



# Children and Young People Scrutiny Panel

4 November 2014

<b>Report title</b>	Final Decision regarding the 2015 Primary School Expansion Programme	
<b>Cabinet member with lead responsibility</b>	Councillor Phil Page Schools, Skills and Learning	
<b>Wards affected</b>	All	
<b>Accountable director</b>	Tim Johnson, Education and Enterprise	
<b>Originating service</b>	School Planning and Resources	
<b>Accountable employee(s)</b>	Bill Hague	Service Manager School Places and Transport
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<b>Report to be considered by</b>	Cabinet	12 November 2014

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## Recommendation(s) for action or decision:

The Panel is recommended to:

1. Conduct pre-decision scrutiny on proposals to expand primary schools in the City and refer comments to Cabinet.

## Recommendations for noting:

The Panel is asked to note:

1. This item is being considered as pre-decision scrutiny and will therefore not be available to call-in once a decision is made by the Executive.

## **1.0 Purpose**

- 1.1 This report details the outcomes of consultation in relation to schemes proposed for inclusion in the 2015 Primary School Expansion Programme. The paper provides information to inform pre-decision scrutiny.
- 1.2 A report will be taken to Cabinet on 12 November 2014 recommending that Cabinet:
- Formally consider the outcomes of Initial Consultation and Formal Consultation on the proposed expansions of Bilston CE Primary School, Bushbury Hill Primary School, Eastfield Primary School, Loxdale Primary School, Manor Primary School, St Martin's CE Primary School and West Park Primary School, in accordance with statutory guidance.
  - Approve the prescribed alteration to Bilston CE Primary School in accordance with Section 19 (1) of the Education and Inspections Act 2006.
  - Approve the prescribed alteration to Bushbury Hill Primary School in accordance with Section 19 (1) of the Education and Inspections Act 2006.
  - Approve the prescribed alteration to Eastfield Primary School in accordance with Section 19 (1) of the Education and Inspections Act 2006.
  - Approve the prescribed alteration to Loxdale Primary School in accordance with Section 19 (1) of the Education and Inspections Act 2006.
  - Approve the prescribed alteration to Manor Primary School in accordance with Section 19 (1) of the Education and Inspections Act 2006.
  - Approve the prescribed alteration to St Martin's CE Primary School in accordance with Section 19 (1) of the Education and Inspections Act 2006.
  - Approve the prescribed alteration to West Park Primary School in accordance with Section 19 (1) of the Education and Inspections Act 2006.
  - Note the current position regarding the expansion of Stowlawn Primary School.
  - Note the current position regarding the expansion of Westacre Infant School.
  - Note the current position regarding the need to extend the 2015 Primary School Expansion Programme.
  - Note the potential conversion of The Royal School Wolverhampton to free school status and the proposed introduction of additional capacity.
  - Note the ongoing development of contingency plans and the establishment of a contingency fund to support the provision of sufficient primary school places.
  - Note that the current bulge in primary school pupil numbers will impact on the secondary estate in the short to medium term.

## **2.0 Background**

- 2.1 Local authorities have a statutory duty to ensure sufficiency of school places.
- 2.2 Levels of demand for primary school places in Wolverhampton have increased in recent years. In order to meet demand, the Council has recently invested heavily in the provision of a significant number of additional primary school places in areas of high demand across the City.

- 2.3 Levels of demand are anticipated to continue to increase in the short term and projections suggest that further additional school places will need to be introduced into the school estate in order to ensure that sufficient places are available.
- 2.4 On 19 June 2014, a Scrutiny Working Group conducted pre-decision scrutiny with regard to the contents of a report to Cabinet (25 June 2014) which recommended:
- The approval of the Primary School Organisation Strategy 2014 – 2017;
  - The undertaking of required statutory processes in relation to the proposed schemes in the 2015 Primary School Expansion Programme, and;
  - The delegation of authority to the Cabinet Member for Schools, Skills and Learning in consultation with the Strategic Director for Education and Enterprise, to consider the outcomes of initial consultation and to determine whether or not to proceed to Formal Consultation, in relation to qualifying schemes in the 2015 Primary School Expansion Programme.
- 2.5 On 25 June 2014, Cabinet approved the Primary School Organisation Strategy 2014 - 2017, the undertaking of required statutory processes in relation to the proposed schemes in the 2015 Primary School Expansion Programme. Cabinet also delegated authority to the Cabinet Member for Schools, Skills and Learning, in consultation with the Strategic Director for Education and Enterprise, to consider the outcomes of Initial Consultation and to determine whether or not to proceed to Formal Consultation, in relation to qualifying schemes in the 2015 Primary School Expansion Programme.
- 2.6 Initial Consultation on the proposed schemes commenced on 1 July 2014 and concluded on 28 July 2014. In August 2014, the outcome of Initial Consultation was considered, by way of an Individual Executive Decision Notice, and progression to the statutory process of Formal Consultation was approved.
- 2.7 Formal Consultation commenced on 18 September 2014 and concluded on 15 October 2014.
- 2.8 On 17 September 2014, Council approved the proposed funding strategy for the 2015 Primary School Expansion Programme and agreed to the establishment of a new capital budget to support the proposed funding strategy.
- 2.9 On the 9 October 2014, Schools' Forum agreed to the establishment of a Growth Fund of £1.2 million to support the needs of pupils in expanding schools through the allocation of appropriate revenue support.
- 3.0 2015 Primary School Expansion Programme**
- 3.1 The 2015 Primary School Expansion Programme proposes the expansion of existing schools across the City in order to meet community needs. Additional primary school places are urgently required in order to ensure the provision of sufficient school places.

