

Decision Maker: Education Portfolio Holder

Date: For Pre-Decision Scrutiny by the Education Policy Development and Scrutiny Committee on 19 March 2013

Decision Type: Non-Urgent Executive Key

Title: **CONSULTATION OUTCOMES: PROPOSAL TO EXPAND KESTON CE PRIMARY SCHOOL**

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Chief Officer: Terry Parkin, Executive Director of Education and care Services

Ward: Bromley Common and Keston Ward

1. Reason for report

1.1 The purpose of this report is to provide Council Members with the outcomes from consultation on a proposal to permanently expand Keston CE Primary School from 30 to 60 pupils at Year Reception (the year children start school) from September 2014. The report seeks Education Portfolio Holder approval to progress the expansion.

2. **RECOMMENDATION(S)**

2.1 **Members of the Education Policy Development and Scrutiny Committee are asked to:**

- (i) review the outcomes from consultation;
- (ii) consider the case for the permanent expansion of Keston CE Primary School from 1 form of entry to 2 forms of entry;
- (iii) offer any comments on the above to the Education Portfolio Holder.

2.2 **The Education Portfolio Holder is asked to:**

- (iv) consider any comments arising from the Education Policy Development and Scrutiny Committee;
- (v) agree the expansion proposed to take effect from 1 September 2014 and authorise officers to undertake the formal statutory processes (these are outlined in section 6 of this report).

Corporate Policy

1. Policy Status: Existing Policy: Primary Schools' Development Plan
 2. BBB Priority: Children and Young People
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Financial

1. Cost of proposal: Estimated Cost: £550,000 capital allocated from the Basic Need Programme 2011-13. Further allocation will be required from Basic Need Programme 2013/14 & 2014/15.
 2. Ongoing costs: Non-Recurring Cost
 3. Budget head/performance centre: Basic Need Capital Grant
 4. Total current budget for this head: £9,769,662
 5. Source of funding: DfE Basic Need Capital Grant – 100% capital grant for 2011-13
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Staff

1. Number of staff (current and additional): 4 staff from the ECS Department are involved in the consultation process to varying degrees
 2. If from existing staff resources, number of staff hours: approx 60 staff hours in total
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Legal

1. Legal Requirement: Statutory Requirement: The Education and Inspections Act 2006, The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2007. The School Organisation and Governance (Amendment) (England) Regulations 2009.
 2. Call-in: Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Additional places will eventually expand Keston CE Primary School from 210 to 420 places. The pupils filling these places and their families will be the beneficiaries.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments regarding the proposal to permanently expand the school: Cllr Ruth Bennett and Cllr Alexa Michael attended the Consultation Meeting on 17 Jan 2013. Cllr Stephen Carr was unable to attend the meeting and sent his apologies.
 - (1) Cllr Ruth Bennett acknowledges that from an educational point of view it makes sense to expand the school but also recognises the major issue with regard to traffic and parking. She states, 'At this stage I am a 'don't know' – I would need to be convinced that the traffic/parking problems would be resolved'.
 - (2) Cllr Stephen Carr states that he will only be able to support the proposed expansion if the necessary travel/transport improvements can be put in place. He states, 'As I am currently aware that it is looking unlikely and therefore I could not support the permanent expansion of Keston Primary School.'
 - (3) Cllr Alexa Michael acknowledges that it makes sense to expand the school from an education point of view but is not convinced that essential improvements to roads and pavements can be put in place. She states, 'I have great difficulty in supporting the school expansion and consider it an unwise proposal'.

