

## **CABINET**

**Meeting date: 12 January 2012**

**From: Cabinet Member for Children's Services  
Corporate Director – Children's Services**

### **TRANSFORMING LEARNING**

#### **PART A - RECOMMENDATION OF CABINET MEMBER**

##### **1.0 EXECUTIVE SUMMARY**

**1.1 This paper provides feedback from consultations on whether to bring forward statutory proposals for the provision of additional primary school places in Carlisle (consultation documents Appendices B, D, F) and Penrith (consultation document Appendix H) to address growth in pupil numbers. It also provides feedback from consultations on the possible closure of Captain Shaw's CE Primary School in Bootle (consultation document Appendix J).**

##### **2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS**

**2.1 Introducing these changes would be supportive of the Council Plan priority 'improving life chances' by providing sustainable, high quality education for Cumbrian children, by giving them access to new facilities and by ensuring that there are sufficient school places available.**

**2.2 Equality Impact Assessments are attached as Appendix A. These will need to be dynamic documents, which can be updated as further work is undertaken.**

##### **3.0 RECOMMENDATIONS**

**3.1 That members consider the feedback from consultations and decide, for each of the possible proposals set out in the main body of the report, whether or not to publish some or all of them as statutory proposals which are required before any change can be made.**

**3.2 That members also consider the alternative options put forward during consultations on the future of Captain Shaw's School and in the Carlisle Central/South area, and decide whether they wish to pursue them further.**

- 3.3 ***That members approve the non-statutory changes set out in the report relating to Inglewood Infant and Inglewood Junior Schools for implementation in September 2012.***
- 3.4 ***Note that any decision to publish statutory notices triggers the beginning of a formal ‘representation period’, during which interested parties can submit their views on the proposals. Following the end of this period, the Cabinet will be required to make a decision on whether to implement the proposals. If the decision is to publish statutory proposals it is planned that a report seeking decisions will be presented to Cabinet on 15 March 2012.***

Duncan Fairbairn, Cabinet Member for Children’s Services

## **PART B – ADVICE OF CORPORATE DIRECTOR – CHILDREN’S SERVICES**

### **4.0 BACKGROUND**

#### **Carlisle**

- 4.1 Between September 2004 and September 2011, numbers entering Carlisle Reception classes increased by 44%. Whilst there has been sufficient space available to accommodate this growth to date, projections indicate that there will be a shortage of places overall by September 2012. The table below shows the expected level of demand over the coming years:

Year of Entry	2012	2013	2014	2015
Catchment Population	1044	1016	1123	1098

- 4.2 At present there are 981 Reception places available. Typically, however, a proportion of parents secure places at schools outside of the immediate area; in 2011, 70 children living in the city’s catchment areas secured places elsewhere, for example, though this was a higher than usual figure. Even taking account of the likely outward migration, there are expected to be insufficient places to accommodate all Reception children over the coming years.
- 4.3 The suggested changes set out in the table at 4.4, below, would see an additional 176 Reception places provided, giving 1,157 in total. This would be sufficient to accommodate all projected intakes to September 2015, whilst also retaining a reasonable level of surplus capacity to accommodate parental choice, inward migration, and the in-year movement of pupils. In total, this would provide around 8,100 primary school places across Carlisle. Assuming the level of admissions remains at a similar level to that projected for 2012 and beyond, it is expected that around 7,500 children will require a school place, giving surplus capacity of 7.4%, well within previous government guidelines.
- 4.4 On the basis of the projected growth, and in line with arrangements agreed by the Cabinet on 28 April 2011, a decision was taken by the Corporate Director following discussion with the Lead Members to consult on the following possible changes:

School	Proposed Change	Building Requirements	Estimated Capital Costs
Kingmoor Infant/Kingmoor Junior	1. Expand both schools to provide 15 additional places/year group, or; 2. Close Kingmoor Nursery & Infant, extend age-range at Kingmoor Junior to provide all-through primary school, and expand to provide additional 15 places/year group, or; 3. Close Kingmoor Junior, extend age-range at Kingmoor Infant to provide all-through primary school, and expand to provide additional 15 places/year group.	These are dependent on the final decision on whether to retain two schools or 'amalgamate' to create an all-through primary. The expansion(s) will require the provision of at least 4 classrooms in total and improvements to ancillary facilities.	£1m
Yewdale	Expand to provide additional 25 places per year group	Use of previously re-designated classroom space, plus provision of one additional classroom	£300k
Newtown	Expand to provide additional 15 places per year group	Provision of 2 additional classrooms plus some internal remodelling	£400k
St Bede's	Expand to provide additional 3 places per year group <b>(non-statutory)</b> <sup>1</sup>	None required. Sufficient space is already available to accommodate 30 children per year group.	£0
Brook Street	Expand to provide 15 additional places per year group	Refurbishment of former music centre building	£150k
St Cuthbert's	Expand to provide 7 additional places per year group	Provision of 2 additional classrooms plus some remodelling	£400k
Pennine Way	Expand to provide 40 additional places per year group	New build on former NCTC site	£8.8m
Petteril Bank	Expand to provide 15 additional places per year group	None required. Former classroom would be brought back into use.	£400k
Robert Ferguson	Expand to provide 15 additional places per year group	Small extension and some internal remodelling	£200k

