

CHILDREN & YOUNG PEOPLE COMMITTEE

Agenda Item

Brighton & Hove City Council

Subject:	Expanding the premises of Aldrington Church of England School – Final Decision		
Date of Meeting:	11th March 2013 Full Council 28th March 2013		
Report of:	Strategic Director People		
Contact Officer:	Name:	Gil Sweetenham	Tel: 29-3433
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Current and projected pupil numbers for the city show there is an immediate and ongoing need for additional school places in the city as a whole. This need is most acute in the west of the city.
- 1.2 The Children and Young People Committee agreed at its meeting on 14th January 2013 on the preferred option for providing an additional form of entry for September 2013 at Aldrington CE Primary School and to publish the required statutory notice.
- 1.3 The purpose of this report is to report the representations and objections received during the period of the statutory notice period and to seek the Children and Young People Committee endorsement to the proposal.

2. RECOMMENDATIONS:

- 2.1 That the Children and Young People Committee endorse the decision to proceed with the proposal subject to securing planning consent necessary for the extension by 31st August 2013
- 2.2 That the Children and Young People Committee recommend that on 28th March 2013 Council confirms the statutory notice and resolves to expand the premises of Aldrington Voluntary Aided Church of England Primary School from September 2013 subject to securing the necessary planning consent by 31st August 2013.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Primary pupil numbers across the city are rising generally and the rise in south central Hove is greater than the city generally. This has already caused pressure on school places that could not be met locally. This prompted the introduction of 6 primary 'bulge' classes for September 2012.

- 3.2 At its meeting on 14th January 2013 the Children and Young People Committee agreed to publishing the statutory notice required to progress the proposal for providing an additional form of entry at Aldrington CE Primary School.
- 3.4 Owing to changes in the Council's constitution all decisions regarding proposed changes to the Council's school admission arrangements currently need to be determined by full Council. This means the final decision regarding enlargement of premises of Aldrington Voluntary Aided Church of England Primary School will need to be taken by full Council on 28th March 2013.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Consultation on enlargement of premises of community schools must follow the processes set out in section 19 (1) of the Education and Inspections Act 2006 (EIA 2006). The Act provides that before publishing any proposals to change the age range of a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between November 2012 and January 2013.
- 4.2 On 14th January 2013 the Children and Young People Committee authorised the Director of Children's Services to proceed to publish the required statutory notice for the enlargement of Aldrington Voluntary Aided Church of England Primary School. The subsequent representation period of four weeks was the final opportunity for interested people and organisations to express their views on the proposals.
- 4.3 Statutory notices were published in the local newspaper on 25th January 2013. In addition Notices were displayed at the entrances to the schools and at other places used by the community (details of locations are in the full proposal information in the Members rooms). The statutory notice stated how the full proposal information on the proposal could be obtained.
- 4.4 The Statutory Notices form part of the full proposals. Copies of the full proposals were sent to the Anglican and Catholic diocese, the governing body of the school, ward members, the Children and Young People Committee, the Member of Parliament and the Department for Education (DfE). Copies of the complete proposal have to be made available to anyone who requests a copy during the publication period. A copy of the full proposal information is in the members Rooms.
- 4.5 The closing date for receipt of representations or objections was 22nd February 2013.
- 4.6 During the statutory notice period there were no requests received for the full proposal information
- 4.7 During the statutory notice period there were no objections received to the proposal.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Capital costs arising from the proposal will be met from within the Education Capital Programme which includes funding for additional pupil places and maintenance. In addition to this the council has received additional funding for additional pupil places in the current financial year.

5.1.2 The revenue costs of funding the additional forms of entry will be met from the Dedicated Schools Grant (DSG) in 2013/14 onwards.

Finance Officer Consulted: Rob Allen

Date: 07/02/13

Legal Implications:

5.2 Statutory notices were published on 25th January 2012 in accordance with Section 19(1) and 19(3) of the Education and Inspections Act 2006 and the accompanying School Organisation Regulations (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 as amended in respect of the proposals to enlarge the premises of Aldrington Church of England Primary School. Following publication there followed a statutory four week period for representations to be made. The closing date for receipt of representations or objections was 22nd February 2013.

