

## PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

### **In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

N/A

### **In respect of a LA Proposal: School and local authority details**

1. The name, address and category of the school.

Garden Fields JMI School, Townsend Drive, St Albans, AL3 5RL, a Community school  
The Local Authority is Hertfordshire County Council, County Hall, Pegs Lane, Hertford, SG13 8DF

### **Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

It is planned that the proposals will be implemented in full on 1 September 2015 and this will enable an intake of 90 reception pupils for this and each subsequent academic year thereafter.

### **Objections and comments**

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 2 of Schedule 3 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, by which objections or comments should be sent to the local authority; and
  - (b) the address of the authority to which objections or comments should be sent.

Any person may object to or comment on the proposals. Comments or objections need to be received by Tuesday 15 July 2014 by sending them by post, marked for the attention of Garden Fields JMI School, to: Freepost RTHH-LXSL-BYYR, Hertfordshire County Council, Education Department, County Hall, Hertford, SG13 8DF, or by email to: [education.planning@hertfordshire.gov.uk](mailto:education.planning@hertfordshire.gov.uk)

### Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

Hertfordshire County Council proposes to enlarge the premises of Garden Fields JMI School in full in September 2015 and this will enable the intake of reception pupils to increase from 60 to 90 for this and each subsequent academic year thereafter. This will increase the net capacity of the school as detailed below.

### School capacity

- 5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, and 12-14 of Schedule 2 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current net capacity is 420. After implementation of the proposal, the net capacity would be 630.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

	R	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6
Admission number to each year group	60	60	60	60	60	60	60
School Census Spring 2014	60	60	60	60	60	59	55

There is no proposed change to each current relevant age group. This proposal will enable an intake of 90 reception pupils in September 2015 and each subsequent academic year thereafter.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

The number of pupils to be admitted in Reception in the first school year will be 90. This proposal to enlarge the premises is being implemented in full from September 2015.

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

N/A

(2) Where the alteration is an alteration falling within any of paragraphs 1 to 4, and 14 of Schedule 2 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, a statement of the number of pupils at the school at the time of the publication of the proposals.

The current number of pupils at the school is 414 (School census Spring 2014) excluding nursery.

## Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

N/A

## Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

No new or additional site is required.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

N/A

**Changes in boarding arrangements**

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 12 or 13 of Schedule 2 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

N/A

- (b) the arrangements for safeguarding the welfare of children at the school;

N/A

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

N/A

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

N/A

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 12 or 13 of Schedule 2 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

N/A

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

N/A

### Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

N/A

- (b) the distance between the proposed and current site;

N/A

- (c) the reason for the choice of proposed site;

N/A

- (d) the accessibility of the proposed site or sites;

N/A

- (e) the proposed arrangements for transport of pupils to the school on its new site; and

N/A

- (f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

N/A

### Objectives

10. The objectives of the proposals.

The objective of the proposal is to ensure there are enough school places available in the area to meet local demand.

### Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;

- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

- a) Consultation list attached (Appendix A)
- b) n/a
- c) Consultation response summary in Cabinet report (Appendix B)
- d) Public consultation commenced on 23 January 2014 and ran until 12 March 2014. A consultation letter was sent to all parents/carers, staff and governors of the school affected as well as to all schools in the area and other statutory consultees.
- e) Copy of consultation letter attached (Appendix C). The letter was sent to all parents/carers, staff and governors of the school affected as well as to all schools in the area and other statutory consultees. The letter was also made available on the Hertfordshire County Council website.

### **Project costs**

**12.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local authority, and any other party.

The estimated total capital cost of the proposals will be £3.7m. This will be met by the local authority.

This cost was outlined in the paper presented to HCC Cabinet on 16 June 2014, the full Cabinet paper can be viewed at:

[http://www.hertsdirect.org/your-council/civic\\_calendar/cabinet/17873411/](http://www.hertsdirect.org/your-council/civic_calendar/cabinet/17873411/)

**13.** A copy of confirmation from the Secretary of State, local authority and the Education Funding Agency or Skills Funding Agency (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

An excerpt from the HCC Cabinet report of 16 June 2014 confirms that the capital and revenue cost of enlargement will be contained within the Primary Expansion Programme Phase 4 (PEP4) budget:

- “5.1 Cabinet, on 20 January 2014, approved the capital for permanent expansion at Garden Fields JMI at a total cost of £2.7m. This was part of the PEP4 programme approved at a total of £21.19m, which included a programme contingency of £1.459m.
- 5.2 Significant highways mitigation measures and additional works to facilitate the effective operation of Garden Fields JMI as a 3 fe school, organised by cohort and key stage, has resulted in a higher estimated cost of the project, at £3.7m. This new figure is in line with earlier 2 to 3 f.e. primary school expansions. “

The full report, which was presented to HCC Cabinet on 16 June 2014, can be viewed at:

[http://www.hertsdirect.org/your-council/civic\\_calendar/cabinet/17873411/](http://www.hertsdirect.org/your-council/civic_calendar/cabinet/17873411/)

### Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

N/A

### Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

N/A

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

N/A

- (c) evidence of parental demand for additional provision of early years provision;

N/A

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

N/A

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

N/A

### Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

N/A

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

N/A

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

N/A

(d) The proposed number of sixth form places to be provided.

N/A

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

N/A

### Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

The specific proposal is not to establish or change provision for special educational needs.



Pupils with statements or special educational needs identified by the school are already provided for within the current maintained school setting which offers support to a wide range of pupils.

It is proposed that this provision will continue and be provided to any additional children attending the school following implementation of the proposal.

(b) any additional specialist features will be provided;

No additional specialist features are included within the proposals. The SEN position will be monitored on an ongoing basis, and appropriate steps taken to address any additional specialist needs which may arise.

(c) the proposed numbers of pupils for which the provision is to be made;

N/A

(d) details of how the provision will be funded;

SEN funding is provided through the schools budget

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

N/A

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

Expenses will be met via the existing combined Hertfordshire County Council budgets as detailed above.

(g) the location of the provision if it is not to be established on the existing site of the school;

N/A

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

N/A

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

N/A

**19. Where the proposals are to discontinue provision for special educational needs—**

- (a) details of alternative provision for pupils for whom the provision is currently made;

N/A

- (b) details of the number of pupils for whom provision is made that is recognised by the local authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

N/A

- (c) details of provision made outside the area of the local authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

N/A

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

N/A

**20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—**

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;

- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

N/A

### Sex of pupils

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

N/A

- (b) evidence of local demand for single-sex education; and

N/A

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of paragraph 3 of Schedule 11 to the Equality Act 2010).

N/A

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

N/A

- (b) evidence of local demand for single-sex education.

N/A

### Extended services

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

There will be no alteration to services currently provided.

#### **Need or demand for additional places**

**24. If the proposals involve adding places—**

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

Across three primary planning areas, St Albans Central, West and South-West, the total number of permanent reception places available is: **487**  
The following table shows the forecast demand for places and the surplus or shortfall based on the current number of permanent reception places available. Source data: Mid-year forecast 2013/14

Total Admission Capacity	Forecast 2014/15	Forecast 2015/16	Forecast 2016/17	Forecast 2017/18
<b>487</b>	<b>471</b>	<b>506</b>	<b>561</b>	<b>535</b>

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

N/A

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

N/A

**25. If the proposals involve removing places—**

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

N/A

- (b) a statement on the local capacity to accommodate displaced pupils.

N/A

#### **Expansion of successful and popular schools**

**25A. (1)** Proposals must include a statement of whether the proposer considers that the

presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within paragraph 1 of Schedule 2 of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

N/A
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**List of those consulted**

Parents/carers of pupils, staff and governors at the school concerned;  
Residents local to the school concerned;  
Local Nursery, Primary, Secondary and Special schools;  
MPs, County Councillors, District Councillors, Parish and Town Councils and Local Authority Chief Executives;  
Trade Union representatives;  
Church Diocese representatives;  
NHS representatives;  
Parent Governor representatives on the Overview and Scrutiny Committee at Hertfordshire County Council;  
Further Education establishments, pre-schools, playgroups, Children's centres, toddler groups and day nurseries;  
Libraries and Citizen's Advice Bureaux.

The consultation letter and response form were also available on the county council's "Hertsdirect" website

**HERTFORDSHIRE COUNTY COUNCIL**

**CABINET**

**MONDAY, 16 JUNE 2014 AT 2.00 P.M.**

Agenda Item No:

**5**

**SCHOOL EXPANSIONS : GARDEN FIELDS JMI, ST ALBANS**

*Report of the Director of Children's Services*

Report Author: Kate Leahy, Senior Planning Officer (Tel: 01992 555864)  
Brenda Dennett, Planning Officer (Tel: 01992 555813)

Executive Member: Chris Hayward, Enterprise, Education & Skills

Local Member: Roma Mills, St Albans North

**1. Purpose of report**

- 1.1 To update Cabinet on progress made on the proposal to permanently enlarge Garden Fields JMI School in St Albans. On 14 April 2014, Cabinet deferred its decision regarding whether to publish a statutory notice for the proposed enlargement, pending further discussions with the School.
- 1.2 To enable Cabinet to consider whether to proceed with publication of statutory proposals.

