

DETERMINATION

Case reference: STP 474

Proposal: To discontinue Hesketh Fletcher Voluntary Aided Church of England High School and extend Westleigh High School in Wigan

Proposer: Wigan Council

Objector: The Governing Body of Hesketh Fletcher VA CE High School

Date of Determination: 3 March 2010

Determination

Under the powers conferred on me in the Education and Inspections Act 2006 and the Regulations made thereunder, I hereby approve the proposal to discontinue Hesketh Fletcher School on 31 August 2012 and enlarge Westleigh High School (a community school with specialist technology college status) by increasing the capacity from 775 to 1250 with effect from 1 September 2012.

The referral

1 On 14 December 2009, Wigan Council's ("the Council") Principal Officer School Provision wrote to the Office of the Schools Adjudicator (OSA) on behalf of the Council referring a decision made by themselves to discontinue Hesketh Fletcher Voluntary Aided Church of England High School ("the School") on 31 August 2012 and enlarge Westleigh High School with effect from 1 September 2012.

2 The referral was made following a letter, dated 7 December 2009, from the School's governing body to the Council's Director of Children and Young People's services in which the governing body indicated their wish to appeal against the Council's decision to discontinue the School.

Jurisdiction

3 On 3 September 2009, having carried out the appropriate consultation, the Council formally published the proposals in the Leigh Journal. The notice was in the form required by the Education and Inspections Act 2006 (the Act) and the Regulations made thereunder, the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (the "Regulations").

4 The governing body of the School lodged an appeal, as they are entitled to do as a voluntary aided school under paragraph 19 of Schedule 2 of the Act, against the Council's decision to discontinue the School and requested that the Council refer the matter to the adjudicator within the prescribed timescales. This they did.

5 The additional places at Westleigh are unlikely to be required if the School continues to exist. It is therefore clear that the two proposals are interdependent. I will therefore treat them as related and consider them together.

6 I am satisfied that the proposals have been properly referred to me in accordance with Schedule 2 to the Act and that, therefore, I have jurisdiction to determine this matter.

Procedures

7 In considering this matter I have had regard to all relevant legislation and guidance.

8 I have considered all the papers put before me including the following:

- the agenda and supporting papers for the meeting of the Council's Cabinet held on 19 November 2009 and the Children, Young People and Families Scrutiny Committee held on 12 November 2009;
- prescribed information from the proposer as set out in the relevant School Organisation Regulations;
- a copy of the governing body's letter, of 7 December 2009, appealing against the Council's decisions to discontinue the School;
- copies of objections received after publication of the proposals;
- the views of, and information submitted by, the School;
- comments made by the proposer in response to the objection;
- the latest Ofsted inspection reports for the School and Westleigh, Bedford and Fred Longworth Schools;
- DCSF pupil performance data. (additional information requested by adjudicator where relevant);
- the agenda and supporting papers for the meeting of the Church of England Manchester Diocese Schools Committee held on 26 June 2009;
- a very large number of emails and letters from a range of interested parties;
- two petitions expressing local opinion on the proposals.

9 On 8 February 2010 I visited the School and Westleigh School, as well as Bedford High School and Fred Longworth High School, the two other schools potentially affected by the proposals, to view at first hand the accommodation and locality.

10 On the same date I held a meeting attended by representatives of the Council, the School, the Manchester Diocese, and the other schools directly affected by the proposals. I also held a public meeting at the School which was attended by some 300 people. I have considered information and other representations put to me at that meeting and subsequently.

The Proposals

11 The proposals are

- (i) to discontinue Hesketh Fletcher VA CE High School with effect for 31 August 2012 and
- (ii) to enlarge Westleigh High School (a community school with specialist technology college status) by increasing the capacity from 775 to 1250 with effect from 1 September 2012.

12 The Council believes that the potential benefits of these proposals are:

- the opportunity to secure viable, high quality education for children living in Atherton;
- by addressing falling rolls and surplus places at the School and the area more generally there will be a more effective and efficient use of available resources.

13 The Council's proposed arrangements for the transition period are as follows:

- There would be no year 7 intake into the School from September 2010;
- Pupils currently in years 7 and 8 at the School will transfer to alternative schools on 1 September 2012 and September 2011 respectively.
- Pupils currently in years 9 to 11 will complete their education at the School.

