and to provide clarity for all consultees on the plans for growth in the Wilmslow area. The headteacher and governing body support the Local Authority in this approach. The financial implication of these proposals is set out later in this report, although it is important to note that the final picture cannot be resolved until the outcome of

discussions between Lacey Green Primary Academy and the Education Funding Agency (its main funding body) have been determined.

- 3.2 In making these recommendations the Authority has given consideration to a number of issues including the number of pupils in each school's catchment area and the community's ability to sustain the school, the number of first preferences received for each school as an indication of popularity, the current size of the school and capacity to expand; the latter taking into account site suitability, and the latest Ofsted inspections.

Wilmslow Area (Appendices 1, 2, 3)

- 3.3 The Wilmslow Local Area Partnership (LAP) has 10 primary schools and 1 secondary school covering the areas of Wilmslow, Handforth and Alderley Edge. The total primary school capacity across this area is 2498 pupil places, and currently provides 360 reception class places. Pupil forecasts for the Wilmslow LAP indicate a shortfall in pupil places across all schools and year groups of 227 by 2018.

Wilmslow Area	Number on Roll (NOR) Jan 13	Capacity -Number of Pupil Places	Academic Year					
			13/14	14/15	15/16	16/17	17/18	18/19
Forecast NOR	2424	2498	2511	2562	2607	2661	2692	2725
Forecast without surplus	Shortfall the 4% operational	Places	-13	-64	-109	-163	-194	-227
Forecast including surplus	Shortfall the 4% operational	Places	-113	-164	-209	-263	-294	-327

- 3.4 These forecasts exclude the Local Authorities preferred target of 4% 'operational surplus', which is a level of spare capacity intended to accommodate reasonable journey times to school, some degree of parental choice and flexibility to allow for mid-year entrants. To meet this target, current forecasts (October 2012 School Census) indicate the need for 327 pupil places by 2018.
- 3.5 For admission in September 2012, the Local Authority received applications for Wilmslow schools in excess of the 345 reception class places available at that time with a total of 376 admissions by the start of term in September. (October 2012, School Census). To accommodate these additional children a number of schools agreed admissions above their published admission number (PAN) to provide school places within a reasonable distance. Long term measures have been taken to increase capacity in this area (and this capacity is included in the latest forecasts, as shown above in paragraph 3.2) providing an additional 147 pupil places in two schools across all year groups and increasing the reception class places in the area to 360 for 2013 and subsequent years. To date the Authority has received 413 applications for admission to reception in

September 2013. This increasing demand at the normal point of entry to school, together with the forecast shortfall across all year groups of 227 pupil places by 2018, has necessitated further expansion proposals for this area of the Borough.

- 3.6 This increasing demand in the Wilmslow area at the normal point of entry to school (i.e. the reception class) is impacting significantly on parental preference and the Authority's ability to comply with its statutory duty to provide sufficient school places for its residents. It is expected that this increase will continue in the coming years with the potential admission pool; which is based on birth rate data for this area, remaining high for 2013 – and increasing further for 2015 with a potential admission pool of 441 pupils, which is well beyond the current capacity of 360 pupil places.

Wilmslow LAP Reception (January 2012)				
Year	Reception Admissions	Live Births – Potential Admissions	Difference	% Difference
2008	336	Data not available for these two years		
2009	317			
2010	336	400	-64	-16.0%
2011	348	377	-29	-7.7%
2012	376	410	-34	-8.3%
2013		412		
2014		386		
2015		441		
2016				
2017				

- 3.7 The proposed expansions, if approved, would provide an additional 330 places (all year groups) for the Wilmslow area. This additional capacity would be phased in at the normal point of entry to school allowing the current reception admission to increase from 360 pupil places to 405 pupil places (+45) and therefore more in line with current demand. Admissions into other year groups may be necessary to provide some operational surplus in other year groups from 2014.

October 2012 School Census Forecasts	14/15	15/16	16/17	17/18	18/19
Wilmslow additional capacity phased in	45	90	135	180	225
Forecast Shortfall Places without the 4% operational surplus	-64	-109	-163	-194	-227
Net effect	-19	-19	-28	-14	-2

- 3.8 It is therefore recommended that the local demand for places justifies further expansion of schools in this area to provide the additional school places required and to provide a level of operational surplus, where necessary, to

accommodate reasonable journey times to school, allow some degree of parental choice and to provide flexibility to allow for mid-year entrants.

- 3.9 These proposals have the full support of the headteachers and governing bodies.
- 3.10 Informal consultation with headteachers of the Wilmslow primary schools has been undertaken and the feedback received during this process has informed these proposals.

Macclesfield Area (Appendices 4, 5, 6)

- 3.11 Ash Grove Primary School is a popular and successful school.
- 3.12 The proposal to expand the school is to address the increasing demand for places from the school's local community. This school had an intake at the normal point of entry of 47 pupils up until 2005 when it was reduced to a 25 intake following a review of surplus places implemented by the former Cheshire County Council. A further reduction was made in 2011 taking the school to a half form of entry primary school with an intake of 15 pupils at the normal point of entry and reducing the school's overall capacity to 105 places.
- 3.13 To facilitate this reduction in capacity, classrooms were converted for alternative use by the school and a temporary Pupil Referral Unit (PRU) was located at the school, which has since been relocated. The Local Authority is proposing to reintroduce the classrooms and increase the school's net capacity from 105 pupil places (0.5 form of entry) to 210 pupil places (1 form of entry) with an intake of 30 pupils into the reception class from 2014. This proposed expansion is therefore cost neutral.
- 3.14 The number of children resident within the schools catchment area has increased in recent years and, for the last 3 years, the number of first preferences for the school has exceeded the 15 places available in the reception class. In order to accommodate children resident in the school's catchment area for whom there was no other schools with vacancies within a reasonable distance, the Local Authority, in agreement with the school agreed additional places over the school's published admission number for September 2011 and 2012 and has agreed admission of up to 30 children for 2013

Year	Reception Places Available	Number of Children Resident in the Catchment Area
2010	15	74
2011	15	98
2012	15	108
2013	15	91*

Reception Admissions	Number of First Preferences
2010	7
2011	22
2012	24
2013	25*

*at 3 April 2013

- 3.15 The school achieved the category of 'Outstanding' by Ofsted in March 2013
- 3.16 This proposal has the full support of the Headteacher and Governing Body.
- 3.17 Informal consultation with headteachers of the Macclesfield primary schools has been undertaken and the feedback received during this process has informed this proposal.
- 3.18 It is therefore recommended that the local demand for places in this area justifies expansion of the school to provide the additional school places required and provide for some operational surplus to accommodate reasonable journey times to school, allow some degree of parental choice and to provide flexibility to allow for mid-year entrants.