**2. Summary**

- 2.1 In April 2014, Cabinet considered the outcome of public consultation on a number of primary school expansions for September 2015. It approved the publication of statutory proposals for all but one school; Garden Fields JMI School in St Albans.
- 2.2 Cabinet noted that the issues raised in response to the proposal to enlarge Garden Fields JMI would benefit from further discussion before moving to the next stage. It was decided that officers would report back to the Enterprise, Education and Skills Cabinet Panel and Cabinet following further discussion, so that a decision could then be made regarding whether to move to the next stage of the statutory process.
- 2.3 Since that time significant progress has been made to address key issues. These primarily relate to significant highways constraints and the complexity of increasing the School from 2 to 3 forms of entry (f.e.). Although formal agreement has not yet been obtained from the full governing body, discussions have been very positive and detailed development of a scheme is making very good progress. Progress is such that the publication of a statutory notice will avoid further delay,

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which cannot be afforded if places are to be made available from 2015. It is proposed that dialogue would continue with the School throughout the statutory notice period.

- 2.5 The estimated cost of the revised project is higher than previously reported to Cabinet (see section 5 below), but this achievable within the PEP4 programme contingency approved in January 2014.
- 2.6 Cabinet is, therefore, asked to decide whether to:
- (i) reject the proposals
  - (ii) modify the proposals or
  - (iii) authorise the Director of Children's Services to publish a statutory notice to enlarge the premises of Garden Fields JMI School in St Albans by one form of entry from September 2015.

### 3. Recommendations

- 3.1 The Enterprise, Education & Skills Cabinet Panel will consider a report on this item of business at its meeting on 11 June 2014. In light of the need to ensure that there are sufficient school places available in St Albans from September 2015 and of the significant progress that has been made toward developing a deliverable solution to enlarge the premises of this School, the Panel will be asked to recommend to Cabinet:-

*"1. That Cabinet authorises the Director of Children's Services to publish a statutory notice to enlarge the premises of Garden Fields JMI School in St Albans as set out below:*

<b>School name</b>	<b>Area</b>	<b>Date of expansion</b>	<b>Expansion by form of entry (FE)</b>	<b>Increase in admission number</b>
<i>Garden Fields</i>	<i>St Albans</i>	<i>01.09.2015*</i>	<i>1 (to 3 f.e.)</i>	<i>30</i>

*\* starting at the date of expansion and each subsequent academic year thereafter*

*2. That Cabinet approves the use of the PEP4 programme contingency to cover the revised cost of the scheme at £3.7m."*

- 3.2 The Panel's recommendation/s to Cabinet will be reported orally at the meeting and circulated to Members in the Order of Business sheet.



#### 4. Background

- 4.1 On 20 January 2014 Cabinet approved a fourth programme of primary school expansions for 2015/16, including Garden Fields JMI School [http://www.hertsdirect.org/your-council/civic\\_calendar/cabinet/17873385/](http://www.hertsdirect.org/your-council/civic_calendar/cabinet/17873385/).  
The Director Education and Early Intervention (now Director of Children's Services) had initiated consultation on the proposals following endorsement by the Enterprise, Education and Skills Cabinet Panel on 13 January 2014 [http://www.hertsdirect.org/your-council/civic\\_calendar/enterpriseedskills/18162699/](http://www.hertsdirect.org/your-council/civic_calendar/enterpriseedskills/18162699/).  
Cabinet, in April 2014, considered the outcome of the consultation. It approved the publication of statutory proposals for all but Garden Fields JMI School [http://www.hertsdirect.org/your-council/civic\\_calendar/cabinet/17873400/](http://www.hertsdirect.org/your-council/civic_calendar/cabinet/17873400/).
- 4.2 As reported to Cabinet on 14 April 2014, public consultation started on 23 January 2014 and finished on 12 March 2014; a 7 week consultation period.
- 4.3 The consultation letter attached at Appendix 1 to the report was sent to all parents, governors and staff of the School, as well as all schools in the area and to all other statutory consultees. Letters were also sent to:
- residents local to the schools;
  - MPs, County Councillors, District Councillors, Parish and Town Councils and Local Authority Chief Executives;
  - Trade Union representatives;
  - Church Diocese representatives;
  - NHS representatives;
  - Parent Governor representatives;
  - Further Education establishments, pre-schools, playgroups, children's centres, toddler groups and day nurseries;
  - Libraries and Citizen's Advice Bureaux.
- The letter and response form were available on the County Council's Hertsdirect website and posters were displayed during the consultation period.
- 4.4 The report to Cabinet on 14 April 2014 reported the response to each individual consultation through numbered appendices. The appendix relating to Garden Fields JMI School is attached to this report as Appendix 2. This includes:
- a breakdown of the number of responses received, and who they are from;
  - an analysis of the key issues raised and the response to them;

