

# **Lancashire County Council**

## **Executive Scrutiny Committee**

**Tuesday, 31st January, 2017 at 2.00 pm in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston**

### **Agenda**

#### **Part I (Open to Press and Public)**

##### **No. Item**

##### **1. Apologies**

##### **2. Disclosure of Pecuniary and Non-pecuniary Interests**

Members are asked to consider any Pecuniary or Non-pecuniary Interests they may have to disclose to the meeting in relation to matters under consideration on the Agenda.

##### **3. Minutes of the meeting held on 17 January 2017** (Pages 1 - 4)

##### **4. Forthcoming Individual Cabinet Member Key Decisions**

##### **(a) Co-ordinated Admission Arrangements for Lancashire Schools - 2018/19** (Pages 5 - 18)

##### **(b) Additional Primary Places in Euxton, Chorley - Proposal to Expand Balshaw Lane Primary School Chorley** (Pages 19 - 66)

##### **5. Urgent Business**

An item of urgent business may only be considered under this heading where, by reason of special circumstances to be recorded in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency. Wherever possible, the Chief Executive should be given advance warning of any Member's intention to raise a matter under this heading.

##### **6. Date of Next Meeting**

The next meeting of the Executive Scrutiny Committee will be held on Tuesday 7 March 2017 at 2pm at the County Hall, Preston.

## **7. Exclusion of Press and Public**

The Committee is asked to consider whether, under Section 100A(4) of the Local Government Act, 1972, it considers that the public should be excluded from the meeting during consideration of the following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraph of Part 1 of Schedule 12A to the Local Government Act, 1972, as indicated against the heading to the item.

## **Part II (Not Open to Press and Public)**

### **8. Forthcoming Individual Cabinet Member Key Decisions**

#### **(a) Skelmersdale Rail Link** (Pages 67 - 78)

(Not for Publication – Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.)

#### **(b) Delivery of the Healthy Child Programme** (Pages 79 - 88)

(Not for publication- Exempt information as defined in Paragraph 3 and 5 of Part 1 of Schedule 12A to the Local Government Act, 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information).

I Young  
Director of Governance,  
Finance and Public Services

County Hall  
Preston

## Lancashire County Council

### Executive Scrutiny Committee

**Minutes of the Meeting held on Tuesday, 17th January, 2017 at 2.00 pm in Cabinet Room 'C' - The Duke of Lancaster Room, County Hall, Preston**

#### **Present:**

County Councillor Bill Winlow (Chair)

#### **County Councillors**

A Atkinson	D O'Toole
A Barnes	J Oakes
Ms L Collinge	N Penney
B Dawson	V Taylor
M Green	D Westley
S Holgate	

County Councillors L Collinge, V Taylor and D Westley replaced County Councillors D Clifford, G Driver and Mrs S Charles respectively at this meeting.

#### **1. Apologies**

None.

#### **2. Disclosure of Pecuniary and Non-pecuniary Interests** None.

#### **3. Minutes of the meeting held on 6 December 2016**

**Resolved:** That the Minutes of the meeting held on 6 December 2016 be confirmed and signed by the Chair.

#### **4. Reports for decision by Cabinet**

The Committee considered a number of reports to be presented for decision by Cabinet on 19 January 2017, as follows:

##### **a. The Annual Audit Letter for Lancashire County Council - Year Ended 31 March 2016**

The Committee considered a report on the external auditor's Annual Audit Letter for Lancashire County Council for the year ended 31 March 2016.

**Resolved:** That the recommendations set out in the report to Cabinet be noted and that no additional comments or suggested alternative recommendations be made.

**b. Money Matters - The Financial Strategy**

The Committee considered a report which provided an update of the forecast outturn Financial Position for 2016/17 on revenue and capital, the County Council's updated Medium Term Financial Strategy (MTFS) for the period 2017/18 to 2020/21, reflecting the provisional settlement for 2017/18, and the position with regard to application of current reserves.

**Resolved:** That the recommendations set out in the report to Cabinet be noted and that no additional comments or suggested alternative recommendations be made.

**c. Regulation of Investigatory Powers Act 2000: Annual Report to Cabinet**

The Committee considered a report on the annual review of the use of the Regulation of Investigatory Powers Act 2000 (RIPA).

The Committee's attention was drawn to three additional policies linked to the use of covert surveillance. These related to non RIPA surveillance, the use of social media and the internet in investigations, and a new draft CCTV Policy incorporating the codes of practice issued by the Surveillance Camera Commissioner and the Information Commissioner. The report also proposed that the role of CCTV Manager be undertaken by the Head of Service Legal and Democratic Services.

**Resolved:** That the recommendations set out in the report to Cabinet be noted and that no additional comments or suggested alternative recommendations be made.

**5. Forthcoming Individual Cabinet Member Key Decisions**

The Committee considered the following reports on Key Decisions due to be taken by individual Cabinet Members, as indicated:

**a. Adult Social Care Fee Uplifts - 2017/18**

The Committee considered a report to be presented to the Cabinet Member for Adult and Community Services on the proposed fee uplifts for adult social care providers for 2017/18.

**Resolved:** That the recommendations set out in the report to the Cabinet Member for Adult and Community Services be noted and that no additional comments or suggested alternative recommendations be made.

**b. Schools Budget 2017/18**

The Committee considered a report to be presented to the Cabinet Member for Children, Young People and Schools on the proposed schools budget for 2017/18 including the views of the Schools Forum from its meeting on 12 January 2017.

**Resolved:** That the recommendations set out in the report to the Cabinet Member for Children, Young People and Schools be noted and that no additional comments or suggested alternative recommendations be made.

c. **The University of Central Lancashire Masterplan and Associated Highway Modifications**

The Committee considered a report to be presented to the Cabinet Member for Highways and Transport on the highway modification proposals to support the University of Central Lancashire Masterplan.

**Resolved:** That the recommendations set out in the report to the Cabinet Member for Highways and Transport be noted and that no additional comments or suggested alternative recommendations be made.

d. **Procurement Report - Request for Approval to Commence Procurement Exercises**

The Committee considered a report to be presented to the Cabinet Member for Children, Young People and Schools, and to the Cabinet Member for Adult and Community Services on the proposed commencement of procurement exercises for:

- (i) The Supply of Maintained Equipment ; and
- (ii) The Provision of Crisis Services in Central Lancashire

**Resolved:** That the recommendations set out in the report to the Cabinet Member for Children, Young People and Schools, and to the Cabinet Member for Adult and Community Services be noted and that no additional comments or suggested alternative recommendations be made.

6. **Urgent Business** None.

7. **Date of Next Meeting**

It was noted that the next meeting of the Executive Scrutiny Committee would be held on Tuesday 31 January 2017 at 2pm at the County Hall, Preston.

8. **Exclusion of Press and Public**

**Resolved:** - That under Section 100A(4) of the Local Government Act, 1972, the press and public should be excluded from the meeting during consideration of the

following items of business on the grounds that there would be a likely disclosure of exempt information as defined in the appropriate paragraphs of Part 1 of Schedule 12A to the Local Government Act, 1972 and that in all circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## **9. Forthcoming Individual Cabinet Member Key Decisions**

The Committee considered the following reports on Key Decisions due to be taken by individual Cabinet Member, as indicated:

### **a. Chorley Youth Zone - County Council Grant**

(Not for Publication – Exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

The Committee considered a report to be presented to the Cabinet Member for Children, Young People and Schools on the proposed payment of a capital grant to Chorley Borough Council for the development of a new Youth Zone in Chorley.

**Resolved:** That the recommendations set out in the report to the Cabinet Member for Children, Young People and Schools be noted and that no additional comments or suggested alternative recommendations be made.

### **b. Provision of PAT Testing Services to Lancashire County Council**

(Not for Publication – Exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972. It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

The Committee considered a report to be presented to the Leader of the County Council on the award of a contract for the provision of an inspection and electrical testing service to the County Council.

**Resolved:** That the recommendations set out in the report to the Leader of the County Council be noted and that no additional comments or suggested alternative recommendations be made.

I Young  
Director of Governance,  
Finance and Public Services

County Hall  
Preston

**Report to the Cabinet Member for Children, Young People and Schools**  
**Report submitted by: Head of Service, School Improvement**  
**Date: 6 February 2016**

<b>Part I</b>
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Electoral Divisions affected: All
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## **Co-ordinated Admissions Scheme 2018/19 – Determination of the Qualifying Scheme**

(Appendices 'A' and 'B' refer)

Contact for further information:

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### **Executive Summary**

This report concerns the determination of the statutory scheme for co-ordinating admissions for Lancashire's primary and secondary schools and academies for 2018/2019.

This is deemed to be a Key Decision and the provisions of Standing Order No 25 have been complied with.

### **Recommendation**

The Cabinet Member for Children, Young People and Schools is recommended to:

- (i) Approve that the scheme listed at Appendix 'A', be adopted as the qualifying scheme for admissions to Lancashire primary and secondary schools and academies for 2018/19; and
- (ii) Approve that the Director for Children's Services shall seek to secure the adoption of the scheme by the governing body of each Lancashire voluntary aided and foundation school and academy in order to inform the Secretary of State that a scheme has been introduced in Lancashire.

### **Background and Advice**

Every local authority is under a duty to formulate a scheme to co-ordinate the admission process for every state funded school in their area. The requirements for such a 'qualifying scheme' for the co-ordination of admission arrangements for the

academic year 2013/14 onwards are set out in The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012. New free schools may be exempt from this scheme during the first year of their establishment.

A draft scheme and timetable for Lancashire schools and academies/free schools was circulated for consultation with schools and academies, governors, diocesan representatives and neighbouring authorities during Autumn Term 2016.

The scheme for 2018/19 maintains the focus on on-line applications being the principle means of applying for school places.

Every voluntary aided and foundation school and academy governing body in Lancashire will be asked to adopt the scheme during Spring Term 2017. Any participating free schools will also be asked to adopt the scheme (although these arrangements may vary slightly).

The Secretary of State for Education must be informed that a scheme is in place. If a scheme is not adopted by all admission authorities then a scheme will be imposed by the Secretary of State.

## **Consultations**

Consultations have been held with the governing bodies of all schools and academies in Lancashire, representatives of the local Diocesan Education Authorities and neighbouring authorities.

## **Implications:**

This item has the following implications, as indicated:

### **Risk Management**

### **Financial**

The adoption of this scheme has no financial implications.

### **Legal**

If a qualifying scheme is not adopted by the authority before 28 February 2017, a scheme will be imposed by the Secretary of State.



## List of Background Papers

Paper	Date	Contact/Directorate/Ext
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None		
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Reason for inclusion in Part II, if appropriate		
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N/A		
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**(PROPOSED SCHEME)**

**CO-ORDINATED ADMISSION SCHEME FOR  
LANCASHIRE SCHOOLS AND ACADEMIES 2018 / 2019  
SEPTEMBER 2018 INTAKES**

**1. Introduction**

Lancashire's co-ordinated admission scheme provides a fair and transparent route for the consideration of parental preferences in accordance with legislation and the Department for Education (DFE) School Admissions Code.

The scheme allows parents of all pupils living within Lancashire to complete a single application expressing up to three preferences for admission to maintained schools, academies and free schools within Lancashire and, if they wish, to include those in neighbouring authority areas.

Following consideration of expressed preferences, the Local Authority (LA) will issue to parents living within Lancashire the offer of a single school or academy place. This will be for all admission authorities which are required to comply with the statutory co-ordinated scheme.

All preferences from parents will be considered equally and where more than one offer is possible *the priority order in which the parents expressed their preferences* will then be used to determine which single offer is made.

