

EXECUTIVE BOARD – 21 JANUARY 2014

Subject:	Expansion of Rosslyn Park Primary School, Aspley		
Corporate Director(s)/ Director(s):	Alison Michalska, Corporate Director of Children and Adults		
Portfolio Holder(s):	Councillor David Mellen, Portfolio Holder for Children's Services		
Report author and contact details:	Jennifer Shadbolt, Project Manager, School Organisation jennifer.shadbolt@nottinghamcity.gov.uk 0115 87 65629		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Reasons: Expenditure <input checked="" type="checkbox"/> Income <input type="checkbox"/> Savings <input type="checkbox"/> of £1,000,000 or more taking account of the overall impact of the decision			Revenue <input type="checkbox"/> Capital <input checked="" type="checkbox"/>
Significant in terms of its effects on communities living or working in an area consisting of two or more wards in the City			<input type="checkbox"/> Yes No <input checked="" type="checkbox"/>
Subject to call-in <input checked="" type="checkbox"/> Yes No <input type="checkbox"/>	Total value of the decision: £1.3 million (estimated)		
Relevant Council Plan Strategic Priority:	Wards affected:		
World Class Nottingham <input type="checkbox"/>	Aspley		
Work in Nottingham <input type="checkbox"/>			
Safer Nottingham <input type="checkbox"/>			
Neighbourhood Nottingham <input type="checkbox"/>			
Family Nottingham <input checked="" type="checkbox"/>	Date of consultation with Portfolio Holder(s):		
Healthy Nottingham <input type="checkbox"/>	20 August 2013		
Leading Nottingham <input type="checkbox"/>			
Summary of issues (including benefits to citizens/service users):			
Aspley is one of the most significant areas in Nottingham in terms of primary school place pressures and, in August 2013, a proposal to add extra places in Rosslyn Park Primary School was put forward.			
This report updates the Executive Board on the outcomes of the final stage of consultation and seeks approval to implement the proposal to expand Rosslyn from 450 to 630 places from September 2015.			
Recommendation(s):			
1 To consider the outcomes of the consultation and approve the proposal to expand Rosslyn Park Primary School, at an estimated cost of £1.3 million, noting that a detailed business case will be submitted to a future Board meeting for approval of the exact costs.			

1 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 1.1 The Aspley area of Nottingham is an area with a significant shortage of places for primary school age children and, therefore, it is proposed to expand Rosslyn Park Primary School from 450 places to 630 places, making it a school with three forms of entry, from September 2015.
- 1.2 Approval to consult on this proposal was granted by the Portfolio Holder for Children's Services on 21 August 2013.
- 1.3 Consultation with parents, carers, staff and governors ran from 2 September until 29 September 2013. 60 people responded to the consultation and 92% of these were in favour of the proposal.

- 1.4 Following this, a post consultation report was considered by the Executive Board on 15 October 2013 and approval was given to issue a statutory notice outlining the proposal to expand Rosslyn Park.
- 1.5 The statutory notice was published in the Topper newspaper and hung on the gates of the school on Wednesday 30 October 2013 and comments or objections were invited until Wednesday 27 November. No objections or comments were received.
- 1.6 Approval was granted on 15 October 2013 to commence early design work on this scheme. This work will develop feasibility studies for a number of options that will be accompanied by costs. The result of this work will form the detailed business case that will be submitted to Executive Board to seek approval for the allocation of funds necessary to complete the expansion.
- 1.7 It is proposed the building works will be complete for September 2015. The estimated cost of the building works based on anticipated increase in area required to provide the necessary additional classrooms and indicative rates per metre squared is £1.3 million, but detailed costs will follow on completion of the feasibility study and option appraisal and will be presented in the business case.

2 REASONS FOR RECOMMENDATIONS

- 2.1 The response to the consultation on expanding Rosslyn Park Primary School has been positively received and the additional capacity in Aspley is required.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 No other options were considered when making this recommendation.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 This proposal is for part of the Primary Schools Reorganisation (PSR) phase 2 which has a current estimated cost of £16.5 million. £14 million of this pressure is estimated to deal with the shortfall of school places up to and including 2014/15 with the remaining £2.5 million identified for pressures in 2015/16.
- 4.2 The funding of PSR phase 2 is proposed to be mainly funded from grants as detailed below:

Funding Source	£m
Additional basic needs provision awarded in 2012/13	2.556
Basic Needs Confirmed for 2013/14 & 2015/16	7.074
Additional EFA Funding	3.700
Total	13.330

- 4.3 There is a current shortfall on PSR phase 2 of £0.670 million which will need to be funded by current Capital Programme resources and has been identified in the current pressures list that has been presented for consideration.
- 4.4 Once the expansion work is complete there is likely to be a period of time where the school will require additional funding support as a result of the increase in pupil numbers. Until the increased pupil numbers are reflected in the school census, and

therefore funded by the National Fair Funding Formula, the school will need to be given an allocation from the pupil growth contingency which can be funded from the Dedicated Schools Grant with Schools Forum approval.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 5.1 Human Resources (HR) support the recommendations of this report as the proposed expansion is critical to meet the need for school places in the City.
- 5.2 In terms of any workforce implications, the governing body will need to give careful consideration to the appropriate staffing establishment and the potential need to make suitable appointments to ensure the school is adequately resourced in line with School Teacher's Pay & Conditions, Staffing Guidance under the Education Act 2002, and the Restructuring, Recruitment, and Pay Policies adopted by the governing body.
- 5.3 HR, legal and job evaluation advice should be considered in the implementation of any new or extended staffing structures, to ensure appropriate consideration is given to employment law, policy and practice.
- 5.4 The school organisation regime is set out in the Education and Inspections Act 2006 ("EIA"), regulations made under the EIA and guidance made by the Secretary of State, both statutory (using powers in the EIA) and non-statutory. It should be noted that whilst this law and guidance is currently in force, with the current government taking office in 2010 and the formation on 12 May 2010 of the Department for Education this law and guidance may no longer reflect government policy and may be changed in the near future.
- 5.5 Under section 19 of the EIA, a local authority is required to publish a proposal to make a prescribed alteration to a maintained school. In essence, a prescribed alteration is one designated as such by regulations. Currently, the relevant regulations are the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations 2007").
- 5.6 The proposal referred to in this report to expand Rosslyn Park Primary and Nursery School ("the School") by increasing the number of pupils to be accommodated from a 450 place primary school to a 630 place primary school would appear to be a prescribed alteration because it is an enlargement of the premises of the School which would increase the capacity of the School by more than 30 pupils and by well over 25 per cent.
- 5.7 Therefore, having been published the authority must now consider and determine whether to implement the proposal referred to in this report in accordance with paragraph 31 of Part 2 of Schedule 5 to the Prescribed Alterations Regulations 2007. That determination must be made within the period of 2 months from the end of the representation period (that is, by 27 January 2014). In so determining, the authority must:
 - (a) reject the proposal;
 - (b) approve the proposal without modifications; orapprove the proposal with such modifications as the authority think desirable (this option requires prior consultation with the governing body of the School).

- 5.8 The statutory notice for this proposal set out proposed implementation with effect from 1 September 2015. If this proposal is to be approved, it is also advisable that a clear date for implementation is set out.
- 5.9 It is noted that Nottingham City Council sought the views of those it consulted at the outset about whether the proposed reorganisation should include a specific proposal to enlarge the nursery at the School. A proposal to enlarge the nursery at the School is unlikely to be a prescribed alteration because even if the nursery children are registered pupils at the School for the purposes of the Education Acts the proposed capacity increase is likely to be too small to fall under paragraph 1 of Schedule 4 to the Prescribed Alterations Regulations 2007. It is understood that the authority is not now proposing to enlarge the nursery at the School. Therefore, it is advisable that the Executive Board notes this point.
- 5.10 Lastly, it is advisable that HR and legal advice is taken in relation to the HR and employment law ramifications of the proposal to enlarge the premises of the School.

6 SOCIAL VALUE CONSIDERATIONS

- 6.1 Not applicable.

7 REGARD TO THE NHS CONSTITUTION

- 7.1 Not applicable.

8 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council)
- (b) No
- (c) Yes – Equality Impact Assessment attached

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 None.

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 Delegated Decision 0974
http://open.nottinghamcity.gov.uk/comm/download2.asp?dltype=inline&filename=1034/DD0974_Rosslyn_Full_Doc.pdf
- 10.2 Executive Board report and minutes – 15 October 2013
<http://open.nottinghamcity.gov.uk/comm/download3.asp?dltype=inline&filename=58332/RosslynPark.pdf>

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