

**TELFORD & WREKIN COUNCIL**

**CABINET – 17 NOVEMBER 2016**

**PROPOSED CONSULTATION ON SCHOOL ORGANISATION INCLUDING THE RE-DESIGNATION OF ATTENDANCE AREAS**

**REPORT OF THE ASSISTANT DIRECTOR: EDUCATION AND CORPORATE PARENTING**

**LEAD CABINET MEMBER – CLLR GILLY REYNOLDS**

## **PART A) – SUMMARY REPORT**

### **1. SUMMARY OF MAIN PROPOSALS**

- 1.1 The Council currently has designated attendance areas for the vast majority of maintained schools and academies. Whilst these attendance areas do not prevent parents or carers from expressing preference for other schools it is widely accepted that the practice of allocating an attendance area, usually linked to the school's proximity to local housing, helps to determine a range of issues which assists to provide an efficient service for allocating school places. Our attendance areas have remained largely unchanged since 2008 and it would seem a logical time to re-visit the discussions both as a result of new schools which have been built as part of BSF and also in the light of a recent upturn in new housing developments.
- 1.2 Due to pressure on secondary school places in Newport we are proposing that pupils residing in the Muxton area will be designated a secondary school within three miles. This will free up school places at Burton Borough School for new residents moving in to Newport due to anticipated housing growth.

### **2. RECOMMENDATIONS**

- a. **That Cabinet receives and takes note of all the information relating to the proposed consultation on the changes to attendance contained within this report; and**
- b. **Authorises the Assistant Director for Education, Employment & Regeneration to take all required actions and exercise all the Council's relevant powers to enable consultation on agreed issues contained within the report to be undertaken during December 2016 and January 2017.**

### 3. SUMMARY IMPACT ASSESSMENT

|   |   |   |
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| <b>COMMUNITY IMPACT</b>                 | Do these proposals contribute to specific Co-Operative Council priority objective(s)?                           |   |
|   | Yes   | Children and Young People – to consult and involve all stakeholders with a vested interest in children’s education and safety   |
|   | Will the proposals impact on specific groups of people?   |   |
|   | Yes   | Children and Families living in the Borough   |
| <b>TARGET COMPLETION/DELIVERY DATE</b>  | Consultation to be completed by January 2017 with a potential implementation date for changes of September 2018 |   |
| <b>FINANCIAL/VALUE FOR MONEY IMPACT</b> | Yes   | The proposal to change the catchment areas of Burton Borough and Telford Priory schools, so that Muxton moves out of the Burton Borough catchment area and into Telford Priory’s catchment, offers substantial potential transport savings. Muxton is within three miles of Telford Priory school and so there would be no statutory requirement for the Council to provide transport for these pupils. Muxton parents could choose to continue to send their children to Burton Borough, but as this would no longer be their catchment school, there would again be no statutory requirement for the Council to provide transport. Currently four Council funded buses run from Muxton to Burton Borough at a cost of approximately £40,000 per bus, so substantial savings would be likely to arise from this change in catchment areas. |
| <b>LEGAL ISSUES</b>                     | Yes   | <p>It is the responsibility of Local Authorities, governing bodies and decision makers to ensure that they act in accordance with relevant legislation and statutory guidance.</p> <p>Section 14 of the Education Act 1996 requires a local authority to secure that sufficient schools in number, character and equipment for providing primary and secondary education are available for its area</p> <p>Section 14(3A) requires a local authority to exercise its functions in this respect to with a view to securing diversity in the provision of schools, and increasing opportunities for</p>   |

