

Cabinet – 13 February 2019

School Place Planning and Expansions

Portfolio: Councillor Towe: Education and Skills

Related Portfolios:

Service: Children's Services

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary

- 1.1 On 21 November 2018 Cabinet approved the commencement of a statutory process to revoke the decisions to expand Leighswood School and Salisbury Primary School because of changes in the projected demand for additional pupil places.
- 1.2 This report sets out the statutory process that has been undertaken and seeks Cabinet approval to determine the revocation proposals.

2. Recommendations

- 2.1 That Cabinet note the statutory process for the proposed revocation of Leighswood School and Salisbury Primary School expansions.
- 2.2 That Cabinet approve that the proposals to expand Leighswood School and Salisbury Primary School be revoked.

3. Report detail

- 3.1 The Local Authority has a statutory duty to ensure there are sufficient school places for resident children who want a school place. A local authority has a general duty under section 14 of the Education Act 1996 to secure that there are available, in its area, sufficient schools 'in number, character and equipment to provide for all pupils the opportunity of appropriate education'.
- 3.2 On 25 October 2017 Cabinet approved the expansion of a number of primary schools, including Leighswood School and Salisbury Primary School, for September 2019.
- 3.3 On 21 November 2018 Cabinet approved changes to the proposed programme of school expansions, subject to the undertaking of a statutory process. These changes included the revocation of decisions to expand Leighswood School and Salisbury Primary School because of reductions in the projected need for pupil

places that had been identified following an externally validated review of pupil place planning data.

- 3.4 Revised and validated pupil place planning projections for primary planning area 8, where Leighswood School is located, showed sufficient school places without the need to expand Leighswood

PLANNING AREA 8			
REC 19-20	REC 20-21	REC 21-22	REC 22-23
Total Per Planning Area 2014 - 2015	Total Per Planning Area 2015 - 2016	Total Per Planning Area 2016 - 2017	Total Per Planning Area 2017 - 2018
155	149	148	134

- 3.5 Similarly, revised and validated pupil place planning projections for primary planning area 1, where Salisbury School is located, showed sufficient school places to accommodate children who need them, without the need to expand the school.

PLANNING AREA 1			
REC 19-20	REC 20-21	RECEPTION 21-22	RECEPTION 22-23
Total Per Planning Area 2014 - 2015	Total Per Planning Area 2015 - 2016	Total Per Planning Area 2016 - 2017	Total Per Planning Area 2017 - 2018
442	457	487	453

4. Revocation of proposals – statutory process

- 4.1 The DfE's statutory guidance ('making 'prescribed alterations' to maintained schools) sets out the statutory process the Council must follow to revoke school expansion proposals.
- 4.2 In accordance with this guidance a statutory process to revoke expansions at Leighswood School and Salisbury Primary School commenced on Wednesday 19 December 2018 and closed on Wednesday 23 January 2019 at 12pm (Representation Period)
- 4.3 The revocation proposals were published on Walsall Council's website and copies of the statutory public notice displayed at all entrances to both schools throughout the statutory period. A copy of the revocation proposals were published in the Express and Star. Letters sent to all staff, parents and school governors at both schools on Wednesday 19 December provided information on how to access the complete proposals and who to make comment to, should it be required.
- 4.4 Appendix A contains a copy of the original proposal, the original notice, the proposals to revoke and a summary of responses received.
- 4.5 The statutory process closed on Wednesday 23 January 2019 at 12 noon, no formal response forms or emails were received about the proposed revocations of Leighswood School or Salisbury Primary School.

5. Council Corporate Plan Priorities

Ensuring that there are sufficient school places to meet the needs of children who need one supports the Council's corporate priority to ensure children have the best start, and are safe from harm, happy, healthy and learning well.

6. Risk management

- 6.1** The proposed revocations of expansions at Leighswood School and Salisbury primary school in response to reduced demand for pupil places will mitigate the risk of creating a surplus of school places.

7. Financial Implications

- 7.1** Abortive costs relating to the revocation of the expansions at Leighswood School and Salisbury School are estimated to be £150k of which £125k relates to the annual leasing costs of a temporary building at Leighswood School and the remaining £25k is for preliminaries including design fees, planning fees and feasibilities. These costs will be funded from a corporate reserve identified specifically for this purpose.