14 To support the transition process and ensure there is sufficient capacity to accommodate the displaced pupils before September 2012, the Council initially proposed that, if necessary, they would over-admit up to 20 pupils more than the admission number into year 7 at Westleigh, Fred Longworth and Bedford Community High Schools in September 2010 and September 2011 and up to 20 extra pupils into year 10 at the same schools in September 2011.

15 In a letter from the Council's Executive Director – Children and Young People dated 29 January 2010, the Council withdrew the proposal to over-admit up to 20 pupils above the current year 7 admission number at Westleigh, Fred Longworth and Bedford High Schools in September 2010. This was because "*applications for secondary places in September 2010 have now been received and indicate that it will not be necessary to allocate additional places*" at these schools in September 2010. In the same letter, the Executive Director indicated that it was unclear what the position would be in 2011. If such additional capacity is needed at that time, the matter would need to be dealt with by making a further referral to the adjudicator. I am not able to consider such a variation at this time.

16 The Manchester Diocese has stated that parents and pupils who wish to continue their education at a Church of England School will be accommodated at Deanery CE HS in Wigan and Canon Slade HS, St James HS and Rivington and Blackrod HS in Bolton. The Council state that all these schools are "within accessible travelling distance from Atherton by public transport".

The Objection

17 The School's governing body argues it should not be discontinued for the following reasons:

- It's importance to the local community;
- It should become an Academy and closure should be postponed until an Academy can be established;
- Alternative Church of England secondary schools are full and it will therefore be difficult for local pupils to obtain places at these schools;
- Parental choice in the Atherton area is being reduced;

Background

18 There have been discussions about the future of the School in recent years. Minutes of the School's governing body meeting of 6 December 2006 records a discussion about falling numbers of applications for places in year 7. Since then, a combination of falling rolls and a concern about standards has provided an unstable setting for the School's work. This has resulted in further, year on year, reductions in the number of applications for places and, according to evidence provided by the School, "*many excellent teachers have already left the School*" and there is a "*a collapsing budget.*"

19 On 30 July 2009 the Council's Cabinet considered a report on stage 1 of the statutory consultation process associated with The Council's Building Schools for the Future (BSF) programme. At this meeting, the Council agreed to precede to stages 2 and 3 of the consultation process (publication of statutory notices and the representation period respectively) on the specific proposals referred to above as well as other proposals that are not considered here. The report noted that the proposals relating to the School and Westleigh School were linked.

20 The statutory notices were duly published on 3 September 2009 with the representation period running from that date until 15 October 2009. On 12 November 2009, the Council's Children Young People and Families Scrutiny Committee considered a report from the Council's Executive Director Children and Young People's Services, which set out the views expressed by interested parties during the representation period. The same report was considered by the Council's Cabinet on 19 November 2009. The Cabinet also took into account the views of the Scrutiny Committee and agreed to implement the proposals described above.

21 At the same meeting, Cabinet also agreed that officers should undertake "*an urgent and extensive travel plan assessment*" for secondary aged pupils in Atherton; that the pupils affected by the proposals receive "*due care and support*"; and that a full assessment be carried out of the current out of school activities currently provided by the School and "*how they can be accessed*".

22 In an email from the Council's Principal Officer School Provision dated 29 January I was updated on progress being made with these actions. The following points were made:

- Parental preferences for secondary schools places are now known and the provisional allocation of places has been made. Council education officers are working with colleagues in Environmental Services and the schools involved to review school bus routes to ensure they are well matched to demand. Officers noted that school buses already run from Atherton to Westleigh and Bedford High Schools, whilst Fred Longworth is served by public services.
- The Council has established a school closure transition board to deal with all aspects of the potential closure of the School. This board contains representatives from the School and the Council and has already met. One of the duties of this board is to ensure that the pupils whose education may be disrupted by the proposals are given due care and support. The Council has previous similar experience on which it can draw. This board will consider what steps can be made to provide staffing continuity for pupils and career continuity for staff.
- The Council delivers extended services through school clusters. The plan is that provision currently offered by the School be provided elsewhere in the cluster. The range and location of services is reviewed annually through established consultation mechanisms.

23 In a letter dated 7 December 2009, the School's governing body notified the Council it wished to exercise its right to appeal against the proposal to discontinue the School and their wish that the matter be referred to the adjudicator, which the Council then did in a letter to OSA dated 18 December 2009.