<sup>1</sup> This is a voluntary aided school and, as such, governors are responsible for setting the published admission number

Upperby	Expand to provide additional 20 places per year group	Provision of 4 additional classrooms	£1m
Inglewood Infant	Expand to provide additional 6 places per year group ( <b>non-statutory</b> )	Use of previously re-designated classroom space	£0
Inglewood Junior	Expand to provide additional 15 places per year group ( <b>non-statutory</b> )	Use of previously re-designated classroom space	£0

- 4.5 Implementing all of these changes would provide sufficient capacity to meet demand, and build a small amount of flexibility into the school system.

### **Outcome of Consultations**

- 4.6 North Carlisle - Kingmoor  
Of the responses received, over 60%, the largest group of which were parents, supported the proposed expansion of both the Kingmoor Nursery & Infant School and Kingmoor Junior School. Only a very small minority of respondents, however, favour amalgamation of the two schools. A number of responses received, mainly those from local residents, did not complete the tick box option. A small number of responses were received via a flyer circulated by the Lowry Hill Residents' Association who were concerned about the increased traffic problems if the schools were to either amalgamate or expand. Details of the responses received are given in Appendix C.
- 4.7 Two further options arose during the consultation process. There were several suggestions, including one from the governors of Rockcliffe School, that catchment area boundaries could be redrawn, the effect being to reduce in-catchment demand for the Kingmoor schools. This option would require further consultation, and given recent levels of demand for Kingmoor Nursery and Infant School may not be favoured by the parents who would be 'excluded' as a result. Any redrawing of boundaries to the south/east of the existing area would result in an increase in the Stanwix catchment area, the likely impact being a shift in the oversubscription problem to that school. Alternatively, catchment boundaries to the north could be redrawn to extend those of Rockcliffe and Blackford schools. Whether or not this would decrease demand for places at Kingmoor is open to question, although it is possible. Equally, demand may remain at current levels, with children admitted on appeal as they were in 2009 and 2011. Redrawing catchment boundaries could increase transport costs, as children travelling to Rockcliffe or Blackford would be entitled to free provision.
- 4.8 A second, recurring option was to use the site of the former Belah School for the construction of a new school to house additional children, and negate the need for expansion at Kingmoor. There is sufficient land available on the Belah site to accommodate a new school, though GPR data indicates that the level of demand from within the current Kingmoor catchment would be insufficient to fill a 1fe school. Construction of such a school would cost an estimated £3.5m.

#### 4.9 Carlisle Central/South

Of the responses received, nearly all supported the proposed change of expansion of the schools in the Central/South area of the City. The majority of the responses were received from parents and staff. Details of the responses received are given in Appendix E. Outcomes from the pupil engagement activities undertaken in the schools involved can be made available.

- 4.10 Two additional options were put forward during the consultation process. The Headteacher of Petteril Bank, whilst supportive of the proposed increase from 15 to 20 places per year group, indicated that the school might wish to consider a further expansion to 30 places per year group. This would require the construction of 2 additional classrooms, at an estimated cost of £350k-£400k.
- 4.11 The governors of Bishop Harvey Goodwin expressed disappointment that their school had not been put forward for expansion, and suggested that the expansion of adjacent schools (Robert Ferguson and Upperby) might negatively impact on their school roll and their financial position. The governors set out at one of the drop-in sessions that the school had originally been constructed as a 3fe school (it currently has a PAN of 60, which equates to 2fe). They requested that the school should be considered for expansion alongside the other proposals, but also that consideration could be given to delaying other expansions (not named in the school's response, but those proposed at Robert Ferguson and Upperby may be deemed to have the greatest likely impact on the intake at Bishop Harvey Goodwin).
- 4.12 On the face of it, the expansion of Petteril Bank would appear to have some merit in that a fully subscribed 1fe school would allow the school to operate without mixed-age classes if it wishes to, and would give parents an added choice. Equally, some parents may actively seek out places at the school because it is smaller than others in the area, and that is what they feel appropriate for their child.
- 4.13 The expansion of Bishop Harvey Goodwin would appear to be a less straightforward proposition at the present time, though may be an option for the future. Whilst the school has a PAN of 60, demand for places has fluctuated over the last few years, with intakes as high as 54 (September 2007) and as low as 27 (September 2006). The Reception count in September 2011 was 46. Even with the other proposed expansions, given the scale of the increase in numbers across the area, it is projected that Bishop Harvey Goodwin will have a healthy intake in the future of between 50 and 60 pupils per year. However, there is no evidence that the demand exists to warrant expanding the school beyond its current PAN of 60. Numbers, of course, will continue to be monitored, and Bishop Harvey may provide an opportunity for the focus of future expansion should pupil numbers in the area continue to increase.

