



**LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL
NEEDS AND DISABILITY**

DECISIONS to be made by the Lead Cabinet Member for Education and Inclusion, Special Educational Needs and Disability, Councillor Nick Bennett

FRIDAY 24 JUNE 2016

3.30 PM CC1, COUNTY HALL, LEWES

A G E N D A

- 1 Decisions made by the Lead Cabinet Member on 13 June 2016 (*Pages 3 - 4*)
- 2 Disclosures of interests
Disclosure by all Members present of personal interests in matters on the Agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct
- 3 Urgent items
Notification of items which the Lead Member considers to be urgent and propose to take at the end of the appropriate part of the Agenda
- 4 Proposed Expansion of Cradle Hill Community Primary School (*Pages 5 - 40*)
Report by Director of Children's Services
- 5 Any urgent items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
LEWES BN7 1UE

16 June 2016

Contact: Hannah Matthews, 01273 335138

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LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL NEEDS AND DISABILITY

DECISIONS made by the Lead Member for Education and Inclusion, Special Educational Needs and Disability, Councillor Nick Bennett, on 13 June 2016 at County Hall, Lewes

Councillor Field spoke on items 4 and 5 (see minutes 4 and 5)
Councillor Forward spoke on items 4 and 5 (see minutes 4 and 5)
Councillor Lambert spoke on item 4 (see minute 4)
Councillor Pursglove spoke on item 5 (see minute 5)
Councillor Shuttleworth spoke on items 4 and 5 (see minutes 4 and 5)
Councillor St Pierre spoke on items 4 and 5 (see minutes 4 and 5)

3 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 16 MAY 2016

3.1 Councillor Bennett approved as a correct record the minutes of the meeting held on 16 May 2016

4 PROPOSED EXPANSION OF CRADLE HILL COMMUNITY PRIMARY SCHOOL, SEAFORD

4.1 The Lead Member considered a report by the Director of Children's Services regarding the proposed expansion of Cradle Hill Community Primary School

4.2 It was RESOLVED – to defer consideration of this item until a Lead Member meeting on 24 June 2016 in order that further information in relation to the petition presented to the Chairman of the Council on 22 March 2016 could be considered

Reason

4.3 The Lead Member requested that further information in relation to the petition be provided prior to a decision on whether to approve the proposal to expand Cradle Hill Community Primary School being taken.

5 NOTICE OF MOTION: COUNTY COUNCIL'S POSITION IN RESPONSE TO THE GOVERNMENT'S ACADEMY POLICY

5.1 The Lead Member considered a report by the Director of Children's Services regarding a Notice of Motion in relation to the County Council's response to the government's academy policy

5.2 It was RESOLVED – to recommend the County Council to note the contents of the report and to adopt the amended Motion as set out in paragraph 3.1 of the report

Reason

5.3 The proposed amended motion addresses the government's change in policy in relation to academies

Agenda Item 4

Committee: **Lead Member for Education and Inclusion, Special Educational Needs and Disability**

Date: **24 June 2016**

Title of the report: **Proposed expansion of Cradle Hill Community Primary School**

By: **Director of Children's Services**

Purpose of Report: **To seek the Lead Member's conditional approval to expand Cradle Hill Community Primary School from 420 places to 630 places effective from 1 September 2017**

RECOMMENDATION:

The Lead Member is recommended to approve the expansion of Cradle Hill Community Primary School from 420 places to 630 places effective from 1 September 2017, conditional upon planning permission for the enlargement of the premises is granted under Part 3 of the Town and Country Planning Regulations 1992 by 31 December 2016.

1. Background:

1.1 On 21 March 2016 the Lead Member for Education and Inclusion, Special Educational Needs and Disability approved the publication of statutory notices in relation to a proposal to permanently enlarge Cradle Hill Community Primary School from September 2017. The school would grow from 420 places to 630 places. This would provide an additional 210 primary places (ages 4-11) in the Seaford area.

1.2 The proposal is in response to an increase in demand for reception places as a result of a rising birth rate in Seaford. In recent years, births in Seaford have risen from 167 in academic year 2006/07 to 214 in 2010/11 and 216 in 2012/13. The emerging Lewes District Local Plan Joint Core Strategy provides for approximately 600 new homes in the town in the period 2010 to 2030. As a result, an ongoing shortfall of school places is forecast in Seaford. Cradle Hill Community School is a popular school which has regularly been oversubscribed in recent years. Approximately 94% of children attending the school live in Seaford with only 6% attending from outside the community area (the majority coming from Newhaven).

1.3 The Statutory Notice was published in the Sussex Express on Friday 22 April 2016. In addition, the Notice was posted at the entrance to the school and in the local library. The full proposal was also posted on the East Sussex County Council website. A copy of the Statutory Notice as it appeared in the Sussex Express can be found in **Appendix 1**.

1.4 Publication of the Statutory Notice was followed by a 4-week representation period, when comments or objections could be made to the Local Authority.

2. Supporting information:

2.1 Proposed changes to the organisation of maintained schools have to follow a prescribed process established by the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. This process complied with these requirements.

2.2 Before reaching a decision on whether to approve the proposal, the Lead Member should consider a number of factors. These are set out in **Appendix 2** of this report, together with the types of decision that can be taken.