3. COMMENTARY

Background

- 3.1 Keston CE Primary School has been judged by Ofsted to be an Outstanding school and is over-subscribed, , so is known to be a popular choice with parents/carers. It is currently a one form of entry (30 pupils in each year group) school. The school's Governing Body agreed to admit an additional 30 Reception pupils in September 2012 and 2013 to ensure that all local children had a school place, thus meeting the Council's statutory duty to provide sufficient places for resident pupils. These are considered to be temporary increases and will not be repeated for a third year unless the permanent expansion is agreed.
- 3.2 The Local Authority's (LA) 2012 review of Bromley primary school places identified the need to increase the number of Reception places available to children at a number of schools across the Borough, one of them being Keston CE Primary. The increase in the number of children requiring Reception places is mainly due to an increasing birth-rate and increased migration into Bromley Borough. Nine out of 74 primary schools increased their pupil intakes in September 2012, in addition to 3 previously permanently expanded schools.
- 3.3 Having already admitted additional Reception pupils, the LA would like to expand the school to accommodate 60 Reception pupils on a permanent basis from September 2014. It is the LA's view that increased pupil numbers at Keston will be sustained for the foreseeable future. The LA is committed to financing building development at the school to help make it a successful two form of entry school.
- 3.4 Initial analysis of applications for reception in September 2013 shows 178 applications for Keston Primary School. The first 30 places are within 0.6 miles of the school, the first 60 places within 1.8 miles. If only 30 places were available at Keston, the nearest school with capacity to accommodate the remaining pupils is 3.8 miles from Keston, in Biggin Hill.
- 3.5 The LA believes that the Proposal is the best way to provide additional school places of high quality for children within the area of the school and that a two form entry school is better equipped financially than a one form entry school to support the curriculum and school infrastructure.

Consultation

- 3.6 The Consultation ran from 11 January to 15 February 2013. A consultation letter about the proposal was distributed as a basis for consulting parents/carers, staff, school governors, prospective parents of the school, local residents, Head Teachers/Principals, Chairmen of Governors, neighbouring Local Authorities, Council Members and other interested parties. The letter summarised the reasons for the Proposal, identified the issues for consideration and explained the arrangements for Consultation. The Consultation was publicised via the school, posters and the Council's website. A Consultation meeting for parents/carers and local residents was held on 17 January, attracting approximately 100 people, the majority of whom were local residents. Ward Council Members have been made fully aware of the Proposal and their comments are summarised under 'Ward Councillor Views'.
- 3.7 The Consultation produced 136 responses, 28 for and 108 against. Hard copies are available to view in the Members' Room and at Civic Centre Reception. The responses received and the comments made at the Consultation meeting show a significant level of opposition to the Proposal, primarily on the grounds of access and parking. Responses against the proposal have been coordinated by the Keston Village Residents' Association (KVRA), who have submitted a 200 page dossier. The dossier includes a 197 strong petition, a traffic survey commissioned by KVRA, photos of congestion and drive blocking, emails from local residents and a traffic incidents log. The dossier is available to view in the Members' Room. A stated

concern of KVRA is the safety of children, parents, school staff and local residents. KVRA state: “It is clear from the significant volume of contributions that the permanent extension of the school is judged by the majority to be completely impractical and that it would seriously and adversely impact village life for many. In representing the residents, KVRA are fully engaged in the consultation and object most strongly to the proposal”. Keston CE Primary School Governing Body arrived at a “majority decision to support the proposal” on educational and financial grounds, while acknowledging that there are access and parking issues to be addressed in conjunction with the LA. The over-riding concern of the Governing Body is to provide children with a quality education. Of those Keston CE Primary School parent/carers who responded to the Consultation, more are against (19) than for (5). The biggest supporter is the school’s staff, with 8 in favour and 1 against.

Table 1 - Number of Responses

Agree	28
Disagree	108
Don't Know/Undecided	00
Total	136

Table 2 – Category of Respondents

Category	Agree	Disagree	Do Not Know/Undecided	Total
Keston Governing Body	01	-	-	01
Keston Parent/Carer	05	19	-	24
Prospective Parent of Keston CE Primary School	04	-	-	04
Local Residents	03	85	-	88
Keston CE Primary Staff	08	01	-	09
+Others	07	03	-	10
Total	28	108	-	136

<p>+ Others: KVRA (against), Chair of Governors of another School (against), 2 HTs of other schools (1 against and 1 for), London Ambulance Service (although in favour, they have concerns about traffic congestion and traffic flow), Bromley Residents (2), Local Sports Coaches (2), Uncategorised Return (1).</p>
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Key Issue Arising from Consultation

3.8 The key issue arising from the Consultation concerns traffic congestion and safety (see **Appendix 1** for detail).

Response – The immediate vicinity of the school already experiences significant traffic congestion at the start and end of the school day and the permanent expansion of the school would add to this problem. The school and the Local Authority can put in place a number of measures to mitigate the impact of additional pupils but there are no measures that could fully resolve this significant issue.

