

**Divisions Affected – Woodstock; Kidlington South; Kirtlington & Kidlington North**

**DEPUTY LEADER OF THE COUNCIL (INC CHILDREN, EDUCATION & YOUNG PEOPLE'S SERVICES)**

**24 MAY 2022**

**EXPANSION OF WOODSTOCK CHURCH OF ENGLAND PRIMARY SCHOOL**

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

**RECOMMENDATION**

1. **The Cabinet Member is RECOMMENDED to** approve the expansion of Woodstock Church of England Primary School to 2 forms of entry with effect from 1 September 2023, increasing its capacity from 315 to 420 primary school places.

CONDITION: approval is subject to the granting of planning permission.

**Executive Summary**

2. Under Section 19 of the Education and Inspections Act 2006, a local authority can propose the expansion of all categories of maintained school. It is proposed to expand Woodstock Church of England Primary School to 2 forms of entry, which would require an increase in Woodstock's admission number in September 2023 from 45 to 60 on a permanent basis.
3. This expansion is needed to meet the growing pupil population expected to result from housing development already underway in Woodstock, as well as that included in the adopted West Oxfordshire Local Plan.
4. Such expansion requires a statutory consultation and decision-making process. The decision must be made in accordance with the Education and Inspections Act 2006 (as amended), The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and decision makers must have regard to the statutory guidance, "Making significant changes ('prescribed alterations') to maintained schools", October 2018 ("the Guidance"). The Regulations require that the LA should decide a proposal within two months of the end of the Representation period, otherwise it will fall to the Schools Adjudicator.

5. A statutory notice (Annex 1) and Statutory Proposal (Annex 2) have been published, and the required representation period ended on 6 April 2022; a decision is therefore required by 6 June 2022, if it is not to fall to the Schools Adjudicator.
6. 4 responses were received, none of which objected to the proposed expansion.

## Introduction

7. This report follows the publication of a Statutory Proposal/Notice (Stage 1) and a Representation (Stage 2 formal consultation) period relating to the county council's 'prescribed alteration' proposal to expand Woodstock Church of England Primary School. The proposal is made with the support of the school's leadership team and Governing Body. The Cabinet Member is now required to make a decision on the proposals in accordance with the statutory prescribed alteration procedures.
8. Woodstock CE Primary School is full in most year groups, and is regularly over-subscribed. For the 2022 intake year, the school has received 50 first preference applications for the 45 available Reception places. Pupil numbers at the school are forecast to rise as a result of local housing developments. The West Oxfordshire Local Plan identifies Woodstock as an area for strategic housing growth, with 300 homes currently being built to the East of Woodstock (permitted as application 16/01364/OUT), and two further sites allocated at Hill Rise and Banbury Road. Planning applications are under consideration for the allocated sites, with 250 homes proposed at Banbury Road (planning application 21/00217/OUT) and 180 at Hill Rise (application 21/00189/OUT).
9. The proposed expansion of the school would mean that each year group that starts at the school from September 2023 onward would consist of up to 60 places, making a maximum total of 420 pupils in Reception to Year 6 across the whole school eventually. To accommodate this expansion, in the first phase the county council would provide additional accommodation through a new block containing four Key Stage 2 classrooms and supporting facilities (storage, toilets). Alterations to the existing buildings would provide the additional Key Stage 1 classrooms. Additional staff parking spaces would be created through reconfiguring the area to the front of the school. Additional outdoor play area would be created as a result of WUFA Pre-School and After School Club moving off the site to new purpose-built accommodation within the East Woodstock development. In the first phase, the school's nursery accommodation would not be expanded, due to the additional capacity being provided in the new WUFA building. When further early education capacity is required, a second phase of the expansion would add more nursery capacity.
10. Further details of the proposal are provided in the Statutory Proposal, Annex 2.

11. The timescale set out in this proposal is subject to the planning applications for additional accommodation at the school and the new Early Years facility for WUFA being approved in time to ensure the new school accommodation is completed by August 2023. Should there be delays in the planning process, the School Organisation Regulations allow for a modification of date to be brought back to the decision-maker before the approved implementation date.

## Corporate Policies and Priorities

12. The proposed expansion supports the Oxfordshire Strategic Plan 2022-2025 by ensuring there will be sufficient primary school places within Woodstock to meet the local population's needs, maximising the scope for pupils to reach school using active travel methods. It will support opportunities for children to reach their full potential by increasing access to a school which is rated by Ofsted as Outstanding.
13. The proposed expansion supports the Oxfordshire Pupil Place Plan, and has been identified in that Plan as necessary to meet local population growth.

