

## ***Delegated Decisions by Cabinet Member for Schools Improvement***

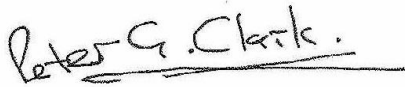
***Monday, 14 May 2012 at 12.00 pm  
County Hall, New Road, Oxford***

### ***Items for Decision***

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 22 May 2010 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

**These proceedings are open to the public**



Peter G. Clark  
County Solicitor

May 2012

**Contact Officer:** **Deborah Miller**  
Tel: (01865) 815384; E-Mail: [deborah.miller@oxfordshire.gov.uk](mailto:deborah.miller@oxfordshire.gov.uk)

**Note:** *Date of next meeting: 11 June 2012*

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

## Items for Decision

### 1. Declarations of Interest

### 2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

### 3. Petitions and Public Address

### 4. Proposal to Expand Eynsham Primary School (Pages 1 - 32)

*Forward Plan Ref:* 2012/060

*Contact:* Barbara Chillman, Principal Officer – School Organisation Tel: (01865) 816459

Report by Director for Children's Services (**CMDSI4**).

Eynsham Primary School's Admission Number is 45. However the school has admitted over this number in both September 2010 and September 2011 to meet growth in demand for pupil places in the area. Demand for pupil places across Oxfordshire generally has risen and in Eynsham additional homes in new housing developments are in the process of being constructed and occupied: therefore the expectation is that the rise in pupil numbers will be sustained. As a result, the proposal is to expand Eynsham Primary School permanently to become a 2 form entry school with an admission number of 60.

Because the published admission number for 2011 and 2012 has already been decided, the school's admission number can only now formally change from 2013.

The school already has sufficient classroom accommodation to become a 2 form entry school. If, following this consultation, it is decided to change the admission number to 60 on a permanent basis, there may be a need for additional school facilities to be constructed which would support the delivery of the full curriculum to the increased number of pupils. OCC is working in partnership with the school

governors to look carefully at the school's site and buildings to see what facilities are required and how they could best be provided through a feasibility study.

A final decision is required on whether to proceed to expand the school.

***The Cabinet Member for Schools Improvement is RECOMMENDED to approve the publication of a statutory notice for the expansion of Eynsham Primary School.***

**5. Expansion of Orchard Meadow Primary School, Oxford (Pages 33 - 62)**

*Forward Plan Ref: 2012/052*

*Contact: Barbara Chillman, Senior Officer, School Organisation Tel: (01865) 816459*

Report by Director for Children's Services (**CMDSI5**).

In recent years Oxford has experienced a significant and sustained rise in primary pupil numbers. To meet this demand, in 2008 an additional 105 primary school places across the city were agreed; in 2009 a further 245 additional primary school places were created, and in 2010 another 238 additional places were created. Looking to the future, significant additional housing is included in Oxford City Council's Core Strategy, which will, in turn, lead to increased pupil numbers across the city. The proposal to expand Orchard Meadow Primary School is one part of the county council's strategy to meet the need for primary school places in Oxford. Several other schools across Oxford are also planned for expansion over the next few years.

Orchard Meadow Primary School's Admission Number was until recently 30. However the school has worked with the county council to admit over this number for the last few years, to meet growth in demand for pupil places in Blackbird Leys. From September 2011 the Admission Number rose to 45, which more accurately reflects the actual intake of pupils into the Reception (F1) class each year. Demand for pupil places across Oxford city has risen and future plans for the regeneration of Blackbird Leys could include up to 1000 additional homes: therefore the expectation is that the rise in pupil numbers will be sustained.

As a result, the proposal is to expand Orchard Meadow Primary School to become a 2 form entry school with an Admission Number of 60. This would bring the number of children on roll at the school up to possibly 420 children (excluding the Nursery).

A final decision is required on whether to proceed to expand Orchard Meadow Primary School.

***The Cabinet Member for Schools Improvement is RECOMMENDED to approve the permanent expansion of Orchard Meadow Primary School with effect from 1 September 2013.***

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Division(s): Eynsham

## CABINET MEMBER FOR SCHOOLS IMPROVEMENT – 14 MAY 2012

### PROPOSAL TO EXPAND EYNSHAM PRIMARY SCHOOL

Report by Children, Education & Families

#### Introduction

1. Eynsham Primary School's Published Admission Number is 45. However the school has admitted over this number in both September 2010 and September 2011. The school's Published Admission Number for 2012 is 45, but it is expected that they will again accept over this number. Demand for pupil places across Oxfordshire generally has risen and in Eynsham additional homes in new housing developments are in the process of being constructed and occupied: therefore the expectation is that the rise in pupil numbers will be sustained. The village is identified by the district council as a possible settlement suitable for expansion in the medium to long term.
2. As a result, the proposal is to expand Eynsham Primary School permanently to become a 2 form entry school with an admission number of 60. This would bring the number of children on roll at the school up to a maximum of 420 children (excluding the Nursery).
3. Eynsham Primary School is a school for 3-11 year-olds in the village of Eynsham, just west of Oxford city. The school had published an admission number of 45 for September 2011 but admitted over this number due to demand. In the October 2011 Pupil Census, there were 61 pupils on roll in the F1 (Reception) year group. 41 parents chose the school as their first preference, with 62 preferences in total for the school. The current number of children (October 2011 Pupil Census) in Years 1-6 is 315, and in Years F1-6 is 376, as shown below:

F1	Y1	Y2	Y3	Y4	Y5	Y6	<b>F1-Y6</b>	<b>Y1-6</b>
61	55	51	58	54	51	46	<b>376</b>	<b>315</b>

4. 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

5. The proposal is to increase the formal published admission number from 45 to 60 children, on a permanent basis from September 2013. This will eventually increase the school's total capacity in Years 1-6 to a maximum of 420.
6. To accommodate this growth in pupil numbers, there will be some extension / remodelling of the school's buildings, and a feasibility study is underway as to how this can best be provided.