- 4.14 As a voluntary aided school, the governors of Bishop Harvey Goodwin are the admission authority and, under the terms of the new Admissions Code which comes into force from February 2012, they could increase the school's PAN without any consultation; if, therefore, they feel that there is sufficient accommodation, they could effectively undertake expansion themselves and seek to attract additional children.
- 4.15 Delaying expansion elsewhere would potentially increase the intake at Bishop Harvey Goodwin over the next few years, using existing accommodation rather than providing new build classrooms elsewhere.
- 4.16 Should the Cabinet wish to pursue expansion of Petteiril Bank to 30 places/year group, proposals could be published without further consultation, as this is felt not to be a wholly new option: the consultation exercise covered the broad issue of expansion, and the change to the scale of expansion is not a material change. Should the Cabinet wish to pursue the expansion of Bishop Harvey Goodwin via the school reorganisation route (rather than the governors undertaking their own expansion via a change to their PAN under the new Admissions Code), further consultation would be required. No consultation has taken place on any change to Bishop Harvey Goodwin, and this would be required to satisfy statutory requirements. The Cabinet could decide to delay expansion elsewhere (through, for example, a modification to the proposed implementation date of expansion from September 2012 to 2013 or 2014) should it feel that utilising existing space at Bishop Harvey Goodwin is a better option at this stage of the process.
- 4.17 Members are asked to consider the alternative options set out above and decide whether they wish to pursue them.
- 4.18 Two requests for additional funding support were received during the consultation process. Whilst the capital costs of increasing the number of places available at the Inglewood schools was originally estimated at zero, there may be some costs associated with, for example, additional cloakroom space, staff accommodation and cabling for ICT provision. These costs have not been quantified, but are not likely to be significant within the overall funding available. Further work will be undertaken to estimate costs prior to the submission of the March Cabinet report.
- 4.19 Carlisle West  
Of the responses received, nearly all supported the proposed expansion of the schools in the West area of the City. The majority of the responses were received from the Yewdale School's parents. Details of the responses received are given in Appendix G. Outcomes from the pupil engagement activities undertaken in the schools involved can be made available.
- 4.20 The Carlisle Local Committee received a report covering all of the Carlisle proposals on 21 December and voted unanimously in favour of the proposals. Support was expressed for the separate expansion of Kingmoor Nursery & Infant and Kingmoor Junior Schools. Carlisle Local Committee have also moved a recommendation for consideration of parking to be taken into account in the vicinity of the schools during the planning stage. In addition, they have amended the recommendation for Petteiril Bank School

to increase their PAN from 20 to 30. Support was also expressed for the rebuild of Pennine Way on the former NCTC site.

- 4.21 EIAs undertaken on the proposed Carlisle expansions identified issues facing children from the Gypsy, Roma and Traveller (GRT) communities, and those with English as an additional language. Many schools in the area already have experience of supporting these children, but the impact of expansions will be monitored and additional support provided where appropriate.
- 4.22 The expansion of Roman Catholic schools at St Cuthbert's and St Bede's will provide greater access to a faith-based education, increasing choice for parents.

