

Meeting: Executive
Date: 21 August 2012
Subject: Determination of Statutory Proposals to Expand Shefford Lower School, Fairfield Park Lower School and Greenleas Lower School

Report of: Cllr Mark Versallion, Executive Member for Children's Services

Summary: The report sets out the responses to the statutory proposals to expand Shefford Lower School, Fairfield Lower School and Greenleas Lower School. These proposals have been subject previously of statutory consultation and a statutory notice period has now concluded requiring the Council to consider representations received and to determine the outcome of the proposals.

Advising Officer: Edwina Grant, Deputy Chief Executive/ Director of Children's Services
Contact Officer: Pete Dudley, Assistant Director for Learning, Commissioning and Partnerships
Public/Exempt: Public
Wards Affected: Shefford, Stotfold, Leighton Buzzard South
Function of: Executive
Key Decision: Yes

CORPORATE IMPLICATIONS

Council Priorities:

In providing new school places for growing communities this report supports the following Central Bedfordshire Council's strategic priorities:

Educating, protecting and providing opportunities for children and young people
Managing growth effectively.

Financial:

1. The proposals outlined in this report are contained within the Council's New School Places Programme 2012/13 – 2016/17 and are capital funded as outlined in Appendix C to that report, subsequently approved to be included within the Council's capital programme by full Council on 19 April 2012.

2. The Greenleas Lower proposal is supported by a capital budget of £4,804,463 which comes from current and agreed S106 income and a small element of Department for Education (DfE) Basic Need grant. The Fairfield Lower proposal is supported by a capital budget of £3,212,799 almost all of which is funded from DfE Basic Need grant. The Shefford Lower proposal is supported by a capital budget of £2,711,081 of which £394,948 is expected to be funded by S106 income and the remainder from DfE Basic Need grant.
3. The proposal to expand Greenleas Lower School in Leighton Buzzard to incorporate the new site for lower school provision at Pratts Quarry and the expansion of Fairfield Park Lower School will also require the use of temporary measures, on the current school sites, to manage the local growth in pupil numbers in the interim until the new provision is constructed for opening in 2013. The Council's rolling capital programme of temporary accommodation will fund this provision within its existing budget.
4. Approval for capital expenditure within the New School Places Programme 2012/13 – 2016/17 is subject to the Council's Code of Financial Governance and approval for expenditure to date, which has funded commissioned feasibility studies and design work required for projects within the rolling programme, has been provided by the Deputy Chief Executive/Director of Children's Services, in consultation with the Executive Member for Children's Services, as per Section 4.10.7 of the Council's Constitution.
5. In addition, packages of enabling works have been let at Shefford and Fairfield Park to ensure that the main contracts can be let later in the year to provide the extra permanent accommodation. Each of the three proposals within this report is subject of a detailed business case, attached for information and providing further information of the budget and anticipated capital expenditure on each related construction project.
6. The day to day running costs of expanded provision, including increased teaching and non teaching staffing levels, is met through revenue funding which is made available to each school as part of the dedicated schools grant, calculated on a per pupil basis.

Legal:

7. The main legislation governing school organisation is found in sections 7-32 of the Education and Inspections Act 2006, The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 and the School Organisation (Prescribed Alterations to Mainstream Schools) (England) Regulations 2007.
8. Section 14 of the Education Act 1996 places a duty on Councils to secure sufficient and suitable school places to provide for 5 – 16 year old statutory aged children in its area. The Education and Inspections Act 2006 gives Councils a strategic role as commissioners, but not providers, of school places to promote parental choice, diversity, high standards, the fulfilment of every child's educational potential and fair access to educational opportunity.

9. DfE regulations outline the requirements and process for proposals to expand maintained schools and these include full public consultation, the publication of statutory proposals and the decision making process. Decision makers must be satisfied that proposals have followed due process and must also have regard to statutory guidance.
10. As decision maker for the statutory proposals published in regard to the three Community Lower Schools in this report, the Council must determine whether to approve the proposed changes within two months of the close of the determination period on 9 July 2012, otherwise the proposals must be referred to the schools adjudicator.
11. The following bodies may appeal against a Council decision on the proposals in this report:

- The local Church of England diocese
- The bishop of the local Roman Catholic diocese

Any appeals must be submitted to the Council within 4 weeks of the decision and the Council must refer the matter to the schools adjudicator.

