

**Report to the Cabinet Member for Children, Young People and Schools**  
**Report submitted by: Interim Executive Director for Children and Young People**  
**Date 6 February 2014**

**Part I**

Electoral Divisions affected:  
Burnley Central East;  
Burnley North East

**Proposal to Enlarge Holly Grove School, Burnley**  
(Appendices 'A' and 'B' refer)

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**Executive Summary**

On 7 November 2013, Cabinet Member for Children, Young People and Schools approved the undertaking of stage 1 consultation on a proposal to enlarge Holly Grove School, Burnley. Between 18 November and 20 December 2013, the authority consulted on the proposal to formally expand Holly Grove School from 50 places to 70 places with effect from September 2014.

Under the statutory process, the authority is now required to consider the responses to the consultation and to decide whether to proceed to the next stage and publish statutory notices. The purpose of this report is to provide the information necessary for that decision to be taken.

**Recommendation**

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

- (i) note the consultation arrangements which were undertaken and the responses that were received in respect of the authority's proposals; and
- (ii) agree to the authority publishing a statutory notice to formally expand the number of approved places available at Holly Grove School, Burnley from 50 to 70 places with effect from 1 September 2014.

**Background and Advice**

On 7 November 2013, the Cabinet Member for Children, Young People and Schools approved the commencement of a consultation exercise to formally expand the number of places available at Holly Grove School, Burnley.

Holly Grove School is currently officially designated as a 50 place school for pupils with generic learning difficulties (GLD) aged 2 – 11. However, over recent years, there has been an increase of children with GLD who also present challenging behaviour, complex health needs and autism. Pupil numbers at Holly Grove School have been well over 50 for a number of years and, during the autumn term 2013, the school had 65 pupils on roll. It is anticipated that this demand will continue to increase and, therefore, a revision in the approved number of the school is proposed.

The current proposal is to expand the approved number to 70 and provide additional accommodation at the school.

### The Consultation Process

For a proposal to expand a maintained community special school there is a five stage statutory process that the authority, as the proposer, must follow:

Action	Timescale
Consultation on the proposal to expand Holly Grove School	18 November 2013 to 20 December 2013
Report to Cabinet Member on the responses to the consultation and permission to publish notices	<b>Current stage</b>
Publish Statutory Notices	17 February 2014
Representation Period	17 February to 30 March 2014 inclusive (six weeks)
Decision	8 May 2014

### Statutory Requirements for Consultation

Department for Education (DfE) guidance relating to stage 1 of the consultation process is contained within 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form' published by the then named Department for Children, Schools and Families. The guidance relates to special schools as well as mainstream schools. The proposers (in this case the Local Authority (LA)) must Consult interested parties and in so doing must have regard to the Secretary of State's guidance. The relevant guidance is listed below together with the action the LA has taken in compliance:

**(Para 1.1)** The proposal should be specific, not a range of options, for the consultation to qualify under the terms the Education and Inspections Act 2006.

**Arrangements:** The consultation information provided a specific proposal.

**(Para 1.2)** Proposers should (a) allow adequate time; (b) provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted; (c) make clear how their views can be made known; and (d) be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals.

**Arrangements:** (a) the stage 1 consultation period ran from 18 November 2013 to

20 December 2013 i.e. 5 weeks during school term time; (b) the consultation document (at Appendix 'A') provided full details of the proposal and a consultation event was held at school on 5 December 2013 for parents, staff, governors and other interested parties; (c) the consultation document (Appendix 'A' pages 8, 11 and 12 refers) provided information on how to make views known; (d) this report provides an analysis of views expressed which will be taken into account prior to making a decision as to the publication of proposals. All written comments received will also be available in the Member's Retiring Room for further scrutiny.

**(Para 1.3)** provides a statutory list of those to be consulted

**Arrangements:** all on the statutory list were consulted (Appendix 'A' page 7 refers)

**(Para 1.4)** refers to the duty to consult pupils on any proposed changes to local school organisation that may affect them.

**Arrangements:** Pupils' views were invited through the consultation arrangements and a separate consultation event was held with pupils at the school (contained at Appendix B).

**(Para 1.5)** It is for proposers to decide what their consultation arrangements will be and for example, whether to hold public meetings. It is recommended that stage 1 consultation should be for at least 4 weeks during term time.

