

OPEN

## **Children and Families Committee**

**09 June 2025**

### **Proposal to formally increase the number of places at Park Lane School, Macclesfield**

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**Report of: Dawn Godfrey, Executive Director of Children Services**

**Report Reference No: CF/10/25-26**

**Ward(s) Affected: All**

**Decision**

#### **Purpose of Report**

- 1 To report on the outcomes of the public consultation as to whether Park Lane School, Macclesfield should formally increase the number of places being offered. The proposed increase would provide additional places for 34 pupils between the ages of 4 – 19 from September 2025. Please note that this consultation includes the capacity and accommodation within the 2 Classroom mobile, which is already in use and the current number on roll is 138.
- 2 The report seeks approval for proposed scheme to increase capacity and help meet the Council's priority to increase opportunities for children, young adults, and adults with additional needs through the expansion of local Special Educational Needs and or Disabilities (SEND) provision allowing more children to attend a school within Cheshire East and their local community.
- 3 This report seeks approval for Children and Families Committee to delegate authority to the Executive Director of Children's Services to award a construction contract to facilitate the provision of additional places at Park Lane School together with any other agreements associated with or ancillary to the contract. Where the decision process includes financials or contracts, this will be done in consultation with the Chief Finance Officer, Monitoring Officer and the Executive Director of Place.

## Executive Summary

- 4 As a Strategic Commissioner of school places, Cheshire East Council has a statutory duty to ensure sufficiency of school places to meet the demand of the residents. Having the right educational placement for all children and young people is key to supporting children and young people to achieve their potential and to develop the range of skills and experiences they need to equip them for adulthood.
- 5 This paper outlines a proposal which includes remodelling of existing space to create an additional classroom and provision of additional facilities including toilets to create the required accommodation to enable the school to formally increase the capacity from 122 places to 156 places. This scheme will provide a specialist setting for pupils aged 4 – 19, with profound and multiple learning difficulties, complex medical needs and severe learning difficulties. There is an increasing number of pupils joining the school with autism spectrum disorder.
- 6 The proposals will contribute to the Council's priority to ensure that all children have a high quality, enjoyable education that enables them to achieve their full potential.
- 7 The expansion detailed in this report are key mitigations within the Dedicated Schools Grant (DSG) management plan 2024/25 to 2030/31 and are integral to the plans of achieving financial sustainability in the future by increasing local specialist provision and becoming less reliant on the independent sector.
- 8 This scheme was included as a named scheme in the Children and Families Capital Programme which was approved by Children and Families Committee on the 7 April 2025.

### RECOMMENDATIONS

The Children and Families Committee is recommended to:

1. Approve the proposed formal expansion of Park Lane School, Macclesfield to provide additional 34 places for pupils aged 4-19 from September 2025 and to progress with works.
2. Delegate authority to the Executive Director of Children's Services to award a construction contract to facilitate the provision of additional places at Park Lane School, and to enter into any other agreements associated with or ancillary to the contract. Where the decision process includes financials or contracts, this will be done in consultation with the Chief Finance Officer, Monitoring Officer and the Executive Director of Place.

