

Cabinet – 14 December 2011

Determination of statutory proposal to significantly enlarge Caldmore Primary School

Portfolio: Councillor R. Andrew, Children's Services

Service: Walsall Children's Services – Serco

Wards: St Matthews and neighbouring wards

Key decision: Yes

Forward plan: Yes

1. Summary

This report provides information to enable Cabinet to decide whether it wishes to approve the statutory proposals to significantly enlarge Caldmore Primary School by increasing the admission number from 30 to 60 from 1 September 2012 and a scheme from the Education Asset Management Plan for approval.

2. Recommendations

That Cabinet approve the statutory proposal to enlarge Caldmore Primary School by increasing the admission number from 30 to 60 from 1 September 2012.

3. Background information

- 3.1 Caldmore Primary School is a community school with 30 places in each year group and places for a total of 210 pupils excluding the nursery class.
- 3.2 Additional primary school places are needed in order to meet an increasing demand for primary school places in the local area as a result of recent and planned residential developments and also because of an increase in the number of births. In order to meet this increased demand for places, it is proposed to significantly enlarge Caldmore Primary School and increase the intake from 30 to 60 with effect from 1 September 2012.
- 3.3 There are 52 part-time places in the nursery class; it is not proposed to change this provision as it is already in line with the usual number of nursery places for a primary school with two forms of entry.

4. Resource considerations

4.1 Financial:

- 4.1.1 If the proposals are approved by Cabinet, there would be a requirement for capital investment at the schools in order to provide additional teaching accommodation. It is proposed to carry out this work at an overall cost of £2.8 million using funds from Walsall's current Education capital allocations.
- 4.1.2 This scheme is to be managed by Walsall Council Property Services who will ensure compliance with all Walsall Council Finance and Contract Rules.

4.2 Legal:

- 4.2.1 The proposal to significantly enlarge Caldmore Primary School is subject to statutory procedures.
- 4.2.2 On 14 September 2011, Cabinet considered responses received during the consultation period and approved the publication of statutory proposals. These proposals were published on 6 October 2011 and a representation period of four weeks followed. It is now for Cabinet to consider the responses received during this period and 'determine' the statutory proposals. A copy of the full proposals is attached as Appendix 1.
- 4.2.3 Subject to completion of the statutory processes detailed above, the admission number for the school would be increased to 60 from 1 September 2012.
- 4.2.4 The statutory guidance to be considered by decision-makers when considering expanding a mainstream maintained school has been made available to Cabinet. Such expansions are classed as 'prescribed alterations'. It is not considered that the presumption for the expansion of popular and successful schools should apply. The decision-maker must indicate the main factors/criteria for the decision.
- 4.2.5 Legislation sets out that the following bodies may appeal against a Local Authority decision on school expansion proposals:
 - the local Church of England diocese;
 - the bishop of the local Roman Catholic diocese;
 - where the school provides education for pupils aged 14 and over- the Learning and Skills Council (*now abolished*);
 - the governing body of the community school that is proposed for expansion; and
 - the governors and trustees of the foundation or voluntary school that is proposed for expansion.
- 4.2.6 Any appeals must be submitted to the local authority within 4 weeks of the notification of the local authority's decision.

4.2.7 The capital scheme will be managed through Walsall Council Property Services and they will ensure that all statutory obligations are met.

4.3 **Staffing:**

4.3.1 There are no direct implications as a result of this report. If the school is enlarged as proposed, additional teachers and other staff would be required on a phased basis and these would be funded through the school's revenue budget.

5. **Citizen impact**

5.1 Local residents would have improved access to a place at a local primary school for their child.

5.2 The scheme will contribute to an improved learning environment for Walsall pupils, their families and the wider community.

6. **Community safety**

Security issues will be considered as part of the development of the capital scheme.

7. **Environmental impact**

7.1 Should the proposal be implemented, the associated scheme would incorporate the use of sustainable resources wherever possible and the design would incorporate developments to reduce the impact on the environment.

7.2 The proposed provision of additional primary school places in this area would contribute to reducing car journeys to school in future years.

7.3 The scheme will incorporate the use of sustainable resources wherever possible and the design would incorporate developments to reduce the impact on the environment.