### **Penrith**

- 4.23 Pupil numbers have fluctuated over the years in Penrith, but projections indicate that there will be an increase in September 2012 and beyond, leading to a shortage of places. The table below shows the number of children living in the catchment areas as per GP register data at 31 August 2011, and their year of entry to Reception classes:

Year of entry	2012	2013	2014	2015
Catchment Population	184	171	157	170

- 4.24 There are currently 133 Reception places available in the town. Typically, a proportion of the catchment children represented above (between around 20 and 40 children per year) secure places in other nearby schools, and there is no reason to expect that trend to change in the immediate future. However, even taking that into account, it is still expected that 133 places will be insufficient to meet demand in the future.
- 4.25 In light of this projected growth and the existing number of places available, the Corporate Director, in discussion with Lead Members, decided to consult on the enlargement of St Catherine's Catholic Primary School. This would see the school's Published Admission Number (PAN) increase from 15 to 20 places per year group. The project would involve some internal remodelling of existing space at an estimated capital cost of £120k.
- 4.26 Discussions are ongoing with Headteachers and governors in Penrith about other measures which may be introduced to further increase the number of Reception places available. An update on these discussions will be provided to the Cabinet and to Local Committee in March 2012.

### **Outcome of Consultations**

- 4.27 Of the 12 responses received, 83% supported the proposed expansion of the St Catherine's School. Details of the responses received are given in Appendix I.

4.28 The Eden Local Committee received a report on the consultations on 1 December. Their response as recorded in the draft minutes from that meeting is set out below:

“All members fully supported the proposals contained within the report.

**RESOLVED,** that

(1) the Local Committee note the content of the report and make a response on the proposals as members feel appropriate;

(2) the Cabinet will consider feedback from consultation, including any response made by the Local Committee, on 12 January 2012 before deciding on the next step.”

4.29 The EIA identified issues facing Gypsy, Roma and Traveller children in the area. Many children from these communities already attend St Catherine’s, and the school has forged strong links with them. Attendance and attainment will continue to be monitored amongst these children, with additional support provided by the LA where appropriate.

4.30 The creation of additional places in a Roman Catholic school will provide increased opportunities for parents to access a faith-based education for their children. St Catherine’s is the only Catholic school in the Penrith area, and expansion would increase the choice available to parents.

**Captain Shaw’s CE Primary School, Bootle**

4.31 This school has experienced falling rolls for a number of years, as shown in the table below. There were 16 children on roll in September 2011. The school has a part time Executive Headteacher. The school is currently staffed by teachers on a fixed term contract.

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012**
NOR*	28	32	33	31	26	24	18	20	17	16

\* - NOR – Number on Roll

\*\* - All figures (2003-2011) are taken from January school census. The 2012 figure is the current number on roll.

4.32 Given the fall in numbers and the resultant reductions in budget, there are concerns that the school will no longer be able to offer the high standards of education expected. Since 2008, children at the school have performed less well than the national average and also less well than children at Waberthwaite School, based on the average points score achieved in tests at the end of Key Stage 2. The table below shows the schools’ relative performance, with Captain Shaw’s’ outcomes below the floor target for primary education.

Key Stage 2 Average Points Score	2008	2009	2010	2011
Captain Shaw’s	27.0	No pupils in KS2	26.4	25.2

Waberthwaite	30.1	28.5	28.5	30.8
National Average	28.0	27.9	27.4	27.5

- 4.33 High levels of staff turnover may have had an adverse affect on children's level of achievement, and given the budget position set out below, there are strong concerns that the school will be unable to sustain a consistent staffing establishment over the coming years. At the same time, small cohorts can mean that children do not benefit from 'peer challenge'; the concept that children may perform at a higher level when they are able to share learning with peers of the same age, that being able to compare themselves with others can drive them on to achieving at a higher level.
- 4.34 Ofsted's current judgement is that the school is 'good'. The last inspection was undertaken in 2009, since when there has been a complete change in teaching staff. The table above shows that for the last 4 years, children at Captain Shaw's have consistently performed less well than their peers at Waberthwaite and nationally. The use of Average Points Score as a measure of performance rather than the percentage of pupils achieving a certain level should dampen the impact of any illness or underperformance on the day of the tests.
- 4.35 Whilst there is the possibility of an upturn in pupil numbers over the coming years, it is expected (based on data from GP registers and historic patterns of admission) that the roll will increase to no more than 22 by January 2016, which is the furthest chronological projection that GPR data will allow (ie data on actual children aged 0 – 4 living in the area). A further year of projection could be inferred by averaging data and this would provide a figure of 24 for January 2017.
- 4.36 No schools are immune from difficult budget decisions and indeed the risk of budget deficits; but larger schools generally have a wider scope to find efficiencies than very small ones.
- 4.37 Waberthwaite School is currently carrying a temporary deficit budget, but a robust recovery plan is in place to return the school to budget over the next year. This school is forecasting a surplus in 2013/14 of circa £12k.
- 4.38 Captain Shaw's School is currently projecting a surplus of £20k by April 2012. However, this position is decreasing rapidly and it is forecast that the school will be in deficit by more than the permissible 8% of budget by April 2014. There is currently no agreed deficit reduction plan in place that will bring the school back to a balanced budget within three years, as is the requirement for schools carrying a deficit budget. The budget position appears to be untenable without drastic reductions in expenditure or a significant increase in pupil numbers, neither of which appear to be possible.
- 4.39 Given these educational and financial concerns, the decision was taken to consult on whether to publish statutory proposals for the closure of the school, with pupils transferring to Waberthwaite School in September 2012.