## Background

- 9 In 2023 the Council published online its updated Sufficiency Statement for Children and Young People with Special Educational Needs. This document highlights the specialist provision necessary within the Borough and provides the evidence base for the associated SEN plan 2023 – 2026.
- 10 The Council's Sufficiency Statement has informed the need for additional specialist places in the borough. An opportunity to provide for these additional placements at this school has been identified.
- 11 Cheshire East currently has six special schools: Springfield School (including Springfield Wilmslow satellite campus); Park Lane School; Adelaide School; Adelaide Heath; Church Lawton School and Axis School, supporting 660 pupils (January 2025 school census data) with an education health and care plan (EHCP).
- 12 Cheshire East has 155 mainstream schools and 300+ settings, the ratio for special school provision and overall schools is insufficient to meet growing SEND needs and this has been the case since Cheshire East Council came into existence in 2009.
- 13 The borough's special schools are currently at full capacity or operating above capacity; this has resulted in an over reliance on the independent sector. The cost of placements within the independent sector are considerably higher than special school placements.
- 14 The overall strategy being adopted by the Council is to increase local SEND provisions and enhance SEND support services to ensure needs are met in the most effective way across mainstream schools, mainstream schools with resource provisions, creating additional places in existing special schools and the provision of new special schools.
- 15 In January 2024, Cheshire East Children and Families Service, submitted its application for Safety Valve Capital Funding, this included 2 x 60 place SEND primary schools, 20 place expansion of Springfield (Wilmslow), 1 x 14 place SEN unit and additional funding to support further resource provisions and SEN units within mainstream settings across the borough. On 1 May 2024, the DfE confirmed that the majority of the application had been approved, and the Council has been allocated an additional £16,574,250 of grant funding to support these proposals.
- 16 The extra places at this school compliments the special schools we already have across the borough and will support the reduction in transport time for learners and associated costs. The challenges of long

journey times for our most vulnerable learners are a real concern and we know that too many learners are travelling more than two hours to and from school each day which impacts significantly to their emotional wellbeing and to our overall budget pressures. Having an improved distribution of provisions across the borough will allow for learners wherever possible to attend a local school to meet their needs, with increased local community support allowing parents/carers to invest into their local SEN provision.

- 17 This proposal will provide additional specialist school placements which would mean children having a school place within their local area whilst helping the Council manage the overspend on its Dedicated Schools Grant (DSG).
- 18 To date the Council has undertaken several schemes to meet the findings of its Sufficiency Statement including: -
  - A new 68 place school “The Axis Academy” in Crewe
  - The previous expansion of Park Lane School, Macclesfield by 40 places.
  - The initial opening of the Springfield Wilmslow campus which created 80 places. We are currently progressing with a further scheme at this site to provide an additional 20 places.
  - Two expansions at Springfield School, Crewe totalling an additional 104 places.
  - Establishment of several resource provisions and units, including Wistaston Academy (24 place resource unit), Shavington Academy (14 place resource provision), Leighton Academy (20 place resource unit).
  - We are currently progressing with a further satellite school in Middlewich for Springfield School, this is utilising the site at Cledford House. This scheme will provide an additional 60 places.
- 19 The sufficiency statement updated in 2023 acknowledged the need for additional places and evidenced the increase in the number of pupils with an Education Health Care Plan (EHCP).
- 20 This proposal provides the opportunity to make better use of the mobile and internal space at Park Lane School, Macclesfield, for the purpose of SEND school accommodation and providing additional places.

### **Consultation and Engagement**

- 21 In accordance with the guidance issued by the Department for Education, “Making significant Changes (‘prescribed alterations’) to maintained

schools. Statutory guidance for proposers and decision makers” dated March 2025: -

- The statutory publication notice in respect of formally increasing the number of places at Park Lane School, Macclesfield was published in the Macclesfield Express on the 12 March 2025.

- 22 The consultation ran for the statutory 4-week period between 14 March 2025 - 10 April 2025. Committee Members are advised that this statutory process provides the opportunity for any person with an interest to submit representations, these can be objections as well as expressions of support for the proposal. Committee Members must take any views received into account when deciding whether to approve the proposal.
- 23 The consultation was notified to key stakeholders in the Macclesfield Planning area including Ward Members, MP's, the Diocese and Parish Councils. Information was available on the Local Authority's web page and local primary and secondary schools were emailed and provided with a letter for them to distribute to their parents and carers with information about the consultation and how they may feedback their views. Notification of the consultation and how to feed back their views was also published in the School Bulletin week beginning 17 March 2025.
- 24 The consultation documents provided information including the need for places, proposed alterations to the building and mobile and objectives of the proposal.
- 25 A copy of the consultation document is attached as Appendix 1.
- 26 The statutory consultation closed on 10 April 2025.
- 27 During the consultation the authority received 12 responses regarding the Park Lane School, Macclesfield proposal. Appendix 2 gives a summary of the consultation feedback. The feedback overall census is that more SEN places are a requirement and therefore the places at Park Lane are necessary.
- 28 No key concerns were raised by consultees.