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|  | <p>parental choice</p> <p>On 8 April 2016 the Government published a suite of revised statutory guidance for local authority maintained schools:</p> <p><i>Making “prescribed alterations” to maintained schools – statutory guidance for proposers and decision makers</i></p> <p><i>Guidance for decision - makers –Statutory guidance for decision makers deciding prescribed alteration and establishment and discontinuance proposals</i></p> <p><i>Opening and closing maintained schools – Statutory guidance for proposers and decision -makers</i></p> <p>The statutory guidance includes guidance upon consultation requirements and is to be read in conjunction with:</p> <p>the Education and Inspections Act 2006 – Parts 2 and 3 and Schedules 2 and 3<br/> the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013<br/> the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013;<br/> the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013<br/> the School Organisation (Removal of Foundation, Reduction in the Number of Foundation Governors and Ability of Foundation to Pay Debts) (England) Regulations (2007)</p> <p>The statutory guidance <i>School Admissions Code –statutory guidance for admission authorities ,governing bodies ,local authorities ,school adjudicators and admission appeals panels</i> came into force on 19 December 2014 and issued under Section 84 of the School Standards and Framework Act 1998. In drawing up their admission arrangements, admission authorities must ensure that the practices</p> |
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|   |     | <p>and criteria used to decide the allocation of school places are fair, clear and objective. The Code sets out the requirements for consultation.</p> <p>The statutory guidance <i>Home to school travel and transport guidance –statutory guidance for local authorities</i> was published in July 2014 in respect of duties under the Education Act 1996</p> <p>There is also non- statutory guidance published in March 2015 <i>Advice on standards for school premises – for local authorities ,proprietors ,school leaders ,school staff and governing bodies</i> in respect of the School Premises (England) Regulations 2012, which are required to be followed in respect of the standards and suitability of school premises.</p> <p>Departmental non statutory advice for local authorities and new school proposers on establishing new schools and the free school presumption was last updated on 12 February 2016 in respect of Part 2 of the Education and Inspections Act 2006, which sets out the statutory requirements in Sections 6A to 14 for the establishment of new schools, in Sections 15 to 17 on the discontinuance of schools and in Sections 18 to 24 on alterations to schools [<i>The free school presumption – departmental advice for local authorities and new school proposers</i> ]</p> <p>KF<br/>21.10.2016</p> |
| <b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b> | No  |  |
| <b>IMPACT ON SPECIFIC WARDS</b>                 | Yes | Borough wide impact but particular impact for Muxton residents.  |

#### **4. INFORMATION**

4.1 The Council has a statutory duty to ensure that there are sufficient school places in their area, 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 area, promote diversity, and increase parental preference.

In addition the Council will also seek to:

- Improve educational outcomes by ensuring access to high quality provision;
- Ensure cost effective provision, by developing links to other initiatives such as early years provision, developing formal collaborations with partner organisations and actively seek developer contributions where available;
- Provide or assist in procuring local schools for local children by promoting community cohesion, and ensure the provision of new schools are in the right place to serve their communities;
- Facilitate the diversity of school provision by offering a range of provision to promote preference to parents;
- Maintain the sustainability of schools in terms of financial, social and environmental impacts;
- Consult with stakeholders over school organisation proposals and as part of the commissioning process.

In order to achieve these outcomes, first and foremost it is necessary to ascertain the future pupil places needed within the Borough. Individual school level projections are undertaken annually to ensure that there is sufficient data available to support proposals for school organisation, whether that be a new school, expansion or merger.

4.2 In recent years the Borough has experienced an increase in the primary school population, which has been in part due to larger year groups starting school and smaller year groups leaving at the end of year 6. This has also been affected by a higher number of completions of new homes within the Borough over the last few years.

4.3 These higher cohort numbers are now also impacting on secondary schools and this, combined with new housing development yielding additional pupils, means that our overall secondary surplus is decreasing and that in some areas of the borough there will be a need to rationalise secondary school places.

4.3 There is also increasing pressure to provide places for children with Special Educational Needs due to the population of the borough increasing and the fact that an increased number of children with profound and complex difficulties are surviving for longer.

## 5. PRIMARY SCHOOL IMPLICATIONS

### 5.1 Individual Planning Area – Primary Schools

The following table details 7 separate planning areas that are used for school organisation purposes. They have been based on proximity and influence on each other's pupil numbers and admissions, and also based upon geographical boundaries where they exist, such as major roads, railway lines etc. The areas are Newport, Wellington, North Central, North East, South West, South East and South Queensway.

The schools included in each area are as follows:

| South Queensway                   | South West             | South East          | North East                         | North Central      | Wellington                            | Newport                             |
|-----------------------------------|------------------------|---------------------|------------------------------------|--------------------|---------------------------------------|-------------------------------------|
| Coalbrookdale & Ironbridge CE Pri | Aqueduct Primary       | Grange Park Primary | Donnington Wood Infant & Junior    | Apley Wood Primary | Crudgington Primary                   | Church Aston Infant                 |
| John Randall Primary              | Captain Webb Primary   | Hollinswood Primary | Priorslee Primary Academy          | HLC Primary        | Dothill Primary                       | Moorfield Primary                   |
| John Fletcher of Madeley Primary  | Dawley CE Primary      | Holmer Lake Primary | Redhill Primary                    | Meadows Primary    | High Ercall Primary                   | Muxton Primary & Lilleshall Primary |
| Sir Alexander Fleming Primary     | Ladygrove Primary      | Randlay Primary     | St George's CE Primary             | Millbrook Primary  | Short Wood Primary                    | Newport Infant & Junior             |
| St Mary's Catholic Primary        | Lawley Primary         | Windmill Primary    | St Lawrence CE, Preston            | Queenswood Primary | St Patrick's Catholic Pri, Wellington | St Peter's CE Primary, Edgmond      |
| William Reynolds Primary          | Lawley Village Academy |                     | St Luke's Catholic Primary, Trench | Wombridge Primary  | St Peter's CE, Bratton                | Ss Peter & Paul Catholic Primary    |
| Woodlands Primary                 | Lightmoor Primary      |                     | St Matthew's CE, Donnington        |                    | Wrekin View Primary                   | Tibberton CE Primary                |
|                                   | Newdale Primary        |                     | Teagues Bridge Primary             |                    |                                       |                                     |
|                                   | Old Park Primary       |                     | Wrockwardine Wood Inf & Jnr        |                    |                                       |                                     |

5.2 There are several housing developments in various stages of planning in the **Newport area**. Some of the major developments have already begun and more are likely to begin within the next five years which will impact on the school infrastructures in the Newport area. There are further dwellings due to be built which have not yet been included within the projections as their start date is not yet firm enough and a further 600 properties that Planning have resolved to permit. The current schools have already been extended to near the limits of their sites and so it is likely that a new primary school will need to be provided in the southern half of Newport.

5.3 At present there is shared attendance area between Muxton and Lilleshall Primary Schools and we are proposing that each primary will have its own individual attendance area so that Lilleshall residents will have priority within the Lilleshall attendance area and Muxton residents will have priority within the Muxton attendance area for their respective schools. Lilleshall attendance area will remain in the attendance area for Burton Borough School whilst Muxton attendance area will have priority at Telford Priory School at secondary level.

5.4 At present the projections do not show a great deal of change within the **Wellington area** in the immediate future. However, if all the housing developments currently proposed begin to come forward over the next five years then more primary school places will definitely be needed. The most effective place to provide these will be a Wrekin View Primary School as its site is best suited to expansion and there is also a council owned building next door which could be remodelled to accommodate primary pupils.

5.5 There is a plan to build a new village on the outskirts of the Wellington area on the site of the old sugar beet factory at Allscott. This development has not been included in the projections as a start date has yet to be confirmed. We have negotiated a s106 agreement with the developer to provide a primary school for the development.

5.6 **North Central area** has experienced the impact of very high in area figures from the Staffordshire and Shropshire Health Informatics Service coupled with substantial housing development. The pressure on the school's attendance area at HLC Primary has led the council to remodel part of the school in order to provide 30 additional places per year group. These places will start being occupied in September 2016 and then each new reception year after that will have an additional 30 places until by 2023 there will be 3 forms of entry across the school. This has been funded through developer contributions. The remodelling of HLC has meant moving the early years' team and the cluster base.

5.7 With the addition of places over the past 4 years this area is projected to have a small surplus over the current planning period. There is an additional development planned for the old Maxell site and when this is built the council will need to expand one of the existing primary schools in the area to cater for the new pupils. Discussions have already been held with Millbrook Primary School whose site is the most suitable for expansion. Funding to provide the extension would come from developer contributions.

5.8 There has been sustained pupil growth in the **North East area** over the past 5 years and the number of children able to gain places in the schools from outside their attendance areas has been steadily decreasing. This is in spite of 2 of the schools having been extended within the past four years to increase their capacity. There are further housing developments planned on the eastern boundaries of this area and the scale of these is such (circa 1,400 consented homes) that a new primary school will be necessary. Negotiations are currently underway with developers about the provision of a new school.

5.9 Lawley Village Academy opened in September 2015 with just one reception class and is expected to grow by one cohort a year. The building is designed to have core facilities capable of accommodating 420 pupils and it is expected that as housing totals in the area increase it will need to increase from its current 210 places. The initial phase of building has been paid for by a mixture of developer contributions and basic need funding. A funding source for the additional 210 places has yet to be identified. This school is sponsored by REAch2 and is already proving popular and it may be advantageous to grow the school more rapidly than originally planned.

5.10 The **South West area** currently has an overall surplus of 3% but it is likely that we will experience increased pressure by 2019 as there are more housing developments planned for the area. It will therefore be necessary to expand one or more of the existing schools to accommodate these new pupils.