## Representations

7. During the Stage 1 consultation phase (1<sup>st</sup> November 2011 – 13<sup>th</sup> December 2011) informal drop-in sessions were held at the school for parents to raise any queries about the proposal with a county council Officer, and a consultation document (Annex 1) was sent to parents of children at Eynsham Primary School, as well as to local councillors, other schools and early years providers in the area, and other stakeholders; it was also available on the OCC website. 15 responses were received and 14 respondents supported the proposal in principal, while 1 respondent was neutral. However some concerns were also raised by the respondents and were echoed in an additional response received some time after the close of the consultation.
8. The reasons given for supporting the proposal were:
  - Need for additional pupil places in the area for local children.
  - Positive effect on school resources of being a larger school.
  - Perception that this is a good school and so should expand.
9. The following concerns were raised:
  - Without sufficient extension of the buildings, that the school would be overcrowded.  
*The extension of the buildings is the subject of a feasibility study which is progressing in full consultation with school governors and Headteacher.*
  - Concern about the impact of additional traffic in the area if pupil numbers rise.  
*Traffic issues will be subject to the usual Planning regulations and must satisfy these laws. The school will also update and manage its Travel Plan as required.*
  - Concern about the toilet facilities in terms of maintenance and cleanliness and sufficiency.  
*Maintenance of pupil toilets is the responsibility of the school. The feasibility study being carried out to look at the buildings will ensure that sufficient toilets are provided for the additional pupils, in line with School Premises Regulations.*
10. The following questions and concerns were raised during the drop-in sessions at the school and responded to by the Officers present:
  - Concern that there would be sufficient accommodation in the school for the increase in numbers and a perception that the school will be overcrowded.

- *The school was originally built as a 2 form entry establishment, but the use of space subsequently changed to reflect the school's changing needs, reducing teaching capacity to 1.5 form entry. The capital investment now planned will enable the school to move back towards full 2 form entry capacity.*
  - Concern about the numbers of children using the playground at the same time.  
*This is a matter for school management at break times. The school is fundraising for an All Weather Pitch installation which will create additional outdoor play space in the winter months.*
  - Concern that in future years the school would grow larger than 2 form entry.  
*The school site does not support a school larger than 2 form entry and there are no plans for the school to grow beyond this.*
11. With respect to accommodation, the feasibility study will identify how accommodation can be provided to meet the statutory requirements for a 2 form entry school. This is in line with the county council's policy that schools are ideally organised so as to allow admission of one full form of entry or two full forms of entry in any one year. This allows classes to be organised as multiples of 30 pupils per year group which conforms to statutory class size requirements and most effective use of revenue resources. The brief for this feasibility study has been agreed by the school's governors. The final timeline for the proposed building project will be confirmed during the feasibility study.
12. As no objections to the proposal have been recorded, the decision on whether to proceed to publish a formal statutory proposal is delegated to 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 1<sup>st</sup> November 2011 – 13<sup>th</sup> December 2011, 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 CE&F 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 financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. Developer contributions towards this expansion have already been secured and will also be sought from any relevant future developments in the area. The initial priority infrastructure needs have been identified, and it is anticipated that the cost of addressing these will be met by the developer contributions already secured.
19. There will also 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, and to a lesser extent in proportion to the floor area of new buildings. 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.
20. 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.

### **RECOMMENDATION**

**The Cabinet Member for Schools Improvement is RECOMMENDED to approve the publication of a statutory notice for the expansion of Eynsham Primary School.**

**JIM LEIVERS**

Acting Director for Children, Education & Families



Contact Officer: Barbara Chillman, Senior Officer School Organisation  
01865 816459 January 2012

Annex 1: Public consultation document.

Annex 2: Details of consultation with interested parties.

## Annex 2: Consultation with interested parties

The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. This annex provides details of the County Council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations.

The governing body of any school which is the subject of proposals (if the LA are publishing proposals)	Consulted through distribution of consultation leaflets (1 November 2011 – 13 December 2011).
The LA that maintains the school (if the governing body is publishing the proposals).	n/a
Families of pupils, teachers and other staff at the school.	Through distribution of consultation leaflets (to families via children) (1 November 2011 – 13 December 2011), and invitation to a drop-in session for parents of children at the school (24 November 2011).
Any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils.	The proposals are not judged to affect other local authorities.
The governing bodies, teachers and other staff of any other school that may be affected.	Other Oxfordshire schools consulted through online consultation (1 November 2011 – 13 December 2011). Local primary and secondary schools, and early years providers were sent consultation leaflets.
Families of any pupils at any other school that may be affected.	Consulted through online consultation (1 November 2011 – 13 December 2011).
Any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals.	Consulted through online consultation (1 November 2011 – 13 December 2011).
(If proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school.	Oxford CE diocese and Birmingham and Portsmouth RC dioceses consulted through online consultation and distribution of consultation leaflets (1 November 2011 – 13 December 2011).
The trustees of the school (if any).	n/a
(If the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council	n/a
MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals.	Local MP sent a copy of the consultation leaflet.