2.3 On 22 March 2016, Councillor Lambert presented a petition containing 84 signatures to the Chairman of the Council. The text of the petition was:

We the undersigned object to the current proposal to expand Cradle Hill School. We ask the County Council to:

1. *Hold an open consultation with local residents*
2. *Enable residents to see and comment on the plans*
3. *Ensure that no expansion is undertaken until a robust and sustainable traffic management and parking plan is in place.*

2.4 A written response was sent to the lead petitioner on 4 April 2016 (**see Appendix 3**). As provided for in the Council's Constitution, a spokesperson for the petitioners has been invited to attend the meeting and address the Lead Member for up to 5 minutes in support of the petition.

2.5 A Public Information Event was held at the school on Tuesday 19 April primarily to communicate information to school stakeholders around the build element of the expansion prior to the submission of a planning application in mid-May. The event was advertised via school bookbags. 200 flyers were also distributed to local households and copies were made available to the Children's Centre and Nursery. The local member was also invited. The event generated a high turn-out from parents, staff, governors and neighbours with over 120 attending during the event. The architects, developers, the transport consultant and ESCC representatives were all available to discuss the plans and listen to comments and feedback.

2.6 The school continues to engage with its local community about the proposal including with the local MP and the Mayor. The Local Authority has also met with the local member on a number of occasions to explain the proposal and listen to concerns that have been raised.

2.7 Should planning permission be secured and works start on site the main contractor will initiate a series of regular letter drops to local neighbours informing them ahead of time of anticipated works. In the meantime communication will be via the school using the normal channels.

3. Conclusion and reason for recommendation:

3.1 In responding to a growing demand for primary school places in Seaford, the Local Authority believes the expansion of Cradle Hill Community Primary School from 420 places to 630 places is essential if it is to fulfil its statutory duty to provide sufficient school places.

3.2 For this reason, the Lead Member is recommended to:

Approve the expansion of Cradle Hill Community Primary School from 420 places to 630 places effective from 1 September 2017, conditional upon:

- By 31 December 2016 planning permission is granted under Part 3 of the Town and Country Planning Regulations 1992 by 31 December 2016.

STUART GALLIMORE

Director of Children's Services

Contact Officer: Gary Langford, Place Planning Manager
Telephone: 01273 481758
Email: gary.langford@eastsussex.gov.uk

Local Members: Councillor Carolyn Lambert

Background documents:

Report (item 12) and minutes from 21 March 2016 Lead Member meeting:

<https://democracy.eastsussex.gov.uk/ieListDocuments.aspx?CId=456&MId=2867&Ver=4>

Prescribed Information supporting the published statutory notice:

<https://consultation.eastsussex.gov.uk/childrens-services/expansion-of-cradle-hill-community-primary-school>

Education Commissioning Plan 2015-2019 (pages 42-43):

<http://www.eastsussex.gov.uk/educationandlearning/management/download.htm>

Appendices:

Appendix 1 – Statutory notice as published in the Sussex Express on 22 April 2016

Appendix 2 – Factors to be considered before reaching a final decision on the proposal

Appendix 3 – Local Authority response to lead petitioner

Appendix 4 – Equality Impact Assessment

Appendix 5 – Written responses in the representation period on the proposed expansion of Cradle Hill Community Primary School

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PUBLIC NOTICES

PUBLIC NOTICES

EAST SUSSEX COUNTY COUNCIL AS LOCAL AUTHORITY

Expansion of Cradle Hill Community Primary School

Notice is hereby given in accordance with Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that East Sussex County Council, County Hall, St Anne's Crescent, Lewes BN7 1UE is proposing to enlarge Cradle Hill Community Primary School, Lexden Road, Seaford, East Sussex, BN25 3BA by 1 September 2017 to provide an additional 210 primary school places.

Cradle Hill Community Primary School is currently a two form entry primary school with a Published Admission Number (PAN) of 60 and a permanent capacity of 420 places. The proposed capacity following expansion would be 630 places with a PAN of 90. The school currently has 450 children on roll.

East Sussex County Council will implement the proposals.

This notice is an extract of the complete proposals. Copies of the complete proposals can be viewed at: www.eastsussex.gov.uk/yourcouncil/haveyoursay

Alternatively you can request a printed copy of the complete proposal from the address below or telephone 01273 466886.

Within four weeks from the date of publication of these proposals, any person may object to, or make comment upon the proposals, by sending their representations to: Stuart Gallimore, Director of Children's Services (FAO: Gary Langford, Place Planning Manager), East Sussex County Council, 4th Floor St Mark's House, 14 Upperton Road, Eastbourne BN21 1EP, or by emailing: school.consultations@eastsussex.gov.uk

Signed

Stuart Gallimore, Director of Children's Services, East Sussex County Council.

Date: 22 April 2016.

Explanatory Notes

1. East Sussex County Council anticipates that building work would begin in autumn 2016 and would be completed by summer 2017.
2. East Sussex County Council will determine the Statutory Notice within 2 months of the end of the representation period. If the Council fails to determine the Notice within this time, it will pass all relevant material to the Schools Adjudicator who will determine the Notice.

