

**CABINET MEMBER FOR EDUCATION & CULTURAL SERVICES -  
18 DECEMBER 2019**

**REPORT ON THE PROPOSED EXPANSION OF LONGWORTH  
PRIMARY SCHOOL**

**Report by Director for Children's Services**

**RECOMMENDATION**

The Cabinet Member is **RECOMMENDED** to approve the expansion of Longworth Primary School from a capacity of 70 to a capacity of 105, with effect from 1 September 2020, subject to the following condition:

**That, prior to 1 April 2020, planning permission has been granted for the necessary additional accommodation for the school.**

**Executive Summary**

1. Under Section 19 of the Education and Inspections Act 2006, a local authority can propose the expansion of all categories of maintained school. It is proposed to expand Longworth Primary School to 0.5 form entry, which would involve an increase in Longworth's admission number in September 2020 from 10 to 15 on a permanent basis.
2. Such expansion requires a statutory consultation and decision-making process. The decision must be made in accordance with the *Education and Inspections Act 2006* (as amended), *The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013* and decision makers must have regard to the statutory guidance, "*Making significant changes ('prescribed alterations') to maintained schools*", October 2018 ("the Guidance"). Further details of the relevant legislation and guidance are set out below.
3. A statutory notice has been published, and the required representation period has ended. All responses were in support of the proposed expansion.
4. Longworth Primary School has admitted over its Published Admission Number on a number of occasions in recent years to meet demand, and again agreed to admit over their admission number in September 2019. Longworth Primary School has consistently exceeded its current capacity of 70 places over the last 5 years. Current pupil forecasts (calculated summer 2019) indicate that numbers are expected to grow further in the future, with the school remaining consistently above its current capacity

## **Introduction**

5. This report follows the publication of a Statutory Proposal/Notice (Stage 1) and a Representation (Stage 2 formal consultation) period relating to the county council's 'prescribed alteration' proposal to expand Longworth Primary School. The proposal is made with the support of the school's Governing Body. The Cabinet Member is now required to make a decision on the proposals in accordance with the statutory prescribed alteration procedures.
6. Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and local authorities will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations. In accordance with this expectation, a letter was sent to parents of children on roll at the school in June 2019 regarding the proposed expansion, and a meeting was also held to discuss this. A school survey was issued to parents alongside the consultation, giving respondents the opportunity to request further information about the proposed expansion. The proposed expansion has also been a standing item at governing body meetings.
7. School capacity is being planned strategically across the Kingston Bagpuize, Southmoor and Longworth areas. Expansions of both primary schools in this area (Longworth Primary School and John Blandy Primary School) are planned to accommodate the expected increase in demand from housing growth. The expansion of John Blandy Primary School from 1 form entry to 1.5 form entry has already been approved, and the county council is now proposing to expand Longworth Primary School. Between them, these schools will jointly serve the needs of housing planned and permitted across the parishes of Longworth and Kingston Bagpuize with Southmoor.

## **Publication of the proposal**

8. The statutory notice (Annex 1) was published in the Oxford Mail on 4 November 2019 and was also posted on the county council website. The Representation period ran until the 2 December 2019, which is the statutory 4-week period required under the relevant legislation. The statutory notice was accompanied by a Full Proposal document (Annex 2), which was available to read online at the Oxfordshire County Council public website, or by request.

## **Representations**

9. 5 responses were received during the 4-week statutory Representation period. Of these responses, all were in support of the proposal.

## **Legal background**

10. Local authorities have a statutory duty under section 14 of the Education Act 1996 to ensure there are sufficient schools for their area. This duty will be met with the expansion of Longworth Primary School, in order to address the

expected increase in demand for places across the parishes of Longworth, Southmoor and Kingston Bagpuize from housing growth in these areas.

11. Expansion of schools is covered by *The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013* ('the Prescribed Alterations Regulations') which should be read in conjunction with Parts 2 and 3 and Schedule 3 of the *Education and Inspections Act (EIA) 2006* (as amended by the *Education Act (EA) 2011*) and *the Prescribed Alterations Regulations*.
12. The expansion of a maintained school is subject to the "Guidance", as set out in "*Making Significant Changes ('Prescribed Alterations') to maintained schools*" published October 2018. This Guidance is for proposers and decision-makers. The Guidance states that the statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. The proposal should be accessible to all interested parties and should therefore use 'plain English'. The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:
  - (a) how copies of the proposal may be obtained;
  - (b) that anybody can object to, or comment on, the proposal;
  - (c) the date that the representation period ends;
  - (d) and the address to which objections or comments should be submitted.
 A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to the governing body and any other body or person that the proposer thinks are appropriate.
13. The representation period must last for four weeks from the date of the publication. During this period, any person or organisation can submit comments on the proposal to the LA to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.
14. The county council confirms that it has adhered to the above Guidance.