3.9 The other issues arising from the Consultation are listed at **Appendix 2**.

4. POLICY IMPLICATIONS

4.1 Bromley Council has an established policy for the review and strategic planning of school places and related school organisation. The need to ensure sufficient school places and efficiency of organisation is a priority within the Council's Strategy 'Building a Better Bromley' and contributes to the strategy to achieve the status of an Excellent Council.

5. FINANCIAL IMPLICATIONS

5.1 Changes in pupil numbers within an individual school are reflected in the school's delegated budget share funded from the Dedicated Schools' Grant.

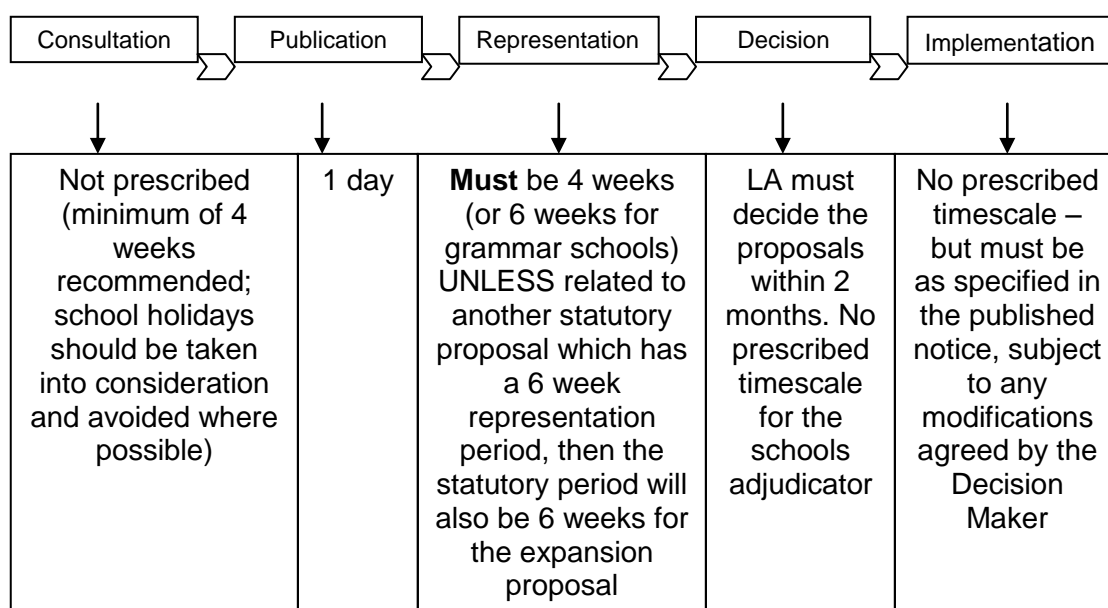
5.2 £550,000 capital allocated from the Basic Need Programme 2011-13. Further allocations will be required from the Basic Need Programme 2013/14 and 2014/15.

6. LEGAL IMPLICATIONS

6.1 Any proposed permanent expansion of a school is subject to a formal statutory process. Proposed changes that are of a temporary nature do not constitute a school reorganisation that triggers the statutory process for consultation. However, if at a later stage any temporary changes were to become permanent, then the designated process would need to be complied with.

6.2 In considering the establishment of a new school provision, expanding existing provision or changing the nature of maintained schools the LA is required to publish Public Notices and undertake formal consultation. This consultation must include parents, teachers, professional associations, neighbouring LAs and other interested agencies. Outcomes from consultation are considered for a formal decision by the Education Portfolio Holder and the Executive of the Council.