<p>The local district or parish council where the school that is the subject of the proposals is situated.</p>	<p>Local district and county councillors consulted through distribution of consultation leaflets and online consultation, and West Oxfordshire District Council Council sent consultation leaflet.</p>
<p>Any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises.</p>	<p>Members of the School Organisation Stakeholder Group consulted through online consultation and meetings.</p>

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**CABINET MEMBER FOR SCHOOLS IMPROVEMENT – 8 FEBRUARY 2012**

**PROPOSAL TO EXPAND EYNSHAM PRIMARY SCHOOL**

**Report by Children, Education & Families**

**Introduction**

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2. As a result, the proposal is to expand Eynsham Primary School permanently to become a 2 form entry school with an admission number of 60. This would bring the number of children on roll at the school up to a maximum of 420 children (excluding the Nursery).
3. Eynsham Primary School is a school for 3-11 year-olds in the village of Eynsham, just west of Oxford city. The school had published an admission number of 45 for September 2011 but admitted over this number due to demand. In the October 2011 Pupil Census, there were 61 pupils on roll in the F1 (Reception) year group. 41 parents chose the school as their first preference, with 62 preferences in total for the school. The current number of children (October 2011 Pupil Census) in Years 1-6 is 315, and in Years F1-6 is 376, as shown below:

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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

5. The proposal is to increase the formal published admission number from 45 to 60 children, on a permanent basis from September 2013. This will eventually increase the school's total capacity in Years 1-6 to a maximum of 420.
6. To accommodate this growth in pupil numbers, there will be some extension / remodelling of the school's buildings, and a feasibility study is underway as to how this can best be provided.

## Representations

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*This is a matter for school management at break times. The school is fundraising for an All Weather Pitch installation which will create additional outdoor play space in the winter months.*
  - Concern that in future years the school would grow larger than 2 form entry.  
*The school site does not support a school larger than 2 form entry and there are no plans for the school to grow beyond this.*
11. With respect to accommodation, the feasibility study will identify how accommodation can be provided to meet the statutory requirements for a 2 form entry school. This is in line with the county council's policy that schools are ideally organised so as to allow admission of one full form of entry or two full forms of entry in any one year. This allows classes to be organised as multiples of 30 pupils per year group which conforms to statutory class size requirements and most effective use of revenue resources. The brief for this feasibility study has been agreed by the school's governors. The final timeline for the proposed building project will be confirmed during the feasibility study.
12. As no objections to the proposal have been recorded, the decision on whether to proceed to publish a formal statutory proposal is delegated to 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").
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### **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**

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18. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. Developer contributions towards this expansion have already been secured and will also be sought from any relevant future developments in the area. The initial priority infrastructure needs have been identified, and it is anticipated that the cost of addressing these will be met by the developer contributions already secured.
19. There will also 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, and to a lesser extent in proportion to the floor area of new buildings. 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.

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.



## **RECOMMENDATION**

**The Cabinet Member for School Improvement is RECOMMENDED to approve the publication of a statutory notice for the expansion of Eynsham Primary School.**

Jim Leivers  
Acting Director for Children, Education & Families

Contact Officer: Barbara Chillman, Senior Officer School Organisation  
01865 816459 January 2012

Annex 1: Public consultation document.

Annex 2: Details of consultation with interested parties.

## Annex 2: Consultation with interested parties

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The LA that maintains the school (if the governing body is publishing the proposals).	n/a
Families of pupils, teachers and other staff at the school.	Through distribution of consultation leaflets (to families via children) (1 November 2011 – 13 December 2011), and invitation to a drop-in session for parents of children at the school (24 November 2011).
Any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils.	The proposals are not judged to affect other local authorities.
The governing bodies, teachers and other staff of any other school that may be affected.	Other Oxfordshire schools consulted through online consultation (1 November 2011 – 13 December 2011). Local primary and secondary schools, and early years providers were sent consultation leaflets.
Families of any pupils at any other school that may be affected.	Consulted through online consultation (1 November 2011 – 13 December 2011).
Any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals.	Consulted through online consultation (1 November 2011 – 13 December 2011).
(If proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school.	Oxford CE diocese and Birmingham and Portsmouth RC dioceses consulted through online consultation and distribution of consultation leaflets (1 November 2011 – 13 December 2011).
The trustees of the school (if any).	n/a
(If the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council	n/a
MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals.	Local MP sent a copy of the consultation leaflet.

<p>The local district or parish council where the school that is the subject of the proposals is situated.</p>	<p>Local district and county councillors consulted through distribution of consultation leaflets and online consultation, and West Oxfordshire District Council Council sent consultation leaflet.</p>
<p>Any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises.</p>	<p>Members of the School Organisation Stakeholder Group consulted through online consultation and meetings.</p>

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# PUBLIC NOTICE

## Proposed Enlargement of Eynsham Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Oxfordshire County Council intends to make a prescribed alteration to Eynsham Primary School (Community), Beech Road, Eynsham, Oxfordshire, OX29 4LJ from 01 September 2013.

