

CHESHIRE EAST COUNCIL

Cabinet Member for Children and Family Services

Date of Meeting:	3 rd December 2012
Report of:	Lorraine Butcher, Strategic Director Children, Families and Adults
Subject/Title:	Proposed Expansion of Pebble Brook Primary, Wheelock Primary and Mobberley CE Primary
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 Pupil forecasts indicate a shortfall in the number of primary school places due to changing populations and increasing demand in some areas of the Borough resulting in a forecast of only 8 spaces across all year groups and all primary schools by 2017. Proposals are therefore being made for the Sandbach, Crewe and Knutsford areas of the Borough to expand existing accommodation to meet the increasing demand in these areas and to ensure a level of 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.

	Unused (Surplus) Places (January 2012 School Census Forecasts)									
	12/13		13/14		14/15		15/16		16/17	
Crewe	-18	0%	-172	-3%	-255	-5%	-316	-6%	-405	-8%
Knutsford	-5	0%	-57	-4%	-117	-8%	-164	-11%	-227	-16%
Sandbach	31	2%	-28	-1%	-68	-4%	-119	-6%	-151	-8%
All CE Primary Schools	1121	4%	752	3%	452	2%	208	1%	8	0%

- 1.3 In response to pupil forecasts a review of provision was undertaken. This has resulted in proposals to increase the capacity at Pebble Brook Primary School from 210 to 315 pupil places (from 1 form of entry to 1.5 forms of entry), Wheelock Primary from 210 to 315 pupil places (from 1 form of entry to 1.5 forms of entry) and Mobberley CE Primary from 140 to 210 pupil places (from an intake of 20 pupils to 30 pupils) creating a 1 form of entry primary school. Permission to consult on these proposals was granted at the Portfolio Holder meeting of 15 October 2012.
- 1.4 This paper reports on the outcomes of the consultation received to date. It is important to note that at the time of writing this report, there are three more

days for consultees to feedback their views by the 23 November deadline. Any further responses received will be reported verbally at the Portfolio Holder meeting on 3 December 2012 and a revised report will be submitted outlining any additional feedback received.

2.0 Recommendation

2.1 That the Cabinet Member for Children and Family Services authorise the publication of statutory notices detailing the Local Authority's proposed expansions of:

- **Pebble Brook Primary**, from the 210 school places (1FE) to 315 school places (1.5 FE) thus providing an additional 105 school places with effect from September 2013:
- **Wheelock Primary**, from the 210 school places (1FE) to 315 school places (1.5FE) thus providing an additional 105 school places with effect from September 2013:
- **Mobberley CE Primary** from the current Published Admission Number (20) providing 140 school places to a PAN of 30 (1FE) thus providing an additional 70 school places with effect from September 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 consultation period. How statutory consultation is carried out is not prescribed in regulations and it is therefore for the Local Authority as the proposer to determine the nature of the consultation. The consultation period spanned 5 weeks. In order to facilitate feedback on the proposal, formal consultation documents were produced detailing the background and rationale for the proposed expansions and explaining the statutory consultation process. Information on how feedback could be provided was included, together with a feedback form, which was published online on the Council's website or available on request. **(Appendices 1-3)** Letters were emailed to all primary and secondary schools for distribution to parents and carers of children on roll at the schools. Emails were sent to all other consultees with links to the website where full details could be obtained. Contact details were provided to facilitate requests for more information or assistance with this process. Consultees include local parents and carers, representatives of nearby schools, Ward Members, MPs, the Diocese, Parish Councils and Trade Unions. In accordance with its statutory duty under Section 176 of the Education Act 2002, the Local Authority has invited feedback on the proposed changes from pupils at the schools, the outcome of which will be presented orally at the meeting of the Portfolio Holder on 3 December, together with an updated report and appendices as aforementioned. In respect of the Mobberley CE proposal, feedback was invited from the neighbouring local authorities of Manchester City and Trafford councils.

