

**CABINET MEMBER FOR EDUCATION & CULTURAL SERVICES -
24 APRIL 2019**

**REPORT ON THE PROPOSED EXPANSION OF ST BLAISE CE
PRIMARY SCHOOL**

Report by Director for Children's Services

RECOMMENDATION

The Cabinet Member for Education & Cultural Services is RECOMMENDED to approve the proposed expansion of St Blaise CE Primary School from September 2020 with the following conditions:

1. That, prior to 30 June 2019, the necessary land to facilitate the school's expansion has been transferred to the County Council.
2. The County Council is able to let a construction contract to provide the required accommodation in time to facilitate the expansion.

Executive Summary

1. Expansion of St Blaise CE Primary School, Milton Heights, is necessary to ensure sufficient primary school places are available for local housing development.
2. Such expansion requires a statutory consultation and decision-making process.
3. A statutory notice has been published, and the required representation period has ended. There have been no objections to the proposed expansion.

Introduction

4. 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 St Blaise CE 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.
5. 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 an informal consultation took place between 7 January and 4 February 2019. No objections were received.

6. At the time of writing, planning permission has been granted for over 500 new homes in the St Blaise catchment area since 2012, including a large site allocated in the Local Plan. The county council considers it essential to expand St Blaise CE Primary School to ensure sufficient pupil places are available in Milton.
7. The school's Governing Body wants to be able to meet the needs of the local community and in September 2017 the school expanded from a PAN of 10 to 15, to meet high local demand for primary school places. To create additional space the community room was converted into a classroom and a small extension was built to provide a small store and resource area. This work was funded through a combination of Section 106 funding secured from housing developers and capital funding provided by the county council. A decision now needs to be taken as to whether to permanently expand the school from an annual intake of 15 to one of 30.

The Proposal

8. The statutory proposal (Annex 1) was published in the Oxford Mail on 25 February 2019 and was also posted on the county council website. The Representation period ran until the 25 March 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.
9. The proposal is to expand St Blaise CE Primary School from its previous Planned Admission Number of 15 to one of 30 (i.e. to become a 1 form entry school) on a permanent basis from 1 September 2020.
10. Current pupil forecasts (calculated summer 2018) indicate that St Blaise Primary School will exceed its current capacity of 105 places by 2020, with intakes continuing to grow rapidly beyond that date. Reception pupil numbers are forecast to persistently exceed the current admission number of 15. Actual 2018 pupil numbers are currently slightly higher than had been forecast, and significantly higher than 2017's numbers.

Year	R	Yr1	Yr2	Yr3	Yr4	Yr5	Yr6	Total
2017 actual	16	12	12	7	9	9	9	74
2018 <i>forecast</i>	15	17	13	13	8	10	10	86
2018 actual	16	15	14	13	11	10	10	89
2019 <i>forecast</i>	17	17	18	14	14	9	11	100
2020 <i>forecast</i>	18	18	18	19	15	15	10	113
2021 <i>forecast</i>	21	20	19	20	21	17	17	135
2022 <i>forecast</i>	23	22	21	20	20	22	18	146
2023 <i>forecast</i>	24	23	22	21	21	21	22	154
2024 <i>forecast</i>	26	25	25	24	23	22	22	167
2025 <i>forecast</i>	26	26	26	26	24	23	23	174

11. Expansion of school capacity is needed to meet the forecast demands of the growing population in the area, and to allow for population fluctuations and movement into the area by new families, including into new homes planned to be built around the village. To enable the county council to meet its statutory duty to ensure sufficient pupil places for the growing population in Milton, a permanent expansion of St Blaise CE Primary School is now sought. If St Blaise CE Primary School expands to 1 form entry (30 children per year group) on a permanent basis, the county council considers there will be sufficient places to meet the scale of currently forecast population growth.
12. The Governing Body of St Blaise CE Primary School supports the proposed school expansion.
13. There were no representations following the publication of the statutory notice.

Legal background

14. Local authorities have a statutory duty under section 14 of the Education Act 1996 to ensure sufficiency of school places. This duty will be met with the expansion of St Blaise CE Primary School, as forecasts show there will be insufficient places existing in St Blaise unless this expansion occurs.
15. 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*.
16. 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.
17. 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.

18. The county council confirms that it has adhered to the above Guidance.

Decision-making

19. 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.
20. 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 made within this time frame, the LA must refer the proposal to the Schools Adjudicator for a decision.
21. 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)”.
22. The *Guidance* sets out the following factors which should be considered in deciding this proposal.
23. **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.
24. St Blaise CE Primary School is an Ofsted-rated “Good” school. The expansion will be supportive of high educational standards and parental choice and would increase the number of places available at good schools.
25. **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.

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26. Expansion of this school would increase equality of opportunity in terms of access to school places. It would ensure that children in Milton 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.
27. **Community cohesion:** When considering a proposal, the decision-maker should consider its impact on community cohesion.
28. Expansion of this school would enable all children in Milton to attend a school in their local community, which is a key element in creating community cohesion.
29. **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.
30. 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.
31. **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.
32. Additional accommodation will be required, and a planning application has been submitted for a new four classrooms building with link canopy; extensions to existing building to extend kitchen and schools main entrance; external works to provide extended car parking hard plan and playing field; and change of use of land to provide extended school site with boundary fencing. Milton Parish Council resolved to fully support the planning application (at their meeting held on 7th January 2019).
33. Two parcels of land related to the neighbouring housing development need to be transferred to school use to facilitate the school's expansion, to provide sufficient playing field space. The option agreement for this land links the transfer to the 50th occupation of the housing development (predicted for February 2020). OCC are seeking to acquire this land prior to the 50th occupation, to ensure timely completion of the school's expansion. As this land has not yet been transferred, the recommendation therefore is to approve the school's expansion subject to the transfer of the necessary land, and a contract being let to construct the necessary accommodation.
34. It is expected that the cost of providing the additional accommodation will be met by the county council, including from infrastructure contributions required of housing developers to mitigate the impact of their development on the need for

school places in the local area. Funding for the project is already included within the council's capital programme.

Financial and Staff Implications

35. 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.
36. The school will need to meet the costs of additional staffing, curriculum resources and maintenance costs from its delegated budget share. The funding formula on which the budget share is based will allocate additional resources based on increased pupil numbers and increased floor area. It is anticipated that moving to 1 form of entry will, over time, enable the school to achieve increased efficiency by amending its internal organisation.

Equalities Implications

37. As outlined above, expansion of this school would increase equality of opportunity in terms of access to school places.

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Annexes: Annex 1: Public Notice

Annex 2: Full Proposal document

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