The proposal is to expand Eynsham Primary School permanently to become a 2 form entry school with an admission number of 60 for admission in September 2013.

The current capacity of the school is 315 and the proposed capacity will be 420. The current number of pupils registered at the school is 376. The current admission number for the school is 45 and the proposed admission number will be 60.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Diane Cameron, School Organisation & Planning, Oxfordshire County Council, FREEPOST. Telephone: 01865 816445 or email: [EynshamStatNotice2012@myconsultations.oxfordshire.gov.uk](mailto:EynshamStatNotice2012@myconsultations.oxfordshire.gov.uk)

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to Diane Cameron, School Organisation & Planning, Oxfordshire County Council, FREEPOST. Or representations may be made online at [www.myconsultations.oxfordshire.gov.uk](http://www.myconsultations.oxfordshire.gov.uk) or by emailing [EynshamStatNotice2012-manager@myconsultations.oxfordshire.gov.uk](mailto:EynshamStatNotice2012-manager@myconsultations.oxfordshire.gov.uk)

**Signed: Jim Leivers, Acting Director for Children, Education & Families**

**Publication Date: 22 February 2012**

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## PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

### **Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):**

#### **In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

n/a

#### **In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school .

Oxfordshire County Council for Eynsham Primary School (Maintained),  
Beech Road, Eynsham, Oxfordshire, OX29 4LJ.

#### **Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

Expand to a published admission number of 60 from 2013 on a permanent basis.

#### **Objections and comments**

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
  - (b) the address of the authority to which objections or comments should be sent.

(a) 21<sup>st</sup> March 2012

(b) All representations to be sent to School Organisation & Planning, Oxfordshire County Council, FREEPOST, or made online at <https://myconsultations.oxfordshire.gov.uk> or sent by email to [EynshamStatNotice2012-manager@myconsultations.oxfordshire.gov.uk](mailto:EynshamStatNotice2012-manager@myconsultations.oxfordshire.gov.uk)

### Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

Proposal to increase the school published admission number on a permanent basis from 45 to 60 in 2013. The school has agreed to take over its published admission number on an interim basis in 2012.

### School capacity

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

(a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

Current capacity is 315 (Years Reception – 6). The proposal will alter the capacity to 420.

(b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

Current published admission number is 45 for admission to F1 (Reception). Proposed number will be 60 for F1 (Reception) from 2013.

(c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

n/a



- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

Current indicated admission number is 51. Years 5 and 6 comprise 50 and 47 pupils respectively. Basic Need in Eynsham has risen over the years since these year groups started attending school, and these year groups were still larger than the published admission number of 45.

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

378 children in Reception-Year 6.

### Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

n/a

### Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

n/a

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

n/a

### Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

n/a
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- (b) the arrangements for safeguarding the welfare of children at the school;

n/a
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- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

n/a
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- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

n/a
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(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

n/a
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- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

n/a
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**Transfer to new site**

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

n/a

- (b) the distance between the proposed and current site;

n/a

- (c) the reason for the choice of proposed site;

n/a

- (d) the accessibility of the proposed site or sites;

n/a

- (e) the proposed arrangements for transport of pupils to the school on its new site; and

n/a

- (f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

n/a

**Objectives**

10. The objectives of the proposals.

To enable OCC to meet the statutory duty to provide sufficient pupil places to meet Basic Need

demand.

## Consultation

11. Evidence of the consultation before the proposals were published including—
- (a) a list of persons who were consulted;
  - (b) minutes of all public consultation meetings;
  - (c) the views of the persons consulted;
  - (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
  - (e) copies of all consultation documents and a statement on how these documents were made available.

a) A public consultation was held by Oxfordshire County Council on the proposal to expand Eynsham Primary School between 1 November 2011 to 13 December 2011. Consultation was carried out with staff, governors and parents of children at the school, local councillors and MPs; relevant trade unions; other Partnership primary and nursery schools; and other interested parties.

b) Public drop-in sessions were held at the school by officers of Oxfordshire County Council and the Headteacher and governors of the school on 10 November 2011 at which parents of children at Eynsham Primary School, staff and governors were invited to ask questions and raise queries relating to the proposal. The issues discussed were:

- Concern that there would be sufficient accommodation in the school for the increase in numbers and a perception that the school will be overcrowded.
- Concern about the numbers of children using the playground at the same time.
- Concern that in future years the school would grow larger than 2 form entry.

c) During the public consultation, 15 responses were received. 14 respondents supported the proposal in principal, while one was neutral but raised one concern. The reasons given for supporting the were:

- Need for additional pupil places in the area for local children.
- Positive effect on school resources of being a larger school.
- Perception that this is a good school and so should expand.

The following concerns were raised by respondents:

- Without sufficient extension of the buildings, that the school would be overcrowded.
- Concern about the impact of additional traffic in the area if pupil numbers rise.
- Concern about the toilet facilities in terms of maintenance and

cleanliness and sufficiency.

d) All statutory requirements were complied with.

e) The consultation leaflet is attached as Appendix 1. These were sent via the school to parents. Consultation leaflets were also sent to local primary and nursery schools, the feeder secondary school, local councillors and MPs, and other stakeholders. The leaflets were also available on the county council's website.