24 The Council report that 124 written responses and two petitions were received during the representation period. Most focused on the proposal to discontinue the School with only three objecting to the enlargement of

Westleigh School. The main issues raised by objectors are set out at paragraphs 76 to 80 below. Although there is evidence of initial contact with the Ombudsman (in a letter from the Ombudsman to an interested party dated 29 January 2010) about the Council's arrangements for managing these proposals, there were no formal objections relating to how the statutory process was conducted.

Consideration of Factors

25 I have considered the proposal afresh taking careful account of the arguments put to me by the Council, the School and other interested parties. In doing so I have taken into account the relevant sections of the DCSF's guidance for decision makers.

Effect on Standards and School Improvement

26 The School was last inspected by Ofsted in November 2009. Inspectors found that the School "*requires significant improvement, because it is performing significantly less well than in all the circumstances it could be reasonably be expected to perform*" and that "*the overall effectiveness of the School is inadequate.*" In particular, "*significant improvement is required in relation to achievement, the quality of teaching and assessment, and behaviour in lessons*". Despite the inspector's view that the School showed "*signs of recovery, associated mainly with the arrival of a new headteacher*" and that it "*has the capacity for sustained improvement*", the inspectors gave the School a formal notice to improve. " In 2008/9, only 6% of English secondary schools were placed in this category.

27 In the last four years the proportion of pupils gaining five or more GCSE's grades A*-C, including English and mathematics, has been as follow:

32% (2006); 30% (2007); 26% (2008); and 28% (2009)

These figures compare unfavourably with the Government's floor target of 30%. Under the Government's National Challenge initiative, local authorities are expected to intervene in such schools. In its submission, the Council states that the School "*has received a significant amount of support from the local authority and the Greater Manchester Challenge*". The School community take a rather different view, claiming that it has not had its fair share of locally available additional school improvement resources. This is true in relation to additional grants as the School did not qualify to receive them but this is not the case in relationship to overall funding which flows through the locally agreed arrangements that apply equally to all schools. .

28 In terms of value added in relation to the progress pupils make at the School, its score of 967 (the score if pupils made the expected progress would be 1000) places it at the very lower end of the value added scale both locally and nationally. This value added score has decreased year on year since 2006. This pattern is also noted by inspectors who found pupil progress to be inadequate. The view of the Manchester Diocese is set out in the report of the Diocese's Director of Education to the Diocesan Schools Committee of 26 June. The report states "*there is no realistic prospect*" of substantially

improving educational standards. Clearly, standards of achievement at the School are a cause of concern and, as judged by both Ofsted and the National Challenge, the School is in need of external intervention and support.

29 Westleigh School was last inspected by Ofsted in October 2007. Inspectors found the school to be “*a good school, in which outstanding leadership and management have brought about marked improvements in both academic standards and students' personal development since the previous inspection*”. In the last four years the proportion of pupils gaining five or more GCSE's grades A*-C, including English and mathematics, has been as follows:

39% (2006); 30% (2007); 31% (2008); and 40% (2009)

Westleigh's value added score was 1009, whilst inspectors noted that “*students of all levels of ability make good progress across the school*”. It would be fair to say that there is a trend of improved pupil achievement, albeit from a low base. In addition, Westleigh was judged to have “*an outstanding capacity to improve.*”

30 Most pupils at both Hesketh Fletcher and Westleigh are of white British heritage with an above average proportion of them being entitled to free school meals. Both schools serve areas that experience above average socio-economic deprivation. Such circumstances are often associated with under performance by pupils. The value added scores at the School reflect this general pattern whilst those at Westleigh do not.

31 Some interested parties believe that the extended Westleigh School would be too large to maintain and improve standards of education. If the proposed expansion is completed the school would cater for some 1250 pupils. Whilst this is larger than the average secondary school it is by no means outside the normal range and there is no nationally available evidence to suggest that a school of this size will not be able to properly meet the needs of their pupils. In addition, Westleigh plans to respond to its growth by creating “two schools within a school”, a model used by other larger secondary schools to mitigate any adverse impact of school expansions.

32 During the transition period, the Council plans to make provision for displaced pupils to attend Westleigh or two other named schools, Bedford High School and Fred Longworth High School. At its last inspection in May 2008, Bedford was found to be a satisfactory school. Fred Longworth was last inspected in March 2007 when it was found to be a good school.

