

CABINET MEMBER FOR CHILDREN'S SERVICES, EDUCATION, AND SKILLS
Cllr Laura Mayes

SERVICE AREA **CHILDREN'S SERVICES**

OFFICER CONTACT **Gary Binstead – Head of Commissioning –
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REFERENCE: CES-05-23

**Statutory Notice to change the age range of St Mary's C of E Primary School,
Princecroft Lane, Warminster, Wiltshire, BA12 8NT.**

Purpose of Report

1. To ask the Cabinet Member to approve the statutory proposal published by Wiltshire Council on 27 April 2023. The notice proposed to change the age range of St Mary's C of E Primary School to enable them to provide preschool provision from 1 September 2023. The school will then admit children from the age of 2 years. Pupils will be accommodated in an existing building on the school site, formerly the Peardrops Preschool and a classroom within the school that can accommodate the preschool children.

Relevance to the Council's Business Plan

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

Main Considerations for the Council

3. Due to the closure of the Peardrops preschool (situated in the grounds of St Mary's C of E Primary School) in July 2023, and the Playclose preschool in the village in July 2023, Wiltshire Council in partnership with St Mary's C of E Primary School would now like to extend the age range of its intake from 4-11 years to 2-11 years to provide continuity of early years places in Purton. The school will then have 1 building on site, the current Peardrops Preschool and a further classroom to accommodate places from the Playclose Preschool all on the school site.

Background

4. St Mary's C of E Primary School is currently a primary school for children aged 4-11 years. The capacity of the school for statutory school age pupils is 420 and the current admission number (PAN) for the school is 60. The nursery will offer 40 places for children below statutory school age. The nursery will not affect either the Net Capacity or PAN of the school for statutory school age children.
5. In creating these preschool places there will be no changes to the school's Admission Policy as attendance at the preschool will not offer any additional

guarantees of a school place at St Mary's at statutory school age. Places will continue to be allocated on the existing over subscription criteria so equality of opportunity for all will not be compromised.

6. St Mary's C of E Primary School serves Purton and the surrounding area and was rated 'Good' by Ofsted in November 2017. Ofsted noted that leaders have worked on the transition of pupils from preschool to reception and children in reception are making good progress. The school operating the Peardrops and Playclose preschools in the village with strengthen this transition further.
7. Lowering the age range will ensure that early year's provision continues to be provided in Purton and for the surrounding villages as there are no other preschools in the local area. The school will use the current Peardrops building, and a further classroom within the school building would accommodate the early years places currently provided by Playclose Preschool in the village. This will provide all early year's childcare on one site, making it a better option for parents.
8. In order to continue early years provision in the village, the age range of the school needs to be lowered from 4 to 11 years currently, to 2 to 11 years from September 2023. The current and proposed places available are shown below.

| CURRENT OFFER | | PROPOSED OFFER | |
|---------------------|---------------------|---------------------|--------|
| | Places | | Places |
| Age 2-4 (Nursery) | No places currently | Age 2-4 (Nursery) | 40 |
| Age 4-5 (Reception) | 60 | Age 4-5 (Reception) | 60 |
| Age 5-6 (Year 1) | 60 | Age 5-6 (Year 1) | 60 |
| Age 6-7 (Year 2) | 60 | Age 6-7 (Year 2) | 60 |
| Age 7-8 (Year 3) | 60 | Age 7-8 (Year 3) | 60 |
| Age 8-9 (Year 4) | 60 | Age 8-9 (Year 4) | 60 |
| Age 9-10 (Year 5) | 60 | Age 9-10 (Year 5) | 60 |
| Age 10-11 (Year 6) | 60 | Age 10-11 (Year 6) | 60 |

9. As can be seen in the table above, existing places for 4 to 11 year olds will not change as a result of this proposal to lower the age range.
10. There would be no displaced pupils as all pupils at the school will continue to be educated at St Mary's C of E Primary School from September 2023. The school providing the 40 early years places ensures that there remains sufficient childcare in the local area for 2 to 4 year-olds, which will be lost with the closure of Peardrops and Playclose Preschools in July 2023. Without this provision parents would have to travel out of the area to find alternative early years childcare provision.
11. It will offer parents and carers continuity and support the government's strategy to continue to offer 30 hours per week of funded nursery provision to applicable

children. In turn this will enable parents and carers to more easily return to work, and allow the school to improve the outcomes for the children in the school community by ensuring they are school ready when they start in Reception.

12. The current building has been used as a setting for 3 to 4 year-old children for about 25 years and is highly suitable for the purpose. There is no need to change the layout of the building. The classroom to be used within the school is suitably located and does not need any modification. The aim would be to accommodate the older children within the main school building, using the current building for 2 and 3 year olds.

13. Once the preschool is run by the school, they anticipate only a positive impact with parents as they will be able to continue to access high quality child development, education and support, with young children experiencing a nurturing and stimulating environment. The school will also be in a better position to impact on the school-readiness of these children.

