

Bath & North East Somerset Council		
DECISION MAKER:	Cllr Michael Evans, Cabinet Member for Children’s Services	
DECISION DATE:	On or after 13 May 2017	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2967
TITLE:	Determination of the Statutory Notice to Enlarge Whitchurch Primary School	
WARD:	Publow and Whitchurch	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix 1 Summary of Representation Responses Report and Consultation Session Comments		

## **1 THE ISSUE**

- 1.1 Following the publication of the statutory notice proposing the enlargement of Whitchurch Primary School to create additional pupil places, the Cabinet Member for Children's Services to consider the responses received during the representation period and consultation session and to determine the statutory notice.

## **2 RECOMMENDATION**

The Cabinet Member is asked to;

- 2.1 Approve the enlargement of Whitchurch Primary School from 206 to 315 places from 1 September 2019.

## **3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

- 3.1 The capital budget for the building work required was provisionally agreed by Council on 14 February 2017 as part of the 2017/18 capital programme. The capital cost of the building work at Whitchurch Primary School is £1.3m. This will be partly funded from Section 106 Developer Contributions (Town and Country Planning Act 1990) (S106) and partly from the Department for Education (DfE) Education Capital Grant.

- 3.2 Revenue funding will be provided by the government through the Direct Schools Grant on a per pupil basis. The increased pupils will create additional

funding for schools direct costs and also provide additional resources for support functions that support all schools.

#### **4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL**

- 4.1 Equalities. An Equality Impact Assessment has been completed. No adverse or other significant issues were found.
- 4.2 The Council has a statutory duty to ensure that there are sufficient school places available in their area to meet demand.

#### **5 THE REPORT**

- 5.1 The Local Authority is under a statutory duty to ensure that there are sufficient school places in their area. These places should where possible be provided in popular and successful schools serving the area of need in order to increase parental choice, contribute to raising educational standards and attainment and to facilitate sustainable methods of travel to school.
- 5.2 Pupil numbers in Whitchurch are projected to increase in the future due to population growth generated by new housing development in Whitchurch in Bath and North East Somerset. As a result there will be insufficient capacity available at Whitchurch Primary School to accommodate these increased numbers and more primary school places will be required.
- 5.3 The proposal is for the school to expand from its current size of 206 places with a Planned Admission Number (PAN) of 30 to a school with a PAN of 45 offering a total of 315 places. The first of these additional places are projected to be required on 1st September 2019.
- 5.4 Financial contributions to expand existing primary school provision in Whitchurch are being secured from local housing developments via S106 agreements and this together with Education Capital Grant will be used to add sufficient new permanent build accommodation to the school to enable this expansion to take place. Also an additional area of land has been secured via S106 to enlarge the site and enable the school to expand.
- 5.5 Whitchurch Primary School has an overall Ofsted rating of Requires Improvement. In the latest Ofsted report published on 27 February 2017, leadership and management, early years provision and personal development, behaviour and welfare were all judged as Good and outcomes for pupils and the quality of teaching were both judged to be improving rapidly across the school. The school is popular with parents and for Reception admissions in September 2016 there were a total of 80 on time 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> preferences for 30 places. As the school is a Community school, it applies universal admissions criteria, facilitating access to the school for local children.
- 5.6 Appendix 1 contains a detailed summary of the representation responses received during the statutory notice period and the consultation responses received in the consultation drop-in session. Full copies of all of the responses received minus any personal or identifying details were made available to the Cabinet Member for consideration.