Risk Management:

12. The need to commission the new school places and to make the related investment of capital reflected in the three proposals in this report implements the identified need in the previously published school organisation plan and mitigates the risk on the Council of failing in its statutory duty to provide sufficient school places. Key risks include:
- Failure to discharge legal and statutory duties/guidance.
 - Failure to deliver the Council's strategic priorities.
 - Reputational risks associated with the non delivery of required school places.
 - Financial risks, including non realisation of anticipated Section 106 monies and anticipated levels of government grant.
13. The three proposals reflected in this report have been developed through the formal process of strategic planning that is now in place following the approval by the Council's Executive of the New School Places Programme 2012/13 – 2016/17 in March 2012. Without this process there is a risk that the DfE will not approve future allocations of Basic Need Funding to the Council. There is also a risk that S106 monies will not be able to be properly planned in order to achieve the spend of funds in an appropriate and timely manner. This reinforces the importance of the Council adopting a new Development Strategy and Community Infrastructure Levy in 2014 to ensure that well designed appropriately located housing is supported by educational infrastructure.
14. Contract and construction risks will be overseen through the project management of the approved projects.

Staffing (including Trades Unions):

15. Staff and Trades Unions have been consulted on the proposals to expand the three schools in this report as part of the initial consultation and statutory process required by regulations.
16. Subject to service buy back arrangements, schools will have the support of the Council's Human Resources team where any proposals require changes in school staff structures or to terms and conditions of employment. Schools may also need to consider their Governance arrangements given the enlarged size of each in future.
17. Each expanding school will need to increase the numbers of teaching and non-teaching staff to support the increase in pupil numbers. This will be funded through the school's Dedicated School Grant budget and the increased share which the school will receive.

Equalities/Human Rights:

18. Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and to foster good relations in respect of the following protected characteristics: age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
19. This statutory duty includes requirements to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics.
 - Take steps to meet the needs of people from protected groups where these are different from the needs of other people.
 - Encourage people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
20. The consultation and decision making process set out in regulation for proposals to expand maintained schools requires an evaluation on a project by project basis of any equalities and human rights issues that might arise.
21. As Decision Maker for these proposals, the Council has considered that there are no race or disability discrimination issues that arise from the changes being proposed. Each of the schools has carefully considered these issues and the impact on provision for children with special educational needs and disabilities in the construction designs and management development plans that have been developed in parallel to the statutory process. Similarly each school has made a continued commitment to provide access to a range of engagement opportunities which reflect the ethnic and cultural mix of their local communities, while ensuring that such opportunities are open to all.

Public Health:

22. Each of the schools in this report currently provide a range of extended school services which can be further developed as a result of the growing school population and capital investment.
23. The range of extended services that may be provided more effectively in larger schools includes:
 - Parenting and family support officers.
 - Transition support for pupils, schools and families.
 - Combined clubs and after school activities.
 - Holiday activities.
 - Support for vulnerable pupils and families i.e. siblings group and young carers.

Community Safety:

24. Whilst it is acknowledged that schools have an important role in working alongside a range of other agencies to ensure safety in their local communities, the expansion of the schools identified in the report does have the potential to increase community safety issues around the school locations. Inconsiderate parking, low level anti social behaviour, noise, litter etc. These are issues that can, in some instances, have a significant impact on residents living in the school vicinity and place additional demand upon the services responsible for dealing with them. To meet its statutory duty in relation to crime and disorder the Council will need to work with the schools to ensure that community safety issues are considered and appropriate measures are put in place to mitigate any risks with regard to community safety issues in these areas.

Sustainability:

25. Whilst there may be additional costs in order to meet sustainability objectives for new build and/or expansion of existing schools, these will be contained within the costs identified for each of the individual projects in this report. These measures will contribute to reduced running costs through better energy and resource efficiency, and therefore limit the Carbon Reduction Commitment burden on the Council and the schools, alongside creating a better learning environment for the pupils.