4.0 Wards Affected

- 4.1 Wilmslow Grange Community Primary and Nursery School is situated in Handforth Ward. Dean Oaks Primary is situated in Wilmslow East Ward and Lacey Green Primary Academy is situated in Wilmslow Lacey Green Ward. However, consultation would be undertaken with all neighbouring wards:-

Alderley Edge
Handforth
Wilmslow Dean Row
Wilmslow East
Wilmslow Lacey Green
Wilmslow West & Chorley

Local Ward Members

Cllr Frank Keegan – Alderley Edge
Cllr Barry Burkhill - Handforth
Cllr Dennis Mahon – Handforth
Cllr Paul Whiteley – Wilmslow Dean Row
Cllr Ron Menlove – Wilmslow East
Cllr Don Stockton – Wilmslow Lacey Green
Cllr Gary Barton – Wilmslow West and Chorley
Cllr Wesley Fitzgerald – Wilmslow West and Chorley

- 4.2 Ash Grove Primary School and Nursery is situated in Macclesfield South Ward. However, consultation would be undertaken with all neighbouring wards:-

Broken Cross and Upton
Macclesfield Central
Macclesfield East
Macclesfield Hurdsfield.
Macclesfield South
Macclesfield and Tytherington
Macclesfield West and Ivy

Local Ward Members

Cllr Louise Brown - Broken Cross and Upton
Cllr Martin Hardy - Broken Cross and Upton
Cllr Ken Edwards - Macclesfield Central
Cllr Janet Jackson - Macclesfield Central
Cllr David Neilson - Macclesfield East
Cllr Damien Druce - Macclesfield South
Cllr Laura Jeuda - Macclesfield South
Cllr Brendan Murphy - Macclesfield Tytherington
Cllr Lloyd Roberts - Macclesfield Tytherington
Cllr Carolyn Andrew - Macclesfield West and Ivy
Cllr Alift Harewood - Macclesfield West and Ivy
Vacancy - Macclesfield Hurdsfield

5.0 Financial Implications

- 5.1 The Ash Grove Primary School proposal is cost neutral and therefore there are no funding implications if this proposal is approved post consultation.
- 5.2 A block budget (grant) has been approved to fund schemes identified as Basic Need. This block budget was formally approved at Council on 28 February 2013.
- 5.3 The building works necessary for the Wilmslow proposals would be funded from the Council's 2013/2014 Capital Programme and investments required for each school are estimated at:
- Wilmslow Grange Community Primary £887,000
 - Dean Oaks Primary £900,000
 - Lacey Green Primary Academy £1,237,000
- 5.4 It should be noted that the funding approved by the Council includes £887,000 for the proposed expansion of Wilmslow Grange and £1,237,000 set aside as a block allocation to fund one of two options - Dean Oaks Primary or Lacey Green Primary Academy. The implementation of all three proposals is therefore subject to Council approval to fund the additional investment required, as set out above, utilising funding streams as follows:

Option 1 - Unallocated funds from the Children, Families and Adults 2013-2014 Capital Programme.

Option 2 – Department for Education Funding - ‘Targeted Basic Need’- The Local Authority is in the process of submitting a bid for Capital investment in Lacey Green Primary Academy from the Targeted Basic Need programme implemented by the Department for Education. This programme is to provide additional support to local authorities experiencing the greatest pressure on places to expand good and outstanding schools with high levels of demand. The target date for decisions on bids is June 2013.

Please Note: Members are advised that to deliver both projects (Dean Oaks and Lacey Green) additional funding may be necessary and this level of additional funding will be determined by the outcome of the bid for Targeted Basic Need funding, as set out in option 2 above.

6.0 Legal Implications

- 6.1 Statutory consultation is required for all of the proposals as the changes, if approved, will fall within the category of a significant enlargement, with capacity increasing by more than 30 pupils and more than 25% of existing capacity.
- 6.2 As aforementioned, it should be noted that the Local Authority cannot propose the expansion of an Academy. This is the responsibility of the Academy Trust. The purpose of including this proposal in the Authority’s consultation exercise is to work in collaboration with the Academy and to provide clarity to all consultees on the plans for growth in the Wilmslow area in order that appropriate feedback can be given. The next stage in the statutory process involves the publication of notices and subsequent 4-weeks representation period. This will be the responsibility of the Academy taking into account feedback received during this consultation process. A final decision of the expansion of Lacey Green Primary Academy will be taken by the Secretary of State and not the Local authority.
- 6.3 Statutory consultation would ensure compliance 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).
- 6.4 The 5 statutory stages to expanding a school are:-
 - 1. Consultation
 - 2. Publication
 - 3. Representation

4. Decision
5. Implementation.

Proposed timescales for the statutory process are:

22 April 2013	Portfolio Holder's Decision on consultation
30 April 2013 to 4 June 2013	Consultation Period (if approved)
10 June 2013	Portfolio Holder's Decision on Public Notices
17 June 2013 to 15 July 2013	Representation Period (if approved) 4 weeks
22 July 2013	Cabinet Decision
29 July 2013	Implementation
September 2014	Proposed Completion date

7.0 Risk Management

- 7.1 Disruption to pupils, staff and the community must be kept a minimum during the consultation period, and any subsequent building programme, to ensure that standards continue to improve
- 7.2 The proposed expansions of Wilmslow Grange Community Primary and Nursery, Dean Oaks Primary and Lacey Green Primary Academy were identified to address a Basic Need in the Wilmslow area. This is in order to ensure that the Authority meets its statutory duty to provide sufficient school places in this area. In order to complete these scheme by September 2014 the construction phase would need to commence by September 2013. There is therefore a key risk resulting from the very tight timetable leading up to this.
- 7.3 The proposed expansion of Ash Grove Primary School and Nursery can be accommodated within the existing school premises and this will be managed by the school.
- 7.4 Implementation of Wilmslow Grange Community Primary and Nursery, Dean Oaks Primary and Lacey Green Primary Academy proposals will be subject to the necessary planning permissions.

8.0 Access to Information

Appendices (1-6):

Consultation Documents, Consultation Response Forms, Equality Impact Assessments.

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

Name: Barbara Dale

Designation: School Admissions and Organisation Manager

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PROPOSED SCHOOL EXPANSIONS WILMSLOW AREA

PUBLIC CONSULTATION DOCUMENT

**Tony Crane
Director of Children's Services
Cheshire East Council
Westfields, Sandbach
Cheshire
CW11 1HZ**

April 2013

OBJECTIVE OF THIS CONSULTATION DOCUMENT

This consultation document is designed to ensure that all interested parties are made aware of the options that have been considered during the early stages of this process and to provide you with information on how you can feedback your views to the Council as part of this agreed consultation process..

All feedback will be collated and presented in a report to the Cabinet Member for Children and Families Services with an analysis of the responses received and recommendations on the next steps.

We therefore urge you to consider the information presented in this document and to return your comments and views to this Council by completing the feedback form provided.

BACKGROUND INFORMATION

Wilmslow Local Area Partnership (LAP)

The Wilmslow Local Area Partnership (LAP) has 10 primary schools and 1 secondary school covering the areas of Wilmslow, Handforth and Alderley Edge. The total primary school capacity across this area is 2498 pupil places, and currently provides 360 reception class places.

School	Status
Alderley Edge Community Primary	Community
Ashdene Primary	Community
Dean Oaks Primary	Community
Gorsey Bank Primary	Community
Lacey Green Primary Academy	Academy
Lindow Community Primary	Community
St Anne's Fulshaw CE Primary	Voluntary Controlled
St Benedict's Catholic Primary	Voluntary Aided
Styal Primary	Community
Wilmslow Grange Community Primary and Nursery	Community

Pupil forecasts for the Wilmslow LAP indicate a shortfall in pupil places across all schools and year groups of 227 by 2018. These forecasts exclude the Local Authority's preferred target of 4% 'operational surplus', which is a level of spare capacity intended to accommodate reasonable journey times to school, some degree of parental choice and flexibility to allow for mid-year entrants. To meet this target, current forecasts (October 2012 School Census) indicate the need for 327 pupil places by 2018. The forecasts, which are derived from school census information, are shown in the following table:

Wilmslow Area	Number on Roll (NOR) Jan 13	Capacity - Number of Pupil Places	Academic Year					
			13/14	14/15	15/16	16/17	17/18	18/19
Forecast NOR	2424	2498	2511	2562	2607	2661	2692	2725
Forecast Shortfall Places without the 4% operational surplus			-13	-64	-109	-163	-194	-227
Forecast Shortfall Places including the 4% operational surplus			-113	-164	-209	-263	-294	-327

There is an increasing demand in the Wilmslow area at the normal point of entry to school (i.e. into the reception class) which is impacting significantly on parental preference and the Authority's ability to comply with its statutory duty to provide sufficient school places for its residents. It is expected that this increase will continue in the coming years with the potential admission pool, which is based on birth rate data for this area, remaining high for 2013 and increasing further for 2015 with a potential admission pool of 441 pupils. This is well beyond the current capacity of 360 reception class places.