8. Legal Implications

- 8.1** There is a statutory process to follow when a Local Authority cannot implement an approved school expansion proposal because circumstances have changed so that the implementation would be inappropriate. This prescribed process, set out in the DfE's statutory guidance Making 'prescribed alterations ' to Maintained Schools (April 2016) requires the Council to publish a revocation proposal, to be determined by the Authority, to be relieved of the duty to implement.
- 8.2** The revocation proposal must contain:
- A description of the original proposal as published;
 - The date of the publication of the original proposal; and
 - A statement as to why the duty to implement the original proposal should not apply
- 8.3** The Authority is required to publish the revocation proposal on the website and a brief notice of the proposal, including the website address where the proposal is published in a local newspaper. The proposal must contain details of how copies can be obtained; details of where to send comments to; and the date by which comments must be sent.
- 8.4** The Authority must determine the revocation proposal within two months of the end of the representation period and arrange for the revocation determination to be published on the website where the original proposal and revocation proposal were published.
- 8.5** The Local Authority is also required to notify the following persons of the revocation decision together with reasons:
- The local Church of England diocese;
 - The local Roman Catholic diocese; and

- The governors and trustees of the foundation, foundation special or voluntary school that is subject to the proposal

The same persons have the right to appeal to the schools Adjudicator (within four weeks of determination of the revocation proposal) if they disagree with the decision to revoke the proposal

9. Procurement implications/Social Value

None directly arising from this report

10. Property implications

None directly arising from this report. Officers are working with Salisbury Primary School to scope the works and funding opportunities to bring the area known as the 'hub' back into purposeful use.

11. Health and wellbeing implications

None directly arising from this report.

12. Staffing implications

If schools have increased their staffing ratio there may be a requirement to reduce the staff accordingly dependant on budget.

13. Reducing inequalities

It is of crucial importance to the achievement of the Council's strategic objectives that young people of Walsall are able to access the right provision to meet their needs in order to achieve appropriate qualifications, progressing to employment and / or training and make a positive contribution within the borough in the future.

Background papers

DfE	Making 'prescribed alterations' to maintained schools (2016)
Cabinet:	October 2017
Cabinet:	December 2017
Cabinet:	April 2018
Cabinet:	October 2018
Special Cabinet:	November 2018

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Sally Rowe
Executive Director

January 2019



Councillor Towe
Portfolio Holder

January 2019

Appendix A

1. Copy of original proposal

WALSALL METROPOLITAN BOROUGH COUNCIL

STATUTORY PROPOSAL FOR PRESCRIBED ALTERATION TO LEIGHSWOOD PRIMARY SCHOOL, MANOR PRIMARY SCHOOL OLD CHURCH CE (C) PRIMARY SCHOOL, SALISBURY PRIMARY SCHOOL, SHORT HEATH FEDERATION, & ST MICHAEL'S CE PRIMARY SCHOOL.

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Walsall Metropolitan Borough Council intends to make prescribed alterations to Leighswood Primary School, Manor Primary School, Old Church CE (C) Primary School, Salisbury Primary School, Short Heath Federation, St Michael's Primary School. It is proposed to expand the schools as follows:

- Leighswood School from 75 to 90 places in Reception year group taking the school from 2 FE to 3FE.

The capacity of the school calculated according to the Net Capacity Assessment Formula is currently 525. Based on the May 2017 school census information, the current number of full-time pupils registered at the school is 526. The proposal would increase the capacity of the school to 540 places in September 2019 increasingly annually by 15 places to 630 places by September 2025.

- Manor Primary School from 45 to 60 places in Reception year group taking the school from 1.5FE to 2FE.

The capacity of the school calculated according to the Net Capacity Assessment Formula is currently 315. Based on the May 2017 school census information, the current number of full-time pupils registered at the school is 315. The proposal would increase the capacity of the school to 330 places in September 2019 increasingly annually by 15 places to 420 places by September 2025.

- Old Church CE (C) Primary School from 45 to 60 places in Reception year group taking the school from 1.5FE (Form of Entry) to 2FE.

The capacity of the school calculated according to the Net Capacity Assessment formula is currently 315. Based on the May 2017 school census information, the current number of full-time pupils registered at the school is 315. The proposal would increase the capacity of the school to 330 places in September 2019 increasingly annually by 15 places to 420 places by September 2025.