33 In the last four years the proportion of pupils gaining five or more GCSE's grades A*-C, including English and mathematics, at the schools has been as follows:

School	2006	2007	2008	2009	2009 value added score
Bedford	31%	29%	37%	37%	1002
Fred Longworth	50%	53%	43%	60%	1016

34 The Government wish to see a diverse school system which is shaped by parents. If the School were to be discontinued this would reduce the diversity of schools in the local area by the removal of a voluntary aided Church of England school as an option. In considering this implication of the proposals I have noted the comment made by the Director of Education of the Manchester Diocese in a paper to the Diocesan Schools Committee on 26 June 2009 that *“the number of pupils attending Hesketh Fletcher for faith-based reasons is now, probably, very modest.”* The Diocese believes that demand from Atherton parents for a Church of England secondary education for their children can be met at other Church schools in the wider area.

35 The Government is also seeking to enable more parents to obtain a place for their child at the school of their choice by expanding more successful schools. As the evidence discussed at paras 43 to 45 below shows, parents are choosing the School in decreasing numbers and it is this pattern of choice which is one of the key factors shaping the Council’s proposals. The School community contends that the reduced roll is due to several years of uncertainty about the School’s future. The Council believes the falling roll was evident in 2002, well before rumours began to circulate about the School’s future. The evidence, which shows a large drop in first preferences from 153 in September 2006 to 84 the following year, tends to support the School community’s analysis.

36 Whilst I have no evidence about why local parents choose particular schools, it is reasonable to assume this is for a mix of reasons such as reputation, accessibility, certainty about the future and history. What is clear, is that decreasing numbers of parents have, for some years, chosen not to apply for places for their children at the School.

37 The Council’s case recognises the decrease in the local diversity of type of school but has implicitly given this concern less weight than the need to ensure parents have better access to a range of more successful schools which appear to be more attractive to them. Given the national policy context in which the Council operates and the views of the Manchester Diocese, the Council’s conclusions on the issue of school diversity seem reasonable.

38 DSCF guidance on school closures states:

“where a school is to be closed so that it may be amalgamated with a more successful and/or popular school, the Decision Maker should again normally approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards.”

Related advice on expanding a school emphasises that such developments should “*boost standards and opportunities for young people*”.

39 The available evidence suggests that Westleigh School is more successful and more popular with parents than Hesketh Fletcher and that Westleigh is well placed to further improve standards in the future. It may be that parents who would otherwise have chosen the School do not choose the expanded Westleigh as their preferred alternative. The next two nearest schools, Bedford and Fred Longworth, both offer a better quality of education according to Ofsted and in terms of GCSE results (see table above), than Hesketh Fletcher, significantly so in the case of the latter. It is difficult to predict parental choice in relation both to the transition period and from 2012 when the new capacity will be available at Westleigh. However, the evidence suggests that these proposals will, overall, have a positive impact on standards.

40 Interested parties raised concerns about the impact of these proposals on the current pupils attending the School. Whilst this concern applies to all such pupils it is of special concern in relation to pupils currently in years 7 and 8 who will have to transfer to other schools to complete their education. This concern is a serious one which is invariably associated with proposals such as these. The Council acknowledges this concern and has committed to providing resources, to supplement those of the School, to support pupils during this period.

41 This support will flow through the Council’s newly established school closure transition board. A key duty of this board is to ensure that the pupils whose education may be disrupted by the proposals are given due care and support. The Council has previous similar experience on which it can draw.

42 Key stage 3 pupils will be able to complete their key stage programme at the School and express key stage 4 options at the same time as pupils in the receiving schools. Parents will be offered year 10 places in the autumn term of year 9 to increase the sense of certainty about the future and to support the subject and course option selecting process. The Council has also indicated their intention to ensure that siblings and peer groups are able to access the same school. The Council states that they have successful experience of managing transitions in previous cases such as this and I have noted the commitment of the Diocese to ensuring the needs of these pupils are properly met. Transition processes are inevitably messy and a source of risk. The evidence suggests that the Council is aware of these risks and has a range of strategies in place to mitigate them. The fact that the Council has established a school closure transition board in advance of a decision to close the School is a prudent step designed to mitigate risk. The Council knows the importance of ensuring that pupils and parents are confident about the transition arrangements.

