

Forward Plan reference number: N/A

Report title: Proposed expansion of Lawford Church of England (VA) Primary School, Manningtree	
Report to: Councillor Ray Gooding - Cabinet Member for Education	
Report author: Clare Kershaw, Director, Education	
Date: 07/09/2020	For: Decision
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County Divisions affected: Tendring Rural West	

1. Purpose of Report

1.1. To report on the responses to the public consultation that closed on 16 July 2020 about the proposals to expand the following school from September 2021:

- Lawford CE Primary School, from 210 places (1 form of entry) to 420 places (2 forms of entry).

2. Recommendations

2.1. That the Director, Education be authorised to publish statutory proposals to expand the following school from September 2021:

- Lawford CE Primary School, from 210 places (1 form of entry) to 420 places (2 forms of entry).

3. Summary of issue

3.1. The Lawford area has experienced a rise in demand for school places in the last few years as a result of births, new housing and families moving into the area. Latest forecasts indicate continued growth in pupil numbers. Additional provision is required to balance future supply and demand for local school places.

3.2. Essex County Council (ECC) has a duty to ensure that there are sufficient school places for children living in the county. In order to do this, ECC monitors birth rates, new housing developments and patterns of parental preference across groups of schools. This information is used to forecast pupil numbers.

3.3. The following table shows the potential deficit of Reception places over the next five years in Tendring Primary Schools Planning Group 6, as shown in ECC's "10 Year Plan – Meeting the demand for school places in Essex - 2020 to 2029". The planning group includes Ardleigh St Mary's CE Primary School,

Highfields Primary School, Lawford CE Primary School and Mistley Norman CE Primary School:

Year to be admitted to Reception	2020/21	2021/22	2022/23	2023/24	2024/25
Total number of Reception places	110	110	110	110	110
Predicted requirement for Reception places including potential pupils from new housing	114	120	119	127	132
Predicted deficit with potential pupils from new housing	-4	-10	-9	-17	-22

- 3.4. The forecasts indicate that over the next four years there will be a significant deficit of Reception places in primary schools in the planning group, with up to one form of entry (1FE or 30 additional pupils) of additional Reception places required. Longer term forecasts indicate that there will be further growth in the area, with the deficit potentially rising to more than one form of entry. The number of children registered with a GP will continue to be monitored, as will the actual numbers of pupils in schools.
- 3.5. Much of the increase in demand for primary school places will be caused by the new housing development being built adjacent to the school site. ECC has been working closely with the developer to make sure that the proposed school expansion takes account of the new housing.
- 3.6. A stated priority of “Essex Organisation Strategy 2017-2021” is to “offer children good economic prospects, by providing an outstanding education in Essex”. ECC is under a duty to promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child’s educational potential. It must also ensure that there are sufficient schools in the county to promote diversity and increase parental choice.
- 3.7. ECC’s proposal to expand Lawford Primary School is intended to ensure that local children have the opportunity to access a local school. The school is popular and is rated “Outstanding” by Ofsted. Expansion of the school will provide more places to meet the growing demand in the Lawford area and will enable more parents to gain a place for their child at a popular, high performing school.
- 3.8. In considering the proposal to expand the school, the impact on other local schools has been considered. The expansion is not expected to have any detrimental impact upon other local schools as it responds to increased demand within the area. Phased growth should ensure there is no disproportionate impact upon any other school.

3.8.1. A viability study was undertaken. The study confirmed that, with appropriate new build and modifications to the existing school layout, the site is large enough to accommodate additional pupils. The management team and governing body have agreed that this would be a positive development for the school.

3.8.2. ECC is confident that the school's standards will not drop as a consequence of expansion. Lawford is an "Outstanding" school as rated by Ofsted. Standards are monitored carefully at ECC maintained schools and if necessary, support will be given to the schools to ensure standards remain high. Class sizes will not increase as a result of the expansion.

3.9. Scope of Proposed Project

3.9.1. Expanding Lawford Primary School to 420 places will require the construction of a new two storey standalone teaching block adjacent to the existing school building, providing eight additional classrooms, a library and two additional SEN rooms. In addition, there would be internal remodelling of the original school building to provide a studio hall, and externally new scooter and cycle parking and a new multi-use games area.

3.9.2. The new teaching block will have a public reception area facing onto a car parking area which has been built as part of the new housing development. The developer has located car parking here as a community asset which will allow parents to drop off and pick up their children more safely, away from the main road. This will ease traffic congestion on the road.