5.2.1 At the end of this representation period a decision on the proposals will need to be taken within 2 months.

5.2.2 The Education and Inspections Act 2006 sets out who decides proposals for any alterations to schools. In the case of these proposals the decision is to be taken by the LA with some rights of appeal to the schools adjudicator. Full Council will act as the Decision Maker for the Local Authority on these proposals.

5.2.3 Guidance published by the Department for Education ((i)Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form and (ii) Making Changes to a Maintained Mainstream School) provide that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;

a) Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided.

b) Does the published notice comply with statutory requirements? The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals.

c) Has the statutory consultation been carried out prior to the publication of the notice? Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the

points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

- d) Are the proposals linked or related to other published proposals? Regulation provides that where proposals are related they must be considered together. Paragraphs 4.11- 4.14 provide statutory guidance on whether proposals should be regarded as “related.

5.2.4 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals
- approve the proposals
- approve the proposals with a modification
- approve the proposals subject to them meeting a specific condition

5.2.5 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations. In this instance it is recommended that the approval is given on condition that planning consent is granted for the proposed extension by 31st August 2013.

5.2.6 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision. Section 7 of this report gives the reasons for the decision based on the legislative framework within which the decision must be decided.

Lawyer Consulted: Serena Kynaston

Date: 01 02 2013

Equalities Implications:

5.3 Planning and provision of school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of best practice as described in the Admission Code of Practice.

Sustainability Implications:

5.4 All new extensions to Brighton and Hove Schools utilise, where ever possible, environmental and sustainable principles such as higher than minimum insulation levels, the use of efficient gas condensing boilers, under floor heating, solar shading and natural ventilation. Materials are sourced from sustainable sources where ever possible.

Crime & Disorder Implications:

5.5 Throughout the development of the proposals consultation will be undertaken with community groups and the Community Safety team and police liaison officers. It is anticipated that by including the community in the development and use of the facilities at the schools that crime and disorder in the local area will be

reduced. This will be further improved by offering extended use of the facilities to the community outside of the school day.

Risk and Opportunity Management Implications:

- 5.6 It is important that this opportunity is taken to ensure the future provision of learning and teaching, and continuing improvement in standards of education in the city.

Public Health Implications:

- 5.7 There are no public health implications arising from this report.

Corporate / Citywide Implications:

- 5.8 These proposals are an essential element in providing additional local school places for children.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 A paper to the Children and Young People Committee in October 2012 presented the full range of options available to address the need for future places in the city. The proposal within this report is part of the preferred option for addressing this need

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The Council has a statutory duty to provide a school place for any child that wants one. Current and projected pupil numbers for the city as a whole show there is an immediate and ongoing need for additional school places in the city.
- 7.2 It is recommended that the proposals to expand the premises of Aldrington CE Primary School are approved subject to securing the necessary planning consent as this will provide an additional form of entry for primary age children in Hove. .
- 7.3 The Council believes the advantages of the creation of all through primary schools are as follows:
- Greater continuity in teaching, pupil care and development under a single head teacher and teaching staff. It is very important to ensure continuity in planning the curriculum across the stages of education so that pupils make the best possible progress in learning.
 - The school could offer a greater range of teaching skills, including the opportunity to appoint curriculum co-ordinators with the time to oversee the effective teaching of individual subjects across the whole 4–11 age range.
 - Greater flexibility that a 4–11 school has in organising classes, deploying teachers and support staff and using resources, including buildings, more effectively.

- Closer contact with parents over a longer period of time and covering the full span of the children's primary education.
- Practical advantages to parents' e.g. same staff development days, the same school policies relating to home links, uniform, codes of conduct etc.
- Transfer to a different school environment after three years or less of schooling might be seen as an unnecessary disruption to pupil's sense of security and well being. A positive feature of 4–11 schools is the social interaction between younger and older pupils.

7.4 The initial public consultation on options for in respect of this proposal showed that the majority of parents and carers of children at the current schools were happy with the proposal. A few parents and carers were unhappy with the proposal. Subsequent consultation has shown that the number of parents and carers who do not support the proposals has further diminished.

7.5 The schools currently provide a range of extended services to the school community; this situation will not change as a result of these proposals.

7.6 The schools are covered by the admissions arrangements which strives to provide truly local schools which serves its most immediate community and assists in the aspirations of the Local Authority in terms of green travel arrangements.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. Full Proposal information for each school
2. Department for Education guidance document Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form

Background Documents

1. None