

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: Wilmslow Grange Community Primary and Nursery, Handforth, Wilmslow and Dean Oaks Primary, Handforth, Wilmslow.
Portfolio Holder:	Councillor Rachel Bailey

1.0 Report Summary

- 1.1 This decision paper reports on the outcome of the statutory public notices (**Annex 1a and 1b**) of the Council's proposed expansion of Wilmslow Grange Community Primary and Nursery from 210 to 315 school places and Dean Oaks Primary from 315 to 420 pupil places from September 2014 and details the responses received during the subsequent 4-weeks representation period, which commenced on 18 July and concluded on 15 August 2013.
- 1.2 Section 14 of the Education Act 1996 places a duty on local authorities to ensure that there are sufficient school places available for their area. The October 2012 pupil forecasts indicate that there will be a shortfall of 227 places across all primary schools in the Wilmslow area by 2018. In response to these forecasts a review of provision has been undertaken and this has resulted in proposals to increase Wilmslow Grange Community Primary and Nursery from 210 to 315 school places and Dean Oaks Primary from 315 to 420. Statutory consultation on these proposal was approved by Councillor Rachel Bailey, Cabinet Member for Children and Families Services, on 22 April 2013.
- 1.3 In addition to the two proposals set out above, feedback was invited during consultation on the Council's proposal to fund additional school places at Lacey Green Primary School Academy. Whilst the Local Authority cannot propose the expansion of an Academy, it does have a strategic duty to ensure that it has sufficient school places for children resident in its area. The expansion of Lacey Green Primary Academy is subject to Secretary of State approval to amend the Academy's funding agreement. The Academy will therefore need to submit a business case to the Education Funding Agency, including outcomes of consultation with key stakeholders, to seek this approval.
- 1.4 Copies of the full proposals and their appendices, which include the feedback received during the statutory consultation period, are attached as **Annex 2a and 2b**.

- 1.5 The School Organisation Sub Committee is advised that it must take into account any representations received when deciding whether to approve the proposals.
- 1.6 The table below lists the documents included with this report.

Annex	Document
1a	Statutory Public Notice – Wilmslow Grange Community Primary
1b	Statutory Public Notice – Dean Oaks Primary
2a	Full Proposal – Wilmslow Grange Community Primary
2b	Full Proposal – Dean Oaks Primary
	Appendix 1 – Consultee List
	Appendix 2 – Consultation Document
	Appendix 3 – Consultation Feedback Form
	Appendix 4 – Consultation Feedback
	Appendix 5 – Extract - Cabinet Minutes, 28 Feb 2013
	Appendix 6 – Extract - Cabinet Minutes 24 June 2013 (refers to Dean Oaks only)
3a/b	Governing Body Responses
4	Representation Feedback Summary
5	Guidance for Members
6 a	Wilmslow Education Partnership Meeting – 27 Nov 2012
6 b	Wilmslow Education Partnership Meeting – 8 March 2013
7	Guidance issued by the Department for Education – Extract for Decision Makers
8	Equality Impact Assessment
	Appendix 7 – Wilmslow Grange Travel Plan (2013-2014)
9	Map showing Schools Location

- 1.7 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 for implementation in September 2014, the expansions of:

- **Wilmslow Grange Community Primary and Nursery School, Handforth** - from 210 to 315 pupil places;
- **Dean Oaks Primary, Wilmslow** - from 315 to 420 pupil places;

3.0 Reasons for Recommendation

- 3.1 These proposals will enable the Local Authority to meet its statutory duty as Strategic Commissioner of School Places by commissioning sufficient school places for children resident in its area.