8. **Performance and risk management issues**

8.1 **Risk:**

8.1.1 If the proposed additional primary school places are not provided, there is a risk that parents will not be able to secure a place for their child at a local primary school.

8.1.2 Construction programmes are at risk of delays that might affect the timescales and cost of projects that may require adjustments to the programme. These risks will be managed as far as is practicable on an ongoing basis.

8.2 Performance management:

- 8.2.1 The adequacy of the supply of school places is assessed by the DfE through an annual return.
- 8.2.2 There are specific criteria established by the DfE for the project management of schemes funded by the Capital Programme within the designated timeframe.

9. Equality implications

- 9.1 If the proposal is implemented, the accessibility of the school buildings would be improved through the provision of replacement accommodation to current standards.
- 9.2 The proposed scheme would result in an improved learning environment for pupils and families in Walsall schools.

10. Consultation

- 10.1 Consultation on the proposal to significantly enlarge Caldmore Primary School by increasing the admission number from 30 to 60 from 1 September 2012 commenced on 20 June and ended on 31 July 2011. Cabinet considered a report on the outcome of this consultation on 14 September 2011 and approved publication of the statutory proposal.
- 10.2 The statutory proposal was published on 6 October 2011 and a four week representation period, during which representations (e.g. objections or comments) can be made, then followed. No responses were received during this period.
- 10.3 In view of the need for the proposed places, Cabinet is recommended to approve the statutory proposal to significantly enlarge Caldmore Primary School by increasing the admission number from 30 to 60 from 1 September 2012.

Background papers

- Cabinet report, 8 June 2011: Provision of Primary School Places
- Cabinet report, 14 September 2011: Outcome of consultation on proposal to significantly enlarge Caldmore Primary School
- Cabinet report, 14 December 2011: Education Capital Programme 2011/12 – Further schemes
- Education Asset Management Plan

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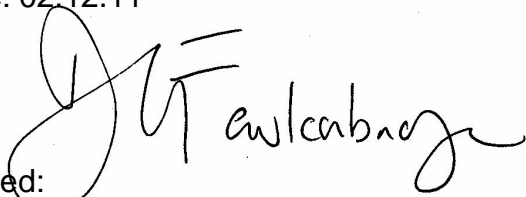
✉ michael.hiscox@walsallcs.serco.com

Receipt

Signed:

Executive Director: Pauline Pilkington

Date: 02.12.11

A handwritten signature in black ink, appearing to read 'D Faulconbridge', written over a faint grid background.

Signed:

Managing Director, Walsall Children's
Services – Serco: Denise Faulconbridge

Date: 02.12.11

A handwritten signature in black ink, appearing to read 'Rachel Walker', written over a faint grid background.

Signed:

Portfolio Holder: Councillor Rachel Walker

Date:

APPENDIX 1

Walsall Children's Services

PROPOSAL TO SIGNIFICANTLY ENLARGE CALDMORE PRIMARY SCHOOL FROM 1 SEPTEMBER 2012

PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in or provided in relation to proposals

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school and a contact address for the local education authority who are publishing the proposals.

School:

Caldmore Primary School, Carless Street, Walsall, WS1 3RH

DfE number 335 2123

School Category:

Community

Local Authority:

Walsall Metropolitan Borough Council

Contact address:

Walsall Children's Services – Serco, Education Development Centre, Pelsall Lane, Rushall, Walsall, WS4 1NG

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

It is proposed to implement the proposal on 1 September 2012.

Objections and comments

3. A statement explaining the procedure for making representations, including -
 - a) the date by which objections or comments should be sent to the local education authority; and
 - b) the address of the authority to which objections or comments should be sent.

The statutory proposal was published on 6 October 2011. The representation period is 4 weeks. Objections and comments on the proposal must be sent by 3 November 2011 to:

Michael Hiscox, Head of Planning and Development Services, Walsall Children's Services - Serco, Education Development Centre, Pelsall Lane, Rushall, Walsall, West Midlands, WS4 1NG.

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

In order to meet the demand for additional primary school places in the local area, Walsall Metropolitan Borough Council intends to enlarge Caldmore Primary School from 1 form of entry to 2 forms of entry from 1 September 2012. The current admission number for the school is 30 and the proposed admission number is 60. The current capacity of the school is 210 and the proposed capacity is 420.

