

**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  
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2011

## 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>