Need for Places

43 In May 2009, as part of its BSF initiative, the Council published a consultation document entitled “*Our Vision for Education in Wigan*”. This document included the Council’s forecasts on future pupil numbers. These

predict that the number of 11-16 year olds will fall from 19,010 in 2008/9 to 17,349 in 2014/5 before rising again to 18,163 by 2018/9. The Council note that this fall will affect some schools more seriously than others. One such school is Hesketh Fletcher.

44 The current admission number at the School is 200 but, since September 2007, the School has received less than 100 first preferences for admission into year 7 and, for year 7 entry in 2010 this has dropped to 12. The Council believe that they are able to make reasonable offers of alternative places to the parents of these twelve pupils. At the time of this determination it is not known whether these alternative offers will be accepted by the parents concerned. In September 2009, pupil numbers by year group were as shown below. The Council predict that the roll will fall to below 400 by September 2012,

Year 7	Year 8	Year 9	Year 10	Year 11	Total
91	98	77	146	159	571

45 In the period 2006 to 2009, more Atherton parents (as defined by home addresses in the M46 postcode) have indicated a preference for a place at a school other than the School than at the School itself. Also, there are now more M46 resident pupils in years 7-9 at schools other than the School than at the School.

46 The Government believes that local authorities should take action to remove empty places at schools that are unpopular with parents and which do little to raise standards. DCSF advice to decision makers sets an expectation that proposals to close a school where more than a quarter of places are unfilled and standards are relatively low should be approved. These conditions apply in this case and, therefore, for me not to approve the closure of the School there must be strong other evidence which suggests that I should not follow this course.

47 The Council is proposing to provide for the additional demand for places in the area that will be caused by the closure of the School by providing an additional 475 places at Westleigh from September 2012. At the same time, the admission number at Westleigh would be raised from 155 to 250. At present, over 200 parents per year name Westleigh as their preferred secondary school in the normal admission round. This figure is likely to increase if Hesketh Fletcher is closed. The Council's proposals will therefore enable more parents to obtain a place for their child at their preferred school.

48 The Manchester Diocese believe that the demand for an Anglican based secondary education from parents in the area currently served by Hesketh Fletcher can be met by the four other Church of England secondary schools in the area (see para 16 above).

49 The public consultation exercise associated with these proposals raised a concern that, should they be approved, there would be insufficient capacity to accommodate Atherton pupils in both the short and the long term. This point is emphasised in the School's own evidence where the number of pupils in local primary schools is presented as the key driver of demand for secondary school places at the School, or a successor school on the same site, rather than patterns of parental choice. The fact is that the parents of pupils leaving local primary schools are not choosing the School for their children's secondary education. Whether this pattern would change if a different type of school existed on the School site is a matter of conjecture.

50 There are differing views on the overall pattern of demand for secondary school places in the Atherton area. Whilst objectors point to the number of pupils in local primary schools, the Council points to historic data which show that only some 69% of children in local primary schools have transferred to the School. The difference is accounted for by pupils transferring to Catholic and other secondary schools outside the immediate area. At the same time, objectors point to new demand from potential new housing referred to in the local area strategic plan. The Council's policy is that projections are based on actual house building activity rather than potential future developments. I believe the Council has adopted a reasonable and prudent approach to its roll projections.

51 In the short term, the pattern of applications for year 7 secondary school places in September 2010 shows that all pupils in the Atherton area can be accommodated in other local schools. The Council is confident that the same will be true in September 2011. If this proves not to be the case, the Council plan to apply for a variation to the year 7 admission number at Bedford, Fred Longworth and Westleigh Schools. Both the pattern of applications for 2010, and the Council's pupil projections for 2011, shows that there are likely to be sufficient year 7 places in 2010 and 2011.

52 It is proposed that the current years 9, 10 and 11 pupils will complete their education at the School. Pupils currently in years 7 and 8 would transfer to alternative schools in September 2012 and September 2011 respectively. By 2012, the additional places at Westleigh will be available. For September 2011, the Council propose to admit up to 20 pupils above the admission number into year 10 at Bedford, Fred Longworth and Westleigh Schools. This expansion is designed to cater for the School's current year 8. Again, the Council's figures show that this arrangement, plus places currently available at Bedford School, will enable all displaced year 8 pupils to obtain a place at one of the three nearest secondary schools.

53 The Council believes that it is feasible for Westleigh, Fred Longworth and Bedford High Schools to cater for these additional pupils. All three have received previous capital investment which enabled them to over-admit the same number of pupils in previous similar circumstances. The Council state that net capacity assessments of the three schools support their approach.