- Salisbury Primary School from 45 to 60 places in Reception year group taking the school from 1.5FE to 2 FE.

The capacity of the school calculated according to the Net Capacity Assessment formula is currently 315. Based on the May 2017 school census information, the current number of full-time pupils registered at the school is 314. The proposal

would increase the capacity of the school to 330 places in September 2019 increasingly annually by 15 places to 420 places by September 2025.

- Short Heath Federation from 60 to 90 places in Reception year group taking the school from 2FE to 3FE.

The capacity of the school calculated accordingly to the Net Capacity Assessment Formula is currently 420. Based on the May 2017 school census information, the current number of full-time pupils registered at the school is 420. The proposal would increase the capacity of the school to 450 places in September 2019 increasingly annually by 30 places to 630 places by September 2025.

- St Michael's CE Primary School from 45 to 60 places in reception year group taking the school from 1.5FE to 2 FE.

The capacity of the school calculated according to the Net Capacity Assessment formula is currently 315. Based on the May 2017 school census information, the current number of full-time pupils registered at the school is 314. The proposal would increase the capacity of the school to 330 places in September 2019 increasingly annually by 15 places to 420 places by September 2025.

This notice is an extract from the complete proposal.

The formal consultation on the proposal begins on Monday 11 September 2017 concluding on Monday 9 October 2017 at 17:00hrs.

Copies of the complete proposal can be obtained from: Alex Haigh, School Organisation Manager– Admissions & Pupil Place Planning, Zone 2E Civic Centre, Darwall Street, Walsall, WS1 1TP (Tel: 01922 652583; Email alex.haigh@walsall.gov.uk)

Comments on the proposal should be made in writing and sent by email or mail to Alex Haigh at the address given above.

Signed:

Publication Date: 11 September 2017

2. Copy of original notice

Proposal to significantly enlarge Leighswood School, Manor Primary School, Old Church CE (C) Primary School, Salisbury Primary School, Short Heath Federation, and St Michael's Primary School from 1 September 2019

This proposal provides relevant information in accordance with the *School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013*.

School Details:

Leighswood School Broadmeadow Aldridge WS9 8HZ	Manor Primary School Briar Avenue Streetly B74 3HX	Old Church CE (C) Primary School School Street Darlaston WS10 8DL
Salisbury Primary School Salisbury Street Darlaston WS10 8BQ	Short Heath Federation Stroud Avenue Willenhall WV12 4EG	St Michael's Primary School Maple Road Pelsall WS3 4JJ

Local Authority Details:

Walsall Council - Civic Centre
Darwall Street
Walsall
WS1 1TP

Description of the proposal:

Walsall Council, acting as Local Authority, has a statutory duty to ensure that there are sufficient school places available in the local area. Each year Walsall Council uses birth data, information about planned housing developments, and information about cross border migration to project the number of school places that will be needed in the future. In order to ensure that additional places are made available in the areas where they will be needed the Council organises its primary schools into 11 Primary Planning Areas. Additional places are needed from 1 September 2019 in order to meet an increasing demand for primary school places in the local area. Walsall Council is proposing to expand Leighswood School, Manor Primary School, Old Church CE (C) Primary School, Salisbury Primary School, Short Heath Federation, and St Michael's Primary School from 1 September 2019 in order to meet the increased demand for primary places in each area.

The table below shows the number of places, which are currently available in Reception across all the schools in the five planning areas affected by the proposal, the actual number of pupils who were on roll at schools in the planning areas in May 2017, and the number of children who are projected to be admitted in the next four years:

Planning Area	Total places available in Reception	Actual number on roll at the time of the May 2017 Census	2018/19 Projected Reception admissions	2019/20 Projected Reception admissions	2020/21 Projected Reception admissions	2021/22 Projected Reception admissions
Planning Area 1	472	476	473	488	491	500
Planning Area 2	495	495	449	493	455	458
Planning Area 7	375	370	337	384	391	398

Planning Area 8	195	195	214	155	218	220
Planning Area 9	285	284	284	293	292	297

Primary Planning Area 1

Old Church CE (C) Primary School

Old Church CE (C) Primary School provides primary education for pupils between the ages of 3 – 11 years. Currently the school admits 45 pupils to each year group. The school currently has places for a total of 315 pupils (including the nursery class). In addition, there are currently 52 nursery places. The school is a voluntary controlled school in Walsall.

