

## CABINET – 18 September 2012

### PROPOSAL TO EXPAND BOTLEY SCHOOL, OXFORD

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

#### Introduction

1. Botley School is a primary school for 3-11 year-olds in the west of Oxford. Botley School's Admission Number was previously 45, but for the September 2012 intake it was published at 60 due to increased demand for pupil places. For the school to permanently expand to accommodate an admission number of 60 the statutory consultation process must be followed, without which the admission number would have to revert to 45. The Local Authority is now following the statutory consultation process.
2. At the request of the Local Authority, Botley School admitted an additional class (15 places) of F1 (Reception) class pupils in September 2010 to meet demand for pupil places within Oxford city. Demand for pupil places across Oxford city has risen very sharply and the expectation is that the rise in pupil numbers will be sustained. Similarly, the West Oxford partnership of schools, of which Botley School is a member, lies both within and on the outskirts of Oxford itself and is experiencing very high demand for places. Plans for additional housing within the school's catchment area are included in the draft Vale of White Horse Local Plan, and the district's current housing projections indicate over 500 homes are expected to be built in the area over the next six years, with significant developments already approved or underway.
3. The proposal to expand Botley School is one part of the county council's strategy to meet the need for primary school places in Oxford and its immediate surrounds.
4. By April this year, 60 places had been allocated at the school for September start, reflecting the extremely high level of demand in Oxford. 30 of these were for children whose parents chose it as their first preference. For September 2011, 36 parents chose the school as their first preference, with 45 places offered.
5. The total number of children at the school in years F1 (Reception) to Year 6 is 271 (May 2012 pupil census) as shown below:

Year Group	Reception (F1)	1	2	3	4	5	6
Pupil Number	44	57	31	48	30	33	28

6. There are five statutory stages for a proposal to expand a school:

- i. Consultation;
- ii. publication of a statutory notice;
- iii. representation;
- iv. decision;
- v. implementation.

This proposal has completed the first consultation stage, and a decision is now sought as to whether to proceed to publication of a statutory notice and representation.

## **The Proposal**

7. The proposal is to increase the school's total capacity from its current 315 places in Reception (F1) – Year 6 to a maximum of 420. This will allow the temporary increase in published admission number from 45 to 60 children to be made permanent.
8. To accommodate this growth in pupil numbers, there will need to be some extension of the school's buildings, and a feasibility study is being carried out to examine the options on how the additional spaces might best be provided.

## **Representations**

9. During the Stage 1 consultation phase (11 June 2012 – 23 July 2012) a public meeting was held at the school for parents to discuss their concerns with an officer from the Local Authority (LA) and the Headteacher and governors of Botley School. A consultation leaflet (Annex 1) was sent to parents of children at Botley School, staff, local councillors, other partnership schools and early years providers in the area, libraries and other stakeholders; it was also available to view and download on the Oxfordshire County Council website.
10. 17 responses were received: 10 respondents supported the proposal in principal, while 6 respondents were opposed to the proposal in principal and raised concerns. One respondent was neutral. A formal response was submitted from Botley School's Senior Leadership Team (Annex 3) and from the Governing Body (Annex 4).

The reasons given for supporting the proposal were:

- Need for additional school places for children living in the local area, particularly in view of proposed housing.
- Belief that a growing school has a positive image in its community and is more attractive to local families.
- Belief that the proposed new building works will enhance the current school building and provide purpose-built spaces for learning.
- More children bring extra funding into the school, enabling it to invest in its pupils.

- Ability to teach without mixed-age classes.

The following concerns were raised by respondents:

- Concern that children from outside the designated area for Botley School are being allocated places at the school due to lack of places elsewhere, and that parents living some distance from the school cannot develop a good relationship with school staff, as their children arrive by taxi. Also concern that when places become available nearer to these children's homes, they leave Botley School causing disruption to class organisation and other pupils. Concern about the amount of taxi travel to Botley School with detrimental effect on traffic in the area and outside the school. Concern over the effect on very young children of travelling without a carer to school by taxi and subsequent impact on being ready to learn.

*Officer comment: Over 500 new homes have been or are expected to be approved by the Vale of White Horse District Council in the vicinity of Botley School. Without expansion of the school, the children living in these new homes will not be able to be accommodated at the school. As the new homes come "on stream", more and more pupils at Botley School will live within the catchment area and the expectation is that travel to the school from out of catchment children will reduce. The current level of pupils travelling from outside of Botley School's catchment area is a result of extremely sharp increases in school age population within Oxford city and the fact that Botley School was the nearest school to the children's homes with an available place. In addition to this expansion, primary school capacity within Oxford city elsewhere is also being expanded.*

*It is expected that as the new housing in Botley School's catchment is built, and other schools are expanded, fewer out-of-catchment pupils will be allocated places at Botley and be transported by car. Local children will always be encouraged to use other means of transport, in line with the school's Travel Plan. The expansion of the school buildings would be the subject of Planning scrutiny including that of Highways.*

*The LA agrees that it is a far from ideal situation to taxi children from other areas to Botley School, but that this was the nearest school with places available to the children's homes and was therefore the best available option to meet the LA's statutory duty to provide school places. Without expansion of Botley School, children moving into the new housing in the area in the future would face a similar situation, as there is unlikely to be sufficient places at the school for them and they would need to be transported elsewhere to receive their education. It is hoped that expansion of other schools in Oxford will mitigate this very real issue of children being brought to Botley by taxi, which clearly upsets the youngest to a sometimes severe degree. This is a situation which the LA seeks to avoid.*

- Concern about the challenge to school staff of the school increasing in size.