- 3.2 The Headteacher and Governors of Wilmslow Grange Community Primary and Nursery and Dean Oaks Primary have been consulted and fully support the proposed expansion of the schools to accommodate the growing population and increasing demand for school places in their area. (**Annex 3a and 3b**)
- 3.3 In making this recommendation, full consideration has been given to the 7 responses received during the 4 weeks representation period. (Full details are set out in **Annex 4**). Representations received include 4 comments on the Wilmslow Grange proposal, 2 on the Dean Oaks proposal and 1 commenting on both proposals.
- 3.4 The representations received include 3 objections and 1 response in support of the proposal to expand Wilmslow Grange. The concerns raised as objections are about increased parking issues for nearby homes; school noise levels; and the increased traffic and potential risk to children on surrounding roads.
- 3.5 For Dean Oaks, 2 objections were received. One respondent expressed concern about the disruption to the three schools in the area proposed for expansion and the cost in doing so. The other respondent commented on traffic congestion; parking issues at the beginning and end of the school day; and the need for changes at the school if the proposal is agreed to ensure the quality of education is not compromised.
- 3.6 One respondent commented on both proposals expressing concern about the impact on traffic if the area and questioning the rationale and querying if this was linked to an aspiration for extra housing in the area.
- 3.7 The School Organisation Sub Committee must take these views into account when deciding whether to approve the proposal.
- 3.8 Information relating to these issues is included as **Annex 5** to this report to assist the School Organisation Sub Committee 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 these proposals is set out in the consultation documents attached to the full proposals as **Appendix 2**.
- 4.2 To summarise, October 2012 School Census pupil forecasts indicated a shortfall in the number of primary school places in some areas of the Borough. The forecasts indicate that for Wilmslow, there will be a shortfall of 227 places by 2018. These forecasts do not provide for any 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. To deliver 4% operational surplus, current forecasts (October 2012 School Census) indicate the need for 327 pupil places by 2018. This data is set out in the table below.

Wilmslow Area	Number on Roll (NOR) May 13	Capacity -Number of Pupil Places May 13	Academic Year					
			13/14	14/15	15/16	16/17	17/18	18/19
Forecast NOR	2426	2498	2511	2562	2607	2661	2692	2725
Forecast Shortfall Places			-13	-64	-109	-163	-194	-227
Forecast Shortfall Places including 4% operational surplus			-113	-164	-209	-263	-294	-327

4.3 In response to these pupil forecasts a review of provision was undertaken, resulting in 2 Local Authority expansion proposals - Wilmslow Grange Community Primary and Nursery from 210 to 315 school places and Dean Oaks Primary from 315 to 420 pupil places and a proposal by the Academy Trust to expand Lacey Green Primary Academy from 300 to 420 pupil places. This would provide 45 extra reception class places and 330 places over all year groups.

4.4 For the 2 Local Authority proposals, the expansions would deliver an additional 30 pupil places per year group, which could then be mainly phased in at the normal point of entry to school allowing the current reception admission to increase from 360 to 390 pupil places. The effect of this on the shortfall in capacity across the Wilmslow primary schools is demonstrated in the table below:

Academic Year	Surplus Places/ Shortfall in places (October 2012 Forecasts)	Wilmslow Proposals (210 additional places)	Additional Places Still Required Shortfall in places
13/14	-13		
14/15	-64	30	34
15/16	-109	60	49
16/17	-163	90	73
17/18	-194	120	74
18/19	-227	150	77
19/20	-227*	180	47
20/21	-227*	210	17

*Forecasts using October 2012 data do not go beyond 2018, therefore the 2018 figure is maintained as an indication.

4.5 The table above illustrates the need for additional capacity in the area beyond the 210 places proposed at Wilmslow Grange Community Primary and Nursery and Dean Oaks Primary with a remaining shortfall of 77 pupil places by 2018 and no operational surplus.

- 4.6 If approved by the Education Funding Agency, the additional expansion of Lacey Green Primary Academy from 300 school places to 420 would provide a further 120 school places over all year groups. This would provide sufficient capacity to address the remaining shortfall in the number of places forecast for 2018 and would contribute to a level of operational surplus just above 4%.
- 4.7 The additional capacity from all three expansion proposals would be mainly phased in at the normal point of entry to the school increasing reception classes from the current 360 pupil places to 405, and more in line with demand in recent years, as set out in the table below.