It is proposed to permanently expand the school to increase the number of places in the Reception year group, from 45 to 60 from 1 September 2019, the school will then become 2 FE (Forms of Entry), and it is currently 1.5 FE. In addition, it is proposed that the school will admit up to 15 children above PAN in September 2018. The increased admission number and school intake would then move up through the school annually, until PAN of 60 applies to all year groups.

Salisbury Primary School

Salisbury Primary School provides primary education for pupils between the ages of 3 – 11 years. Currently the school admits 45 pupils to each year group. The school currently has places for a total of 315 pupils (including the nursery class). In addition, there are currently 48 nursery places. The school is a community school in Walsall.

It is proposed to permanently expand the school to increase the number of places in the Reception year group, from 45 to 60 from 1 September 2019, the school will then become 2FE, and it is currently 1.5 FE. In addition, it is proposed that the school will admit up to 15 children above PAN in September 2018. The increased admission number and school intake would then move up through the school annually, until the PAN of 60 applies to all year groups.

Primary Planning Area 2

Short Heath Federation

Short Heath Federation provides primary education for pupils between the ages of 3 – 11 year via Rosedale C of E Infant School and Short Heath Junior School. Currently the school admits 60 pupils to each year group. The school currently has places for a total of 420 pupils. In addition, there are currently 117 nursery places. The school is a community school in Walsall.

It is proposed to permanently expand the school to increase the number of places in the Reception year group, from 60 to 90 from 1 September 2019, the school would become a 3 FE, and currently it is 2FE. In addition, it is proposed that the school will admit up to 30 children above PAN in September 2018. The increased admission number and school intake would then move up through the school annually, until the 90 intake applied to all year groups.

Primary Planning Area 7

Manor Primary School

Manor Primary School provides primary education for pupils between the ages of 3 – 11 years. Currently the school admits 45 pupils to each year group. The school currently has places for a total of 315 pupils. In addition, there are currently 26 nursery places. The school is a foundation school in Walsall.

It is proposed to permanently expand the school to increase the number of places in the Reception year group, from 45 to 60 from 1 September 2019, the school would become 2FE, and currently it is 1.5FE. In addition, it is proposed that the school will admit up to 15 children above PAN in September 2018. The increased admission number and school intake would then move up through the school annually, until the 60 intake applied to all year groups

Primary Planning Area 8

Leighswood School

Leighswood School provides primary education for pupils between the ages of 2 – 11 years. Currently the school admits 75 pupils to each year group. The school currently has places for a total of 525 pupils (including the nursery class). In addition, there are currently 78 nursery places. The school is a community school in Walsall.

It is proposed to permanently expand the school to increase the number of places in the Reception year group, from 75 to 90 from 1 September 2019, the school would become 3 FE, currently it is 2.75 FE. It is also proposed that the school will admit up to 15 children above PAN in September 2018. The increased admission number and school intake would then move up through the school annually, until the 90 intake applied to all year groups.

Primary Planning Area 9

St Michael's CE (C) Primary School

St Michael's CE (C) Primary School provides primary education for pupils between the ages of 3 – 11 years. Currently the school admits 45 pupils to each year group. The school currently has places for a total of 315 pupils (including the nursery class). In addition, there are currently 52 nursery places. The school is a voluntary controlled school in Walsall.

It is proposed to permanently expand the school to increase the number of places in the Reception year group, from 45 to 60 from 1 September 2019, the school would become 2 FE, and currently it is 1.5 FE. In addition, it is proposed that the school will admit up to 15 children above PAN in September 2018. The increased admission number and school intake would then move up through the school annually, until the 60 intake applied to all year groups.

Effect on other schools in the area:

Additional places are needed in order to meet an increasing demand for primary school places in the Walsall Borough the proposed expansion of these six primary schools will enable the local authority to meet its statutory duty to ensure that there are sufficient

school places available in each of the planning areas and will not jeopardise the viability of any other mainstream school.

