

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	4 February 2013
Report of:	Strategic Director, Children, Families and Adults
Subject/Title:	Proposed Expansion of Pebble Brook Primary School, Crewe
Portfolio Holder:	Councillor Rachel Bailey Portfolio Holder for Children and Family Services

1.0 Report Summary

- 1.1 This decision paper reports on the outcome of the statutory public notice (**Annex 1**) and subsequent 4-weeks representation period, which commenced on 20 December 2012 and concluded on 17 January 2013.
- 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 this proposal to increase the capacity at Pebble Brook Primary School from 210 places to 315 places. Statutory consultation on this proposal was approved by Councillor Gaddum, Cabinet Member for Children and Families Services, on 15 October 2012.
- 1.4 A report detailing the outcome of the consultation undertaken between 22 October 2012 and 23 November 2012 was presented to the Cabinet Member on 3 December 2012 whereupon permission was given to issue a statutory notice detailing the proposed expansion of Pebble Brook Primary School from 210 to 315 school places.
- 1.5 In accordance with the guidance issued by the Department for Education, the statutory notice was published in the local paper and a copy of the notice and complete proposal were forwarded to the Secretary of State. The statutory four-week representation period that followed commenced on 20 December 2012 and concluded on 17 January 2013. Members are advised that this statutory process provides the opportunity for any person with an interest to submit representations, which can be objections as well as

expressions of support for the proposals. Cabinet must take any views received into account when deciding whether to approve the proposal.

- 1.6 The representation period was notified to key stakeholders including Ward Members, Edward Timpson MP, the Diocese and Parish Councils. Information was emailed to all schools in the Crewe Local Area Partnership (LAP) and neighbouring primary schools were issued with letters for distribution to all their parents and carers. Copies of the statutory notice were displayed by officers on the school gates at Pebble Brook Primary School and in other prominent places in the local area.
- 1.7 A copy of the full proposal and its appendices is attached as **Annex 2**.
- 1.8 The table below lists the documents included with this report.

Annex	Document
1	Statutory Public Notice
2	Full Proposal
	Appendix 1 - Consultee List
	Appendix 2 - Consultation Document
	Appendix 3 - Consultation Feedback Form
	Appendix 4 - Consultation Feedback
	Appendix 5 - Council Minutes , 23 February 2012
	Appendix 6 - Council Minutes , 19 July 2012
3	Equality Impact Assessment
4	Guidance for Members
5	Extract of Decision Makers' Guidance (Department for Education)
6	Map of Crewe School in the vicinity

2.0 Decision Requested

- 2.1 That the Cabinet gives approval to the expansion of Pebble Brook Primary School, Crewe to increase the school from its current capacity of 210 school places to 315 places with a planned implementation date of 1 September 2013.

3.0 Reasons for Recommendation

- 3.1 To ensure that the Local Authority can meet its statutory duty to provide sufficient school places for children resident in its area.
- 3.2 In making this recommendation, Cabinet is advised that full consideration has been given to the responses received from key stakeholders during the statutory school organisation process, which has included a 4 week representation period following formal consultation with key stakeholders.
- 3.3 It is important to note that at the time of writing this report no representations have been received to this proposal. However, as there are 2 more days for submissions to be made any representations received by the deadline will be presented orally at the Cabinet Meeting, together with an updated report and appendices, as necessary.

- 3.4 Cabinet is advised that the Headteacher and Governors of Pebble Brook Primary School have confirmed their support for the proposed expansion of the school.
- 3.5 An Equality Impact Assessment (**Annex 3**) has been completed for this proposal and this assessment has concluded that the proposal would have an overall positive impact by increasing provision and optimising parental choice benefitting parents and carers and their children and socio-economic disadvantaged groups by providing more pupil places at a good school within a reasonable distance.

4.0 Wards Affected

- 4.1 Pebble Brook Primary School is situated in Crewe South 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 Fasey – Crewe Central
Councillor Peggy 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 proposed expansions was part of an approved block budget (grant) set aside for Basic Need. The block budget was formally approved at Council on 23 February 2012. A virement and supplementary capital estimate (for the proposed permanent extension) was subsequently approved by Council on 19th July 2012.
- 6.2 The building work would be funded from the Council's 2012/2013 Capital Programme for Basic Need. The capital investments required is estimated at £1,012,000.

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 The issues considered by officers to be of relevance to this proposal are set out in **Annex 4**, but this should not discourage members from considering any other issues that they consider relevant.
- 7.6 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.

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 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. 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 at a cost of £28,000 to determine how the additional accommodation can best be provided. 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.
- 8.3 Members are advised 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.
- 8.4 An Equality Impact Assessment (**Annex 3**) has been completed for this proposal and this assessment has concluded that the proposal would have an overall positive impact by increasing provision and optimising parental choice benefitting parents and carers, young people and socio-economic disadvantaged groups by providing more pupil places at a good school within a reasonable distance.
- 8.5 Implementation of this proposal will be subject to the necessary planning permission.

9.0 Access to Information

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

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