School Name	PAN (Places) 2013	1st Preferences		Catchment Area	
		2012	2013	2012	2013
Alderley Edge	30	37	25	51	38
Ashdene	60	70	65	54	54
Dean Oaks	45	40	38	107	114
Gorseley Bank	60	59	85	38	52
Lacey Green	45	60	67	42	54
Lindow	30	24	21	30	23
St Anne's Fulshaw	19	20	13	32	25
St Benedict's	26	20	30	n/a	n/a
Styal	15	21	22	8	7
Wilmslow Grange	30	42	47	70	66
Total	360	393	413	432	433

Published Admission Number, applies to the normal point of entry to the school (reception class) Figures quoted as at the point of allocation for Reception 2013 places i.e 16 April 2013

- 4.8 This request for approval to expand the two Local Authority maintained schools has taken into account feedback received during the formal consultation period and officers have shared plans within the Wilmslow School Partnership about the long term strategy for the area. (Minutes attached as **Annex 6a and 6b**)
- 4.9 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 notices detailing the proposed expansion of Wilmslow Grange Community Primary and Nursery from 210 to 315 school places and Dean Oaks Primary from 315 to 420 pupil places
- 4.10 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 18 July 2013 and concluded on 15 August 2013. Committee 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. Committee

members must take any views received into account when deciding whether to approve the proposal.

- 4.11 The representation period was notified to key stakeholders including Ward Members, George Osborne MP, the Diocese and Parish Councils. Information was emailed to all schools in the Wilmslow 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 Wilmslow Grange Community Primary and Nursery and Dean Oaks Primary and in other prominent places in the local area.

5.0 Wards Affected

- 5.1 Wilmslow Grange Community Primary and Nursery School is situated in Handforth Ward. Dean Oaks Primary is situated in Wilmslow East Ward. However, consultation was undertaken with all neighbouring wards:-

Alderley Edge
Handforth
Wilmslow Dean Row
Wilmslow East
Wilmslow Lacey Green
Wilmslow West & Chorley

Local Ward Members

Cllr Frank Keegan – Alderley Edge
Cllr Barry Burkhill - Handforth
Cllr Dennis Mahon – Handforth
Cllr Paul Whiteley – Wilmslow Dean Row
Cllr Ron Menlove – Wilmslow East
Cllr Don Stockton – Wilmslow Lacey Green
Cllr Gary Barton – Wilmslow West and Chorley
Cllr Wesley Fitzgerald – Wilmslow West and Chorley

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

- 6.1 A block budget (grant) has been approved to fund schemes identified as Basic Need. This block budget was formally approved at Council on 28 February 2013.

- 6.2 The building works necessary for the Wilmslow proposals would be funded from the Council's 2013/2014 Capital Programme and investments required for each school are estimated at:

- Wilmslow Grange Community Primary £887,000
- Dean Oaks Primary £929,000

- 6.3 The funding approved by the Council includes £887,000 for the proposed expansion of Wilmslow Grange named as a scheme in the 2013-2014 budget

book and £1,237,000 set aside as a block allocation to fund one of two options - Dean Oaks Primary or Lacey Green Primary Academy. Cabinet approval to fund Dean Oaks was given on 24 June 2013.

- 6.4 In addition, the Local Authority submitted a bid for Capital investment in Lacey Green Primary Academy from the Targeted Basic Need programme implemented by the Department for Education. This programme was to provide additional support to local authorities experiencing the greatest pressure on places to expand good and outstanding schools with high levels of demand. The Local Authority received notification on 18 July from the Education Funding Agency that the bid was successful.

7.0 Legal Implications (Authorised by the Borough Solicitor)

- 7.1 As the additional accommodation proposed for Wilmslow Grange Community Primary and Nursery and Dean Oaks Primary would increase the capacity of the school by more than 30 pupils and by more than 25% the proposed enlargement is subject to statutory proposals.
- 7.2 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.
- 7.3 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.
- 7.4 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 7**
- 7.5 Paragraph 4.7 of that statutory guidance states that, 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?

- 7.6 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.
- 7.7 Where capital funding is required for a proposal, guidance states that the decision maker must be satisfied that funding is available before any proposals are published (**Appendix 6**)
- 7.8 An Equality Impact Assessment (**Annex 8**) 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.

8.0 Risk Management

- 8.1 Disruption to pupils, staff and the community must be kept a minimum during the reorganisation period and any subsequent building programme. This is to ensure that standards continue to improve.
- 8.2 The proposed expansion was identified to address a basic need in Wilmslow. This is in order to ensure that the Authority meets its statutory duty to provide sufficient school places in this area.
- 8.3 Implementation of this proposal will be subject to the necessary planning permissions.

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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