### **Project costs**

**12.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

Developer contributions (S106) of about £200K towards this expansion have already been secured and will also be sought from any relevant future developments in the area. The initial priority infrastructure needs have been identified, and it is anticipated that the cost of addressing these will be met by the developer contributions already secured.

There will also 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

**13.** A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Once the preferred solution, costs and phasing options have been identified and agreed, funding is confirmed via S106 developer contributions already secured against this project.

### **Age range**

**14.** Where the proposals relate to a change in age range, the current age range for the school.

n/a

**Early years provision**

**15.** Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

n/a

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

n/a

- (c) evidence of parental demand for additional provision of early years provision;

n/a

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

n/a

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

n/a

**Changes to sixth form provision**

**16.** (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

n/a

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

n/a

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

n/a

(d) The proposed number of sixth form places to be provided.

n/a

**17.** Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

n/a

**Special educational needs**

**18.** Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

n/a

(b) any additional specialist features will be provided;

n/a

(c) the proposed numbers of pupils for which the provision is to be made;

n/a

(d) details of how the provision will be funded;

n/a

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

n/a

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

n/a

(g) the location of the provision if it is not to be established on the existing site of the school;

n/a

(h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and



n/a

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

n/a

**19.** Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

n/a

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

n/a

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

n/a

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

n/a

**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;

- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

n/a

**Sex of pupils**

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

n/a

- (b) evidence of local demand for single-sex education; and

n/a

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

n/a

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

n/a

- (b) evidence of local demand for single-sex education.

n/a

**Extended services**

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

n/a

**Need or demand for additional places**

**24.** If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

Eynsham Primary School's Published Admission Number is 45. However the school has admitted over this number in both September 2010 and September 2011. The school's Published Admission Number for 2012 is 45, but it is expected that they will again accept over this number. Demand for pupil places across Oxfordshire generally has risen and in Eynsham additional homes in new housing developments are in the process of being constructed and occupied: therefore the expectation is that the rise in pupil numbers will be sustained. The village is identified by the district council as a possible settlement suitable for expansion in the medium to long term. All primary schools in the Eynsham Partnership are currently fully subscribed, or very nearly full, in the current year group.

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

n/a

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

n/a

**25.** If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

n/a

- (b) a statement on the local capacity to accommodate displaced pupils.

n/a

### **Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

The presumption for the expansion of successful and popular schools does not apply in this case.

Division(s): Leys & Lye

## **CABINET MEMBER FOR SCHOOLS IMPROVEMENT – 14 MAY 2012**

### **RESPONSE TO STATUTORY NOTICE TO EXPAND ORCHARD MEADOW PRIMARY SCHOOL, OXFORD**

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

##### **Introduction**

1. At the meeting on 14 February 2012 the Cabinet agreed to the publication of formal proposals to expand Orchard Meadow 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 28th February 2012 and expired following 4 weeks of formal consultation on 27<sup>th</sup> March 2012. In accordance with legislation the notice was also posted at the school gate and sent to the local library. A copy of the full 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 (if there have been no objections). 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. The decision must be made within 2 months of the close of the notice period; as a consequence, it is necessary for the Chairman of the Council to determine that the decision cannot be subject to 'call-in' as this would, in most cases, prevent a decision being finalised within the required timescale and mean that the Cabinet's role would be negated by referral to the Schools' Adjudicator.
4. As no objections in relation to the proposal have been received the decision is referred to the Member for Schools Improvement. The proposed implementation date for the proposal is 1 September 2013

##### **The Proposal**

5. The proposal is to increase the formal published admission number from 45 to 60 children, on a permanent basis from September 2013 (an admission number of 45 has already been published for 2012). This will eventually increase the school's total capacity from its current 315 places in Years F1- Y6 to a maximum of 420.

6. Additional classroom and supporting spaces will need to be created at the school to accommodate the increase in pupil numbers and a feasibility study is already well advanced to investigate how these can best be provided.

## **Representations**

7. The formal representation (Statutory Notice) phase was from 28<sup>th</sup> February 2012 – 27<sup>th</sup> March 2012 and a Statutory Notice (Annex 2) was publicly displayed at Orchard Meadow Primary School, was also available on the OCC website and was published in The Oxford Mail newspaper on 28<sup>th</sup> February 2012.
8. One representation was received which was in favour of the proposal in principle but raising a concern about the sufficiency of accommodation within Orchard Meadow Primary School for the Leys Children's Centre staff, following the completion of the proposed capital project to expand the school.
9. CEF's response to this concern is as follows:

*Assessment of need and provision of alternative accommodation as necessary for the Children's Centre office staff is included in the feasibility study scope for this project. Space will also be available within Orchard Meadow school for their exclusive use, however it is likely that this will be reduced in terms of floor area from the existing space in the school that these staff currently enjoy, due to pressures of Basic Need and the Council's statutory duty to ensure necessary pupil places while operating within tight financial constraints.*

*Any additional requirements the staff of the Leys Children's Centre have beyond what can be made available at Orchard Meadow Primary School will be addressed within this project through the usual OCC corporate property channels, and the best options will be identified and taken forward to provide a solution.*

10. As no objections in principle to the proposal have been raised, the decision on whether to implement the proposal is referred to the Member for School Improvement rather than the Cabinet.

## **Legal background**

11. School expansions are 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). 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', ("the Guidance"). When reaching a decision, Cabinet must have regard to The Guidance. Cabinet is referred in particular to pages 19 to 40 of The Guidance.

