

Summary of Feedback from Partners and Subsequent Edits to Proposed Strategy

Introduction

The draft School Place Provision Strategy was circulated amongst partners between 23rd March 2017 and 28th April 2017 seeking feedback and comments. It was also made available to all Lancashire schools and key partners via the schools' portal and Lancashire webpage. (The list of key partners is contained Appendix D). The draft strategy has been updated taking account of these comments and the final draft strategy is attached at Appendix A.

Responses to draft strategy

A total of 19 written responses were received. One comment was received relating to admissions which is not within the remit of this strategy and passed to Pupil Access for response. The 18 relevant responses will be uploaded to Councillor First and are summarised below:.

Comment: There were two comments which related to wording of the Strategy or misunderstanding caused through unclear statements within the Strategy.

Response: Edits have been made to the wording under 'Legislation' in Section 1, and the wording under Section 7 – 'Projects in Progress' to clarify the meaning of the words and context.

Comment: a number of comments make reference to limited finance; for example: 'Much of the draft proposals are a careful response to the legal minimum duty incumbent on the local authority responsible in law for the provision of school places, which is to be expected in times of austerity.'

Response: The County Council will continue to meet the statutory duty to provide a school place for every Lancashire child who wants one and address significant shortfalls in areas of increased demand.

Comment: Firstly, I would like to commend you and your team on an excellent piece of work which I can only partially begin to appreciate the complexities of. Secondly, being involved in one of the schools in one of the districts, I am obviously only concerned with my little bit of the patch, so please do forgive me for that The strategy specifies that Area 1 is a current hotspot for primary places in terms of need, but Area 2 is not. My concern is that, if Area 1 with a shortfall of 13 places is a current hotspot, should not Area 2 also be considered a hotspot with a shortfall of 14 places

Response: Forecasting is a dynamic exercise where pupil projections are ever changing with a wealth of information that sits behind the forecasts. In this case; Area 2 does show a shortfall of 14 places, but this is a detraction from the normal forecast and there is not a sustained need being shown. Whereas Area 1, although currently showing slightly less places on a shortfall, does have more evidence behind it to show a more sustained shortfall which is likely to increase in the future, hence it is identified as a hotspot.

Comment: The Parish Council would ask for consideration to be given to provision of school places in areas of major housing developments prior to the commencement of these developments.

Response: The County Council works with district councils and planning officers, and is involved in the discussions regarding the education impact of each significant development, and where appropriate, will seek education contributions to mitigate the impact of that development. In terms of when the places are delivered in response to demand, additional places must be carefully timed so that they are available when needed and with a yield which is viable to the school.

Comment: (from district council) Lancashire County Council are disposing of a site surplus to requirements. This site is flat and suitable for primary school use and is large enough for a secondary school or extension to an existing secondary school. The site would also qualify to be permitted to change to a state funded school subject to applying for prior approval.

Response: All disposals of any surplus land owned by Lancashire County Council are reviewed and consideration as to future use.

Comment: (From a Diocese) 'We disagree that schools should be ruled out for expansion over assumptions that section 77 precludes expansion. We have a school with little space that has successfully and swiftly obtained approval for a project that the LA believed would be unable to expand. Specific conditions were made, but the school met them and the process was swift. We believe that the LA should explore section 77 approval before dismissing the site for expansion especially in areas where the nearest named school would be some distance away from the logical expansion of school.'

Response: The County Council continues to improve intelligence on school sites and to explore opportunities to enable more sites to become options for expansion. However, there is a need to further understand when approval can be obtained to exempt from section 77 restrictions, as this will be a decision for the Secretary of State in each instance. In response, the Strategy wording has been changed, from

"ruled out" due to Section 77 constraints to now state that we will consider all options such as seeking exemption from section 77 constraints, where appropriate.

Comment: (from district council) Lancashire County Council should consider within their options the approach to expand upwards to reduce the land take at existing primary schools. There are many examples of 2 storey primary schools and raising the roof of existing primary schools to increase floorspace capacity. The remodelling of existing accommodation is supported

Response: The County Council continues to improve intelligence on school sites and to explore opportunities to enable more sites to become options for expansion. Part of this approach is to seek more innovative solutions to overcome site restrictions and consideration will be given to this suggestion in future expansions.

Comment: (From a Diocese) 'We support the principle of expanding existing schools to meet place need. We would also be open to split site expansions where demand is likely to exist before a free school/academy can be procured.'

Response: This will be considered when scoping for additional places in the relevant diocese occurs.

Comment: With 9000 (secondary) places needed in the next five years, how many places can be met by schools growing to capacity? For the remainder, what is the process/criteria for expansion of secondary schools?