54 The governing body of Fred Longworth do not share this view, pointing out that their school is “*already one form above its capacity*” and has suitability issues in relation to “*teaching, IT and laboratory space and has totally inadequate dining space.*” This headteacher and chair of governors believe it could only cater for more pupils if the site is comprehensively remodelled and that the necessary resources are not yet guaranteed. This is because this school is in wave 2 of the local BSF programme and it is only the resources for phase 1 which have been committed. This is a legitimate concern by Fred Longworth and one which will be given due consideration if, and when, proposals come forward to expand the admission number at the school.

55 As things stand at the moment, I am satisfied that sufficient local capacity exists to accommodate all Atherton area secondary aged pupils in the short term.

56 From September 2012, the Council’s pupil forecasts show that the number of places available in the expanded Westleigh and neighbouring secondary schools will be sufficient to meet demand until 2013/14, when the Council envisage implementing separate proposals for expanding Fred Longworth School by 45 places per year group. The Council is also aware that new housing developments may require additional year 7 places by 2019/20 at which point they envisage expanding Bedford School. The Council has taken reasonable steps to consider the demand for secondary school places in the short and long term and has a strategy to respond to foreseeable changes.

57 Pupil forecasts are evaluated by Partnerships for Schools (PfS) as part of the BSF process. In a letter dated 15 July 2009, from the chief executive of PfS to the chief executive of the Council, PfS assessed the Council as “*ready to deliver*”. This gives me confidence that a second party has evaluated the Council’s pupil projections and I note that both PfS and the Council has concluded that there is a good match between demand for, and supply of, secondary school places in the area. It seems to me that the issue of the supply and demand for school places has been properly considered by the Council and I have no reason to disagree with its conclusions.

58 The Council is aware that existing admission arrangements could prejudice the chance of pupils living in the Atherton area obtaining a place at the secondary schools named above. This is because of the current importance given to the “distance from home to school” over-subscription criterion. The Council propose to change the school admissions over-subscription criteria for community secondary schools in September 2012 to give greater importance to catchment area (as defined by certain post codes) and primary school attended.

59 The Council cannot, as yet, start the process of determining its admission arrangements for 2012 and I am therefore unable to consider this matter as part of this Determination. However, on the basis of the detail that exists, and as part of their response to these proposals, the governing bodies of Bedford and Fred Longworth Schools have indicated that they “strongly object” and “disagree” respectively with the proposed changes.

60 Any proposed change to the admission numbers of the three schools, or to the catchment areas they serve, would usually be dealt with by way of either the normal annual process of consultation on, and determination of, local admission arrangements or via a variation to existing admission arrangements by a referral to the adjudicator under Section 88E of the School Standards and Framework Act (1998). Whichever route is followed, the governing bodies of the three schools involved will then be able to formally object to this element of the proposals should they so wish. If, alternatively, the local authority is minded to admit children above the admission number for a school without formally increasing the admission number, the Code suggests that this should occur in consultation with the school in question and other schools in the area, in which case a school that objected to this would also be able to make its objections known (see paragraphs 1.18, 1.47 and 1.48 of the School Admissions Code).

61 I am satisfied that sufficient local capacity exists to accommodate all Atherton area secondary aged pupils in the short term and that the Council is taking appropriate steps to ensure that sufficient capacity also exists in the medium and long term.

Impact on the Community and Travel

62 The potential adverse impact of the closure of the School on the wider community in Atherton was a key area of concern in the many written submissions. This concern is shared by local primary schools and local organisations and was an issue emphasised by the School's own submission and at the public meeting. Hesketh Fletcher is the only secondary school in the town and members of the local community are concerned about the impact on the local economy (an impact modelled in detail in the School's submission) and community cohesion in a relatively deprived community. The School is seen as a focal point for the community and the extended services it offers are highly valued. Objectors have pointed to the Council's BSF objective of putting schools at the heart of communities and that, as far as Atherton is concerned, this is contradicted by these proposals. There is a strongly expressed local perception that Atherton is a community that is relatively neglected by the Council.

63 The Council acknowledges these concerns. Their response is to encourage other schools to ensure that Atherton residents have access to the extended services they offer. Evidence provided by Bedford and Westleigh Schools shows that Atherton resident pupils are involved in the full range of school activities. The Council also refers to a plan, which is not part of the current proposals, to retain some kind of post-closure 14-19 provision, offering unspecified community facilities, on the School site.