- 5.7 Responses in the form of objections and comments were received. Concerns and objections centred on planning issues concerning parking and traffic congestion, road safety and the quality and safety of walking routes to school, the size of the school, the outside space, lunchtime arrangements, building work causing disruption and impacting on learning, revenue to fund teachers etc., the enlargement consultation process, school standards concerns regarding the school's Ofsted rating and class size and organisation concerns relating to a PAN of 45.
- 5.8 *School site and accommodation concerns:* Plans for the additional accommodation and facilities required as a result of the enlargement proposal would be developed in conjunction with the Governing Body and would be taken forward as an eventual submitted planning application. Plans would include additional classrooms and associated facilities and outside space, making reference to Building Bulletin 103, which outlines DfE area guidelines for mainstream school accommodation. The Council has successfully delivered numerous building projects at operating schools. The construction would be managed in such a way as to cause the least disruption possible and with the safety of pupils a priority.
- 5.9 *Traffic congestion, parking, road safety and walking routes concerns:* A planning application for the enlargement would be submitted as part of the public planning application process, which allows for comments to be submitted and to be considered when determining the planning application. A travel and transport consultant would be engaged and provide professional advice on transport matters relating to the development proposals, including recommendations regarding mitigation. This may include assisting the school in developing their travel plan which would explore opportunities to support parents in choosing alternative home to school travel options to enable as many pupils as possible to walk or cycle to school and ways of reducing the impact of journeys made by car. Due to the new housing being delivered in Whitchurch, upgrades to the pedestrian access from these areas in to the village are proposed, including some pavement widening and a new crossing point.
- 5.10 *School size and revenue concerns:* The size of a school in itself does not automatically have a direct bearing on the quality of education and care available to children at that school. Good leadership, management and teaching can be found in both larger and smaller schools and are the factors that are most likely to result in high standards in educational achievement, behaviour and children's general well-being and care. Larger schools can bring specific benefits due to their scale and the increased revenue that would be generated on a per pupil basis by each additional pupil on roll, for instance to fund specialist teaching staff and to pay for a specialist SENCO (Special Needs coordinator) with more non-teaching time.
- 5.11 *Operational issues and concerns about education standards:* The Governing Body would be responsible for determining issues within their school such as the organisation of the 45 pupils per year group, use of all school accommodation including the 11 classroom spaces, class organisation and lunchtime arrangements. Although the school currently has an Ofsted rating of Requires Improvement overall, three of the five areas assessed are Good, with the remaining two improving rapidly. The Local Authority will continue to work

with the school to support them in raising standards and to secure Good overall in its next inspection.

- 5.12 *The enlargement consultation process concerns:* The statutory notice and full proposal was published on the Council's website and the link tested to ensure it worked correctly. The statutory notice was published in a local newspaper and the proposal sent to specified statutory consultees, in line with the DfE statutory process. The intended determination of the proposal at the Cabinet meeting in Bath on 12 April was deferred to enable the Cabinet Member for Children's Services to meet with local parents at the school in Whitchurch during term time and hear their concerns at first hand.

## **6 RATIONALE**

- 6.1 There is a need for additional primary school places to be provided to meet projected future demand from the local population in this area due to population growth from new housing development in Bath and North East Somerset, either currently under construction or due to commence shortly. This is needed to ensure that the Council can meet its statutory duty to provide sufficient school places and for these to be in the area in which they are needed where the pupils will be living.
- 6.2 Provision of additional places in this school will facilitate both existing and future new local families being able to obtain a place for their children at their local school, which will help to strengthen community cohesion and make it viable for as many children as possible to be able to walk or cycle to school.
- 6.3 Expansion to create more places will help to increase parental choice in this area of the Authority where the local population is growing.
- 6.4 The school is popular with parents. Although the latest OFSTED report for Whitchurch states that the school has an overall rating of Requires Improvement, leadership and management, early years provision and personal development, behaviour and welfare were all judged as Good, with outcomes for pupils and the quality of teaching improving rapidly across the school. Making additional places available in this popular school where there is a demand for places will make it possible for more parents to access a place for their children.
- 6.5 As set out in the School Organisation Plan 2015-2019 it is the Council's policy to expand existing local schools wherever this is possible. Whitchurch Primary School site is located close to the areas of new housing development and the projected increased population growth. Together with additional land acquired and to be added to the school site, the site will have sufficient space to allow the expansion to take place.

## **7 OTHER OPTIONS CONSIDERED**

- 7.1 *To not enlarge the school and not create any additional places.* This option was rejected as pupil projections based on future pupil numbers generated from new housing development and on parental preference, indicate a future shortfall of primary school places in this area of the Authority if action is not taken to add more places. The Council has a statutory duty to ensure the provision of sufficient school places to meet demand. These places should be

located in the area of need and will help to promote diversity and increase parental choice.