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Appendix 2

1. Factors which the decision maker should consider before reaching a decision on the proposals.

1.1	Are the proposals related to other published proposals?	The proposal to expand Cradle Hill Community Primary School is not related to other published proposals.
1.2	Is conditional approval being sought for the proposal?	Yes. Approval should be conditional upon the granting of planning permission under Part 3 of the Town and Country Planning Act 1990(a) no later than 31 December 2016.
1.3	Was a statutory consultation carried out prior to the publication of notices?	<p>A 5-week period of consultation was carried out between 22 January and 26 February 2016. A summary analysis of the consultation is included in the background documents to this report.</p> <p>On 22 March 2016 an 84 signature petition was presented to Full Council regarding the proposed expansion of Cradle Hill Community Primary School. The petition is available for members to view. A written response was sent to the lead petitioner on 4 April 2016 (see Appendix 3). A representative of the petitioners has been invited to attend the meeting and address the Lead Member in support of the petition.</p>
1.4	Did the published notice comply with statutory requirements?	The notice complied with statutory requirements as set out in 2.1 above.
1.5	How will the proposal affect education standards and diversity of provision?	Cradle Hill Community Primary School was rated 'good' at its last Ofsted inspection. The school has been regularly over-subscribed in recent years. The achievement of pupils is good and, in some areas above the East Sussex and National average.
1.6	How will the proposal affect the proposed admission arrangements for the school?	On 22 February 2016 the Lead Member for Education and Inclusion, Special Educational Needs and Disability approved an increase to Cradle Hill Community Primary School's Published Admission Number (PAN) from 60 to 90 with effect from 1 September 2017.
1.7	Has due regard under the Public Sector Equality Duty (PSED) been given to the need to eliminate discrimination, advance equality of opportunity and foster good relations?	Please refer to the Equality Impact Assessment in Appendix 4 .
1.8	Will the proposal have an	The vast majority of pupils (84.3%) according to the

	<p>impact on community cohesion?</p>	<p>January 2016 school census are of White British Heritage. This is broadly in line with that of the population across the County based on the 2011 census. 10.2% of Lewes district's school population is Black and Minority Ethnic (BME). Of the 445 pupils attending Cradle Hill CP School where ethnicity is known, 10.1% (1 in 10 pupils) are from ethnic minority backgrounds.</p> <p>Data for Cradle Hill indicates that the percentage of pupils with English as an Additional Language (EAL) is 1.9% (years 1-6). This is lower than the East Sussex overall of 5.5%.</p> <p>We do not believe that the proposal will have an impact on community cohesion. It will have a positive impact for the local community and therefore local children, as more families will be able to access this popular local school which has regularly been oversubscribed in recent years. Approximately 94% of children attending the school live in Seaford with only 6% attending from outside the community area (the majority coming from Newhaven).</p>
1.9	<p>Will the proposal have an impact on travel and accessibility?</p>	<p>The proposal is about providing more school places to serve the local community. It is therefore unlikely that there will be an increase in journey times or transport costs. Any impact on parking and traffic congestion would be addressed through the detailed design and planning process. As part of this process the Council is working closely with the Highways Authority to ensure any risks are mitigated.</p>
1.10	<p>Has capital funding been identified and secured to enable the proposals to be implemented?</p>	<p>The estimated capital cost of implementing the proposal is £3.5 million. Funding has been secured from the Schools Basic Need allocation in the approved capital programme for the period to 2017/18.</p>
1.11	<p>Have any particular issues or objections been raised during the representation period which could directly affect the proposal?</p>	<p>By the end of the representation period three objections had been received and two comments. Appendix 5 details the representations received. In summary, the concerns relate to traffic and parking, loss of character and impact on facilities at the school. These issues would be addressed through the detailed design and planning process. To support enlargement of the school, the premises would be extended to provide additional classrooms and associated facilities.</p>

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Children's Services

Stuart Gallimore
Director of Children's Services

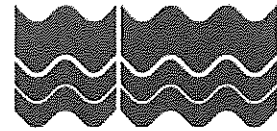
Private and Confidential



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Appendix 3

East Sussex
County Council



Date 4 April 2016

when responding please contact
Gary Langford
gary.langford@eastsussex.gov.uk

our ref

your ref

Dear 

Thank you for your petition, presented at the County Council meeting on 22 March 2016 by Councillor Carolyn Lambert, regarding the proposed enlargement of Cradle Hill Community Primary School.

In the petition you ask the County Council to consider three specific questions. Please find below our response to the points you raise.

Hold an open consultation with local residents

Consultation on the proposed enlargement of the school was held between 22 January and 26 February 2016. A further period of consultation (known as the representation period) will take place following the publication of the statutory notice in April.

Further statutory consultation as part of the planning process will take place once a planning application has been submitted during the summer. In the interests of sharing information more fully the County Council is also intending to hold an additional information event in April. Information will be distributed giving details of the event after the Easter break.

Enable residents to see and comment on the plans

The plans will be available to view at the information event in April and once the planning application has been submitted.

Ensure that no expansion is undertaken until a robust and sustainable traffic management and parking plan is in place

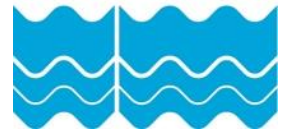
This is a standard part of any planning application relating to school expansion. The County Council works closely with the Highways Authority to ensure any risks around traffic congestion and parking are mitigated before planning permission is granted.

Yours sincerely

Stuart Gallimore
Director of Children's Services

cc Councillor Carolyn Lambert

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Equality Impact Assessment

Project or Service Template

Name of the proposal, project or service
Proposed expansion of Cradle Hill Community Primary School

File ref:	Cradle Hill	Issue No:	Version 1.0
Date of Issue:	22 April 2016	Review date:	24 June 2016

Contents

Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)	1
Part 2 – Aims and implementation of the proposal, project or service	4
Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.	6
Part 4 – Assessment of impact	7
Part 5 – Conclusions and recommendations for decision makers	18
Part 6 – Equality impact assessment action plan.....	20

Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”

These are sometimes called equality aims.