- 3.2 Schemes proposed for inclusion in the Programme were developed in line with the Primary School Organisation Strategy 2014-2017 which was approved by Cabinet in June 2014, following consultation with key stakeholders including; Headteachers and Chairs of Governors of all Infant, Junior and Primary Schools in the City, all Ward Councillors, Trade Union Representatives, local Diocesan Authorities, local Educational Trusts, and Wolverhampton Schools' Improvement Partnership.
- 3.3 In line with the Primary School Organisation Strategy 2014-2017, the following factors were considered when prioritising school expansion schemes:
- Parental Choice – schools which are most popular with parents
  - School Performance - schools judged as 'Good' or 'Outstanding' by Ofsted
  - Attainment - schools whose end of key stage results consistently exceed floor standards
  - School Leadership – schools with stable and proven leadership
  - Location – schools located within areas of high demand
  - Viability for expansion – schemes which can be most easily and efficiently implemented
  - Value for money - schools that can most cost effectively be expanded.
- 3.4 The 2015 Primary School Expansion Programme proposes both permanent expansions and the introduction of bulge classes (time limited expansions of the capacity of individual year groups within schools). The introduction of bulge classes has been considered because of an anticipated peak in demand in the short term. Proposing the introduction of bulge classes, as opposed to proposing the permanent expansion of all schools in the Programme, supports the longer term sustainability of the school estate and offers a more efficient use of resources.
- 3.5 Adopting a flexible approach is crucial in order to undertake successful school place planning in the current environment. Given the potential for the both the establishment of new free school provision and the constantly changing demographics of the City, it is essential that the factors that can influence the Programme are closely monitored.

#### **4.0 Statutory consultation and decision making processes**

- 4.1 When proposing significant prescribed alterations to schools, local authorities must follow statutory guidelines as detailed within The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

Local authorities must follow a statutory process when seeking to expand a school if;

The proposed enlargement to the premises of the school is permanent (longer than three years) and would increase the capacity of the school by more than 30 pupils and 25% or 200 pupils (whichever is the lesser).

- 4.2 The proposed schemes at Bilston CE Primary, Bushbury Hill Primary, Eastfield Primary, Loxdale Primary, Manor Primary, St Martin's CE Primary and West Park Primary meet the criteria outlined in paragraph 4.1.
- 4.3 In line with the Department for Education's (DfE) guidance as stated within 'School Organisation (Maintained Schools) Guidance for proposers and decision-makers' (January 2014), "...there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication as part of their duty under public law to act rationally and take into account all relevant considerations." In order to fulfil this duty, a period of Initial Consultation in relation to the proposed expansions listed in 4.2 above has been undertaken.

Initial Consultation commenced on 1 July 2014 and concluded on 28 July 2014. Letters outlining the proposals were distributed to relevant stakeholders who were given the opportunity to respond. The consultation documentation and a questionnaire were also published online at <http://engagement.wton-partnership.org.uk/>. All responses to Initial Consultation and a list of stakeholders consulted are contained within Supporting Information Packs which are available to Members of Children and Young People Scrutiny Panel upon request.

- 4.4 Following approval in August 2014 and in line with the prescribed consultation process, statutory proposals were published on 18 September 2014. A Public Notice was published in the Express and Star newspaper, displayed on school entrances and placed in conspicuous locations within school premises. Relevant stakeholders including schools' governing bodies and the local diocese were supplied with copies of the Full Proposals and the Public Notice. In addition, the Full Proposals and Public Notice were published online at <http://engagement.wton-partnership.org.uk/>.
- 4.5 A Formal Consultation (or Representation) period commenced on the date of publication (18 September 2014) and ran until 15 October 2014. All responses to Formal Consultation are included within Supporting Information Packs.
- 4.6 As detailed within the DfE's 'School Organisation (Maintained Schools) Annex A: Further information for proposers' (January 2014), the Council is the decision making body that considers prescribed alterations to community and voluntary schools within its area.
- 4.7 Decisions must be made within a period of two months of the end of the Formal Consultation period. If the Council fails to do this then the proposals must be referred to the Schools Adjudicator. Please note that the proposed expansions will be considered by Cabinet on 12 November 2014.
- 4.8 There are a number of factors that decision makers are required to have regard to when making decisions on the proposals. Statutory guidance issued by the DfE 'School Organisation (Maintained Schools) Annex B: Guidance for Decision-makers' (January 2014), can be found within Supporting Information Packs.

4.9 In accordance with statutory guidance decision makers must consider all of the views submitted during consultation, including all objections to and comments on the proposals.

4.10 When issuing a decision, decision makers can:

- Reject the proposals;
- Approve the proposals without modification;
- Approve the proposals with modifications;
- Approve the proposals subject to certain conditions being met.

4.11 Following the final decision, the following bodies can appeal:

- the local Church of England diocese;
- the local Roman Catholic diocese; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

Should an appeal be received, the Council are required to refer the matter to the Schools Adjudicator for determination.

4.12 Not all schemes included within the 2015 Programme meet the defined criteria to follow the statutory consultation process. Stowlawn Primary School and Westacre Infant School do not meet the criteria where statutory consultation is required. However, as detailed within sections 11 and 13, Representatives have consulted with relevant Governing Bodies.

## 5.0 The proposed expansion of Bilston CE Primary School

5.1 It is proposed that Bilston CE Primary School is permanently expanded. Bilston CE Primary School's published admission number is currently 45. It is proposed that with effect from September 2015, the school's published admission number is increased to 60.

