

<b>Report title:</b> Proposed expansion of Stebbing Primary School, Uttlesford to increase capacity to take additional pupils from September 2020.	
<b>Report to:</b> Councillor Ray Gooding - Cabinet Member for Education and skills	
<b>Report author:</b> Clare Kershaw, Director, Education	
<b>Date:</b> 13 February 2020	<b>For:</b> Decision
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<b>County Divisions affected:</b> Thaxted	

## **1. Purpose of Report**

- 1.1. To report on the responses to the public consultation that closed on 5 February 2020 regarding the proposal to expand Stebbing Primary School on a phased basis from 140 places to 210 places (1 form of entry) from September 2020.

## **2. Recommendations**

- 2.1. Agree that the Director, Education is authorised to publish statutory proposals to expand Stebbing Primary School from 140 places to 210 places (1 form of entry) from September 2020.

## **3. Summary of issue**

- 3.1. Uttlesford district has experienced a rise in the demand for primary school places in the last few years as a result of rising birth rates and housing development. Latest forecasts indicate continued growth in pupil numbers within the area, meaning that additional provision is required to balance future supply and demand for places at local primary schools.
- 3.2. Essex County Council (ECC) has a duty to ensure that there are sufficient school places for children living within its administrative border. In order to do so it monitors birth rates, new housing developments and patterns of parental preference across groups of schools. This information is then used to forecast pupil numbers and to ensure there are sufficient school places across the county.
- 3.3. The following table, which was included in the consultation document, shows the potential deficit of school places over the next five years across the Felsted planning group of schools (Felsted Primary, Flitch Green Primary and Stebbing Primary):

Year to be admitted to reception	2020/21	2021/22	2022/23	2023/24	2024/25
Total number of reception places	90	90	90	90	90
Predicted requirement for reception places	88	89	91	93	94
Predicted requirement for reception places including potential pupils from new housing	95	97	100	103	104
Predicted surplus or deficit including potential pupils from new housing	-5	-7	-10	-13	-14

- 3.4. Five additional places have been created within the Felsted planning group since the above forecasts were made. However, the latest iteration of “*The 10 Year Plan for Meeting the Demand for School Places in Essex 2020-2029*” (published last month) shows that the deficit of places actually becomes more acute going forward, rendering the supply of 95 Reception places inadequate for local need. The number of children registered with a GP will continue to be monitored, as will the actual numbers of pupils in schools, and further solutions developed as necessary.
- 3.5. Work is already underway to identify options for additional places in existing schools, and further solutions will be developed with the schools as necessary.
- 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 Stebbing Primary is intended to ensure that local children have the opportunity to access a local school. The school is popular and oversubscribed, and is rated “Good” by Ofsted. Expansion of the school will provide more places to meet the growing demand in the 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. It is not expected to have any detrimental impact upon other local schools as it responds to increased demand within the area. Whilst phased growth should also ensure no disproportionate impact

upon any other school, the other two schools within the Felsted planning group are not themselves suitable for an expansion.

### Consultation

3.9. A public consultation on the proposed expansion was conducted by ECC between 8 January 2020 and 5 February 2020, with consultation documents being made available online and sent to interested parties via email; distributed to parents of children at the schools by the schools; and information sessions at the school arranged on 21 January 2020 at 2.30pm and 6.00pm, which were publicised on line and in the local paper, as well as on the noticeboard of Stebbing Primary School. Responses to the consultation could be made through the organised information sessions and/ or via ECC's on-line consultation response portal (Citizen Space), and by letter or email.

3.10. A total of 28 responses were received during the consultation period. The analysis of the responses by category (as identified by the respondents) is as follows:

Category of Respondent:	Total	%
Parents/ carer	21	75%
Member of staff (school in consultation)	1	3.6%
Governor of school in consultation	0	0%
Local resident (s)	4	14.3%
Elected representative	1	3.6%
Other	1	3.6%

3.10.1. A breakdown of the number of responses for and against the proposals is as follows:

For/ Against Proposal	Total	%
In Favour	7	25%
Neutral	0	0
Not in Favour	21	75%
<b>Grand Total</b>	<b>28</b>	<b>100</b>

3.10.2. ECC received 27 comments as part of the consultation. The reasons given for opposing the expansion of Stebbing Primary School included:

- increased traffic bringing with it associated congestion problems;
- parking issues (related to the above);
- housing development being opposed in the village;
- a perceived intention on the part of the County Council to turn Stebbing into 'a small city';
- inadequate hall space for lunchtimes and whole school assemblies;

- a perceived detrimental impact on the school's capacity to deliver SEN provision;
- disruption caused by overrunning building works;
- perceived educational and social development advantages for pupils by retaining mixed-age classes;
- a wish to retain a 'small school' environment.