Procurement:

26. The tendering and approval process for awarding construction contracts will be in accordance with the Council's Code of Procurement Guidance and the thresholds indicated in section 5.1 of the Council's Constitution.

Overview and Scrutiny

27. This report has not been considered by Overview and Scrutiny.

RECOMMENDATIONS:

The Executive is asked to:

1. note that the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2007 and The School Organisation and Governance (Amendment) (England) Regulations 2009, have been complied with in bringing forward the proposals outlined in this report;
2. consider the representations attached at Appendix A, to the statutory notices as set out in Appendices B - D, issued on 11 June 2012 under Section 19(1) of the Education and Inspections Act 2006 for Shefford Lower School, Fairfield Park Lower School and Greenleas Lower School;
3. approve the statutory proposal to expand Shefford Community Lower School from a 2 form of entry (300 place) lower school for pupils aged 4+ to 9 to a 3 form of entry (450 place) lower school catering for pupils aged 4+ to 9 with effect from September 2013, increasing the schools planned admission number from 60 to 90;
4. approve the statutory proposal to expand Fairfield Park Community Lower School from a 1 form of entry (150 place) lower school for pupils aged 4+ to 9 to a 2 form of entry (300 place) lower school for pupils aged 4+ to 9 with effect from September 2013, increasing the schools planned admission number from 30 to 60;
5. approve the statutory proposal to expand Greenleas Community Lower School from a 2 form of entry (300 place) lower school for pupils aged 4+ to 9 to a 4 form entry (600 place) lower school for pupils aged 4+ to 9 through the creation of a new second campus at Pratts Quarry, off Kestrel Way, Leighton Buzzard, with effect from September 2013, amending the schools planned admission number to provide for 60 pupils on each of the school's two sites; and
6. approve the detailed business cases for each proposal as attached at Appendix E to G.

*Reason for
Recommendations:*

To determine the outcome of the statutory proposals following the close of the representation period on 9 July 2012. If the Council were to fail to decide these proposals within 2 months of the end of the representation period it must forward proposals, and any received representations, to the schools adjudicator for decision.

Executive Summary

28. The purpose of this report is to provide the Council's Executive with sufficient information and guidance to enable the determination of proposals to expand three community lower schools that have been subject of statutory consultation.

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| 29. | The report sets out the background to the proposals and the process that they have followed to date, aligned with the statutory requirements set out in legislation and DfE guidance for proposals of this nature. |
| 30. | The report concludes with a recommendation to approve the proposed expansion of these three schools, with an implementation date of September 2013. |

Introduction

31. On 27 March 2012 the Council's Executive approved a recommendation to commence informal and statutory consultation on three proposals set out within the New School Places Programme 2012/13 – 2016/17 where local pressures of demographic growth require urgent expansion of existing schools to provide additional places.
32. The need for expansion of two of the schools, Shefford Lower and Fairfield Lower, is a result of demographic growth within the schools existing catchment areas. Options for the potential provider of new lower school places at Pratts Quarry in Leighton Buzzard were outlined in the report to Executive in March and concluded with a proposal to expand Greenleas Lower School, an existing popular and successful school in Leighton Buzzard. In all three of these specific areas of Central Bedfordshire the need for extra accommodation has already required temporary measures to be employed in September 2011 and in September 2012 to provide sufficient schools places.
33. All three of these proposals, in accordance with the Education and Inspections Act 2006, constitute significant expansions of existing schools and therefore required both statutory consultation and a further representation period through the publication of Statutory Notices.
34. The statutory consultation period commenced on Monday 23 April 2012 for a four week period to Monday 21 May 2012. The consultation was conducted to meet the requirements set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).
35. Each of the proposals were publicised through the production of consultation documents placed:
 - on the Council's website;
 - at each of the schools, for circulation to parents (including early years), carers, staff and Governors;
 - in local libraries and Town Council offices;
 - on community notice boards;
 - by email to local MPs, to members of the Children's Trust Board, to neighbouring Local Authorities and to key voluntary sector organisations;
 - in the members Bulletin;
 - in Central Essentials; and
 - in the local media.