64 The Council points out that many Atherton residents are choosing secondary school places for their children outside of the town and are therefore indicating how they implicitly prioritise choice of school against impact on the local community. At this stage of the process it is not possible to demonstrate how these very real concerns will be addressed and they remain unassuaged. When the Council's Cabinet agreed these proposals on 19 November 2009 it requested that officers "*carry out a full assessment of*

the out of school activities currently provided at Hesketh Fletcher School and how they can be accessed." The progress made on addressing this matter is set out at para 22 above. The Council should communicate more clearly and regularly its proposed strategy for mitigating the adverse impact of the closure of the School on the Atherton community.

65 The most recent Ofsted inspection judged the School's contribution to community cohesion to be satisfactory whilst the most recent inspection of Westleigh, conducted before formal judgements on community cohesion were made, recorded that the school "*has also established strong business and community links*".

66 Transport issues in relation to attendance at alternative secondary schools was the single most mentioned cause of concern from interested parties. This was because of cost and accessibility issues.

67 In terms of cost, interested parties were concerned about possible increased expenditure on bus fares, especially from the relatively deprived Hag Fold area to the North of the School. Westleigh School is 2.34 miles from the School and Fred Longworth and Bedford are 1.45 miles and 2.47 miles respectively. The Council points out that school buses currently run from Atherton to Westleigh and Bedford High Schools and that this provision will be extended if required. From September 2010, the Council will provide a free bus pass for all 11-16 year olds who travel more than 3 miles to their nearest suitable school. For pupils eligible for free school meals, free travel will be provided to schools between 2 and 6 miles away from the home address and for denominational education, to schools between 2 and 15 miles. The Council has therefore taken reasonable steps to ensure the pupils eligible for free school meals are not disadvantaged by these proposals.

68 When the Council's Cabinet considered its proposals on 19 November 2009 it requested that officers conduct "*an urgent and extensive travel plan assessment*" of the impact on Atherton residents. The response of Council officers is set out at para 22 above. I have studied maps showing the home addresses of pupils currently at the School and other nearby schools and have noted that many of those living to the west and south of the School actually live nearer to Westleigh than to the School itself. Also many pupils living to the North of Atherton, including Hag Fold, already attend other schools rather than the School.

69 Some interested parties were concerned about the potential costs of being required to purchase a new school uniform. This would only apply to those pupils who are currently in years 7 and 8 at the School. The Council has responded by stating that a hardship fund is available for assistance with uniform costs for those families that are eligible. This is likely to only benefit a small number of pupils. Advance notice of an imminent change of school and the normal cycle of wear, tear and adolescent growth are likely to mean that few families are likely to incur significant additional uniform related costs as a result of these proposals.

70 Accessibility issues will vary with the home address of the pupil and the address of the school attended. The Council's policy is to encourage pupils to walk or cycle to school along identified safe routes. The School's data shows that some three-quarters of pupils walk to the School. The overall arrangements for transport to school are reviewed annually to ensure they are matched to need. The Council has shown it is concerned about this issue and has responded with a reasonable range of practical strategies. These cost and accessibility related concerns were the main equal opportunity issues raised during the consultation period.

71 The Council reports that no comments on the issue of the impact of this aspect of these proposals were received from the Westerleigh community.

Specific Age Provision Issues

72 The Council has indicated the School site offers the potential for a 14-19 centre but no specific plans are presented with these proposals. I am therefore not able to comment on this matter.

Special Educational Needs Provision

73 The School is a mainstream school with no specifically resourced provision for pupils with special educational needs (SEN). The most recent Ofsted inspection found that pupils with SEN made inadequate progress, despite the specific provision made for these pupils described by the School. This contrasts with Ofsted's assessment of provision at Westleigh which was judged to be good. The Council believes that pupils with SEN will benefit from these proposals, a view supported by the evidence.

Funding and Land

74 The Council estimates that these proposals will require £14m of capital resources which will be met from BSF phase 1 funding. DCSF and PFS confirmed that Wigan will, in principle, benefit from BSF funding in a letter dated 15 July 2009. The letter stated that the Council was "ready to deliver". The Council owns the land on which the extended provision at Westleigh will be built and the site, whilst by no means ideal, is suitable and meets the area requirements of the School premises Regulations 1999. Some interested parties suggested that a new school be opened on another site in Atherton. The Council has been unable to identify any such sites in the area.