### **Reasons for Recommendations**

- 29 The recommendations are made based on the publication of a public notice and the outcomes of the subsequent statutory consultation period.
- 30 By delivering the scheme the Council will formally provide an additional 34 places at the site from 122 places to 156 places. Please note that this consultation includes the capacity and accommodation within the 2 Classroom mobile, which is already in use and the current number on roll is 138.

- 31 The proposal meets the Council’s priority to increase opportunities for children and young people with additional needs through the expansion of local SEND provision allowing more children and young people to attend a school within Cheshire East and their local community.
- 32 The proposal will also help the Council with its priority to ensure that all children have a high quality, enjoyable education that enables them to achieve their full potential through supporting the Council’s sufficiency shortfall and the differing needs of its children as a result of a growing population.
- 33 The proposals have been included within the DSG management plan 2024/25 to 2030/31.
- 34 Children’s Services has identified that it can fully fund the project and is included as a named scheme within the Children and Families Capital Programme.

**Other Options Considered**

- 35 The option to do nothing and not increase mainstream and special school provisions across the borough would result in a failure to meet our statutory duties as a commissioner of school places and incur increasing costs for out to borough SEN places.
- 36 The option to continue to place SEND learners in placements out of borough or in independent specialist provisions is not considered appropriate as this will result in a continuation of unaffordable financial pressures on the High Needs DSG budget.

Option	Impact	Risk
Do nothing and not increase mainstream and special school provisions across the borough	This would result in a failure to meet our statutory duties as a commissioner of school places and incur increasing costs for out of borough SEN places	High

**Implications and Comments**

*Monitoring Officer/Legal*

- 37 The local authority has a duty under section 19 Children and Families Act 2014 to support a child or young person, and their parents, in order to facilitate the development of the child or young person and to help him or

her achieve the best possible educational and other outcomes. This comes within the remit of the committee.

38 Section 14 Education Act 1996 provides that a local authority shall secure sufficient schools for providing primary and secondary education. The schools available for an area shall not be regarded as sufficient unless they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. In exercising their functions under this section, a local authority shall have regard to the need for securing that special educational provision is made for pupils who have special educational needs.

39 Under the Department for Education statutory guidance “Making significant changes (“prescribed alterations”) to maintained schools. Statutory Guidance for proposers and decision – makers” - March 2025, Local Authorities can propose an increase of places at the premises of community, foundation, voluntary schools, and special schools. When proposing an alteration to a special school they must follow the statutory process as set out in the Prescribed Alterations Regulations if:

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

- 10% or
- 20 pupils (5 for all boarding special schools)

(whichever is the smaller number).

40 As this proposal is for an additional 34 places, the prescribed alterations statutory process must be followed.

41 When exercising functions under the School Organisation (Prescribed Alterations to Maintained Schools (England) Regulations 2013 local authorities, governing bodies and the Schools Adjudicator must follow the DfE statutory guidance “unless there is good reason not to. The prescribed alterations statutory process consists of 5 stages -:

Stage	Action	Comments	Dates
Stage 1	Publication	Statutory proposal notice published	12 March 2025
Stage 2	Representation (formal consultation)	Must be at least 4 weeks as in the regulations	14 March 2025 – 10 April 2025

Stage 3	Decision	The decision maker (LA) must make a decision on the proposal within 2 months of the end of the representation period	Children and Families Committee 9 June 2025
Stage 4	Referral (if applicable)	If a decision has been made, any referral to the adjudicator must be made within 4 weeks of the decision. If the local authority has not decided a proposal within 2 months, it must refer the proposal to the Schools Adjudicator	Decision is to be made within the 2 months
Stage 5	Implementation	Dependent on the Committee decision	Proposed November 2025

42 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.