7.2 *To enlarge other schools rather than Whitchurch Primary.* This option was rejected as Whitchurch represents the most appropriate option for expansion as it is the only school in Whitchurch, it is popular with parents and the school is located in the area of projected future demand from new housing development, thus enabling the maximum number of children possible to attend their local school and be able to travel to school sustainably.

7.3 *To build a new school rather than enlarge the existing school.* This option was rejected as the new housing developments in Whitchurch do not generate sufficient pupils to justify a whole new school, including land, being provided by a developer and where there is an existing school that can be expanded. Sufficient capital proportionate to the need generated by each development is being secured to invest in the expansion of local school infrastructure.

## **8 CONSULTATION**

8.1 Local MP, Local Ward Councillor; Leader of the Council; Cabinet Member for Children's Services; Policy Development and Scrutiny Panel Chair; Cabinet Assistant for Children's Services; Whitchurch Village Council; Trades Unions; Staff; Other B&NES Services; Service Users; Stakeholders/Partners; Neighbouring Local Authorities; Section 151 Finance Officer; Monitoring Officer.

8.2 The statutory notice and full proposal was published on the Council's website and the statutory notice was also published in a local newspaper serving the area. It was also included in the consultations section of the Council's website.

8.3 A copy of the statutory notice and full proposal was emailed to school for the attention of the Headteacher and the Governing Body. The school was asked to let parents and carers of all children at the school know that the statutory notice was published and where it could be accessed. The school sent a paper copy of the full proposal home with every child, placed an item on their school website and sent all parents a text message informing them that the letter was coming home and that an item was on the school website. The school also sent a second follow up letter home. The school was also asked to inform all staff members.

8.4 The information was emailed to the local MP for North East Somerset, the Local Ward Councillor for Publow & Whitchurch ward, the Leader of the Council, the Cabinet Member for Children's Services, the Cabinet Assistant for Children's Services, the Children and Young People Policy Development and Scrutiny Panel Chair, Whitchurch Village Council, the local Church of England Diocese, the local Catholic Diocese, Trades Unions representing all staff at the schools, the neighbouring Local Authorities of Bristol and North Somerset, and other Council officers.

8.5 The full proposal explained how comments could be submitted to the Council and the deadline for receipt of comments. This gave interested stakeholders an opportunity to comment on the proposal and for these comments to be taken into account by the Decision Maker when determining the proposal.

8.6 A Consultation Drop-in Session for parents was also held at the school. Officers and Councillors including the Cabinet Member for Children's Services were present to answer questions, provide information and hear parent's views at first hand. Consultation comments could also be record in writing or submitted by email, to be taken into account by the Cabinet Member when determining the proposal.

8.7 The eventual planning application for the building works required for the enlargement to the premises would follow the usual statutory planning process, allowing for the normal public consultation on issues around the buildings, traffic management and car parking etc.

## 9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

9.2 The report author and Lead Cabinet Member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance. Significant risks identified are:

9.3 If action is not taken to create more primary school places in the area identified, there is projected to be a future shortfall of places in Whitchurch and insufficient places available in other areas to meet this demand, resulting in the Council being unable to meet its statutory duty to provide a school place for every child that requires one.

9.4 If sufficient places are not created close to where they are needed this could lead to unsustainable travel to school arrangements for families having to travel longer distances or go outside of the area in which they live to access a school place for their children. In some areas this could lead to increased costs to the Council as a result of having to fund home to school transport due to the distance being excessive or the route exceptionally hazardous.

9.5 If additional school places are not created in the areas where new housing development is taking place, there will be insufficient places available to accommodate both the children generated from the new housing in the future and for existing local children.

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<b>Background papers</b>	<p>Primary and Secondary School Organisation Plan 2015 – 2019.</p> <p>Available on the Bath &amp; North East Somerset Council website at <a href="http://www.bathnes.gov.uk/services/schools-colleges-and-learning/school-strategies-policies-planning">www.bathnes.gov.uk/services/schools-colleges-and-learning/school-strategies-policies-planning</a></p> <p>Statutory Notice and Full Proposal to Enlarge Whitchurch Primary School, Whitchurch.</p> <p>Available on the Bath &amp; North East Somerset Council website at <a href="http://www.bathnes.gov.uk/schoolexpansions">www.bathnes.gov.uk/schoolexpansions</a></p>

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