Meetings for staff, unions and Governors were held at each school and public meetings were also arranged to give parents, carers and other interested parties the opportunity to have their say on the proposals.

36. Although the Council's Executive had already approved the publication of statutory proposals, the DfE guidance advises that at the end of the statutory consultation period the proposer (i.e. the Council in this instance) should consider the views expressed during that period before reaching any final decision on whether to publish statutory proposals.
37. The guidance also states that where, in the course of consultation, a new option emerges which the proposer wishes to consider, it will be appropriate to consult afresh on this option before proceeding to publish statutory notices.
38. On conclusion of the statutory consultation no viable alternative options were forthcoming on any of the three proposals. The following sections set out the rationale for each proposal and provide a summary of the results of the statutory consultation exercise for each.

Shefford Lower School

39. Pupil numbers within the immediate Shefford area have been growing in recent years and are expected to continue to grow as a result of increasing birth rates, recent housing completions and new housing allocations. Currently the school is recognised as a 2FE (300 place) school with an admission number of 60.
40. In September 2011, 66 pupils were admitted taking the total number on roll in the main school to 328. In order to support the increase in numbers, the Council supported the provision of an additional permanent classroom funded mainly through previous S106 contributions.
41. This growth in numbers, supported by Area Health Authority pre-school data and extra housing forecasts is expected to continue into the future and it is in this context that the recommendation was made to permanently extend the school to provide an enlarged school for 3FE (450 places) with an increased admission number of 90.
42. This proposal has been developed in consultation with the school's Governing Body who are supportive.
43. Twenty five responses were received within the consultation period and of those seventy six percent indicated support for the proposal. Sixty eight percent of respondents were parents of children at a local lower school and of those seventy six percent were supportive.
44. The main concern arising from the consultation related to the potential for increase in traffic congestion in the area, mainly as a result of fears of increased numbers of parents transporting children as additional parking provision is to be made available for the increase in staff at the enlarged school. A request for a new school to be built elsewhere, rather than enlargement of the existing, also featured as a concern that was raised as part of the consultation.

45. The potential for increase in traffic congestion is an understandable concern given the school's current access arrangements and through flow of pupils from the adjacent Robert Bloomfield Academy site. Section 76 of the Education and Inspections Act 2006 places a duty on local education authorities to promote the use of sustainable modes of travel to meet the school travel needs of their area.
46. However, and as discussed at the public meeting at which fifteen members of the public attended, the school will need to review its current approved travel plan and bring forward updated proposals to mitigate this risk as part of the parallel Planning application that has been submitted and has now been approved by the Development Management Committee of the Council. The new Travel Plan will need to reflect the changes that will be made and outline the actions the school will be taking to encourage sustainable travel and to ensure any negative travel and transport issues are minimised.
47. The Council's Sustainable Transport team have provided support to the review process and provided guidance as to the actions that should be put in place.
48. The potential for the required additional places to be provided within new provision elsewhere in Shefford, as an alternative to the enlargement of Shefford Lower was also noted as a concern and discussed at the public meeting. However, the cost of providing a new 150 place lower school elsewhere in Shefford for which the Council would also need to acquire a site, would be considerable and the future viability of such is also uncertain, particularly given the proposed changes to the national funding formula and the impact these are likely to have on small schools.
49. The benefits of increased financial and educational viability of Shefford Lower as a result of its expansion are also clear. The extended timeframe and Planning uncertainties for bringing forward proposed new build stand alone provision, versus the requirement to have the additional 150 permanent places on stream by September 2013 is also a factor in the proposal to expand Shefford Lower School.
50. Concern of the potential during building works for disruption to teaching and learning and for the health and safety of existing staff and pupils were raised by some staff and parents of children currently attending the school. The proposed phasing of the construction plan will address these concerns and the school's governing body has been fully engaged in the process to ensure that risks have been identified and will be mitigated.