The scheme preserves the powers and responsibilities of individual admission authorities to determine and apply their published admissions policies. At the same time it enables decisions to be taken within a co-ordinated framework covering the whole County.

For the scheme to operate successfully it is important for all admission authorities to work together closely and to share information as required and as far as possible within the agreed timescales.

**2. Applying for School Places**

Lancashire's online admission application system is the main route for all applications for new Reception (primary) and Year 7 (secondary) places.

Paper copies of the prospectus and application form will not be routinely available. These will however be supplied on request in exceptional circumstances eg where there is no broadband link or for medical reasons.

Full versions of the prospectuses and application form can be viewed on the online application system and the Lancashire County Council website [www.lancashire.gov.uk](http://www.lancashire.gov.uk).

**3. The Offer of a Place**

The scheme will ensure that Lancashire parents only receive a single offer. The scheme also ensures that each parental preference is considered equally. Where multiple offers are possible the Local Authority (LA) will refer to the priority order of preferences identified by parents on their application. In these circumstances the school or academy at which there is an available place and which is the highest ranked priority on an application will be the confirmed offer.

## Processing of Preference Forms

### 3.1 Stage 1 - Expression of preferences

In early Autumn Term each year the LA will provide flyers and information notices for schools to issue / include in communication with parents. These will refer prospective applicants to the online application system and to links and contacts for information and advice.

The parents of children who do not attend Lancashire primary schools or academies and those who reside outside of Lancashire's administrative boundaries will be able to access information and advice via the online application system and via the County Council website.

Admission information for parents will include:-

- a) Details of how the process is co-ordinated with all admission authorities within Lancashire and that information is exchanged with neighbouring local authorities.
- b) A summary of the determined admission arrangements for all Lancashire maintained schools, academies and free schools.
- c) Information about the number of applicants received the previous year.
- d) Other admission information to help parents to make realistic preferences and to help them assess the likelihood of obtaining an offer for a preferred school or academy.
- e) Timescales for the primary and secondary admission processes and for the subsequent admission appeal schedule.

**THE MAJORITY OF LANCASHIRE PARENTS USE LANCASHIRE'S ONLINE ADMISSION APPLICATION SYSTEM TO BE LEGALLY REGISTERED WITHIN THE ANNUAL PROCESS FOR PRIMARY AND SECONDARY INTAKES (SOME MAY STILL REQUEST PAPER APPLICATION FORMS).**

Some schools and academies have a supplementary information form (SIF) which parents may complete. This allows that school or academy to apply particular criteria within its own published admission arrangements. The online system will provide standard downloadable SIFs for Lancashire's voluntary aided schools and academies (automatically flagged up where a relevant primary school or academy is a parental preference). Information will also point all parents towards individual schools and academies which will issue their own SIF.

Completion of a SIF is not a legal requirement – it is however necessary if parents applying for these schools and academies wish to have their application considered fully against the relevant admission criteria.

Lancashire resident parents must however fill in Lancashire's online (or paper) application for their children to be considered for Reception and year 7 places for each September. **Completion of only a SIF does not constitute registration within the annual admission process for primary or secondary intakes.**

Parents living outside of Lancashire can access the online system and the County Council web site for information and advice only. These parents **must** however apply for school places via their home local authority – even where they wish to express preferences for Lancashire schools and academies.

Lancashire resident parents will return applications online to the Local Authority. For those where paper forms are still required these can be returned to Area Pupil Access Teams (in Lancaster, Preston and Accrington) or to the child's primary school or academy if this is within Lancashire.

### **All applications must be returned by the national statutory closing dates**

(See timetable.)

Parents who apply near to the closing date are encouraged to apply online. This is a secure system which provides email acknowledgement of receipt of an application and allows earlier email notification of the school offer.

### **3.2 Stage 2 – Circulating Preferences**

Lancashire primary schools and academies must forward any paper applications received to the Area Pupil Access Team by the agreed date (see timetable).

Primary schools and academies must not forward applications or the details of these to any secondary schools or academies. Under no circumstances must primary schools provide the priority order of parental preferences to secondary schools or academies.

All preferences received will be transferred or inputted into the Lancashire admissions database. This will include all online applications and paper applications including those received individually or in bulk from out of area.

Voluntary aided and foundation schools, academies and free schools will be provided with details of all their applications. They will not be informed of their own establishment's priority order on each parent's application.

The Governing Bodies of voluntary aided and foundation schools, academies and free schools must consider and rank all received applications. Schools and academies which have a SIF must consider applications even where a SIF has not been completed (based upon the information which is available at that time).

**If schools or academies chase SIFs which have not been provided with applications this must be for all applicants without a SIF and not only for selected cases.**

If a SIF only has been completed then there can be no consideration for a place. Schools and academies should notify the Area Pupil Access Team where this has happened. Pupil Access must be made aware of these cases in order to make alternative offers later in the process.

By an agreed date (see timetable) the Local Authority will notify other admission authorities about all of their preferences. This notification will include straight line distance measures. Any additional or supplementary information provided by parents will also be provided. Lancashire will also exchange

information with neighbouring local authorities (information exchanges will continue throughout the process as required).

At this time Lancashire also verifies the details of many applications eg in relation to children in care, special needs, siblings, addresses and claimed medical, social and welfare issues.

(Please note that the background accuracy checks and verifications and the provision of distance measures will only be provided to Lancashire academies and Free Schools which have bought into the admissions traded service).

### **Stage 3 – First Sort**

By (see timetable) each Lancashire voluntary aided and foundation school, academy and free school will return to the Local Authority (electronically via the Schools Portal) a ranked list of all applicants for places at that establishment.

By (see timetable) any admission authority which wishes to exceed its published admission number (PAN) for the forthcoming September intakes (reception or years 3, 7 or 10) must notify the Local Authority. This will allow time for effective co-ordination to occur and for the necessary system changes to be made.

It is necessary for every application to be ranked in priority order to accurately allocate places for all admission authorities (those from in and outside of Lancashire).

All Governing Bodies must therefore be aware that their own ranked list will be manipulated in accordance with the agreed equal preference admission scheme and each parent's priority order of preferences as stated on their application.

The Local Authority will:-

- a) Identify applications where more than a single offer would be possible and then refer back to that parent's preference priorities. The school or academy with an available place listed *highest in priority* by the parent will be the single offer.
- b) Identify where a first preference school or academy cannot be offered and ensure that the parents' other preferences are considered.
- c) Identify where none of a parent's preferences can be offered and ensure that an alternative offer is made. This will usually be the nearest suitable school or academy with an available place (straight line measure).
- d) Ensure that all non-first preference offers issued automatically refer parents to the appropriate reserve list and appeals information and documentation.

### **Stage 4 – Notification of Offers**

By (see timetable) the Local Authority will provide all other admission authorities with details of those pupils who they originally wished to offer a place but who will receive an alternative offer.

All admission authorities will then need to revise their own ranked lists and submit an updated version to the Area Pupil Access Team.

A similar exchange of information and revision of offers lists will be undertaken with neighbouring local authorities.

This element of the process will continue to be repeated as required. This is necessary as initial changes often lead to others (and so on).

The Local Authority will send all other admission authorities their final offer lists by (see timetable). There will be some time to review these again and make changes if these are absolutely essential.

**NO CHANGES TO OFFER LETTER WILL BE MADE AFTER** (see timetable).

The Local Authority will issue offers for primary and secondary schools on the defined national statutory offer dates (see timetable). These will be electronic for all online applicants (around 95%) and by letter – 2<sup>nd</sup> class – for those who submitted paper forms.

Offers will be for Lancashire resident applicants only. Those resident outside of Lancashire will receive offers from their home local authority. Offers made on behalf of other admission authorities (voluntary aided and foundation schools, academies and free schools) will state that this is the case.

Online applicants will receive an email and also be able to view their school or academy offer on the statutory offer date / day. Letters issued 2nd class to those who applied on paper may arrive slightly later.

#### **4. Late Applications**

Applications received after the statutory closing dates (see timetable) may be made on an eform or a paper form may be requested. The online system closes at 11.59 pm on each closing date.

Applications received late must be receipted and / or date stamped. These will generally only be considered if the following apply:-

- (a) If the overall number of preferences received for a school or academy is below its published admission number or;
- (b) The school or academy is exceeding its published number to a defined limit and has notified the Local Authority in time for co-ordination to successfully occur (and if available places remain) or;
- (c) There are extenuating circumstances justifying a late application.

These may include:

- (i) Parents moving into the County or Country (see note 5) after the closing date;
- (ii) Parent / carer illness which required hospitalisation for the major part of the period between the issue of admissions information and the closing date for applications.

Individual parents will be responsible for providing evidence to support a late application within the admission process. The Local Authority will determine the appropriateness and strength of each case and there will be liaison with other admission authorities where this is necessary.

The Local Authority will therefore refer some late application cases (but not all) to other admission authorities.

**IT IS NOT ANTICIPATED THAT ANY LATE APPLICATIONS WILL BE INCLUDED IN THE PROCESS AFTER PROVISIONAL OFFERS HAVE BEEN RANKED.**

**Applications received after the statutory offer dates** (see timetable).

Any applications received for places after the offer date will be considered by the Local Authority as being late. If parents provide reasons / evidence which they feel justify acceptance of a late application the Local Authority will review the situation. The relevant admission authority may be consulted where this is felt to be necessary.

The LA will retain the responsibility for issuing offer letters to parents up to 31<sup>st</sup> December (for Reception and Year 7 places) in liaison with own admission authority schools and academies as required.

This process will operate until the start of Autumn Term after which any enquiries for places will be directed to the appropriate admission authority who will make decisions and arrange for the issue of letters accordingly (unless they receive this element of the process as part of a bought in service from the Local Authority)

There is a requirement that after the September term starts, all Lancashire maintained schools, academies and free schools will liaise with the LA about any Reception and Year 7 offers which they make. This will allow closer monitoring of the overall availability of places across the County and facilitate dealing with new applications.

#### **Late allocation changes (each year)**

Offers are issued centrally (from County Hall). This requires the electronic transfer of information from each Area Pupil Access Team. Arrangements will be made to signpost or include other information with some offers (eg reserve lists, appeals and home to school transport).

It is not possible to make any amendments to the primary or secondary allocations in the 7 to 10 working days preceding these being issued (see timetable).

#### **Waiting Lists (Reserve Lists)**

All admission authorities must retain Reception or Year 7 waiting lists for 1 term into the new school year (up to 31<sup>st</sup> December).

Parents may express an interest in a pupil's name being added to a waiting list for a school / academy at any time. Names of pupils to be added to waiting lists will be collected by the LA and shared with other admission authorities. These are not restricted to those who applied initially for particular establishments – *any parents may access any reserve lists*. Parents can therefore have a place on a school / academy waiting list even if this was not one of their initial preferences.

The LA will compile reserve lists in the priority order of each school or academy admission arrangements (in liaison with individual admission authorities). The LA will issue any offers which can be made as a result of places becoming available (the number of offers for a school falling below the school's published admission number for the required year group).

The only legal offers up to 31<sup>st</sup> August will be from the LA. All parents may place children on school / academy waiting lists in the priority order of the relevant admission arrangements (irrespective of whether they originally applied for that school or academy or if they are new to area). Lists must not be held on a first come first served basis and neither must places be offered on this basis.



**Any pupils who are subject to a Local Authority direction to admit or who are allocated in accordance with Fair Access Arrangements (as described within the School Admissions Code) must take precedence over others who are on any school or academy waiting list.**

Individual admission authorities must continue to compile and manage waiting lists until 31 December\*. Parents who want a pupil to be included on a school or academy list after this date must then contact that establishment direct to enquire about their particular arrangements and requirements.