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- a copy of the Governing Body's response (where received); and
- the officer conclusion and recommendation.

4.5 A summary of the response is replicated below. It also includes the number of consultation letters sent out:

School	Agree		Disagree		Don't know		Grand Total	Total no. letters sent	GB Response
Garden Fields JMI	16	9.2%	141	81.5%	3	9.2%	173	792	Neither agree nor disagree

- 4.6 Copies of all responses received are available in the Members' Lounge and will also be available to Cabinet at its meeting on 16 June 2014.
- 4.7 At that time the Governing Body of Garden Fields supported the principle of expansion but had several concerns, primarily relating to accommodation needs. It also indicated a willingness to enter a constructive dialogue with the County Council over its concerns.
- 4.8 Since the Cabinet meeting in April, dialogue and design feasibility has continued with the School. The primary concerns are highways (about which many respondents had concerns too) and specific curriculum delivery issues created by an increase from 2 to 3 f.e. The Governing Body had expressed specific concerns about the adequacy of core facilities and its desire to continue to organise the School by cohort (groups of three classrooms) and key stage. Officers have previously recognised the increased complexity of increasing a school from 2 to 3 f.e. and were confident that a solution was achievable for this school.
- 4.9 Significant progress has been made and it is hoped that agreement can be reached with the School. Without this expansion, very young children may be forced to access places some considerable distance from their homes as there will be insufficient reception places in the central St Albans area from September 2015. Although formal agreement has not yet been obtained from the Governing Body, publication of a statutory notice will avoid further delay, which cannot be afforded if places are to be made available from 2015. Dialogue would continue with the School throughout the statutory notice period.
- 4.10 A further benefit of this expansion is the relocation of St Albans Music School from the site to nearby Townsend C of E (VA) Secondary School. The Music Service is already delivering the music curriculum for the School and its relocation would provide the opportunity to further develop this relationship and meet the Music Service strategy to align its provision with secondary schools. Both the Townsend school and the Music Service welcome this proposal and are keen that this

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option should proceed.

- 4.11 Officers are of the view that sufficient good progress is being made to recommend to moving forward to the next stage of the school organisation process, during which there will be further opportunity for the Governing Body, and any other interested party, to make comment.

### **5. Financial implications**

- 5.1 Cabinet, on 20 January 2014, approved the capital for permanent expansion at Garden Fields JMI at a total cost of £2.7m. This was part of the PEP4 programme approved at a total of £21.19m, which included a programme contingency of £1.459m.
- 5.2 Significant highways mitigation measures and additional works to facilitate the effective operation of Garden Fields JMI as a 3 fe school, organised by cohort and key stage, has resulted in a higher estimated cost of the project, at £3.7m. This new figure is in line with earlier 2 to 3 f.e. primary school expansions.
- 5.3 There is sufficient fund remaining within the approved programme contingency to cover the uplift in cost of this project.

### **6 Equality Implications**

- 6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the Equality implications of the decision that they are making.
- 6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EQiA) produced by officers.
- 6.3 The Equality Act 2010 requires the County Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 6.4 An Equalities Impact Assessments (EqIA) has been carried out and updated where necessary on the proposed school expansion set out in this report. The EqIA (attached as Appendix 3 to the report) will be reviewed and updated as part of any future public consultation.

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Consideration has been given to the likely impact of the proposals; current assessments conclude that it is not anticipated that people with protected characteristics will be affected disproportionately.

- 6.5 The Local Authority is bound by the Admissions Code and Regulations and this does not allow for any discrimination in this respect.
- 6.6 The expansion of school premises will enable additional school places to be made available as close as possible to the demand for them. In that way they will improve access to school places to all sectors of the communities in which they are located and avoid very young children having to travel longer distances to access education.
- 6.7 The expansion of existing schools provides for enhanced education opportunities and an enriched curriculum offer which has a positive impact on the whole school community.
- 6.8 School expansion schemes provide positive impacts, offering the opportunity for improved facilities for disabled access in new buildings.