1.4 A “protected characteristic” is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21st Century Families and Communities, 2008]
- Literacy/Numeracy Skills
- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

1.6 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:

1.6.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.6.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.
- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, project or service

2.1 What is being assessed?

a) Proposal or name of the project or service. Proposed expansion of Cradle Hill Community Primary School

b) What is the main purpose or aims of proposal, project or service? The objective of the proposal is to expand Cradle Hill Community Primary School from 420 places (60 per year group) to 630 places (90 per year group) responding to a growing demand for primary school places in the local area.

c) Manager(s) and section or service responsible for completing the assessment

Catherine Denyer, Project Officer, Standards and Learning Effectiveness Service, Children's Services Department.

2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?

Local children and their families

The Local Authority

2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?

The Lead Member for Education and Inclusion, Special Educational Needs and Disability is responsible for making the final decision on the proposal. If approved, the Local Authority will manage the construction project at the school to deliver the additional places.

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

N/A

2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?

The Local Authority has a statutory duty to ensure there are sufficient school places available to meet current and future demand for places.

Proposed changes to the organisation of schools have to follow a prescribed process established in Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. Background documents:

The Education Commissioning Plan 2015-2019 available on the ESCC website at: <http://www.eastsussex.gov.uk/educationandlearning/management/download.htm>

2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.

The Local Authority consulted with pupils, parents and carers, staff, other local schools and trade unions between 22 January and 26 February 2016. It has also consulted with a wide range of other groups including the District Council, the local MP, the Church of England and Catholic dioceses and the wider local community.

The consultation document was distributed to all consultees. The document was also available on the ESCC website at:

<http://www.eastsussex.gov.uk/yourcouncil/consultation/current.htm>

Following an analysis of all the responses received during the consultation period, the Lead Members for Education and Inclusion, Special Educational Needs and Disability gave approval on 21 March 2016 to publish statutory notices in relation to the proposal. The notices were published on 22 April 2016. The public have until 20 May 2016 to give further views on the proposal.

The statutory notice and full proposal can be found on the ESCC website at:

<http://www.eastsussex.gov.uk/yourcouncil/consultation/current.htm>

In addition, further statutory consultation as part of the planning process will take place once a planning application has been submitted during the summer. In the interests of sharing information more fully the County Council held an additional information event in April 2016 when the plans for the school were shared with interested parties.

2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.

N/A

2.8 How, when and where is your proposal, project or service provided? Please explain fully.

The Council anticipates that building work would begin during autumn 2016 with full completion due in the summer 2017.

Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
	Service User Data		Contract/Supplier Monitoring Data
X	Recent Local Consultations		Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints		Risk Assessments
	Service User Surveys		Research Findings
X	Census Data	X	East Sussex Demographics
	Previous Equality Impact Assessments		National Reports
	Other organisations Equality Impact Assessments		Any other evidence?

3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

None received to date

3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

Please refer to 2.6 above

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?

The proposal will have a positive impact for the local community and therefore local children, as the proposed expansion will allow more families to access this popular local school which has regularly been oversubscribed in recent years. Approximately 94% of children attending the school live in Seaford with only 6% attending from outside the community area (the majority coming from Newhaven).

There will be more places available to meet the needs of the children in the local area, including those with SEN and/or disability.

Concerns were raised about parking and traffic congestion, for example:

'The local area cannot support the current volume of traffic. The ridiculous gate at the front of the school and barrier at the back entrance cause pedestrian congestion. The front entrance has no zebra crossing or dropped kerb and is an accident waiting to happen due to people flouting road laws. Parking is inadequate now and will only get worse'.

'I disagree [with the proposal] unless measures are taken to calm traffic in Lexden Road. Currently, Lexden Road is being used as a convenient 'cut-through' for traffic and additional traffic will only

add to the problems.

For the safety of the school children, provisions should be made to discourage 'through-traffic', slow traffic down and provide safe crossing points'.

Parking and traffic congestion would be addressed through the detailed design and planning process undertaken before approval to enlarge the school was given. As part of this process the Council would work closely with the Highways Authority to ensure any risks are mitigated. The design and statutory planning process provides people with a further opportunity to raise concerns about traffic congestion and parking.