Wilmslow LAP Reception (January 2012)				
Year	Reception Admissions	Live Births – Potential Admissions	Difference	% Difference
2008	336	<i>Data not available for these two years</i>		
2009	317			
2010	336	400	-64	-16.0%
2011	348	377	-29	-7.7%
2012	376	410	-34	-8.3%
2013		412		
2014		386		
2015		441		
2016				
2017				

Some long term measures have already been taken to increase capacity in Wilmslow (this additional capacity is included in the latest forecasts detailed above). This additional capacity has provided an additional 147 pupil places in two schools across all year groups and increasing the reception class places in the area to 360 for 2013 and subsequent years. This increasing demand at the normal point of entry to school, together with the forecast shortfall across all year groups of 227 pupil places by 2018, has necessitated further expansion proposals for this area of the Borough.

When considering which schools to expand the Authority has given consideration to a number of issues including the number of pupils in each

school's catchment area and the community's ability to sustain the school, the number of first preferences received for each school as an indication of popularity, the current size of the school and capacity to expand; the latter taking into account site suitability, and the latest Ofsted inspections. Suitable schools also needed to be central to the areas where the extra places are required.

To accommodate the growing need for additional places in the area the following expansions are proposed for completion in September 2014:

- **Wilmslow Grange Community Primary and Nursery School, Handforth** - from 210 to 315 pupil places;
- **Dean Oaks Primary, Wilmslow** - from 315 to 420 pupil places;
- **Lacey Green Primary Academy** - from 300 to 420 pupils places;

It should be noted that the Local Authority cannot propose the expansion of an Academy. This is the responsibility of the Academy Trust. The purpose of including the Lacey Green proposal in the Authority's consultation exercise is to work in collaboration with the Academy and to provide clarity for all consultees on the plans for growth in the Wilmslow area. Further information will be made available by the Academy on its website. Any feedback received on this proposal will be shared with the Academy Trust to inform their own decision-making process.

The proposed expansions, if approved, would provide an additional 330 places (all year groups) for the Wilmslow area. This additional capacity would be phased in at the normal point of entry to school allowing the current reception admission to increase from 360 pupil places to 405 pupil places (+45) and therefore more in line with current demand. Admissions into other year groups may be necessary to provide some operational surplus in other year groups from 2014.

October 2012 School Census Forecasts	14/15	15/16	16/17	17/18	18/19
Wilmslow additional capacity phased in (45 reception places each year)	45	90	135	180	225
Forecast Shortfall Places without the 4% operational surplus	-64	-109	-163	-194	-227
Net effect	-19	-19	-28	-14	-2

Informal consultation with headteachers of the Wilmslow primary schools has been undertaken and the feedback received during this process has informed these proposals. These proposals have the full support of the headteachers and governing bodies of the schools proposed for expansion.

It is therefore recommended that the local demand for places justifies expansion of schools in this area to provide the additional school places required to meet current and future demand and to provide a level of operational surplus, where necessary, to accommodate reasonable journey times to school, allow some degree of parental choice and to provide flexibility to allow for mid-year entrants

SCHOOL ADMISSIONS

For admission in September 2012, the Local Authority received applications in excess of the 345 reception class places available with a total of 376 admissions by the start of term in September (October 2012 School Census data). To accommodate these additional children a number of schools admitted over their Published Admission Number (PAN).

Changes were made to increase capacity in two primary schools which increased the number of available places for reception class from 345 places to 360 places from September 2013. At the time of producing this consultation document, 413 applications have been received for September 2013 admission.

Year	Total Reception Places Available	Total Number of First Preference Applications for Wilmslow Schools
2010	342	345
2011	342	354
2012	345	393
2013	360	413*

* On 3 April 2013

Additionally the number of children resident within the combined catchment areas of the schools has been steadily increasing and for the last 4 years has exceeded the reception class places available and indications are that this trend will continue.

Year	Total Reception Places Available	Number of Children Resident in the Wilmslow School Catchment Areas
2010	342	361
2011	342	434
2012	345	448
2013	360	431*

* On 3 April 2013

Wilmslow Grange Community Primary and Nursery

Situated in the village of Handforth, Wilmslow Grange Community Primary and Nursery was built in 1963 as a single form entry school. Between 2004 and 2007 the school was expanded from 210 pupil places (capacity) to 294 but due to falling numbers on roll their capacity was reduced in 2008 and further reduced in 2009 to 210 places.

Wilmslow Grange is a successful school achieving a “Good” category from Ofsted at the last inspection in June 2012. Demand for places from local residents and the number of children resident in the schools catchment area has been increasing in recent years. For 2012 and 2013, the number of children resident in the school’s catchment area has been double the 30 places available.

For the last 4 years the number of first preference applications has exceeded the 30 places available in the reception class and for admission in 2012 the Local Authority, in agreement with the school, admitted 44 pupils to ensure that local children could access a school place within a reasonable distance from their home address.

No extra accommodation was provided to the school at that time and to accommodate these additional children the school converted the IT Suite to provide an 8th classroom. For admission in 2013, the Local Authority is once again agreeing the admission of additional children to secure places for local families at a school within a reasonable distance and therefore further measures will be necessary.

Reception Admissions	PAN	Catchment Area Data – Reception Admissions	Number of First Preferences
2010	30	49	32
2011	30	48	31
2012	30	70	42
2013	30	66*	47*

* On 3 April 2013

It is therefore recommended that the local demand for places at this school justifies an extension to take the school up to 315 places with an admission number of 45 pupils per year group. The school site is large enough to accommodate a school of this size whilst retaining adequate playground and playing field provision.

If approved any expansion of the school would be subject to planning permission.

Dean Oaks Primary School

Dean Oaks Primary School was established in 2009 following the amalgamation of Oaklands Infant and Dean Row Junior schools, both of which had an intake at the normal point of entry of 60 pupils. Following a review of school places undertaken by the former Cheshire County Council, the infant and junior schools were amalgamated and replaced by Dean Oaks, which was established as a 315 place primary school with an intake of 45 pupils at the normal point of entry.

The school is successful achieving a “Good” category from Ofsted at the last inspection in March 2012. The number of children resident in the school’s designated catchment area has been increasing in recent years exceeding the 45

places available. Although the number of first preference applications received would appear to indicate that the school is not oversubscribed the school usually receives a number of late requests for places after the initial offer date and by the start of term in September has usually reached or exceeded the 45 places available.

Reception Admissions	PAN	Catchment Area Data – Reception Admissions	Number of First Preferences
2010	45	88	32
2011	45	106	33
2012	45	107	40
2013	45	111*	38*

*On 3 April 2013

For admission in 2012 the Local Authority, in agreement with the school, admitted 50 pupils to ensure that local Wilmslow children could access a school place within a reasonable distance from their home address. For September 2013 admissions the Local Authority has again agreed with the school to admit up to 60 pupils to ensure local children in the area could access a school place within a reasonable distance.

It is therefore recommended that the demand for places in the area justifies an extension to the school to increase the number of pupil places to 420 places, which can be phased in from September 2014 at the normal point of entry to the school. The school would have an admission number of 60 pupils operating as a two form of entry primary school.

The school's site is large enough to accommodate a 2 form of entry primary school whilst retaining adequate playground and playing field provision.

If approved any expansion of the school would be subject to planning permission.