\*The Local Authority will provide this service for academies and free schools which buy into the traded admissions scheme.

## **5. Applications From Abroad (and other areas of the UK)**

It is required that families must be physically resident in Lancashire (or nearby) in order to apply within the annual intake processes. Exceptional circumstances will be considered on request (and will require that individual families provide the necessary evidence for consideration). Exceptions will usually include:-

- a) UK Service Personnel families who can provide evidence of a posting into the area and the date from which this will occur.
- b) New to area families purchasing / renting / leasing an address in Lancashire (providing legal evidence of a contract exchange or lease agreement as a minimum) – see notes below.

Where families are planning to return to an address (whether pre owned or not) within Lancashire, and can provide evidence of ownership, it is required that they are physically in residence during the application period in order for applications to be accepted for annual intakes. This means that the child is in residence with parent / parents at their permanent address. This applies to those returning from living abroad and those returning from periods of employment / secondment abroad. This principle applies also to b) above. If there are challenges to an LA decision not to accept an application within the agreed arrangements to co-ordinate then individual admission authorities will be consulted. Note however that admission policies require that a family does not just own a property in a particular location, but that they are actually resident at that property.

Where families relocate or return to an address in Lancashire after a statutory closing date but during the allocation period (ahead of finalisation of offers) then there will be consideration of accepting a late application. Appropriate evidence must be provided of ownership or a lease / rental agreement and date of relocation and residence at that address.

The agreed timetable for co-ordination for the primary and secondary annual intake processes include agreed dates after which offers will not be amended.

Please note that late entry to the annual intake processes will not be possible after the statutory closing dates unless an exception is agreed by the Local Authority and / or the admission authority.

## **6. Annual Infant to Junior School Transfers (Year 2 to Year 3)**

Some Lancashire infant and junior schools have close links and there is an established annual transfer from Year 2 in the infant school to Year 3 in the associated junior school.

Parents are informed in Lancashire's admissions information that places in Year 3 for annual intakes at this point are open to all applicants.

Where the number of Year 2 to Year 3 transfers / applications can be accommodated in the junior school then the overall process can be managed locally. If however a junior school wishes to exceed its published admission number in Year 3, or there is oversubscription requiring a formal admissions round and the application of determined criteria and tie break - then the Area Pupil Access Team must be informed. The timetable for co-ordination will apply.

(PROPOSED TIMETABLE)  
CO-ORDINATED ADMISSION SCHEME FOR  
LANCASHIRE SCHOOLS AND ACADEMIES 2018 / 2019  
SEPTEMBER 2018 INTAKES



<b>SECONDARY</b>		<b>PRIMARY</b>	
<b>DATE</b>	<b>ACTION</b>	<b>DATE</b>	<b>ACTION</b>
<b>1<sup>st</sup> September 2017 (Friday)</b>	Online application system goes live and requests for paper forms / booklets accepted and considered	<b>1<sup>st</sup> September 2017 (Friday)</b>	Online application system goes live and requests for paper forms / booklets accepted and considered
<b>31<sup>st</sup> October 2017 (Tuesday)</b>	Closing date for applications (statutory)	<b>15<sup>th</sup> January 2018 (Monday)</b>	Closing date for applications (statutory)
<b>6<sup>th</sup> November 2017 (Monday)</b>	Primary schools / academies to forward any paper applications to Area Pupil Access Teams		
<b>24<sup>th</sup> November 2017 (Friday)</b>	Preferences information exchange with other admission authorities	<b>9<sup>th</sup> February 2018 (Friday)</b>	Preferences information exchange with other admission authorities
<b>15<sup>th</sup> December 2017 (Friday)</b>	Admission authority to confirm intention to exceed PAN with the LA	<b>16<sup>th</sup> February 2018 (Friday)</b>	Admission authority to confirm intention to exceed PAN with the LA
<b>15<sup>th</sup> December 2017 (Friday)</b>	Prioritised (ranked) lists back to the Local Authority	<b>9<sup>th</sup> March 2018 (Friday)</b>	Prioritised (ranked) lists back to the Local Authority

<b>22nd January 2018 (w/c Monday)</b>	Further exchange of lists with other admission authorities		
<b>12th February 2018 (Monday)</b>	No changes at all can be made to offer letters after this date	<b>2nd April 2018 (Monday)</b>	No changes at all can be made to offer letters after this date
<b>19th February 2018 (w/c Monday)</b>	Issue finalised offer lists to secondary schools / academies	<b>9th April 2018 (w/c Monday)</b>	Issue finalised offer lists to primary schools / academies
<b>1<sup>st</sup> March 2018 (Thursday)</b>	<b>Issue offer letters (statutory date is 1<sup>st</sup> March or the next working day)</b>	<b>16th April 2018 (Monday)</b>	<b>Issue offer letters (statutory dates)</b>

The closing dates and offer dates are national statutory requirements. The dates of exchanges of information may on occasion vary slightly by agreement to take into account localised issues associated with workload and / or specific situations affecting a school / academy or a group of establishments. Occasionally delays may occur as neighbouring authorities will be working to different timetables.

Where a statutory offer date is on a weekend or public holiday Lancashire's online system will go live on that day allowing online applicants to access their offer. In these circumstances and for paper applications letters will (where workload allows) be issued on the previous working day and are likely to arrive after the online system notifications.

**Report to the Cabinet Member for Children, Young People and Schools**  
**Report submitted by: Director of Corporate Commissioning**  
**Date Monday 6<sup>th</sup> February 2017**

## Part I

Electoral Divisions affected:  
Chorley East; Chorley Rural  
West; Chorley North.

### **Additional Primary Places in Euxton, Chorley - Proposal to Expand Balshaw Lane Primary School Chorley** (Appendices 'A' to 'E' refer)

Appendix 'E' is not for publication - Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. It is considering that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Contact for further information:  
Steph Rhodes, School Planning Principal, Tel: 01772 531957,  
[steph.rhodes@lancashire.gov.uk](mailto:steph.rhodes@lancashire.gov.uk)

#### **Executive Summary**

Between 22 November 2016 and 19 December 2016, a formal consultation was carried out on the proposal to permanently expand Balshaw Lane Primary School in Euxton, Chorley, with effect from September 2018.

The decision to proceed with publishing a notice was taken after carefully considering the outcome of the informal consultation on 14 September 2016. The County Council then published a statutory notice on 22 November 2016. In accordance with the statutory process (as per the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 for school expansion proposals, the Notice invited representations (objections or comments) within the statutory four-week notice period, i.e. from 22 November 2016 to 19 December 2016.

Under the statutory school expansion process, a decision should now be taken about the proposal. If the County Council fails to decide the proposal within two months from the end of the representation period, the proposal and any representations about the proposals must be passed to the schools' adjudicator for decision.

This is deemed to be a Key Decision and Standing Order 25 has been complied with.

### **Recommendation**

The Cabinet Member for Children, Young People and Schools is recommended to:

- (i) consider the information in this report;
- (ii) conditionally approve the proposal to make a prescribed alteration to Balshaw Lane Primary School by permanently expanding the number of places available from 45 to 60 pupils for reception year in September 2018 and in subsequent reception years, subject to the granting of planning permission under Part 3 of the Town and Country Planning Act 1990; and
- (iii) approve that an appropriate statutory decision letter be sent out as specified under legal requirements to give the reasons for the decision to those who are to be informed of them.

### **Background and Advice**

As detailed in the 'Strategy for the Provision of School Places and Schools' Capital Investment' (link below) after a steady decrease between 1989 and 2001, birth rates across the county have subsequently been rising.

<http://www.lancashire.gov.uk/council/strategies-policies-plans/children-education-and-families/strategy-for-school-places.aspx>

As a result of the rising birth rate, coupled with the effect of significant housing development, intake into primary schools in some areas is expected to increase over the foreseeable future. The changing dynamics of Lancashire's population, influenced by increased births, immigration, housing developments and economic migration, means that Lancashire County Council's provision of school places must also change in order to meet the changing needs of residents, whether through provision of additional places or through the redistribution of existing places within the county.

As reported to the Cabinet Member for Children, Young People and Schools on 12 January 2015, there is a sustained need for additional places in the Euxton area of Chorley. This increased demand for primary school places in Chorley is in addition to the places provided by the expansion of Primrose Hill Primary School from 210 to 420 pupils, and the expansion of Trinity CE/Methodist Primary School from 420 to 630 pupils, which was approved by the Cabinet Member for Children, Young People and Schools on 13 July 2015.

On 5 November 2015, the Cabinet Member for Children, Young People and Schools approved an increase of the published admission number for Balshaw Lane Primary

School from 40 places to 45 places at Reception age, with effect from September 2017, as part of a capital improvement programme that provided additional places to regularise admission numbers. This programme was targeted at areas where pupil projections indicated increased demand for school places. The increase in the school's published admission number meant that it became more compatible with School Admissions (Infant Class size) Regulations. This programme was funded from the Schools' Single Capital Pot.

On 12 May 2016, the Cabinet Member for Children, Young People and Schools approved the consultation on a proposal to permanently increase the Reception intakes at Balshaw Lane Primary School from 45 to 60 places from September 2018. If the permanent expansion is approved, the capacity of the primary school would increase from 315 to 420. Should the permanent expansion be approved, then additional permanent accommodation will be provided on the existing site. This will be enabled by expansion of the existing building; subject to planning consent being granted.

After the County Council's publication of a Statutory Notice on 22 November 2016, and expiry on 19 December 2016, the County Council is now at stage 3 of the 4 stage statutory process (as per the new School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013) that is summarised below:

Stage	Statutory requirement	
Pre-statutory phase	Informal consultation on the proposal	6 June 2016 to 1 July 2016 (4 weeks)
1	Publication of Statutory Notice	22 November 2016
2	Representations on the Proposal	22 November 2016 to 19 December 2016
<b>3</b>	<b>Decision*</b>	<b>6 February 2017</b>
4	Implementation (if the decision is made to proceed)	Permanent expansion from 1 September 2018 Expansion to building to be completed by September 2018.

\*If the Local Authority is responsible for a decision on the proposal and fails to take it within two months from the end of the representation period (stage 2) the proposal must be passed to the schools adjudicator for decision.

The approval of this proposal would result in the overall capacity of the school increasing from 315 to 420. This will be enabled by expansion of the existing building. A feasibility study has identified that the site would accommodate the proposed expansion.

The purpose of this report is to enable the County Council to take a decision about the proposal. The constitutional arrangements of the County Council provide for the decision to be taken by the Cabinet Member for Children, Young People and Schools.

This report aims to provide sufficient information on:

- the proposal to expand Balshaw Lane Primary School in Euxton, Chorley to reflect current and future numbers on roll;
- the responses received during the statutory notice period;
- factors that the decision maker must take into consideration when determining the proposals; and
- a commentary on how the proposal relates to these factors in order for the decision maker to make a determination in respect of the proposals.

Details of the school expansion proposal to be considered are set out at Appendix 'A' – Public Notice, and Appendix 'B' – Complete Proposal.

### **Checks on receipt of Statutory Proposals**

School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2013. The following are the statutory requirements around consultation as set out within Department for Education (DfE) guidance, 'Guidance for Decision Makers' (April 2016) and evidence of the County Council's compliance with each requirement.