## 6. SECONDARY SCHOOL IMPLICATIONS

6.1 At secondary level the borough is split into 3 planning areas again on the basis of geographical location and the movement of pupils. These are – Newport, North Telford and South Telford. The Schools include in each area are as follows:-

| <b>Newport</b>            | <b>North Telford</b>           | <b>South Telford</b>      |
|---------------------------|--------------------------------|---------------------------|
| Adams' Grammar School     | Charlton School                | Abraham Darby Academy     |
| Burton Borough School     | Ercall Wood Technology College | Madeley Academy           |
| Newport Girls High School | Hadley Learning Community      | Telford Langley School    |
|                           | Holy Trinity Academy           | Telford Park School       |
|                           | Telford Priory School          | <i>Thomas Telford CTC</i> |

6.2 There are 3 secondary schools situated within **Newport**. Two of these, Adams' Grammar School and Newport Girls High School, are single sex grammar schools which select applicants on the basis of their academic ability and the third, Burton Borough School, is a comprehensive school. All three schools have been remodelled under the BSF project, although none of them has been rebuilt, and are usually oversubscribed each year. An additional 150 places were added to Burton Borough in order to allow it to develop post 16 provision. These places are not currently in use and, as new legislation has made it harder for schools to open new post 16 provision, these places may be available to accommodate additional statutory school aged pupils in the future.

6.3 The pressure on places within the Newport area arising from the large amount of consented housing development means that it will be necessary to revisit the attendance area for this school. The Burton Borough School has a net capacity of 1,080 and there are 1,064 pupils currently attending the school. It is possible that a further 1,089 properties will be built in the Newport area over the next few years which we would expect to yield approximately 170 pupils. Approximately 80% of the pupils currently attending Burton Borough school live within the Newport area with half of the remaining pupils coming from outside of the Borough and the remainder coming from within the Borough.

6.4 It is expected that these places that are currently being occupied by children from outside the Newport area will in future be needed for Newport residents. Newport is relatively isolated geographically and at the current time pupils living in Muxton are transported to Newport each day. ***In view of the potential pressure on places in Newport we propose to give priority for the available places to residents of Newport and its surrounding villages and to identify alternative places for Muxton pupils elsewhere within the Telford north area which is geographically closer than Newport.***

6.5 There are two new schools to the eastern side of the **north Telford area** with surplus Holy Trinity Academy and Telford Priory School. Telford Priory School opened on a new site in September 2015 and has significantly enhanced provision for Arts and sport. Telford Priory was built to accommodate 1200 pupils and there are currently 1,072 pupils attending, this gives a surplus of 128 places. Approximately 75% of their current pupils reside in the attendance area, this leaves us with 300 places that would be prioritised for Telford Priory and Muxton residents. There are approximately 400 properties with planning consent within the Telford priory catchment area and regard of the proposed Strategic Urban

Extension within the Muxton area has also been taken into account when considering the proposed changes to the attendance area for Telford Priory School. ***This school is within three miles of Muxton and therefore we propose that this becomes the attendance area for Muxton residents.***

6.6 Hadley Learning Community is situated in the centre of the north Telford area and admits principally pupils from Hadley, Ketley and Leegomery. It has increased in popularity and is now generally oversubscribed. There have been substantial areas of housing development within the attendance area, notably the millennium development in east Ketley and the large development south of Trench Lock. The primary provision within the school has recently been extended and discussions are currently underway with the school to look at the possibility of creating additional secondary places.

6.7 There are two schools serving the **Wellington** area, Charlton in the north and Ercall Wood in the south of the district. The Charlton School has few vacant places at present and there is housing development scheduled for its area, both within the town boundary and in the rural areas to the west and north. Ercall Wood Technology College serves the southern half of Wellington and also the Lawley area. The school has a number of surplus places but the lower year groups are fuller than those in key stage 4.

6.8 New housing has been built in the southern area of Wellington on Holyhead Road and there is currently an inquiry into whether a large development on Haygate Road will be permitted. It is expected that the available places within Ercall Wood will be necessary to accommodate pupils from new development in Wellington. ***We propose that the Lawley area should become a shared attendance area between Ercall Wood and Telford Langley School.***

6.9 All four schools within the **south Telford area** have been rebuilt within the last decade, Madeley Academy, Abraham Darby Academy, Telford Park School and Telford Langley School. Madeley Academy was the first to move into new premises in 2010, followed by Abraham Darby in 2012 and then Telford Langley and Telford Park Schools, the latter opening in September 2015. Also located in south Telford, but accepting pupils from postcodes across the town and some postcodes in Wolverhampton, is Thomas Telford City Technology College.