In September 2011 there were 38 children on roll at Waberthwaite. It should be noted that numbers have fallen here too over a similar period, mirroring the decline in birth rate in many rural areas nationwide,

- 4.40 Waberthwaite School would not require any capital investment in order to be able to accommodate additional pupils. Whilst Waberthwaite's official net capacity figure is currently set at 56, there are three full-size classrooms available plus a smaller ICT room. This would allow a new net capacity to be set at 84, sufficient to accommodate all pupils in the combined catchment areas for the foreseeable future with a PAN of 12. Because the increase in capacity is less than 30 places in total, this change would not require the publication of statutory proposals.
- 4.41 With regard to the school buildings, it should be noted that teaching accommodation at Captain Shaw's is located on the first floor of the building. There is no lift available, and the building is not DDA compliant.

### **Outcome of Consultations**

- 4.42 Of the responses received, nearly 80% are opposed to the proposed closure of Captain Shaw's School. The majority of the responses were received from former pupils, grandparents and residents in the Captain Shaw's School's area. Just over a quarter of the responses received were from parents of pupils at the school, many of whom chose Captain Shaw's School as it is within walking distance of their homes. Of the responses received for the merger of Captain Shaw's and Waberthwaite Schools' catchment areas, 30% agreed with the proposal. Details of the responses received are given in Appendix K.
- 4.43 The Copeland Local Committee responded as follows (taken from the draft minutes of the meeting):

"All Copeland members were concerned about the possibility of closure of this school if more houses were being built in Bootle in the future, and the possible effects this could have on costs for school transport.

The local member for Bootle had a number of issues and concerns with these proposals and she would be responding to the consultation with these.

### **RESOLVED** that,

- (1) the Local Committee notes the contents of the report and local members would be responding on the proposal as appropriate
  - (2) Members note that the Cabinet will consider feedback from consultations, including any response made by the Local Committee, on 12 January 2012 before deciding on next steps."
- 4.44 Comments made by Local Committee members at the meeting were, without exception, positive and supportive of the school.
- 4.45 Three additional options arose during the consultation process, which members may wish to consider. Pursuing any of these would require further consultations being undertaken. Firstly, it was suggested that an alternative

to closure would be for Captain Shaw's to form a federation with one or more schools in the area. Federation typically involves the appointment of an Executive Headteacher who has responsibility for two or more schools, the sharing of teaching and learning resources, joint events and in some instances the pooling of budgets. Schools in federations retain their individual identity, however, and remain as a 'stand-alone' institution in legal terms.

- 4.46 The Captain Shaw's Chair of Governors met with the governing body of Waberthwaite School to discuss the possibility of federation during the consultation process, however the governing bodies of both schools have decided against pursuing it further. They feel that such an arrangement has no tangible benefits for either school. No other options for federation have been put forward by the Captain Shaw's governing body.
- 4.47 A further option is the closure of Waberthwaite School, with children transferring to Captain Shaw's. This would be possible in terms of the space available and the number of children on roll at both schools. Arguments in favour of this (and the retention of the school more generally) centre largely on the retention of a school presence in Bootle in order that it can maintain its status as a designated Rural Service Centre. It has also been suggested that future housing development in Bootle will be jeopardised by the lack of a local school should Captain Shaw's close, and that new housing will generate sufficient children to maintain viability at the school into the future. This proposed housing development is currently at an early stage and has not yet applied for any planning consent. The governors of Captain Shaw's School have suggested that transporting children from Bootle to Waberthwaite would be educationally disadvantageous, however, and it is difficult to see how this could be avoided if Waberthwaite were to close and children were transported to Captain Shaw's.
- 4.48 Currently, the parents of 9 of the 19 children living in the Captain Shaw's catchment choose to send their child to Waberthwaite School; this is the same number living in the Captain Shaw's catchment who *do* attend the school. By comparison, 26 of the 41 children living in the Waberthwaite catchment attend that school. The roll at Waberthwaite is more than twice that of Captain Shaw's, therefore this option would clearly mean closing a larger school and going against the wishes of a larger number of parents.
- 4.49 The status of Bootle as a Rural Service Centre is decided by the Lake District National Park Authority (LDNPA), the Chairman of which has written opposing the closure of Captain Shaw's. Given that the decision remains in the hands of the Local Planning Authority, there is no certainty that Bootle would lose its existing status. Some new housing development is being considered in the area, but again, this need not be affected by the existence of Captain Shaw's School. The Housing and Communities Agency (HCA) has agreed financial support for the construction of 14 affordable homes in Bootle (subject to planning approval), and communication with them indicates that the closure of the school would not affect this support. Indeed, whilst the HCA does consider local schooling when it decides funding allocations, other factors are given greater weight in their decision making processes.