Lacey Green Primary Academy

Situated in a built up residential area on the outskirts of Wilmslow town centre, Lacey Green Primary Academy was built in 1952 as a 1.5 form entry primary school with an intake at the normal point of entry of 45 pupils. Following a review of school places undertaken by the former Cheshire County Council, the school was reduced in 2008 to a 1 form of entry primary with an intake of 30 pupils at the normal point of entry to the school (i.e. reception class) reducing the school's overall capacity to 210 places. To accommodate the reduction in net capacity classrooms were converted for alternative use by the school.

Lacey Green Primary converted to Academy status in September 2012. To meet growing demand for places at the school the capacity was increased from 210

places to 300 places. This facilitated an increase in the published admission number (PAN) from 30 to 45 with effect from 2013.

Lacey Green Primary Academy is successful school achieving an “Outstanding” category from Ofsted at the last inspection in March 2009.

Demand for places from local residents has been increasing in recent years and for the last 4 years first preference applications have exceeded the places available (PAN) in the reception class.

Reception Admissions	PAN	Catchment Area Data – Reception Admissions	Number of First Preferences
2010	30	38	44
2011	30	46	48
2012	30	42	60
2013	45	54*	67*

* On 3 April 2013

For admission in 2012 the Local Authority, in agreement with the Academy, admitted 60 pupils to ensure that children living in Wilmslow could access a school place within a reasonable distance from their home address. For admission in 2013 the Local Authority, in agreement with the school, are again looking to accommodate additional children above the current 45 intake to ensure local children can access a school place within a reasonable distance to their home address.

It is therefore recommended that the demand for places in the area justifies an extension to the school to increase the number of pupil places to 420 places, which can be phased in from September 2014 at the normal point of entry to the school. The school would have an admission number of 60 pupils operating as a two form of entry primary school.

The school’s site is large enough to accommodate a 2 form of entry primary school whilst retaining adequate playground and playing field provision.

If approved any expansion of the school would be subject to planning permission.

FINANCIAL ISSUES

A block budget (grant) has been approved to fund schemes identified as Basic Need. This block budget was formally approved at Council on 28 February 2013.

The building works necessary for the Wilmslow proposals would be funded from the Council’s 2013/2014 Capital Programme and investments required for each school are estimated at:

- Wilmslow Grange Community Primary £887,000
- Dean Oaks Primary £900,000
- Lacey Green Primary Academy £1,237,000

It should be noted that the funding approved by the Council includes £887,000 for the proposed expansion of Wilmslow Grange and £1,237,000 set aside as a block allocation to fund one of two options - Dean Oaks Primary or Lacey Green Primary Academy. The implementation of all three proposals is therefore subject to Council approval to fund the additional investment required, as set out above, utilising funding streams as follows:

Option 1 - Unallocated funds from the Children, Families and Adults 2013-2014 Capital Programme.

Option 2 – Department for Education Funding - ‘Targeted Basic Need’- The Local Authority is in the process of submitting a bid for Capital investment in Lacey Green Primary Academy from the Targeted Basic Need programme implemented by the Department for Education. This programme is to provide additional support to local authorities experiencing the greatest pressure on places to expand good and outstanding schools with high levels of demand. The target date for decisions on bids is June 2013.

TIMESCALES

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

30 April 2013 to 4 June 2013	Formal Public Consultations
10 June 2013	Meeting of the Council’s Portfolio Holder for permission to issue Public Notices
17 June 2013 to 15 July 2013	Representation period
22 July 2013	Cabinet decision
29 July 2013	Implementation
September 2014	Proposed completion date.

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. 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.

Feedback received regarding the Lacey Green Primary Academy proposal will be forwarded to the Academy Trust to inform their own decision-making process. Further information about the rationale for this proposal will be made available on the Academy's website at www.laceygreen.cheshire.sch.uk

WHAT IS THE NEXT STAGE?

All responses to this consultation will be collated and presented to the Council's Cabinet Member at the end of the consultation period for a decision on how to proceed, which may be to issue public notices. If public notices are to be published, a representation period will follow for a fixed period of 4 weeks, in line with statutory requirements. This will normally be the final opportunity for interested parties to have their say about a proposal. Responses to the Lacey Green Academy proposal will be forwarded to the Academy Trust.

At the end of the representation period, a further report will be prepared and presented to the Council's Cabinet or, if objections are received, to the Council's School Organisation Sub Committee for a final decision on the proposal.

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:

Cheshire East Council, School Organisation and Capital Strategy Team, Floor 7,
C/O Municipal Building, Earle Street, Crewe CW1 2BJ,
e-mail: SOCS@cheshireeast.gov.uk Tel: 0300 123 5012.



Wilmslow Area Consultation Feedback Form

You are invited to comment on three primary school expansions, as listed below, which are proposed for the Wilmslow area. Please refer to the Wilmslow Area Consultation Document, which provides background information and the rationale for the expansions.

Please note: Your personal details will be withheld but any feedback provided will be collated to inform decision-making and will therefore become a public record and published on the Council's website at the end of the consultation period.

Please tick the relevant boxes to indicate your view and provide any comments you feel are relevant to these proposals in the space provided.

Do you support the proposed expansions, as listed below?	Please tick (✓)		
	Yes	No	No View
Wilmslow Grange 210 to 315 pupil places			
Dean Oaks to 315 to 420 pupil places			
Lacey Green to 300 to 420 pupil places			
Comments (if any)			
(Please continue on a separate sheet, if required.)			

Please indicate below any of the following that apply to you:

Respondent Details	Please Tick (✓)	Please name the school
Parent/Carer of pupil(s) attending the school		
Governor of the school		
Member of staff at the school		
Pupil at the school		
Other (please specify)		

Name:	Date:
Address:	Signed:

Please return this form to:

Cheshire East Council, School Organisation and Capital Strategy, Floor 7. C/O Municipal Building,
Earle Street, Crewe CW1 2BJ by the closing date of **4 June 2013**

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EQUALITY IMPACT ASSESSMENT FORM

Equality impact assessment is a legal requirement for all strategies, plans, functions, policies, procedures and services under the Equalities Act 2010. We are also legally required to publish assessments.

Section 1: Description

Department	Children , Families and Adults		Lead officer responsible for assessment		Fintan Bradley	
Service	School Organisation		Other members of team undertaking assessment		Barbara Dale	
Date	22 April 2013		Version		1	
Type of document (mark as appropriate)	Strategy	Plan √	Function	Policy √	Procedure	Service
Is this a new/existing/revision of an existing document (mark as appropriate)	New		Existing		Revision √	
<p>Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation)</p> <p>Please attach a copy of the strategy/plan/function/policy/procedure/service</p>	<p>Permission to commence formal consultation on proposed school expansions in Wilmslow area There are any other associated policies and procedures as set out below:-</p> <ul style="list-style-type: none"> Children and Families, Capital Strategy 2013/2014 Statutory consultation will be undertaken on these proposals as the changes, if approved, will fall within the category of a significant enlargement as the additional accommodation proposed for Wheelock Primary would increase the capacity by more than 30 pupils and by more than 25%. 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). 					

EQUALITY IMPACT ASSESSMENT FORM

The aims, objectives and outcomes of this proposed change are as follows:-

The Wilmslow Local Area Partnership (LAP) has 10 primary schools and 1 secondary school covering the areas of Wilmslow, Handforth and Alderley Edge. The total primary school capacity across this area is 2498 pupil places, and currently provides 360 reception class places. Pupil forecasts for the Wilmslow LAP indicate a significant shortfall in pupil places across all schools and year groups of 227 by 2018. These forecasts exclude the Local Authorities preferred target of 4% 'operational surplus', which is a level of spare capacity intended to accommodate reasonable journey times to school, some degree of parental choice and flexibility to allow for mid-year entrants. To meet this target, current forecasts (October 2012 School Census) indicate the need for 327 pupil places by 2018.

