

**Report to the Cabinet  
Meeting to be held on Thursday, 2<sup>nd</sup> December 2021**

**Report of the Head of Asset Management**

**Part I**

**Electoral Divisions affected:**

Clitheroe  
Ribble Valley North East  
Ribble Valley South West

**Corporate Priorities:**

Caring for the vulnerable;

**Proposal to Extend the Age Range at Ribblesdale High School, Clitheroe**  
(Appendices 'A' and 'B' refer)

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**Brief Summary**

Between 28<sup>th</sup> June and 23<sup>rd</sup> July 2021, Lancashire County Council consulted on a proposal to extend the age range at Ribblesdale High School, Clitheroe by providing primary age places on the neighbouring Higher Standen Farm site.

After considering the outcome of the informal consultation and Cabinet's decision on 2<sup>nd</sup> September 2021 to proceed with the proposal, the authority published a statutory notice on 30<sup>th</sup> September 2021. The Notice invited representations from 30<sup>th</sup> September to 4<sup>th</sup> November 2021.

Under the statutory school expansion process, a decision should now be taken about the proposal. If the authority 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 the provisions of Standing Order C19 have been complied with.

## Recommendation

Cabinet is asked to:

- (i) Approve the proposal to extend the age range at Ribblesdale High School, Clitheroe to provide aged 4-16 places. This will be achieved by providing 210 primary places on the neighbouring Higher Standen Farm site in a new building, commencing with an intake of 30 reception pupils for September 2023.
- (ii) 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.

## Detail

The proposal to extend the age range at Ribblesdale High School arises from the projected rise in pupil numbers. This is as a result of significant housing development both delivered and planned in the Clitheroe area. It is proposed to extend the age range to 4-16 years, admitting 30 Reception pupils from September 2023. The primary phase will grow incrementally to 210 pupils over subsequent years, enabled by a new primary phase building on the Higher Standen Farm site.

This report aims to provide sufficient information on:

- the proposal to extend the age range of Ribblesdale High School 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
- commentary on how the proposal relates to these factors in order for the decision maker to make a determination in respect of the proposals.

### **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 consultation and/or representation period has been carried out and that the proposer has had regard to 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.

Between 28<sup>th</sup> June and 23<sup>rd</sup> July 2021, the authority consulted on a proposal to extend the age range of Ribblesdale High School with effect from September 2023. Full details of the consultation process are set out within Appendix 'A'.

After Cabinet considered the outcome of the consultation on 2<sup>nd</sup> September 2021, and agreed, to proceed with the proposal, the authority published a statutory notice on 30<sup>th</sup> September 2021. The Notice is set out at Appendix 'B'. In accordance with the statutory process, the Notice invited representations, objections or comments, within

the statutory notice period which was extended by one week to allow for half term break, i.e. from 30<sup>th</sup> September to 4<sup>th</sup> November 2021.

## Responses to the consultation

In response to the published proposal, two responses were received. One being in support of the proposal and one in opposition.

- (i) In support – Ribble Valley Borough Council (Head of Regeneration and Planning)

The respondent stated that 'the scheme is consistent with the provisions of the Council's adopted Development Plan for the area in relation to the delivery of additional Primary places through a new school at the Standen Strategic site'. The respondent also commented that the proposed scheme will help deliver the necessary additional school places and raises no issues in that regard for the Council.'

- (ii) In opposition – Anonymous

The respondent provided specific concerns relating to:

- **Low demand for additional places**

Response: The respondent referred to current pupil numbers but the demand for additional places has not been identified to address current demand, it has been identified to address future need.

- **Low demand for places from pupils residing at the Higher Standen Development**

The respondent suggested that, based on the housing delivery figures they had provided, there would not be support for new primary school provision.

Response: The respondent argues that the current level of demand from Higher Standen can be used to determine the scale of demand in the future. However, the pupil projections consider pupil place demand, based on pupil yield per dwelling research, and this suggests that additional places are required. The respondent's data in relation to the development does not reflect the information provided to us by Ribble Valley Borough Council for school planning purposes.

