

CABINET MEMBER FOR SCHOOLS IMPROVEMENT - 6 July 2010

PROPOSED EXPANSION OF LARKRISE PRIMARY SCHOOL, OXFORD

Report by Children, Young People & Families

Introduction

1. At the meeting on 16 March 2010 the Cabinet agreed to the publication of formal proposals to expand Larkrise Primary School from 1.5-form entry to 2-form entry. The report outlining the basis for this decision is attached at Annex 1.
2. The statutory notice (attached at Annex 2) was published by the Authority in the Oxford Mail on 20 April 2010 and expired following 4 weeks of formal consultation on 18 May 2010. In accordance with legislation the notice was also posted at the school gate and local library. A copy of the proposal (attached at Annex 3) and the notices were sent to the governing body and the Secretary of State and additionally made available on the Oxfordshire County Council website.
3. The decision-making power in terms of determining the notice lies with the Cabinet or can be delegated to the Cabinet Member for Schools Improvement. This follows decisions taken by the Cabinet in July 2007 under new legislation encompassed in the Education & Inspections Act 2006 (EIA 2006) whereby School Organisation Committees were abolished and arrangements became the responsibility of the relevant local authority. In meeting as 'decision-maker' the Cabinet or Cabinet Member must have regard to government guidance and statutory timescales otherwise a decision can be referred to the independent Schools' Adjudicator for reconsideration. Also at its meeting in July 2007 the Cabinet confirmed that in considering notices as 'Decision-maker' it was necessary for the Chairman of the Council to determine that the decision could not be subject to 'call-in' as this would, in most cases, mean that the Cabinet's role would be negated by referral to the Schools' Adjudicator. The Cabinet decision must be made within 2 months of the close of the notice period.
4. As no representations in relation to the proposal have been received the decision is referred to the Cabinet Member for Schools Improvement. The proposed implementation date for the proposal is 1 September 2010.

The Proposal

5. The proposal is to increase the admission number from 45 to 60 children, on a permanent basis from September 2010. As a result, the size of the school will increase from a capacity of 273 pupils to 420 pupils.

6. To accommodate this growth in pupil numbers, a temporary classroom will be brought on site for September 2010, while a feasibility study identifies the school's long term permanent accommodation needs, in line with the authority's statutory duty to ensure sufficient school places are available to meet local needs.

Representations

7. No representations have been received in relation to this notice during the statutory consultation process.

Making a Decision

8. In terms of reaching a decision all proposals should be considered on their merits but the following factors should be borne in mind but are not considered to be exhaustive. The Cabinet Member for Schools Improvement must be satisfied that the statutory consultation has been carried out prior to the publication of the notice. Details of the consultation should be included in the proposals. The Decision Maker must be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can make a decision on the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.
9. **The effect on standards, school improvement and diversity.** The government aims to create a dynamic system shaped by parents that delivers excellence and equality, closing weak schools, encouraging new providers and popular schools to expand. Decision Makers should be satisfied that the proposals will contribute to raising local standards of provision and improved attainment and consider the impact on choice and diversity. They should pay particular attention to the effect on groups that tend to under-perform including children from certain ethnic minorities and deprived backgrounds. The decision-maker should consider how the proposals will help deliver the 'Every Child Matters' principles.
10. **School characteristics.** The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise and whether there is supporting evidence to support the extension and take into account the existence of capacity elsewhere. The decision-maker needs to consider the accessibility of the provision for disadvantaged groups as the provision should not unduly extend journey times or cost.
11. **Funding and land.** The decision-maker should be satisfied that any capital required to implement the proposals will be available.

Financial and Staff Implications

12. The school's immediate need for additional accommodation to meet the requirement to provide additional places from September 2010 will be provided by a modular building. This is already identified with a funding allocation of £100,000 in the OCC CYP&F Modular Classroom Programme for 2010/2011. The school will be required to provide the necessary furniture and equipment, including ICT equipment, for the new spaces.
13. In addition, a feasibility study is underway to identify the options for additional permanent accommodation and to address the school's other accommodation issues related to this expansion. The feasibility study will also identify the necessary programme, phasing options and funding requirements. Funding will be allocated in line with a prioritisation process dependent upon the capital financial allocations provided by government. Once funding has been allocated, the scheme will be identified in the relevant CYP&F capital programme from 2011/12 onwards and subject to the normal project approval process.
14. It is anticipated that an additional class will need to be formed from September 2010, depending on final numbers admitted. Following consultation with Schools Forum an additional funding allocation of some £28k for 2010-11 has been made to the school to enable appointment of an additional teacher from September. Funding allocations for the 2011-12 financial year will depend on actual pupil numbers on roll in January 2011. The additional floor area at the school would be eligible for inclusion in formula funding allocations from April 2011. All revenue funding implications, including the additional £28k for 2010-11, are met from the Dedicated Schools Grant.

RECOMMENDATIONS

15. **The Cabinet Member for Schools Improvement is RECOMMENDED to either:**
 - (a) **reject the proposals;**
 - (b) **approve the proposals;**
 - (c) **approve the proposals with a modification (e.g. the proposal implementation date); or**
 - (d) **approve the proposals subject to them meeting a specific condition.**

MEERA SPILLETT
Director for Children, Young People & Families

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Background papers: Initial consultation document

Annexes: Annex 1: Cabinet report 16 March 2010
Annex 2: Statutory notice
Annex 3: Statutory proposal