43 Committee members must have regard to the statutory guidance when making their decision. The statutory guidance provides that:

- *Decision makers will need to be satisfied that the appropriate fair and open representation period has been carried out*
- *Decision makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s)*

44 The local authority has a legal duty to ensure that any decision it makes is transparent and has been made applying the Wednesbury principles of reasonableness and it has a rationale for the decision made.

45 With regard to consultation there are guiding principles that must be followed if the consultation is to be fair. These are known as ‘the Gunning principles’:

- Proposals are still at a formative stage – A final decision has not yet been made, or predetermined, by the decision makers.
- There is sufficient information provided to allow those consulted to give intelligent consideration and response – The information

provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response.

- There is adequate time for intelligent consideration and response – There must be sufficient opportunity for consultees to participate in the consultation.
- ‘Conscientious consideration’ must be given to the consultation responses before a decision is made. Decision-makers should be able to provide evidence that they took consultation responses into account.

46 When issuing a decision, the decision maker can:

- Reject the proposal
- Approve the proposal with modification
- Approve the proposal with modifications, having consulted whichever of the local authority and/or governing body that has not proposed the modification; or
- Approve the proposal, with or without modification (having consulted on any modifications as mentioned above) subject to certain conditions (such as the granting of planning permission being met).

47 As regards the procurement and award of a construction contract as noted above Legal will support and work alongside the Procurement Team to render any necessary advice as regards ensuring this process complies with all statutory regulation.

#### *Section 151 Officer/Finance*

48 Children and Families Committee agreed to a budget allocation from the School Condition capital allocation, of up to £200,000 for the scheme named Park Lane School at its meeting on 7 April 2025. Following this approval the named scheme has been included within the Children and Families capital programme

49 The scheme is fully funded within the Children and Families capital programme.

50 Cheshire East revenue base budgets will not be impacted by the increase. Any costs relating to the running of a Special school is managed within the school’s budget, mainly funded by their allocation of the High Needs Block of the Dedicated Schools Grant.

## *Policy*

- 51 As referred to in paragraph 31, the proposal will meet the Council's priority to increase opportunities for children and young people with additional needs through the expansion of local SEND provision allowing more children to attend a school within Cheshire East and their local community.
- 52 As referred to in paragraph 6 the proposal will also help the Council with its priority to ensure that all children have a high quality, enjoyable education that enables them to achieve their full potential.
- 53 The proposals will allow more parents in Cheshire East to find a placement at an Ofsted rated "Good" school.
- 54 By providing an additional 34 places at Park Lane School, Macclesfield, this will support the Council with its programme to provide more in borough specialist school placements keeping more children in their local area, reducing their travel time, and allowing them to build friendships with people who live close to them.
- 55 By providing more local school places within Cheshire East the scheme will allow for considerable savings as highlighted above thus allowing the Council to make the best use of its resources.

## *Equality, Diversity and Inclusion*

- 56 Equality Impact Assessments (EIA) have been completed in respect of this proposal.
- Appendix 3 is the EIA in respect of the proposed Park Lane School, Macclesfield, which concluded that the proposal would have an overall positive impact on several of the areas – specifically parents and carers and young people and a neutral impact on remaining factors.

## *Human Resources*

- 57 There are no additional human resource implications for the Council but the school is aware that the increase in numbers on roll could require additional staffing costs which would be funded through their budget.

## *Risk Management*

- 58 There are inherent risks associated with any construction project and attempts to mitigate any risks will be managed through regular project meetings and a risk register as the scheme develops. At this stage the following risks have been identified in relation to the proposed increase in place at Park Lane School, Macclesfield:

- Programme – It is anticipated that the increase in places will be available for November 2025.
- Planning Permission – Planning permission has been approved for permanent use of the mobile - 23/0816M
- Force Majeure – The global Covid pandemic has identified that there can be some risks that on impact cannot be mitigated against and will inevitably cause some delay, disruption, and any additional costs.