Fairfield Park Lower School

51. Pupil numbers generated from within this new development are significantly higher than those originally forecast by Bedfordshire County Council when the school was first proposed and constructed. Currently the school is recognised as a 1FE (150 place) lower school with an admission number of 30.
52. In September 2011, 54 pupils were admitted into the school from within the school's area taking the overall number on roll in the main school to 178. In order to accommodate the increase in numbers a temporary classroom was funded from the Council's temporary classroom programme and the Council continues to work with the school to provide further interim arrangements for September 2012.

53. Although the new development is coming to an end, Area Health Authority pre-school data for the area supports the current trend in numbers with anticipated future requirements forecast to be approximately twice the school's current capacity, i.e. an average of approximately 60 pupils per year group. It was in this context that the recommendation was made that the school be permanently expanded to provide an enlarged school of 2FE (300 places) with an increase in admission number to 60.
54. This proposal has been developed in consultation with the school's Governing Body who are supportive. The school has recently been rated as outstanding by Ofsted.
55. A total of fifty responses were received within the statutory consultation period and of those an overwhelming ninety eight percent indicated support for the proposal. Seventy percent of respondents were parents of children at Fairfield Lower school and of those all were supportive. Respondents were particularly supportive in their comments that the proposal supported the concept of local schools for local children and the proposed permanent enlargement of the school has clearly been long awaited by the local community.
56. The main concern arising from the consultation related to the potential for increase in traffic congestion in the area, mainly as a result of fears of increased numbers of parents transporting children as additional parking provision is to be made available for the increase in staff at the enlarged school. The potential for increase in traffic congestion is an understandable concern given that as of the latest survey of school travel (September 2011) 41.5% (129) of all pupils at Fairfield Park Lower travelled to school by private car. This is significantly higher than the average for schools in Central Bedfordshire (21.5%).
57. However, and as discussed at the public meeting at which twenty three members of the public attended, the school population is forecast to serve children who live on the Fairfield Park estate and preschool data indicates that the additional capacity of the school will be taken up by catchment children who are within a short walking distance of the school, through the housing estate.
58. The school will however need to review its current approved travel plan and bring forward updated proposals to mitigate any risk as part of the parallel Planning application that has been submitted to the Council and was approved on the 18 July 2012. The new Travel Plan will need to reflect the changes that will be made and outline the actions the school will be taking to encourage sustainable travel and to ensure any negative travel and transport issues are minimised.
59. Concern of the potential during building works for disruption to teaching and learning and for the health and safety of existing staff and pupils were raised by some staff and parents of children currently attending the school. The proposed phasing of the construction plan will address these concerns and the school's governing body has been fully engaged in the process to ensure that risks have been identified and will be mitigated. The school's governing body has also prepared a business case for further financial support from Dedicated School Grant throughout the building phase to ensure that the school's management structure can grow in line with the expansion proposal and that where necessary school staff can be released to support the construction project without an impact on the pupils.

Greenleas Lower School

60. Significant new housing has been built in the south of Leighton Buzzard in recent years with more than 1000 further new dwellings still to be provided. In anticipation of the likely impact this would have on the school infrastructure, Section 106 financial contributions were agreed along with a site for an extra 300 place lower school provision at Pratts Quarry, off Kestrel Way.
61. Until recently, the pupils moving into the new development have been provided for by the existing schools in the area utilising spare capacity. In September 2011, and in particular for initial admission at 4+, there was a shortage of places in areas where parents wanted them and some schools were required to admit in excess of their published admission numbers.
62. Set against a total of 548 overall places for admissions across the area at 4+ a total of 538 pupils were admitted resulting in most schools being at or above capacity. Area Health Authority figures support the continuation of this trend over the coming years with further added pressure resulting from the new developments which are either underway or have yet to commence. The numbers proposed in this report are therefore evaluated as being robust for school places planning purposes.
63. Since April 2011 the Council has worked with schools in the area that collectively comprise Learning Community 2, in the second of the Council's current Transforming Learning reviews. Within the scope of the review was the need to consider and plan for the impact of demographic change across the area over the next five years and beyond. The pressure on existing provision and the need for more places across lower schools in the Leighton and Linslade area was at the forefront of many of the discussions with what is an active partnership of schools, who have been actively engaged in identifying management options for their own schools and for the Council's commissioning of new provision.
64. As set out in detail in the report to Executive on 27 March 2012, three local popular and successful lower schools expressed an interest in expanding to also encompass the new site at Pratts Quarry. Following an evaluation of detailed submissions made by each school, the Council's Executive approved the commencement of consultation to expand Greenleas Lower School.
65. Fifty three responses were received within the statutory consultation period and of those seventy four percent indicated support for the proposal. Sixty seven percent of parents who responded to the consultation were supportive.
66. The main concerns arising from the consultation related to:
 - the potential for increase in traffic congestion in the area of the existing school and for sufficient parking/drop off provision to be made available at the new site;
 - the need for the new site to have pre school and nursery provision;
 - the potential for disruption to teaching and learning at Greenleas; and
 - admission arrangements to the new site from September 2013 and the way in which year groups of uncertain size might be managed initially between the two sites.