- 3.2 Lists of all consultees for each school proposed for expansion are attached as **Appendices 4-6** together with the method of communication used. The formal consultation document was published on the Council's website and was available in hard copy on request.
- 3.3 Additionally, the Local Authority has held meetings during the formal consultation period in the three localities attended by headteachers and governor representatives from the local schools. The purpose of these meetings was to provide information about the proposed expansions and to facilitate discussion and feedback. In addition the Local Authority provided information on the pupil place planning process together with specific information regarding pupil forecasts and future housing developments relevant to the individual areas. The Local Authority notes taken at these meetings, which include comments and feedback received from attendees, are attached as **Appendices 7a,b,c**
- 3.4 To date, 6 responses have been received in relation to the Pebble Brook Primary School proposal, 9 responses for the Wheelock Primary School proposal and 62 for Mobberley CE Primary School. As aforementioned, any further responses received will be reported verbally at the Portfolio Holder meeting on 3 December 2012 and a revised report will be submitted (and appendices as appropriate) outlining any additional feedback received.
- 3.5 **Proposed Expansion of Pebble Brook Primary School**
- 3.5.1 The Headteacher and Governors have confirmed their support for the proposal to expand the school to 1.5 form of entry to accommodate local children at a school within a reasonable distance, as far as possible.
- 3.5.2 Only 6 responses have been received to the proposed expansion of Pebble Brook Primary. Of these, 5 have indicated support for the expansion and 1 has indicated 'no objection'.

Respondent	Number received	Support	Do Not Support	No objection	Total
Governor	2	2	0	0	2
Headteacher	1	0	0	1	1
Parent	1	1	0	0	1
Local Resident	1	1	0	0	1
Unknown	1	1	0	0	1
Total	6	5	0	1	6

- 3.5.3 In addition, one comment has been received about the rationale for excluding Shavington primary schools from the proposal. It should be noted that this proposal for Pebble Brook has been formulated taking into account capacity in all schools within the Crewe Local Area Partnership and utilising the planning area as identified in the Draft School Organisation Framework and shown in the table below. Data for this group of schools indicates that 140 pupil places are needed by 2017 (based on 2012 School Census forecasts) to provide sufficient capacity and 4% operational surplus, which is needed to

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

Area	LAP	School
Shavington	Crewe	Shavington Primary School
Shavington	Crewe	The Berkeley Primary School, Wistaston
Crewe	Crewe	Pebble Brook Primary School
Shavington	Crewe	Weston Village Primary School
Shavington	Crewe	Wistaston Church Lane Primary School
Nantwich	Crewe	Willaston Primary School

3.5.4 The other 5 respondents have commented about the need to review the current capacity at the Catholic primary school serving this area in response to changing demographics in the town and increasing demand for faith education. The Portfolio Holder is advised that further analysis is already underway to address the significant increase in demand for primary school places in the Crewe area and included in this analysis is the need to ensure that there are sufficient places for families seeking a faith education to ensure diversity of provision in response to local demand.

3.5.5 On 9 November, a meeting was held and attended by headteachers and governor representatives of the Crewe primary schools to provide information about the proposed expansion of Pebble Brook Primary and the rationale for change including forecast demand and the process for change. The meeting was not well attended; however, attendees welcomed the opportunity to discuss school place planning procedures and forecast demand for school places. Attendees acknowledged the pressures for the area and expressed no objection to the proposal. Increasing demand for faith education in the area was acknowledged.

3.5.6 Full details of the responses received during consultation are attached as **Appendix 8**

3.6 **Proposed Expansion of Wheelock Primary School**

3.6.1 The Headteacher and Governors have been consulted and fully support the proposed expansion of the school to a 1.5 FE primary school to accommodate the growing population and increasing demand for school places.

3.6.2 9 responses have been received to date to the proposed expansion of Wheelock Primary. It is important to note that the deadline has not yet been reached at the time of writing this report and therefore further feedback may be received, which will be presented orally at the meeting of 3 December together with an updated report and appendices.