Part 4 – Assessment of impact

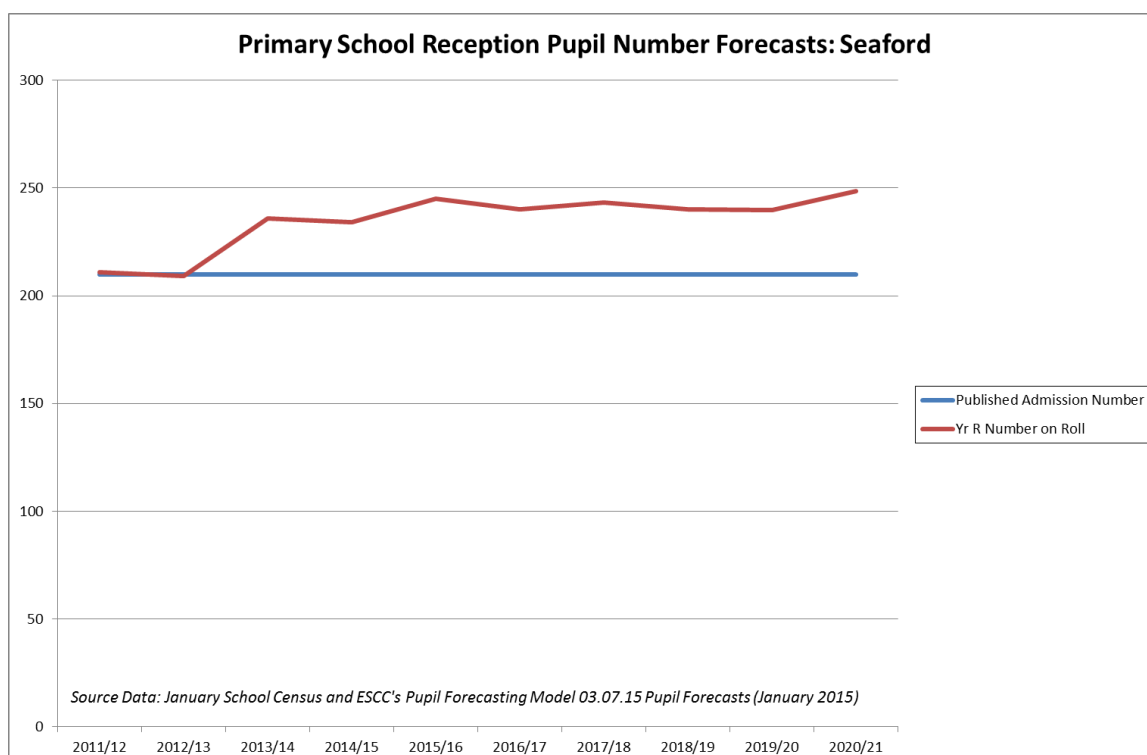
4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

Cradle Hill Community Primary School is in the Lewes District. In the Lewes District there are 21,852 children and young people aged 0-19. This equates to 21.8% of the total population in the town (source: 2014 census).

The proposal comes in the light of an increasing demand for school places in Seaford. In recent years births in the town have risen from 167 in the academic year 2006/07 to 214 in 2010/11 and 216 in 2012/13. The emerging Lewes District Local Plan Joint Core Strategy provides for approximately 600 new dwellings in Seaford in the period to 2010 to 2030. The combination of rising births and housing development in the town is predicted to create a shortage of primary school places in the future.

The following chart illustrates this.



- b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

As above.

- c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The proposal will predominantly affect children of primary school age in the local community.

- d) What is the proposal, project or service's impact on different ages/age groups?**

The proposal will have a positive impact on local children as it will allow more families to access this popular local school.

- e) What actions are to be taken/or will be taken to avoid any negative impact or to better advance equality?**

We do not believe any actions are necessary in relation to this proposal

- f) Provide details of the mitigation.**

N/A

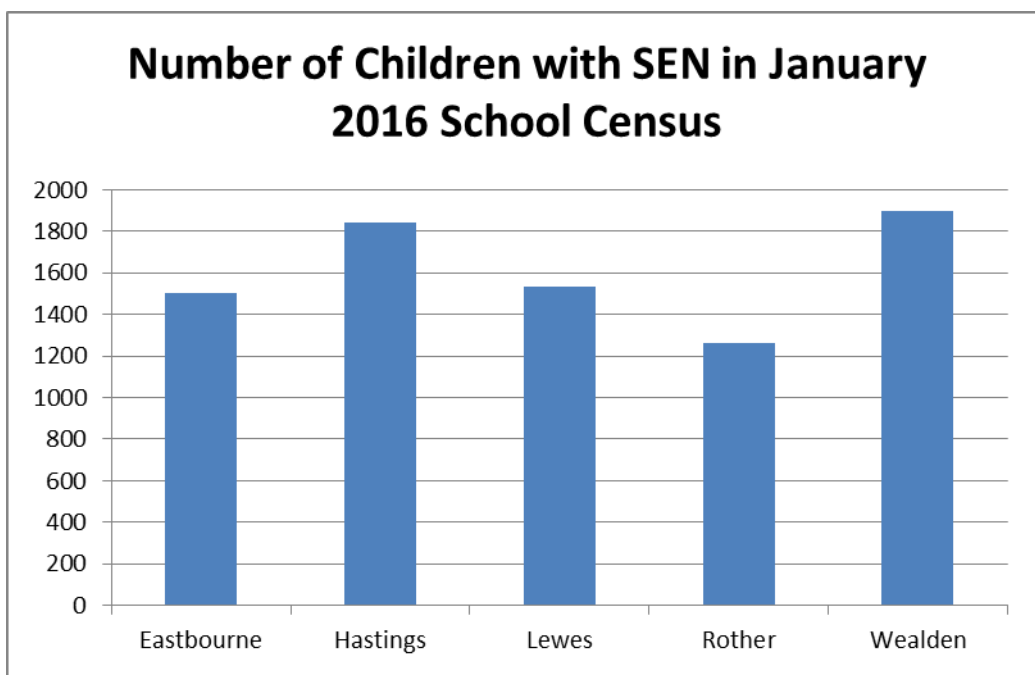
- g) How will any mitigation measures be monitored?**

N/A

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

- a) How is this protected characteristic reflected in the County /District/Borough?**

The following chart shows the number of children recorded as having Special Educational Needs in the January 2016 school census (children attending East Sussex maintained primary schools and academies). District/ Borough information relates to the pupil's home address as reported in the January 2016 school census.