School capacity

5. (1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 or paragraphs 1 to 4, 7, 8, 18, 19 and 21 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, the proposals must also include:
 - a) details of the current capacity of the school and where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current Net Capacity of the School is 210.

The proposed capacity after the alteration (enlargement) is 420.

- b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

The current number of pupils admitted to the school in each relevant age group is 30. In the first school year in which the proposal is implemented, the number of pupils to be admitted to the reception year group is 60; the admission number for other year groups will be 30.

- c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

From September 2012 onwards the number of pupils to be admitted to the reception year group will be 60. The increased intake would move up through the school until it applied to all year groups.

- d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

The school currently only has one vacancy in Y5.

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 to 4, and 7 and 8 of Schedule 2 or paragraphs 1, 2, 8, 18 and 19 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 a statement of the number of pupils at the school at the time of the publication of the proposals.

The number of pupils on roll at Caldmore Primary School is 208. In addition, there are 52 part-time pupils attending the nursery class. (Data from May 2011 School Census).

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Not applicable

Additional Site

7. (1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

A new or additional site is not required.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

Not applicable

Changes in boarding arrangements **NOT APPLICABLE**

8. (1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 7 or 14 of Schedule 2 or 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 —

- a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

Not applicable: the school does not have any boarding places and none are proposed.

- b) the arrangements for safeguarding the welfare of children at the school;

Not applicable: the school does not have any boarding places and none are proposed.

- c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision;

Not applicable: the school does not have any boarding places and none are proposed.

- d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

Not applicable: the school does not have any boarding places and none are proposed.

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 7 or 14 of Schedule 2 or 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 —

- a) the number of pupils for whom boarding provision will be removed if the proposals are approved;

Not applicable: the school does not have any boarding places and none are proposed.

- b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

Not applicable: the school does not have any boarding places and none are proposed.

Transfer to new site

NOT APPLICABLE

9. Where the proposals are to transfer a school to a new site the following information—

- a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

Not applicable

- b) the distance between the proposed and current site;

Not applicable

- c) the reason for the choice of proposed site;

Not applicable

- d) the accessibility of the proposed site or sites;

Not applicable

- e) the proposed arrangements for transport of pupils to the school on its new site;

Not applicable

- f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in area will be discouraged.

Not applicable

Objectives

10. The objectives of the proposals.

The objectives of the proposal are to enlarge Caldmore Primary School to 2 forms of entry by increasing the number of pupils to be admitted to the reception year group in September 2012 and subsequent years from 30 to 60.

The enlargement is necessary in order to meet the demand for additional places in the local area as a result of an increase in the birth rate and residential developments.

Consultation

11. Evidence of the consultation before the proposals were published including—

- a) a list of persons who were consulted;
- b) minutes of all public consultation meetings;

- c) the views of the persons consulted;
- d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- e) copies of all consultation documents and a statement on how these documents were made available.

a list of consultees is provided as Appendix A.

minutes of public consultation meetings are provided as Appendix B.

the views of the persons consulted are provided in Appendix C.

all applicable statutory requirements, in relation to the proposal, to consult were complied with.

a copy of the consultation document is provided as Appendix D.

The consultation document together with a letter of explanation was made available to the Consultees detailed in Appendix A. Copies were also made available at Caldmore Primary School, the local community centre, local libraries and on-line. A large print version was also available on request. The letters and consultation documents detailed the dates, times and locations of meetings for the School Council, staff, governors and parents. Consultation documents were also available at the consultation meetings. Detailed notes were made at all of the meetings. All consultation responses have been retained.

Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The estimated total capital cost of the proposal to significantly enlarge Caldmore Primary School is in the region of £2.8 million; these works would be undertaken as part of a scheme to address suitability and sufficiency issues. This cost would be met by the local authority.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

At the meeting on 14 September 2011, Cabinet received a report on the outcome of consultation on a proposal to significantly enlarge Caldmore Primary School from 1 September 2012.

Members were advised that if the proposal went ahead, there would be a requirement for significant capital investment at the school in order to provide additional teaching accommodation and to undertake other planned improvements. The cost of the works which would be required should the proposed enlargement be agreed would be met by funding from formulaic allocations (Basic Need) from the Department for Education (DfE) and from the funding made available to Walsall through the Primary Capital Programme.

