

10 June 2013**Agenda Item: 13****REPORT OF THE SERVICE DIRECTOR, EDUCATION STANDARDS AND
INCLUSION****SCHOOLS WITH AN INCREASE IN SCHOOL PLACES OF 25% OR MORE:
OUTCOME OF STATUTORY CONSULTATION****Purpose of the Report**

1. This report provides Committee with the outcome of formal consultation on the following proposals that are intended to take effect from 1 September 2014:-
 - expand Beardall Street Community Primary School in Hucknall in newly built premises on a new school site, thereby increasing the school's net capacity by a further 105 permanent pupil places
 - expand Forest Town Community Primary School in Mansfield in newly built premises on its existing site, thereby increasing the school's net capacity by a further 120 permanent pupil places
 - expand Pierrepont Gamston Church of England VA Primary School in West Bridgford in newly built premises on its existing site, thereby increasing the school's net capacity by a further 105 permanent pupil places
 - expand Round Hill Primary School in Beeston in newly built premises on its existing site, thereby increasing the school's net capacity by a further 105 permanent pupil places.
2. It also seeks approval to publish statutory notices as required under the provisions of Section 19 of the Education and Inspections Act 2006 to formally expand each of the above schools' net capacity.
3. This report also informs Committee about advice received from the Department for Education (DfE) concerning this Committee's approval to consult with interested parties on a proposed expansion of Fountaindale School located in the administrative area of Ashfield.

Information and Advice

4. Nottinghamshire, like many other local authorities, has experienced an increase in demand for school places, and it remains a statutory duty of a local authority to ensure

sufficiency of places to secure diversity of provision and to increase the opportunity for parental preference.

5. The Council's Capital Strategy 2013/14 to 2016/17 was approved by the County Council on 28 February 2013. A key element of the Capital Strategy is the provision of accommodation to meet Basic Need (BN) of school places.
6. 'Basic Need' is defined as the shortfall of existing school places against the predicted pupil demand. In order to meet this 'basic need', identified schools will increase their Published Admission Number and Net Capacity to meet increased demand across the County in September 2014.
7. As a consequence of the above BN programme, the schools referred to in paragraph 1 of this report were identified as requiring a significant increase to their physical net capacity of teaching accommodation.
8. On 11 March 2013, this Committee agreed to the recommendation of a joint report submitted by the Service Directors of Children, Families and Cultural Services and Transport, Property and Environment concerning a proposed 25% or more increase in pupil places at each of the above-mentioned schools.
9. The report's recommendation also sought Committee approval to consult with staff, pupils, governors, parents/carers and communities of these schools, and with other interested parties, about the respective proposed school expansions.

Consultation

10. In order for the County Council to progress with the above-mentioned expansion proposals, it is a legal requirement to publish a 'statutory notice' to significantly expand the physical capacity of a school. Under the provisions of current statutory regulations, a 'significant expansion' is deemed to be where a school's net capacity to accommodate pupils is permanently increased by 25% or more.
11. Prior to publishing its proposals, the County Council is also required to consult with local people about the principle of providing the required additional school places that are a statutory responsibility for the Council to meet existing and future parental demand.
12. Consultation leaflets concerning each separate proposal were circulated to all the staff, governors and parents/carers of pupils at the schools concerned to explain the rationale for the proposals and to give them the opportunity to make any comments about what was being proposed.
13. Copies of the leaflets were also sent out to the wider community including residents adjoining the schools' sites where appropriate, other schools in the localities, the Members of Parliament and appropriate County Councillors, Diocesan Authorities, the local district councils, and other interested parties.
14. The consultation periods for each proposal ran from 18 March to 10 May 2013. The attached **Appendices 1-4** summarise the number of responses received and the various comments, issues and concerns that were raised and expressed.

