

DETERMINATION

Case reference: STP/000593

Proposal: To discontinue Leominster Infant School and Leominster Junior School with effect from 31 August 2014 and establish a new community primary school with effect from 1 September 2014

Proposer: Herefordshire County Council

Date of Decision: 21 June 2013

Determination

Under the powers conferred on me in paragraph 10 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to discontinue Leominster Infant School and Leominster Junior School with effect from 31 August 2014 and to establish a new community primary school with effect from 1 September 2014.

The referral

1. On 3 May 2013 the interim Head of Schools Organisation and Capital Investment wrote on behalf of Herefordshire County Council (the council) to the Office of the Schools Adjudicator (the OSA) referring to its own proposal made under sections 15 and 10 of the Education and Inspections Act 2006 (the Act) for consideration under Schedule 2 to the Act. The proposal is to close two community schools, Leominster Infant School and Leominster Junior School (the schools) on 31 August 2014 and to establish a new community primary school on the existing site on 1 September 2014.

Jurisdiction

2. At the time when this proposal was first considered, the proposal for a new community primary school would normally have triggered the publication of a notice inviting proposals from promoters interested in providing a new school. However, the council sought consent from the Secretary of State to publish its own proposal without holding a competition. The Secretary of State granted consent to publish the proposal, by letter dated 15 November 2010. Where consent is given to publish new maintained school proposals, a statutory process must be followed, as set out in Schedule 2 to Act and School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (the regulations).

3. On 8 March 2013, having carried out the appropriate consultation, the Director for People's Services acting on behalf of the council published statutory notices, in the form required by the Act, to close the infant school

and the junior school on 31 August 2014, and to open a new community primary school on 1 September 2014. Following the six week consultation period the council forwarded the information specified in sections 10 and 15 of the Act and regulations made there under, to the OSA.

4. I am satisfied that this proposal has been properly referred to me in accordance with Schedule 2 of the Act and that; therefore, I have the jurisdiction to determine this matter.

Procedure

5. In considering this matter I have had regard to all relevant legislation and guidance. I have considered all the papers put before me including the following:

- letter of consent to publish proposals for a new 3 to 11 years community primary school, from the Secretary of State dated 15 November 2010;
- the formal request from the council for a decision from the adjudicator on the proposal, dated 3 May 2013;
- a copy of the report on the responses to the consultation, to a meeting of the council dated 21 Jan 2010;
- a copy of the statutory notice to “amalgamate” the schools dated 8 March 2013;
- letters of support for the proposal from the headteacher of Leominster Infant School (the infant school) dated 16 May 2013 and from the head teacher of the Leominster Junior School (the junior school) dated 17 May 2013;
- minutes of the cabinet meeting on 21 January 2010 at which it was agreed to seek approval to establish a new school without a competition and to publish statutory notices as required;
- minutes from the Leominster Amalgamation Project team meetings on 23 May 2011, 21 October 2011, 11 October 2012, and 7 February 2013;
- council letter to the schools confirming commitment to the scheme dated 6 March 2013;and
- a copy of the decision by the council’s planning committee on 6 June 2013 to approve the plans to build the new school.

The Proposal

6. The proposal from the council is to discontinue the infant school and the junior school with effect from 31 August 2014 and to establish a new community primary school with effect from 1 September 2014 using the existing sites.

7. The council contends that the proposal provides an opportunity to build upon the current successes and strengths of both schools to ensure that the young people of Leominster can benefit from the best facilities and opportunities. The proposal will strengthen community cohesion because all children in the area served by the new school will attend a single primary school rather than separate infant and junior schools and this will enable good links with the community from a single school. Fully integrated arrangements and collaboration with other schools will also enable the school to continue to develop the inclusive practice and to provide equality of access for all social groups within the community.

8. An all through primary school will help teachers, other school staff and governors to continue raising the good standards already being achieved by pupils at the existing schools, to deliver better outcomes for children and families through:

- consistency of policy, planning and procedures throughout the school;
- parents needing to communicate with a single school;
- opportunities for more effective use of resources;
- greater sharing of teachers' expertise across key stages;
- broader opportunities for teachers' continuing professional development; and
- easier 'tracking' of children's progress and attainment through their primary education.

