

## Individual Cabinet Member Delegated Decision

**COUNCILLOR**                      Laura Mayes

**CABINET MEMBER FOR:** Children's Services

**OFFICER CONTACT:**        Clare Medland, Head of School Place Commissioning  
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**REFERENCE:**                      CS-01-18

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### **Statutory Notice for the enlargement of Lea and Garsdon CE Primary School, Lea, Wiltshire, SN16 9PG**

#### **1.     Purpose of Report**

To ask the Cabinet Member to approve the statutory proposal published by Wiltshire Council and the governing body of Lea and Garsdon CE Primary School on 9<sup>th</sup> November 2017. The notice proposes the enlargement of the school to provide a 1 Form of Entry (1FE), 210 place primary school and to permanently increase the Planned Admission Number (PAN) to 30 with effect from September 2019 (subject to planning approval).

#### **2.     Relevance to the Council's Business Plan**

The Local Authority has a statutory duty to ensure effective school organisation and sufficient school places are provided across the Council area.

#### **3.     Main Considerations for the Council**

The LA has a statutory duty to provide sufficient school places across Wiltshire and projections indicate a need for an additional 0.5 Form of Entry (up to 120 places) in the Malmesbury locality. The additional places are required in September 2019 and S106 capital resources have been secured to deliver the new provision. Work has been undertaken to establish the best way of providing the additional places without adversely impacting on the sustainability or viability of other schools in the locality.

#### **4.     Background**

In February 2015, the Malmesbury Neighbourhood Plan was published and indicated the proposed expansion of Malmesbury CE Primary School as the preferred way to provide additional primary school places in the town. Malmesbury CE Primary is a popular and successful 2FE (420 place) academy.

The LA confirmed that there was a projected demand for a 0.5 Form of Entry (up to 120 additional places) and that the Council would secure the capital resources to provide the places. Discussions with the school commenced in 2015 regarding the proposed expansion by 0.5FE, however despite numerous meetings over a period of 2 years, to

try and find a solution regarding the expansion, Malmesbury CE Primary made the decision that the school was not prepared to expand by a 0.5 Form of Entry (FE) only.

Following the decision taken by Malmesbury CE Primary School, it was agreed that the LA would investigate alternative options to establish how sufficient primary school places could be provided in the locality with the limited resources available. There are no other primary schools in Malmesbury town that can be expanded. The further options considered were

- Option 1 - the expansion of Lea and Garsdon CE Primary School
- Option 2 - the relocation and expansion of Lea and Garsdon CE Primary onto the new Filands site in new build (disposing of old site and using proceeds)
- Option 3 - the possibility of a new Free School on the Filands site.

Feasibility work was undertaken on all three options and cost estimates prepared. All are feasible (although Option 3 is unrealistic as the demand for places does not justify a new school and this could not be delivered for 2019). Relevant stakeholders have been consulted on the options.

Following a review of the options including the possible impact on admissions and transport going forward, Option 1 is the preferred way forward as a project that can be delivered in a timely way, within the budget available and is supported by the local community. The options are expanded at Paragraph 14 below.

### Consultation

An informal consultation with schools, local Councillors, the Diocese of Bristol, the local Parish Council, and relevant stakeholders in the local community took place between 4<sup>th</sup> July 2017 and 15<sup>th</sup> September 2017 and the majority of responses received (92%) were supportive of Lea and Garsdon CE Primary School expanding on its existing site. For further information please see Appendix B. Whilst supportive, there were comments of concern related to traffic, carparking and bus drop off facilities at the school. If the decision is taken to proceed, these matters will be addressed through the planning process, when local residents, will have chance to comment further on the proposals.

A formal Statutory Notice was published on 9<sup>th</sup> November 2017 and closed 4 weeks later on 7<sup>th</sup> December 2017. A total of 7 responses were received mostly indicating a preference for places to be provided in Malmesbury town, and these included objections from Malmesbury CE Primary School and Malmesbury Town Council. More information is available at Appendix B.