15. Separate meetings were held at Beardall Street Primary, Forest Town Primary and Pierrepont Gamston Primary (17 April) and Round Hill Primary (23 April) to give all respective interested parties the opportunity to discuss the proposals being consulted on.
16. The Governing Bodies of each school were also consulted at meetings held at the schools concerned during the consultation period and were also supportive of the proposal affecting their respective school.
17. Pupil School Councils were consulted in respect of Beardall Street Primary, Forest Town Primary and Pierrepont Gamston Primary. Each council was supportive of the proposal affecting their respective school.
18. The general consensus of the Pupil Council at Round Hill Primary was not to agree with the proposed expansion of their school, preferring instead to remain the same size as it is now. This concern is included in **Appendix 4**.
19. In summary, the main issues arising from respondents opposing the expansion proposals are:-
 - the potential detrimental effects of providing more pupil places when existing educational resources and facilities at each school are allegedly fully utilised already;
 - serious concerns about the potential increase in traffic flow and associated parking implications;
 - the possible disruption to pupils' education and the potential health and safety implications during any building work on the school sites;
 - strong opposition from some residents adjoining school sites who feel that any newly built premises and associated additional on-site vehicular parking facilities, would have a detrimental and potentially devaluing effect on their properties.
20. The main comments in support of the proposals can be summarised as:-
 - additional school places are necessary and urgently required in order to address need and increase the opportunity for parental preference;
 - the County Council has fully engaged with local schools about the need to create more primary places;
 - there is support from the governing bodies of each school concerning the proposals to provide additional school places as referred to in this report;
 - there is a duty for the County Council to secure sufficient school places for all children of statutory school age, whose parents want them to be educated in a state-funded school.
21. Account has been taken of all the comments received concerning each of the proposals referred to in this report.
22. It is recommended that each of the proposals identified in paragraph 1 of this report should be accepted. In endorsing the proposal to expand by 25% or more as identified in this report, it should be noted however that:

- there is broad consensus of support for the proposed expansion of Beardall Street Primary on a new school site, and the proposed expansion of Forest Town Primary on its existing site
 - the consultation feedback regarding the proposed expansion of Round Hill Primary suggests some parental/carers opposition
 - despite the opposition of a relatively small number of parents/carers at Round Hill Primary compared to the number of consultation leaflets distributed, the County Council has a statutory duty to increase available school places in the immediate locality of this school
 - there is also opposition suggested by the consultation feedback by a small number of parents/carers and some residents adjacent to the school's site concerning the Pierrepont Gamston Primary proposed expansion, but again this is a relatively small number in comparison to the number of leaflets distributed.
23. All written responses received either by the reply form provided, via the County Council's website or by electronic mail, are available as a background paper to this report.
24. It is anticipated that any legal requirements that would necessitate the approval of planning permission for the proposed additional school places identified in this report, would be subject to a separate public consultation in due course.

Statutory Notice

25. As the proposed expansions on the schools' existing sites will increase places at each school by 25% or more, it is deemed a significant increase in school size.
26. Following formal consultation by the County Council, each of the above proposals would require the publication of a statutory notice under the provisions of Section 19 of the Education and Inspections Act 2006.
27. The respective notices will be published locally in the press, and will be displayed at each school site, local public library and other appropriate places. They will stand for four weeks during which time comments on and objections to the proposals will be invited in writing.
28. The outcome of the notices will be reported to Committee who will determine the proposals, including taking into account any statutory comments or objections that may be received during the notices' representation period.

Fountaindale School

29. On 15 April 2013, this Committee approved the recommendation of a report submitted by the Corporate Director of Children, Families and Cultural Services that sought permission to consult with the staff, pupils, governors, parents/carers at Fountaindale School and the wider community, about a proposal to provide 15 additional pupil places at the school thereby increasing its current capacity by 25%.
30. However, during recent discussions with the DfE about the proposal to replace Fountaindale's existing school building with newly built premises of a similar size, it came

to light that the school's physical capacity could in fact provide more pupil places than the 60 currently being purchased by the County Council.

31. In respect of this more detailed information, the DfE has advised the County Council that the initiation of a formal statutory process to expand the school is not required. The headteacher of Fountaindale School has been informed of this decision.
32. Members of this Committee are therefore requested to note the DfE's advice accordingly.

