

## Bath & North East Somerset Council

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| DECISION MAKER:                                    | Cllr Chris Watt, Cabinet Member for Children's Services                       |                                   |      |
| DECISION DATE:                                     | On or after 19 <sup>th</sup> March 2011                                       | EXECUTIVE FORWARD PLAN REFERENCE: |      |
|  |   | E                                 | 2243 |
| TITLE:   | <b>Determination of Statutory Notice to Enlarge Bathampton Primary School</b> |                                   |      |
| WARD:  | All but specifically Bathavon North, Bathwick, Lambridge, Walcot.             |                                   |      |
| <b>AN OPEN PUBLIC ITEM</b>                         |   |                                   |      |
| <b>List of attachments to this report:</b><br>None |   |                                   |      |

### 1 THE ISSUE

1.1 The four week representation period for the statutory notice published on 3<sup>rd</sup> February 2011 proposing the expansion of Bathampton Primary School ended on 3<sup>rd</sup> March 2011 and a decision is now required to determine the proposal.

### 2 RECOMMENDATION

The Cabinet member is asked to agree that:

2.1 The Statutory Notice for the expansion of Bathampton Primary school is approved so that the temporary enlargement of the school can be made permanent.

### **3 FINANCIAL IMPLICATIONS**

3.1 The capital required for the necessary building work can be met from existing Basic Need Funding for provision of additional pupil places provided by Government. In addition, the school has confirmed in writing that it will contribute to the scheme as agreed.

### **4 CORPORATE PRIORITIES**

- Improving school buildings
- Sustainable growth

### **5 THE REPORT**

5.1 In response to local demand for places at the school which could not be met within the existing school accommodation, the school was enlarged on a temporary basis by the addition of a temporary building to the school site in 2008. The Planned Admission Number (PAN) of the school was increased from 15 for admissions in 2008 to 20 for admissions in 2009 to 22 for admissions in 2010.

5.2 The additional accommodation and the higher PAN increased the Net Capacity – the size of the school - from a 105 place school with four classes to a 149 place school with five classes.

5.3 As pupil numbers in the city of Bath have risen in recent years, the additional places created temporarily are now needed permanently. It is therefore proposed to make this temporary enlargement permanent which will result in a school that has a Net Capacity of 149, a PAN of 22 and five classes. A Statutory Notice was necessary in order to do this as the enlargement of the premises of the school would increase the capacity of the school by both more than 30 pupils and by 25%. A permanent building will replace the temporary building. No new or additional site is required.

5.4 Nine responses were received during the consultation period undertaken prior to the issue of the statutory notice - seven of these were in support of the proposal, one made some general observations and one was not in support of the proposal. Following the publication of the statutory notice no comments or objections to the proposal were received during the four week representation period.

### **6 RISK MANAGEMENT**

6.3 The report author and 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.

### **7 EQUALITIES**

7.3 A proportionate equalities impact assessment has been carried out using corporate guidelines.

## 8 RATIONALE

8.3 The school was enlarged on a temporary basis in 2008 by the addition of a temporary building to the school site and a condition of the planning permission granted at that time was that the temporary building would either need to be removed or replaced with a permanent structure after three years. Births and pupil numbers in the city of Bath have risen in recent years and pupil forecasts indicate that the additional places created temporarily will continue to be needed in the future and therefore cannot be removed and must be made permanent.

8.4 The proposal has the support of the Governing Body of the school who wish to be able to continue to provide this number of places to meet demand from the local community.

8.5 The school has continued to admit pupils at or very close to its PAN since 2008 and this level of demand for places at the school is expected to continue.

8.6 The Local Authority considers that the presumption for the expansion of successful and popular schools should apply because the school's performance is of a consistently high quality, the number of applications for places is high, intake numbers are healthy and the school has an Ofsted rating of 'Outstanding'. In particular:

- The schools performance in terms of absolute results in key stage assessments is as follows:

Key Stage 2 (KS2) assessments for 2010 – percentage of pupils achieving Level 4+ in both English and Maths: LA average = 80%, England average = 73%, Bathampton Primary = 93%.

- The schools performance by comparison with other schools in similar circumstances (both in the same LA and other LAs) is good and it sits comfortably within a bracket that contains the higher performing schools in B&NES and in South Gloucestershire and Wiltshire.

- The schools performance in terms of value added is as follows:

The school has a KS1 CVA score of 102, indicating that children at the school make good progress.

- The schools performance in terms of improvement over time in key stage results is as follows:

2008 KS2 results 82%, 2009 KS2 results 94%, 2010 KS2 results 93%.

- The number of applications for places is as follows:

Applications for places in 2009 – 20 places, all preferences 44, intake 19.

Applications for places in 2010 – 22 places, all preferences 52, intake 22.

- Other relevant evidence:

OFSTED rating – February 2010 'Outstanding'.

8.7 The consultation meets DfE statutory requirements and the publication of the statutory notice is valid. During the four week representation period no comments or objections to the proposal were received.

## **9 OTHER OPTIONS CONSIDERED**

9.3 The only alternative option available would be to remove the temporary building and for it not to be replaced with a permanent one. This option was rejected, as the additional places created are projected to be required to accommodate pupils in the future, demand for places at the school continues to be high and making the school revert to its original smaller size would be contrary to the presumption that popular and successful schools should be able to expand.

## **10 CONSULTATION**

10.3 Ward Councillor; Parish Council; Trades Unions; Staff; Other B&NES Services; Service Users; Stakeholders/Partners; Other Public Sector Bodies; Section 151 Finance Officer; Chief Executive; Monitoring Officer

10.4 Paper copies of the consultation document were delivered to the school who were asked to give a copy to every member of staff both teaching and non-teaching, to the governing body and to every pupil to take home with them for their parents/carers. The school were also asked to consult with pupils via the School Council. The consultation document was also emailed to the two neighbouring Local Authorities, local Ward Councillors, union representatives, Bathampton Parish Council, the two MPs for Bath and Bath and North East Somerset, the local Church of England Diocese, the governing bodies, teachers and staff at other local primary schools, the Chief Executive and other B&NES officers.

10.5 Notification of the consultation was also placed on the Council's electronic consultation system E consult.

10.6 The statutory notice was published in The Bath Chronicle and posted outside the school entrances and placed in the window of the local Post Office and grocery store in Bathampton village. A copy of the complete proposal and statutory notice was given to the Governing Body and to the Headteacher and the Secretary of State. The notice and the complete proposal were also placed on the Council website and the web address was printed in the statutory notice.

10.7 The notice stated that comments or objections needed to be submitted within four weeks of the publication date and that they should be sent to the Local Authority.

## **11 ISSUES TO CONSIDER IN REACHING THE DECISION**

11.3 Sustainability; Property; Young People.

## **12 ADVICE SOUGHT**

12.3 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

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| <b>Contact person</b>  | Helen Hoynes 01225 395169   |
| <b>Background papers</b>   | Single Member Cabinet Report Ref. No. E2225 Publication of Statutory Notice to Enlarge Bathampton Primary School.<br><br>Statutory Notice and Complete Proposal to Enlarge Bathampton Primary School. |
| <b>Please contact the report author if you need to access this report in an alternative format</b> |   |