Background

9. Paragraph 9 of Schedule 2 to EIA 2006 and Paragraph 35 of Schedules 3 and 5 of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), provide that any proposals that are 'related' to particular proposals such as the closure of two schools and the establishment of a new school to replace that provision must be considered together.

10. The first round of consultation with the community, the schools and the public took place in the summer of 2008 to help establish the priorities for capital investment through Herefordshire's Primary Strategy for Change. The consultation sought views on a number of options for capital investment in primary schools. The favoured option incorporated into Herefordshire's Primary Strategy for Change was to invest in a new primary school for Leominster through the amalgamation of the current infant and junior schools.

11. Following this consultation, which established that the amalgamation would be a priority within the capital programme, further wide-ranging consultations were carried out between 28 September and 9 November 2009 with staff and governors of the infant and junior schools and also parents/carers and children at the current schools. The outcome of the consultations was reported to cabinet on 21 January 2010 and it was agreed that officers would continue the statutory process for the amalgamation; would seek the approval of the Secretary of State to establish the new primary school as a community school would publish statutory notices, as required in order to meet the requirement of the statutory process for school reorganisation.

12. Permission to consult on the proposal was granted by the Secretary of State on 15 November 2010; and it was noted that there was no urgency to the application, as the proposed school was not scheduled to open until September 2012.

13. A project team was then established has continued to hold meetings at intervals between 2011 and 2013. The council explained that the delay in reaching a final decision occurred as the scheme progressed through several stages of consultation to take account of the changes to capital funding for local authorities. Eventually a suitable affordable scheme was agreed and went forward for planning approval but the project was then deferred. In the interim period further funding challenges were identified and had to be resolved during 2011. At a meeting in October 2012 the chief finance officer of the council confirmed that capital funding was in place and that as the project had 'cost certainty' it could proceed to the planning stage.

14. The proposal will allow the council to carry out its plan to replace the existing schools' buildings, some of which are in poor condition and expensive to maintain. A new building will provide more energy efficient, lower maintenance, modern teaching and learning facilities, fit for the 21st century.

Objections

15. A statutory notice was issued by the council on 8 March 2013. No comments or objections were received in response to the statutory notices.

Consideration of Factors

16. I have considered the proposal afresh, taking careful account of the arguments put to me by the council and of the relevant statutory guidance for decision makers.

Standards

17. Leominster Infant School was inspected in April 2013. The report notes that this is a larger than average infant school and that an above average proportion of pupils are eligible for support through the pupil premium (additional money from central government for pupils known to be eligible for

free-school meals, children who are looked after by the local authority, or who have a parent in the armed forces). There is also a larger than average number of pupils at 'school action plus' or with a statement of special educational needs. Inspectors concluded that the school has high expectations of pupils and provides a good quality of education.

18. Leominster Junior School was inspected in July 2010 and the Ofsted report noted that it was the only remaining junior school in the county and that consultations were under way to consider an amalgamation with the local infant school. There was a high proportion of pupils identified on the register of pupils with special educational needs as having physical, emotional or behavioural difficulties. It concluded that this was an effective school with good capacity for further improvement.

19. The council believes that a new school will provide an opportunity to build on the strengths and successes of both current schools and that standards will be improved further in the new primary school, benefiting from the continuity of curriculum planning, and by removing the transition for pupils between key stages 1 and 2. The new school will serve a high proportion of children who come from groups whose attainment levels are likely to most benefit from such a positive change. The proposal envisages that the wide range of extended services currently available to children and parents through the existing schools will continue to be available if the merger proceeds and this will ensure that families in Leominster can benefit from the improved educational facilities.

20. Although both existing schools are currently regarded as good by Ofsted, I am satisfied that the proposal for the creation of a single primary school should contribute to raising standards in this community as the new school strives to fulfil the inspectors' expectation of capacity for further improvement .

The need for places

21. The infant and nursery school has a published admission number (PAN) of 90, providing 270 school places, with the nursery providing 52 places. The existing junior school has capacity for 360 places and a PAN of 90. The spring census showed 307 pupils

22. The new school will serve the combined, existing catchment area of the current schools and it is proposed that pupils attending the two schools will automatically transfer to the new school, which will be built on the same site as the current schools. The new community primary school is designed to accommodate 630 children aged 4 to 11 years and will have a PAN of 90 with 52 places for nursery children.