12. 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 Decision Maker should consider the views of all those affected by the proposals. The Member for Schools Improvement, as Decision Maker, 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 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.
13. **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.
14. **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.
15. **Need for places.** The Decision Maker should consider whether there is a need for the expansion and should consider the evidence presented for the expansion. There is a strong presumption that proposals to expand popular and successful schools should be approved. If surplus capacity exists in neighbouring schools the Decision Maker should ask how it is planned to tackle any consequences for other schools.
16. **Funding and land.** The Decision Maker should be satisfied that any land, premises and capital required to implement the proposals will be available.

### **Financial and Staff Implications**

17. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. The Capital Investment Board (CIB) has approved funding for the initial feasibility work to establish the preferred option for meeting the additional accommodation needs. Resources for the capital works required for this expansion have been identified within the Capital programme 2011/12–2015/16 (existing demographic pupil provision – basic needs programme). In accordance with OCC Capital Governance





**CABINET – 14 FEBRUARY 2012**

**PROPOSAL TO EXPAND ORCHARD MEADOW PRIMARY SCHOOL,  
OXFORD**

**Report by Children, Education & Families**

**Introduction**

1. Orchard Meadow Primary School is located in Blackbird Leys in Oxford. Its Published Admission Number was until recently 30, however the school has worked with the county council to admit over this number for the last few years, to meet growth in demand for pupil places in Blackbird Leys. From September 2011 the Published Admission Number rose to 45, which more accurately reflects the actual intake of pupils into the Reception (F1) class each year. Demand for pupil places across Oxford city has risen and future plans for the regeneration of Blackbird Leys could include up to 1000 additional homes: therefore the expectation is that the rise in pupil numbers will be sustained.
2. As a result, the proposal is to expand Orchard Meadow Primary School to become a 2 form entry school with an Admission Number of 60 permanently. This would bring the number of children on roll at the school up to a maximum of 420 children (excluding the Nursery).
3. In recent years Oxford has experienced a significant and sustained rise in primary pupil numbers. To meet this demand significant additional places have been created in city schools each year since 2008. Looking to the future, significant additional housing is included in Oxford City Council's Core Strategy, which will, in turn, lead to increased pupil numbers across the city. The proposal to expand Orchard Meadow Primary School is one part of the county council's strategy to meet the need for primary school places in Oxford. Several other schools across Oxford are also in the process of expansion over the next few years.
4. Orchard Meadow Primary School is a school for 3-11 year-olds. The school had a published admission number of 45 for September 2011. In the October 2011 Pupil Census, 44 of these places had been taken up. 38 parents chose the school as their first preference, with 96 preferences in total for the school. The current number of children (October 2011 Pupil Census) in Years 1-6 is 250, and in Years F1-6 is 294, as shown below:

F1	Y1	Y2	Y3	Y4	Y5	Y6	F1-Y6	Y1-6
44	43	44	37	43	34	49	<b>294</b>	<b>250</b>

5. 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**

5. The proposal is to increase the formal published admission number from 45 to 60 children, on a permanent basis from September 2013. This will eventually increase the school's total capacity in Years 1-6 to a maximum of 420.
6. To accommodate this growth in pupil numbers, there will be some extension of the school's buildings, and a feasibility study is underway as to how this can best be provided.

## **Representations**

7. During the Stage 1 consultation phase (1<sup>st</sup> November 2011 – 13<sup>th</sup> December 2011) an informal drop-in session was held at the school for parents to raise any queries about the proposal with a county council officer. A consultation leaflet (Annex 1) was sent to parents of children at Orchard Meadow Primary School, as well as to local councillors, other schools and early years providers in the area, libraries and other stakeholders; it was also available on the OCC public website, together with full details of the various ways of responding.
8. There were no attendees at the drop-in session at the school. 5 responses to the consultation were received. 3 respondents supported the proposal in principal, 1 was neutral but raised concerns, and 1 was opposed to the proposal in principal.
9. The reasons given for supporting the proposal were:
  - Need for additional pupil places in Blackbird Leys area, to prevent local children having to travel elsewhere.
10. The concerns raised by respondents were:
  - Effect of being a larger school on standards and the experience of the pupils.
  - The displacement from current "spare" classrooms in the school of Leys Children's Centre staff, who use two classroom-sized rooms as offices, with concern that there may be no suitable alternative provision for them.

11. With respect to accommodation, the feasibility study now in progress will identify how accommodation can be provided to meet the statutory requirements for a 2 form entry school. The brief for this feasibility study has been agreed by the school's governors. The final timeline for the proposed building project will be confirmed during the feasibility study.
12. Provision for the Children's Centre office staff is included in the feasibility study and space will be made available for their exclusive use. However it is likely that this will be reduced in terms of floor area from the existing space that these staff currently enjoy, due to pressures of Basic Need and the council's statutory duty to provide necessary pupil places while operating within tight financial constraints.

Any additional requirements the staff of the Leys Children's Centre have beyond what can be made available at Orchard Meadow Primary School must be addressed through the usual OCC corporate property channels, and although office space will certainly be offered for the exclusive use of the Children's Centre staff, ultimately it is not the responsibility of Orchard Meadow Primary School to meet all their accommodation needs.

13. As an objection in relation to the proposal has been raised, the decision on whether to proceed to publish a formal statutory proposal is referred to the Cabinet rather than the Cabinet Member for Schools Improvement.

