

CABINET – 19 July 2011

**PROPOSAL TO EXPAND CUTTESLOWE PRIMARY SCHOOL,
OXFORD**

Report by Children, Education & Families

Introduction

1. Until recently Cutteslowe Primary School had planned to admit 30 children each year. Due to rising numbers of children needing primary school places in Oxford, the school worked with the county council in meeting the demand and agreed to admit more than its admission number in 2009 and 2010. The school's admission number for 2011 was published at 60, and we now need to decide whether to keep this arrangement permanently, so expanding the school to 2 forms of entry. The increase in capacity and corresponding proposed enlargement of premises requires the statutory process to be followed.

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 Cutteslowe 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.

2. Cutteslowe Primary School is a primary school for 3-11 year-olds in the north of Oxford. The school has agreed a published an admission number of 60 for September 2011 although its formal admission number remains currently at 30. By May, 56 places had been allocated. For September 2010, 24 parents chose the school as their first preference, with 48 preferences in total for the school. The current number of children (January 2011 pupil census) in Years 1-6 is 127, and in Years F1-6 is 176, as shown below:

F1	Y1	Y2	Y3	Y4	Y5	Y6	Total	F1-Y6	Y1-6
49	28	26	21	14	25	13	217	176	127

3. 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 30 to 60 children, on a permanent basis from September 2012 (an admission number of 60 has already been published for 2011). This will eventually increase the school's total capacity from its current 180 places in Years 1-6 to a maximum of 360.
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 (30 March 2011 – 25 May 2011) a meeting was held at the school for parents to discuss their concerns with a county council officer, and a consultation document (Annex 1) was sent to parents of children at Cutteslowe 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. Four responses were received: two respondents supported the proposal in principal, of which one raised one concern, while two respondents were opposed to the proposal in principal and raised concerns.
8. The reason given for supporting the proposal (2 respondents) was:
 - Expansion will benefit the school's resources and ability to attract / retain good staff.
9. The following concerns were raised by respondents:
 - Concern about the current educational standards at the school and opposition to enlarging it while standards are perceived to be low. (2 respondents).

At the time of consultation, the school was under a notice to improve, having been identified as requiring significant improvement in an Ofsted inspection in October 2010. The school was re-inspected on 5 May 2011, and the inspector's letter published on 20 May, after these respondents had registered their concerns. The re-inspection found that "the school is

making satisfactory progress in addressing the issues for improvement and in raising the pupils' achievement. The executive headteacher and deputy headteacher are providing strong leadership. The staff welcome the changes that have been made. They feel empowered and valued; morale is high. Systems and procedures to underpin improvement have been put in place, for example in relation to school improvement planning, monitoring and evaluation of the school's work and the tracking of pupils' progress." Moreover, the school has now appointed a permanent headteacher to start from September 2011, who has experience of taking a school from "Fresh Start" to being rated good by Ofsted within 2 ½ years.

- Concern about the design of the new buildings, in particular with reference to suitable classroom and outdoor facilities during construction, retention of sufficient playing field and retention of non-classroom spaces. (1 respondent).

The above falls within the scope of the current feasibility study and is subject to School Premises Regulations, which include the minimum required areas for school playing field. OCC's provision for primary school buildings generally exceeds the statutory requirements, subject to budget availability. All construction work would be planned in consultation with the school to minimise disruption as far as possible. Also see paragraph 11 below.

10. The following questions and concerns were raised during the parents' meeting at the school and responded to by the Officers present:

- Concern about any effect it might have on the school's relationship to The Cherwell School.

No change in this regard would result from this proposal. Allocation of secondary school places is primarily in relation to home address, not primary school attended.

- Questioning whether OCC would put any additional financial resources into the school as a result of the expansion

Financial assistance would increase based on the "per pupil" formula, as currently.

- Concern that the budget to expand the school buildings may not exist. *Priority for capital funding is currently where Basic Need (demand for additional pupil places) exists. Oxford city area meets this priority.*

- Concern about parking and traffic at the school.

All traffic and parking issues would be subject to Planning regulations and a separate Planning application and consideration of current permit parking zones will feed into the work of the feasibility study. The school will also be required to update its travel plan to reflect the increased pupil numbers.

- Question about whether secondary schools will be expanded in due course.

OCC is already starting to consider secondary school places but currently there are sufficient secondary places in Oxford.

- Question as to whether changing room facilities would form part of the new build.

Since this question was raised, inclusion of changing rooms into the remit

of the feasibility study has been adopted, subject to costs and budget availability.

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. The brief for this feasibility study has been agreed by the school's governors, and includes conversion of two existing spaces into classrooms plus an additional four new Key Stage classrooms, together with the associated areas such as SEN, toilets and storage. The final timeline for the proposed building project will be confirmed during the feasibility study.
12. As concerns in relation to the proposal have been raised, the decision on whether to publish a formal statutory proposal is referred to the Cabinet rather than the Cabinet Member for Schools Improvement.

Making a Decision

13. Sections 18 to 24 of the Education & Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) ["the Prescribed Alterations Regulations"] establish the procedures that must be followed when enlarging school premises. Local authorities also have a duty to have regard to statutory guidance, in this particular case 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form: A Guide for Local Authorities and Governing Bodies ("the Guidance")'.
14. The Prescribed Alterations Regulations require proposers to consult interested parties and the Guidance lists these at paragraph 1.3. The Cabinet must be satisfied that the statutory consultation has been properly carried out prior to the publication of the notice. Annex 2 provides details of the County Council's consultation with interested parties that are required to be consulted with under the Prescribed Alterations Regulations. The period of consultation is not prescribed by legislation, although the Guidance recommends a minimum of 4 weeks. The consultation period was in line with the Guidance having run from 30th March 2011 to 25th May 2011, thereby meeting 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 (Stage 3) 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. There are not considered to be any equality and inclusion implications arising from this proposal.

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 longer-term financial implications of the current report are linked to the capital works that would be carried out should the proposals be approved. These will be the subject of a separate detailed project approval, and a further paper for decision will follow in due course, subject to the capital policies and processes laid down. The decision to proceed with the statutory process to expand the school is normally done prior to detailed project and funding appraisal, particularly where there is a demonstrable need as with this school. Resources to assist with demographic issues on school places have been identified within the Capital programme 2010/11–2015/16 (existing demographic pupil provision – basic needs programme). There will also be on-costs for the school for additional staff and increased maintenance requirements.
19. Publication of a statutory proposal to expand the school requires confirmation from the county council that funds will be made available for the necessary capital costs.

RECOMMENDATION

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

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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 (30 March 2011 – 25 May 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) (30 March 2011 – 25 May 2011), and invitation to a meeting for parents of children at the school (4 May 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 (30 March 2011 – 25 May 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 (30 March 2011 – 25 May 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 (30 March 2011 – 25 May 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 (30 March 2011 – 25 May 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>