Respondent	Number received	Support	Do Not Support	No objection/ No View	Total
Governor	3	2	1	0	3
Headteacher	1	1	0	0	1
Parent/Governor	2	1	1	0	2
School Staff	1	0	1	0	1
Grandparent	1	0	0	1	1
Unknown	1	0	0	1	1
Total	9	4	3	2	9

3.6.3 Of the 9 responses, 4 have indicated support for the expansion, 2 have expressed no view and 3 do not support the proposal.

3.6.4 Comments received from respondents expressing support for the proposal or expressing no view included:

- Agreement that more places should be provided to ensure local families could access provision at their local school within this growing community and to ensure school places are provided within a reasonable distance;
- Enquiring as to whether 105 extra places is sufficient and asking if this should be a proposal for expansion by an additional 210 places to meet forecast demand by 2017 or is there sufficient demand to warrant a new school in the Ettiley Heath area and questioning the reduction in capacity at Sandbach Primary under Cheshire County Council.

3.6.5 Comments received from respondents objecting to the proposal included:

- Concerns that this proposal will impact on nearby schools if more places are provided at Wheelock.
- Suggestions that this increasing demand should be addressed by expanding 3 to 4 schools in the area spreading additional places evenly;
- Rezoning of Ettiley Heath as a solution to the increased demand for places at Wheelock from within its catchment area;
- Comment that this proposal undermines the Local Authority proposed principal of schools being 1 or 2 forms of entry wherever possible – as detailed in the Draft School Organisation Framework;
- Questions about travel to school and current arrangements of transporting children from Ettiley Heath at a cost to the LA;
- Challenge that informal consultation should have been undertaken with schools in the area in the process of formulating options prior to formal statutory consultation;

3.6.6 Full details of the responses received during consultation are attached as **Appendix 9**

3.6.7 The rationale for the proposal is set out within the consultation document attached as Appendix 2 and this indicates that there will be a shortfall of

places across all 8 schools including the two primary schools located in Haslington. Forecasts using 2012 School census information indicate that this will be a problem from 2013 with a shortfall in capacity of 28 places at this time. However, the Local Authority has already experienced problems for admission to the reception in 2012 with demand for places exceeding the number of reception class places. Admission over the published admission numbers was therefore agreed in order to ensure all children had a school place for September. Without additional places in this area, this problem will continue and the Local Authority will risk breaching its statutory duty of ensuring sufficient school places for children resident in its area. In order to determine where additional capacity should be provided the Local Authority has analysed data on each school in the area and taking into account the following:

- Level of local demand using catchment or area generally served by the school;
- Community's ability to sustain the school;
- Physical condition of the school premises;
- Nature of the site, accessibility to it and scope for expansion;
- Ability to deliver a full range of curriculum and social experiences;
- Latest Ofsted inspections (successful schools);
- Pattern of parental preference (popular schools).

3.6.8 Elworth CE has 280 places and is full. A review of capacity at Elworth CE is also underway due to increased demand anticipated due to new housing in the area for which contributions have been agreed with developers through the Section 106 agreement. Rezoning of the Elworth CE catchment area to Elworth Hall was determined for 2013 to prepare for potential new housing in this area arising from developer enquiries and planning applications.

3.6.9 Elworth Hall has 210 places as a 1 form of entry primary school. Forecasts indicate that this school will have some unused capacity by 2017 with 33 spaces forecast across all year groups. This spare capacity has contributed to the analysis when arriving at the overall forecast shortfall of 151 places. The number of first preferences received as an indication of demand for places at this school has been below the published admission number of 30 places since 2009 and therefore parental choice for this school can be met by existing provision.

3.6.10 The Draft School Organisation Framework has proposed that, wherever possible, schools should be either a 1 or 2 form of entry, providing single aged classes. It is acknowledged that this will not always be possible due to variation in demand for places, the community's ability to sustain the school and site suitability and the government presumption in favour of the expansion of popular and successful schools.