## **7 Conclusions**

- 7.1 There continues to be a real and pressing need to provide additional primary school places in St Albans. Without this expansion there will be insufficient reception places from September 2015 and very young children may be forced to access places some considerable distance from their homes.
- 7.2 The Governing Body has raised some legitimate concerns upon which very good progress is being made – officers look forward to continue working with them in a positive way. The resultant building scheme will be subject to a separate statutory consultation as part of the town planning system (which will also include related highways issues). It is worth noting that any school organisation statutory approvals would be conditional upon the receipt of town planning permission.
- 7.3 Given the need for places; the good progress made; the further opportunity for scheme development; and the opportunity for further consultation (both through the school organisation process and, separately, through the town planning system); on balance, officers would recommend proceeding to the next stage in the school organisation process. This would ensure programme delivery should the proposals ultimately be approved.
- 7.4 For these reasons officers make the recommendations set out at paragraph 3 above.
- 7.6 If no objections are received to a statutory proposal, the Director of Children's Services has delegated authority to approve it. Where

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objections are received, the final decision must be referred to Cabinet in its role as the statutory decision maker for Hertfordshire.

- 7.7 Subject to Cabinet agreeing the proposals above, the timetable for the remainder of the statutory process would be:

Statutory notice period	18 June – 15 July 2014
Decisions by Cabinet (if objections received to proposal)	22 September 2014

### Background Information

Report to the Enterprise, Education & Skills Cabinet Panel, June 2014

**APPENDIX 2****GARDEN FIELDS JMI SCHOOL:  
PROPOSAL TO ENLARGE THE PREMISES by 1 f.e. from 2015****1. Response to the consultation.**

- 1.1 A total of 173 responses were received to the consultation of which 9.2% were in agreement with the proposal and 81.5% disagreed. A breakdown of the responses is shown below:

<b>Capacity of respondent</b>	<b>Total Responses</b>	<b>Agree</b>	<b>Disagree</b>	<b>Don't Know</b>
Parent/carer	129	8	113	8
Governor	1	0	1	0
Member of staff	1	0	0	1
Resident	29	8	17	4
Grandparent	9	0	9	0
Other	4	0	1	3
%		9.2%	81.5%	9.2%
<b>Total Responses</b>	<b>173</b>	<b>16</b>	<b>141</b>	<b>16</b>

- 1.2 The Governing body has indicated that it is open in principle to the possibility of expansion but on a proper basis and that if a suitable proposal is not found then, with regret, it would oppose expansion. Officers continue to work closely with the school to assess the feasibility of expansion. A copy of the Governing Body's response can be found at the end of this appendix.
- 1.3 Copies of all responses received are available in the Members Room to enable Members to review the detail prior to the Education Panel and Cabinet meetings.

**2 Key issues raised**

- 2.1 The following key issues were raised and a response to them provided below.

**The enlargement will lead to increased levels of traffic, pedestrians and associated parking, road safety and congestion problems**

An independent highways assessment carried out at the initial feasibility stage suggests that although there are challenges to delivering expansion at the site, providing mitigation measures are put in place, the highways network would

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cope sufficiently with the additional impact as a result of this proposed expansion.

On-site parental drop off and additional parking is likely to be fundamental to mitigating the impacts. The specific highways issues raised in this consultation will be forwarded to the Highways Consultant so that they can be considered before final mitigation measures are recommended, and the acceptability of any expansion scheme from a highways perspective would need to be confirmed by the Highway Authority.

The physical enlargement scheme and any associated traffic mitigation measures will be the subject of a separate town planning process. A detailed transport assessment and any required measures to mitigate the impact of additional traffic will form part of this town planning application, and part of this process will be formal consultation with the local community and the highways authority.

Officers are also working with the school to promote proactively sustainable travel to school as part of the school travel plan.

### **Enlargement will lead to a decline in school standards including educational standards**

There is not a direct relationship between the size of a school, the standards it achieves and its overall effectiveness. Schools of differing sizes can, and do, perform very well. The key factors which contribute to school standards and effectiveness are the quality of leadership and management, and of learning and teaching. Where these factors are equal, larger schools have some significant benefits. The larger budget that would come with expansion to 3 forms of entry (f.e.) would provide the school with greater flexibility in terms of staffing and resources (including SEN provision and school clubs); better distribution of management responsibilities; improved opportunities for staff promotion within the school leading to better capacity to sustain leadership; and consequently the school is less vulnerable to turbulence.