### **Factors that the decision maker must take into consideration when determining the proposal**

**Consideration of consultation and representation period:** *The decision-maker will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all support for, objections to and comments on the proposal.*

**Comment:** Between 6 June 2016 and 1 July 2016 the County Council consulted informally on a proposal to permanently expand Balshaw Lane Primary School in Euxton, Chorley, with effect from September 2018. Full details of the informal consultation process are set out in Appendix 'C'.

After carefully considering the outcome of the informal consultation and the Cabinet Member for Children, Young People and Schools agreeing (on 14 September 2016) to proceed with the proposal, the County Council published a statutory notice on 22 November 2016. In accordance with the statutory process for school expansion proposals, the Notice invited representations (objections or comments) within the statutory four-week notice period, i.e. from 22 November 2016 to 19 December 2016.

In response to the published proposal, the County Council received four responses. The first response was received from the Blackburn Diocesan Board of Education, who stated that Church of England Schools in the area had been contacted and they did not feel it would negatively affect the schools. The Diocese, therefore, do not have any objections to this proposal.



The second response was received from Euxton Parish Council who stated they were keen to see the much needed additional places at Balshaw Lane Primary School, but raised concern for residents, pupils and road users, caused by parking associated with the school, and stated their view that unless suitable provision was made, these concerns would only be exacerbated by the increase in school size.

The third response was received from a local resident who perceived there was a lack of consultation with residents in the area. In their view, there was a lack of understanding of the problems an increase in school numbers would have on traffic problems for residents, and their view that the Council brings forward these schemes but does nothing to repair the damage to Bredon Avenue surfaces and pavements these schemes cause.

The fourth response was received from a couple of local residents who again re-iterate their concern over the traffic around school which they felt was horrendous in the morning and afternoon of a school day. They also raised their concern that it appeared the staff car park was not big enough, so an increase in pupil numbers would mean the traffic problem would get worse unless considered at the planning stage.

The responses have been placed on Councillor-First and are included as background papers to this report. They are available for public inspection through Lancashire County Council School Planning Team (Telephone 01772 531957).

### **Comment**

Traffic - It must be acknowledged that the increase in pupil numbers was likely to result in increased traffic and demand for parking, however, the school is confident that any issues can be managed. Highways officers have already been consulted on this matter and have increased the car parking facilities at school within the design solution, should the proposal go ahead. Design and Construction officers are of the view that nursery parents and staff will now use the car park at the cricket pavilion. If the proposal goes ahead, parking and traffic issues would be further considered as part of the traffic risk assessment, which would be undertaken as part of the application to obtain planning permission required for the permanent new build, if the proposal goes ahead.

Lack of consultation with local residents - For a proposal to permanently expand a Community Primary School, there is a statutory process which the authority, as the proposer must follow. Although there is no longer a prescribed 'pre-publication' consultation period for prescribed alterations, the local authority consulted interested parties through an informal consultation period held from 6 June 2016 to 1 July 2016. This included a consultation document (Appendix 'C') which provided full details of the proposal. Pages 9 and 11 of the consultation document (Appendix 'C') provided information on how to make views known, and was circulated to people and organisations that may have an interest in the proposals (page 8 of Appendix 'C' refers). Pupils' views from the school were also invited through the children's consultation. The school led on the children's consultation and 266 children were consulted from all year groups. It is not a statutory requirement to hold a public meeting. An appointment led event, rather than a public meeting, was held between 3pm and 8pm on Thursday 16 June 2016 at Balshaw Lane Primary School. This

format of meeting is preferred as it allows the authority to manage the process effectively, minimise waiting times and ensure that appropriate officers are available to offer any interested parties, either individually or in small groups, advice and guidance to enable them to gain a better understanding on all aspects of the proposals.

The event was attended by 29 individuals, these included parents and grandparents of current and potential pupils, staff and local residents.

The formal representation period allows for further comments to be made and considered before the final decision is determined.

The Council brings forward schemes but does not facilitate the damage the schemes cause – A copy of the respondent's objection regarding ongoing maintenance and checks to Bredon Avenue and surrounding road surfaces has been forwarded to the Project Manager in Lancashire County Council Design and Construction Service and the Capital Development Team for reference at the design stage.

**Education standards and diversity of provision:** *Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents; raise local standards and narrow attainment gaps.*

**Comment:** Balshaw Lane Primary School in Euxton, Chorley is a successful and popular primary school serving its particular community as well as attracting pupils from a wider area and is well placed to meet the present and continuing demand for primary school places. The Ofsted Inspection of the school in November 2011 graded the school as 'Outstanding.'

There are 6 primary schools in the Euxton planning area, including Balshaw Lane Primary School. Three of these are Community Schools and three are Voluntary Aided Schools (1 CE, 1 RC and 1 CE/Methodist). The Ofsted Inspections for the schools grade two 'Good' and four 'Outstanding'.

On 12 January 2015, it was reported to the Cabinet Member for Children, Young People and Schools that there was a sustained need for additional places in the Euxton area of Chorley. This increased demand for primary school places in Chorley is in addition to the places provided by the expansion of Primrose Hill Primary School (a community school) from 210 to 420 pupils and the expansion of Trinity CE/Methodist Primary School (Voluntary aided) from 420 to 630 pupils, which was approved by the Cabinet Member for Children, Young People and Schools on 13 July 2015.

This is a proposed expansion of a community school and therefore does not fall under the academy presumption.

**Comment:** This proposal relates to the provision of 15 additional school places at reception age with the aim of expanding the school's admission number and is funded by the LCC Capital Programme. Therefore this academy section is not applicable.

**Demand v need:** *Where a LA identifies the need for a new school, to meet basic need, section 6A of EIA 2006 places the LA under a duty to seek proposals to establish a free school via the 'free school presumption'. However it is still possible to publish proposals for new maintained school outside of the competitive arrangements, at any time, in order to meet demand for a specific type of place e.g. places to meet demand from those of a particular faith.*

*In assessing the demand for new school places the decision-maker should consider the evidence presented for any projected increase in pupil population (such as planned housing developments) and any new provision opening in the area (including free schools).*

*The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.*

*Reducing surplus places is not a priority (unless running at very high levels). For parental choice to work effectively there may be some surplus capacity in the system as a whole. Competition from additional schools and places in the system will lead to pressure on existing schools to improve standards.*

**Comment:** There is not an identified need for a new school. However, there is expected to be a permanent need for additional places in the area, with over 890 new houses expected to be built in close proximity to the school over the next five years (Source – Chorley Borough Council 5 Year Housing Land Supply Document). Cabinet Member report dated 14 September 2016 and Complete Proposal (**Section 8 of Appendix 'B'**) refer.

The school is full in almost every year group. For 2016 admissions, the school has received 50 1<sup>st</sup> preferences for 40 places.

**School size:** *Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.*

**Comment:** In an initial assessment of the potential to expand existing schools, the following factors are considered (as stated in the 'Strategy for the Provision of School Places and Schools' Capital Investment 2015/16 - 2017/18'):

- The current strength of the school in terms of attainment levels and leadership.
- Parental preference
- The existing size of the school.
- The existing site and the area available to expand the buildings and maintain adequate play and sports space.
- Access to the site and proximity to the area of growth.
- Any potential joint investment benefits which are immediately obvious

A feasibility study has been carried out to ensure that an expansion of this scale can be accommodated on the existing site.

**Proposed admission arrangements:** *In assessing demand the decision-maker should consider all expected admission applications, not only those from the area of the LA in which the school is situated.*

*Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the School Admissions Code. Although the decision-maker cannot modify proposed admission arrangements, the decision-maker should inform the proposer where arrangements seem unsatisfactory and the admission authority should be given the opportunity to revise them.*

**Comment:** When considering future need for school places one element of the statistical analysis involves examining the historic popularity of the school and of other establishments in the area. The data, which details parental applications, refers to all which have been received for annual intakes including any from non-Lancashire residents. For community and voluntary controlled schools the Local Authority is the admission authority and proposes and determines the admission arrangements and the published admission number for each establishment. These are reviewed and consulted upon annually within the statutory process required by the Schools Admission Code and associated regulations.

Policies and admission numbers are, therefore, reviewed every year and, following consultation and determination by the Cabinet Member for Children, Young People and Schools, there is a formal objection period for concerns to be referred to the Office of the Schools Adjudicator by any interested party (deadline date 30th June in the year of determination).

**National Curriculum:** *All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community.*

**Comment:** Balshaw Lane Primary School follows the National Curriculum.

**Equal opportunity issues:** *The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to:*

- *eliminate discrimination;*
- *advance equality of opportunity; and*
- *foster good relations.*

*The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.*

**Comment:** It is not considered that there are any equal opportunity issues associated with the proposal. The proposal is to expand the school which will not disadvantage any group and will benefit current and additional future pupils at the school. A full Equality Impact Assessment has been completed, which can be found in Appendix 'D'.

**Community cohesion:** *Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different sections within the community.*

**Comment:** The proposal to extend Balshaw Lane Primary School is to meet the needs of an increased birth rate and the yield from new housing in the surrounding area. The school already has close links with its surrounding community and members of the community were consulted as part of this process. Appendix 'D' refers to this in more detail.

**Travel and accessibility:** *Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.*

*The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.*

*A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.*

*Further information is available in the statutory Home to school travel and transport guidance for LAs.*

**Comment:** The proposed expansion will provide additional places in a densely populated residential area with good transport and road infrastructure. The provision will not adversely impact upon disadvantaged groups as additional pupils will be able to access a local school place. Appendix 'D' refers to this in more detail.

**Funding:** *The decision-maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.*

*Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.*

**Comment:** See financial section below. The additional accommodation will be provided on the existing site. The Local Authority will ensure that it is compliant with

Section 77 of the School Standards and Framework Act 1998 relating to building on school playing fields.

**School premises and playing fields:** *Under the School Premises Regulations all schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.*

*Guidelines setting out suggested areas for pitches and games courts are in place although the department has been clear that these are non-statutory.*

**Comment:** The proposal can be delivered within the existing site and any development would be subject to all necessary approvals such as Section 77 of the School Standards and Framework Act 1998 and planning consent.

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

If additional primary school places are not created, there is a risk that the County Council would fail in its statutory responsibility to make sure that a school place is available to all Lancashire children of the appropriate age range that want one.

Providing additional places increases the overall capacity in the areas and, if birth rates fall or planned housing development fails to materialise in the future, there may be surplus places, with the possibility that the impact may be felt greatest by one or a small number of neighbouring schools.

Providing any additional accommodation for an increased number of pupils will need to be carefully managed to improve traffic congestion and community facilities at the same time as delivering 21<sup>st</sup> Century teaching and learning facilities.

A planning application will need to be submitted to LCC as the Local Planning Authority for this development.

### **Financial Implications**

The financial implications are set out at Appendix 'E' which is exempt from publication.

### **Legal Implications**

The legal implications are set out in the report.

## **Land and Property**

The expansion of Balshaw Lane Primary School could be accommodated on the existing school site. A feasibility assessment has been carried out for the proposed expansion.

The approval of any physical school expansion will be subject to obtaining relevant planning permission and Section 77(3) consent for the change of use in the land (or meeting the terms of The School Playing Fields General Disposal and Change of Use Consent (No 5) 2014).

## **Equality and Diversity**

S. 149 of the Equality Act 2010 sets out the equality duty that public authorities must comply with. The proposal is to expand the school which will not disadvantage any group and will benefit additional pupils who would be able to secure places at the school. A full Equality Analysis has been completed, which can be found at Appendix 'D'.

## **Conclusions and Recommendations**

The considerations for a decision to be taken about a school expansion are contained within this report and Appendices 'A' to 'E'.

