

**CABINET – 19 April 2011**

**PROPOSAL TO EXPAND NEW MARSTON PRIMARY SCHOOL,  
OXFORD**

**Report by Children, Young People & Families**

**Introduction**

1. 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 primary 245 additional places were created and in 2010 another 238 additional places were created. Looking to the future, significant additional housing is proposed in Oxford City Council's Core Strategy, which will, in turn, lead to increased pupil numbers across the city.
2. The proposal to expand New Marston Primary School is one part of the County Council's strategy to meet the need for primary school places in Oxford. The school agreed to take more than its admission number in September 2009 and 2010, accepting up to 60 children into the Reception (F1) class as part of the increased places noted above. A decision is now needed on whether to permanently expand the school to 2 forms of entry (with an admission number of 60) and to enlarge the physical capacity of the school.
3. New Marston Primary School is a primary school for 3-11 year-olds in the north-east of Oxford. Its catchment area includes Headley Way and Northway. Until now, the school has published an admission number of 30. For September 2010, 33 parents chose the school as their first preference, with 76 preferences in total for the school. The current number of children (January 2011 pupil census) in Years 1-6 is 197, and in Years F1-6 is 248, as shown below:

<b>Nursery F2</b>	<b>Reception F1</b>	<b>Y1</b>	<b>Y2</b>	<b>Y3</b>	<b>Y4</b>	<b>Y5</b>	<b>Y6</b>
26	51	51	30	30	28	28	30

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 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 225 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 informal consultation phase (17 January 2011 – 7 March 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 New Marston Primary School, as well as to local councillors, other schools and early years providers in the area; it was also available on the OCC website. Ten responses were received. Two respondents raised no concerns on the proposal and supported it in principal, six respondents raised concerns about the proposal and two were neutral.
8. The reason given for supporting the proposal (by one respondent) was:
  - Expansion will provide school places for local children.
9. The following concerns were raised by other respondents:
  - Traffic at the start and finish of the school day and concern over additional pupils being local or from further afield. (4 respondents).  
*See paragraph 10 below.*
  - Concern about sufficient permanent accommodation being guaranteed (3 respondents).  
*See paragraph 11 below.*
  - The funding for additional staffing and other resources (3 respondents).  
*Resourcing for the school will rise in line with pupil numbers.*
  - Concern about the design of the new buildings, in particular with reference to the Hearing Impaired Base at the school and acoustic quality deemed necessary for these pupils. (2 respondents). *See paragraph 11 below.*
  - Concern that the school would lose the "small school" atmosphere and that standards might fall. (2 respondents).  
*2 form entry is one of the preferred models of school organisation within Oxfordshire.*
  - Concern about the disruption of building works. (1 respondent).

- Concern about any effect it might have on the school's relationship to The Cherwell School. (1 respondent).  
*No change in this regard would result from this proposal.*
  - That the school should avoid the use of fair banding for admissions (1 respondent).  
*There is no intention to introduce fair banding.*
  - That there is no detrimental effect on Catholic schools in the area.  
*This proposal is not expected to have an impact on Catholic schools in the area.*
10. With respect to concerns about traffic, there is a draft scheme to improve the school's car park, with some minor improvements being carried out by the children's centre and the remainder included within the feasibility study for the proposed expansion. The County Council Development Control team are being consulted as part of the feasibility study. The school will also be required to update its travel plan to reflect the increased pupil numbers. It is expected that most of the children will live within walking distance.
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 an additional five new Key Stage 1/2 classrooms in permanent accommodation, together with the associated resource area, toilet facility and storage. On completion of the building works the current temporary classroom will be removed. The brief references the needs of the hearing impaired unit and its staff and pupils. The current expected completion date for building works is September 2013, but the final timeline 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 17<sup>th</sup> January 2011 to 7<sup>th</sup> March 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, and a report will be put to the Cabinet Member for Schools Improvement if no representations are received, or 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 CYP&F budget provision. There are no significant financial implications or risks at this stage.
18. If the proposal proceeds, following the 4 week statutory representation period, there would be another report to Cabinet in due course seeking a final decision on whether to expand the school. The longer term financial implications of the current report are linked to the capital works that will be carried out should the proposals be approved, and these will be the subject of a separate detailed project approval. There will also be on-costs for the school for additional staff and increased maintenance requirements.
19. 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. Capital funding forward plans include funds to assist with demographic issues on school places. A further paper for decision will follow the statutory process as normal where capital works are required, and subject to the capital policies and processes laid down.
20. Publication of a statutory proposal to expand the school requires confirmation from the local authority 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 New Marston Primary School, Oxford.**

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April 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 (17 January 2011 – 7 March 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) (17 January 2011 – 7 March 2011), and invitation to a meeting for parents (9 February 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 (17 January 2011 – 7 March 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 (17 January 2011 – 7 March 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 (17 January 2011 – 7 March 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 (17 January 2011 – 7 March 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>