Consultation

14. Wiltshire Council and St Mary's C of E Primary School have widely consulted on the proposal to expand the age range St Mary's C of E Primary School to provide a preschool. The consultation took place between 06 March 2023 and 31 March 2023 with the following interested parties:

- Parents and carers of children at the school
- Teachers and support staff at the school
- Governors at the school
- Local Councillor Jacqui Lay
- Purton Parish Council
- Peardrops and Playclose parents and staff
- Wiltshire Council's Lead Member for Children's Services
- Neighbours adjacent to the school site
- Diocese of Bristol Board of Education

15. A public meeting was also held on 28 March 2023. A summary of the consultation responses are set out below:

| Stakeholder | Number of responses | Agree with the proposal | Disagree with the proposal | Percentage in agreement |
|------------------------|---------------------|-------------------------|----------------------------|-------------------------|
| Parent/Carer | 5 | 5 | | 100% |
| Member of staff | 6 | 6 | | 100% |
| Governor at the school | | | | |
| Local resident | 3 | 1 | 2 | 33% |
| Prospective Parent | | | | |
| Other | 2 | 2* | | 100% |
| TOTAL | 16 | 14 | 2 | |

16. This indicates there were two local residents that objected to this proposal as the school is accessed via College Road which is a private road. Some local residents have ongoing disagreements already with the school regarding access via College Road.
17. The current local arrangements for staff and visitors to access the school will remain unchanged. Any parents of school age children and current families who access Peardrops Preschool are requested not to drive along this access road, and access the school on foot instead. The school taking over the Peardrops Preschool will not alter this arrangement and would therefore, not impact the local residents. However, moving the Playclose Preschool onto the school site from its current location at the Methodist Church, will potentially mean more families accessing the site. In order to mitigate any potential impact, the same principle applies for families, and no access by car is permitted by parents. The headteacher and governors continue to work with local residents and parents regarding access to the school site.
18. Following this round of consultation, the Council published the statutory proposal on the 27 April 2023. The statutory proposal period ended on 25 May 2023 and there were no objections or comments received.

Overview & Scrutiny Engagement

19. Not applicable

Safeguarding Implications

20. All schools are designed to ensure that schools provide safe and secure places for children and young people in the local community and have a statutory safeguarding responsibility.

Public Health Implications

21. Providing early years places in the community will enable local families to walk to school rather than travelling to settings further away and enable more children to remain close to their homes.

Procurement Implications

22. There are no procurement implications.

Equalities Impact of the Proposal

23. The Local Authority has a duty and responsibility to provide sufficient places to meet demand arising from all areas of the community.
24. Using the accommodation formerly used by Peardrops preschool all reasonable adjustments will be met within the accommodation.

Environmental and Climate Change Considerations

25. Having early years places available at the school should result in reduced vehicle journeys to other settings further away.

Risk Assessment

Risks that may arise if the proposed decision is not taken

26. The Council may not meet its statutory duty to ensure sufficient childcare is available if the proposed decision is not taken.

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

27. There are no risks.

Financial Implications

28. None.

Legal Implications

29. There is a prescribed process ([Making significant changes \('prescribed alterations'\) to maintained schools \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)) that must be followed where it is proposed to change the age range or increase the number of pupils at a school. 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.
30. Alterations to Maintained schools, such as St Mary's C of E Primary School are governed by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ("Prescribed Alterations Regulations"). When exercising functions under these regulations regard must be had to guidance published by the Department for Education (DfE), "Making 'prescribed alterations' to maintained schools", which sets out the procedure to be followed. The process as set out in the report follows that guidance.
31. The Cabinet member, as decision maker must have regard to a list of factors included in further statutory guidance, namely "Guidance for decision-makers", particularly Section 2 and 3.

Options Considered

i. Do Nothing

The Council does not have the option to do nothing as it has a statutory duty to provide sufficient early years childcare places across the county.

ii. Identify an alternative private provider

No alternative Provider has been identified to provide continuity of places.

- iii. **St Mary's C of E Primary School provide continuity of the current Peardrops Preschool utilising the existing building due to be vacated by Peardrops Preschool in August 2023 and accommodate the Playclose Preschool currently within the village using an existing classroom within the school.**

This is the **preferred option** as it will provide continuity of existing early years capacity in the area and should support the school to improve outcomes for pre-school children who may attend the school at the appropriate time.

Reason for Proposal

- 32. The Local Authority has a statutory duty to provide sufficient places across Wiltshire and projections indicate a need for additional pre-school places in this area due to local demand and additional housing development. Lowering the age range of St Mary's C of E Primary School to create the places needed is the most appropriate solution to providing the required places in a timely and efficient way.

Proposal

- 33. To approve the statutory proposal published by Wiltshire Council on 27 April 2023. The notice proposed to change the age range of St Mary's C of E Primary School to provide pre-school provision from 1 September 2023. The school will then admit children from the age of 2 years. Pupils will be accommodated in existing buildings on the site.
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Appendix A – Statutory Notice

STATUTORY NOTICE

Wiltshire Council Statutory Notice of a proposed Change of Age Range at St Mary's C of E Primary School, College Road, Purton, Wiltshire, SN5 4AR.

Notice is hereby given in accordance with section 19(1) of the Education and Inspections Act 2006 (as amended by the Education Act 2011) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that Wiltshire Council intends to make a prescribed alteration to St Mary's C of E Primary School, College Road, Purton, Wiltshire, SN5 4AR.

Wiltshire Council proposes to change the age range of St Mary's C of E Primary School to enable them to provide preschool provision from 1 September 2023. The school will then admit children from the age of 2 years. Pupils will be accommodated in existing buildings on the site, formerly the Peardrops Preschool and within one existing classroom within the school.

The statutory representation period will begin on 27 April 2023 and will continue until 25 May 2023.

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 St Mary's C of E School website at www.st-marys-purton.wilts.sch.uk and on the Wiltshire Council Consultation portal <http://www.wiltshire.gov.uk/council-democracy-consultations>. Paper copies of the full proposals can also be obtained upon request from School Buildings and Places Team (ref: St Mary's C of E Primary School), 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: St Mary's C of E Primary School), County Hall, Trowbridge, BA14 8JN **within 4 weeks** of the date of publication of this Notice, namely **by 25 May 2023**.

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

Signed:

Michael Dooley
Michael Dooley
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For Perry Holmes, Solicitor to the Council
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