Having considered the responses received from the consultation, and the fact that just four representations were received (one who did not have any objection to this proposal; one who is keen to see the much needed additional places at Balshaw Lane Primary School but request that the County Council address parking issues; one who raised objections to the their perceived lack of consultation, traffic problems for residents and maintenance of Bredon Avenue due to increased traffic; and a local couple who again raised concern at problems caused by traffic at school times.) it is recommended that the proposal to permanently expand Balshaw Lane Primary School in Euxton, Chorley by 15 additional reception places per year from 1 September 2018, be conditionally approved, subject to the granting of planning permission under Part 3 of the Town and Country Planning Act 1990 before 1 September 2018.

## **List of Background Papers**

Paper	Date	Contact/Directorate/Tel
Consultation Booklet, Complete Proposal & Public Notice	Nov/Dec 2016	School Planning Team Lancashire County Council Tel (01772) 531957
Consultation responses for the expansion proposals of Balshaw Lane Primary School	6 June to 1 July 2016	Asset Management, 01772 531957

Capital programme for  
regularising primary school  
admission numbers and  
suitability projects in  
mainstream primary schools  
aimed at addressing  
accommodation issues as  
identified by Ofsted.

5<sup>th</sup> November 2015

Martin Cooper – (01772)  
536851

Appendix 'E' contains exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. This section of the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considering that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.



## Balshaw Lane Primary School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Lancashire County Council intends to make a prescribed alteration to Balshaw Lane Primary School (Community), Bredon Avenue, Chorley, PR7 6NS with effect from 1<sup>st</sup> September 2018.

On 5<sup>th</sup> November 2015 the Cabinet Member for Children, Young People and Schools approved an increase of the published admission number for Balshaw Lane Primary School from 40 places to 45 places at Reception age, with effect from 1<sup>st</sup> September 2017, as part of a capital improvement programme that provided additional places to regularise admission numbers and address suitability issues as identified by Ofsted.

It is now proposed that the school will permanently expand to admit a further 15 additional pupils to each reception year from 1<sup>st</sup> September 2018, through the provision of additional permanent accommodation on the existing school site. The expansion would increase the capacity of the primary school gradually from 315 to 420, by increasing the number of pupils admitted to Reception year from 45 to 60.

The current capacity of the school is 280 which will raise to 315 in September 2017 and the proposed capacity will be 420 in September 2018. The current number of pupils registered at the school is 276. The current admission number for the school is 40 which will raise to 45 in September 2017 and the proposed admission number will be 60 in September 2018.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from the school; Chorley, Adlington and Coppull Libraries and Chorley Town Hall. Copies can also be obtained from the local authority at the address below or accessed via the heading 'School Organisation Reviews' at: <http://www.lancashire.gov.uk/children-education-families/schools> or by telephoning Steph Rhodes on (01772) 531957.

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to Asset Management, School Planning Team, 2<sup>nd</sup> Floor, CCP, PO Box 100, County Hall, Preston, PR1 0LD. Representations must be received by Monday 19<sup>th</sup> December 2016.

Signed: Ian Young, Director of Governance, Finance and Public Services.

Publication Date: 22<sup>nd</sup> November 2016.

### Explanatory Notes

Under the provisions of the Freedom of Information Act 2000, information about representations to the published proposal may be accessed by members of the public.

Additional explanatory notes are available via the heading 'School Organisation Reviews' at: <http://www.lancashire.gov.uk/children-education-families/schools>.



## PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

### **The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013:**

#### **In respect of an LA Proposal: School and local authority details**

1. The name, address and category of the school and a contact address for the local authority who are publishing the proposals.

The proposal to expand the number of places at Balshaw Lane Primary School (Community), Bredon Avenue, Chorley, PR7 6NS from 315 to 420 pupils is published by Lancashire County Council, the relevant local authority. The authority can be contacted at the following address: Asset Management, School Planning Team, 2<sup>nd</sup> Floor, Christ Church Precinct, PO BOX 100, County Hall, Preston, PR1 0LD, Lancashire.

#### **2. Implementation and any proposed stages for implementation**

- (a) The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.
- (b) Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body

The implementation date for this proposal 1<sup>st</sup> September 2018.

#### **Support, objections and comments**

3. A statement explaining the procedure for making representations, including:
  - (a) the date prescribed by which objections or comments should be sent to the local authority; and
  - (b) the address of the authority to which objections or comments should be sent.

These proposals have been prepared following discussions with a wide range of partners and other stakeholders. Within four weeks from the date of publication of these proposals any person may object to, or comment on the proposals by sending their representations to Asset Management, School

Planning Team, 2<sup>nd</sup> Floor, Christ Church Precinct, PO BOX 100, County Hall, Preston PR1 0LD. Responses can also be emailed to [schoolplanning@lancashire.gov.uk](mailto:schoolplanning@lancashire.gov.uk). To be considered as part of the decision making process to determine the proposals, responses must be received no later than Monday 19<sup>th</sup> December 2016.

### **Alteration description**

4. A description of the proposed alteration showing evidence of demand. In the case of special school proposals, a description of the current special needs provision.

On 5th November 2015, the Cabinet Member for Children, Young People and Schools approved an increase of the published admission number for Balshaw Lane Primary School from 40 places to 45 places at Reception age, with effect from September 2017, as part of a capital improvement programme that provided additional places to regularise admission numbers in areas of growth.

As a result of the rising birth rate in the local area, coupled with the effect of significant housing development, the number of school places currently available will not be enough to meet the increased demand as the children reach school age over the next few years.

The Cabinet Member for Children, Young People and Schools approved the commencement of an informal consultation on the proposed expansion, to take place between 6<sup>th</sup> June 2016 and 1<sup>st</sup> July 2016. On 14<sup>th</sup> September 2016, the Cabinet Member considered the responses to the informal consultation and approved the publication of the Public Notice.

Should the permanent expansion be approved, it will be enabled by additional permanent accommodation on the existing school building.

If the permanent expansion is approved the capacity of the primary school will be increased from 315 to 420, by increasing the admission number from 45 to 60.

Balshaw Lane Primary School is an 'Outstanding' School which is currently experiencing a significant increase in demand for places, with 50 first preference applications in 2016. The current planned admission number is 45 and, therefore, by further increasing this to 60 the school's admission number will be regularised to 2 Form Entry at the same time as assisting with meeting growing demand for places within the Euxton area.

## 5. School capacity

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current capacity of the school is 280 which will raise to 315 in September 2017 and the proposed capacity will be 420 in September 2018.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

The current published admission number for the school is 45. The proposed admission number for the enlarged school will be 60.

- (c) A statement of the number of pupils at the school at the time of the publication of the proposals.

In May 2016, the number of pupils on roll was 276.

## 6. Additional site

A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

No new or additional site would be required. The area of the existing site is sufficient to allow for the proposed expansion of the building while still maintaining adequate play and sports spaces. If the proposal goes ahead, the Council would replace 'hard' playground space which would be used for building on and also install a Multi-Use Games Area which will have an artificial surface therefore could be used all year round.

## Objectives

7. The objectives of the proposals (including how the proposal would increase education standards and parental choice).

Increases in pupil numbers as a result of the rising birth rate in the local area, coupled with the effect of significant housing development will result in the number of school places currently available not being sufficient to meet the increased demand as the children reach school age over the next few years.

The objective of the proposal is to permanently expand the school to admit 15 additional pupils to each reception year with effect from September 2018, through a permanent expansion of the existing school building. The expansion would increase the school's admission number to 60, leading to Balshaw Lane Primary School's capacity gradually increasing from 315 to 420.

Balshaw Lane Primary School, Chorley, is an 'Outstanding' School which is currently experiencing a significant increase in demand for places, with 50 first place applications in 2016 against 40 places. Increased capacity at Balshaw Lane Primary school would increase 'Outstanding' places for local pupils from the area.

### **Need or demand for additional places**

#### **8. If the proposals involve adding places:**

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

Increases in pupil numbers as a result of the rising birth rate in the local area, coupled with the effect of significant housing development will result in the number of school places currently available not being sufficient to meet the increased demand as the children reach school age over the next few years in the Euxton area. Therefore, additional permanent places are needed in this area. The approval of the proposal to permanently expand Balshaw Lane Primary School will help to address this demand and ensure so far as is reasonably possible that every child is provided with a school place in close proximity to their home.

### **9. Expansion of successful and popular schools**

Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies evidence to support this. The effect of the proposal on the schools, academies and educational institutions within the area.

Balshaw Lane Primary School, Chorley, is an 'Outstanding' School which is currently experiencing a significant increase in demand for places, with 50 first place applications in 2016 against 40 places. There is also a forecasted increasing demand for reception places in the Chorley area. Consultations have confirmed the support for the expansion of this school. No school expressed any concern about the expansion throughout the consultation process. In fact a local school Headteacher supported the proposal. Lancashire County Council does consider that the presumption for the expansion of this school should apply. Due to the increased demand for school places in the area it is considered that the proposed expansion will

have no adverse effect on other schools, academies and educational institutions within the area.

In line with DfE Guidance, this proposal is to provide additional primary school places at a school which is 'Outstanding'.

### Informal Consultation

**10.** Evidence of the informal consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

Although there is no longer a statutory informal consultation period, Department for Education Guidance: ' Making Prescribed Alterations to Maintained Schools' advises a strong expectation that the LA will consult interested parties in developing their proposal prior to publication, as part of their duty under public law to act rationally and take into account all relevant considerations. Therefore, Lancashire County Council has under taken an informal consultation.

The informal consultation document was widely circulated to staff, governors, parents/guardians and pupils of the school subject to the proposals. Headteachers and governors of other local schools in Lancashire were all consulted as were local elected members. A full list of consultees is detailed on page 8 of the consultation document which forms an integral element to these complete proposals.

An appointment led event, rather than a public meeting, was held between 3pm and 8pm on Thursday 16<sup>th</sup> June 2016 at Balshaw Lane Primary School. This format of meeting is preferred as it allows the authority to manage the process effectively, minimise waiting times and ensure that appropriate officers are available to offer any interested parties, either individually or in small groups, advice and guidance to enable them to gain a better understanding on all of the aspects of the proposals.

LCC officers met with the Headteacher in the run up to consulting on these proposals. The Headteacher and Chair of Governors then discussed this at

subsequent Governing Body meetings and the governors were reported to be in support of the proposals.

A children's consultation was undertaken by the school, in which pupils of the school were asked to express their opinion on the proposal.

The views from the meetings, the written responses to the informal consultations, and the children's consultation are detailed and analysed in the report to the Cabinet Member for Children, Young People and Schools that was considered on 14<sup>th</sup> September 2016. This forms an integral element to these complete proposals.

Informal consultation documents were widely circulated in hard copy and were made available on the following website via the heading: 'School Organisation Reviews' at: <http://www.lancashire.gov.uk/children-education-families/schools>.

This website has been updated and now allows access to the public notice and complete proposal documentation for these proposals.

Copies of the consultation booklet were put on deposit at the school, local libraries and town halls. Additional hard copies were available from County Hall.

### **Project costs**

11. A statement of the estimated project costs of the proposals and an indication of how these will be met, including how long-term value for money will be achieved.

It is proposed to fund the school expansion to 2 form entry by funding from school reserves, because the school wish to provide an intervention room within the development, and additional funds will be made available from the three years Basic Need allocation as set out in the Capital Investment Strategy for Schools 2015/16 to 17/18.

12. A copy of confirmation from the Secretary of State, local education authority and the Education Funding Agency (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

The authority can confirm that funds are available and have been identified to be used for the purposes of this project, subject to final determination of the proposal at the end of the representation period.