In East Sussex there were 8,042 children recorded as having Special Educational Needs in the January 2016 school census. The figure for Lewes District was 1,536.

Disability projections published on East Sussex in Figures (ESiF) in July 2013 put the total number of people with a disability in East Sussex at 89,006 for 2013. The figure for Lewes District is 15,818.

ESiF - Windows Internet Explorer provided by ESCC

http://www.eastsussexinfigures.org.uk/webview/index.jsp?catalog=http%3A%2F%2Ffigures01.s.escsc.gov.uk%3A80%2Fobj%2FCatalog%2FCatalog47%submode=

East Sussex in Figures

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Disability

East Sussex in Figures 4

Searching for: (Disability) (39 hits)

- East Sussex in Figures 4
- Disability projections policy-based, 2012-2027 - districts
- Disability Living Allowance (DLA) claimants, 2007-2012 - wards
- Disability Living Allowance (DLA) claimants by age and gender, 2007-2012 - districts
- Healthy life expectancy, 1999-2003 - wards
- Residents with limiting long-term illness in 2011 - parishes
- ID 2007, Index of Multiple Deprivation - super output areas
- Indices of Multiple Deprivation, 2004 - super output areas
- ID 2010, Index of Multiple Deprivation - super output areas
- Residents with limiting long-term illness in 2001 - super output areas
- Residents with limiting long-term illness in 2001 - parishes
- Households with people with limiting long-term illness in 2001 - parishes
- Households with people with limiting long-term illness in 2001 - super output areas
- ID 2007, Change in ranks since 2004 - super output areas
- ID 2010, Change in ranks since 2007 - super output areas
- Place Survey 2008/09 - Results
- National Highways and Transport Survey 2009 - Results
- National Highways and Transport Survey 2011 - Results
- ID 2007, Education, skills and training domain - super output areas
- ID 2007, Living environment domain - super output areas
- ID 2007, Barriers to housing and services domain - super output areas
- ID 2007, Child and elderly poverty indices - super output areas
- ID 2007, Summary measures - districts
- Indices of Multiple Deprivation, 2004, child poverty index and elderly poverty index - super output areas
- Indices of Multiple Deprivation, 2004 - districts
- ID 2010, Education, skills and training deprivation domain - lower super output areas
- ID 2010, Summary measures - districts

DESCRIPTION TABULATION

Dataset: Disability projections policy-based, 2012-2027 - districts

ESCC Projections July 2013

Geography: Mixed Year Age group: All people (aged 10+) Category: Overall disability

Measure: Number of people with disability

Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
East Sussex	88,448	89,006	89,809	90,601	91,568	92,594	93,542	94,411	95,475	96,623	97,695	98,877	100,153	101,534	102,449	103,578
Eastbourne	17,625	17,609	17,735	17,814	17,960	18,122	18,253	18,383	18,550	18,725	18,895	19,125	19,368	19,610	19,782	20,008
Hastings	16,433	16,481	16,576	16,670	16,814	16,931	17,087	17,237	17,401	17,577	17,743	17,931	18,122	18,346	18,486	18,679
Lewes	15,734	15,818	15,956	16,139	16,290	16,512	16,682	16,837	17,029	17,243	17,412	17,605	17,799	18,027	18,179	18,342
Rother	16,888	16,746	16,897	17,066	17,241	17,423	17,583	17,710	17,900	18,106	18,312	18,520	18,750	18,975	19,157	19,357
Wealden	21,968	22,352	22,645	22,912	23,264	23,606	23,936	24,244	24,596	24,972	25,334	25,696	26,113	26,577	26,844	27,193

b) How is this protected characteristic reflected in the reflected in the population of those impacted by the proposal, project or service?

The current SEN data for Cradle Hill Community Primary School shows that the percentage of SEN pupils at the school is 15.5% (70 out of 445). This is slightly higher in comparison to the East Sussex overall of 12.8%

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

The proposal will predominantly affect children of primary school age in the local community, including those with SEN and/or disability.

d) What is the proposal, project or service's impact on people who have a disability?

The proposal will have a positive impact as there will be more places available to meet the needs of the children in the local area, including those with SEN and/or disability in particular, and is it proposed that the building will be fully accessible.

Some concerns have been raised about accessibility onto the school site, particularly for people with a disability:

'Road and pavement surfaces in Lexden Road are already a disgrace and increased wear and tear from additional traffic will make them worse. Will the road and pavements be resurfaced? At present the dropped kerbs to the school drive are within the gates, making them inaccessible to the disability scooter users, mums with prams, pushchairs, etc.'

'As a parent of a disabled child who attends this school, I am given use of the car park but when I am entering and leaving the school there are cars parked on the sides of road and opposite the gate. This makes it impossible to see anything coming from up or down the road and has potential to cause accidents. Double yellow lines need to be painted and enforced opposite the school gates.'

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

These issues have been raised with the design team and will be considered in conjunction with the Highways Authority as part of the design and planning process.

f) Provide details of any mitigation.

N/A

g) How will any mitigation measures be monitored?

N/A

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact. Race categories are: Colour. E.g. being black or white, Nationality e.g. being a British, Australian or Swiss citizen, Ethnic or national origins e.g. being from a Roma background or of Chinese Heritage

a) How is this protected characteristic reflected in the County /District/Borough?

