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<b>Subject:</b>	Removal of Nursery Provision From Carlton Hill Primary School		
<b>Date of Meeting:</b>			
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	Name: <b>Gillian Churchill</b>	<b>Tel: 29-3515</b>	
	E-mail: gillian.churchill@brighton-hove.gov.uk		
<b>Key Decision:</b>	Yes/No	Forward Plan No. (7 Digit Ref):	
<b>Wards Affected:</b>	Queen's Park		

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To inform members of the outcome of the statutory consultation on the proposed permanent removal of the nursery class at Carlton Hill Primary School from September 2009.
- 1.2 To provide the Cabinet Member with sufficient information to be able to determine the proposal.

**2. RECOMMENDATIONS:**

- (1) That the Cabinet Member confirms the statutory notice and resolves to permanently remove the nursery class from Carlton Hill Primary School from September 2009

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The director of Children's Services and the Children and Young People Cabinet Member made a recorded Key Decision on 15 May 2009 to publish the statutory notice required to progress this proposal.
- 3.2 The notice was published in accordance with the requirements of the Education and Inspections Act 2006 on 1<sup>st</sup> June 2009. Copies of the full proposal were made available to any person or body that requested one.

**4. CONSULTATION**

- 4.1 Consultation on making changes to a maintained community school must follow the processes set out in section 19 (1) of the Education and Inspections Act 2006 (EIA 2006) and the statutory guidance issued by the DCSF. Section 16(2) of the Act provides that before publishing any proposals for expanding a community school, the Council must have consulted 'such persons as appear to them to be appropriate'. This consultation was carried out between March and May 2009.



issued by the Secretary of State when taking a decision proposals. A full copy of the DCSF guidance 'Making Changes to a maintained mainstream School (other than expansion)' is in the Members Room. Paragraphs 4.15 to 4.60 of the Guidance set out the factors which must be considered by Decision Makers when determining a statutory proposal.

5.2.4 In addition the DCSF provides that there are 4 key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals;

- a. Is any information missing? If so, the Decision Maker should write immediately to the proposer/promoter specifying a date by which the information must be provided;
- b. Does the published notice comply with statutory requirements? The Decision Maker should consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements it may be judged invalid and the Decision Maker should consider whether they can decide the proposals
- c. Has the statutory consultation been carried out prior to the publication of the notice?  
Details of the consultation should be included in the proposals. The Decision Maker should be satisfied that the consultation meets statutory requirements. If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not yet been met, the Decision Maker may judge the proposals to be invalid and should consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole
- d. Are the proposals linked or related to other published proposals?

5.2.5 In considering proposals for the expansion of a school, the Decision Maker can decide to

- reject the proposals
- approve the proposals
- approve the proposals with a modification
- approve the proposals subject to them meeting a specific condition

The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations. In this instance there are no circumstances where a conditional approval would be acceptable.

5.2.6 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision. Section 7 of this report gives the reasons for the decision based on the legislative framework within which the decision must be decided.

*Layer Consulted:*

*Name*

*Date: dd/mm/yy*

Equalities Implications:

- 5.3 Good quality early years education improves outcomes for all children and particularly those who are most disadvantaged. There is sufficient alternative early years provision in the local area.

Sustainability Implications:

- 5.4 Provision of childcare in local communities supports the sustainable communities goal, as well as reducing climate change and energy use.

Crime & Disorder Implications:

- 5.5 Research shows access to good quality childcare supports children and young people's learning and achievement in later life

Risk and Opportunity Management Implications:

- 5.6 There are no risk issues in terms of resources or risks to children as a result of this proposal

Corporate / Citywide Implications:

- 5.7 The relevant corporate and CYPT objective are:
- Reduce inequality by increasing opportunity
  - Enjoy and achieve – improving early years outcomes

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The option of reducing the size of the nursery has already been tried. The alternative would be to keep the nursery open and to offer more flexible provision to parents. Because of the large number of early years places nearby it is not likely that this would increase the take up of places enough to make the nursery viable.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Take up of places in the nursery at Carlton Hill Primary School has been low for a number of years. The nursery was reduced from 50 to 25 part time places from September 2008. Currently there are only 18 pupils on roll in the nursery class. 13 of these pupils will move to reception classes in September 2009 leaving just 3 pupils who will need to find alternative settings in September 2009.

- 7.2 The low uptake at Carlton Hill Primary School is partly as a result of there being a great deal of choice in the area, a considerable amount of which offers all day facilities whereas Carlton Hill is only able to offer half day sessions.
- 7.3 This proposal will result in the loss of 25 places but the impact on parental choice will be minimal owing to the amount of alternative provision in the area. There is an outstanding maintained nursery school immediately adjacent to Carlton Hill Primary School with 100 places for 3 and 4 year olds. In addition to this there is an outstanding voluntary playgroup immediately adjacent to the school that offers free early learning.
- 7.4 The impact of the empty nursery places on the schools budget has been significant and closing the nursery is part of the plan to reduce the schools budget deficit.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

*[If none, state None. Any appendix more than 20 pages long should be listed and placed in the Members' Rooms at Kings House and referenced in the main body of the report]*

- 1.
- 2.

### **Documents In Members' Rooms**

- 1.
- 2.

### **Background Documents**

*[List any background / supporting documents referred to or used in the compilation of the report. The documents must be made available to the public upon request for four years after the decision has been taken]*

- 1.
- 2.