6.3 There are 5 statutory stages for a statutory proposal for an excepted expansion:



7. PERSONNEL IMPLICATIONS

- 7.1 There are no immediate implications for staffing arising from this report. Should the proposal for changes to school size and organisation be progressed, Keston CE Primary School will require support on an individual basis tailored to its specific staffing structure. Implications may include the grading for the Head Teacher as the Individual School Range may be affected and the number of teaching Full Time Equivalent (FTE) staff required to facilitate the curriculum and support the infrastructure.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	<ol style="list-style-type: none">1. Committee Report ED12058: Review of Primary School Development Plan: Outcomes – 6/11/12 ED PDS Committee2. Consultation Letter to Parents, Staff, Governors & Local Residents – 11/1/133. Circular Letter to Other Interested Parties – 11/1/134. Poster advertising the consultation5. Notes from Parent/Carer Consultation meeting held on 17/1/136. Consultation Responses (hard copies available to view in Members' Room and at Civic Centre Reception)7. Dossier from KVRA – includes petition and traffic survey (hard copy to view in Members' Room)8. Traffic Survey - Hyder Consulting UK Ltd

TRAFFIC CONGESTION AND SAFETY

Detailed comments on traffic congestion and safety arising from the Consultation are listed below.

- (i) Poor access and right of way down narrow roads for parents dropping off children.
- (ii) The road infrastructure is inadequate to cope with existing traffic and the school is poorly located to cope with expansion. 120 cars arrive at the school in the morning. Doubling the size of the school will double the number of cars – if the current road infrastructure cannot cope with the current number of cars it will not cope with the proposed expansion and the situation will be made twice as dangerous for children and residents.
- (iii) No plans have been produced for the scale of improvements required to handle the increased volume of cars accessing the school; drop-off facilities, turning areas, emergency vehicle access. Plans for increased parking places at the school are woefully inadequate.
- (iv) Car parks and pavement facilities do not encourage parents to park and walk.
- (v) Keston Avenue is unmade and in very poor condition with pot holes and no defined parking spaces. Keston Avenue is unadopted – could it be adopted by the Council? The exit from Keston Avenue to Heathfield Road is dangerous and has poor sight lines. Cars frequently exceed the speed limit along Heathfield Road, adding to the danger of exiting Keston Avenue.
- (vi) Peak periods (start and finish of school) cause severe congestion in Lakes Road and Keston Avenue, causing much inconvenience for local residents. The congestion blocks this area of the village and makes emergency vehicle access extremely difficult and time consuming, if not impossible, with elderly residents feel particularly vulnerable at these times.
- (vii) Lakes Road has a difficult entrance from and exit to Heathfield Road. Parking along the full length and both sides of Lakes Road restricts vehicular traffic to a single file at school drop-off and pick-up times – an unofficial but enforced one-way system operates during these times. During periods of snow and ice Lakes Road is not gritted.
- (viii) All available car parking spaces in surrounding roads are used: this includes Lakes Road, Keston Avenue, Keston Gardens, Windmill Drive, Greys Park Close, Stour Close and even Fox Lane.
- (ix) Concern that an accident could happen to a child, parent, resident or member of school staff - the Council has a duty to keep people safe as well as a duty to provide school places.
- (x) Current congestion at school drop-off and pick-up times limits emergency vehicle access, with.
- (xi) Local residents have reported witnessing many near misses when pupils get in and out of cars, with some pupils being dropped off while the car is still on the move. Commonsides was referenced as being a particularly dangerous road due to the speed of traffic.
- (xii) Poor public transport accessibility to Keston Village results in parents driving children to and from the School. Would the Council consider providing a school bus?
- (xiii) Residents' driveways are frequently blocked by parents at school drop-off and pick-up times.
- (xiv) The pressure associated with transporting children has resulted in fraught tempers, vulgar language, damage to cars, kerbs and verges.

- (xv) Parents will circle Lakes Road and Keston Avenue until they secure a parking spot, creating pollution and noise. Some parents arrive very early and then sit in the car for a long period with the engine running and heater on, adding to the pollution and noise levels.
- (xvi) Deliveries to residents at peak times are adversely affected by the traffic congestion problems.
- (xvii) KVRA initiated and funded, through a donation by local residents, a traffic survey from Savell, Bird & Axon. Their report (which is included in the KVRA dossier which is available to view in the Members' Room) is predicated on a permanent expansion of the school and concludes that "in light of the various issues identified, it is considered that the location of the school makes it unsuitable for expansion".