23. It is evident therefore that the capacity of the proposed new school is equivalent to the capacity of the current infant and junior schools and matches the current and forecast demand for places in the town. The council's projections indicate an initial roll of 593 in September 2014 with steadily increasing demand to a peak of 617 in 2017/18.

24. I am satisfied therefore that there is a demonstrated continuing need for the places that will be provided by the establishment of a new school.

Views of Interested Parties

23. Initial consultation on the proposal took place in a series of meetings for parents, staff, governors and other interested between 28 September and 9 November 2009. Consultation documents were circulated to parents, staff and governors and were made available on the council's website. There were over 100 responses with 78 per cent in favour of the proposed amalgamation of the two schools.

25. There was a comprehensive survey of opinion researched and compiled by the Leominster Junior School Council on behalf of their fellow pupils and verbal feedback provided from pupils of the Leominster Infant School Council. Officers of the council thanked the pupils and councils of both schools and the staff who supported them, for their enthusiasm, hard work and quality of their well considered and reasoned responses. The results from this second round of consultation showed significant support for the proposal to amalgamate the schools to form a new community primary school

26. Officers held a range of meetings, attended school open days and parents evenings and were available at the schools to help inform parents/carers about the proposal, to answer questions and to address any concerns. In addition, officers set up and attended displays in two supermarkets in Leominster to provide information and again answer questions. Consultees were provided with an information leaflet and response form

27. After cabinet had agreed to continue with the statutory amalgamation process, then all stakeholders, including neighbours of the schools and the wider community were invited to further consultation events on the siting and design of a new school building.

28. There have been numerous discussions with the two headteachers and the governing bodies regarding the amalgamation of the two schools. Both headteachers have expressed their support for the proposal. The council has been very keen to have views from the Leominster community and a consultation was carried out in 2009 where governors, staff, pupils, parents/carers and the wider community were invited to comment. I am satisfied that the consultation which has been carried out met the requirements of the regulations.

Pupil Admissions

29. Pupils on roll at both schools will transfer automatically to the roll of the new primary school and the admission arrangements will continue to be those determined by the council for community and voluntary controlled primary schools.

Community Cohesion

30. Pupils come from a wide socio-economic background and the most recent Ofsted reports note that parents value the schools greatly and engage well with them. The council states that the proposal will strengthen community cohesion because all children in the area will have the opportunity to attend a single establishment rather than separate schools. There will be equality of access for all social groups. Given that the new school will replace two existing smaller schools within the same community I am satisfied that there will be no negative impact on community cohesion.

Travel Plan

31. As the new school will be built on the current school site it is expected that the travel patterns of parents and staff will remain much as they have been to date. However, a travel plan has been discussed with the community, school, parents, staff and pupils and comments and suggestions have been taken considered in the design of the scheme. Although the main entrance will be situated adjacent to Hereford Road (B4361) provision is made for pedestrians to use another access. Most pupils live close enough to walk to school but the proposed plan does include drop off parking spaces for those parents who bring their children by car.

32. The new school will merely replace two separate schools within the same catchment area and the council's transport plan will continue to apply to the new school. I have considered the proposal for the reorganisation of these two schools and I am satisfied that accessibility planning has been properly taken into account.

Planning Permission

33. The council has confirmed the decision of the planning committee held on 6 June 2013 to approve the development of the new school on three levels, located on an existing playing field, followed by the demolition of existing school buildings, site clearance and the development of school playing fields.

Conclusion

34. I am satisfied that the proposal for a purpose built school with modern facilities is likely to contribute to the raising of standards in these two good schools; that the new primary school will make sufficient provision for primary school places and that there will be a continuing need for these places; that a wide range of stakeholders have been properly consulted; that parents and the relevant bodies of both schools favour the proposal and that accessibility planning has been properly considered and I therefore approve this proposal.

Determination

35. Under the powers conferred on me in paragraph 10 of Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to discontinue Leominster Infant School and Leominster Junior School with effect from 31 August 2014 and to establish a new community primary school with effect from 1 September 2014.

Dated: 21 June 2013

Signed:

Schools Adjudicator: Carol Parsons