

## TRAFFORD COUNCIL

**Report to:** Executive  
**Date:** 28<sup>th</sup> July 2014  
**Report for:** Decision  
**Report of:** Executive Member for Children's Services

### Report Title

ALTRINCHAM SCHOOL EXPANSIONS – FINAL APPROVAL

### Summary

The Council has a statutory duty to provide sufficient school places in its area. To support the achievement of this duty, and to meet any risks in relation to school conditions and access, we have received allocated capital funding of £20.707 million for the two years up to 2015.

A report outlining proposals for the Education and Early Years Capital programme was approved by Executive in June 2013, including recommendations for the expansion of the four schools covered by this report.

There are major capacity demands on Trafford schools that need to be accounted for. Key aspects creating this demand are;

- Demographics - Since 2003-04, the birth rate has been steadily rising and this was reflected in the 2011 Census Data which showed a 25% increase in the 0-5 population in Trafford.
- Housing Developments – there have been some considerable developments in the borough e.g. Stamford Brook and planned schemes contained in the Old Trafford Master Plan, and Core Strategy.
- Outstanding Schools – Schools in Trafford are among the best in the country and comparative information is easily available for parents. Excellent schools combined with housing developments and good transport links are attracting families to Trafford.

To meet identified pressures on primary places in the Altrincham area the LA has proposed the expansion of:

- Bowdon C.E. Primary School to 3 forms of entry (90)
- Broadheath Primary School to 2 forms of entry (60)
- Broomwood Primary School to 2 forms of entry (60)
- Willows Primary School to 1.5 forms of entry (45)

In accordance with the decision of the Executive (E/24.06.13/19), taken on 24<sup>th</sup> June 2013, all the required consultation processes for the expansion of 4 schools in Altrincham have now been completed. We are therefore requesting final approval to proceed with the four schemes.

## Recommendation(s)

That the proposals to expand the 4 schools be approved.

Schedule 3 of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, requires that any determination must be made within the period of two months of the end of the representation period. The grant of planning permission under Part 3 of the Town and Country Planning Act 1990(1) is prescribed in the Regulations as a specified event which (if the approval is expressed to take effect only if they occur) must occur by a date specified in the approval.

Contact person for access to background papers and further information:

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Background Papers: Bowdon CofE Primary School – Consultation Questions and Responses  
Bowdon CofE Primary School – Representations Questions and Responses

Relationship to Policy Framework/Corporate Priorities	Preserving and improving education excellence
Financial	<ul style="list-style-type: none"> <li>• Bowdon C.E. Primary School - £6.2m Basic Need funding has been approved</li> <li>• Broadheath Primary School - £1.511m Basic Need funding has been approved</li> <li>• Broomwood Primary School - £1.05m Basic Need funding has been approved</li> <li>• Willows Primary School - £1.5m Basic Need funding has been approved</li> </ul>
Legal Implications:	The expansion of schools is subject to statutory processes, which will need to be adhered to as appropriate for the scheme. In addition, the LA has statutory duties in relation to the provision of school places, including using its planning powers to secure provision.
Equality/Diversity Implications	Schools are subject to current legislation about equality and diversity. There are no particular implications arising from this report.
Sustainability Implications	School buildings are procured requiring successful contractors to meet required sustainability criteria.
Staffing/E-Government/Asset Management Implications	Expanding schools requires additional staff and ICT provision, which is a matter for the School's Governing Body.
Risk Management Implications	Failure to provide sufficient school places will find the Council in breach of its statutory duty. Failure to provide the expansion at Bowdon C.E. Primary School by September 2015 may find the Council in breach of an agreement with DfE to provide £1.8m targeted basic need funding for this scheme. The funding may therefore be withdrawn.
Health & Wellbeing Implications	Providing suitable school places within a reasonable distance from home for children resident in the Altrincham area.
Health and Safety Implications	All school building work is subject to appropriate current Health and Safety/CDM regulations.