## **5. Overview & Scrutiny Engagement**

Not applicable

## **6. Safeguarding Implications**

All school projects are designed to ensure that schools provide safe and secure places for children and young people in the local community. If a decision was taken not to extend a school to meet demand in a local area then there is a risk that young people would need to be transported to schools a long distance from their locality leaving the more vulnerable due to the distance they are from home.

## **7. Public Health Implications**

The development of quality school accommodation and improved site infrastructure at Lea and Garsdon CE Primary School will provide a range of sports facilities for pupils, staff and the local community including a primary activity hall, hard games courts and a grass sports pitch. The investment in school sites provides the opportunity for young people in the community to participate in sports and thereby promotes healthy behaviours and practices in the population.

## **8. Procurement Implications**

Responsibility for commissioning approved capital building projects rests with the Council's Property Services Team. Responsibility for approving related procurement activity rests with the Corporate Procurement and Commissioning Board (the Board). This decision will require the procurement of a works contract to deliver school place capacity and the procurement of an area of land adjacent to the school to ensure the school site is of suitable size.

## **9. Equalities Impact of the Proposal**

Through detailed planning and effective design, officers continue to ensure that all accommodation improvements promote and deliver equality of opportunity and access to facilities.

The Equalities Act 2010 states that reasonable adjustments must be taken into consideration in design. By adopting compliant design principles, and ensuring all schemes meet Building Regulations it should be possible to eradicate disability access difficulties and discrimination in the new extension and rationalisation of existing school buildings.

The Local Authority has a duty and responsibility to provide sufficient mainstream school places to meet demand arising from all areas of the community.

## **10. Environmental and Climate Change Considerations**

In all education-related capital investment schemes, officers continue to work with establishments to develop and enhance the learning environment taking account of sustainability and environmental impact, including the move towards reducing carbon emissions from schools for the benefit of pupils, staff and the community.

Although schools are no longer subject to the Carbon Reduction Commitment (carbon tax payable by large energy consumers), with ever increasing energy prices, every effort will be made through the design process to reduce lifetime running costs of new buildings.

## **11. Risk Assessment**

### **Risks that may arise if the proposed decision is not taken**

- (a) If the decision is not taken, then there will be a short fall of primary school places in the Malmesbury locality from September 2019 and an increasing number of parents/carers will not be able to secure a place for their child in a local school.

- (b) An urgent temporary solution would be required to provide additional places to meet the demand from new housing.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

- (a) There is a risk that there will be additional transport costs associated with the provision of more places at Lea & Garsdon CE Primary School, however there is already a daily school bus service provided for children who attend the school but live in Malmesbury and therefore the extra demand will be through expansion of an existing service rather than procuring a new service.
- (b) There is a financial risk that capital costs could increase and exceed the funding envelope agreed. To mitigate this, the project brief and specification will be in line with policy and the project management and design teams will ensure that where possible, value engineering exercises are undertaken to reduce costs and keep within budget.
- (c) There is a risk that the project could be delayed due to unforeseen circumstances. The timelines will be closely monitored on a monthly basis to avoid slippage where at all possible.

## **12. Financial Implications**

The provision of 0.5FE (up to 120 additional places) for Malmesbury was approved in the School Capital Infrastructure Report in January 2017.

A capital budget of £2.513m has been agreed for the provision of the additional primary places. This funding is being met from £1.312m S106 developer contributions and £1.201m basic need allocations.

## **13. Legal Implications**

The Council has a duty to secure that sufficient school places are available in their area. These proposals will contribute to meeting that duty. There is a prescribed process that has to be followed where it is proposed to increase the size of a school by more than a specified number of pupils. These proposals fall within those requirements and the relevant public notice has been given. The Council has a duty to consider any representations received as a result of that notice before making a determination to approve or reject the proposal. Any approval may be made conditional on the grant of planning permission or other prescribed matters.