### *Rural Communities*

59 The proposal will create more specialist school placements within the administrative area of Macclesfield, which in turn will allow more parents from rural areas within the borough to have access to provision.

### *Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

60 In accordance with the programme to provide more specialist school places within Cheshire East, these proposals will provide more spaces for children to learn and develop friendships with other local children.

61 The savings made from providing better value school places will allow for more efficient budgeting by the Service, which in turn will reduce pressure on the ring-fenced High Needs budget.

### *Public Health*

62 There are no direct implications for public health however by providing more places within Cheshire East the Council will be in accordance with the above as there will be benefit to the children's mental wellbeing in developing relationships with other local children and by reducing the travel to schools will allow families to spend more time together.

### *Climate Change*

63 The internal works required to update Park Lane School, Macclesfield to make the both the building and mobile fit for purpose will include a comprehensive review of the impact on climate factors.

64 Significant changes will take place at Park Lane School, Macclesfield, which will require full compliance with the latest building regulations and the Cheshire East Low Carbon Build Standard relating to such factors as insulation/heat loss, energy efficiencies and sustainable heat and power. Such factors will be key considerations as the schemes are developed through to full handover.

65 The Cheshire east Low Carbon Build Standard was adopted in 2022 and requires all new or refurbished buildings below £10million to target low carbon and energy in a hierarchy of reduce, re-use, renewables. This standard will form a base point for the design and build of the refurbished school.

*Consultation*

<b>Name of Consultee</b>	<b>Post held</b>	<b>Date sent</b>	<b>Date returned</b>
<i>Statutory Officer (or deputy) :</i>			
Sal Khan	Interim Director of Finance, Deputy Section 151 Officer	22/05/25	23/05/25
Janet Witkowski	Acting Governance, Compliance and Monitoring Officer	22/05/25	27/05/25
<i>Legal and Finance</i>			
Helen Donald	Capital Accountant	17/04/25	28/04/25
Roisin Beressi/Rebecca Dearden	Principle Lawyer (People)/Lawyer (People)	17/04/25	30/04/25
<i>Other Consultees:</i>			
<i>Executive Directors/Directors</i>			
Claire Williamson	Director for Education, Strong Start and Integration	27/05/25	27/05/25

<b>Access to Information</b>	
Contact Officer:	<p>Claire Williamson, Director of Education Strong Start and Integration</p> <p><a href="mailto:Claire.williamson@cheshireeast.gov.uk">Claire.williamson@cheshireeast.gov.uk</a></p> <p>Joanne Prophet, School Organisation and Capital Manager</p> <p><a href="mailto:Joanne.prophet@cheshireeast.gov.uk">Joanne.prophet@cheshireeast.gov.uk</a></p>
Appendices:	<p>Appendix 1- Consultation Document for Park Lane School, Macclesfield</p> <p>Appendix 2 – Consultation Feedback for Park Lane School, Macclesfield</p> <p>Appendix 3 - Equality Impact Assessment for Park Lane School, Macclesfield</p>
Background Papers:	<p><a href="#">Children and Families Capital Programme – Capital Schemes, approved at Children and Families committee 7 April 2025.</a></p> <p><a href="#">SEND Sufficiency statement 2023-2026</a></p> <p>Revised Dedicated Schools grant Management Plan 2024/25 to 2030/31 C&amp;F Committee 11 November 2024 <a href="#">Safety Valve DSG Management Plan.pdf (cheshireeast.gov.uk)</a></p> <p><a href="#">Making significant changes (“prescribed alterations”) to maintained schools Statutory Guidance for proposers and decision – March 2025</a></p>