3.6.11 The Government is committed to a diverse school system characterised by improving standards and increased choice for parents and pupils. The Education White Paper outlined the expectation on local authorities to encourage good schools to expand and for the focus to be on supplying a sufficient number of good places rather than removing unused (surplus)

capacity in undersubscribed schools. The Education Act 2011 introduced these requirements from February 2012.

- 3.6.12 Zoning arrangements are part of a school's admission arrangements and can be revised through statutory admissions consultation procedures. Whilst catchment areas are lawful practice, parents must not be required to apply for their catchment area school through the coordinated admissions process and places at the catchment area school cannot be guaranteed. Catchment areas therefore afford a level of priority within the admission arrangements for families resident in the area when applying for school places.
- 3.6.13 Assisted Travel to Wheelock Primary for families resident in Ettiley Heath is funded on the basis of the hazardous nature of the route at a cost of £20,900 with 80 resident children eligible. The schools located nearby are Elworth CE and Wheelock (the catchment area school) and on the other side of the A533 (Middlewich Road) is Elworth Hall.
- 3.6.14 The process of formulating options for consideration included consideration of the priorities listed above in paragraph 3.6.5. Due to the timescales involved, informal (non-statutory) consultation procedures were not implemented prior to formal statutory consultation. Feedback on the proposal has nevertheless been facilitated during the formal consultation period and meetings arranged with groups of schools provided in depth discussion with attendees.
- 3.6.15 On 30 October at the start of the consultation process, a meeting was held attended by headteachers and governor representatives of the Sandbach primary schools to provide information about the proposed expansion of Wheelock Primary and the rationale for change including forecast demand and the process for change. The meeting was well attended. Attendees acknowledged the pressures for the area but expressed objection to the Wheelock proposal. Concern was expressed that informal consultation procedures had not been implemented allowing schools in the area the opportunity to be part of the process of identifying options for change and that the proposal for 105 places had the potential to impact on other Sandbach schools if additional capacity is in place for September 2013 as proposed. Additional comments were made regarding alternative solutions that attendees at the meeting considered more appropriate for the area. It was agreed at the meeting that a further meeting would be arranged during consultation to facilitate feedback on alternative solutions for the town.
- 3.6.16 On 9 November a further meeting took place and this was well attended. Minutes of this meeting will be presented to the Portfolio Holder on 3 December to allow time for these to be accepted as an accurate record of the meeting. The issues raised at the meeting include procedure, which was questioned in relation to the undertaking of equality impact assessments; data; timing of proposals and the potential impact on other schools; and consultation timescales, with recommendations that the 5 weeks is insufficient. The Portfolio Holder is advised that equality impact assessments (EIAs) have been completed for the three proposals for 2013 reorganisation (attached as appendices to this report). A review of the EIAs will be implemented to take into account any further submissions or views submitted during the

consultation period and if a revised version is needed, this will be presented at the meeting of 3 December. Regarding the data, schools have been assured that analysis of data is ongoing. It should also be noted that the consultation timescales are compliant with the Department for Education (DfE) recommendation of 4 weeks and that whilst the Local Authority will seek to consult informally in the future, as proposed in the Draft School Organisation Framework, there is no statutory duty to do so. Attendees were advised that the proposal for Wheelock Primary is one solution to the forecast shortfall for this area, which is based on 2012 School Census data, and therefore further reorganisation may be necessary. Attendees were reassured that any future reorganisation would involve informal consultation with representatives of schools in the area to ensure that the Local Authority promotes effective working relationships with schools when discharging its statutory responsibility to provide sufficient school places for its residents.

3.6.17 A range of alternative solutions were presented at the meeting for consideration and these are summarised here:

- A review of catchment areas for schools in the area
- Possible increase in the published admission numbers for St John's CE Primary from 25 to 30 (additional 35 places across all year groups)
- Possible increase in the intake of The Dingle from 50 to 60 per year group (additional 70 places across all year groups)
- Possible expansion of Elworth CE from 40 to 45 requiring additional accommodation (additional 35 places across all year groups)
- Possible expansion of Offley Primary from 45 to 60 requiring additional accommodation (additional 105 places across all year groups)
- Space to expand Sandbach Primary if necessary

3.6.18 Feedback from the Governing Body of Offley Primary School was received after the meeting of 9 November and this is enclosed as **Appendix 9a**.