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June 2010

Division(s): Isis

CABINET -16 MARCH 2010

PROPOSAL TO EXPAND LARKRISE PRIMARY SCHOOL, OXFORD

Report by Director for Children, Young People & Families

Introduction

1. Larkrise Primary School has a published admission number of 45 children. Due to rising numbers across Oxford City, 60 pupils were admitted to the school in Foundation year for September 2008 and 2009. The school now has more than 45 children per year from the Foundation Year to Year 3 inclusive. Primary Care Trust records and the annual census of local children in early years settings show that the demand for primary school places in Oxford is rising, and schools in this area will not have enough places to meet anticipated demand in future years.
2. The locality reviews conducted in 2008 to inform the Primary Capital Programme recommended that options should be explored to accommodate rising numbers of statutory age range pupils in the Cowley/Iffley locality. The priority score for Larkrise Primary School, as calculated according to the approach set out in OCC's Primary Capital Programme Strategy for Change, (approved by the DCSF in March 2009) is 7 out of a possible maximum of 12 points, which places the school in the highest scoring seven in the county, behind Wood Farm Primary School and Bayards Hill Primary School. On 26th November 2009 the Primary Capital Board accepted a report including the extension of Larkrise Primary School in a list of the initial capital projects for the Primary Capital Programme (Annex 1 – full list of Primary Capital programme recommendations).

The Proposal

3. The proposal is to increase the admission number from 45 to 60 children, on a permanent basis from September 2010. This will eventually increase the school's total roll from its current 349 children in Years F-6 (September 2009 pupil census) to a maximum of 420.
4. To accommodate this growth in pupil numbers, a double temporary classroom unit will be available on site for September 2010, while a feasibility study identifies the school's long term permanent accommodation needs. This is in line with the authority's statutory duty to ensure sufficient school places are available to meet local needs and will take into account the issues raised as part of the informal consultation process.

Representations

5. During the informal consultation phase (27 November 2009 – 22 January 2010) a meeting was held at the school for parents and governors to discuss the plans with the headteacher and a County Council School Organisation officer. Two further meetings were held with the headteacher and sub-groups of governors to discuss the implications of growth, and to start identifying the school's long-term accommodation needs.

6. A consultation document (Annex 2) was sent to parents of children at Larkrise Primary School, as well as to local councillors, other primary schools and early years providers in the Isis area; it was also available on the OCC website. 18 written responses were received.
 - 15 responses (83%) expressed support for the expansion. Of these, 5 responses (28% of the total) expressed support without reservations, while 10 (55% of the total) expressed support but also raised concerns.
 - Reasons for supporting the expansion submitted by parents of children at Larkrise Primary School included:
 - "Larkrise is an excellent school and it would be very beneficial to the local community if it were to expand. I have every confidence that the leadership and staff of the school would manage the increased numbers successfully, maintaining the friendly, safe and supportive environment within the school."
 - "We think it is a wonderful school, and we are delighted that it is deservedly growing in popularity."
 - "Local residents want a good school nearby for their children. Intake of 60 allows 2 classes per year group instead of mixed year classes."
 - "I am very happy with the quality, spirit and approach of Larkrise School."
 - "It is great to expand the school so all youngsters can benefit from the amazing teaching and ethos of Larkrise."
 - 13 written responses (72%) expressed concerns about the proposed expansion. These included:
 - Concern about whether sufficient and appropriate permanent accommodation can be guaranteed for the school, without undue delay. (7 responses)
 - Concern about traffic and parking: the school has insufficient parking space for the current number of staff, resulting in staff parking on the road outside. Local residents have complained about congestion at the start and end of the school day. An additional concern was that the proposed Magdalen Road Area controlled parking zone, which the school lies just outside, will divert parking onto the roads around the school, exacerbating traffic problems. (5 responses)
 - Concern that expanding the school might harm the atmosphere and ethos of the school. (5 responses)
 - 3 responses identified concerns about the school's current accommodation and facilities: "It is an excellent school with

fantastic staff and a lovely location which is let down badly by the poor design, age and size of the buildings available” (parent of a child at Larkrise School). Particular criticisms have been raised by parents and governors about the size of the hall, the suitability of the ICT room, and the lack of changing facilities.

- Additional concerns were raised about: whether the design of any new buildings would be sensitive to the character and ethos of the school; the disruption from building works to staff and pupils at the school; and the possible loss of playground due to any building extensions.
 - These concerns were also raised in the meetings with parents, governors, and the school’s headteacher.
7. As objections in relation to the proposal have been received, the decision on whether to publish a formal statutory proposal is referred to the Cabinet rather than the Cabinet Member for Schools Improvement.

Making a Decision

8. As this is a proposal to increase the size of the school by more than 25%, it is subject to statutory procedures, as established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendments)(England) Regulations 2007 which came into force on 21 January 2008).
9. A decision is now required as to whether to publish formal proposals for this expansion. If approved, a statutory notice would be published, followed by a formal consultation period of four weeks. The decision-making power in terms of determining the notice will lie with the Cabinet, and a report will be put to the Cabinet Member for Schools Improvement if no representations are received, or to Cabinet if representations are received, for a final decision in due course.
10. The Cabinet must be satisfied that the statutory consultation has been carried out prior to the publication of the notice.

Financial and Staff Implications

11. The decision to proceed with the Statutory process to expand the school is normally done prior to detailed project and funding appraisal. Particularly where there is a demonstrable need as with this school. Capital funding forward plans include funds to assist with demographic issues on schools places. A further paper for decision paper will follow the statutory process as normal where further works are required and subject to the Capital policies and processes laid down. The costs of the statutory process recommended in this paper are planned for and met within the normal CYP&F budget provision. There are no significant financial implications or risks at this stage.

RECOMMENDATIONS

12. **The Cabinet is RECOMMENDED to approve the publication of a statutory notice for the expansion of Larkrise Primary School, Oxford.**

MEERA SPILLETT

Interim Director for Children, Young People & Families

Background Papers: Primary Capital Programme Strategy for Change
(available from the School Organisation & Planning team
or from the OCC Intranet)

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February 2010