Site Arrangements:

No new or additional sites will be required; building work will be undertaken as necessary on the existing sites at the schools.

Projects Costs and Funding:

The proposed expansions will involve extensions, alternations, remodelling or new buildings on all four school sites. The estimated cost of each of the proposed expansions is as follows:

- Leighswood School: £585,270 (including 20% contingency & IFM fees).
- Manor Primary School: £863,145 (including 20% contingency & IFM fees).
- Old Church CE (C) Primary School: £877,925 (including 20% contingency & IFM fees).
- Salisbury Primary School: £1,964,970 (including 20% contingency & IFM fees).
- Short Heath Federation: £1,881,430 (including 20% contingency & IFM fees).
- St Michael's CE Primary School: £380,075 (including 20% contingency & IFM fees).

All funding will be from Basic Need Capital and each of the six primary schools will be asked to contribute towards the scheme with funding from their Devoted Formula Capital (DFC). The DFC is allocated from the DFE to the Local Authority and is sent directly to the schools on an annual basis to contribute towards school capital schemes.

Implementation:

The proposal would be implemented from 1 September 2019.

Details of how to respond to the proposal:

The formal consultation period begins on Monday 11 September 2017 concluding on Monday 9 October 2017 at 17:00.

Copies of the complete proposal can be obtained from: Alex Haigh, School Organisation Manager– Admissions & Pupil Place Planning, Zone 2E Civic Centre, Darwall Street, Walsall, WS1 1TP (Tel: 01922 652583; Email alex.haigh@walsall.gov.uk)

Comments on the proposal should be made in writing to the following address:

Alex Haigh – School Organisation Manager,

Admissions and Pupil Place Planning

Zone 2E Civic Centre

Darwall Street

Walsall

WS1 1TP

Alternatively, by email to: alex.haigh@walsall.gov.uk

3. Copy of proposal to revoke decision



Walsall Council

PROPOSAL TO REVOKE DECISION TO EXPAND LEIGHSWOOD SCHOOL & SALISBURY PRIMARY SCHOOL

Notice is given in accordance with Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) that Walsall Council intends to revoke the decision to expand the permanent capacity of Leighswood School and Salisbury Primary School

Name, address and contact details of proposer:

Walsall Council, Darwall Street, Walsall, WS1 1TP

Name, address and category of school:

Leighswood School, Broadmeadow, Aldridge, WS9 8HZ

This is a community school.

Salisbury Primary School, Salisbury Street, Darlaston, WS10 8BQ

This is a community school.

Description:

The Council proposes that the decision to expand Leighswood School & Salisbury Primary School be revoked due to in changes of circumstances that would make the implementation of these proposals inappropriate.

Evidence and reasoning leading to proposed revocation:

Leighswood School is situated in Primary Planning Area 8.

Planning Area 8 can currently accommodate 195 children within the school places currently available in the area. Progressing with the expansion of Leighswood School, currently rated as "Requires Improvement" by Ofsted, would mean the surplus of places exceeds the number required.

Salisbury Primary School is situated in Primary Planning Area 2.

Planning Area 1 can accommodate 472 places within the school places currently available and progressing with this expansion will mean the surplus of places exceeds the number required.

This recommendation is supported by Walsall Council Cabinet.

Commenting on the proposal:

Within four weeks from the date of publication of this proposal (**12pm - Wednesday 23 January 2019**), any person may comment on, support, or object to the proposal email to alex.groom@walsall.gov.uk or in writing to Alex Groom – School Organisation Manager, Walsall Council, Civic Centre – Zone 2E, Darwall Street, Walsall, WS1 1TP

Signed:

Publication Date: Wednesday 19 December 2018

4. Summary of Consultation Responses:

Leighswood School

There has been **no** consultation responses in relation to the proposal to revoke the decision to expand Leighswood School.

	Do you support the proposal?			
	Yes	Unsure	No	Nil Return
Pupils				x
Parents				x
Staff				x
Governors				x
Resident				x
Other				x
Total				x

Salisbury Primary School

There has been **no** consultation responses in relation to the proposal to revoke the decision to expand Salisbury Primary School.

	Do you support the proposal?			
	Yes	Unsure	No	Nil Return
Pupils				x
Parents				x
Staff				x
Governors				x
Resident				x
Other				x
Total				x