

## **CABINET MEMBER FOR EDUCATION - 14 MARCH 2017**

### **REPORT ON THE PROPOSED EXPANSION OF CHESTERTON CE (VA) PRIMARY SCHOOL**

Report by Director for Children's Services

#### **Introduction**

1. This report follows a public consultation and statutory Notice period relating to the county council's proposal to expand Chesterton CE (VA) Primary School. The proposal has been made with the support of the school's Governing Body and the Diocese.
2. An initial public consultation ran from 2 November – 30 November 2016. The consultation leaflet is attached at Annex 1 and was circulated to all parents/carers of pupils at the school, staff and governors, appropriate county council teams, District, Council and Parish councillors, the local library and others. It was also available on the county council consultations webpages through its "current consultations" listing.
3. The consultation leaflet (Annex 1) sets out the reasoning behind the school's proposals, therefore this is not duplicated in this report. The key to this proposal is the planned housing development within Chesterton CE (VA) Primary school's designated (catchment) area, and the S106 developer contribution funding that has been agreed as a result. This funding is agreed specifically to accommodate the demand at this school for school places generated by the new housing growth.
4. Following completion of the consultation, a Public Notice was published. (Annex 2). The Public Notice was published in the Bicester Advertiser on 12 January 2017 and was also posted at the school's entrance and on the school website and county council website. The Notice period ran until the 9 February 2017. It was accompanied by a Full Proposal document (Annex 3), which was available to read online at the Oxfordshire County Council public website, or by request.
5. The decision-making power in terms of determining the proposal in this case lies with the Cabinet Member for Education.

#### **The Proposal**

6. The proposal is to expand the school from its current Planned Admission Number of 20 to 30 (i.e. to become a standard 1 form entry school) on a permanent basis from September 2018. This is to meet anticipated sustained

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increase in demand for primary pupil places in the school's catchment and immediate area, as detailed in Annex 1.

7. Chesterton is one of three villages within Cherwell District Council's Local Plan intended to share 259 new homes, with 65 being permitted already within the village in the last three years. Significant additional interest is being shown by housing developers in applications for more housing within the school's catchment area.
8. The village of Wendlebury is planned to become part of Chesterton CE (VA) Primary School's catchment area in the near future. Many families living in Wendlebury already have children attending Chesterton and so this will not substantially alter patterns of attendance, however it will increase the likelihood of Wendlebury children being offered places at Chesterton as they will meet a higher admissions criterion.
9. The Governing Body of Chesterton CE (VA) Primary School wants to be able to meet the needs of the local community into the future, as it does now. It views very positively the benefits to school organisation of becoming a 1fe school, as it offers an opportunity to work towards eventual single age group classes: this is perceived as preferable by parents of their pupils.
10. Some parents wish their children to attend Chesterton CE (VA) Primary School through a preference for a Church of England school: this is reflected in the school's admissions criteria, and is not dependent on which catchment area the applicant resides in.
11. The Governing Body has written a formal statement of its support for the proposal to permanently expand, setting out how it believes it will have varied benefits to the school as a whole, and addressing concerns it is aware of about an increase in traffic. This statement is below:

*“Chesterton has grown as a village in the last year with the development of the Alchester Park estate. There is to be another development on The Hale, which will lead to an increase of over 100 homes in the village since the start of work on the Alchester Park site. There are already children from Alchester Park in our school. In addition, it is surely likely that there will be further housing developments within our catchment area in the future and an expansion to the school at this point, when the funding is available, would ensure that the school is ‘future proofed’ for local residents.*

*Our current catchment area (Chesterton, Middleton Stoney and Weston-on-the-Green) accounts for 59% of the children in school. This number was correct at the end of December 2016 term. Very soon Wendlebury will become part of our catchment area, as it was removed from St. Edburg's catchment area when that school relocated and Wendlebury children have traditionally attended Chesterton. If we include the children from Wendlebury who currently attend school in Chesterton, then our proportion of catchment area children will rise to 70%.*

*We would like to increase our Planned Admission Number (PAN) to 30 to meet the increased demand from within our catchment area. Although there*

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*may be children joining us in years other than Early Years/Foundation, we expect the increase to be gradual rather than all in one go.*

*The increase will allow us to work towards having one year group per class instead of mixed ages in the same room. Indeed, we would then be able to keep Key Stages apart instead of our current Year 1/2 and Year 2/3 class. This provides an opportunity to direct teaching to one year group, thereby making a more effective education for the children. This would also be preferable to the majority of parents who can be concerned about their children receiving the same education if they are working with younger children (Eg. as a Year 2 within a Year 1/2 class rather than in a Year 2/3 class).*

*In the ever-changing climate of education and the move towards academisation, small schools are increasingly under threat from being consumed/amalgamated into a larger entity. By increasing in size, Chesterton can retain its ethos and village character but ensure that it is sustainable in the future.*

