

CHESHIRE EAST COUNCIL

Report to School Organisation Sub Committee

Date of Meeting: 19 September 2013
Report of: Tony Crane, Director, Children Services
Subject/Title: Proposed Expansion of Ash Grove Primary School and Nursery, Macclesfield.
Portfolio Holder: Councillor Rachel Bailey

1.0 Report Summary

- 1.1 This decision paper reports on the outcome of the statutory public notice (**Annex 1**) of the Council's proposed expansion of Ash Grove Primary School and Nursery from 105 to 210 pupil places from September 2014 and details the responses received during the subsequent 4-weeks representation period, which commenced on 17 July and concluded on 14 August 2013.
- 1.2 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.
- 1.3 A copy of the full proposal and its appendices are attached as **Annex 2**.
- 1.4 This proposal has the full support of the headteacher and governing body. (**Annex 3**)
- 1.5 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
3	Governing Body Approval
4	Representation Feedback Summary
5	Guidance for Members
6	Guidance issued by the Department for Education – Extract for Decision Makers
7	Equality Impact Assessment
8	Map showing Schools Location

- 1.6 This report was authorised by the Senior Management Team on 28 August

2.0 Decision Requested

- 2.1 That the School Organisation Sub Committee approves the expansion of Ash Grove Primary School and Nursery from 105 to 210 pupil places with a planned implementation date of September 2014.

3.0 Reasons for Recommendation

- 3.1 As the Strategic Commissioner of School Places, Cheshire East Council has a statutory duty to ensure there are sufficient school places for children resident in its area, in accordance with Section 14 of the Education Act 1996.
- 3.2 The proposal to expand Ash Grove Primary School & Nursery 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.
- 3.3 Originally operating as a 1.5 form of entry primary school, Ash Grove Primary School 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.
- 3.4 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.
- 3.5 There are no costs associated with this proposal as existing accommodation can be re-introduced, as aforementioned.
- 3.6 Permission to consult on this proposal was requested and granted at the 22 April Portfolio Holder meeting. Consultation was undertaken between 30 April and 4 June and during this period only 1 response was received. In making this recommendation full consideration has been given to this feedback, included as **Appendix 4** to the full proposal.
- 3.7 During the representation period (17th July 2013 to 14 August 2013) a further response was received. Consideration has also been given to this feedback, which expressed no objection to the expansion, but raised concern about the impact of expanding the school on parking and traffic, litter and noise in the area of the school and the impact of these on local residents.
- 3.8 The representation received is attached as **Annex 4**.

- 3.9 Committee members are reminded that they must take any representations received into account when deciding whether to approve the proposal.
- 3.10 Information relating to any issues raised is included in **Annex 5** to this report to assist Members when considering the proposal. However, this should not discourage Members from considering any other information that they consider relevant.

4.0 Background

- 4.1 The rationale for this proposal is set out in the consultation document attached as Appendix 2 to the full proposal.
- 4.2 To summarise 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. In order to accommodate children resident in the school's catchment area for whom there was no other school 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 agreed admission of up to 30 children for 2013.
- 4.3 This request for approval to expand this school has taken into account feedback received during the formal consultation period and officers have held informal consultation with headteachers of the Macclesfield primary schools and the feedback received during this process has informed this proposal.
- 4.4 A report detailing the outcome of the formal consultation undertaken between 30 April 2013 and 4 June 2013 was presented to the Cabinet Member on 1 July 2013 whereupon permission was given to issue a statutory notice detailing the proposed expansion of Ash Grove Primary School and Nursery from 105 to 210 pupil places
- 4.5 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 17 July 2013 and concluded on 14 August 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.
- 4.6 The representation period was notified to key stakeholders including Ward Members, David Rutley MP, the Diocese and Parish Councils. Information was emailed to all schools in the Macclesfield Local Area Partnership (LAP) and 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 and in other prominent places in the local area.

5.0 Wards Affected

- 5.1 Ash Grove Primary School and Nursery is situated in Macclesfield South Ward. However, consultation was 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

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

- 6.1 The school are to reintroduce existing classrooms and, therefore, the Ash Grove Primary School and Nursery proposal is cost neutral.

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. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, as amended, describe the procedures that must be followed when making prescribed alteration proposals and state that local authorities must make decisions about expansions.
- 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 regulations further provide that the local authority must have regard to the statutory guidance given from time to time by the Secretary of State when they take a decision on proposals. An extract from the relevant Department for Education guidance entitled "*Expanding a Maintained Mainstream School by Enlargement*" is attached for Members as **Annex 6**
- 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 School Organisation Sub Committee is advised that they must have regard to paragraphs 4.17 to 4.73 of the statutory Guidance when making their decision, in accordance with Regulation 8 of The Regulations. As stated in paragraph 3.7 above, information considered to be of relevance to this section of the Guidance is set out in **Annex 5**, but this should not discourage members from considering any other issues that they consider relevant. The Department for Education's guidance makes it clear that the list provided in the Guidance should not be treated as exhaustive because the importance of each factor will vary depending on the proposal and as such all proposals should be considered on their individual merits.

8.0 Risk Management

- 8.1 Disruption to pupils, staff and the community must be kept to a minimum whilst statutory school organisation procedures are being implemented.
- 8.2 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.
- 8.3 An Equality Impact Assessment (**Annex 7**) 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

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