

DEFERRAL OF PLANNED OPENING DATES FOR THE CAMBRIDGE SOUTHERN FRINGE SECONDARY SCHOOL AND TRUMPINGTON MEADOWS PRIMARY SCHOOL

To: Cabinet

Date: 20 October 2009

From: Service Director Strategy and Commissioning, Children and Young People's Services (CYPS)

Electoral division(s): Trumpington and Haslingfield

Forward Plan ref: Not applicable **Key decision:** No

Purpose: To:

- i) Advise Cabinet of the implications of the changing pattern and pace of development on the previously agreed opening dates for new schools to be established in the Cambridge Southern Fringe.
- ii) Seek Cabinet's approval for the deferral of the agreed opening date for the new Trumpington Meadows Primary School from September 2010 to September 2012.
- iii) Seek Cabinet's support in seeking approval from the Office of the Schools Adjudicator to defer the opening date for the new Cambridge Southern Fringe Secondary School from September 2012 to September.

Recommendation: Cabinet is recommended to:

- i) approve the deferral of the Trumpington Meadows Primary School's opening date from September 2010 until September 2012.
- ii) approve the proposal that the Office of the Schools Adjudicator be asked to agree to defer the opening date of the new Cambridge Southern Fringe Secondary School from 2012 until 2015.

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1.0 Background

- 1.1 The Education Act 2005 placed a requirement on local authorities to invite other potential promoters to enter into a competition to provide any new secondary schools they planned to establish, or where they planned to provide replacements for existing secondary schools.
- 1.2 The Education and Inspections Act 2006 extends the competition requirement to primary and special schools. This process, aimed at increasing the diversity of educational provision and choice for parents, provides for a range of organisations, and potentially individuals, to come forward as a promoter where the need for a new school is identified.
- 1.3 The competition process is defined in legislation. Regulations and associated guidance dictate each step, including:
- Pre-competition consultation
 - The development and publication of the competition specification, which forms the invitation to bid
 - The publication of competition proposals in the form of statutory public notices
 - The convening of public meetings
 - Decision-making and the final stage of implementation.

The full guidance is available on the Department for Children, Schools & Families (DCSF) School Organisation Unit's website at www.dcsf.gov.uk/schoolorg.

- 1.4 Under the terms of the Act, once approved, promoters have a statutory duty to implement their proposals. In doing so, the proposals must be implemented as approved. Modification to any part of the proposals, including the date of the opening of the school must be agreed by the decision maker. Any modifications made by the decision maker must be made in consultation with the promoter.

2.0 Competition backgrounds

- 2.1 On 8 April 2008, the County Council published a notice inviting proposals to open and run a new primary school, scheduled to be built as part of the proposed development at Trumpington Meadows. The notice gave an opening date for the school of September 2010. This date was based on the anticipated progression of development and was intended to enable the school to be opened at an early stage in the life of the new development in accordance with the established practice of the Council. As with other new primary schools opened in response to new developments, it was anticipated that this would be around the occupation of the 100th dwelling.
- 2.2 On 15 April, a notice inviting proposals to open and run a new secondary school on the Clay Farm development site in the Cambridge Southern Fringe was published. This school is intended to meet the demand for secondary education of the combined development on the Clay Farm, Glebe Farm and Trumpington Meadows development sites, as well as the existing Trumpington community (which is currently in the catchment area of Netherhall School). The notice gave an opening date for the school of September 2012, based on the anticipated pace of development across the three growth sites.

- 2.3 Only one bid was received in response to the competition invitation to establish and run the new Trumpington Meadows Primary School. This was submitted by the Fawcett Federation Group. The County Council's Cabinet, acting as the decision maker, under the terms of the Education and Inspections Act 2006, considered the proposals at its meeting on 12 December 2008. Cabinet approved the recommendation that the Fawcett Federation Group be awarded the right to establish and maintain the Trumpington Meadows Primary School, conditional on approval of planning permission for the school site being granted.
- 2.4 Three bids to run the new Southern Fringe Secondary School were received. These were from the Henry Morris Community Trust, the CAM Educational Trust and the City of Cambridge Education Foundation (CCEF). As the County Council is represented on the CCEF Board of Trustees it was unable to act as the decision maker for the secondary school competition, and in October 2008 the competition was referred to the Office of the Schools Adjudicator for a decision. On 19th December, following a period of consultation, the Schools Adjudicator awarded the right to open and run the new school to the City of Cambridge Education Foundation. This award was on the condition that the CCEF amend their proposed admissions arrangements in line with the Adjudicator's requirements; no other conditions were set.
- 2.5 Changing the opening date of the two schools is classed as modifying the proposals that have been accepted by the decision maker in each case. Approval is needed, therefore, from both Cabinet and the Office of the Schools Adjudicator respectively.