67. As discussed at both of the public meetings at which sixty eight members of the public attended, the school will need to review its current approved travel plan and bring forward updated proposals for the new site to mitigate any risk as part of the parallel planning application that has been submitted to the Council. The new Travel Plan will need to reflect both sites and will need to be clear of the changes that will be made on the existing site and outline the actions the school will be taking to encourage sustainable travel and to ensure any negative travel and transport issues are minimised on both sites in future.
68. The project to provide 300 new places for statutory education on the new site does not currently have S106 funding to provide preschool or nursery provision. Whilst there is an overall sufficiency of pre-school provision across Leighton and Linslade, there is a recognised shortfall of places in this particular locality. Through close scrutiny of the project with the appointed contractor under a Local Authority framework contract, it has been identified that a nursery classroom can be provided within the overall scheme, although this would require an additional £78k which could be funded by applying DfE Basic Need grant funding to the overall project. This is reflected in the business case at Appendix E.
69. Concern of the potential disruption to teaching and learning of pupils at Greenleas were raised by some staff and parents of children currently attending the school. The school's governing body has prepared a business case for further financial support from Dedicated School Grant throughout the building phase to ensure that the school's management structure can grow in line with the expansion proposal and that where necessary school staff can be released to support the construction project without an impact on the pupils.
70. Suggested admission arrangements will be in accordance with the Council's published criteria and were outlined on the statutory notice for September 2013 as:
- All 'looked after' children or children who were previously 'looked after'
 - Pupils with siblings at the school
 - 'Very exceptional' medical grounds
 - Children attending Greenleas Nursery Unit
 - Children attending Willows Pre-School on the Greenleas School site
 - Children who live nearest to the school determined by straight line distance from the Greenleas Lower School - Sandhills site, to the pupil's home address.

These criteria are to be reviewed further for September 2014.

71. The admissions service and school, supported by the local community house, are to undertake further work with the Sandhills and Billington Park communities to better forecast the numbers and ages of children who may express a preference for the Pratts Quarry site from September 2013. This will enable the school to better plan their staffing structure for both sites. The school are committed to work with parents to achieve transitional arrangements that are appropriate for siblings who could potentially be split between each site.

Conclusion of statutory consultation and publication of statutory notices

72. As a result of the outcome of the statutory consultation and the considerable support that each proposal had attracted, it was recommended on 24 May 2012 to proceed to the serving of statutory notices. In the absence of the Director of Children's Services, the Assistant Director for Learning, Commissioning and Partnerships considered a report and approved that recommendation.
73. As decision maker, the Council's Executive must be satisfied that the proposals have followed due process and must have regard to guidance issued by the Secretary of State.
74. Before judging the respective factors and merits of each of the statutory proposals, the Council's Executive must consider four key issues. These are:
- Is any information missing?
 - Does the published notice comply with statutory requirements?
 - Has the statutory consultation been carried out prior to the publication of the notice?
 - Are the proposals "related" to other published proposals?
75. The statutory proposals were published on 11 June 2012 with information prescribed by regulation. The information was complete, clear and complied with statutory requirements. The statutory notices with prescribed information for each proposal is attached to this report at Appendix B to D. A summary of the outcomes of the statutory consultation that was carried out before the statutory notices were published is provided within this report. The proposals are not related to each other but are independent and capable of being determined without preventing or undermining the implementation of others in this report.
76. The DfE guidance for decision makers is issued by the Secretary of State and contains a number of key factors to be considered when they make a decision on proposals of this nature. The guidance is clear that these factors should not be taken to be exhaustive and all proposals should be considered on their individual merits. The following sections therefore focus on the factors most relevant to these proposals.
77. A system shaped by parents – The findings of the statutory consultation indicated significant support and parental demand for the proposed expansion of each of the three schools.
78. Standards – The Council's aim of expanding popular and successful schools is reflected in these proposals as each school is oversubscribed and successful with Shefford Lower rated by Ofsted as Good, Greenleas and Fairfield both rated as Outstanding.