- **156 of the 1040 dwellings are to be Over 55 provision**

Response: The county council is aware of this part of the development and has taken this into account when forecasting pupil numbers.

- **It is not accepted that Lancashire figures for how many primary school places are currently available is correct**

Response: The county council's pupil projections are reported to and evaluated by the Department for Education. The pupil projections are considered to have a good level of accuracy, and no evidence has been provided to support the position that they are incorrect.

- **The High Standen school site should be used for the provision of secondary school places**

Response: The school site has been secured as part of a Section 106 agreement. The requirement to seek the land was based on evidence of need for primary

school places. Additional secondary places have already been provided at Ribblesdale High School, via an expansion of the school building, which created 30 additional places per year from September 2019. Proposals are currently being developed to provide additional secondary school places in the Ribble Valley from September 2023.

- **Ribblesdale, as a provider of primary places will affect other school's ability to attract new pupils, with pupils applying to Ribblesdale in order to have access to secondary provision.**

Response: This could be the case, regardless of whether the additional places were provided at the Ribblesdale all through school or by establishing a new school.

- **The all through school would not only provide places in reception but also provide some places in higher year groups to address demand from siblings or reception pupils.**

Response: Admission and operating arrangements are currently being considered in partnership with Ribblesdale High School, although these arrangements are yet to be finalised.

The following are other matters which Cabinet is asked to consider when making the decision on the proposal.

**Education standards and diversity of provision:** 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.

Ribblesdale High School is a successful and popular community secondary school, serving its particular community as well as attracting pupils from a wider area. The school has successfully expanded its offer to additional secondary pupils via a Basic Need Programme expansion, which increased its admission number from 255 to 285 per year from 2019. Its popularity sees these places fill.

The latest Ofsted Inspection in February 2020 graded the school as 'good.' The school also performs above both national and Lancashire averages when measured against Attainment 8; Basics grade 5+ (combined English and mathematics); and EBacc average points score.

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

The expansion of Ribblesdale's age range to provide an all through school will also provide an alternative offer to increase the diversity of provision in the area.

**Demand for school places:** In assessing the demand for new school places, the decision-makers 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.

A sustained increase in the number of births in the Clitheroe area as a result of significant housing development means that, as local children reach statutory school age, there may not be sufficient places in this area to meet the demand for September 2023 and beyond.

**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 local authority's budget, of the need to provide additional funding to a small school to compensate for its size.

The primary phase of the school (with a capacity of 210 places) will be similar in size to many schools across Lancashire. The provision of places as part of Ribblesdale High School should provide greater stability for the new provision during a period of growth than would be provided in a new school.

**Proposed admission arrangements (including post-16 provision):** In assessing demand the decision-maker should consider all expected admission applications, not only those from the area of the local authority 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.

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 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 Cabinet, 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).

Ribblesdale High School is a popular school which already receives a high level of first preferences for secondary places and was recently expanded to meet increasing demand.

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

**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.

The proposal to extend the age range of Ribblesdale High School is to meet the needs of an increased birth rate and the yield from new housing in the surrounding area. The school has existing close links with its surrounding community, with whom consultation was carried out as part of this process. The school is located in close proximity to where the growing community from new housing is located.

**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 Local Authority's duty to promote the use of sustainable travel and transport to school.

The proposed expansion will provide additional places in close proximity to the significant development of new housing and will also provide both primary and secondary places close to each other for families with children of different ages, which should reduce the impact of the new housing on home to school travel journeys. The provision will not adversely impact upon disadvantaged groups as additional pupils will be able to access a local school place.

**Capital:** The decision-maker should be satisfied that any land, premises or capital 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.

The site is currently owned by the Trustees of the Higher Standen Estate. The Trustees have agreed to transfer the land for the new building to Lancashire County Council complete with road access in June 2022. Taylor Wimpey, who are constructing the housing, has agreed to construct the road and install the services to agreed programme dates in accordance with the county council's programme to deliver the new school building.