Officer comment: *The Senior Leadership Team (SLT) at Botley School say in their formal response to this consultation that they have accepted greater numbers of pupils for the last few years “and we as an SLT have managed this change successfully”. They say they “have successfully managed other big strategic changes such as the merger between Elms Rd Nursery School and Botley Primary School extremely well”. The school’s staff believe that they are very capable of managing the increase to the school pupil numbers that a permanent expansion would engender. Additionally, the Governing Body’s response to the consultation says: “We feel confident that the existing staff will be able to adjust to the changes – we have had a fluctuating roll for many years and being able to be adaptable is one of the features of the school. Leadership was recognised by Ofsted in November 2011 as ‘Good’ and we feel that there is good capacity to continue to improve and take on new challenges. Naturally, with additional children on the school roll there will be the need to recruit additional teachers and we are confident that we can accommodate new staff and expand the teaching teams as necessary.”*

- Concern that relocatable “temporary” units would be installed as opposed to permanent classroom construction. Also concern that the current double-sized classrooms (around 100m<sup>2</sup>) in the school may be divided to create more, smaller rooms.

Officer comment: *The LA’s policy is to include the option of installing relocatable buildings as one of several options for investigation in every feasibility study relating to school expansion. However, there are many factors which may indicate that this option is not appropriate at any individual school, and all projects and schools are different in this regard. The feasibility study being carried out at Botley School has not been finalised but all options must initially be considered, as per the policy, before being discounted.*

*Botley School is not alone in being proposed for growth: every Oxford school is being assessed for growth potential and many have grown already or are in the process of doing so. The exceptional pressure we have on primary school places alongside the much reduced funding to meet the consequential accommodation needs means that we have to look very hard at all of the existing spaces within schools, and where possible bring back into use former classroom spaces. Making the very best use of existing space is important to ensure that we maximise the limited resources and target investment equitably. The potential building work at Botley School is the subject of a feasibility study which has not been completed and so no final decisions have yet been made on design.*

11. The following questions and concerns were raised during the parents’ meeting at the school and responded to by the LA officer present:
  - As above, concern regarding children currently arriving at the school by taxi.

- Discussion around the scale of proposed housing developments in the catchment area, how this will affect the school and other Oxford schools.
- Discussion around whether if Botley School were an Academy, the growth could still be “insisted” upon.
- Queries around the nature of the building works to the school being proposed.
- Queries about the statutory process and decision-making on the proposal.
- Discussion around the benefits to class organisation of being 2 form entry, and the financial benefits to the school.

*Officer comment: The officer present at the meeting responded to all queries and discussions raised with the points set out previously in this document. As schools become academies the Local Authority maintains a statutory responsibility to ensure sufficiency of school places. It is expected that academies would choose to expand in order to meet the needs of its local population. While the Local Authority would not have the power to insist on an academy expanding, it could ask for the Secretary of State to intervene.*

12. As concerns in relation to the proposal have been raised, 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**

13. Sections 18 to 24 of the Education & Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) [“the Prescribed Alterations Regulations”] establish the procedures that must be followed when enlarging school premises. Local authorities also have a duty to have regard to statutory guidance, in this particular case ‘Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form: A Guide for Local Authorities and Governing Bodies (“the Guidance”).
14. The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. The Cabinet must be satisfied that the statutory consultation has been properly carried out prior to the publication of the notice. Annex 2 provides details of the County Council’s consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations. The period of consultation is not prescribed by legislation, although the Guidance recommends a minimum of 4 weeks. The consultation period was in line with the Guidance having run from 11<sup>th</sup> June 2012 to 23<sup>rd</sup> July 2012, thereby exceeding the four week minimum requirement. The consultation was therefore carried out in accordance with the Prescribed Alterations Regulations.

15. 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 representation period of four weeks. The decision-making power in terms of determining the notice will lie with the Cabinet or the Cabinet Member for School Improvement, and a report will be put to Cabinet if representations are received, for a final decision in due course.

### **Equality and Inclusion Implications**

16. The Equality Impact Assessment of Oxfordshire's Pupil Place Plan (June 2011) 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.

### **Financial and Staff Implications**

17. The direct financial implication of this report is the cost of the statutory process recommended, which is planned for and met within the normal CEF budget provision. There are no significant financial implications or risks at this stage. If the proposal proceeds, following statutory consultation there would be another report to Cabinet in due course seeking a final decision on whether to expand the school.
18. The longer-term financial implications of the current report are linked to the capital works that would be carried out should the proposals be approved. These will be the subject of a separate detailed project approval, and a further paper for decision will follow in due course, in accordance with the Council's capital governance requirements. Resources to assist with demographic issues on school places have already been identified from contributions secured by the County Council to meet the infrastructure needs arising from local housing developments (S106 contributions). There will also be on-costs for the school for additional staff and increased maintenance requirements.
19. Publication of a statutory proposal to expand the school requires confirmation from the county council that funds will be made available for the necessary capital costs should the proposal be finally approved.

### **RECOMMENDATION**

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

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CA6

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- Annex 1: Consultation leaflet
- Annex 2: List of parties consulted
- Annex 3: Formal response from Botley School's Senior Leadership Team
- Annex 4: Formal response from Botley School's Governing Body