3.6.19 Concerns have been raised in the response that the outcome of the consultation process has been pre-determined, that feasibility work has been undertaken resulting in proposed drawings and that these have been shared with parents at the school, that a majority of headteachers of other primary schools in the area have not had the opportunity to discuss the impact on their own schools or to suggest alternative solutions. In addition, it is stated that the Local Authority refused to minute meetings held on 30 October and 9 November. Further concerns include consideration of the impact on local schools, the capital costs and the need to ensure future demand justifies this proposal. Housing has been raised suggesting that this must also feed into any proposals for future provision beyond 2014. These concerns are addressed below.

3.6.20 The Portfolio Holder is advised that consultation has been undertaken for a 5 weeks period and that officers have provided reassurance that no final decision has been taken on the proposal. Feasibility work has nevertheless been undertaken at a cost to the Local Authority prior to consultation. It should be noted that this is necessary to ensure that a proposal is deliverable if it is then determined post consultation. The Local Authority accepts the risk of

abortive costs if expansion is not approved through this process. Meetings held with the schools in the area were arranged to ensure that nearby schools were involved in this process and that the purpose of the meetings was to raise awareness and provide information about the proposed expansion and facilitate discussion in order that feedback can be submitted during consultation. Any concerns raised were recorded for presentation to the Portfolio Holder at the meeting of 3 December and these are attached to this report as appendix 9. At the meeting of 9 November, minutes were recorded as requested by attendees and these will be presented at the meeting of 3 December, as stated in paragraph 3.5.15 above. Capital approval had been obtained for named schemes prior to statutory consultation. The Portfolio Holder is advised that internal procedures necessitate that funding is approved in principle in accordance with the Council's agreed procedures but that a final decision to make a significant enlargement is subject to formal statutory consultation and a further 4 weeks representation period. The Local Authority has provided reassurance that there is ongoing analysis of future demand due to planned and proposed housing developments in the area and that demand from new developments is in addition and involves liaison with developers over financial contributions where existing capacity is insufficient. It is important to bear in mind that the expansion of Wheelock Primary is proposed to meet basic need requirements arising from an increasing demand for places from existing residents.

- 3.6.21 There is a suggestion in the objection from the Governing Body of Offley Primary School that surplus places in existing schools should accommodate the September intake for 2013 as a short term solution. The Portfolio Holder is advised that for admission in September 2012, the Local Authority received 212 first preferences for the 185 reception class places provided in the 6 Sandbach town primary schools and 302 first preferences for the 275 places when including the 2 Haslington schools. To accommodate these additional children, 2 of the 6 schools agreed admissions above their Published Admission Numbers to ensure that children were accommodated in schools within a reasonable distance from their home address. For admission in September 2013 there are already 253 on the system resident in the catchment areas for the 275 places in the 8 primary schools and this includes 204 in the catchment areas of the 6 Sandbach schools for which there are 185 places. Historically, this figure increases by the end of the admission process as it is based only on parents and carers who are in receipt of nursery vouchers and therefore does not include those who make alternative arrangements for their child.
- 3.6.22 Attendees at the meetings were reassured that the alternative solutions presented will be reported to the Portfolio Holder at the meeting of 3 December and can also form the basis of discussion regarding further reorganisation in this area. However, it was discussed that the alternative solutions, which comprised in total of a least an additional 245 places would need to be fully considered as this far exceeded the forecast shortfall in capacity. Attendees acknowledged that not all proposed alternative solutions would be necessary to meet the shortfall but that these were considered as more affordable options and offering less short term impact on nearby schools. The Portfolio Holder is advised that a desktop feasibility exercise is currently

being undertaken on these alternative solutions and this information will be presented at the meeting on 3 December.