The vast majority of pupils (84.3%) according to the January 2016 school census are of White British Heritage. This is broadly in line with that of the population across the County based on the 2011 census. 10.2% of Lewes district's school population is Black and Minority Ethnic (BME). Of the 445 pupils attending Cradle Hill CP School where ethnicity is known, 10.1% (1 in 10 pupils) are from ethnic minority backgrounds.

Data for Cradle Hill indicates that the percentage of pupils with English as an Additional Language (EAL) is 1.9% (years 1-6). This is lower than the East Sussex overall of 5.5%.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

BME children are not over represented at Cradle Hill and as such will not be disproportionately affected by the proposal

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

We do not believe that people with the protected characteristic will be more affected by the proposal than those in the general population who do not share that protected characteristic.

d) What is the proposal, project or service's impact on those who are from different ethnic backgrounds?

The proposal will have a positive impact as there will be more places available to meet the needs of the children in the local area, including those from different ethnic backgrounds.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

We do not believe any actions are necessary in relation to this proposal

f) Provide details of any mitigation.

N/A

g) How will any mitigation measures be monitored?

N/A

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

a) How is this protected characteristic target group reflected in the County/District/Borough?

The percentage of pupils attending the school who are male is 45.7% and female 53.3%. This compares to the East Sussex figures of male 48.4% and female 51.6%

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

The proportion of males and females attending the school is close to the overall East Sussex profile.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

We do not believe that people with the protected characteristic will be more affected by the proposal than those in the general population who do not share that protected characteristic

d) What is the proposal, project or service's impact on different genders?

We do not believe there will be an impact on different genders

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

We do not believe any actions are necessary in relation to this proposal.

f) Provide details of any mitigation.

N/A

g) How will any mitigation measures be monitored?

N/A

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic target group reflected in the County/District/Borough?

We do not consider marital status/civil partnership characteristics to be relevant to the proposal.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

N/A

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

N/A

- d) What is the proposal, project or service's impact on people who are married or same sex couples who have celebrated a civil partnership?**

We do not believe there will be any impact on people who are married or same sex couples who have celebrated a civil partnership

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

We do not believe any actions are necessary in relation to this proposal

- f) Provide details of any mitigation.**

N/A

- g) How will any mitigation measures be monitored?**

N/A

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

- a) How is this protected characteristic target group reflected in the County/District/Borough?**

We do not consider pregnancy and maternity characteristics to be relevant to the proposal

- b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

- c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

- d) What is the proposal, project or service's impact on pregnant women and women within the first 26 weeks of maternity leave?**

We do not believe there will be any impact on pregnant women and women within the first 26 weeks of maternity leave.

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

We do not believe any actions are necessary in relation to this proposal

- f) Provide details of the mitigation**

N/A

- g) How will any mitigation measures be monitored?**

N/A

4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

We do not consider religion or belief characteristics to be relevant to the proposal.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

N/A

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

N/A

d) What is the proposal, project or service's impact on the people with different religions and beliefs?

N/A

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

N/A

f) Provide details of any mitigation.

N/A

g) How will any mitigation measures be monitored?

N/A

4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

We do not consider sexual orientation characteristics to be relevant to the proposal.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

N/A

- c) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

- d) **What is the proposal, project or service's impact on people with differing sexual orientation?**

N/A

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

- f) **Provide details of the mitigation**

N/A

- g) **How will any mitigation measures be monitored?**

N/A

4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

- a) **How are these groups/factors reflected in the County/District/Borough?**

As at the January 2016 School Census, 12.8% of Cradle Hill Community Primary School pupils are Ever6FSM in comparison to 24.2% of all pupils in East Sussex maintained schools.

The data indicates that there is an under representation of Ever6FSM pupils at Cradle Hill. We do not believe they will be disproportionately affected by the proposal.

- b) **How is this group/factor reflected in the population of those impacted by the proposal, project or service?**

N/A

- c) **Will people within these groups or affected by these factors be more affected by the proposal, project or service than those in the general population who are not in those groups or affected by these factors?**

N/A

- d) **What is the proposal, project or service's impact on the factor or identified group?**

N/A

e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

f) **Provide details of the mitigation.**

N/A

g) **How will any mitigation measures be monitored?**

N/A

4.10 Human rights - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.**

No human rights implications are identified.

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 & 7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)
A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)

P1.A3	Right to free elections (Elected Members)
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Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups
- The proposal will help support the aims of advancing equality of opportunity and fostering good relations between people from different groups by allowing children access to primary school education in their local community.

5.2 Impact assessment outcome Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
X	A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	The proposal is about providing additional school places to serve the local community in response to a higher demand for places due to a combination of rising birth rates and housing development in Seaford.
	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	Cradle Hill Community Primary School is popular and has regularly been oversubscribed in recent years. The provision of additional places will help more local children of primary school age to attend their school of choice.
	C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	The Local Authority proposes to address any disabled access issues through the design and construction projects.
	D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	

5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?