# Consultation on the Expansion of Balshaw Lane Primary School, Bredon Avenue, Chorley, PR7 6NS



June/July 2016

A consultation event in connection with this proposal will be held on Thursday 16<sup>th</sup> June 2016 at the school.  
Further information is provided inside.

Produced by the School Planning Team, Asset Management, Lancashire County Council



## Foreword

Lancashire is a large, diverse area served by some superb schools and we are committed to improving this excellence by continuing to raise standards and opportunities, for all our children and young people.

Lancashire County Council has a statutory duty to provide primary and secondary school places to every child of school age living in Lancashire who requests one. In achieving this, Lancashire, like many other authorities, faces many challenges. Changing demographic factors mean that we must constantly review the number and location of the school places we provide.

The county council and its schools work together with parents and a range of service providers to help our children to be safe, to enjoy and achieve, to be listened to, to belong to the community, and to achieve economic well-being.

We want all our children and their parents to have pride in their local school and cultivate an appetite for lifelong learning.

We aim to provide schools that meet the needs of our communities and, at times, this may involve increasing the number of school places in a particular school.

I hope that you will take a little time during this consultation period to let us know your views on what we are proposing to do. We will not make a decision until we have carefully considered all responses to this consultation.

Please help us to improve educational provision for Lancashire children.

**County Councillor Matthew Tomlinson**  
**Cabinet Member for Children, Young People and Schools**

## Our vision and what we would like to achieve

Education is a powerful means of transforming and enriching lives and communities. Future success and well-being depends on strong creative partnerships, new ways of working, high expectations and a belief that we all have a part to play and can make a difference together.

Lancashire County Council is committed to improving the quality of educational provision to help raise standards for all learners. Our Vision sees schools operating at the centre of their immediate and often extended communities.

## What are we proposing to do?

This consultation document is about the proposed permanent expansion of Balshaw Lane Primary School, Bredon Avenue, Chorley, PR7 6NS.

On 12<sup>th</sup> May 2016, the Cabinet Member for Children, Young People and Schools approved a period of consultation to be undertaken on a proposal to allow a permanent increase in the Reception intake of Balshaw Lane Primary School from 45 to 60 places for September 2018 and beyond, making the school a 2 form entry school. This will be enabled by expansion of the existing building.

## Why are we proposing this?

On 5<sup>th</sup> November 2015, the Cabinet Member for Children, Young People and Schools approved an increase of the published admission number for Balshaw Lane Primary School from 40 places to 45 places at Reception age, with effect from September 2017, as part of a capital improvement programme that provided additional places to regularise admission numbers in areas of growth.

As a result of the rising birth rate in the local area, coupled with the effect of significant housing development, the number of school places currently available will not be enough to meet the increased demand as the children reach school age over the next few years

Balshaw Lane Primary School is an Outstanding School which is currently experiencing a significant increase in demand for places, with 50 first preference applications in 2016. The current planned admission number is 45 and, therefore, by further increasing this to 60 the school's admission number will be regularised to 2 Form Entry at the same time as assisting with meeting growing demand for places within the Euxton area.

## Expansion of Schools and the School Organisation and Governance Regulations

The provisions of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, state that if a local authority proposes to enlarge the premises of a school by which the capacity of the school would increase by more than 30 pupils and by 25% or 200 pupils more (whichever is the lesser), their proposal must be published in a statutory notice.

### Informal Consultation

The issue of this document marks a period of consultation during which the views of any interested parties are sought and which will be considered before any move to the more formal stages of the process.

There are then 4 stages to the statutory process which must be followed:

### Stage One - Publication

Dependent upon the outcome of the consultation, a decision to proceed to issue a statutory notice must be made by the Cabinet Member for Children, Young People and Schools.

### Stage Two - Representation

Statutory notices for school enlargements allow a 4 week period for anyone to submit their comments on the proposals. This enables people to express their views in the form of supporting or objecting to the proposals.

### Stage Three - Decision

Within 2 months after the statutory notice period ends, the authority must make a decision on the proposal.

### Stage Four - Implementation

If the proposal is approved Balshaw Lane Primary School would increase the number of pupils admitted into Reception year by an additional 15 pupils. This would mean that the number of reception places in September 2018 and for each following year will increase from 45 to 60, resulting in the school's capacity increasing from 315 to 420.

# The consultation and decision making process

## Timescales

6 <sup>th</sup> June 2016 to 1 <sup>st</sup> July 2016	Informal Consultation
September 2016	Cabinet Member decision making session to consider the results of the consultation and decide whether to publish a Statutory Notice on the proposal
November 2016	Stage One - Publication of Statutory Notice
November/December 2016	Stage Two - Representation
February 2017	Stage Three - Final decision by Cabinet Member
1 <sup>st</sup> September 2018	Stage Four - Implementation (if approved)

## Consultation Event

You are invited to express your views on the proposal at an event organised at the school on **Thursday 16<sup>th</sup> June 2016 from 3.00pm to 8.00pm.**

Please note that this will be an appointment led event, requiring interested parties to make a booking prior to the event. This will allow us to manage the process effectively, minimise waiting times and ensure that appropriate officers are available to offer advice and guidance relating to specific matters of interest.

Appointments can be made by visiting the link below and following the on-screen instructions:

<https://lccsecure.lancashire.gov.uk/corporate/questionnaires/runQuestionnaire.asp?qid=664489>

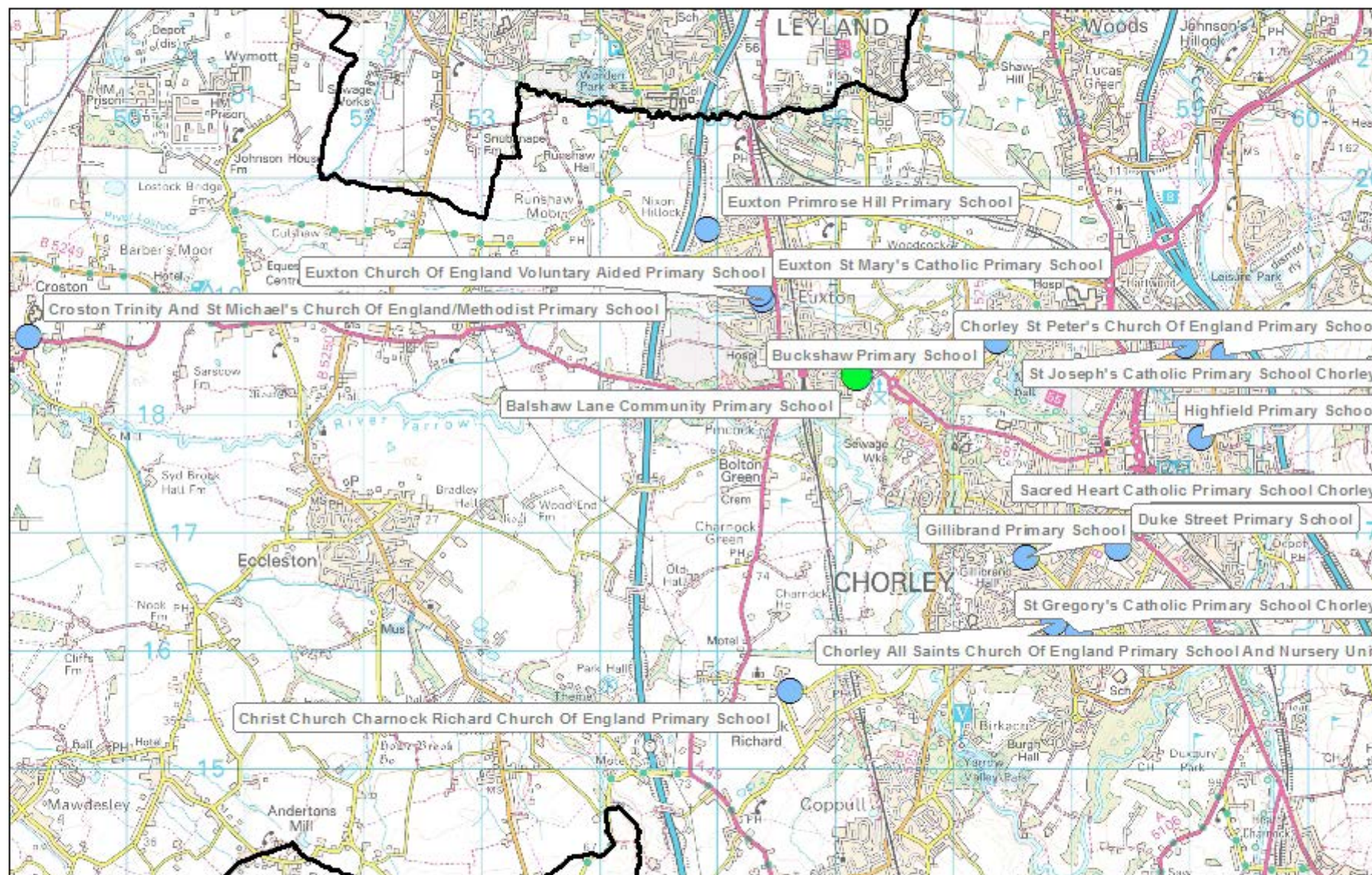
Alternatively, booking can be made by telephone or email by contacting the School Planning Team on 01772 536289 or Email:

[schoolplanning@lancashire.gov.uk](mailto:schoolplanning@lancashire.gov.uk).

**The closing date for booking an appointment is Monday 13<sup>th</sup> June 2016 at 5pm. Individual appointment times will be confirmed as soon as possible following this date. If there are only a few or no appointments made then the event will be shortened or may be cancelled.**



## Balshaw Lane Primary School & Surrounding Schools



## Who we will consult

**This consultation document will be provided to people and organisations that may have an interest in these proposals. These include the following:**

- Staff, parents/carers, governors and pupils of Balshaw Lane Primary School (The views of the children and young people within the school will be sought through the school)
- Head teachers, Governing Bodies and staff of other local schools
- Local Voluntary and Private Nursery providers
- Lancashire Parent Carer Forum
- Chief Executives and elected members of Chorley Borough Council
- Other Local Authorities bordering Lancashire
- Local Church Authorities and Faith Groups
- Members of the Education Scrutiny Committee
- The Children's Partnership Board for the area
- Lancashire County Councillors – Chorley
- Local Members of Parliament – Chorley
- Chorley Parish & Town Councils
- Trade Unions and Associations
- Lancashire Association of School Governing Bodies
- Ofsted: Her Majesty's Inspector for the area
- The wider Chorley community – through local Community Centres, Town Hall, the library and County Hall.

This document and the Cabinet Report are available on our website via the link below under the heading 'School Organisation Reviews':

[www.lancashire.gov.uk/schools](http://www.lancashire.gov.uk/schools)

We can also provide electronic copies of the consultation document to members of the local community on request.



## Your Response – Contact us

We welcome your views on this proposal. All observations and objections will be considered very carefully before any decision is made to progress any further with this proposal. It is important that you make any written responses within the consultation timescales published in this document and that they are sent to the School Planning Team using the methods outlined below. Any responses received outside of the consultation period will not be able to be included for consideration when a decision is being made as to whether to proceed with the proposal.

Please note that in accordance with the Department for Communities and Local Government Regulations, all written responses may be a matter for public disclosure and may be published on the website of Lancashire County Council as background papers to the report to the Cabinet Member.