**Arrangements:** A consultation document was provided (Appendix A) and widely circulated. After consulting the school it was decided to arrange a drop in consultation evening which was held at the school on 5 December 2013. Consultation was held for 5 weeks during school term time.

**(Para 1.6)** The proposer should consider the views expressed during the consultation period before reaching a decision on whether to publish statutory proposals, including whether it wishes to consider any new options that may have arisen.

**Arrangements:** the consultation response section below reports views that were expressed. All written comments received will also be available in the Member's Retiring Room for further scrutiny.

No new options arose as a result of consultation.

## Consultations

The consultation document asked whether people supported the expansion of Holly Grove School by increasing the number of places from 50 to 70 with effect from September 2014.

11 written responses were received within the consultation period and two more were received after the closing date, which have been included as part of the response. The results are summarised in the table below:

<b>Strongly agree</b>	<b>Agree</b>	<b>Neither agree nor disagree</b>	<b>Disagree</b>	<b>Strongly disagree</b>
11	1	1	0	0

The number of responses is lower than for similar proposals in the past.

The high level of support for the proposal came mainly from staff at Holly Grove School (5) and headteachers of other schools (3). Other responses were from parents of pupils at Holly Grove (2), a Holly Grove governor (1); and a County Councillor (1). The Association of Teacher and Lecturers (ATL) made a neutral response. No respondent disagreed with the proposal.

Seven respondents made no additional comments or supporting statements. Five respondents commented on the number of pupils already on roll at the school and welcomed the proposal for a number of reasons. The reasons provided were that it would provide additional accommodation; make the budget situation more sustainable; reflect the changing needs of the community; and assist parents in making positive preferences for the school. The ATL said that it undertakes to work co-operatively with the stakeholders.

A parent of a pupil at the school and a parent-governor attended the public consultation event at the school. Both were supportive of the proposal.

Consultation with pupils was held over a number of weeks at the school and the pupils were positive about the proposal. A report on pupil consultation is attached at Appendix B to this report.

All responses received have been placed on a file available in the Members' Retiring Room. All consultation responses are background papers to this report and are available for public inspection through Lancashire County Council Pupil Places and Access Service (Telephone 01772 531957).

## **Conclusion**

The proposal is a response to the increasing numbers of children and young people with complex needs in the county over recent years and the pressure for places in the East of the County, in particular, at Holly Grove School.

Holly Grove School has recently had to refuse entry to some pupils because of accommodation difficulties. These pupils represent a cost to either the County Council's budget in terms of increased travel to alternative schools, or the dedicated schools grant (DSG) if the pupils have to be placed in non LCC maintained provision. The proposal seeks to redress this situation and provide appropriate sufficient accommodation at the school for up to 70 pupils on roll.

## **Implications:**

This item has the following implications, as indicated:

## **Risk management**

There are legal risks associated with not formally designating Holly Grove School for the number of pupils it is providing for, and there are financial risks associated with not increasing the number of SEN places available within Lancashire maintained provision. Both are outlined below.

## **Legal**

If the provision at the school is not formally designated for the correct number of pupils, there is a risk that the school may be required to reduce pupil numbers in the future to its current approved number of 50.

## **Financial**

The proposal represents a small potential increase in the number of pupils on roll at Holly Grove School (compared to the numbers that are actually on roll). The school has recently had to refuse entry to some pupils because of accommodation difficulties. These pupils will represent a cost to either the County Council's budget in terms of increased travel to alternative schools, or the dedicated schools grant (DSG) if the pupils had to be placed in non LCC maintained provision. The small increase in pupil numbers at the school is, therefore, likely to represent a saving to the local authority and the DSG.

The capital costs of the project will be met from the existing Capital Programme provision and contributions from Barden Primary School (a partner on the Burnley Barden Campus) and Holly Grove School. Early estimated costs of the full expansion programme, including the non-statutory expansion of the primary school accommodation) are £2.2million. This will be funded £1.8m from the existing capital programme and £0.4m contributions from school partners for additional accommodation over the Lancashire County Council offer.

## **Equality and Diversity**

The proposal, if approved, will improve the physical environment for pupils with special educational needs by providing the recommended space according to area guidelines, together with appropriate specialist facilities. A full Equality Analysis, including a SEN Improvement Test will be completed and reported at the determination stage of the proposal.

## **List of Background Papers**

Paper	Date	Contact/Directorate/Tel
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None

Reason for inclusion in Part II, if appropriate

N/A