5.2 Ten written consultation responses were received by the Council during Initial Consultation.

Number of responses received	Respondents in favour of the proposal	Respondents who did not agree with the proposal	Respondents who 'did not know'	Respondents who did not state a preference
10	8 (80.0%)	2 (20.0%)	0 (0.0%)	0 (0.0%)

5.3 A number of positive comments regarding the proposal were received during Initial Consultation including:

- “Meets local demand, positive news for the community, site lends itself for future expansion, Ward Street development will create demand for places” (response B1 Headteacher and member of the governing body at Bilston CE Primary School)
- “Better for children – no need for vertically grouped classes!” (response B2 – member of staff at Bilston CE Primary School)
- “It will be a great investment that will help shape young people’s futures” (response B5 – parent/carer of a pupil at Bilston CE Primary School).

5.4 A number of concerns and considerations regarding the proposal were also identified during Initial Consultation including:

- “Car parking needs to be taken into consideration.” (response B6 - member of staff at Bilston CE Primary School)
- “This would put too much pressure on already overworked teachers. At the moment my nieces and nephews get the right amount of attention from the teacher but with bigger class sizes this would go down therefore having a bad effect on the children’s education.” (response B9 – aunt of pupil attending Bilston CE Primary School).

5.5 As part of Initial Consultation, representatives from School Places and Transport attended a meeting of the governing body of Bilston CE Primary School on 9 July 2014. Notes of the meeting are available within Supporting Information Packs.

5.6 Please note that the Council received a letter prior to the commencement of Initial Consultation from the Chair of Governors and Headteacher on behalf of the governing body welcoming the proposed expansion of Bilston CE Primary School. A copy of this letter is available within Supporting Information Packs.

5.7 At the request of Bilston CE Primary School's Governing Body, representatives from the School Organisation Team recently hosted a drop-in session at the School in order to provide additional information regarding the proposal and answer any queries.

5.8 No responses were received by the Council during Formal Consultation on the proposed expansion of Bilston CE Primary School.

## **6.0 The proposed expansion of Bushbury Primary School**

6.1 It is proposed that the number of Reception places available in Bushbury Hill Primary School is temporarily increased from 30 to 60 in both September 2015 and September 2016. These bulge cohorts would then flow through the school and the admission limit in Reception would revert to 30 in September 2017.

6.2 14 written consultation responses were received by the Council during Initial Consultation.

Number of responses received	Respondents in favour of the proposal	Respondents who did not agree with the proposal	Respondents who 'did not know'	Respondents who did not state a preference
14	2 (14.3%)	12 (85.7%)	0 (0.0%)	0 (0.0%)

6.3 A number of concerns and considerations regarding the proposal were identified during Initial Consultation including:

- “Recruitment of staff will be difficult in an already challenging school environment, and if we don’t get a full cohort we would be looking at a deficit budget” (response BH3 - member of staff at Bushbury Hill Primary School)
- “The school was built as a one form entry school and thus only has the capacity to operate as such. Facilities such as toilets, hall space and classroom space would not be adequate.” (response BH7 - member of staff at Bushbury Hill Primary School)
- “We have all, but particularly staff and pupils, have worked extremely hard since the two schools were merged to ensure that we moved from a school with ‘serious weaknesses’ at its first Ofsted inspection to its recently acquired status of being a ‘good’ school and we do not want this to be destroyed by providing an unsuitable learning environment.” (response BH10 - member of the governing body of Bushbury Hill Primary School).

6.4 During Initial Consultation, representatives from School Places and Transport and Capital and Assets attended Bushbury Hill Primary School’s Finance and General Purpose Committee meeting on 16 July 2014. Notes of the meeting are available within Supporting Information Packs.

6.5 Given the views expressed during Initial Consultation, representatives have worked closely with the school to develop a scheme which meets the needs of both the school and the local community.

6.6 No responses were received by the Council during Formal Consultation on the proposed expansion of Bushbury Hill Primary School.

## 7.0 The proposed expansion of Eastfield Primary School

7.1 It is proposed that Eastfield Primary School is permanently expanded. Eastfield Primary School’s published admission number is currently 45. It is proposed that with effect from September 2015, the school’s published admission number is increased to 60.



7.2 15 written consultation responses were received by the Council during Initial Consultation.

Number of responses received	Respondents in favour of the proposal	Respondents who did not agree with the proposal	Respondents who 'did not know'	Respondents who did not state a preference
15	10 (66.7%)	4 (26.7%)	1 (6.7%)	0 (0.0%)

7.3 A number of positive comments regarding the proposal were received during Initial Consultation including:

- “I’ve worked here at Eastfield since 2002 and have enjoyed watching it grow and expand into the school that it has become. Exciting times ahead for both the pupils and the staff!” (response E6 – member of staff at Eastfield Primary School)
- “I agree because if the school expands more children will be able to come from the area. And it is more close so kids don’t have to go to further schools.” (response E9 – parent/carer of a pupil at Eastfield Primary School)
- “Expanding from 1.5 form entry to 2 form entry has the potential to improve the provision available for existing pupils, as well as accommodating more. For instance, it should allow every child to be in a class with children in the same cohort, eliminating the need for mixed year-group classes. Moreover, the school site could easily be adapted to accommodate the extra classes.” (response E14 – member of the governing body of Eastfield Primary School and a member of the local community).