Having considered all of the information contained in the report, Cabinet decided to approve the publication of a statutory proposal to significantly enlarge Caldmore

Primary School from 1 September 2012.

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

Not applicable.

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

Not applicable

- b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

Not applicable

- c) evidence of parental demand for additional provision of early years provision;

Not applicable

- d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school;

Not applicable

- e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Not applicable

Changes to sixth form provision

NOT APPLICABLE

16. (1) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- a) improve the educational or training achievements;

- b) increase participation in education or training; and
- c) expand the range of educational or training opportunities for 16-19 year olds in the area.

Not applicable

(2) Where the proposals are to alter the upper age limit of the school so that the school will provide sixth form education, the proposed number of sixth form places to be provided.

Not applicable

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

Special educational needs NOT APPLICABLE

18. Where the proposals are to establish or change provision for special educational needs—

- a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

Not applicable

- b) any additional specialist features will be provided;

Not applicable

- c) the proposed numbers of pupils for which the provision is to be made;

Not applicable

- d) details of how the provision will be funded;

Not applicable

- e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

Not applicable

- f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

Not applicable

- g) the location of the provision if it is not to be established on the existing site of the school;

Not applicable

- h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children;

Not applicable

- i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

Not applicable

19. Where the proposals are to discontinue provision for special educational needs—

- a) details of alternative provision for pupils for whom the provision is currently made;

Not applicable

- b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

Not applicable

- c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision;

Not applicable

- d) a statement as to how the authority believe that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

Not applicable

20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—
- a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
 - b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
 - c) improved access to suitable accommodation; and
 - d) improved supply of suitable places.

Not applicable

Sex of pupils

NOT APPLICABLE

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—
- a) details of the likely effect which the alteration will have on the balance of the provision of single sex education in the area;

Not applicable

- b) evidence of local demand for single-sex education;

Not applicable

- c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

Not applicable

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;

Not applicable

- b) evidence of local demand for single-sex education.

Not applicable

Extended services

23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

Not applicable

Need or demand for additional places

24. If the proposals involve adding places—

- a) a statement and supporting evidence of the need or demand for the particular places in the area;

Additional primary school places are needed in order to meet an increasing demand for primary school places in the local area, as a result of an increase in the birth rate and recent and planned residential developments. There has been an increase in the demand for places in the area adjacent to the school and also in adjoining areas near the centre of the town. It is therefore proposed to provide additional places at Caldmore Primary School and increase the number of reception places to 60 from 1 September 2012. This will ensure that the vast majority of children who live in the local neighbourhood are able to secure a place at a local school. The school is now oversubscribed and this proposal will enable more parents to secure a place at their preferred school.

- b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

Not applicable.

- c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

Not applicable

25. If the proposals involve removing places -

- a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice;

Not applicable

- b) a statement on the local capacity to accommodate displaced pupils.

Not applicable

Expansion of successful and popular schools

26. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

- a) (for proposals published by the governing body) paragraphs 1 and 2 of Part 1 to Schedule 2 and paragraphs 12 and 13 of Part 2 to Schedule 2;
- b) (for proposals published by the LA) paragraphs 1 and 2 of Part 1 to Schedule 4.
of the Prescribed Alteration regulations.

(3) Whilst not required by regulations to provide this information for any LA proposals to expand a voluntary or foundation school, it is desirable to provide this below.

It is not considered that the presumption for the expansion of popular and successful schools should apply.

Additional information in the case of special schools NOT APPLICABLE

27. Where the proposals relate to a special school the following information must also be provided—

- a) information as to the numbers, age range, sex and special educational needs of the pupils (distinguishing boarding and day pupils) for whom provision is made at the school;

Not applicable

- b) information on the predicted rise or fall (as the case may be) in the number of children with particular types of special educational needs requiring specific types of special educational provision;

Not applicable

- c) a statement about the alternative provision for pupils who may be displaced as a result of the alteration;

Not applicable

- d) where the proposals would result in the school being organised to make provision for pupils with a different type or types of special educational needs with the result that the provision which would be made for pupils currently at the school would be inappropriate to their needs, details of the other schools which such pupils may attend including any interim arrangements and transport arrangements to such schools;

Not applicable

- e) where the proposals relate to a foundation special school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Not applicable