The proposal, if determined, will provide additional primary school places within the Wilmslow area to address the forecast shortfall for this area. In addition, this will deliver a level of operational surplus for the Local Authority, which is a level of spare capacity intended to accommodate reasonable journey times to school, some degree of parental choice, and flexibility to allow for mid-year entrants. The proposals will therefore have a significant positive impact on the current projected shortfall in the number of school places in Wilmslow and on parental choice and, at worst, a neutral impact on vulnerable and minority groups in the community.

The outcomes of consultation will be summarised in a report to the Portfolio Holder for a decision to progress to the next stage of the process and issue public notices. In deciding whether or not to give permission to publish proposals it is a requirement both under DfE guidance and case law that the decision maker should consider the views expressed during consultation and take into account the Equality Impact Assessment. It is therefore imperative that full details of all views submitted are made available at the decision meeting.

Who are the main stakeholders?
(eg general public, employees, Councillors, partners, specific audiences)

- Children and their parents and carers
- Headteachers in schools in Wilmslow

EQUALITY IMPACT ASSESSMENT FORM

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Section 2: Initial screening

Who is affected? (This may or may not include the stakeholders listed above)	Children and Young People Parents / Carers Schools
Who is intended to benefit and how?	Young Children and their parents and carers in the Wilmslow area.
Could there be a different impact or outcome for some groups?	This proposal will have a marginal positive impact for members of the local community.
Does it include making decisions based on individual characteristics, needs or circumstances?	Any decision on the proposal will not be based on any individual characteristics, needs or circumstances
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)	
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?	Consultation will be carried out over a 5 week period inviting feedback on the proposals from anyone with an interest.
Is there an actual or potential negative impact on these specific characteristics? (Please tick)	

EQUALITY IMPACT ASSESSMENT FORM

Age	Y	N √	Marriage & civil partnership	Y	N √	Religion & belief	Y	N √	Carers		N
Disability	Y	N √	Pregnancy & maternity	Y	N √	Sex	Y	N √	Socio-economic status		N
Gender reassignment	Y	N √	Race	Y	N √	Sexual orientation	Y	N √			

What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts										Consultation/involvement carried out	
										Yes	No
Age			This will positively impact on the number of school places for young people of primary school age in the Wilmslow area and thereby increasing opportunities for parental choice, in line with DfE guidance.							√	
Disability			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 person's place of residence. The proposal will also offer greater parental choice for those families with wider caring responsibilities for household members with a disability.							√	
Gender reassignment			Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. However, given the very young age of the pupils it is unlikely that any issues will arise in relation to these protected characteristics.							√	
Marriage & civil partnership			Admission Authorities are bound by the Admissions Code and Regulations and							√	

EQUALITY IMPACT ASSESSMENT FORM

	<p>this does not allow for any discrimination in this respect.</p> <p>Admissions to the schools are made following the published admission arrangements and over subscription criteria. All applications are considered against the over subscription criteria on a equal basis without reference to the marital status of the parent/carer.</p>		
Pregnancy & maternity	<p>Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>Admissions to the schools are made following the published admission arrangements and over subscription criteria. All applications are considered against the over subscription criteria on a equal basis without reference to the status of the parent/carer</p>	✓	
Race	<p>Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>The average recorded data across the Wilmslow primary schools is:</p> <ul style="list-style-type: none"> • 87% White • 5.6% Mixed/Dual Background • 4.3% Asian or Asian British • 0.5% Black or Black British • 2.6% Other Groups or Not recorded <p>The local authority has no reason to believe that any proposed expansion of schools would result in an overall change to the current demographics.</p>	✓	
Religion & belief	<p>Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. The 3 schools proposed for expansion are either Academy status or Community schools</p>	✓	

EQUALITY IMPACT ASSESSMENT FORM

	and admission applications are considered against the published admission arrangements and over subscription criteria. Religion and belief do not form part of the admission arrangements or over subscription criterion for any of the schools and all applications will be considered on an equal basis irrespective of religious belief.		
Sex	The gender balance between girls and boys currently attending the Wilmslow schools with 52% male and 48% female.	✓	
Sexual orientation	Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. However, given the very young age of the pupils it is unlikely that any issues will arise in relation to these protected characteristics.	✓	
Carers	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.	✓	
Socio-economic status	It is considered that the proposal will have a positive impact on those children/young people included in this group as the proposal, if agreed, will provide more places locally for local families.	✓	
Proceed to full impact assessment? (Please tick)	Yes	No ✓	Date 8 April 2013

If yes, please proceed to Section 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

EQUALITY IMPACT ASSESSMENT FORM

Section 3: Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	Is the policy (function etc....) likely to have an adverse impact on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Are there any positive impacts of the policy (function etc....) on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Please rate the impact taking into account any measures already in place to reduce the impacts identified High: Significant potential impact; history of complaints; no mitigating measures in place; need for consultation Medium: Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures Low: Little/no identified impacts; heavily legislation-led; limited public facing aspect	Further action (only an outline needs to be included here. A full action plan can be included at Section 4)
Age				
Disability				
Gender reassignment				
Marriage & civil partnership				

EQUALITY IMPACT ASSESSMENT FORM

Pregnancy and maternity				
Race				
Religion & belief				
Sex				
Sexual orientation				
Carers				
Socio-economics				
Is this project due to be carried out wholly or partly by contractors? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)				

EQUALITY IMPACT ASSESSMENT FORM

Section 4: Review and conclusion

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed			
Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?			
Are there any additional assessments that need to be undertaken in relation to this assessment?	Further analysis to asses impact will be conducted over the coming weeks and if appropriate an updated EIA will b presented to the Portfolio Holder at the end of the Consultation period		
Lead officer signoff		Date	
Head of service signoff		Date	

EQUALITY IMPACT ASSESSMENT FORM



Please publish this completed EIA form on your website



**PROPOSAL FOR THE ENLARGEMENT
OF
ASH GROVE PRIMARY SCHOOL &
NURSERY, MACCLESFIELD**

PUBLIC CONSULTATION DOCUMENT

**Tony Crane,
Director of Children's Services
Cheshire East Council
Westfields, Sandbach
Cheshire
CW11 1HZ**

April 2013

OBJECTIVE OF THIS CONSULTATION DOCUMENT

To undertake formal consultations with parents and carers of pupils at Ash Grove Primary School & Nursery, and other interested parties before a final decision is taken regarding a proposal to expand the school from a 1 form of entry primary school to 2 forms of entry. increase the schools capacity

The Local Authority is proposing the expansion of Ash Grove Primary School & Nursery to provide an additional 105 places increasing the school from 105 places (half form of entry) to 210 places (1 form of entry) with a proposed completion date of September 2014.

INTRODUCTION

Ash Grove Primary School & Nursery is a successful school, achieving an “Outstanding” category from Ofsted at the latest inspection in March 2013

Originally operating as a 1.5 form of entry primary school, Ash Grove had an intake at the normal point of entry of 47 pupils up until 2005. It was subsequently reduced to a 25 intake following a review of school places undertaken by the former Cheshire County Council. A further reduction in the admission number was made in 2011 taking the school to an intake of only 15 places for admission at the normal point of entry to the school (reception class) and operating as a half form of entry primary school with an overall capacity of 105 pupil places.

To facilitate this reduction in capacity, classrooms were converted for alternative use by the school and a temporary Pupil Referral Unit (PRU) was located at the school, which has since been relocated. The Local Authority is proposing to reintroduce the classrooms and increase the school’s net capacity from 105 pupil places (half form of entry) to 210 pupil places (one form of entry) with an intake of 30 pupils into the reception class from 2014. This proposed expansion is therefore cost neutral.

RATIONALE

The proposal to expand Ash Grove primary and Nursery and return it to a one form of entry (210 place) primary school is to address the school’s growing popularity and increasing demand for places from the school’s local community.