### **Decision-making**

15. The decision-making power in terms of determining the proposal in this case lies with the Cabinet Member for Education & Cultural Services. In considering the proposals for a school expansion, the Cabinet Member can decide to:
  - reject the proposals;
  - approve the proposals without modifications;
  - approve the proposals with such modifications as the local authority thinks desirable, having consulted the governing body;
  - approve the proposal – with or without modification – subject to certain conditions (such as the granting of planning permission) being met.
16. Where a LA is the decision maker, it must make a decision within a period of two months of the end of the representation period. Where a decision is not

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made within this time frame, the LA must refer the proposal to the Schools Adjudicator for a decision.

17. The *Guidance* states that “decision-makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s)”.
18. The *Guidance* sets out the following factors which should be considered in deciding this proposal.
19. **Education standards and diversity of provision:** Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents; raise local standards and narrow attainment gaps.
20. Longworth Primary School has an Ofsted rating of “Outstanding”. The guidance states that it is expected that additional places will only be provided at schools that have an overall Ofsted rating of “Good” or “Outstanding”. The expansion will be supportive of high educational standards and parental choice and would increase the number of places available at good schools.
21. **Equal opportunities issues:** The decision-maker must comply with the Public Sector Equality Duty (PSED), which requires them to have “due regard” to the need to advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it. The characteristics that are protected in relation to the Public Sector Equality Duty are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.
22. Expansion of this school would increase equality of opportunity in terms of access to school places. It would ensure that children in the parishes of Longworth and Kingston Bagpuize with Southmoor can obtain access to a school place close to home. If sufficient places are not available within the heart of the community this can affect access to out of school activities, social contact with peers, and travel distances.
23. **Community cohesion:** When considering a proposal, the decision-maker should consider its impact on community cohesion.
24. Expansion of this school would help to enable children in the parishes of Longworth and Kingston Bagpuize with Southmoor to attend a school in their local community, which is a key element in creating community cohesion.
25. **Travel and accessibility:** Decision-makers should satisfy themselves that accessibility planning has been properly considered and the proposed changes should not adversely impact on disadvantaged groups. The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented

from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis on how it will support and contribute to the LA's duty to promote the use of sustainable travel.

26. Expansion of this school would prevent the need for children to be transported to schools further afield, and help to minimise journey times and vehicular transport.
27. **Funding:** The decision-maker should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement.
28. The proposed expansion will involve the construction of a new classroom and associated facilities including new pupil toilets on the school site.
29. The cost of expanding the school will be met from money the county council has secured from housing developers and capital funding provided by the council. These costs are still to be finalised.

### **Financial and Staff Implications**

30. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. These capital works will be subject to formal approval in accordance with OCC Capital Governance requirements.
31. The school will need to meet any additional costs for staffing, curriculum resources and maintenance costs from its delegated budget share. The funding formula on which the school's budget share is calculated will allocate additional financial resources based on increased pupil numbers. It is anticipated that moving to 0.5 form entry will also, over time, enable the school to achieve increased efficiency by amending its internal organisation.

### **Equalities Implications**

32. As outlined above, expansion of this school would increase equality of opportunity in terms of access to school places and help maintain the viability of a small rural school. It would therefore have a positive impact on children living in the villages of Longworth and Kingston Bagpuize with Southmoor, and on these rural communities more generally.
33. A Service and Community Impact Assessment (SCIA) has been completed for this proposal (Annex 3).

### **Environmental Impacts – Reducing our Climate Impact**

34. Expansion of this school would prevent the need for children to be transported to schools further afield, and help to minimise vehicular transport. If insufficient school places are available in the local area, there would be a greater climate

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impact resulting from the increased population attracted by housing developments.

35. This report relates to the principle of expanding the school, rather than the specific building solution. The construction works are being procured by the county council and will be designed in accordance with the council's specification for new buildings. This will be subject to planning permission and formal approval in accordance with OCC Capital Governance requirements.

### **LUCY BUTLER**

Director for Children's Services

Annexes:                   Annex 1: Public Notice  
                                  Annex 2: Full Statutory Proposal Document  
                                  Annex 3: Service and Community Impact Assessment (SCIA)

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