The Bailey Partnership commissioned traffic survey from Hyder Consulting UK Ltd was produced to support the planning application for two classrooms to accommodate the additional pupils already admitted in Sept 2012 and planned for September 2013. Their report (a copy of which is also included in the Members' Room) concludes that "there is no highway or transportation reasons to object to the proposed development". It goes on to say:

"Through the school's Travel Plan, parents who currently drop off on Keston Avenue/Lakes Road will be encouraged to 'Park and Stride' where possible. 'Park and Stride' vehicles currently park outside of the two adjacent roads (Keston Avenue and lakes Road) and then walk their child to the School. Car parks are available on Common Side (400m, 5min walk), Baston Road (550m, 7min walk) and Fishponds Road for parents to park and walk their children to school.

It is understood that the school is also re-introducing WOW (walk once a week) as the resources have recently been provided. A morning exercise club has been set up on a Thursday morning (8.30am) which 44 children have signed to, this will also to help reduce the peak parking and traffic movements on the adjacent roads shortly before the start of the school day".

ISSUES ARISING FROM CONSULTATION

- Issue 1:** The school and grounds are not large enough to accommodate the permanent expansion and additional pupils.
- Response – A scheme has been devised which will provide sufficient additional accommodation. It is proposed to provide additional play areas by converting grass to all weather surface.
- Issue 2:** Impact of building works on local residents.
- Response – Building works will be carefully managed to keep disruption to a minimum. Where possible, all work is planned for school holiday periods. The Authority has a very successful track record of undertaking buildings developments on occupied school sites with minimal disruption. Building work will be carried out in a sensitive fashion.
- Issue 3:** Concern from local residents that the expansion of Keston CE Primary School will attract pupils from outside the Keston Village area and primarily from the recent Bromley Common housing developments, thereby increasing traffic congestion problems. Concern from Head Teacher of Wickham Common Primary that expansion may result in the school having to admit out of borough children from Croydon. Concern from Governing Body of Biggin Hill Primary that expansion may attract children from the Biggin Hill area – primary schools in Biggin Hill currently have vacancies.
- Response - Princes Plain Primary is the closest school to the developments and it has been expanded accordingly. There are other plans to meet demand in that area e.g. use of the Education Development Centre. Children from those developments were unlikely to end up at Keston CE Primary School. There is no reason why expansion should adversely affect Wickham Common and Biggin Hill Primary Schools.
- Issue 4:** Concern about the accuracy of pupil projection data – are the places actually needed?
- Response – Bromley Council estimates child yield for new housing developments and includes that information in its pupil projections for the planning area. Pupil projections allow for a 2 to 3% margin. The projections are the best information available to Bromley Council on which to base strategy and decisions. The places at Keston are needed to meet projected pupil demand in the area.
- Issue 5:** What are the alternatives to expanding Keston CE Primary School?
- Response – Borough-wide, 12 schools are being expanded. All schools are considered for expansion. Government policy means that Bromley Council is no longer able to establish new Maintained Schools i.e. Council run schools. New Academies or Free Schools can be established. There are currently proposals for 3 Free Schools in the Borough to open in September 2014. Applications are processed through the Department for Education rather than Bromley Council. The approximate locations of 2 of the 3 schools are known.
- Issue 6:** What are the educational and financial benefits of becoming 2 forms of entry?
- Response – A 2 forms of entry school brings greater financial stability, as school budgets are based on pupil numbers. As a one form of entry school, Keston CE Primary School has become more reliant on Gift Aid from parents and has had to make budget reductions e.g. cutting Teaching Assistant hours. Consequently, maintaining educational standards in a one form of entry school becomes increasingly difficult.

Issue 7: The small school ethos would be damaged by expansion.

Response – It is acknowledged that within a one-form entry (f/e) school teachers have a good knowledge of children. However, there are many examples in Bromley of larger schools where this is also the case. Bromley has a wide range of effective primary phase schools spanning 1 to 6 f/e. Expansion of the school would take place over time, as the additional pupils moved through the year groups from Reception to Year 6 (one class of 30 pupils is added at Reception every September). There are many examples of two f/e schools in the Borough that manage the greater number of pupils very well.