6.10 The two halves of the planning area are different in character. The two most southerly schools, Madeley and Abraham Darby, are well-established and successful academies which are generally oversubscribed and have few surplus places for compulsory school aged pupils. The two more northerly schools, Telford Langley and Telford Park, are relatively new academies sponsored by the Communities Academy Trust and are not so well established. Both of these schools currently have a number of surplus places which ensures that we have sufficient capacity at secondary level. In future we will need to revisit school attendance areas and/or explore the possibility of free school places in the future to help relieve pressure created by a buoyant birth rate and large areas of new housing development.

## **7. SPECIAL SCHOOL IMPLICATIONS**

7.1 It is anticipated that the number of school age pupils will continue to increase in Telford because of a combination of an increase in the birth rate and continuing housing

development. At present special schools within the borough are largely full with very few surplus places available. If the proportion of children seeking special school places to meet their needs remains the same, then the number of special school places may need to be increased or more mainstream schools may need to develop resources to meet the needs of these students.

7.2 New special school places are not easy to provide using section 106 developer contributions as special schools admit pupils from across the borough and not children local to any particular housing development as mainstream schools do. The new restrictions on pooling developer contributions for authorities without a community Infrastructure Levy in place has meant that this situation has deteriorated further. It is likely that the authority will have to submit a business case for special school expansion to try and gain funding from the Education Funding Agency as soon as an opportunity arises and these discussions are currently under way.

## **8. IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

8.1 Telford & Wrekin Council has a statutory obligation to provide free home to school transport in the following circumstances:

- (a) For all pupils of compulsory school age (5-16) if their nearest suitable school is
  - Beyond 2 miles (if below the age of 8 )
  - Beyond 3 miles (if aged between 8 and 16)
- (b) For all children who cannot reasonably be expected to walk to school or college because of mobility problems or because of associated health and safety issues relating to their special educational needs or disability. Eligibility is assessed on an individual basis.
- (c) For all children who cannot reasonably be expected to walk to the nearest suitable school because the nature of the route is deemed unsafe to walk.
- (d) When pupils are entitled to free school meals or their parents are in receipt of maximum Working Tax Credit if
  - (i) The nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11)
  - (ii) The school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools)
  - (iii) The school is between 2 and 15 miles and the nearest school is preferred on the grounds of religion or belief (aged 11-16).

8.2 The key proposed change is to move Muxton into Telford Priory's catchment area and remove it from Burton Borough's catchment area on order to meet the demand for places in Newport as a result of housing growth. This will mean that most pupils living in Muxton are within 3 miles of their catchment (i.e. nearest suitable) school. There may be a small number of pupils entitled to free schools meals or with parents in receipt of maximum Working Tax Credit, who live more than two miles from the school who will still qualify for free transport.

- 8.4 Four buses are currently commissioned by the Council to transport pupils from Muxton to Burton Borough. These proposals will **not** impact on pupils receiving transport assistance under the current policy **until** the end of their current phase of education. Pupils already supported for travel to Burton Borough will continue to receive this until the end of Year 11.
- 8.5 The proposed change in catchment therefore means the current expenditure of around £40,000 per bus will not be necessary once the new arrangements are in place which is a significant Council saving.

## **9. CONSULTATION**

9.1 The school organisation and attendance area consultation will run from 18 November 2016 to 16 January 2017. This will ensure we cover the statutory requirement for a 6 week term time period of school admissions consultation for academic year 2018/19. Consultation findings will be reported to Policy Review on 9 February 2017.

Prior to consultation we will have discussions with key organisations including:

- Specifically affected schools
- Academy sponsors potentially affected by the proposals
- Diocesan representatives affected by the proposals

Public consultation will include:

- Other primary and secondary schools including governing bodies, PTA associations and school councils
- News for You database
- Key stakeholder, admissions authorities and partner organisations
- Online web page

The purpose of the consultation will be to find out public views to help the Council continue to offer the best, cost effective education solutions within the budget to meet the needs of a growing pupil population. The consultation questions will help to identify any concerns that people may have in relation to suggestions outlined in the report.

## **10. PREVIOUS MINUTES**

## **11. BACKGROUND PAPERS**

**Report prepared by Jules Millington, School Organisation Specialist.**