There are no costs associated with this proposal as existing accommodation can be re-introduced allowing the school to return to a one form of entry primary school.

The number of children resident within the school’s catchment area has increased in recent years and, for the last 3 years, the number of first preferences for the school has exceeded the 15 places available in the reception class as shown in the following tables:

Year	Reception Places Available	Number of Children Resident in the Catchment Area
2010	15	74
2011	15	98
2012	15	108
2013	15	91*

*On 3 April 2013

Reception Admissions	Number of First Preferences
2010	7
2011	22
2012	24
2013	25*

*On 3 April 2013

In order to accommodate children resident in the school's catchment area for whom there was no other schools with vacancies within a reasonable distance, the Local Authority, in agreement with the school, agreed additional places over the school's published admission number for September 2011 and 2012 and has agreed admission of up to 30 children for 2013.

This proposal, which is fully supported by the Headteacher and Governing Body of the school, is made to address the pattern of parental preference in recent years and to provide sufficient places for the local community at a school within a reasonable distance. The benefit to the school and the local community is that it will be able to provide more places for families who seek admission at the normal point of entry to the school whilst continuing to provide an outstanding education as a 1 form of entry primary school.

Informal consultation with headteachers of the Macclesfield primary schools has been undertaken and the feedback received during this process has informed these proposals.

It is therefore recommended that the local demand for places in this area justifies expansion of this popular and successful school.

SITE AND BUILDINGS

Situated in a built up residential area of Macclesfield, Ash Grove Primary School and Nursery was built in 1935 to serve its local community. Following the admission of additional children in 2011 and 2012 from September 2013 the school will operate as a 1 form entry school with single age groups and 7 classes.

FINANCIAL ISSUES

The proposed expansion of Ash Grove Primary School and Nursery is cost neutral due to the utilisation of existing classrooms.

TIMESCALES

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

30 April 2013 to 4 June 2013	Formal Public Consultation
10 June 2013	Meeting of the Council's Portfolio Holder for permission to issue a Public Notice
17 June 2013 to 15 July 2013	Representation period
22 July 2013	Cabinet decision
29 July 2013	Implementation
September 2014	Proposed completion date.

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. 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, or, if objections are received, to the Council's School Organisation Sub Committee, for a final decision on the proposal.

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:

Cheshire East Council, School Organisation and Capital Strategy Team, Floor 7,
C/O Municipal Building, Earle Street, Crewe CW1 2BJ,
e-mail: SOCS@cheshireeast.gov.uk Tel: 0300 123 5012.

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Consultation Feedback Form

Appendix 5

Proposed Expansion of Ash Grove Primary School and Nursery, Macclesfield

You are invited to comment on Cheshire East Council's proposal to expand Ash Grove Primary School and Nursery from a 105 school places to 210 places, (1 form of entry) primary school with a proposed completion date of September 2014. Before completing this form, please refer to the consultation document, which provides the rationale for this proposal.

Please note: Your personal details will be withheld but any feedback provided will be collated to inform decision-making and will therefore become a public record and published on the Council's website at the end of the consultation period.

Please tick the relevant boxes to indicate your view and provide any comments you feel are relevant to this proposal in the space provided.

Do you agree with the proposal to expand Ash Grove Primary School and Nursery?	Please tick (✓)		
	Yes	No	No View

Comments (if any)

(Please continue overleaf, if required.)

Please indicate below any of the following that apply to you:

Respondent Details	Please Tick (✓)	Please name the school
Parent/Carer of pupil(s) attending the school		
Governor of the school		
Member of staff at the school		
Pupil at the school		
Other (please specify)		

Name:	Date:
Address:	Signed:

Please return this form to:

Cheshire East Council, School Organisation and Capital Strategy / Floor 7. C/O Municipal Building, Earle Street, Crewe CW1 2BJ by the closing date of **4 June 2013**

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Equality impact assessment is a legal requirement for all strategies, plans, functions, policies, procedures and services under the Equalities Act 2010. We are also legally required to publish assessments.

Section 1: Description

Department	Children , Families and Adults	Lead officer responsible for assessment	Fintan Bradley
Service	School Organisation	Other members of team undertaking assessment	Barbara Dale
Date	22 April 2013	Version	1
Type of document (mark as appropriate)	<div>Strategy</div> <div>Plan √</div>	<div>Function</div> <div>Policy √</div>	<div>Procedure</div> <div>Service</div>
Is this a new/existing/revision of an existing document (mark as appropriate)	New	Existing	Revision √
<p>Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation)</p> <p>Please attach a copy of the strategy/plan/function/policy/procedure/service</p>	<p>Permission to commence formal consultation on proposed school expansions of Ash Grove Primary School and Nursery , Macclesfield from 105 to 210 pupil places.</p> <p>There are any other associated policies and procedures as set out below:-.</p> <ul style="list-style-type: none"> Children and Families, Capital Strategy 2013/2014 Statutory consultation will be undertaken on the proposal as the changes, if approved, will fall within the category of a significant enlargement as the additional accommodation proposed for Wheelock Primary would increase the capacity by more than 30 pupils and by more than 25%. 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 		

	<p>September 2009).</p> <p>The aims, objectives and outcomes of this proposed change are as follows:-</p> <p>The proposal to expand the school is to address the increasing demand for places from the school's local community. This school had an intake at the normal point of entry of 47 pupils up until 2005 when it was reduced to a 25 intake following a review of surplus places implemented by the former Cheshire County Council. A further reduction was made in 2011 taking the school to a half form of entry primary school with an intake of 15 pupils at the normal point of entry and reducing the school's overall capacity to 105 places.</p> <p>The number of children resident within the schools catchment area has increased in recent years and, for the last 3 years, the number of first preferences for the school has exceeded the 15 places available in the reception class. In order to accommodate children resident in the school's catchment area for whom there was no other schools with vacancies within a reasonable distance, the Local Authority, in agreement with the school agreed additional places over the school's published admission number for September 2011 and 2012 and has agreed admission of up to 30 children for 2013</p> <p>The proposals will therefore have a significant positive impact on parental choice and vulnerable and minority groups in the community.</p> <p>The outcomes of consultation will be summarised in a report to the Portfolio Holder for a decision to progress to the next stage of the process and issue public notices. In deciding whether or not to give permission to publish proposals it is a requirement both under DfE guidance and case law that the decision maker should consider the views expressed during consultation and take into account the Equality Impact Assessment. It is therefore imperative that full details of all views submitted are made available at the decision meeting.</p>
Who are the main stakeholders?	<ul style="list-style-type: none"> • Children and their parents and carers

(eg general public, employees, Councillors, partners, specific audiences)	<ul style="list-style-type: none"> Headteachers in schools in Macclesfield
---------------------------------------------------------------------------	-------------------------------------------------------------------------------------------

Section 2: Initial screening

Who is affected? (This may or may not include the stakeholders listed above)	Children and Young People Parents / Carers Schools
Who is intended to benefit and how?	Young Children and their parents and carers in Ash Grove's Primary School and Nursery catchment area.
Could there be a different impact or outcome for some groups?	This proposal will have a marginal positive impact for members of the local community.
Does it include making decisions based on individual characteristics, needs or circumstances?	Any decision on the proposal will not be based on any individual characteristics, needs or circumstances
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)	
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?	Consultation will be carried out over a 5 week period inviting feedback on the proposals from anyone with an interest.