## 1. **Background**

- 1.1 A report on the Education and Early Years Capital Programme was approved by the Executive Committee in June 2013. This report set out pupil place predictions and capacity with recommendations for a number of school expansions in line with those predictions. The data indicated that the demand for places in Trafford schools will continue to increase through to 2016 and beyond. Altrincham was identified as a priority area for expansion as demand will exceed current capacity through to 2016.
- 1.2 Following the approval, the LA instigated the statutory processes and published full proposals for the expansion of the 4 schools referred to in this report. Each proposal contained the required information laid out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and can be viewed through Trafford's website.

## 2. **Legal Position**

- 2.1 It is important to note that the LA has a general duty under section 14 *Education Act 1996* to ensure that there are available in its area, sufficient schools in number, character and equipment to provide for all pupils, the opportunity of appropriate education (s. 14 (2)). This general duty has been characterised as a target duty in *Meade v London Borough of Haringey* [1979], rather than absolute, though the LA must be able to show a reasonable cause i.e., an emergency, as to why it cannot fulfil the duty and it must take all statutory steps to overcome obstacles to its fulfilment (*R v Inner London Education Authority ex parte Ali and Another* [1990] COD 317).
- 2.2 In addition, the Education and Inspections Act 2006 amends section 14 of the 1996 Act by inserting a new subsection (3A) to require LAs in England, when exercising their powers on the provision of schools in their area, under that section, to do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.
- 2.3 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 set out the process which must be followed where the LA proposes the physical expansion of a school.

The statutory process has four stages:

Stage 1	<b>Publication</b>	Statutory Proposals published – 2 <sup>nd</sup> June 2014.
Stage 2	<b>Representation (formal consultation)</b>	Must be 4 weeks, as prescribed in regulations.
Stage 3	<b>Decision</b>	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made within 4 weeks of the decision.
Stage 4	<b>Implementation</b>	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

### **3 Expansion Proposals**

#### **3.1 Bowdon C.E. Primary School**

There is a high demand for places at Bowdon C.E. Primary School in particular; there were 79 first preferences for the 60 available places at the School for 2013 admissions round. For the 2014 admissions round, 200 applications were received, of which 98 qualified as living within the catchment area. One of the 3 parishes that make up the catchment area of the school, the Parish of St Peter's Hale, expanded by 40% in January 2014, adding 3,500 people to the catchment area, including many with young families.

The proposed expansion, which will be accommodated within the existing site, requires:

- the erection of a new two storey school building incorporating new car park, cycle & scooter parking, internal access road with drop off area and the formation of new vehicular access with associated security barriers.
- Provision of a new multi-use games area (MUGA) and an all weather pitch, with retention of existing grass pitches and running track area.
- Provision of new bin storage area
- Relocation of existing before and after school building and relocation of ancillary storage structures/storage containers.
- Associated landscaping throughout, including provision of new security fencing.
- Demolition of the existing school building at the end of the project.

Following further consultation with local stakeholders and Sport England, arrangements are proposed to maximise the availability of public open space for informal recreation and community use whilst retaining the area currently used by the school fenced to provide safe environment for school activities. Both spaces will be maximised for community sports activity, leading to a revised site plan.

A formal planning application was submitted on 29<sup>th</sup> April 2014 and can be viewed through Trafford's Planning Portal. The planning reference number is 82725/FULL/2014. The Application will be considered at the meeting of the Planning Development Control Committee on 14<sup>th</sup> August 2014.

#### **3.2 Broadheath Primary School**

The proposed expansion, which will be accommodated within the existing site, requires:

The erection of a single storey extension to provide a new junior teaching block comprising 4 classrooms; learning resource centre and associated storage and W.C. facilities, following removal of the existing temporary mobile classrooms; erection of single storey infill extension to create 1 additional infant classroom and a single storey extension to the staff room; and the formation of a new car-parking bay to accommodate 10 parking spaces.

A planning application was submitted (82290/FULL/2014) and was approved with conditions on 1<sup>st</sup> May 2014. The application and all documents can be viewed through Trafford's Planning Portal

#### **3.3 Broomwood Primary School**

The proposed expansion, which will be accommodated within the existing site, requires the addition of four new classrooms, with associated resource space, plant, WC, stores and covered play areas, to enable the School to operate as a 2 form entry school.