(Give details)

Equality Impact Assessment

The EqlA will be reviewed in June 2016 following a final decision on the proposals by the Lead Member for Education and Inclusion, Special Educational Needs and Disability **5.6** **When will the amended proposal, proposal, project or service be reviewed?**

Date completed:	21 April 2016	Signed by (person completing)	<i>Catherine Denyer</i>
		Role of person completing	Project Officer
Date:	21 April 2016	Signed by (Manager)	<i>Gary Langford</i>

Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Page 37	Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)

6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)
Page 38					

APPENDIX 5

Written responses in the Representation Period on the proposed expansion of Cradle Hill Community Primary School

Point of View	Supports Proposal	Against Proposal	Not For or Against	Other coments/Notes
Parent/ carer		Y		I wish to object to the proposal. Safety of walking young children into and out of school everyday will be seriously compromised by the heavy increase in school traffic, particularly on Lexden Road. Road already very busy at pupil drop off and collection times. Situation for walking parents and kids worsened when the school started to expand last year (2015), as no due consideration given to the impacts this would have on road safety and traffic outside the school. With the plans to turn Cradle Hill into one of the largest primary schools in East Sussex, concerned that the situation will become worse for children unless appropriate road and pedestrian safety measures are put in place first. The Council should note: there is currently no designated safe 'crossing' point for pedestrians anywhere along Lexden Road. It's rarely possible to find a long, unobstructed view of the road due to the many parked cars, cars park immediately opposite the school entrance completely blocking out sight lines for families crossing by foot. We are forced to walk into the middle of Lexden Road into oncoming traffic, in order to see around these cars. My kids are too short to be seen in the rear mirrors of parked vehicles. Yet, often there's no alternative but to stand behind these cars. Parked cars (opposite the school gate) cause frequent congestion along the road as the road is narrow and cars and buses have to drive around them. Vehicles sometimes become trapped and have to reverse down the road. Given the level of expansion being proposed (and indeed already underway at the school), it is vital that a traffic safety plan is implemented at the earliest opportunity. This should include a safe zebra crossing point on Lexden Road and enforceable parking restrictions to stop cars waiting or parking opposite the school during drop off/pick up times. I am certain more families would choose to walk or cycle to school rather than drive if there was a safer way to cross Lexden Road, helping to reduce traffic, combat climate change and tackle child obesity.
Parent/ carer		Y		I disagree with the proposal as it will impact on the children's school life, they are losing their music room and computer suite, as schools current kitchen and dinner halls will not be made any bigger mealtimes will become very crowded and noisy. School perfect the way it is. Children already have to stagger their play times as there is not enough room on the playing areas for them to all safely play at the same time - these areas are not being expanded and with added children will become even more dangerous. Traffic around the area at school times is dangerous enough and is on a major bus route, adding more children and parents travelling to and from the school will only make this more dangerous as I do not think the proposed changes to the layout of the surrounding roads make it any safer.
Parent/ carer		Y		From what the children have been told at school, it's a foregone conclusion. Is that true? The primary school our children attended has over 900 pupils, this was to its detriment because the principle wasn't able to manage that size of operation, they now in fact also employ a school business manager, b) accommodation (classes) where in temporary buildings which were hot in the summer. Not sure what your accommodation plan is for Cradle Hill, however, you have an ambitious expansion plan 2017, so I guess it will be temporary accommodation, will it be warm enough, etc.? c) The School became impersonal, it was not possible for the senior staff to know the pupils, even with Lower/Upper School heads and year coordinators (as these were also teacher) this meant that pupils with vocal parents got the attention that was available and other cases (some very urgent) fell through the cracks in the system, d) Parking / Infrastructure around the School, e) Will this meet the needs of the next 5 - 10, 20 years for Seaford, my understanding is that Seaford continues to become a younger town as families move from Brighton/Lewes to find more affordable houses. Is not an additional school in Seaford better suited to relieve the short and long term school place issues of Seaford?

Point of View	Supports Proposal	Against Proposal	Not For or Against	Other coments/Notes
Parent/ carer			Y	I have looked at the plans and the designs appear to have been well thought out. However I just wanted to highlight from my point of view a couple of points: 1). If the school is to be substantially expanded, it is vital that the purpose built after school club provision (Kittywakes) is protected or even expanded. Many working parents like us rely on this and this was a factor for us in choosing this school (not all schools do this well). The room is now designated as a multi purpose room in the new design. 2). Is there a plan for a computer suite? The current room is being re-scoped and this is a valuable resource. This is becoming more important than it ever has been. Or alternative options like a pool of laptops / tablets that allow lessons in classrooms. 3). Play areas are already under pressure and a large KS1 play area is important - most of the playground is lost and it does not appear explicit where this would be cited
Other			Y	Although I'm all for change and making improvements, I do feel that the proposed expansion of the school does not seem to take into account the following points: The increased traffic will cause even more congestion (the local bus frequently cannot pass because of inconsiderate parking by parents), increased noise levels, and the risk of an accident in this residential area. The school's whole character will have been altered due to the increase in the number of pupils; the school has always been popular due to everyone knowing everyone and its 'friendly feel'. A four year old child starting school is already faced with a hurried lunchtime, as the intake is now 90. For many, being surrounded by so many other young children can be an overwhelming experience and will surely affect their wellbeing. The school has already been expanded and during this time it caused several issues including delays in completion of the work, health and safety issues and inconvenience to staff/pupils. Is the same thing therefore not going to be repeated again, when the need for more school places is required in a few years time? Maybe build a brand new school, rather than expand? I worry that we are prioritising the need for school places over our consideration for a successful school with a unique and finally balanced identity. Just some thoughts from someone who has been connected to the school and who has seen it develop, but still retain its individuality. I now feel it will become 'just another large establishment'. Are we actually thinking about our children's education?