- 4.50 The LDNPA has also consulted on the possible development of another site in the area for further housing development. This is not certain, however. If adopted, the site will be part of the LDNPA's Local Development Framework, covering a period up to 2025, so the timescales for development are uncertain. Any development would require planning consent, and whilst it is impossible without knowing the mix of housing to give an accurate estimate of the likely number of additional pupils that result, this is likely to be no more than 10-15 taking into account the sites mentioned above (including the 14 HCA-supported houses). This second potential development sits outside the village of Bootle, in the Waberthwaite catchment area.
- 4.51 The relative quality of the school buildings also needs to be taken into account here. Teaching space in Captain Shaw's is largely located on the first floor of the building, with a village hall on the ground floor (to which the school has full access). Waberthwaite has more accommodation available and could be expanded in the future if necessary. Although it has no school hall, it has access to the village hall around 20 metres from the school gate. Captain Shaw's School has no capacity for expansion on the site. Any future increase in numbers in the area (albeit that this is not predicted in any significant way at present) would be better served by the retention of Waberthwaite rather than Captain Shaw's simply by virtue of the space available. As stated earlier, teaching accommodation at Captain Shaw's is located on the first floor of the building and there is no lift: the building is not DDA compliant.
- 4.52 The final option was that the catchment areas should be redrawn. There remains a lingering concern in the Bootle area over the catchment area changes following the closure of Hycemoor School in 1991, as well as earlier changes going back to the late 1960s. Briefly, many of those who attended the consultation event feel that the school has been deprived of the opportunity to attract more children over the years directly as a result of the decisions made by the county council not to reallocate closing schools' catchment areas to Captain Shaw's.
- 4.53 As with the other two options suggested, redrawing the catchment boundaries would be possible, and would require consultation via the county council's wider consultations on school admission arrangements. It is also possible that it would increase demand for places at Captain Shaw's, as it would increase the number of children entitled to free transport to that school (and, therefore, decrease the number able to access free transport to other schools in the area).
- 4.54 It is difficult to predict the precise outcome of such a change. In September 2011, however, of the 19 primary school-age children living in the Captain Shaw's catchment area, only 9 were attending the school, the bulk of the remainder choosing to travel to Waberthwaite. (Four children from the Waberthwaite catchment area travel into Captain Shaw's.) Also, given the arguments put forward by those in favour of retaining Captain Shaw's set out in paragraph 4.47, it seems likely that a similar situation would pertain at other schools should there be a suggestion that catchment boundaries be redrawn in favour of Captain Shaw's ie, if the reason for the fall in roll and the current position of the school is the catchment boundary, it seems

possible that other schools could make the same argument against a change.

- 4.55 Members are asked to consider the alternative options above and decide whether they wish to pursue any of them.
- 4.56 The EIA undertaken has identified a number of issues that will need to be addressed should the Cabinet decide to pursue the closure of Captain Shaw's School. The transfer of children mid-way through their primary education is potentially disruptive, and the local authority would need to work with both schools in the run-up to closure to ensure that the transfer is as smooth as possible. This would include appointing a common General Phase Adviser to Captain Shaw's and the receiving school(s) (primarily thought likely to be Waberthwaite, but parents could choose other local schools). Joint school events would be supported prior to implementation of the closure to ensure that children are able to interact with their new classmates.
- 4.57 Captain Shaw's is a Church of England school, and children are currently able to walk to the local church. This is not the case at Waberthwaite, though it is also a Church of England school. The vicar from Eskdale takes assembly at Waberthwaite once a week, however, and there is a free-to-hire (excluding fuel costs) 'microbus' that the school could use to transport children to church.
- 4.58 The ability of Bootle parents without transport to access Waberthwaite – for example, in an emergency, to administer medication, to discuss issues with teachers or to attend school performances – is a significant issue raised during the consultation process. This applies equally to children attending after-school clubs. In a rural county like Cumbria, this is a relatively common issue, though not one to be under-estimated. There are numerous examples of other schools which manage this very well; Eaglesfield Paddle, is remote from the vast majority of its pupils' houses, but has a thriving community based around the school, Grasmere make use of a minibus for after-school events and has experience of dealing with medical emergencies in the immediate absence of parents. Other examples of rural schools in a similar situation include Ireby, Borrowdale and Holme St Cuthbert's Schools.