The county council and the school are confident that the school will be able to maintain its ethos and standards. If required, advice is available from the Herts for Learning, school improvement service.

### **There are other local schools more suited to enlargement (i.e. Margaret Wix)**

A deficit of reception places is forecast beyond 2015 which requires an additional form of entry to meet rising need. This assumes that the current places available at all schools in the local planning areas are full, including Margaret Wix Primary School with a Published Admissions Number (PAN) of 60.

Before bringing forward proposals for school expansion, initial feasibility work is undertaken to provide some confidence that an enlargement scheme is

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deliverable. Potential options for meeting this need were considered against the Director's four tests and Garden Fields was identified as the closest school to areas with a forecast deficit of places that has potential capacity to expand. None of the local one form entry schools were identified as having potential to expand and Garden Fields is better located to meet that need than Margaret Wix. A summary of the options considered and the analysis of this proposal against the county council's four tests can be found on the Herts Direct.

Property advice indicates that the Garden Fields site is large enough to accommodate a three form entry school with Batchwood School remaining in its current location. In view of this it is unnecessary to explore relocation of that school to enable the enlargement of Garden Fields.

### **The school site is not large enough to cope with the expansion and enlargement will result in insufficient core facilities e.g. dining room, hall, playground**

Given the scale of expansion required across the county, it is not possible to upgrade whole school sites as part of enlargement proposals. However, the physical enlargement scheme currently being developed in conjunction with the school will ensure that sufficient additional accommodation is provided.

The school is located on a large site and property advice confirms that it is large enough to accommodate the additional pupils. The county council is working closely with the school to develop design proposals for the additional accommodation required, ensuring efficient building design and the most effective use of the school's external areas.

The current enlargement proposals include additional classrooms with associated cloaks/toilets appropriate to the number of additional children and additional space for small group activity. In addition, the school will be provided with additional funding which they can use to improve their existing facilities.

If the school expands, the county council will ensure that additional hard play space will be provided as a direct proportion to the number of additional pupils that will arise from the expansion. Sport England is also a statutory consultee, and the county council will work with it to ensure that the school has adequate access to playing field space to properly deliver the PE curriculum.

### **Noise and disruption to children and residents, along with safety of pupils during building works.**

The County Council will work closely with the school to ensure minimal disruption during the building works. Modern construction methods, including an off-site build solution, can significantly reduce the amount of time building contractors are required on site.



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The building project team would manage the construction to ensure minimum disruption to the operation of the school.

All building work carried out under the control of Hertfordshire County Council complies with the requirements of the Construction Design & Management Regulations (CDM) 2007 which control safety of construction work. These CDM Regulations require that from the earliest stages of a project a specialist in construction safety is appointed to the design team to ensure that the works are designed to minimise the risk of accidents. The CDM Regulations also require the County Council to employ competent designers and contractors: all our consultant designers and contractors are appointed through long term partnering agreements which require regular assessment of safety management.

In addition to the requirements of the regulations the County Council employs its own specialist Health and Safety advisors who are extremely well experienced in the particular requirements of construction work in a live school environment."

### **It would be better to build a new school**

The proposed expansion of Garden Fields is to meet the forecast deficit in the city centre. When considering the area as a whole it is considered that one form of entry will meet the immediate forecast deficit, given there is some capacity forecast in surrounding planning areas.

The county council sees significant benefits to achieving an additional form of entry through the expansion of existing good, local schools where the leadership and governance structures are in place to build on current success. In educational, sustainability and value for money terms, it would not consider endorsing the provision of a new one form entry school where there is a good expansion solution available within a reasonable distance of the demand.

### **There was insufficient information provided by the Council to enable consultees to make an informed decision**

Public consultation on the principle of enlargement began on 23 January 2014 and ran for 7 weeks. (<https://consult.hertsdirect.org/gardenfields/>) The consultation letter outlined the proposal to expand the school and by when, and indicated the need for additional buildings and play space for these extra children. It also made it clear that the details of any building proposals (including highways assessments) were subject to another a separate town planning process, which would include further formal consultation with local residents and the school community.