The consultation runs until **Friday 1st July 2016** and you can respond by completing the questionnaire in this document or writing separately:

Post to: School Planning Team, Asset Management,  
FREEPOST RTKE-BXCZ-BBZL, Lancashire County Council, PO Box 100,  
County Hall, Preston, PR1 0LD (*no stamp required*)

Email to: [schoolplanning@lancashire.gov.uk](mailto:schoolplanning@lancashire.gov.uk)

On-Line at: (Use the link below to complete the questionnaire contained in this document on-line)

<https://lccsecure.lancashire.gov.uk/corporate/questionnaires/runQuestionnaire.asp?qid=664560>

This document can also be accessed via the link below under the heading

'School Organisation Reviews': [www.lancashire.gov.uk/schools](http://www.lancashire.gov.uk/schools)

If you have difficulty in accessing this information, please contact the School Planning Team: Telephone **01772 536289**

**Please submit only one response per person to this consultation**

**Thank you**



This booklet forms part of the informal consultation prior to the statutory process required in order to significantly enlarge a school. The information provided in this booklet and at the consultation sessions is intended to be sufficient in order for people to form a view on the proposal. The council will consider views and concerns arising from the consultation process to contribute to the detailed proposal supplied later in the process.

We are sorry that, due to the volume of responses we receive when consulting on proposals for schools, we will not be able to acknowledge written responses nor enter into correspondence with interested parties during or after the consultation period. It is important to attend the relevant consultation event if you require clarification or more information on the proposal.

Further information regarding this proposal, including the cabinet report, is available on our website, under the heading 'School Organisation Reviews' at: [www.lancashire.gov.uk/schools](http://www.lancashire.gov.uk/schools)

**Thank you**

## **Parental representations about school provision**

Lancashire County Council is committed to working with the people of Lancashire to plan and ensure the delivery of local services.

The council is responsible for ensuring the supply of sufficient and suitable school places and promoting high standards. The council aims to educate pupils in accordance with their parents' wishes, subject to providing an appropriate education and avoiding unreasonable expenditure.

The county council has a duty to seek and consider the views of parents and carers about the pattern of school provision. If you would like to give your views about future school provision in Lancashire, you can get information on how to do this from the School Planning Team, Asset Management, FREEPOST RTKE-BXCZ-BBZL, Lancashire County Council, PO Box 100, County Hall, Preston, PR1 0LD (*no stamp required*).

### **Planning Consultation**

If, following consultation, the Cabinet Member's final decision is to go ahead with the expansion of the school, parents, staff and other interested parties will be invited to participate in a design event to contribute to the design of the new build.

# QUESTIONNAIRE

Who should complete this questionnaire?

- Staff, governors, current or prospective parents/carers of pupils at Balshaw Lane Primary School
- Any other interested member of the community

**NB: Please complete just one form per person**

**Proposal: To expand Balshaw Lane Primary School to increase the number of pupils admitted in each reception year from 45 to 60 and the capacity of the school from 315 to 420 from 1<sup>st</sup> September 2018.**

**Q1**

**How strongly do you agree or disagree with the proposal?**

*Please select one option only*

Strongly  
agree

Tend to  
agree

Neither agree  
or disagree

Tend to  
disagree

Strongly  
disagree

*If you would like to provide details of why you agree or disagree with this proposal you can do so overleaf.*

**Q2**

**Are you responding to this proposal as...?**

*Please select as many as apply*

This School

Other School\*

A parent/carer of a pupil currently at:



A parent/carer of a future pupil at:



A member of staff at:



A school governor at:



A political representative for:

Member of the local community:

Other (please specify)

If other school\*, please specify

**Q3****What is your home postcode and area in which you live?***Please write in below:*

**Q4****What are your reasons for agreeing or disagreeing with the proposal?***Please write in below; Please attached additional papers if required*

**Please print your name:**

**Thank you for completing this questionnaire. Please return it to:**

School Planning Team, Asset Management,  
 FREEPOST RTKE-BXCZ-BBZL, Lancashire County Council, PO Box 100,  
 County Hall, Preston, PR1 0LD (*no stamp required*).

**Important Information**

Lancashire County Council may be required to publish consultation responses as part of the reports for consideration by the relevant Cabinet Member(s) either as appendices to those reports or as part of the background papers referred to in those reports and available on request. Please be aware that your responses to this consultation may be made available on the County Council's website as part of this process



Section 4

# Equality Analysis Toolkit

The Expansion of Balshaw Lane Primary School,  
Euxton, Chorley:  
For Decision Making Items

July 2016



## **What is the Purpose of the Equality Decision-Making Analysis?**

The Analysis is designed to be used where a decision is being made at Cabinet Member or Overview and Scrutiny level or if a decision is being made primarily for budget reasons. The Analysis should be referred to on the decision making template (e.g. E6 form).

When fully followed this process will assist in ensuring that the decision-makers meet the requirement of section 149 of the Equality Act 2010 to have due regard to the need: to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means analysing, at each step of formulating, deciding upon and implementing policy, what the effect of that policy is or may be upon groups who share these protected characteristics defined by the Equality Act. The protected characteristics are: age, disability, gender reassignment, race, sex, religion or belief, sexual orientation or pregnancy and maternity – and in some circumstance marriage and civil partnership status.

It is important to bear in mind that "due regard" means the level of scrutiny and evaluation that is reasonable and proportionate in the particular context. That means that different proposals, and different stages of policy development, may require more or less intense analysis. Discretion and common sense are required in the use of this tool.

It is also important to remember that what the law requires is that the duty is fulfilled in substance – not that a particular form is completed in a particular way. It is important to use common sense and to pay attention to the context in using and adapting these tools.

This process should be completed with reference to the most recent, updated version of the Equality Analysis Step by Step Guidance (to be distributed ) or EHRC guidance - [EHRC - New public sector equality duty guidance](#)

Document 2 "Equality Analysis and the Equality Duty: Guidance for Public Authorities" may also be used for reference as necessary.

This toolkit is designed to ensure that the section 149 analysis is properly carried out, and that there is a clear record to this effect. The Analysis should be completed in a timely, thorough way and should inform the whole of the decision-making process. It must be considered by the person making the final decision and must be made available with other documents relating to the decision.

The documents should also be retained following any decision as they may be requested as part of enquiries from the Equality and Human Rights Commission or Freedom of Information requests.

Support and training on the Equality Duty and its implications is available from the County Equality and Cohesion Team by contacting

[AskEquality@lancashire.gov.uk](mailto:AskEquality@lancashire.gov.uk)

Specific advice on completing the Equality Analysis is available from your Directorate contact in the Equality and Cohesion Team or from Jeanette Binns

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

## **Name/Nature of the Decision**

The proposed expansion of Balshaw Lane Primary School by providing 15 additional places at Reception age with effect from 1<sup>st</sup> September 2018. This would result in the published admission number of the school increasing from 45 to 60 pupils.

## **What in summary is the proposal being considered?**

The Cabinet Member for Children, Young People and Schools is the Decision Maker in respect of a proposal made by Lancashire County Council to expand Balshaw Lane Primary School with effect from 1st September 2018. The proposal has been brought under procedures established by The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 which state that although there is not a prescribed 'pre-publication' consultation period, there is a strong expectation on the Local Authority to consult interested parties. The Local Authority conducted a full informal consultation and statutory representation prior to taking a final decision. The proposal to expand the school was made due to the rising birth rate in the local area, coupled with the effect of significant housing development. The number of school places currently available will not be enough to meet increased demand as the children reach school age.

Is the decision likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected? If so you will need to consider whether there are equality related issues associated with the locations selected – e.g. greater percentage of BME residents in a particular area where a closure is proposed as opposed to an area where a facility is remaining open.

The proposal, if approved, will directly affect current pupils on roll at Balshaw Lane Primary School due to the enlargement of the school.

The proposal, if approved, could also impact on those who wish to send their children to Balshaw Lane Primary School in the future. The proposed expansion of the school will enable future pupils to gain places in the local area where they live. It will increase the likelihood of pupils gaining admission at the same school as their siblings.

**Could the decision have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:**

- Age
- Disability including Deaf people



- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

In considering this question you should identify and record any particular impact on people in a sub-group of any of the above – e.g. people with a particular disability or from a particular religious or ethnic group.

It is particularly important to consider whether any decision is likely to impact adversely on any group of people sharing protected characteristics to a disproportionate extent. Any such disproportionate impact will need to be objectively justified.

Yes
-----

If you have answered "Yes" to this question in relation to any of the above characteristics, – please go to Question 1.

If you have answered "No" in relation to all the protected characteristics, please briefly document your reasons below and attach this to the decision-making papers. (It goes without saying that if the lack of impact is obvious, it need only be very briefly noted.)

## Question 1 – Background Evidence

What information do you have about the different groups of people who may be affected by this decision – e.g. employees or service users (you could use monitoring data, survey data, etc to compile this). As indicated above, the relevant protected characteristics are:

- Age
- Disability including Deaf people
- Gender reassignment/gender identity
- Pregnancy and maternity
- Race/Ethnicity/Nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership status (in respect of which the s. 149 requires only that due regard be paid to the need to eliminate discrimination, harassment or victimisation or other conduct which is prohibited by the Act).

In considering this question you should again consider whether the decision under consideration could impact upon specific sub-groups e.g. people of a specific religion or people with a particular disability. You should also consider how the decision is likely to affect those who share two or more of the protected characteristics – for example, older women, disabled, elderly people, and so on.

On 5th November 2015, the Cabinet Member for Children, Young People and Schools approved an increase of the published admission number for Balshaw Lane Primary School from 40 places to 45 places at Reception age, with effect from September 2017, as part of a capital improvement programme that provided additional places to regularise admission numbers in areas of growth.

As a result of the rising birth rate in the local area, coupled with the effect of significant housing development, the number of school places currently available will not be enough to meet the increased demand as the children reach school age over the next few years

Balshaw Lane Primary School is an Outstanding School which is currently experiencing a significant increase in demand for places, with 50 first preference applications in 2016. The current planned admission number is 45 and, therefore, by further increasing this to 60 the school's admission number will be regularised to 2 Form Entry at the same time as assisting with meeting growing demand for places within the Euxton area.

The school provides for mixed gender pupils aged 4 to 11 and will provide more school places to both genders, if the proposal is approved. The school is a Community School.

There were 276 pupils on roll in May 2016. There have been 40 pupils in each reception year since 2013. The following table shows demand in the Euxton area based on the number of recorded births:

	Projected intake (Live Births)				
<b>Reception Places</b>	<b>September 2016</b>	<b>September 2017</b>	<b>September 2018</b>	<b>September 2019</b>	<b>September 2020</b>
280 (285 from September 2017*)	280	267	285	292	292

\* On 4 November 2015 the Cabinet Member for Children, Young People and Schools approved an increase in the Reception intake at Balshaw Lane Primary School with effect from September 2017.

The above figures are based only on birth demand and do not take into account the projected impact of housing development in the area. The table below shows projected demand resulting from live births and housing:

	Projected intake (Births and Housing Projections)				
<b>Reception Places</b>	<b>September 2016</b>	<b>September 2017</b>	<b>September 2018</b>	<b>September 2019</b>	<b>September 2020</b>
280 (285 from September 2017*)	286	279	303	316	323

\* see above

The above information demonstrates that there will be sufficient primary school places available for September 2017 Reception intake. Once the impact from housing has been taken into account there is projected to be a shortfall of places from September 2018 onwards.

As reported to the Cabinet Member for Children, Young People and Schools on 12<sup>th</sup> January 2015, there is a sustained need for additional places in the Euxton area of Chorley. This increased demand for primary school places in Chorley is in addition to the places provided by the expansion of Primrose Hill Primary School from 210 to 420 pupils and the expansion of Trinity CE/Methodist Primary School from 420 to 630 pupils, which was approved by the Cabinet Member for Children, Young People and Schools on 13 July 2015.