3.7 Proposed Expansion of Mobberley CE Primary School:

- 3.7.1 The Headteacher and Governors have confirmed their support for the proposed expansion of the school to a 1 Form of Entry primary school (30 places per year group) in order that accommodation is suitable for existing pupils on roll and to accommodate the growing population and demand for places from local families now and in the future.
- 3.7.2 Feedback on the proposed expansion of Mobberley CE has been very good with 62 responses received to date. Of those, 60 have returned comments supporting the proposal believing it to be the right decision, long awaited and good for the children, their learning environment and the development of the community as a whole. There has been 1 response opposing the proposed expansion based on a preference to retain the smaller classes that Mobberley currently offered compared with a local school in a neighbouring local authority. 1 respondent stated on behalf of a nearby school that they had no objection to the proposal but did express the importance of retaining robust infrastructure for all local schools and that any expansion of Mobberley must not be at the expense of these other schools.

Respondent	Number received	Support	Do Not Support	No objection	Total
Parish Council	2	2	0	0	2
Councillor	1	1	0	0	1
Governor	3	2	0	1	3
Headteacher	1	1	0	0	1
Parent	31	30	1	0	31
Pupil	17	17	0	0	17
School Staff	6	6	0	0	6
Unknown	1	1	0	0	1
Total	62	60	1	1	62

- 3.7.3 Full details of the responses received during consultation are attached as **Appendix 10**
- 3.7.4 The Portfolio is advised that any further reorganisation will be the subject of informal consultation with local schools and this will include taking into account the issues raised by respondents.
- 3.7.5 Knutsford primary headteachers had met with Local Authority officers on 31 October. There was an acceptance amongst those present that the proposed expansion of Mobberley CE Primary school was anticipated and necessary given the recent housing developments in the area but highlighted that further expansions more central to Knutsford town would be required in the near future.

4.0 Wards Affected

- 4.1 ***Pebble Brook Primary School*** is situated in Crewe South Ward. However, consultation was untaken with neighbouring wards:-

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

- 4.2 ***Wheelock Primary School*** is situated in Sandbach Ettiley Heath and Wheelock Ward. However consultation was undertaken with neighbouring wards:-

Brereton Rural
Sandbach Elworth
Sandbach Town
Sandbach Ettiley Heath and Wheelock
Sandbach Heath and East
Haslington

- 4.3 ***Mobberley CE Primary*** is situated in Mobberley Ward. However consultation was undertaken with neighbouring wards.

High Legh
Mobberley
Knutsford
Chelford
Wilmslow West & Chorley

5.0 Local Ward Members

- 5.1 ***Pebble Brook Primary***

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

- 5.2 ***Wheelock Primary***

John Wray – Brereton Rural
Gill Merry – Sandbach Elworth

Barry Moran – Sandbach Town
Gail Wait – Sandbach Ettley Heath & East
Sam Corcoran – Sandbach Heath & East
David Marren – Haslington
John Hammond – Haslington.

5.3 ***Mobberley CE Primary***

George Walton – Chelford
Steve Wilkinson – High Legh
Stewart Gardiner – Knutsford
Olivia Hunter – Knutsford
Peter Raynes - Knutsford
Jamie Macrae - Mobberley
Gary Barton – Wilmslow West and Chorley
Wesley Fitzgerald – Wilmslow West & Chorley

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

6.1 All the proposed expansions are part of an approved block budget (grant) set aside for Basic Need. The block budget was formally approved at Council on 23 February 2012.

6.2 The building work would be funded from the Council's 2012/2013 Capital Programme for Basic Needs. The capital investments required are estimated at:

• Pebble Brook Primary Perm Extension	£1,040,001
• Wheelock Primary Perm Extension	£1,608,758
• Mobberley CE Primary Perm Extension	£796,000

6.3 Although the Local Authority is proposing an expansion to Mobberley CE Primary this would be subject to the acquisition of land adjacent to the school and therefore agreed costs would be in addition to the estimated £796,000 quoted above, which would be funded from DfE Basic Need grant.