## **5.0 OPTIONS**

- 5.1 For the proposed changes set out above, the Cabinet needs to consider the feedback from consultations and from Local Committees and decide whether or not to proceed to the next stage of the statutory process, i.e. the publication of statutory notices.

## **6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS**

- 6.1 Capital estimates for individual schemes are set out in the table in Para 4.4.. Indicative figures for these items were included in the draft capital programme for 2012/13 – 2014/15 as items under consultation in the Draft Revenue Budget and Capital Programme Report that went to Cabinet on the 15<sup>th</sup> December.

- 6.2 Capital funding for Children Services comes from two main sources. Basic Need Grant which is aimed at providing additional school places to meet demand and Prioritised Capital Maintenance Grant which is aimed at improving condition defects or improving curriculum areas to meet learning needs. These grants are not ring fenced into either of these areas or to Children's services.
- 6.3 In the draft Revenue Budget and Capital Programme Report that went to Cabinet on the 15<sup>th</sup> December it was assumed that the Basic Need funding and Prioritised Capital Maintenance funding would align with previous years allocations.
- 6.4 In December it was announced by DFE that the methodology for allocating Basic Need grant would be changed for 2012/13 to reflect capacity issues in schools. The grant is now 50% based on growth in pupil numbers and 50% based on capacity issues. This resulted in a lower grant being provided for Cumbria as across the county as a whole, schools have spare capacity. The approach does not reflect that in particular parts of the county such as Carlisle and Penrith that capacity within the schools is not sufficient for the increasing pupil numbers
- 6.5 The funding announcement also stated that this was a one year announcement for 2012/13 as there is an ongoing review of allocation methodologies to ensure that allocations for the remainder of the spending review period are better targeted towards need. This introduces a risk that future allocations for Cumbria could be reduced further or distributed via a different route.
- 6.6 In total for 2012/13 the Council will receive £2.045m for Basic Need grant and £7.325m for Prioritised Capital Maintenance grant. In total unallocated funding carried forward from previous years will be £11.754m (both Basic Need Grant and Prioritised Capital Maintenance). An additional £481k of Basic Need funding was allocated during 2011/12 and will be carried forward as unallocated
- 6.7 The Basic Need Grant would be insufficient in any one year to finance the suggested schemes discussed in this report. Including the brought forward position it is necessary to utilise both brought forward and some of the Prioritised Capital Maintenance funding to support delivery of these schemes.
- 6.8 These schemes, plus the backlog maintenance items for 2012/13 in the draft budget, could be financed with these resources.
- 6.9 Nationally there is still £600m for Basic Need to be allocated to Local Authorities for 2012/13, the methodology for which will be determined during 2012/13.
- 6.10 School revenue budgets are based on a funding formula that takes account of pupil numbers within a school from a census completed in January. As any decision made by Cabinet to increase a schools roll will be deemed as a "prescribed alteration", Cabinet would be approving for the cost of additional pupils to be funded from the Dedicated Schools Grant (DSG) until the following April when the additional pupils would be picked up in that year's census. As this is funded through the DSG, there is no revenue implication to the Council's budget.

- 6.11 Ongoing revenue costs will remain broadly similar should the expansions proceed, as the children affected will be on roll at a Cumbrian school whatever the outcome of the expansion proposals. Some potential future costs in Carlisle and Penrith may be avoided as a result of expansions, as the need to transport children to alternative schools is less likely to arise.
- 6.12 There may be some redundancy costs should the Cabinet decide to pursue the 'amalgamation' of the Kingmoor schools. Efforts would be made to redeploy any staff affected.
- 6.13 There may also be some redundancy costs associated with the closure of Captain Shaw's School should closure be implemented. These are likely to be relatively small, however, given that there are no permanent teaching staff employed at the school.