79. Need for places – The three proposals in this report are set out within the New School Places Programme 2012/13 – 2016/17 and reflect local pressures of demographic growth that are forecast to be sustained and require urgent expansion of existing schools to provide additional places. The Council's School Organisation Plan is the evidence base for the New School Places Programme and is based upon a five year planning forecast. It is refreshed on an annual basis to take account of the supply and demand for school places and is informed by data on school capacity and forecasts of pupil numbers as a result of changes in birth rate, housing development and parental preferences.
80. Travel and Accessibility for all – Section 76 of the Education and Inspections Act 2006 places a duty on local education authorities to promote the use of sustainable modes of travel to meet the school travel needs of their area.
81. Each of the schools concerned already has an approved travel plan which will be updated to reflect the increased capacity of the schools and to outline the actions they will be taking to encourage sustainable travel and to ensure any negative travel and transport issues are minimised. The Council's sustainable transport team are able to help support this review process and provide guidance as to the actions that should be put in place. The potential impact of local transport is also considered through the Planning and Development Management process that runs in parallel with these proposals.
82. Funding and land – Capital costs have been identified to implement each of the proposals and the required construction works will be funded from external sources, without increasing the Council's borrowing requirements. There is no requirement for additional land to be secured to implement the Fairfield Park Lower or Shefford Lower proposals and the site for new provision off Kestrel Way, Leighton Buzzard has been secured through S106.
83. Views of interested parties – The DfE guidance is clear that the decision maker should consider the views expressed during the initial statutory consultation and the statutory representation period, following publication of the statutory public notices. In doing so the Executive should not simply take account of the numbers of respondents expressing a particular view but instead give the greatest weight to representations from stakeholders likely to be most directly affected by the proposals.
84. One response was received within the statutory 4 week representation period relating to the proposal to expand Shefford Lower School. Three responses were received relating to Greenleas Lower school. Concerns of the potential for increased traffic arising from both proposals were raised. For Greenleas, the potential for disruption to the teaching and learning of existing pupils, in addition to concerns of the lack of clarity of the benefits of the proposal to the existing school, were raised among a number of other issues. The representations and the Council's response to each are attached at Appendix A.

Determination

85. In considering the proposals the decision maker may decide to reject, approve or to approve with modifications (e.g. the implementation date) the proposals set out in this report. In either case, the reasons for the final decision must be carefully recorded indicating the main factors considered and the reasons for the decision. A copy of the final decision must be forwarded to a range of bodies specified in guidance.
86. Having followed the procedure required by regulation and in consideration of the key issues and factors for decision makers set out in guidance it is recommended that the proposals to expand the three schools as set out in this report and published by Statutory Notices issued on the 11 June 2012, be approved with an implementation date of 1 September 2013.

Appendices:

Appendix A – Responses received within the representation period

Appendix B – Statutory notice and prescribed information for proposal to expand Fairfield Park Lower School

Appendix C – Statutory notice and prescribed information for proposal to expand Shefford Lower School

Appendix D – Statutory notice and prescribed information for proposal to expand Greenleas Lower School

Appendix E - Detailed business case for Fairfield Park Lower School

Appendix F - Detailed business case for Shefford Lower School

Appendix G - Detailed business case for Greenleas Lower School

Background Papers: (open to public inspection)

None