EQUALITY IMPACT ASSESSMENT FORM

Appendix 6

Is there an actual or potential negative impact on these specific characteristics? (Please tick)											
Age	Y	N ✓	Marriage & civil partnership	Y	N ✓	Religion & belief	Y	N ✓	Carers		N
Disability	Y	N ✓	Pregnancy & maternity	Y	N ✓	Sex	Y	N ✓	Socio-economic status		N
Gender reassignment	Y	N ✓	Race	Y	N ✓	Sexual orientation	Y	N ✓			
What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts										Consultation/involvement carried out	
										Yes	No
Age	This will positively impact on the number of school places for young people of primary school age in the area and thereby increasing opportunities for parental choice, in line with DfE guidance.					✓					
Disability	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 person's place of residence. The proposal will also offer greater parental choice for those families with wider caring responsibilities for household members with a disability.					✓					
Gender reassignment	Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. However, given the very young age of the pupils it is unlikely that any issues					✓					

	will arise in relation to these protected characteristics.		
Marriage & civil partnership	<p>Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>Admissions to the schools are made following the Local Authority published admission arrangements and over subscription criteria. All applications are considered against the over subscription criteria on a equal basis without reference to the marital status of the parent/carer.</p>	✓	
Pregnancy & maternity	<p>Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>Admissions to the schools are made following the Local Authority published admission arrangements and over subscription criteria. All applications are considered against the over subscription criteria on a equal basis without reference to the status of the parent/carer.</p>	✓	
Race	<p>Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.</p> <p>The recorded data for Ash Grove Primary School and Nursery is:</p> <ul style="list-style-type: none"> • 92% White • 4% Mixed/Dual Background • 3% Asian or Asian British • 1% Black or Black British <p>The average recorded data across the immediate neighbouring Macclesfield</p>	✓	

	<p>primary schools is:</p> <ul style="list-style-type: none"> • 91.9% White • 2% Mixed/Dual Background • 4.4% Asian or Asian British • 0.2% Black or Black British • 1.5% Other Groups or Not recorded <p>The local authority has no reason to believe that any proposed expansion of schools would result in an overall change to the current demographics.</p>		
Religion & belief	Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. Ash Grove Primary School and Nursery is a Community School and follows the Local Authority published arrangements and over subscription criteria which do not include reference to Religion and belief. All admission applications will be considered on an equal basis irrespective of religious belief.	✓	
Sex	There is an equal gender balance girls and boys currently attending Ash Grove primary School and Nursery, Girls represent 52% of pupils with boys 48%. This represents a similar school population demographic across the immediate neighbouring Macclesfield schools which gives an average of 48 % girls and 52 % boys.	✓	
Sexual orientation	Admission Authorities are bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect. However, given the very young age of the pupils it is unlikely that any issues will arise in relation to these protected characteristics.	✓	
Carers	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.	✓	
Socio-economic status	It is considered that the proposal will have a positive impact on those	✓	

EQUALITY IMPACT ASSESSMENT FORM

Appendix 6



	children/young people included in this group as the proposal, if agreed, will provide more places locally for local families.		
Proceed to full impact assessment? (Please tick)	Yes	No ✓	Date 8 April 2013

If yes, please proceed to Section 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

Section 3: Identifying impacts and evidence

This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	Is the policy (function etc....) likely to have an adverse impact on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Are there any positive impacts of the policy (function etc....) on any of the groups? Please include evidence (qualitative & quantitative) and consultations	Please rate the impact taking into account any measures already in place to reduce the impacts identified High: Significant potential impact; history of complaints; no mitigating measures in place; need for consultation Medium: Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures Low: Little/no identified impacts; heavily legislation-led; limited public facing aspect	Further action (only an outline needs to be included here. A full action plan can be included at Section 4)
Age				
Disability				
Gender reassignment				
Marriage & civil partnership				

Pregnancy and maternity				
Race				
Religion & belief				
Sex				
Sexual orientation				
Carers				
Socio-economics				
Is this project due to be carried out wholly or partly by contractors? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)				

Section 4: Review and conclusion

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed			
Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?			
Are there any additional assessments that need to be undertaken in relation to this assessment?	Further analysis to asses impact will be conducted over the coming weeks and if appropriate an updated EIA will b presented to the Portfolio Holder at the end of the Consultation period		
Lead officer signoff		Date	
Head of service signoff		Date	

Please publish this completed EIA form on your website

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CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting:	22 April 2013
Report of:	Development Management and Building Control Manager
Subject/Title:	Discharge of Section 106 Agreement to 62561P
Portfolio Holder:	Councillor Rachel Bailey

1.0 Purpose of Report

- 1.1 To seek the approval of the Portfolio Holder for the discharge of a Section 106 Agreement, which restricts occupancy of the existing dwelling at Springbank Farm Fanshawe Lane, Henbury to an agricultural worker. The Section 106 Agreement also restricts the dwelling to be sold off separately from the land associated with the agricultural unit. The applicants now seek to release Springbank Farm from the obligation following approval of application, 12/2775M, which was an application to remove the agricultural occupancy condition attached to permission 62561P.

2.0 Decision Required

- 2.1 To discharge the Section 106 Agreement which restricts the occupancy and re-sale of the dwelling constructed at Springbank Farm, Fanshawe Lane, Henbury.

3.0 Reasons for Recommendation

- 3.1 The discharge of the Section 106 Agreement would be acceptable in planning policy terms as the principle of the removal of the occupancy condition i.e. unfettered dwelling (C1 use) has been established by the removal of the occupancy condition. On this basis, it is not considered reasonable or necessary to refuse to remove the Section 106 Agreement.

4.0 Ward Affected

- 4.1 Gawsworth

5.0 Local Ward Members

- 5.1 Councillor Lesley Smetham

6.0 Financial Implications for the Council

- 6.1 Costs for staff time to discharge the Agreement. However charges for the legal costs will be payable to the Council by the applicant.

7.0 Legal Implications for the Council

- 7.1 As outlined in the report. In substance, the principle of allowing Springbank Farm to be occupied and sold free of any agricultural occupancy restriction, was established by the grant of permission 12/2775M.

8.0 Risk Assessment

- 8.1 None.

9.0 Background and Report

- 9.1 Planning Permission was granted on the 4th April 1991 for outline consent (Planning reference 62567P) and Reserved matters application 64058P for an agricultural workers dwelling subject to planning condition and a Section 106 agreement. The covenants set out within the section 106 Agreement placed the following restrictions upon the dwelling;

i. That the said dwelling erected in pursuance of a consent issued to applications numbered 62561 and 64058 shall not (without the written consent of the Council) be sold leased sublet assigned or otherwise disposed of separately from the rest of the said land and the whole of the said land with the said new dwelling thereon shall at all times hereafter be and remain one piece or parcel of land or hereditament in the ownership of one and the same person.

ii. That the said new dwelling shall only be occupied by a person solely or mainly or last employed within the area of the Macclesfield Local Plan as shown on the plan marked "C" attached hereto in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 or in forestry (including any dependants of such a person normally residing with him) or a widow or widower of such a person.

iii. If any time hereafter the occupant of the said new dwelling shall not be solely or mainly or lastly employed in the agriculture within the area of the Macclesfield Local Plan (as hereinbefore defined) then and in such event the owner shall forthwith undertake all such steps processes of law and proceedings as may be necessary to ensure (so far as he is able) that the occupant vacates and gives up possession of the said new dwelling and the onus of proof that all such steps processes of law proceeding as aforesaid shall have been undertaken lie upon the Owner but subject as aforesaid if and so long as the said new dwelling is subject to a protected occupancy or statutory tenancy within the meaning of the Rent (Agriculture) Act 1976 or is let on or subject to a tenancy to which Section 33(3) of the said Act applies then Clause 2(ii) hereof shall be suspended.