### **Making a Decision**

14. 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")'.
15. 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 1<sup>st</sup> November 2011 – 13<sup>th</sup> December 2011, thereby exceeding the four week minimum requirement. The consultation was therefore carried out in accordance with the Prescribed Alterations Regulations.
16. 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**

17. 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**

18. The direct financial implication of this report is the cost of the statutory process recommended, which is planned for and met within the normal CE&F 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.
19. The financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. 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. The Capital Investment Board (CIB) has approved funding for the initial feasibility work to establish the preferred option for meeting the additional accommodation needs. Resources for the capital works required for this expansion have been identified within the Capital programme 2011/12–2015/16 (existing demographic pupil provision – basic needs programme). 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
20. There will also 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, and to a lesser extent in proportion to the floor area of new buildings. 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.

## **RECOMMENDATION**

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

Jim Leivers  
Acting Director for Children, Education & Families

Contact Officer: Barbara Chillman, Senior Officer School Organisation,  
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## Annex 2: Consultation with interested parties

The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. This annex provides details of the County Council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations.

The governing body of any school which is the subject of proposals (if the LA are publishing proposals)	Consulted through distribution of consultation leaflets (1 November 2011 – 13 December 2011).
The LA that maintains the school (if the governing body is publishing the proposals).	n/a
Families of pupils, teachers and other staff at the school.	Through distribution of consultation leaflets (to families via children) (1 November 2011 – 13 December 2011), and invitation to a drop-in session for parents of children at the school (24 November 2011).
Any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils.	The proposals are not judged to affect other local authorities.
The governing bodies, teachers and other staff of any other school that may be affected.	Other Oxfordshire schools consulted through online consultation (1 November 2011 – 13 December 2011). Local primary and secondary schools, and early years providers were sent consultation leaflets.
Families of any pupils at any other school that may be affected.	Consulted through online consultation (1 November 2011 – 13 December 2011).
Any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals.	Consulted through online consultation (1 November 2011 – 13 December 2011).
(If proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school.	Oxford CE diocese and Birmingham and Portsmouth RC dioceses consulted through online consultation and distribution of consultation leaflets (1 November 2011 – 13 December 2011).
The trustees of the school (if any).	n/a
(If the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council	n/a
MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals.	Local MP sent a copy of the consultation leaflet.

<p>The local district or parish council where the school that is the subject of the proposals is situated.</p>	<p>Local district and county councillors consulted through distribution of consultation leaflets and online consultation, and Oxford City Council sent consultation leaflet.</p>
<p>Any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises.</p>	<p>Members of the School Organisation Stakeholder Group consulted through online consultation and meetings.</p>

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# PUBLIC NOTICE

## Proposed Enlargement of Orchard Meadow Primary School, Oxford

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Oxfordshire County Council intends to make a prescribed alteration to Orchard Meadow Primary School (Community), Wesley Close, Oxford, OX4 6BG from 01 September 2013.

We are planning to increase the school admission number from 45 to 60 on a permanent basis from September 2013, making Orchard Meadow Primary School a 2 form entry school.

The current capacity of the school is 315 and the proposed capacity will be 420. The current number of pupils registered at the school is 294. The current admission number for the school is 45 and the proposed admission number will be 60.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Diane Cameron, School Organisation & Planning, Oxfordshire County Council, FREEPOST, or by emailing:

[OMStatNotice2012-manager@myconsultations.oxfordshire.gov.uk](mailto:OMStatNotice2012-manager@myconsultations.oxfordshire.gov.uk). It is also available to view on the OCC website at [www.myconsultations.oxfordshire.gov.uk](http://www.myconsultations.oxfordshire.gov.uk)

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to Diane Cameron, School Organisation & Planning, Oxfordshire County Council, FREEPOST or by email to [OMStatNotice2012-manager@myconsultations.oxfordshire.gov.uk](mailto:OMStatNotice2012-manager@myconsultations.oxfordshire.gov.uk). Alternatively respond online using the questionnaire at [www.myconsultations.oxfordshire.gov.uk](http://www.myconsultations.oxfordshire.gov.uk).

**Signed: Jim Leivers, Acting Director for Children, Education & Families**

**Publication Date: 28 February 2012**

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PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN  
FOUNDATION PROPOSALS: Information to be included in a complete proposal

**Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):**

**In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

**In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school .

Orchard Meadow Primary School (Community), Wesley Close, Oxford, OX4 6BG

**Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

1<sup>st</sup> September 2013 – to raise the published admission number from 45 to 60.

**Objections and comments**

3. A statement explaining the procedure for making representations, including

- 
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations

- 2007 (as amended), by which objections or comments should be sent to the local education authority; and
- (b) the address of the authority to which objections or comments should be sent.

Any person may object to or make comments on the proposal by using the online questionnaire at <https://myconsultations.oxfordshire.gov.uk> or by post to Diane Cameron, School Organisation & Planning, FREEPOST OXFORDSHIRE COUNTY COUNCIL; or by Email to: [OMStatNotice2012-manager@myconsultations.oxfordshire.gov.uk](mailto:OMStatNotice2012-manager@myconsultations.oxfordshire.gov.uk)

### **Alteration description**

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

Expansion of the school from 1.5 form entry with an admission number of 45, to 2 form entry with an admission number of 60, from 2013.