## **14. Options Considered**

Option 1 – Expansion of Lea and Garsdon CE Primary School on its existing site to provide the 0.5FE additional places required. This option is deliverable although the resulting site size will be below recommended guidelines. A solution to this would be to secure a small amount of additional agricultural land adjacent to the school boundary which would enable the school to secure sufficient playing field space for the 1FE school. Initial discussions with the adjacent landowner on this matter are ongoing and favourable. The estimated cost of this option including securing the additional land is expected to be achievable within the budget available. *This is the schools preferred option.*

Option 2 – Build a new 1FE primary school building on the Filands site, and to relocate the Lea and Garsdon CE Primary School onto the new site in a new building. The existing Lea and Garsdon site would then be disposed of (subject to planning constraints) and any proceeds allocated towards the cost of the new school. The estimated cost of this option is substantially more than the budget available, the value of the existing site is expected to be limited by planning constraints, and the Diocese would need to give approval to release any receipt. Relocating to Filands may also create more admissions and allocation of places issues. *The school are not in favour of this option.*

Option 3 – Build a new 1FE or 2FE primary school on the Filands site, and leave Lea and Garsdon CE Primary at its current size and location. The estimated cost of this option would be significantly more than the budget available and would provide far more places than those required. If the LA wanted to provide more places than the demand requires we would look to expand Malmesbury CE Primary School. So, whilst feasible, this option is unrealistic and cannot be recommended at this time.

**Option 1** is the preferred way forward as a project that can be delivered in a timely way, within the budget available and is the schools preferred way forward, subject to securing the extra strip of land.

## **15. Reason for Proposal**

The LA has a statutory duty to provide sufficient school places across Wiltshire and projections indicate a need for an additional 0.5 Form of Entry (up to 120 places) in the Malmesbury locality. Option 1 being the expansion of Lea and Garsdon CE Primary School on its existing site is the best alternative solution to providing the required places in a timely way.

If a larger number of school places were to be provided in Malmesbury, then this would be likely to have an adverse impact on the viability and sustainability of some smaller rural schools in the locality.

## **16. Proposal**

To approve the statutory proposal published by Wiltshire Council and the governing body of Lea and Garsdon CE Primary School on 9<sup>th</sup> November 2017. The notice proposes the enlargement of the school to provide a 1 Form of Entry (1FE), 210 place primary school and to permanently increase the Planned Admission Number (PAN) to 30 with effect from September 2019 (subject to planning approval).

Appendix A – Statutory Notice

Appendix B – Informal Consultation Responses (summary)

Appendix C - Consultation Letter July 2017

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The following documents are available from the officer named above:

Feasibility Study - Expansion of Lea & Garsdon CE Primary School

Feasibility Study - Expansion and relocation of Lea & Garsdon CE Primary School to Filands school site

Feasibility Study - Providing a new 1FE or 2FE primary School on Filands school site.

## Appendix A

### STATUTORY NOTICE

#### **Wiltshire Council Statutory Notice for a proposed enlargement to Lea & Garsdon CE Primary School, Lea, Wiltshire, SN16 9PG.**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Wiltshire Council intends to make a prescribed alteration to Lea & Garsdon CE Primary School, The Street, Lea, Wiltshire, SN16 9PG from 1st September 2019.

Wiltshire Council proposes to enlarge the premises of Lea & Garsdon CE Primary School by admitting an additional 9 pupils into the Reception year from September 2019. This will be accommodated through phased building works to provide purpose built new accommodation (subject to the receipt of planning permission).

The current capacity of the school is 150 and the proposed capacity will be 210, an increase of 60 places. The April 2017 School Census gave the number of pupils aged 4 to 11 registered at the school as 119. The current admission number for the school is 21 and the proposed admission number will be 30.

It is proposed to permanently increase the Published Admission Number (PAN) from 1 September 2019, when an increase of 9 additional pupils will be admitted into the Reception Year. Up to 9 Reception age pupils will be admitted in each subsequent year. Building work will be undertaken (subject to receipt of planning permission) and the new facilities implemented by Wiltshire Council as part of the Capital Programme.

#### **Access to copies of the full proposals**

This Notice is a brief extract of the full related proposals, which are available to view on the Lea & Garsdon School website at [www.leagarsdon.wilts.sch.uk](http://www.leagarsdon.wilts.sch.uk) Paper copies of the full proposals can also be obtained upon request from School Buildings and Places Team (ref: Lea & Garsdon) Wiltshire Council, County Hall, Trowbridge, BA14 8JN.