*The increase in space (the new classroom block will contain one group room and one area designed as a flexible working space) will allow teachers and teaching assistants to work with pupils outside of the classroom as necessary. This can be extremely valuable for intervention work for children with Special Educational Needs and Disabilities and in a number of scenarios when being separate from the main body of the class would be beneficial. As the school has expanded in recent years, we no longer have a room dedicated as a library and are limited to one 'shared space' between five classes. This regularly leads to activities needing to take place in inappropriate settings (ie. music lessons in the staff room, pupils talking to social workers in the bursar's office).*

*There is no doubt that some parents exercise 'parental choice' in sending their children to Chesterton from outside our catchment area, and the current government appear to be supportive of this principle. However, some of our out of catchment children attend Chesterton due to lack of places in other Bicester schools rather than choice. We have a number of children from the village of Bucknell (until Sept 17, also part of St. Edburg's traditional catchment area). This will now form part of Gagle Brook's (not yet open) and King's Meadow's (regularly full or over-subscribed) catchment area. These are not Bicester parents opting not to attend a town school. The reasons that parents choose to send their children to non-catchment schools are many and varied. This is the same for us as we imagine it is for many other successful and popular schools.*

*We are aware that an increase in pupil numbers (albeit gradual) will lead to extra pressure on parking in the local area. Please see the extract below from our draft Travel Plan (a requirement of the expansion proposal).*

*As with all schools, traffic congestion is at its maximum at the beginning and end of the school day. A large number of our parents opt to drive their children to school, either because they live outside the village (a large proportion of our*

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*catchment area is beyond walking distance) or for convenience on the way to work. We regularly monitor parking outside the school and have taken steps to address inconsiderate/dangerous parking. In the past twelve months, we have requested input from our local Police Officer and PCSO, written to parents through newsletters with reminders about safe parking, involved the School Council in considering ways in which we could encourage safer driving/parking and liaised with the Parish Council to install additional 'no parking' lines on a junction near the school.*

*Staff parking is limited, and staff do use surrounding street parking. However, as stated above, apart from the peak times, surrounding roads are not excessively congested. Staff are encouraged to walk, cycle, share lifts if practical. However, few staff currently live close enough to the school to make this a viable option.*

*Whilst we appreciate that additional pupil numbers will inevitably increase traffic at these points in the day, there is extensive street parking available in the local area and outside of these times, the surrounding roads (with no parking restrictions) are relatively clear and uncongested.*

***The following factors currently decrease traffic arriving at school at the beginning and end of the day:***

- A number of children (average 15 per day) travel to school using a bus provided by OCC.*
- A number of children (average 8-12 per day) use the school's breakfast club, which begins at 7.30am, and means that these families have arrived before the 'peak' time.*
- We offer a wide range of after-school clubs, which finish at approximately 4.30pm, and mean that these families arrive to collect after the 'peak' time. This would be further mitigated by 'wrap-around' care that would be possible following the extension.*
- There is a large bike storage shelter on site to enable children to safely store bicycles and scooters.*
- In addition, the school does offer a cycling proficiency course for Year 6 pupils and this does encourage some children to cycle to school.*

Officers now seek formal approval for this proposal from the Cabinet Member for Education.

## **Representations**

12. The public consultation generated five responses. Two supported the proposal in principle, while all raised concerns. These concerns were overwhelmingly centred on the impact on traffic within Chesterton village. This was raised in particular by Chesterton Playgroup and Chesterton Parish Council, while also recognising the benefits to the school of expansion.

Fritwell CE Primary School and Fritwell Parish Council responded to the initial consultation raising concern about an impact on pupil numbers attending that

school, should Chesterton expand. Officers do not consider Fritwell to be an appropriate solution to school capacity for children generated by the planned housing within Chesterton village, as it is several miles away.

13. The statutory Notice generated four representations (formal responses). Two supported the proposal in principle, while two opposed it in principle. Again, the objections received were centred around fears for worsening of the traffic issue in the village, rather than the principle of expansion of the school. One respondent raised a concern over the impact on outdoor space at the school, should it expand, however Chesterton CE (VA) Primary School's site is large enough to support the school's growth to 1 form entry in terms of the county council's standards for playing field space, which go over and above national guidelines.
14. St Edburg's CE (VA) Primary School (in nearby Kingsmead estate, Bicester) supported the expansion, while Chesterton Playgroup repeated its concerns about traffic, but also recognised the benefit to the school and surrounding villages of expansion.

### **Legal background**

13. The Education & Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 establish the procedures that must be followed when enlarging school premises.
15. Local authorities also have a duty to have regard to statutory guidance, in this particular case "*Making Prescribed Alterations to Mainstream Schools*" published April 2016.
16. 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:
  - how copies of the proposal may be obtained;
  - that anybody can object to, or comment on, the proposal;
  - the date that the representation period ends;
  - 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 is appropriate.

The county council confirms that it has adhered to the relevant legislation and statutory Guidance.