7.4 A number of concerns and considerations regarding the proposal were identified during Initial Consultation including:

- “I don’t agree with the proposed expansion as I believe the school is too small and there is no room for the school to expand. As when I go to watch my daughter in her assembly the children are all squashed up and they look very uncomfortable.... Increasing the school size will mean an increase in traffic around Colliery Road, Griffith Street and also Eastfield Grove, there is already a problem with traffic in Eastfield Grove with vehicles parking on footpaths and blocking the school entrance”. (responses E12 and E13 – parents/carers of a pupil at Eastfield Primary School)
- “The school is a good school striving to achieve and delivery a high standard of education, it’s already over stretched and faced with a number of challenging situations including language/influx of families from outside of the Ward.” (response E15 – member of the governing body at Eastfield Primary School).

7.5 On 13 January 2014, prior to the commencement of Initial Consultation, a representative from School Places and Transport attended a meeting of the governing body of Eastfield Primary School to discuss the admission limit of the school and potential future demand; the governing body resolved to request that the Local Authority investigate the possibility of expanding the school to two form entry.

7.6 No responses were received by the Council during Formal Consultation on the proposed expansion of Eastfield Primary School.

## 8.0 The proposed expansion of Loxdale Primary School

8.1 It is proposed that the number of Reception places available in Loxdale Primary School is temporarily increased from 30 to 60 in both September 2015 and September 2016. These bulge cohorts would then flow through the school and the admission limit in Reception would revert to 30 in September 2017.

8.2 16 written consultation responses were received by the Council during Initial Consultation.

Number of responses received	Respondents in favour of the proposal	Respondents who did not agree with the proposal	Respondents who 'did not know'	Respondents who did not state a preference
16	6 (37.5%)	5 (31.3%)	5 (31.3%)	0 (0.0%)

8.3 A number of positive comments regarding the proposal were received during Initial Consultation including:

- “I agree with the proposed expansion as I’ve watched some children do 1 or 2 years in nursery only to be told there aren’t enough places for everyone after they put the forms in for Reception, which is heart-breaking to some parents.” (response L2 – parent/carer of a pupil at Loxdale Primary School)
- “Very happy to see the expansion at Loxdale. The quality of teaching and learning at the school is testament to the hard work and quality of the whole team. Being able to bring that quality to a larger number of pupils will very much be for the benefit of the local community. The investment by the Local Authority in the school would be in the safe hands of our excellent senior leadership team and Governors and the Council could be confident in the quality of the teaching and care that all the pupils will receive. Very much support it.” (response L8 – parent/carer of a pupil at Loxdale Primary School and a member of the governing body of Loxdale Primary School).

8.4 A number of concerns and considerations regarding the proposal were also identified during Initial Consultation including:

- “My main concern is the parking and extra traffic which will be travelling down the road. The cars at present are almost always double parked and with two way traffic this causes a nuisance and is very dangerous as the area is always busy. I would be concerned for the safety of the children and their families due to this.” (response L3 – parent/carer of a pupil at Loxdale Primary School)
- “Issues in terms of space as every available room/space is already maximised. Issues at lunchtime in terms of space and staffing.” (response L5 – member of staff at Loxdale Primary School)

- “Additional space would be a big benefit however would this mean the loss of our outdoor area e.g. woodland, flowerbeds which play an integral part of the curriculum?” (response L16 – member of staff at Loxdale Primary School).

8.5 During Initial Consultation, representatives from School Places and Transport and Capital and Assets attended a meeting of the governing body of Loxdale Primary School on 14 July 2014. Notes of the meeting are available within Supporting Information Packs.

8.6 Prior to the commencement of Initial Consultation, the Council received a letter from the Chair of Governors and Vice Chair of Governors supporting, in principle, the proposed expansion of Loxdale Primary School. A copy of this letter is contained within Supporting Information Packs.

8.7 No responses were received by the Council during Formal Consultation on the proposed expansion of Loxdale Primary School.

## 9.0 The proposed expansion of Manor Primary School

9.1 It is proposed that Manor Primary School is permanently expanded. Manor Primary School’s published admission number is currently 60. It is proposed that with effect from September 2015, the school’s published admission number is increased to 90.

9.2 61 written consultation responses were received by the Council during Initial Consultation.

Number of responses received	Respondents in favour of the proposal	Respondents who did not agree with the proposal	Respondents who ‘did not know’	Respondents who did not state a preference
61	13 (21.3%)	43 (70.5%)	4 (6.6%)	1 (1.6%)

9.3 A number of positive comments regarding the proposal were received during Initial Consultation including:

- “I think this will be very good for Manor Primary School, which has an excellent reputation. This would be good for the local community to have well behaved and dedicated children.” (response M1 – parent/carer of a pupil at Manor Primary School)
- “With Manor Primary School being of such a high standard I think the proposed expansion would enable other pupils to be given the best springboard into learning that Manor has to offer.” (response M19 - parent/carer of a pupil at Manor Primary School)
- “Manor Primary School has insufficient school places to accommodate all nursery children at present and I don’t think it’s fair that a child settles, makes friends and familiarises his or herself with the surroundings to have their application into Reception refused.” (response M21 - parent/carer of a pupil at Manor Primary

School).