Other Options Considered

33. These options have been presented following careful analysis of place planning across Nottinghamshire and no other options can be considered at this time because the County Council retains a statutory responsibility to ensure sufficient school places for first admissions in September 2014.

Reasons for Recommendations

34. The recommendations reflect the location of the projected demand for additional school places to be developed; the need to provide for families of more than one child; the need to maintain the high level of educational standards in each popular school; the ability to offer an increased number of faith based places in an educational environment; and the need to deliver permanent places within a defined and tight timeframe (for September 2014).

Statutory and Policy Implications

35. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

36. Children and families will have access to, and an increased choice of, school education in their immediate locality.

Financial Implications

37. The capital funding for these developments has already been secured from the Basic Need Programme. There are no direct financial implications arising from this report. Should a subsequent report seek permission to formally implement the expansion proposals referred to in this report, that report will include a reference to financial implications.

Equalities Implications

38. Due regard has been given to the Public Sector Equality Duty.

39. Children will be able to access school places locally. Any new build schemes will meet requirements for disabled access and special needs.
40. Prior to requesting any formal approval for the implementation of the proposals referred to in this report, consideration will be given to undertaking Equality Impact Assessments in due course. Decision makers must give due regard to the implications for people with protected characteristics when considering this report.

Crime and Disorder Implications

41. Appropriate consideration has been given to the Crime and Disorder Act 1998. It is the view of the County Council that these proposed expansions do not pose a significant risk to increasing criminal activity within the localities of the four schools.

Human Rights Implications

42. Parental preference will continue to be facilitated.

Safeguarding of Children Implications

43. The new build schemes will take account of safeguarding needs and requirements.

Human Resources Implications

44. Appropriate levels of teaching staff will be appointed and funded from the increases to the schools' budgets triggered by the increased number of pupils, and the schools will use appropriate recruitment and selection procedures when making appointments.

Implications for Sustainability and the Environment

45. Increasing the number of primary school places is demonstrated by sustainable demand. Any new build projects will require planning approval and will meet Building Regulations which reflect sustainability and environmental targets. By providing local school places, the need for travelling by car can be reduced.

RECOMMENDATIONS

That:

- 1) Committee notes and considers the outcome of formal consultation with staff, governors, pupils, parents/carers, local communities and other interested parties about the proposals referred to in paragraph 1 of this report.
- 2) to ensure provision is available in 2014/15, Committee agrees to the publication of Statutory Notices, under the provisions of Section 19 of the Education and Inspections Act 2006, for the proposals to significantly increase:-
 - the number of pupil places at Beardall Street Primary School from 210 places to 315 places

- the number of pupil places at Forest Town Primary School from 280 places to 400 places
 - the number of pupil places at Pierrepont Gamston CE Primary School from 210 places to 315 places
 - the number of pupil places at Round Hill Primary School from 420 places to 525 places
- 3) a further report be submitted to this Committee on the outcome of the four week representation period of the County Council's published Section 19 notices.
- 4) Committee notes the advice received from the DfE concerning Fountaindale School as referred to in paragraphs 29-31 of this report.

John Slater
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For any enquiries about this report please contact:

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Constitutional Comments (LM 15/05/13)

46. The Children and Young People's Committee has delegated authority within the Constitution to approve the recommendations in the report.

Financial Comments (KLA 14/05/13)

47. There are no financial implications arising directly from this report.

Background Papers and Published Documents

- 1) Capital Strategy 2013/14 to 2016/17 - report to County Council on 28 February 2013 (previously published)
- 2) School Capital Programme to meet Basic Need 2014/15 - report to Children and Young People's Committee on 11 March 2013 (previously published)
- 3) The respective consultation leaflets circulated to staff, governors and parents/carers of the schools proposed for expansion, statutory consultees and other interested parties
- 4) Written responses and photographic images received during the formal consultation period

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Divisions and Members Affected

Beeston North:	Councillor Steve Carr
Hucknall:	Councillors Alice Grice, John Wilkinson and John Wilmott
Mansfield East:	Councillors Alan Bell and Colleen Harwood
West Bridgford Central & South:	Councillors Steve Calvert and Liz Plant

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