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

7.1 As the additional accommodation proposed for Pebble Brook Primary, Wheelock Primary and Mobberley CE Primary School would increase the capacity of each school by more than 30 pupils and by more than 25% the proposed enlargements are subject to statutory proposals.

7.2 In bringing forward proposals to expand a school, 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).

7.3 The 5 statutory stages to a statutory proposal to expand a school are:-

1. Consultation
2. Publication
3. Representation
4. Decision
5. Implementation.

Proposed timescales for the statutory process are:

15 October 2012	Portfolio Holder's Decision to formally consult on expansion
22 October 2012	5 day call in period
22 October 2012 to 23 November 2012	Consultation Period
3 December 2012	Portfolio Holder's Decision on publishing proposals in a statutory notice.
10 December 2012	5 day call in period
10 December 2012 to 4 January 2013	Representation Period (4 weeks statutory)
4 February 2013	Cabinet decision on the proposals
11 February	5 day call in period
11 February 2013	Implementation
September 2013	Proposed Implementation Date

7.4 In deciding whether or not to give permission to publish proposals it is a requirement both under guidance and case law that the decision maker should consider the views expressed during the consultation and take into account the Equality Impact Assessment. It is therefore imperative that full details of all views received during the consultation period are available at the meeting on 3 December 2012. In taking the decision the Portfolio Holder should also be satisfied that the Equality Impact Assessment has adequately taken account of any further submissions or views submitted during the consultation period.

7.5 If the decision is taken to publish proposals, a representation period will follow which must be of 4 weeks duration and cannot be altered. This allows comments on the proposals to be made by any person, which can be objections as well as expressions of support for the proposals. This period is the final opportunity for people and organisations to express their views about the proposals and ensure that they will be taken into account when the decision is finally being made.

7.6 Where capital funding is required for a proposal, guidance states that the decision maker must be satisfied that that funding is available before any proposals are published.

- 7.7 Following publication of the proposals and the subsequent statutory representation period, the final decision on whether the published proposals will be implemented will be taken by Cabinet. In making its decision, Cabinet will have to be satisfied that all statutory requirements including statutory consultation and statutory guidance have been complied with. The legislation provides further detailed statutory advice on what factors the decision maker must take into account in reaching a final decision, which information will be contained in the final report to Cabinet.
- 7.8 In the event that the Council receives any objections to any of the statutory proposals during the representation period, the final decision on those particular proposals will be determined by the School Organisation Sub Committee. If there are no objections to statutory proposals, those proposals will be determined by Cabinet.

8.0 Risk Management

- 8.1 Disruption to pupils, staff and the community must be kept a minimum during the consultation period and any subsequent building programme. This is to ensure that standards continue to improve.
- 8.2 The proposed expansions were identified to address a Basic Need in the individual areas. 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 schemes by September 2013 the construction phase would need to commence by late February 2013. There is therefore a key risk resulting from the very tight timetable leading up to this.
- 8.3 The Local Authority cannot enter into a contract to provide the further accommodation at Mobberley CE Primary until additional land to be used for hard-standing area has been acquired and approval to the building scheme, including the proposed use of the additional land for hard-standing area, has been approved by the Planning Authority. If additional land cannot be acquired, then the Local Authority will have to investigate alternative provision in the Knutsford area.
- 8.4 If the land-owner is not willing to sell, the only other option on the Mobberley site would be to consider converting the existing playing field to form a synthetic pitch that could be used by pupils at break-times etc. in addition to meeting the school sporting requirements. This would increase the capital cost of the project and also cause the school some organisational difficulties of having to supervise pupils across a farm track which is used regularly. Sport England have been consulted on this and offered the following comments "*The Artificial Grass Pitch (AGP) would need to meet the following exception to the playing field policy replicated in paragraph 74 of the National Planning Policy Framework*":
- 8.5 Implementation of these proposals will be subject to the necessary planning permissions.

9.0 Access to Information

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

Name: Barbara Dale
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