- 3.11 The strength of feeling against this proposal from survey respondents is not underestimated. Similar concerns were raised at the two public engagement sessions on 21 January 2020 (attended by five community members, as well as governors and school staff), where ECC explained that traffic issues were a known 'risk' within the project that ECC would seek to mitigate, together with the school. Whilst no 'road widening' scheme seemed probable, other measures could be explored that would help manage those pinch points within the school day; the school would need to be innovative and the parents co-operative in order to implement a workable solution.
- 3.12 As is common with most school expansions that ECC undertakes, the expansion of Stebbing Primary has given rise to anxieties over traffic levels around the school, with an associated assertion aired at the public engagement session that this expansion is intended to accommodate non-village children. However, it is recognised that the pupils coming from beyond the village are predominantly in the upper age range of its current roll, so should the school expand to one form of entry then the long period over which it does so will allow those children to complete the primary phase of education and leave after Year 6. Whereas the Reception intake will be composed of local children who, if nothing changes and the school does not expand, will not be able to attend their village school.
- 3.13 Other common concerns raised during the public engagement were the loss of outdoor space and insufficient hall space to accommodate a whole school assembly. It was explained that ECC worked to national guidelines around space requirements in schools, and that Stebbing Primary School was judged to have sufficient hall space under those guidelines (taken together, its existing hall and the studio space that had been delivered as part of an earlier project were compliant in size for a 1fe primary school) and that the Multi Use Games Area (MUGA) which will be installed as part of the expansion scheme re-provided the lost space upon which the two-classroom block was proposed to stand.
- 3.14 A teacher who spoke at a public engagement session did so in favour of removing mixed age teaching from Stebbing Primary School, and the advantages that would bring to members of the teaching staff in terms of the structuring/ focus of lessons. There is no reason to believe that teaching a single, age-appropriate curriculum within each classroom would be outweighed by the social development advantages to children of mixed age classes.
- 3.15 With regard to the consultation response on potential disruption of the building works, ECC will utilise off-site construction methods to deliver the required buildings, which will minimise disruption on site and construction traffic to the

site. This was explained at the public engagement session when the concern as raised.

## Conclusions

- 3.16 The consultation with all interested parties that has been undertaken in respect of the proposal to expand the school and the responses received show significant opposition to the proposal, many of which cite non-educational concerns. Furthermore 20 of the 21 objections to the proposal were received after midday on the final day of consultation (5 February 2020), and this strength of opposition was not evident at either of the community engagement sessions, which would have been an opportunity for those opposing the proposal to hear responses to their concerns that have been raised so late into the consultation window.
- 3.17 ECC has a duty not only to consider the views of current parents/ carers whose children attend Stebbing Primary School, but also those that will enrol in the future. There is a need to supply additional capacity to accommodate local children in the village, and expanding the village school is the only way that those children will be served. Further, school funding being increasingly pupil-led, whether smaller schools can remain viable is a regular consideration that ECC must make. The proposed size of the expanded school (1fe) is still markedly smaller than the Department for Education would regard as viable. However, the proposed expansion would still make a considerable contribution to ensuring that Stebbing Primary School remains an option for parents in the village going forward.
- 3.18 Representatives of the school were informed of the results of the consultation on 7 February 2020 and no request was made to change the proposal to expand the school.
- 3.19 A question asked during the public information sessions was around where on the existing site the additional classroom block would be located. It was explained that the proposal was for the new build to be at the north west of the school site, but this was subject to planning approval. And at that time, many of the non-educational objections raised whilst consulting upon the principle of expanding Stebbing Primary School will be addressed.

## **4. Options**

### **Option 1 – Agree to publish the statutory proposal to expand the school (recommended option)**

- 4.1. This proposal is part of the overall strategic response to the need for additional school places in Uttlesford across the whole of the ten year period as set out in the 10 Year Plan. The expansion of Stebbing Primary School will provide additional capacity (and thereby create an opportunity to meet a higher number of parental preferences from local parents), and will also give ECC some latitude to provide additional space higher up the school (should that prove

necessary) until a new primary provision can be delivered to serve Great Dunmow.

- 4.2. Stebbing Primary School is popular and delivers high quality education, and offering the permanent expansion ensures that there are sufficient places for local children who would otherwise be turned away should its Published Admissions Number remain at 20.
- 4.3. ECC's proposal to expand Stebbing Primary is intended to ensure that local children have the opportunity to access a local school. The school is popular and oversubscribed, and is rated "Good" by Ofsted. Expanding the school will enable more parents to gain a place for their child at a popular, high performing school. It will also allow the curriculum to be delivered without the need for mixed age classes, provide a significant investment in the learning environment for children on the school roll and improve the school's financial viability going forward (on the basis that school funding will continue to be and become increasingly driven by the number of pupils in the school).
- 4.4. Some responses to the consultation also revealed measured support for the proposal in terms of providing additional places at a popular and successful school, so providing additional places at Stebbing Primary will help to cater for this local demand. Local children will therefore not need to travel to schools further away from their home addresses.
- 4.5. Option 1 is the preferred option.

#### **Option 2 – do nothing**

- 4.6. The option to do nothing is not reasonable and prevents the expansion of Stebbing Primary School. There is a need to increase pupil places and the proposed expansion of Stebbing Primary School is a viable solution to meet the continued increase in demand for school places in the Felsted Planning Group and for ECC to meet its statutory duty to provide a school place for every child requiring one within its administrative border.
- 4.7. Should additional places not be delivered for September 2020 then 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, there is funding set aside in the 2020/21 Capital Programme should this expansion proceed. 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 Stebbing Primary School is a community 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 a maintained 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 public sessions at the school was given in the Saffron Walden Reporter (which covers the school's postcode) on 16 January 2020. Details of the representations received during the consultation period are included in the background papers.

## **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 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. Equality Impact Assessment

**8. List of Background papers**

8.1. Consultation document

8.2. Consultation responses summary document

<b>I approve the above recommendations set out above for the reasons set out in the report.</b>	<b>Date</b>  04.03.20
<b>Councillor Ray Gooding, Cabinet Member for Education</b>	

**In consultation with:**

<b>Role</b>	<b>Date</b>
<b>Executive Director for Finance and Technology (S151 Officer)</b>	27.2.20
<b>Stephanie Mitchener on behalf of Nicole Wood</b>	
<b>Director, Legal and Assurance (Monitoring Officer)</b>	13.2.20
<b>Katie Bray on behalf of Paul Turner</b>	