- 9.4 A number of concerns and considerations regarding the proposal were also identified during Initial Consultation including:
- “I do think that Manor is already overstretched inside and out and we will see the quality of teaching drop.” (response M7 - parent/carer of a pupil at Manor Primary School)
  - “The parking situation outside Manor and the surrounding streets is terrible. Adding another possible 30 cars over 7 school years would make it even worse” (response M8- parent/carer of a pupil at Manor Primary School)
  - “The quality of education for the children would be greatly affected as the space available is not appropriate for such a large number of children. Space is already at a premium with children struggling to fit into halls for assemblies as a whole school, preventing gathering as a whole school would be detrimental to the community ethos of the school with younger and older children rarely being afforded the opportunities to share in each other’s celebrations and achievements.” (response M9 – member of staff at Manor Primary School)
  - “The increase in number of children at this school will have a detrimental effect on children’s education quality for which this school is renowned” (response M10 – parent of a pupil at Manor Primary School)
  - “There is nowhere to park as it stands now. Parents are blocking drives, mounting the pavements and dropping children off in the road. There is no traffic control and nowhere safe for the children to cross on any of the roads. Manor is desperate for a lollipop person.” (response M11 - parent/carer of a pupil at Manor Primary School).
  - “The kitchen is not big enough to cater for additional children. The halls are also inadequate in size to accommodate more children.” (response M36 – member of staff at Manor Primary School)
  - “I don’t believe that the current building can sustain an expansion and I am unsure as to whether the proposed building work is viable.” (response M47 – A member of the governing body at Manor Primary School)
  - “I feel the expansion will have a detrimental effect on the existing pupils at the school. The building work will be disruptive, the local infrastructure will not cope with extra traffic and the overall quality of the school/teaching may be compromised.” (response M61 - A member of the governing body at Manor Primary School).
- 9.5 Please note two responses were received outside the Initial Consultation period. Both responses are available within Supporting Information Packs.
- 9.6 During Initial Consultation, representatives from School Places and Transport and Capital and Assets attended a meeting of the governing body of Manor Primary School on 1 July 2014. Notes of the meeting are available within Supporting Information Packs.

- 9.7 Given the views expressed during Initial Consultation, the Head of School Planning and Resources and Service Manager - Capital and Assets attended a meeting of Manor Primary School's Full Governing Body on 30 September 2014 to fully understand their concerns and to discuss the clear need to increase the capacity of the primary school estate.
- 9.8 The Council received 32 responses during Formal Consultation, each of these responses raised concerns regarding the proposed expansion of Manor Primary School. Responses were submitted by a range of stakeholder groups including school governors, parents of pupils attending the school, members of the local community and school staff. The principal concerns identified during Formal Consultation were:
- The risk of compromising existing standards at the school
  - Traffic congestion and parking
  - Road safety and the absence of a school crossing patrol
  - Disruption to existing pupils' education.
- 9.9 Dudley Metropolitan Borough Council also submitted a response during Formal Consultation. Dudley MBC highlighted the potential detrimental impact of the proposed expansion of Manor Primary School on primary schools within Dudley, particularly Hurst Hill Primary and Christ Church Primary.
- 9.10 Please note that two further responses were received following the end of the Formal Consultation period. Both responses are available within Supporting Information Packs.
- 9.11 A petition entitled 'Opposing increase in standard number at Manor Primary' and dated 10 October 2014, has been submitted to the Council. This petition will be dealt with in line with Wolverhampton City Council's stated policy.
- 9.12 Manor Primary School has applied to the Secretary of State to convert to academy status. On 27 June 2014, the Secretary of State wrote confirming he was agreeable to the school converting, subject to agreement with the academy trust, a funding agreement and articles of association.
- 9.13 Given the school's application to convert to academy status, Council representatives have worked closely with the Department for Education during the consultation process. The Department's view on the proposed expansion is 'completely neutral'; however, it has been confirmed that should the proposal be approved, that appropriate clauses would be written into the Academy's Funding Agreement to ensure that extra children are accounted for from September 2015.
- 10.0 The proposed expansion of St Martin's CE Primary School**
- 10.1 It is proposed that the number of Reception places available in St Martin's CE Primary School is temporarily increased from 30 to 60 in both September 2015 and September 2016. These bulge cohorts would then flow through the school and the admission limit in Reception would revert to 30 in September 2017.

10.2 Eight written consultation responses were received by the Council during Initial Consultation.

Number of responses received	Respondents in favour of the proposal	Respondents who did not agree with the proposal	Respondents who 'did not know'	Respondents who did not state a preference
8	5 (62.5%)	2 (25.0%)	0 (0.0%)	1 (12.5%)

10.3 Positive comments regarding the proposal were received during Initial Consultation including:

- “By expanding St Martin’s it would allow other children to have the privilege to be a member of St Martin’s.” (response SM4 – parent/carer of a pupil at St Martin’s CE Primary School and a member of staff at St Martin’s CE Primary School).

10.4 A number of concerns and considerations regarding the proposal were also identified during Initial Consultation including:

- “The school has a very good Ofsted report and reputation, I would be concerned that it would be difficult to maintain that standard with the influx of additional pupils, a considerable amount of additional resources would be necessary apart from teachers.” (response SM1- parent/carer of a pupil at St Martin’s CE Primary)
- “It will become too overcrowded.” (response SM2- parent/carer of a pupil at St Martin’s CE Primary)
- “Consideration to making the provision permanent given increase in local housing stock.” (response SM3 – member of the governing body at St Martin’s CE Primary School and member of the local community).

10.5 During Initial Consultation, representatives from School Places and Transport and Capital and Assets attended a meeting of the Federated Governing Body of St Martin’s CE Primary School and Field View Primary School on 8 July 2014. Notes of the meeting are available within Supporting Information Packs.

10.6 No responses were received by the Council during Formal Consultation on the proposed expansion of St Martin’s CE Primary School.