#### **Comments on, or objections to, the proposals**

Any person or organisation may object to, or comment on, the above related proposals by sending them to School Buildings and Places Team, Wiltshire Council (ref: Lea & Garsdon), County Hall, Trowbridge, BA14 8JN **within 4 weeks** of the date of publication of this Notice, namely **by 7 December 2017**.

All statutory consultation requirements relating to these proposals have been complied with.

**Signed: Mr Ian R Gibbons**



**Solicitor to the Council**

**PUBLICATION DATE: 9 November 2017**

## Informal Consultation Responses

## Appendix B

Table shows responses received by closing date of 15<sup>th</sup> September 2017

Expansion of Lea and Garsdon CE Primary School would mean we could:	Strongly Agree	Agree	Neither agree nor disagree	Disagree	Strongly Disagree	Don't know
Improve educational facilities and opportunities for pupils	9	1				
Help meet the growing demand for school places:	8	2				
Offer more places to pupils within the Malmesbury area	8	1	1			
I support the proposal:	8	2				

- In total, 13 responses were received to the initial consultation, 10 on the feedback form (as shown in the table above) and 3 via email.
- Of the 13 responses, 12 were in support of the proposal (92%).
- Whilst the majority of responses were very supportive there were comments of concern in relation to
  - Traffic, car-parking and bus drop off
  - Ensuring the school maintained sufficient playing field space
  - Ensuring accommodation was improved

### Responses to the Published Statutory Notice – Seven (7) received

- 1No. response was from a parent raising questions about admissions and whether any changes would be made to the catchment area of the school.
- 1No. response was from a local resident raising concerns about the school site size and impact on traffic and parking.
- 1No. response was from a retired resident suggesting a complete new school for Malmesbury would be a better option.
- 1No. response was from neighbouring residents of the school, seeking more clarification about the proposals.
- 1No. response received from Malmesbury Town Council asking the LA to re-open discussions with the Malmesbury CE Primary School.
- 1No. response received from Malmesbury CE Primary School – objecting to the proposal.
- 1No. response received late was from a local resident objecting to the proposal on a wide range of issues.

17 July 2017

Commissioning, Performance and School  
Effectiveness  
Children's Services  
County Hall  
Trowbridge  
Wiltshire  
BA14 8JN

Our Ref.: CM/LG2017

Dear Parent/Resident

## **Proposed Expansion of Lea and Garsdon Church of England Primary School**

### ***Background***

The LA has a statutory responsibility for ensuring sufficient school places in an area. Malmesbury and its wider community is running out of primary school places to meet the demand arising from local housing growth. At the present time there is insufficient demand for a new school, however we do need to provide up to 120 places (0.5 Form of Entry) in order to meet the projected demand in the area. Following a review of sites and provision in the area, it is proposed that Lea and Garsdon CE Primary School, be expanded on its existing site, to offer the additional places required. The following schools serve the town.

Lea and Garsdon CE Primary School  
Malmesbury CE Primary School  
St. Joseph's Catholic Primary School

Even without the addition of housing there is pressure on primary pupil places in the town schools. This situation is currently eased by parents sending their children to schools on the out skirts of the town, predominantly to Lea and Garsdon CE Primary School. The Core Strategy identified 1,395 houses to be built in the Malmesbury community area. Some have already been built and the remaining housing is predicted to generate a further 137 primary aged pupils over the next few years.

Whilst there has been a slight drop in the birth rate locally, the additional housing development in the area means that demand for primary school places is still increasing. All three primary schools that serve the town are expected to be at or near capacity and there is a need therefore to provide a further 0.5FE for September 2020 or possibly 2019, if the expansion can be delivered earlier. The table below shows capacity and anticipated demand for places at the Malmesbury town schools listed above:



Year	PAN	Pupils in Year R	Spare Year R Places	% Spare Year R	Total Places	Total NOR	Pupil Product from remaining housing	Surplus /shortfall Places	% Surplus /shortfall Places
2015/16	101	94	7	7%	707	667	0	40	6%
2016/17	101	93	8	8%	707	682	0	25	3%
2017/18	100	99	1	1%	700	686	44	-30	-4%
2018/19	100	68	32	32%	700	654	66	-20	-3%
2019/20	100	84	16	16%	700	632	107	-39	-6%
2020/21	100	80	20	20%	700	611	122	-33	-5%

## **The proposal**

Wiltshire Council is seeking views on the proposal to expand the school to become a 1 Form of Entry (1FE), 210 place school, no later than September 2020. The expansion will be funded by the Council and by Section 106 monies obtained from the housing developers.