3.10. Consultation

3.10.1. ECC conducted a consultation on the proposed expansion between 18 June 2020 and 16 July 2020. Consultation documents were made available online and sent to interested parties via email; copies distributed to parents of children at the school by the school; and the consultation publicised in the local newspaper. Responses to the consultation could be made via an electronic response form, letter or email. Public meetings are normally held during the consultation period but because of Covid-19 it was considered inappropriate to hold them for this consultation process. The response rate and wide range of respondents outlined below suggests that this did not affect the openness and transparency of the process.

3.11. Written Responses to Consultation

3.11.1. A total of 81 electronic responses and two email responses were received during the consultation period. The analysis of the responses by category (as identified by the respondents) is as follows, which shows that the consultation reached a range of different stakeholders:

Category of Respondent:	Total	%
Parents/ carer	32	38.6%
Member of staff (school in consultation)	14	16.9%
Governor of school in consultation	0	0.0%
Elected representative	3	3.6%
Local resident (s)	22	26.5%
Not known	0	0.0%
Other	12	14.5%

3.11.2. A breakdown of the number of written responses for and against the proposal is as follows:

For/ Against Proposal	Total	%
In Favour	53	63.9%
Neutral	0	0.0%
Not in Favour	30	36.1%
Grand Total	83	100

3.11.3. A summary of the responses to the consultation has been sent to the school along with the breakdown of the responses. The summary of responses is included in the background papers. The school's governing body has confirmed that it is content to continue with the request for expansion following consideration of the consultation responses.

3.11.4. Lawford CE Primary School is a Church of England voluntary aided school. The Chelmsford Diocese did not respond to the consultation but have been involved in discussions with officers about the proposed expansion and have raised no objections.

3.11.5. The positive responses to the consultation included:

- There has been a rapid increase in new housing in the area and the proposed expansion will help ensure that children living in the catchment area can attend their nearest school;
- Access to the new car park will be a great benefit to parents and will ease congestion on the main road.
- The additional Special Education Needs and Disability ("SEND") facilities will be greatly beneficial to children at the school.

3.11.6. ECC agrees with all these points.

3.11.7. The negative responses to the consultation included:

- There are other schools in the area that are not full, such as Mistley Norman, and there is therefore no need to expand Lawford;
- Lawford works well as a 210-place school and expanding it would mean it would lose its character and ethos;
- Highfields Primary School should be expanded rather than Lawford. It is oversubscribed, was designed to be expanded up to 420 places, and expanding it would be cheaper and easier than expanding Lawford;
- There is already traffic congestion outside Lawford (on Long Road, the B1352) and expanding the school would make it worse;
- Building work would disrupt existing children at Lawford who have already had severe disruption due to Covid-19.

3.11.8. A summary of the electronic responses, along with individual responses received, is included as Appendix A to this report.

3.11.9. ECC responses to the negative points are as follows:

- *Other schools aren't full* – the predicted deficits in the pupil number forecasts take account of the total number of existing Reception places at the four primary schools in the planning group, Ardleigh St Mary's, Highfields, Lawford, and Mistley Norman. The forecasts therefore suggest that all four schools will be full in future Reception intakes. Without any additional places being provided there will be children in the area who would not be able to be offered a place at any of them. Because the new housing is located very close to Lawford this is the logical school to expand
- *Danger of Lawford losing its character* – Lawford has 210 pupils on roll at present, and the expansion proposal would double this to 420 in total. However, this increase would be incremental with 30 additional Reception age children each year and the headteacher and governors are committed to ensuring that all children in future years can experience the same learning and developmental opportunities as they have in the past
- *Highfields should be expanded* – it is feasible to expand Highfields, and it is also a popular and successful school. However, it is only possible to expand Highfields by ½FE (an additional 15 pupils) each year. The forecasts clearly show that more than 15 additional places will be required, and this need could increase to over 30. Expanding Highfields would therefore not create enough additional school places to meet the predicted need. In addition, Highfields is further away from the new housing and would be less convenient for parents, potentially leading to increased car use and traffic congestion;
- *Traffic congestion will become worse* – the proposed expansion should reduce traffic congestion on Long Road as there will be a new entrance to the school where parents can drop children off and they will not need to park on the road to do so. Parents on the new developments will be within easy walking distance of Lawford and the existing entrance to the school will be kept open for pedestrian access, meaning that parents will easily be able to walk to the school from the existing housing in the area.