## **7.0 LEGAL IMPLICATIONS**

- 7.1 Section 14 of the Education Act 1996 places a duty on the county council to "secure that sufficient schools for providing primary education are available for their area". The provision of sufficient primary school places is, therefore, a statutory responsibility.
- 7.2 Most of the possible changes set out in the table at paragraph 4.4 would require the publication of statutory proposals before a decision could be made on their implementation. Changes in Published Admission Numbers proposed at Inglewood Infant, Inglewood Junior and St Bede's Schools do not require the publication of statutory proposals. For the Inglewood Schools, members could decide, taking into account the response to consultations, to admit children up to the higher number from September 2012 through the admissions process, i.e. the county council would be able to exceed the existing, lower PAN in order to accommodate additional pupils. A permanent change of PAN could be introduced from 2013-14 following consultation on admission arrangements for that year. In the case of St Bede's, the school's governors are the admission authority, and are able to make similar decisions to those set out for the Inglewood Schools.
- 7.3 The publication of statutory notices triggers a representation period, during which interested parties are able to submit their views on any published proposals. A further report will need to be brought to the Cabinet on 15 March so that decisions on the proposals can be made.
- 7.4 In all cases, the intention would be to phase the expansions over a period of 7 years. Thus, each school's PAN would increase for Reception admissions in September 2012, but older year groups will be limited to previous PAN levels. In September 2013, the Reception and Year 1 PANs would be at the higher level, and so on until September 2018, when all year groups would be operating at the higher level.

## **8.0 CONCLUSION**

- 8.1 This paper covers a substantial number of possible changes to schools, all of them aimed at best meeting expected future levels of demand for places, and the educational needs of children. The potential changes seek to make the best use of resources by utilising a mix of existing accommodation, remodelling, new build and rationalisation to provide the number of places needed.
- 8.2 The county council will fail in its statutory duty if additional primary school places are not provided. Fewer parents will be able to access places for their children at their preferred schools, greater numbers of children will have to be transported to alternative schools and the county council as Admissions Authority is likely to have

to defend greater numbers of admission appeals. In that light, members are asked to consider responses to the various consultations and decide how best to proceed.

**Julia Morrison**  
**Corporate Director – Children’s Services**  
12 January 2012

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**APPENDICES**

- Appendix A – Equality Impact Assessments x 5
- Appendix B – Kingmoor schools consultation paper
- Appendix C – Summary of Kingmoor consultation responses and consultation meetings / engagement with pupils notes
- Appendix D – Carlisle South/Central consultation paper
- Appendix E – Summary of Carlisle South/Central consultation responses and consultation meetings / engagement with pupils notes
- Appendix F – Carlisle West consultation paper
- Appendix G – Summary of Carlisle West consultation responses and consultation meetings / engagement with pupils notes
- Appendix H – St Catherine’s consultation paper
- Appendix I – Summary of St Catherine’s consultation responses and consultation meetings / engagement with pupils notes
- Appendix J – Captain Shaw’s/Waberthwaite consultation paper
- Appendix K – Summary of Captain Shaw’s/Waberthwaite consultation responses and consultation meetings / engagement with pupils notes

Electoral Division(s):        All Carlisle  
   All Penrith  
   Seascale and Whicham

Executive Decision	<table border="1"><tr><td>Yes</td></tr></table>	Yes			
Yes					
Key Decision	<table border="1"><tr><td>Yes</td></tr></table>	Yes			
Yes					
If a Key Decision, is the proposal published in the current Forward Plan?	<table border="1"><tr><td>Yes</td></tr></table>	Yes			
Yes					
Is the decision exempt from call-in on grounds of urgency?	<table border="1"><tr><td>No</td></tr></table>	No			
No					
If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?	<table border="1"><tr><td>N/A</td></tr></table>	N/A			
N/A					
Has this matter been considered by Overview and Scrutiny? If so, give details below.	<table border="1"><tr><td>No</td></tr></table>	No			
No					
Has an environmental or sustainability impact assessment been undertaken?	<table border="1"><tr><td>No</td><td>N/A</td></tr><tr><td>*</td><td>*</td></tr></table>	No	N/A	*	*
No	N/A				
*	*				
Has an equality impact assessment been undertaken?	<table border="1"><tr><td>Yes</td></tr><tr><td>*</td></tr></table>	Yes	*		
Yes					
*					

**PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS**

Cabinet: 28 April 2011 – changes to school organisation processes.

**CONSIDERATION BY OVERVIEW AND SCRUTINY**

Not considered by Overview and Scrutiny.

**BACKGROUND PAPERS**

**RESPONSIBLE CABINET MEMBER**

Councillor Duncan Fairbairn – Cabinet Member for Children’s Services

**REPORT AUTHOR**

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