In addition, there will be another opportunity to comment on the enlargement proposals during the statutory notice period, providing a further opportunity for

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people to express their views which would be taken into account in the county council's final decision

### **Where will these extra pupils go to secondary school? Additional secondary provision should be planned now**

The supply and demand for secondary school places is monitored closely through pupil forecasts which are updated every 6 months. Current forecasts indicate a shortfall of places from the academic year 2019/20.

Where there is an increased demand for secondary provision, officers work closely with local secondary schools in the area to identify opportunities for the provision of additional school places.

It is important to note that local secondary schools in St Albans are now predominantly Academies, which means they are responsible for setting their own admission rules and Published Admission Number (PAN).

### **St Albans music school should remain on the site**

In order to make best use of the site it may be necessary to relocate St Albans Music School. The county council is working closely with the Head of Hertfordshire Music Service to identify a new location for the Music School provision as close as possible to Garden Fields.

- 2.2 Other issues raised by one or two people were: the impact of additional parking provision on the school's green space should be minimised; expansion will not make it accessible for disabled children; additional pupils will increase illness and germs; new free school should have dealt with shortage; Heathlands should relocate to the site and share joint facilities; the school should be split into infant and junior schools.

## **3. Conclusions and recommendations**

- 3.1 The majority of respondents disagreed with the proposal to enlarge Garden Fields, and the key issues raised were concerned with highways or the suitability of the core facilities and site for three forms of entry.
- 3.2 Although not unsupportive of expansion in principle, the governing body is seeking agreement for a 'suitable proposal' in building design terms before committing itself to expansion of the school.
- 3.3 It has not been possible at this point to identify mitigation measures to address the significant highways issues impact on other provision on the site. Further time is required to determine the feasibility of achieving this.

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- 3.4 Given the governing body's desire to progress further along the design process and the unresolved issues regarding highways mitigation measures, the officer recommendation is to allow more time to address these issues prior to a decision being taken on whether to proceed to the next stage.

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### Governing Body Response:

The Governing Body  
Garden Fields JMI School  
St Albans

11 March 2014

Dear Sir

#### Response to consultation

I write to confirm the position of the Garden Fields JMI School ("GFS") governing body in the context of the public consultation over the question of possible expansion of GFS from a two form entry school to a three form entry school.

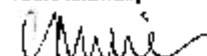
As indicated previously, the governing body are open in principle to the possibility of expansion but on a proper basis. If a suitable proposal cannot be found then, with regret, the governing body will oppose expansion. Our primary concerns remain those previously expressed in correspondence namely:

1. The provision of additional core facilities sufficient for a school of 630 pupils;
2. The allocation by County of a realistic budget to fund these additional core facilities, as well as classroom space;
3. The design of a thoughtful and structured lay out, which would allow a degree of separation between year groups and/or key stages, and which would permit the safe and practical accommodation of an additional 210 children on the existing GFS site;
4. The question of safety and congestion in the neighbouring roads and around the one single track entry and exit road;
5. Reasonable assurance that projections as to likely future pupil numbers are reliable.

County's public consultation period concludes on 12 March 2014. We understand that it has not proved possible for the Feasibility investigation to proceed as quickly as we would all have wished. That being the case, there has only been sufficient time for one preliminary meeting between County, the appointed project managers and architects, representatives of the School and the governing body to discuss the possibility of expansion. Whilst that meeting went well, we all now await preliminary ideas from the architects for the siting and design of additional classrooms/additional core facilities on the Garden Fields site and the findings of the Highways team from County.

As a governing body we are committed to working in the Feasibility investigation with County, the appointed project managers and architects to see if an acceptable proposal can be found that will meet the needs of current and future generations of GFS pupils.

Yours faithfully



Clare Milner

Chair

For and on behalf of the governing body



**County Hall  
Hertford, SG13 8DF**

**Tel: 0300 123 4043**

**My ref:** School Planning

**Date:** 23 January 2014

Dear Consultee

**Consultation on the proposal to enlarge the premises of Garden Fields JMI School, Townsend Drive, St Albans, AL3 5RL.**

### **Consultation Overview**

We are consulting you on the following proposal:

**the enlargement of the premises of Garden Fields JMI School, Townsend Drive, St Albans, AL3 5RL by 1 form of entry from September 2015.**

The proposal will support a permanent increase in the size of this school by 1 form of entry\*. This means the school will then have the capacity to admit 90 reception aged children in September 2015 and in each subsequent year thereafter, making it a 3 form entry school. The current capacity of the school is 420 and the eventual capacity will be 630 pupils (excluding Nursery pupils).

