

CHESHIRE EAST BOROUGH COUNCIL

Report to School Organisation Sub-Committee

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

1.0 Report Summary

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

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

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

2.0 Decision Requested

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

3.0 Reasons for Recommendation

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

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

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

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

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

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

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

4.0 Wards Affected

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

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

5.0 Local Ward Members

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

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

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

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

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

7.0 Legal Implications (Authorised by the Borough Solicitor)

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

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

8.0 Risk Management

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

9.0 Access to Information

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

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