10.7 Please note St Martin’s CE Primary School has applied to the Secretary of State to convert to academy status.

## 11.0 The proposed expansion of Stowlawn Primary School

- 11.1 It is proposed that the number of Reception places available in Stowlawn Primary School is temporarily increased from 30 to 60 in September 2015. This bulge cohort would then flow through the school and the admission limit in Reception would revert to 30 in September 2016.
- 11.2 The proposed expansion of Stowlawn Primary School does not meet the criteria by which the undertaking of the prescribed consultation and decision making process is required.
- 11.3 Representatives from School Places and Transport attended a meeting of the governing body of Stowlawn Primary School on 26 June 2014. The governing body considered the proposal and resolved 'that the admission limit for Reception be increased from 30 to 60 for academic year 2015/16, subject to Council approval regarding the Funding Strategy for the 2015 Primary School Expansion Programme'.

## 12.0 The proposed expansion of West Park Primary School

- 12.1 It is proposed that the number of Reception places available in West Park Primary School is temporarily increased from 30 to 60 in both September 2015 and September 2016. These bulge cohorts would then flow through the school and the admission limit in Reception would revert to 30 in September 2017.
- 12.2 Nine written consultation responses were received by the Council during Initial Consultation.

Number of responses received	Respondents in favour of the proposal	Respondents who did not agree with the proposal	Respondents who 'did not know'	Respondents who did not state a preference
9	6 (66.7.0%)	1 (11.1%)	1 (11.1%)	1 (11.1%)

- 12.3 A number of positive comments regarding the proposal were received during Initial Consultation including:
- "I agree with the proposal to expand West Park Primary School due to the increasing number of pupils per class." (response WP2 – parent/carer of a pupil at West Park Primary School)
- 12.4 A number of concerns and considerations regarding the proposal were identified during Initial Consultation including:
- "West Park is a lovely school who offers places for all so is really diverse. Having read their recent Ofsted report I was so impressed with how well the school is doing why rock the boat, my key worry would be regarding the recent changes staff leaving or retiring. Will a larger school over shadow some of the excellent practices the

school reinforce in order to provide a great school?" (response WP1 – parent/carer of a pupil at West Park Primary School)

- “I can see that bulge classes may be necessary but my concern is that after two years the need may still be there, and I do not feel that West Park has the capacity to expand beyond the stated 2 year bulge. I strongly feel that if the expansion goes ahead then it should in no way impact on existing rooms/space within the school. In particular our meeting and teaching rooms off the hall and Eco classroom which is presently being built should not be used or compromised. With more children in school these areas will be more valuable than ever and must not be used/lost in order to house two extra classes.” (response WP8 – member of staff at West Park Primary School)
- “Governors wish to express a number of concerns regarding the above proposal the principal one being the impact that this will have on the school’s ability to maintain standards for all pupils....Recruitment of teachers and education support staff of the required quality to cater for increased numbers of pupils is also a serious concern for Governors who are fully aware of the difficulty in recruitment which is currently experienced by all schools but particularly those in Wolverhampton....Governors have recently appointed a new Headteacher who will take up her post in September 2014. Whilst Governors have every confidence in the new Headteacher to further develop and improve the school, they are concerned that the managing of two ‘bulge classes’ will be over burdensome on a Headteacher who is newly in post...With two additional classes it will not be possible to provide the same level of access to the whole school curriculum that West Park children currently have.” (response WP9 – Chair of Governors on behalf of the governing body of West Park Primary School).

12.5 During Initial Consultation, representatives from School Places and Transport and Capital and Assets attended a meeting of the governing body of West Park Primary School on 2 July 2014. Notes of the meeting are available within Supporting Information Packs.

12.6 Please note one response was received outside of the Initial Consultation period. This response is available within Supporting Information Packs.

12.7 No responses were received by the Council during Formal Consultation on the proposed expansion of West Park Primary School.

### **13.0 The proposed expansion of Westacre Infant School**

13.1 It is proposed that Westacre Infant School is permanently expanded. Westacre Infant School’s published admission number is currently 75. It is proposed that with effect from September 2015, the school’s published admission number is increased to 90.

13.2 The proposed expansion of Westacre Infant School does not meet the criteria by which the undertaking of the prescribed consultation and decision making process is required.



13.3 A Representative from School Places and Transport attended a meeting of the governing body of Westacre Infant School on 10 July 2014. The governing body considered the proposed expansion. The governing body resolved that the proposal be approved.

#### **14.0 Responses to concerns raised during consultation**

14.1 The following comments are made in response to concerns identified during consultation:

14.2 Primary school expansions: In recent years the primary school estate has benefitted from significant investment in order to ensure sufficiency of supply. Recent primary school expansion programmes have been successful with the vast majority of additional places being occupied.

14.3 Primary school estate: Given the scale of demand and the number of recently implemented expansion schemes, opportunities to further expand the capacity of the primary school estate using existing provision are severely constrained, as is the timeframe to develop and deliver alternative schemes.

14.4 School size: Whilst concerns raised regarding the loss of a more personal primary ethos are recognised, it should be noted that in line with recommendations within the Primary School Organisation Strategy 2014-2017, no schemes propose in excess of 90 places per year group (i.e. three form entry). Larger primary schools (two form entry and above) can potentially offer; greater opportunity for specialism, workforces to have a wider spectrum of experience and expertise, increased opportunity to offer a broad and balanced curriculum, greater flexibility to cover staff absence, increased potential to provide strategic leadership succession opportunities, the opportunity to use resources more efficiently and an increased ability to respond to change more readily.

14.5 School standards: It is recognised that making significant changes to individual establishments can have a disruptive effect on the delivery of education. When undertaking any primary school reorganisation or development scheme the Council is committed to minimising disruption to pupils and parents and avoiding any longer term detriment to pupils. Proposals to support leadership and management in expanding schools have been presented to Inspire (LEP) and have been welcomed. A final decision regarding the provision of support is awaited.