- 9.2 The restriction placed upon the occupancy of the agricultural dwelling at Springbank Farm specified within classes 2 and 3 above were also replicated within planning condition number 4 attached to planning application 62567P. The removal of this condition was however, granted by delegated powers on the 13th September 2012 under planning application 12/2775M.
- 9.3 Planning permission was granted for the removal of the occupancy condition because the applicant was able to demonstrate that there was no longer a functional need for the dwelling. The dwelling house was required to support the applicants growing agricultural business. The applicant has however, no successor to his business and he retired in 2003, selling the dairy herd. The remaining holding at Springbank Farm equates to approx 3.08 hectares (7.6 acres) in total including the dwelling and associated farm buildings. The applicant advises that following the surrender of all rented land, the bare land available is now only 2.26 hectares (5.5 acres). It is therefore advised that the remaining land makes the farm unviable for a farming business.
- 9.4 This view is also supported by a Planning Inspector who in a recent appeal decision (APP/C0630/A/06/2027233) at Oakfield Manor Farm, Chelford Lane, Over Peover stated that only 9 hectares of land would be a limiting factor for the viability of a farm business.
- 9.5 Clause 1 set out within the agreement requires that the land shall not be sold, leased, sublet or assigned separately from the rest of the land. Such restrictions are common in agreements of this nature and are imposed in order to prevent the establishment of a new agricultural workers dwellings in environmentally sensitive location such as the Green Belt. The land which remains within the agricultural unit at Springbank Farm is considered to be limited and the restrictive clause imposed to prevent the sale of the separate dwelling is therefore considered to be cumbersome and unnecessary.
- 9.6 The evidence submitted within application 12/2775M demonstrated that there was no demand locally for the property from someone who could comply with the occupancy condition. The view was taken that due to the high valuation of the property (even taking into consideration the occupancy restriction) the cost of the dwelling would be prohibitive for an agricultural worker (hence why there was no demand for such a property locally). On that basis, it was considered that the condition was no longer necessary nor reasonable because there was no longer any continuing need for occupation of the dwelling to be restricted.
- 9.7 Although the delegated report for application 12/2775M advised that the proposal would not comply with the relevant planning policy in its entirety (Policy DC25 criteria 2 of the Macclesfield Borough Local Plan), it was considered there were material planning considerations, which justified an exception to these criteria within the policy and the proposal still accorded with the broad thrust of the policy and its justification. The proposals therefore

complied with Policy DC25 (Removal of Agricultural Occupancy Condition) of the Borough of Macclesfield Local Plan 2004.

- 9.8 Clauses 2 and 3 imposed within the Section 106 agreement restrict the occupancy of the dwelling in a similar way to condition 4. This has now been removed under planning application 12/2775M and the prospect of a new agricultural workers dwelling being established in association with this limited amount of land at Springbank Farm is unlikely. The Section 106 agreement in association with application 62561P is therefore no longer considered to be necessary or appropriate and it would therefore be unreasonable to retain.
- 9.9 It is recommended that the Interim Monitoring Officer discharge the section 106 Agreement by Deed of Agreement with the current landowner (the same landowner who entered into the 1991 Agreement).
- 9.10 Legal advice indicates that this decision can be considered by the Portfolio Holder.

10.0 Access to Information

- 10.1 The background papers relating to this report can be inspected by contacting the report writer:

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CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting:	22 April 2013
Report of:	Development Management and Building Control Manager
Subject/Title:	Discharge of Section 52 Agreement at Stumps, Farm Lane, Lower Withington, SK11 9DU
Portfolio Holder:	Councillor Rachel Bailey

1.0 Purpose of Report

- 1.1 To seek the approval of the Portfolio Holder for discharge of the Section 52 Agreement which restricts occupancy of the existing dwelling known as Stumps at Four Oaks Nursery to somebody employed in agriculture or forestry. The Section 52 Agreement also requires that the dwelling not be sold, leased or sublet separate to the rest of the land.

2.0 Decision Required

- 2.1 To discharge the Section 52 Agreement which contains 6 clauses as outlined in section 9.2 below.

3.0 Reasons for Recommendation

- 3.1 The discharge of the Section 52 Agreement should be granted given it repeats the provisions of Condition 4 of the planning permission which the applicant would still be bound by. Additionally a second dwelling at the site has been released from its Section 52 Agreement in similar circumstances which has set a precedent at this site. The caravan has been removed from the site. On this basis it is not considered reasonable or necessary to refuse to remove the Section 52 Agreement.

4.0 Wards Affected

- 4.1 Gawsworth

5.1 Local Ward Member

- 5.1 Councillor Lesley Smetham

6.0 Financial Implications for the Council

- 6.1 Costs for staff time to discharge the Agreement. However charges for the legal costs will be payable to the Council by the applicant.

7.0 Legal Implications for the Council

- 7.1 The legal implications are dealt with elsewhere in this report.

8.0 Risk Assessment

- 8.1 None.

9.0 Background and Report

- 9.1 Permission was granted in 1976 under application referenced 5/04428 for an agricultural workers dwelling subject to conditions (including a condition restricting occupancy) and a Section 52 Agreement (also restricting occupancy and re-sale/let/sub-letting).
- 9.2 The applicant is seeking to be released from the Section 52 Agreement. Clause 1 of the agreement restricts the sale/lease/subletting of the dwelling separately from the rest of the land; Clause 2 restricts the occupancy of the dwelling to a person solely or mainly employed in agriculture or forestry. Clauses 3, 4 and 5 relate to the removal of a caravan from the land. Clause 6 requires the payment of £1 to the Council being the stamp duty payable on the deed.
- 9.3 There is a condition attached to the decision notice that is similar to Clause 2 above restricting the occupancy of the dwelling to a person solely or mainly employed in agriculture or forestry. This condition is still in force. Ordinarily the applicant would apply to remove the condition before applying for a release from the Section 52 Legal Agreement. In those cases the planning merits of removing the condition will have been fully considered, whereas with this application this has not been the case.
- 9.4 The dwelling was originally occupied by a Mr JS Coutts, one of two partners in Four Oaks Nurseries. Mr Coutts retired in 1995, in 2002 the Four Oaks Group went into administrative receivership. Subsequently the site was bought by a Mr Richard Harding, and a new company Four Oaks Horticulture Ltd was formed. Mr Harding lives in Spain and therefore has no requirement for the dwelling himself however historically it has been occupied by nursery staff in compliance with the clauses. However the dwelling is now vacant and the staff of the nursery no longer require the dwelling.

- 9.5 A second agricultural workers dwelling (known as Briarfield) was allowed on the site in 1980 which was occupied by the other partner. A deed of release was made for this property in 2004 rescinding the Section 52 Agreement and releasing the owners from all obligations and covenants. This was similarly done where the applicant had not first removed the planning condition. Considering the Council has allowed a deed of release at that dwelling it has set a precedent on this site and it would be unreasonable to take a different view on this dwelling. Furthermore the Section 52 Agreement repeats the provisions of the condition and therefore duplicates the requirements. The applicant would still be bound by that condition and would be required to submit a planning application to remove that condition, when the planning merits would be considered.
- 9.6 Clause 3 relates to the removal of a caravan from the site which was granted permission as a temporary agricultural workers dwelling prior to the permanent agricultural workers dwelling being granted permission whilst the business established itself. The caravan is not present on the site so it is considered this clause has been met. Clause 4 relates to disputes in relation to Clause 3 and Clause 5 relates to the Council being at liberty to the remove caravan on failure to comply with Clause 3. Given it is accepted that Clause 3 has been complied with Clauses 4 and 5 are redundant.
- 9.7 Clause 6 requires the payment of one pound stamp duty payable on the deed. It is not clear whether this sum was ever paid as the agreement dates back to 1976 but given all other clauses are considered acceptable to discharge and the nature of and payment amount required by the clause it would be unreasonable to refuse to allow the release from the Section 52 Agreement on this Clause alone.
- 9.8 It is recommended that the Interim Monitoring Officer discharge the 1976 Section 52 Agreement by Deed of Agreement with the current landowner.
- 9.9 Legal advice indicates that this decision can be considered by the Portfolio Holder.

10.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer.

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