### **School capacity**

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

315 current capacity, proposals will alter the capacity to 420.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

45 pupils are currently admitted to F1 (Reception) year group. The proposed number is 60.

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(c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

n/a
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(d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

n/a
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(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

Pupil census October 2011 shows 294 pupils on roll (years F1 – 6).
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### **Implementation**

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

n/a
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### **Additional Site**

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

n/a

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

n/a

### **Changes in boarding arrangements**

**8.—(1)** Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

(a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

n/a

(b) the arrangements for safeguarding the welfare of children at the school;

n/a

(c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

n/a

(d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

n/a

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

n/a

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

n/a

**Transfer to new site**

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

n/a

- (b) the distance between the proposed and current site;

n/a

- (c) the reason for the choice of proposed site;

n/a

(d) the accessibility of the proposed site or sites;

n/a

(e) the proposed arrangements for transport of pupils to the school on its new site; and

n/a

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

n/a

## Objectives

10. The objectives of the proposals.

To enable Oxfordshire County Council to meet the statutory duty to provide sufficient pupil places to meet Basic Need demand within the county, and in this case specifically within the Blackbird Leys community.

## Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

a) A public consultation was held by Oxfordshire County Council on the



proposal to expand Orchard Meadow Primary School between 1<sup>st</sup> November to 13<sup>th</sup> December 2011. Consultation was carried out with staff, governors and parents of children at the school, local councillors and MPs; relevant trade unions; other Oxford city primary and nursery schools; and other interested parties.

b) A drop-in session was held by officers of Oxfordshire County Council at the school on 24<sup>th</sup> November 2011 at which parents of children at Orchard Meadow Primary School, staff and governors were invited to attend to ask any questions and raise queries relating to the proposal. There were no attendees to the drop-in session.

c) During the public consultation, five responses were received. Three respondents supported the proposal in principal, one objected to the proposal and one was neutral but raised a concern.

The reason given for supporting the proposal was:

- Need for additional pupil places in Blackbird Leys area, to prevent local children having to travel elsewhere.

The following concerns were raised by respondents:

- Effect of being a larger school on standards and the experience of the pupils.
- The displacement from current “spare” classrooms in the school of Leys Children’s Centre staff, who use two classroom-sized rooms as offices, with concern that there may be no suitable alternative provision for them.

d) All statutory requirements were complied with.

e) Consultation leaflets were sent via the school to parents. Consultation leaflets were also sent to local primary and nursery schools, the feeder secondary school, local councillors and MPs, and other stakeholders. The leaflets were also available on the county council’s website.

### **Project costs**

**12.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

A feasibility study is underway to identify the options for providing additional accommodation to address the infrastructure issues related to this expansion. The estimated cost of providing the additional classroom

spaces in permanent buildings is in the region of £950,000 over two phases of works. It is anticipated that capital works will be funded by the local authority.

**13.** A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Once the preferred solution, costs and phasing options have been identified and agreed, funding will be sought from within the County Council's Basic Need Capital Programme 2011/12 onwards. It is anticipated that there will be opportunities to recover some of the costs for the work from future housing developer funding (S.106) agreements.

**Age range**

**14.** Where the proposals relate to a change in age range, the current age range for the school.

n/a

**Early years provision**

**15.** Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

n/a

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

n/a

- (c) evidence of parental demand for additional provision of early years provision;

n/a

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

n/a

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

n/a

### **Changes to sixth form provision**

**16.** (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

n/a

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

n/a

(c) Evidence —

(i) of the local collaboration in drawing up the proposals; and

(ii) that the proposals are likely to lead to higher standards and better progression at the school;

n/a

(d) The proposed number of sixth form places to be provided.

n/a

**17.** Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

n/a

### **Special educational needs**

**18.** Where the proposals are to establish or change provision for special educational needs—

(a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

n/a

(b) any additional specialist features will be provided;

n/a

(c) the proposed numbers of pupils for which the provision is to be made;

n/a

(d) details of how the provision will be funded;

n/a

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

n/a

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

n/a

(g) the location of the provision if it is not to be established on the existing site of the school;

n/a

(h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

n/a

(i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

n/a

**19.** Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

n/a

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

n/a

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

n/a

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

n/a

**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

n/a

**Sex of pupils**

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

n/a

- (b) evidence of local demand for single-sex education; and

n/a

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

n/a

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

n/a

(b) evidence of local demand for single-sex education.

n/a

### Extended services

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

n/a

### Need or demand for additional places

**24.** If the proposals involve adding places—

(a) a statement and supporting evidence of the need or demand for the particular places in the area;

Orchard Meadow Primary School is located in Blackbird Leys in Oxford. Its Published Admission Number was until recently 30, however the school has worked with the county council to admit over this number for the last few years, to meet growth in demand for pupil places in Blackbird Leys. From September 2011 the Published Admission Number rose to 45, which more accurately reflects the actual intake of pupils into the Reception (F1) class each year. Demand for pupil places across Oxford city has risen and future plans for the regeneration of Blackbird Leys could include up to 1000 additional homes; therefore the expectation is that the rise in pupil numbers will be sustained.

(b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

n/a



- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

n/a

**25.** If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

n/a

- (b) a statement on the local capacity to accommodate displaced pupils.

n/a

**Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

The presumption for the expansion of successful and popular schools

does not apply in this case.