- *Building work is disruptive* – all building work is disruptive to schools to a degree. However, ECC employs building contractors who are used to working with schools and who will liaise with the school to minimise disruption. The main construction will be the new teaching block. As this is separate from the existing school buildings it will be able to be cordoned off and work can progress separately from the school. The proposed internal remodelling to the existing school building will be carried out during school holiday periods where possible to minimise disruption.

3.11.10. Two responses were received from Highfields Primary School, one from the headteacher and one from governors. These responses suggested that Highfields would be a better choice for expansion than Lawford. These responses, along with ECC's replies to them, are included in the background papers.

4. Options

Option 1 (recommended) – Publish the statutory proposal to expand the school

- 4.1. This proposal is part of the overall strategic response to the need for additional school places in Lawford as set out in the 10 Year Plan. The expansion of Lawford Primary School will provide additional capacity in the area and will provide the opportunity to meet a higher number of parental preferences.
- 4.2. ECC's proposal to expand Lawford is intended to ensure that local children have the opportunity to access a local school. The school is popular and is rated "Outstanding" by Ofsted. Expanding the school will enable more parents to gain a place for their child at a popular, high performing school. Other schools in the planning group are further away from the new housing and expanding them rather than Lawford could lead to more unnecessary car journeys.
- 4.3. The responses to the consultation revealed support for the proposal in terms of providing additional places at a popular and successful school. They also showed support for the new access onto the school site with the new nearby car park contributing to easing congestion on the main road.

Option 2 (not recommended) – Expand both Highfields and Lawford primary schools

- 4.4. An additional 1FE of primary school capacity is required in the area. As noted above it is feasible to expand Highfields by ½ FE and it would also be possible to expand Lawford by ½ FE to provide the 1FE needed. However, two building projects would inevitably be more expensive than a single project. In addition, parents on the new housing developments may not be able to get a place at their local school if it was only expanded by ½ FE which could increase the number of car journeys in the area. This is therefore not the recommended option.

Option 3 (not recommended) – Do nothing

- 4.6 The option to do nothing is not reasonable and prevents the expansion of Lawford Primary School. There is a need to increase pupil places. The proposed expansion of Lawford Primary School is a solution to meet the continued increase in demand for school places and for ECC to meet its statutory duty to provide a school place for every child.
- 4.7 Should additional places not be delivered for September 2021 there is a significant risk that children will be without school places in their local area, that longer journeys will need to be made between home and school in order to find alternative schools with spaces and that in an increased number of cases parental preference will not be satisfied.

5. Issues for consideration

5.1. Financial implications

- 5.1.1. There are no financial implications as this decision is only to publish statutory proposals. However, before any expansion proposal can proceed, a further decision must be taken which would outline the financial implications for that particular scheme.

5.2. Legal implications

- 5.2.1. Lawford CE Primary School is a Voluntary Aided school. The regulations governing this expansion proposal are the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, which requires a local authority to publish a statutory proposal where it proposes to increase pupil numbers in an aided school.
- 5.2.2. The process for publishing statutory proposals for maintained schools is set out in the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 5.2.3. There is no prescribed 'pre-publication' consultation period for prescribed alterations, but Department for Education guidance makes it clear that there is a strong expectation on schools and local authorities to consult interested parties in developing their proposals prior to publication, as part of their duty under public law to act rationally and take into account all relevant considerations.
- 5.2.4. Notice of the consultation was given in the Harwich and Manningtree Standard newspaper on 18 June 2020. Details of the representations received during the consultation period are included in the background papers. The Council is satisfied that the consultation process is sound and compliant with all

procedural requirements, accounting for necessary logistics adjustments due to the COVID-19 situation at the time of consultation.

6. Equality and Diversity implications

- 6.1. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful;
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not;
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 6.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 6.3. The equality impact assessment (Appendix B) which has been carried out indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

7. List of appendices

- 7.1. Consultation responses (Appendix A)
- 7.2. Equality Impact Assessment (Appendix B)

8. List of Background papers

- 8.1. Consultation document

I approve the above recommendations set out above for the reasons set out in the report.	Date 22/09/20
Councillor Ray Gooding, Cabinet Member for Education	

In consultation with:

Role	Date
Executive Director for Corporate and Customer Services (S151 Officer)	N/A

Margaret Lee	
Director, Legal and Assurance (Monitoring Officer)	14/09/20
Laura Edwards on behalf of Paul Turner	