The school does not currently have enough classrooms to accommodate the extra children. It is therefore proposed to provide additional accommodation and associated external play space to support the increased number of children.

### **Why is this being proposed?**

In line with recent national trends we are now seeing a significant increase in the demand for reception class places in parts of Hertfordshire and this is forecast to increase further. The county council considers it important to ensure that there are sufficient places available for very young children as near as possible to their homes. There is more information on how we plan to

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\* a form of entry is 30 pupils per year group

meet the rising demand for school places and our methods for forecasting at [www.hertsdirect.org/schoolplaces](http://www.hertsdirect.org/schoolplaces).

### **The position in St Albans**

Across three primary planning areas, Central, West and South-West, the total number of permanent reception places available is: **487**

The following table shows the forecast demand for places and the surplus or shortfall based on the current number of permanent reception places available.

Autumn Term 2013 forecast	2014/15	2015/16	2016/17	2017/18
Demand	471	506	561	535
Surplus/Shortage	16	-19	-74	-48

It is not possible to permanently expand any of the schools in these primary planning areas and in order to ensure that demand can be met as locally as possible, the county council is proposing to increase the number of reception places available at Garden Fields JMI School from 60 to 90 from September 2015.

The county council will put in place temporary arrangements for additional places across the area as required for September 2014 following receipt and analysis of primary places in the spring term.

### **Why this school has been chosen for enlargement**

The proposal to enlarge this school has been assessed against, and is considered to meet, the Director of Education and Early Intervention's *Four Tests*. These are:

- Does it provide the right number of places in the right location?
- Does it support and not undermine school effectiveness?
- Are the implications for buildings, environment and cost feasible and affordable?
- What are the transitional implications?

Garden Fields JMI School has been selected as it is located close to the area of demand and the site is capable of accommodating an enlargement.

For further information on the possible options that were considered, please see [www.hertsdirect.org/schoolplaces](http://www.hertsdirect.org/schoolplaces). Frequently asked questions are also available through this link.

### **The alterations required for enlargement**

If a decision is made to enlarge this school, The county council would work closely with the school to provide the additional accommodation required. This may involve the relocation of St Albans Music School. We would work hard to make sure that the accommodation supports pupils' needs whilst also

ensuring that good value for money is achieved in the context of restrictions on public sector finance. The work would be managed by the county council using contractors who would ensure a safe environment for pupils and staff, and minimise the impact of any building works at the school.

Planning permission will be required for any additional building work which would mean that there would be a separate consultation locally through the town planning system on the details of any proposed building work. Any specific town planning matters associated with this school site would need to be addressed as part of the planning application, including highways, parking and conservation issues.

### **Have your say**

The county council believes that the enlargement of Garden Fields JMI School will have a positive impact for its existing pupils, staff and local community by improving access to school places, providing for enhanced education opportunities and for improved facilities in new buildings.

You have seven weeks from the date of this letter to let us know your views. The easiest way you can do this is by completing the online form on our website at <https://consult.hertsdirect.org/consultations>. You can tell us if you agree or disagree with the proposal and leave your comments.

If you do not have access to the internet you can visit your local library where free access is available to all Hertfordshire residents. Should you wish to request a hard copy of the response form, you can email [hertsdirect@hertfordshire.gov.uk](mailto:hertsdirect@hertfordshire.gov.uk) or alternatively you can call us on **0300 123 4043**. This information can be made available on request in other formats including large print, Braille, audio and other languages.

Your comments must be received by **12 March 2014**. We will not be able to acknowledge or respond individually to your comments but they will be taken into account, as explained below.

### **How the decision will be taken**

This is a consultation and no decision has yet been made. All comments received will be made available to elected members who make the final decision. Responses may be made available in public reports, although personal details will be removed to respect individual privacy.

The following timetable outlines the decision-making process. Please note that meetings marked with \* will be open to the public. Although it will not be possible to inform everyone individually of the decisions made, you will be able to access this information throughout the process at: [http://www.hertsdirect.org/your-council/civic\\_calendar/](http://www.hertsdirect.org/your-council/civic_calendar/).

<b>Process</b>	<b>Date</b>
Public consultation	23 January – 12 March 2014
Education Panel*	April 2014 (date to be confirmed)
Cabinet*	14 April 2014
Statutory notice period (4 weeks)	Week commencing 21 April 2014
Cabinet * (for final approval if objections received)	14 July 2014
Implementation	September 2015

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Donovan', with a stylized, flowing script.

Justin Donovan  
Director of Education and Early Intervention  
(Children's Services)