The proposal will have most effect on children and young people (and their families) specifically of primary school age in the area.

**Community Cohesion:**

The School Census 2015 shows 89% of the pupils at the school are of White British heritage. This is higher than the national average for primary school pupils which is 75%. The proportion of pupils from minority ethnic backgrounds is 11% which is lower than the national average (25%). Of these the highest number within the ethnic groups is 'mixed white and black African' with 8 pupils. The 2011 School Census, however, indicated that 3.15% of Chorley's residents were from the BME groups so there is an indication that the school's percentage for BME pupils is higher than the representation in the Borough's community.

The school already has close links with all its surrounding community and is committed to continue to work with all members of this community if the school expanded. All members of the community were consulted as part of this process.

**Travel and Accessibility:**

The 2016 school census shows 9% of the school's population are disabled or have special educational need. This is below average compared to the national average for primary schools which is 16.6%.

The proposed expansion will provide additional places in a densely populated residential area with good transport and road infrastructure.

When a school permanently or temporary expands the school transport policy will apply. Pupils receiving home to school transport assistance prior to the expansion will have their situation reviewed to establish the policy still applies following the expansion, only if the school is expanded by moving onto a different site. In this proposal, the expansion would take place on the existing site of the school, should the proposal go ahead. Details of Lancashire County Council's Home to Mainstream School Transport Policy can be found on the Pupil Access Team's web pages on the link below:

<http://new.lancashire.gov.uk/council/strategies-policies-plans/children,-education-and-families/school-transport.aspx>

The proposal provides more opportunity to all of the local community served by the school. If the proposal did not go ahead, it would adversely affect future primary pupils having a school place in their local area.

**Question 2 – Engagement/Consultation**

How have you tried to involve people/groups that are potentially affected by your decision? Please describe what engagement has taken place, with whom and when.

(Please ensure that you retain evidence of the consultation in case of any further enquiries. This includes the results of consultation or data gathering at any stage of the process)

Full informal consultation over a four week period (6<sup>th</sup> June to 1<sup>st</sup> July 2016) has taken place as suggested within DfE guidance 'School Organisation: Maintained Schools: Guidance for Proposers and Decision Makers' published in January 2014 which included consultation with children. The school conducted a children's consultation with the pupils at the school during the informal consultation phase.

The results of the informal consultation were reported to the Cabinet Member for Children, Young People and Schools on 14<sup>th</sup> September 2016 and the result of the consultation at representation stage is included in the report to Cabinet Member for Children, Young People and Schools dated 6 February 2017.

A total of 28 responses were received to the informal consultation stage - 16 agreed or strongly agreed, 6 neither agreed nor disagreed and 6 strongly disagreed. The 16 respondents in agreement felt that the proposed expansion would be a benefit to current and future pupils through the provision of single year group classes in a 2FE school, whilst providing much needed places at the school. They also felt improved facilities would be provided through a larger hall and additional intervention rooms. The 6 respondents opposed to the proposed expansion were concerned about the increased traffic and noise around the school and local estate, including parking issues.

During the consultation period the school consulted all 9 school classes on their views towards the proposed expansion of Balshaw Lane Primary School. Of the 266 pupils who were involved in the consultation, 243 responses were in favour of the proposed expansion and 23 were opposed.

Four written representations were received. The first response was received from the Blackburn Diocesan Board of Education who state that Church of England Schools in the area have been contacted and they don't feel it would negatively affect the schools. The Diocese, therefore, do not have any objections to this proposal. The second response was received from Euxton Parish Council who state they are keen to see the much needed additional places at Balshaw Lane Primary School but raise concern for residents, pupils and road users, caused by parking associated with the school, and stated their view that unless suitable provision is made, these will only be exacerbated by the increase in school size. The third response was received from a local resident who perceived there was a lack of consultation with residents in the area, in their view there is a lack of understanding of the problems an increase in school numbers will be on traffic problems for residents and their view that the Council brings forward these schemes but does nothing to facilitate the damage to Bredon Avenue surfaces and pavements these schemes cause. The fourth response was received from a couple of local residents who again re-iterate their concern over the traffic around school which they feel is horrendous in the morning and afternoon of a school day. They also raise their concern that it appears the staff car park is not big enough, so an increase in pupil numbers will mean the traffic

problem gets worse unless considered at the planning stage. The responses have been placed on Councillor-First and are included as background papers to this report and are available for public inspection through Lancashire County Council School Planning Team (Telephone 01772 531957).

Following consideration of all the concerns raised, it is felt that the need to have sufficient school places in the right area outweighs the concerns that were recorded through the informal/formal consultation process.

### **Question 3 – Analysing Impact**

Could your proposal potentially disadvantage particular groups sharing any of the protected characteristics and if so which groups and in what way?

It is particularly important in considering this question to get to grips with the actual practical impact on those affected. The decision-makers need to know in clear and specific terms what the impact may be and how serious, or perhaps minor, it may be – will people need to walk a few metres further to catch a bus, or to attend school? Will they be cut off altogether from vital services? The answers to such questions must be fully and frankly documented, for better or for worse, so that they can be properly evaluated when the decision is made.

Could your proposal potentially impact on individuals sharing the protected characteristics in any of the following ways:

- Could it discriminate unlawfully against individuals sharing any of the protected characteristics, whether directly or indirectly; if so, it must be amended. Bear in mind that this may involve taking steps to meet the specific needs of disabled people arising from their disabilities
- Could it advance equality of opportunity for those who share a particular protected characteristic? If not could it be developed or modified in order to do so?
- Does it encourage persons who share a relevant protected characteristic to participate in public life or in any activity in which participation by such persons is disproportionately low? If not could it be developed or modified in order to do so?
- Will the proposal contribute to fostering good relations between those who share a relevant protected characteristic and those who do not, for example by tackling prejudice and promoting understanding? If not could it be developed or modified in order to do so? Please identify any findings and how they might be addressed.

The proposed expansion of the school will enable future pupils to gain places in the local area where they live. It will increase the likelihood of pupils gaining admission at the same school as their siblings.

Any proposed expansion will be required to comply with building regulations and the school design guidance, therefore, making it accessible.

There are 3 non faith schools in the Euxton planning area and 3 faith schools (1 Church of England, 1 Roman Catholic and 1 Church of England/ Methodist). The Church of England/ Methodist school has been expanded with effect from September 2016.

This proposal will minimise pupils in the local area from having extended journey times to attend schools outside the planning area due to insufficient school places.

#### **Question 4 –Combined/Cumulative Effect**

Could the effects of your decision combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

For example - if the proposal is to impose charges for adult social care, its impact on disabled people might be increased by other decisions within the County Council (e.g. increases in the fares charged for Community Transport and reductions in respite care) and national proposals (e.g. the availability of some benefits) . Whilst LCC cannot control some of these decisions, they could increase the adverse effect of the proposal. The LCC has a legal duty to consider this aspect, and to evaluate the decision, including mitigation, accordingly.

If Yes – please identify these.

None anticipated.

#### **Question 5 – Identifying Initial Results of Your Analysis**

As a result of your analysis have you changed/amended your original proposal?

Please identify how –

For example:

Adjusted the original proposal – briefly outline the adjustments

Continuing with the Original Proposal – briefly explain why

Stopped the Proposal and Revised it - briefly explain

No – the original proposal will be continued in the interests of securing additional quality school places for all future pupils in the area.

### **Question 6 - Mitigation**

Please set out any steps you will take to mitigate/reduce any potential adverse effects of your decision on those sharing any particular protected characteristic. It is important here to do a genuine and realistic evaluation of the effectiveness of the mitigation contemplated. Over-optimistic and over-generalised assessments are likely to fall short of the “due regard” requirement.

Also consider if any mitigation might adversely affect any other groups and how this might be managed.

N/A

### **Question 7 – Balancing the Proposal/Countervailing Factors**

At this point you need to weigh up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of your analysis. Please describe this assessment. It is important here to ensure that the assessment of any negative effects upon those sharing protected characteristics is full and frank. The full extent of actual adverse impacts must be acknowledged and taken into account, or the assessment will be inadequate. What is required is an honest evaluation, and not a marketing exercise. Conversely, while adverse effects should be frankly acknowledged, they need not be overstated or exaggerated. Where effects are not serious, this too should be made clear.

The proposal has been made in accordance with by The Education and Inspections Act 2006; The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and DfE guidance 'School Organisation: Maintained Schools: Guidance for Proposers and Decision Makers'. The Cabinet Member reports dated 12<sup>th</sup> May 2016, 14<sup>th</sup> September 2016 and 6<sup>th</sup> February 2017 provide full reasons for the proposal and details of the local authority's powers and responsibilities around school place commissioning and the provision of high quality school provision for pupils.

Local authorities have a duty to ensure the sufficiency of school places. Without the expansion of this school, there would be insufficient school places in the local area. Parents of prospective pupils would therefore, have to send their children outside of



the village where they live.

The proposal meets education provision for young people both now and in the future.

Following consideration of all the concerns raised, it is felt that the need to have sufficient school places in the right area outweighs the concerns that were recorded through the informal/formal consultation process

### **Question 8 – Final Proposal**

In summary, what is your final proposal and which groups may be affected and how?

The proposed expansion of Balshaw Lane Primary School by providing 15 additional places at Reception age with effect from 1st September 2018. This would result in the published admission number of the school increasing from 45 to 60 pupils. The main groups affected are pupils that currently attend the school and potential future pupils.

No adverse impact on people/pupils from characteristic groups is anticipated.

### **Question 9 – Review and Monitoring Arrangements**

Describe what arrangements you will put in place to review and monitor the effects of your proposal.

Once a decision has been taken to expand the school the authority is legally obliged to implement the proposal.

Equality Analysis Prepared By: Steph Rhodes

Position/Role: School Planning Principal

Equality Analysis Endorsed by Line Manager and/or Chief Officer: Mel Ormesher

Decision Signed Off By: Mel Ormesher, Cabinet Member for Children, Young People and Schools.

Cabinet Member/Chief Officer or SMT Member Mel Ormesher, Cabinet Member for Children, Young People and Schools.

**Please remember to ensure the Equality Decision Making Analysis is submitted with the decision-making report and a copy is retained with other papers relating to the decision.**

Where specific actions are identified as part of the Analysis please ensure that an EAP001 form is completed and forwarded to your Directorate's contact in the Equality and Cohesion Team.

Directorate contacts in the Equality & Cohesion Team are:

Karen Beaumont – Equality & Cohesion Manager

[Karen.beaumont@lancashire.gov.uk](mailto:Karen.beaumont@lancashire.gov.uk)

Contact for Adult & Community Services Directorate

Jeanette Binns – Equality & Cohesion Manager

[Jeanette.binns@lancashire.gov.uk](mailto:Jeanette.binns@lancashire.gov.uk)

Contact for Environment Directorate, Lancashire County Commercial Group and One Connect Limited

Saulo Cwerner – Equality & Cohesion Manager

[Saulo.cwerner@lancashire.gov.uk](mailto:Saulo.cwerner@lancashire.gov.uk)

Contact for Children & Young Peoples Directorate

Pam Smith – Equality & Cohesion Manager

[Pam.smith@lancashire.gov.uk](mailto:Pam.smith@lancashire.gov.uk)

Contact for Office of the Chief Executive and the County Treasurer's Directorate

Thank you

(NOT FOR PUBLICATION: By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

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# Agenda Item 8a

(NOT FOR PUBLICATION: By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972. It is considered that all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information)

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# Agenda Item 8b

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