## Financial Implications

14. The main financial implications of this report are linked to the capital works that will be carried out should the proposal be approved. These capital works will be subject to formal approval in accordance with OCC Capital Governance requirements. The cost of expanding the school will be met from money secured from housing developers (Section 106). The current estimated total cost of both phases, the expansion to 2FE and the provision of an additional nursery class, is £3,974,340. At this stage capital governance approval has been granted for phase 1, £3.4m for expanding provision for the primary age range. This cost excludes the cost of providing new accommodation for WUFA which is being delivered directly by the developer in accordance with the terms of a s106 agreement.
15. As the school's pupil numbers increase, the school's revenue budget will increase in line with pupil numbers, as most of a school's budget is based on pupil numbers. This is the funding that schools use for staffing and resources. Based on funding rates for 2022-23, each additional primary pupil would add at least £3,288 to the school's budget. In accordance with guidance from the Department for Education and the criteria for growth funding approved by Schools Forum in November 2021, the council will direct additional revenue support to the school for up to three years through the mechanism of adjusting the Authority Proforma Tool (APT) to address the impact of lagged funding.

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## Legal Implications

16. Local authorities have a statutory duty under section 14 of the Education Act 1996 to ensure there are sufficient schools for their area. This duty will be met with the expansion of Woodstock CE Primary School, in order to address the expected increase in demand for places within the school's designated area.
17. Expansion of schools is covered by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ('the Prescribed Alterations Regulations') which should be read in conjunction with Parts 2 and 3 and Schedule 3 of the Education and Inspections Act (EIA) 2006 (as amended by the Education Act (EA) 2011) and the Prescribed Alterations Regulations.
18. The expansion of a maintained school is subject to the "Guidance", as set out in "Making Significant Changes ('Prescribed Alterations') to maintained schools" published October 2018. This Guidance is for proposers and decision-makers. The Guidance states that the statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. The proposal should be accessible to all interested parties and should therefore use 'plain English'. The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:
  - (a) how copies of the proposal may be obtained;
  - (b) that anybody can object to, or comment on, the proposal;
  - (c) the date that the representation period ends;
  - (d) and the address to which objections or comments should be submitted.
19. A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to the governing body and any other body or person that the proposer thinks are appropriate.
20. The representation period must last for four weeks from the date of the publication. During this period, any person or organisation can submit comments on the proposal to the LA to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.
21. The county council confirms that it has adhered to the above Guidance.

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## Staff Implications

22. The staffing implications of this proposal relate to the need for the school to recruit more staff in line with its increased pupil intake. The school will need to meet any additional costs for staffing, as well as curriculum resources and maintenance costs, from its delegated budget share, which will increase in line with pupil numbers.

## Equality & Inclusion Implications

23. The provision of sufficient school places within Woodstock to meet the town's growing population will ensure that all local families are able to access a place at the school serving their local community.

## Sustainability Implications

24. Expansion of this school would prevent the need for children to be transported to schools further afield, and help to minimise vehicular transport. If insufficient school places are available in the local area, there would be a greater climate impact resulting from the increased population attracted by housing developments.
25. This report relates to the principle of expanding the school, rather than the specific building solution. The construction works are being procured by the county council and will be designed in accordance with the council's specification for new buildings. This will be subject to planning permission and formal approval in accordance with OCC Capital Governance requirements.

## Consultations

26. Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and local authorities will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations. In accordance with this expectation, Oxfordshire County Council ran an initial public consultation between 26 January and 23 February 2022. The initial consultation received 4 responses. Of these responses, three supported the proposal and one raised concerns, as follows:
  - (a) Wanting a small school with a personal feel.
    - Although an expanded Woodstock CE Primary School would be in the top 30% of Oxfordshire schools in terms of size, 2 forms of entry is not unusually large, and expansion would bring additional resources into the school to benefit the education of all its children. There are several small schools in the surrounding

- villages to provide choice for parents who specifically want a small school.
- (b) A new school is needed to meet the scale of growth in Woodstock.
    - Based on the data available, opening a new school would not be viable in Woodstock, and would result in surplus school places in the area, which would have a detrimental effect on some schools.
  - (c) Parking and traffic.
    - As much of the housing development is very local to the school, future residents are less likely to need to travel to the school by car than the pupils currently attending the school from outside the town. Determination of planning permission will include detailed consideration of Highways issues, and a condition is attached to this statutory proposal that it is conditional on planning permission being granted.
  - (d) Disruption from building works.
    - While building works inevitably involve some disruption, the construction work would be planned to minimise this impact.
27. The statutory process for making significant changes to schools requires a four-week representation period following the publication of a public notice. The statutory notice (Annex 1) was published in the Oxford Mail on 9 March 2022 and was also posted on the county council website. The Representation period ran until 6 April 2022. The statutory notice was accompanied by a Full Proposal document (Annex 2), which was available to read online at the Oxfordshire County Council public website, or by request.
28. 4 responses were received during the statutory Representation period, none of which objected to the proposal.
29. The planning application for the new accommodation was consulted on between 20 January and 10 February 2022, and a planning decision is awaited.

KEVIN GORDON  
Director for Children's services

Annex 1: Statutory Notice

Annex 2: Statutory Proposal

Background papers: Nil

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