14.6 Staff parking: It is recognised that car parking on school sites is limited and that the proposed expansions would potentially exacerbate this issue. Car parking and related enforcement measures will be fully considered as part of the statutory planning processes relating to the proposed schemes.

14.7 Traffic congestion: At the beginning and end of the school day there is significant traffic congestion outside all schools. However, it is recognised that school expansions can increase pressure on local traffic networks. As part of any planning applications the Council's Highways Team considers the impact of any proposed new build and may make some recommendations or impose certain requirements. The Council's Parking Services Team has been asked to ensure that expanding schools are prioritised for visits from the

Parking Services Enforcement Vehicle and to review relevant school crossing patrol provision.

- 14.8 Accommodation: In order to facilitate the proposed expansions significant investment in additional accommodation will be required. On 17 September 2014, Council approved the proposed funding strategy for the 2015 Primary School Expansion Programme and agreed to the establishment of a new capital budget to support the proposed funding strategy. Provision of additional capacity would be supported by undertaking a variety of capital investment schemes including the refurbishment and adaptation of existing spaces, modular construction and traditional extensions. The Service Manager for Capital and Assets will work with architects in the Delivery directorate and schools to ensure that any additional accommodation meets the needs of pupils, staff, and curriculum delivery and to minimise disruption.
- 14.9 Outdoor provision: The potential impact of any development on playing fields would be kept to a minimum and any plans would maintain adequate external space.
- 14.10 Delivery: In order to meet increased demand in a timely manner it is necessary to ensure that additional Reception places are provided with effect from September 2015. Whilst it is recognised that this limits preparation time, the extra places are urgently required to meet the needs of the local communities. In order to deliver the required places in a timely manner it will be necessary to undertake building works during term time. Representatives will ensure that works minimise disruption and prioritise the safety of staff and pupils.
- 14.11 Class Sizes: The Local Authority has a duty to ensure that infant class sizes (i.e. Reception, Year 1 and Year 2) do not contain more than 30 pupils with a single teacher. This pupil to teacher ratio will not be affected by these proposals.
- 14.12 Specific concerns relating to the proposed expansion of Manor Primary School: In light of the concerns raised during consultation, the proposed expansion scheme has been reviewed by senior representatives from Learning and Achievement.

Representatives recognise that there are significant levels of traffic congestion across the local traffic network and in the immediate vicinity of the school during peak times. It is also recognised that this issue has potential to be exacerbated should the proposed expansion be implemented. Initial discussions with the Council's Road Safety Team suggest that the introduction of additional parking restrictions outside the school are likely to offer little benefit as pressures would simply be relocated further into the estate. There is however, potential to consider the introduction of an additional pedestrian entrance to the school site from the Birmingham New Road. Should the proposal be approved, Council representatives would work closely with the school to investigate this potential opportunity.

The absence of a school crossing patrol has been identified as a particular concern during consultation. The site on Ettingshall Road adjacent to Manor Primary School (site 26) currently meets the approved criteria for authorisation of a crossing patrol.

However the position is vacant, and recruitment of a replacement patrol is pending a wider review of the School Crossing Patrol Service. The Council's Parking Services Team will take account of school expansions and anticipated increases in child pedestrians as part of this review.

Manor Primary is an outstanding school, with excellent levels of attainment, which has Teaching School Status and as such it is well placed to respond effectively to the proposed change. However, it is recognised that making significant changes to individual establishments can have a disruptive effect on the delivery of education and can add to Senior Leadership Team's significant workload. Proposals to support leadership and management in expanding schools have been presented to Inspire (LEP) and have been welcomed. A final decision regarding the provision of support is awaited.

Initial feasibility has been undertaken in relation to the proposed scheme at Manor Primary School. Initial investigations suggest it would be possible to utilise the school's undercroft to supply additional capacity in keeping with the existing school environment. Representatives believe that the scheme could offer an exciting new addition to the site within a currently underused area.

The concerns highlighted by Dudley MBC regarding the potential impact of the proposed expansion of Manor Primary on primary schools in Dudley are recognised and should be considered closely. However, DfE guidance states that, "*The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places...Reducing surplus places is not a priority (unless running at very high levels). For parental choice to work effectively there may be some surplus capacity in the system as a whole. Competition from additional schools and places in the system will lead to pressure on existing schools to improve standards*" (DfE 2014). It should be noted that whilst Manor Primary School is a highly popular and successful school, that the nearest primary school in Dudley was judged by Ofsted to require Special Measures in May 2014.

## **15.0 Programme enlargement**

- 15.1 In order to ensure the appropriate investment of resources and the introduction of sufficient primary school places, pupil projections have recently been subject to external challenge and validation. As a consequence, the projected demand for Reception places in 2015/16 academic year has increased.
- 15.2 In order to meet demand it has become necessary to identify an additional expansion scheme, this will increase the number of schemes in the Programme from nine to ten.
- 15.3 Representatives are currently investigating potential opportunities to expand the Programme. Early indications suggest that there is a suitable school with capacity to expand, although feasibility works are yet to be undertaken.

- 15.4 An allowance has been made within the approved capital budget to support the proposed expansion of the Programme.