17. Local authorities have a statutory duty to ensure sufficiency of school places, which this expansion would support.
18. **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. In considering whether to formally approve the proposal, the Cabinet Member should be satisfied that the proposals will contribute to the accessing of excellent education provision and consider the impact on safeguarding and wellbeing. He should pay particular attention to the effect on groups that tend to under-perform including children from certain ethnic minorities and deprived backgrounds.
19. Chesterton CE Primary School is an Ofsted-rated “Good” school (last inspection 2013). Expansion would therefore increase the number of places available at good schools, although most other nearby schools are also rated “Good”.
20. **Demand v. need:** In assessing the demand for new school places the decision-maker should consider the evidence presented for any projected increase in pupil population (such as planned housing developments) and any new provision opening in the area. The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents’ aspirations for places in the school proposed for expansion.
21. As set out in the school’s statement, the school meets demand from parents over a wide area, within which there has been recent housing development. The Cherwell Local Plan Part 1 policy Villages 2 indicates that a total of 750 homes will be delivered at category A villages, which include Chesterton and Weston-on-the-Green, with specific sites to be identified through Local Plan Part 2 or Neighbourhood Plans. The school’s catchment area can therefore expect to see further housing growth. The current forecast demand for places at the school is set out below:

| Year        | R  | Yr1 | Yr2 | Yr3 | Yr4 | Yr5 | Yr6 | Total      |
|-------------|----|-----|-----|-----|-----|-----|-----|------------|
| <b>2017</b> | 20 | 23  | 23  | 14  | 21  | 18  | 21  | <b>140</b> |
| <b>2018</b> | 24 | 20  | 23  | 23  | 14  | 21  | 18  | <b>143</b> |
| <b>2019</b> | 26 | 24  | 20  | 23  | 23  | 14  | 21  | <b>151</b> |
| <b>2020</b> | 27 | 26  | 24  | 20  | 23  | 23  | 14  | <b>157</b> |
| <b>2021</b> | 28 | 27  | 26  | 24  | 20  | 23  | 23  | <b>171</b> |
| <b>2022</b> | 30 | 28  | 27  | 26  | 24  | 20  | 23  | <b>178</b> |
| <b>2023</b> | 27 | 30  | 28  | 27  | 26  | 24  | 20  | <b>182</b> |

22. Within Bicester itself there are planned to be nearly 10,000 new homes between 2014 and 2031. While most of the provision for this will be through new schools, it also provides opportunities for expansion of existing schools, where this can be achieved in a cost-effective manner and to the benefit of educational standards.
23. **School size:** Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration.
24. Permanent expansion of the school would be expected to increase the revenue cost-effectiveness of its operation. Expansion would also enable it to teach in single age classes, rather than the current mixed age classes; while there is no clear evidence that this would improve education standards, it would be preferred by the school.
25. **Travel and accessibility:** Decision-makers should satisfy themselves that accessibility planning has been properly taken into account 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.
26. Expansion of this school would not be expected to have an adverse impact on accessibility.
27. **Funding and land:** The decision-maker should be satisfied that any land, premises or 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. This expansion would be largely funded from developer contributions resulting from local housing growth. The school and Diocese are fully involved in the expansion planning.

### **Financial and Staff Implications**

29. The physical expansion of Chesterton CE (VA) Primary School would be funded using money the council has secured and expects to secure from housing developers, to mitigate the impact of new housing in the local area (known as Section 106 contributions). Oxfordshire County Council's contractors are working on a detailed feasibility study to identify how the physical expansion of the school can be achieved on site.
30. The accommodation requirements will be delivered by the county council. In accordance with OCC Capital Governance requirements this will be the subject to a separate Stage 2 – Full Business Case/ Project Approval in due course.

31. Where possible, subject to the constraints of Regulation 123 of the Community Infrastructure Regulations 2010 (as amended), retrospective S106 developer contributions will also be sought from planned and future housing development in the area.
32. There will be on-costs to the school for additional staff and for increased maintenance requirements. These will need to be funded from the school's delegated School Budget Share, which will increase in proportion to increases in pupil numbers. Resources for School Budget Shares are provided by government through the Dedicated Schools Grant, which will increase proportionately to increases in overall pupil numbers in Oxfordshire.

## **Equality and Inclusion Implications**

33. The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to:
  - eliminate discrimination;
  - advance equality of opportunity; and
  - foster good relations.
34. The Equality Impact Assessment of Oxfordshire's Pupil Place Plan (November 2016) identified that increasing school places at the heart of their communities has a positive impact on equalities through promoting social inclusion and minimising barriers to accessing education. There are not any sex, race or disability discrimination issues that arise from the changes being proposed.

## **Decision**

35. Decision makers have to have regard to 'Guidance for decision makers' April 2016.
36. Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.
37. In considering the proposals for a school expansion, the Cabinet Member can decide to:
  - reject the proposals;
  - approve the proposals without modifications; or
  - approve the proposals with such modifications as the local authority think desirable, having consulted the governing body.

## **RECOMMENDATION**



- 38. The Cabinet Member is RECOMMENDED to approve the proposed expansion of Chesterton CE (VA) Primary School.**

**LUCY BUTLER**

Director for Children's Services

Annexes:                      Annex 1: Consultation leaflet  
                                      Annex 2: Public Notice  
                                      Annex 3: Full Proposal document

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