75 At present, no detailed plans for the expansion of Westleigh exist. The Council has set out a proposed project timeline which shows the new buildings will be available by 1 September 2012. The BSF process has ensured that no further major procurement decisions are necessary but the lack of detailed plans, some early signs of slippage, and the need for planning permission to be gained mean timescales are tight. The Council remains confident it will achieve its project objectives.

Views of Interested Parties

76 These proposals were subject to an extensive consultation exercise which met statutory requirements. Overall, 124 written responses and two petitions containing some 4500 signatures were received by the Council and many more by me. Some 300 people attended the public meeting organised by OSA. Petition 1 contained 2538 signatures expressing support for “*an adequately funded, educationally high achieving, and non-denominational community run high school for the town of Atherton*”. Petition 2, containing 1913 signatures, supported the premise that “*Hesketh Fletcher to be retained as a local school for local children to operate as a C of E 11-16 school.*” Despite the fact that these petitions supported different options, some people signed both.

77 Comments made at a wide range of meetings and drop-in sessions with pupils, parents, staff, governors and other interested parties were recorded. Virtually all responses from the general public were very supportive of the School and opposed to the proposals, as were the governing bodies of the School and Fred Longworth School.

78 Concerns expressed by more than 20 respondees, in rank order, were:

- Transport arrangements (see paras 66-68 and 70 above)
- The impact on the Atherton community, an issue particularly highlighted at the public meeting (see paras 62-65 above)
- The disruption to the pupils currently at the School (see paras 22, 32, 40-42 above)
- The conduct of the consultation process (see para 24 above)
- Increased costs for parents (see paras 67 and 69 above)
- Admission arrangements (see paras 51-54 and 58-60 above)
- Impact on standards at the School (see paras 26-33 and 38-42 above)
- Future pupil numbers (see paras 43-61 above)
- The extent and quality of the support to the School in the past (see para 27 above).

I have addressed each of these concerns at the paragraph shown.

79 The objections by the governing bodies of Bedford and Fred Longworth Schools, both community schools, are a cause of particular concern as the co-operation of these schools is an important element of the Council’s proposals, especially in the short term. Both object to the possible change to admission arrangements. Fred Longworth School also object to the proposed extension of their admission number as they believe their current buildings are unsuitable for catering for more pupils. Fred Longworth School also objects to the expansion of Westleigh School. These two schools are key to the success of these proposals and their lack of support for them is a concern.

80 The ten local primary schools and local clergy expressed opposition to the proposals, emphasising the impact on the community, transport accessibility and costs, the current capacity of the School to improve, likely increases in the local demand for schools, and changes to admission arrangements. These echo many of the points raised by others as shown above.

81 In its submission, the School refers to the possibility that the School could be replaced by an Academy sponsored by the University of Chester and I have been provided with evidence of communication between the governing body and other potential sponsors. No details of any proposal are available to me and none have been received by the Council. I am therefore not able to give any consideration of the merit of such an alternative course of action or comment on the extent to which such proposals were considered by the Council.

Conclusion

82 I have concluded that the evidence about the potential of these proposals to improve standards for all pupils, promote school improvement, and better align parent demand and supply of school places in the area is clear and persuasive and I therefore approve these proposals.

83 I do however note the concern of the local community about the impact the loss of a local secondary school on Atherton. I am reassured that the Cabinet and officers recognise the need to address these concerns to ensure that local secondary age pupils are not disadvantaged. Similarly, I am reassured that the Council is alert to the need to provide good support to the pupils who will be most affected by the implementation of these proposals and that they have identified a range of suitable strategies to mitigate this risk. The loss of a Church of England VA secondary school clearly reduces the diversity of schools in the area but I have noted the wholehearted support of the Manchester Diocese for the Council's approach (even though the local clergy oppose them).

Determination

Under the powers conferred on me in the Education and Inspections Act 2006 and the Regulations made thereunder, I hereby approve the proposal to discontinue Hesketh Fletcher School on 31 August 2012 and enlarge Westleigh High School (a community school with specialist technology college status) by increasing the capacity from 775 to 1250 with effect from 1 September 2012.

Date: 3 March 2010.

Signed:

Schools Adjudicator: John Simpson