## **16.0 Contingency**

- 16.1 The factors that influence demand for school places are constantly changing and the production of pupil projections is not an exact science. Predicting the size of peaks in demand is a significant challenge that is influenced by a wide variety of factors including international and internal migration, pupil yield from housing developments, school performance, parental preference and the cross border movement of pupils.
- 16.2 Given the wide variety of factors that can influence demand for school places there is a risk that the Council will not be able to provide an appropriate level of surplus in 2015/16 academic year. This could lead to a decrease in parental choice and the possibility of the significant displacement of pupils cross the City. In order to offset this risk, on the 17 September 2014, Council approved the inclusion of a Contingency Fund within the Programme's capital budget to be called upon if necessary.

## **17.0 New provision: The Royal School Wolverhampton**

- 17.1 Situated in the Penn/Graiseley area of the City, The Royal Wolverhampton School is currently an independent, fee paying school. The school has an age range of 2 – 18 but also has nursery facilities that cater for babies from the age of six weeks.
- 17.2 Following a strategic review initiated in 2012, the governing body of The Royal School Wolverhampton is proposing that the school ceases to be independent and fee paying and converts to free school status. It is expected that the outcome of the proposed conversion will be known in February 2015. If successful, the school will open as a free school In September 2015.
- 17.3 As part of the conversion process, the school is also proposing an expansion to cater for additional pupils. These additional places have been factored into the Council's planning for September 2015. Should conversion and expansion not be implemented, the Council would need to introduce additional schemes into the 2015 Primary School Expansion Programme to meet anticipated demand. Representatives are currently developing contingency plans to cater for this eventuality.

## **18.0 Secondary school provision**

- 18.1 It is anticipated that the current bulge in demand for primary school provision in the City will impact on the secondary school estate in the short to medium term.
- 18.2 In order to ensure that sufficient secondary school places continue to be available, representatives will review the capacity of the secondary estate, confirm anticipated levels of demand and identify potential opportunities for expansion as a priority.

18.3 A key part of the review of the secondary estate will be to closely monitor the introduction of new provision into the secondary estate. Please note that the DfE has recently approved the opening, with effect from September 2015, of a new free school in the City (The British Sikh School) and a University Technology College (The West Midlands Construction University Technology College).

## **19.0 Financial implications**

19.1 The financial implications of the proposed 2015 Primary School Expansion Programme are significant.

19.2 On 17 September 2014, Council approved the proposed funding strategy to support the capital requirements of the proposed 2015 Primary School Expansion Programme and agreed to the establishment of a new capital budget to support the proposed funding strategy.

19.3 Increasing the admission limits of schools also has revenue budget implications for expanding schools. On the 9 October 2014, it was resolved that Members of Schools' Forum agree to the establishment of a Growth Fund to support the needs of pupils in expanding schools. As a consequence, expanding schools would be supported through the use of the Dedicated Schools Grant and therefore not require any additional commitment from the Council.

19.4 It is not possible to assess the potential financial implications of any required expansion of the secondary school estate at this stage. Representatives will continue to review secondary provision as a priority.  
CF/21102014/D

## **20.0 Legal implications**

20.1 The Local Authority has a statutory responsibility to ensure that there are sufficient school places available. The Education and Inspections Act 2006 requires local authorities to promote choice and diversity when carrying out their strategic duties in relation to the provision of new school places.

20.2 Proposals to alter the structure of schools need to comply with the provisions in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 as detailed within this report.  
RB/20102014/C

## **21.0 Equalities implications**

21.1 An initial screening has been undertaken with regard to the Primary School Organisation Strategy 2014-2017. This indicates that there will be no detrimental impact on equality groups.

- 21.2 In accordance with the Primary School Organisation Strategy 2014-2017, proposals within this report will have the effect of increasing the number of places at good schools, thus meeting national policy, guidelines and parent expectations.
- 21.3 Following the completion of Formal Consultation on 15 October 2014, an initial screening regarding the 2015 Primary School Expansion programme will be finalised as a priority.
- 21.4 Subject to final approval of the Programme, equality implications will be considered in line with the Council's standard tender evaluation process. Equality issues will also be addressed in the planning and accessibility of any necessary building work.

## **22.0 Environmental implications**

- 22.1 Any building work arising from these proposals would be geared to promote improvement to the physical environment. Specifications for building work would ensure that any materials, site works and equipment involved follow the Council's Environmental Policy and the Council's commitment to carbon reduction.

## **23.0 Human resources implications**

- 23.1 Subject to final approval of the proposals, there is likely to be a need for schools to employ additional staff to support the increased number of pupils. However, the future organisation of staff within schools is the responsibility of individual schools' Headteachers and governing bodies.
- 23.2 The revenue costs of employing additional school staff would ultimately be met by the Dedicated Schools Grant which will grow in response to increased pupil numbers.

## **24.0 Corporate landlord implications**

- 24.1 Subject to final approval of the proposals, the intention is to improve the Council's education portfolio through capital investment schemes likely to include; refurbishment and adaptation of existing spaces, modular construction and traditional extension. All such works would be commissioned appropriately through the Corporate Landlord.

## **25.0 Schedule of background papers**

- Supporting Information Pack (available to Panel Members upon request)
- Schools' Forum (9 October 2014) Establishment of a Growth Fund to Support Expanding Schools
- Council (17 September 2014) 2015 Primary School Expansion Programme – Funding Strategy
- Cabinet (Resources) Panel (9 September 2014) 2015 Primary School Expansion Programme – Funding Strategy
- Individual Executive Decision Notice (August 2014) 2015 Primary School Expansion Programme – Outcome of Initial Consultation
- Schools' Forum (17 July 2014) Supporting School Reorganisations.
- Cabinet (25 June 2014) Primary School Organisation.

- Children and Young People Scrutiny Panel (19 June 2014) Primary School Organisation.