## **Consultations**

Following an initial period of consultation in connection with the proposed establishment of a new primary school on the Higher Standen site, Cabinet agreed,

on 10<sup>th</sup> June 2021, to commence a further period of consultation on providing the additional places via an expansion of Ribblesdale High School's age range instead. This consultation ran from 28<sup>th</sup> June to 23<sup>rd</sup> July 2021 and, on 2<sup>nd</sup> September 2021, Cabinet considered the outcome of this consultation and agreed to the publication of a Statutory Notice proposing to extend the age range of Ribblesdale High School to 4-16, providing a through school.

After the authority's publication of a Statutory Notice on 30<sup>th</sup> September, and expiry of the statutory period for representations to be made about the proposal on 4<sup>th</sup> November 2021, the authority 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:

<b>Stage</b>	<b>Statutory requirement</b>	
Pre-statutory phase	Informal consultation on the proposal	28 <sup>th</sup> June to 23 <sup>rd</sup> July 2021
1	Publication of Statutory Notice	30 <sup>th</sup> September 2021
2	Representations on the Proposal	30 <sup>th</sup> September to 4 <sup>th</sup> November 2021
<b>3</b>	<b>Decision*</b>	<b>2<sup>nd</sup> December 2021</b>
4	Implementation (if the decision is made to proceed)	Permanent expansion and extension of the age range, providing 30 reception places from September 2023 and a new 210 place primary building on the Higher Standen site.

\*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.

## **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 authority 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 area and, if birth rates fall in the future, there may be surplus places. However, the provision of these places via an all through school means that any such surplus could be managed better.

Providing any additional accommodation for an increased number of pupils will always need to be carefully managed, to improve traffic congestion and community facilities at the same time as delivering modern teaching and learning facilities.

Planning permission for the new building must be applied for by April 2022, under the outline permission for the site-wide masterplan. The current programme will ensure an application is made early in the new year. However, although a school was included in the original masterplan, planning permission for the proposed design cannot be

assumed. The design team will discuss the proposals, in advance of a formal application, to ensure officers are aware of the scheme and any requirements are incorporated. If planning permission for the site was not secured this would present a risk.

## **Legal**

In accordance with School Organisation (Prescribed Alterations to Maintained Schools) Regulations the statutory notices on the proposal to extend the age range of Ribblesdale High School were published on 30<sup>th</sup> September 2021.

## **Financial**

Appendix 'C' to the June 2021 Cabinet report set out anticipated costs for the new building. Funds have been set aside from the Basic Need allocation for the project based on current estimates. The scheme will be partially funded from contributions agreed as part of the Section 106 agreement for the site. Some of these monies have already been received and the remainder will be payable in stages as the various phases of the housing development are occupied.

Additional revenue funding would be required to meet the projected growth in pupil numbers. Revenue funding would be found from the Dedicated Schools Grant, which is increased in line with rising pupil numbers.

Some revenue funding will be provided through the Lancashire growth funding policy, which is funded from the Dedicated Schools Grant. This policy will provide a one-off lump sum to support pre-opening costs and can provide additional funding for the new school, once it has opened, to ensure that the new school is not disadvantaged due to diseconomies of scale in its early years.

## **Property Asset Management**

The additional accommodation will be provided on the site reserved for primary school places on the Higher Standen Farm development, which is located next to the existing high school playing field site.

The school site has been secured as part of a Section 106 agreement. The developer is to complete ancillary works before the transfer. When the land transfer is completed, the land will be in the ownership and the responsibility of the county council.

## **Equality and Diversity**

The decision-maker must comply with the Public Sector Equality Duty, which requires them to have 'due regard' to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010; advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and foster good relations between people who share a relevant protected characteristic and people who do not share it.

The proposal is to expand the school which will not disadvantage any group and will benefit current and additional future pupils at the school.

The new building will be single storey and accessible to pupils with disabilities.



**Local Government (Access to Information) Act 1985  
List of Background Papers**

Paper	Date	Contact/Directorate/Tel
All responses received during the Statutory Notice Period	Sept to Nov 2021	Provision Planning Team Lancashire County Council Tel (01772) 531957

Reason for inclusion in Part II, if appropriate

N/A