Response: While a rise of 9000 pupils in secondary provision is forecast in some areas of the county there is sufficient surplus capacity to accommodate additional pupils, so physical expansion will only be required in those areas where there is not capacity. This varies from school to school and conversations would take place at early stages of scoping with these schools, in a move to try to 'unlock' this spare capacity. However, such projects may require that some suitability elements need to be addressed in order to make the places available and this is reflected in the Strategy.

Comment: Where temporary expansion takes place, the LA should automatically assess the need for the following twelve months and where evidence shows there is demand, go to consultation for permanent expansion.

Response: All demand for all schools is continually assessed. . Temporary expansion can take place for different reasons; the County Council would commission a temporary expansion either as a precursor for a permanent expansion or to deal with a high birth year or "bulge" year, which is not followed by a permanent

need. Schools may also choose to temporarily expand for one year by way of exceeding their admission number, in exceptional circumstances. In all cases future demand is monitored as part of a rolling programme and, should demand be sustained, then a permanent expansion may be explored.

Comment: We are concerned that schools who have lowered their age range and then receive a request to return it to statutory age will refuse. What plans might the LA have in such circumstances to meet this issue?

Response: Where appropriate, the County Council may use its commissioning powers. However, this will be a last resort. The County Council will also work with schools; its partner Church authorities; and local academy trusts to encourage joint working on the provision of additional places.

Comment: The diocese supports the move to federation for small schools but feel that a strategy on combined communication is needed in this area as Governors will be reluctant to federate. How will the LA work with the Diocese to encourage this move with church schools?

Response: Further consideration will be given to this approach.

Comment: What mechanisms does the LA propose to convince Governors to move to become Primary schools? Are there any measures of when this would be appropriate and case studies of effective amalgamations where standards differ between the schools?

Response: *It is assumed that this means for Junior and infant schools to become primary schools.* There is a recent example of this taking place where there were differing Ofsted ratings for each school. However, there is not a move to create Primary schools from all existing infant and junior schools where standards are high.

Comment: (Parish) 'Council deduced from the documents that it was reported that there would be shortfall in both primary and secondary schools despite the actions taken to increase places - is this correct and if not could it be explained why a shortfall is shown on the reports and why it is not clear where the places are coming from. Council did not think the document clearly showed the current situation, where the increased places were clearly coming from and what the full capacity and shortfall would be.'

Response: In some cases, the full capacity of an expansion cannot yet be reported, as the physical building works are not yet complete. In some areas, an expansion

may not fully address a projected shortfall, but will be a significant step in the right direction and may be followed by other action at another school.

Comment: Relating to surplus places; 'Is there a current Lancashire strategy or pressure from central government/DfE to address this issue at present?'

Response: There is a section in the Strategy relating to surplus places.

Comment: it is now the law that students cannot exit education or training until they are 18 and this document washes its hands of this age range. In busy urban areas there is a variety of provision within a short distance but for students in our parish and those around Garstang there is no nearby provision of any kind. Pupils in rural areas face long difficult journeys at adult expense to reach any A level provision, or indeed any other post 16 training. Students following certain vocational courses at colleges are subsidised in some cases but there is no such support for academic courses. I think that the geographical spread of post 16 provision and its quality and continuity of offer all require much more serious attention.

Response: The statutory duty of the County Council is to provide a school place for every child in Lancashire who wants one. This statutory duty relates to school ages 5 to 16. Whilst the Education and Skills Act 2008 adds the duty for all young people in England to continue in education or training until at least their 18th birthday, Post-16 education is planned by individual schools with sixth forms and colleges in Lancashire, with broad duties for the County Council to encourage, enable and assist young people to participate in education and training. The Council also has a duty to facilitate rather than provide places.

With regard to subsidised travel, the local authority is not aware that this is related to the type of course being undertaken. Post 16 institutions receive funding from the Education and Skills Funding Agency in the form of a 16-19 Bursary Fund and there is a discretionary element to this funding which is intended to help remove barriers to learning, such as the cost of books or travel. Young people are able to apply to this discretionary fund to help with the cost of accessing post 16 education, if this is something which would prevent them from participating. Institutions set their own policies in relation to the distribution of their discretionary bursary fund.

The individual comment about the Garstang area will be fed back to the Post-16 team for further consideration and the wording within the Strategy has been updated to reflect this.

Comment: The document includes the information that there will be a shortfall of primary school places in the Adlington & Rivington area of 63 by 2022. The Council is unaware of any plans for extension of any of the primary schools in the local area, despite assurances being given that plans to cope with increased demand were in

place when the Douglas Meadow development of an additional 158 homes was approved two years ago. The Council considers that urgent action is now required and would therefore like to know what provision is being made by Lancashire County Council to avoid this shortfall.