The LA will be working closely with the school governing body and will commence the appointment of a project/design team to progress plans for the expansion of the school. It is anticipated that any plans and drawings will be available for view by the public in the autumn term, however we will update you on progress as the project moves forward. The accommodation will be built to government requirements and guidelines and planning permission for the building works will be required should the proposal proceed.

## ***The views of the School***

We have discussed the proposal and support the principle of expansion so that we can help meet the need for school places in the local area. There are disadvantages as well as advantages to expansion and we summarize below some of these. We recognize that this list is not exhaustive and you will be able to comment on the attached questionnaire. Should the plans progress we will keep you informed at regular stages.

### ***Advantages***

- The school would be better able to meet the needs of more of the local community who wish for their children to attend the school.
- Additional places would be available for children living nearby
- Children would be able to be taught in discreet age groups
- Job creation and greater career progression opportunities for members of staff. The expansion of the school would provide further teaching posts and other related roles from 2019.
- Increased financial flexibility, security and resourcing for the school and the wider Trust.
- New facilities for teaching and learning.

### ***Disadvantages***

- The school size will increase, but this will happen gradually over 2-3 years. We will preserve a "family" feel so that pupils know the staff and don't feel lost.
- It is hoped that the size of the school site can be enlarged to better accommodate the expanded buildings and external play space
- Access and car-parking for the school will need to be reviewed as part of the project
- Some disruption may occur during the building works on the site and in the local area which would need to be managed very carefully.

## Have your say

We need your views to help us provide the best solution for expanding the school.

## **IMPORTANT**

There will be an informal drop in session at the school during the autumn term for parents to view the proposed plans and ask any questions about the expansion. The date of the drop-in session will be confirmed at the start of the new term in September. Please note that this letter is not a formal consultation on any planning application for the proposed expansion, that will come later and will be when people can make comments on issues such as traffic, parking etc

## What happens next?

- July 2017 consultation starts;
- **Friday 15 Sept 2017 - deadline for responses to the consultation**
- October 2017 consider consultation responses.
- October 2017 Informal drop-in and update for parents/residents

Estimated timescale for building project (dependent on agreed opening date) if Sept 2019

- January 2018 Planning application
- April 2018 Planning determination
- July 2018 Contractor starts on site
- August 2019 Completion and Handover
- September 2019 Expanded school is operational

If the decision is taken to open a year later, then these dates will be updated

**Please take time to complete the attached questionnaire so that we can get your feedback. In order for us to collate your responses, please return the questionnaire to school by midday on Friday 15th September 2017.**

Yours sincerely

*C Medland*

Clare Medland  
Head of School Place Commissioning, For Wiltshire Council

*K Vousden*

Headteacher of Lea & Garsdon CE Primary School

*D England*

Chair of Governors, Lea and Garsdon CE Primary School

**Lea and Garsdon Church of England Primary School - feedback form**

Please indicate your views on the proposal to expand Lea and Garsdon CE Primary School from September 2019 (or 2020) by ticking the most appropriate box.

<b>Expansion of Lea and Garsdon CE Primary School would mean we could:</b>	<b>Strongly Agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>Don't know</b>
Improve educational facilities and opportunities for pupils						
Help meet the growing demand for school places:						
Offer more places to pupils within the Malmesbury area						
I support the proposal:						

Please add other comments on the proposal (continue overleaf if necessary):

**For your views to be considered, you must provide your full name and address. Only one response per person will be accepted. We will not pass on your personal information to a third party. Your views will be treated as strictly confidential.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postcode: \_\_\_\_\_

**Please return completed forms to Lea and Garsdon CE Primary School or email your response to [schoolorganisation@wiltshire.gov.uk](mailto:schoolorganisation@wiltshire.gov.uk) no later than 15<sup>th</sup> September 2017.**