The new accommodation is planned to be ready for occupation in September 2014. A planning application (82124/FULL/2014) was approved on 22<sup>nd</sup> April 2014. The application and all documents can be viewed through Trafford's Planning Portal

### **3.4 Willows Primary School**

The proposal requires:

- the erection of extensions to the School to provide additional classroom/office facilities
- external alterations and works including extension to car park and external play areas and alteration to vehicular / pedestrian access.
- erection of a cycle/scooter shelter and re-location of the PTA store within external areas.
- Demolition of water tower.

A planning application (82318/FULL/2014) was approved on 14<sup>th</sup> April 2014. The application and all documents can be viewed through Trafford's Planning Portal

## **4. Consultation**

Although there is no longer a prescribed 'pre-publication' consultation period for prescribed alterations, 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 light of this expectation, open consultation evenings were held at each school and all comments and responses received during the consultation process were published on Trafford's website and included in the full proposals. Consultees were advised that any comments received during the development of the proposal would be considered in the final stage of the decision making process.

Notifications of the publication of the full proposals were published in 2 editions of the Trafford Advertiser, on Wednesday 21<sup>st</sup> May 2014 and again on Wednesday 28<sup>th</sup> May 2014. Copies of the proposals were sent to the relevant governing bodies and were published on Trafford's website. Hard copies of the proposal were available on request to any individual.

The publication of the proposals began a 4 week representation period in which consultees and other interested parties were invited to submit comments or objections.

### **4.1 Bowdon C.E. Primary School**

All comments received have been posted on Trafford's website along with any response provided and can be viewed on the website.

Key Themes arising from the consultation/representation have been:

- Traffic congestion and road safety
- Impact on the access to open space
- Detriment to local properties
- Support for an increase in outstanding provision

### **4.2 Broadheath Primary School**

No comments or objections were received during the Representation period.

**4.3 Broomwood Primary School**

No comments or objections were received during the Representation period.

**4.4 Willows Primary School**

No comments or objections were received during the Representation period.

**5. Other Options**

5.1 There are 16 infant/primary schools in the Altrincham area, serving 15 defined areas (catchment areas) across Altrincham. In proposing increases, each school is considered for its relevance to the provision of places within the area it is designated as serving. The feasibility of the current building and the suitability of the site are also considered. As a result of these deliberations, Trafford has already completed the expansion of 3 schools and proposals are underway for a further 5 expansions (4 included within this Report and Oldfield Brow Primary School, where the proposal is still in the development stage).

5.2 2 of the 16 schools already admit 90 children into each year group and would not be considered suitable for further expansion. The feasibility of expansion at Stamford Park Infant and Junior schools have been explored and found not to be suitable for further expansion. This leaves only 5 schools that might be considered for expansion in the future. Therefore the LA considers that these proposals represent the only suitable options to meet the needs of families in the Altrincham area in the future.

**6. Reasons for Recommendation**

6.1 The LA has a general duty under section 14 of the Education Act 1996 to secure in its area sufficient schools in number, character and equipment to provide all pupils the opportunity of appropriate education (s. 14 (2)). The demand for primary school places in the Altrincham area has increased substantially and is predicted to continue increasing. The proposals are made to ensure that the LA can meet the demand for places in the Altrincham area from 2015 onwards.

6.2 To meet the current demand for places in the Altrincham area the LA has taken an emergency measure to admit 75 additional pupils in September 2014. The 75 additional places have been created in 3 schools which are currently proposed to expand; Bowdon C.E. Primary School will admit 30 additional pupils in 2014, Oldfield Brow will admit 30 additional pupils in 2014 and Willows Primary School will admit 15 additional pupils in 2014. These additional places brought the total number of places available in Altrincham to 902. The Department for Education recommends that LAs plan for 5% to 10% surplus places in order to meet the needs of families moving into or within an area. However, the latest analysis shows only 17 vacancies remaining in the Altrincham area with all other places allocated.

**Key Decision** Yes

**If Key Decision, has 28-day notice been given?** Yes

**Finance Officer Clearance** (type in initials)...GB.....

**Legal Officer Clearance** (type in initials).....JLF .....

**[CORPORATE] DIRECTOR'S SIGNATURE** (electronic).....DB

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To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.