Response: While there are many “hotspot” areas where a shortfall of places is forecast, the Strategy states that inclusion in this list is an indication that an area is being monitored, rather than an intent of future action.

Forecasting is a dynamic exercise where pupil projections are ever changing. Although a small shortfall may be identified at a point in time, it is continually monitored and updated with new information. Hence not all “hotspots” or shortfalls will require action to address.

Forecast shortfalls can also be created for different reasons; rising births in that area, new housing in that area or pupil preferences into that area from a neighbouring area, are just some examples. Lancashire County Council will always look at the bigger picture before taking action. For example, in an area showing a shortfall which has high numbers of pupils travelling into the area for education from another area which has surplus, places may not need to be provided, as those pupils can readily access places in their own area.

Comment: One comment related to there being a surplus of places forecast for 5 years' time, but a single child was unable to enter reception this year. 'How can there be a surplus and a refusal of entry at the same time?' (Confidential details removed from comment)

Response: There is a difference between overall school capacity used for forecasting, and single year entries as defined by the published admission number (PAN). The PAN also relates in some schools to class size restrictions. In the specific school referred, the PAN is 10 and the class size restriction is 10, hence the 11th child to apply for a single year group would not be offered a place. At the same school, the future birth years are low, and other year groups have less than 10 pupils in. Hence while one particular year group is oversubscribed, the other year groups are not, and the collective number in the school will be less than the overall capacity, hence a surplus being shown.

Comment: The Parish Council urge LCC not to recommend that children attend schools which are classed as being nearest but are in fact across county boundaries and in particular those that are Faith Schools not necessarily subscribed to by the family. This should only be undertaken in exceptional circumstances and always with the written permission of the parents concerned.

Response: Parents have free choice of where to apply for school places for their children, whether nearest or across County borders, and this will continue to be the case in the future.

Comment: I was pleased also to note in Section 3 - Projected Demand for Places that housing yield from future housing to be built within the next 5 years is part of the forecast, and that our primary planning area is identified as a hotspot requiring continual monitoring.

Response: The County Council via the forecast methodology will only include housing that has planning permission and that the district informs us will be delivered within the next 5 years. However the County Council works closely with the district councils on their local plans and there are continual discussions relating to land allocations and strategic development, relating to required or likely education provision. In the event of the 230 houses mentioned in the comment (redacted) coming forward as a planning application, Lancashire County Council would conduct an education contribution assessment, which may result in the developer being asked to pay for additional school places in the area of the development.

Comment: I am unclear as to whether you are in a position to help schools that have converted to academy status, and to impose maximum and minimum numbers on them, as they are no longer under Local Authority control. Are these issues perhaps negotiated between yourselves and the Regional Schools Commissioner?

Response: Free schools and Academies are separate organisations under the management of the Department for Education or Education Funding Agency, not the county council. As places are required in an area, all schools are considered of equally and the County Council can request that the academy schools in that area consider expansion to meet the need. Lancashire County Council will work the Regional Schools Commissioner as an agent of the Department for Education and Education Funding Agency to explore expansion options and a need for places. The Regional Schools Commissioner will also have access to Lancashire's SCAP annual return which details where places are needed and which may be used to inform their own strategy.

Comment: Finally, I noted with some astonishment in the 'Promote Diversity' section that 'any new school will be a free school', which gives rise to more questions. Is this a legal requirement? Again, what control do you have over a free school once it is set up?

Response: The Education Act (2011) (Section 6A) states that all new schools must follow the "Free School Presumption" which means that any new school must be a

free school, unless no free school provider wishes to provide such a school (in which case dispensation may be sought for a maintained school to be established). This is a legal requirement. Lancashire County Council will work with all schools and the Regional Schools' Commissioner in order to ensure that sufficient places are made available.

Comment: In Section One of the draft I note that the Education Act puts you under a statutory duty to expand popular and successful schools and also to discontinue maintained schools which, for example, have too many surplus places.

Response: Lancashire County Council will focus resources on expansion of schools to provide places rather than removal of surplus places, unless the level of surplus places is affecting the viability and standards of provision.

Comment: In light of the large number of recently approved planning applications (including those approved at Wyre Council on 22/3/17 which approved about 675 dwellings) in Garstang and the surrounding area, the Town Council would like LCC to ensure that sufficient funds are made for the additional school places that will be required for pupils moving into the area

Response: Lancashire County Council works with district councils to assess the education contribution required from each of the developments in and around areas of growth. Where contributions are not secured, it will become increasingly difficult to provide additional places where parents express a preference.