3.0 Current Position

- 3.1 A combination of factors, not least the change in economic conditions, has slowed the anticipated pace of development. The dates assigned to the opening of the schools in the published notices, linked to the development, were always intended to ensure that no matter how quickly developers commenced house building, the Council would be able to fulfil its statutory obligations. There has always been an expectation that changes to the pace, and/or pattern, of development, would necessitate changes in the planned opening dates of the new schools.
- 3.2 Given the delays and slowing of the development across the southern fringe, it is clear that the previously agreed opening dates for each school, as identified in the published notices and subsequently agreed proposals, are no longer appropriate. The emerging pattern of development has been kept under review. The impact on each of the schools is outlined in the sections below.
- 3.3 From the outset, the proposers of both schools, the Fawcett Federation Group and CCEF, have been aware that the opening dates published in the statutory competition notices linked to the anticipated patterns of development. In light of this, officers have remained in contact with representatives of each of the promoters to keep them up-to-date with information about development timescales.
- 3.4 ***Trumpington Meadows Primary School***
- 3.4.1 Recent discussions with Grosvenor, the developer of the Trumpington Meadows site, indicate that they anticipate commencing development on the site in early 2010. This is subject to the signing of a Section 106 Agreement, the process of which is currently

underway.

- 3.4.2 The pace of development, once it begins, will be slower than previously thought. Agreements between Cambridgeshire Horizons and Grosvenor, allowing Housing Growth Funds to facilitate the commencement of development are now in place. This requires 300 dwellings to be built over the first three years of development, expected at the rate of 100 dwellings a year. From Grosvenor's outline development plan, it is anticipated that the first dwellings will be completed in summer/autumn 2011, with the 100th dwelling being completed in summer 2012. Using this revised development plan, the school would not be required until September 2012.
- 3.4.3 The Fawcett Federation Group, through the School's Temporary Governing Body are aware of the revised timescales which are being considered, and the need to defer the school opening to September 2012 in light of the delays in development commencing.

3.5 ***Cambridge Southern Fringe Secondary School***

- 3.5.1 Determining the timescale for opening the new secondary school is complicated by the relationship between the three development sites it will serve. A further complication has been the need to secure the release of the school site, which is within the Clay Farm development from Countryside Properties, the developers of the site.
- 3.5.2 Countryside Properties have appealed against the non-determination of their planning application. The outcome of their appeal is not expected until early 2010, delaying the prospect of development on the site commencing until the end of 2010, with no housing development likely, therefore, until 2011 at the earliest.
- 3.5.3 The delays to the proposed Clay Farm and Glebe Farm developments, combined with the delay and the slower housing trajectory for Trumpington Meadows mean that the secondary school will not be needed for September 2012. With the timescales and development trajectories being discussed it is anticipated that the new secondary school would be needed to serve the southern fringe developments from 2015.
- 3.5.4 As the southern fringe secondary school will be the first new secondary in Cambridgeshire in over 30 years, detailed conversations have been ongoing with CCEF regarding the design and development process. Through these discussions, CCEF are aware of the changing development patterns in the southern fringe, and the potential impact of these on the opening of the new school. They continue to be supportive of the need to retain flexibility in the opening of the new school, to ensure that it opens at a time appropriate to the needs of the developments and extended Trumpington community.
- 3.5.6 As is noted above, the Council did not act as the decision maker for the secondary school competition, and as such is cannot agree to defer the school's opening date.

4.0 **Significant Implications**

4.1 **Resources And Performance**

The following bullet points set out details of significant implications identified by officers

- Due to fluctuations in market conditions it is possible that the pace of developments could progress more quickly than anticipated within the agreements with the developers. Should this occur the following is possible:
 - There may be a need to identify short term provision within existing schools to meet the needs of the developments prior to the new schools opening if the permanent buildings cannot be provided in line with changed requirements; or
 - Temporary accommodation may need to be used to meet demand, with approval being sought to make further, appropriate modifications to the proposals for the opening of the new schools.

4.2 **Statutory Requirements and Partnership Working**

4.2.1 The following bullet points set out details of significant implications identified by officers

- Due to fluctuations in market conditions it is possible that the pace of development could progress more slowly than anticipated. This could result in officers needing to return to Cabinet to seek a further deferral of the school opening dates.
- The 2015 opening date for the secondary school is linked to the earliest possible provision of the school buildings using current housing trajectories. Early discussions with CCEF representatives indicate that they would like to explore possible options for providing places for all pupils from the outset of development. Discussions about how this could be achieved have not yet taken place, and will be dependant on information about the pace and pattern of development becoming clearer. If suitable options emerge from these discussions with the promoter, it is possible that alternative opening arrangements for the school may become appropriate. In these circumstances, a further request to modify the opening date for the school may be required.
- It is also possible for development to proceed more slowly than predicted in the current housing trajectories. While not having the same resource implications as a faster pace of development, it is possible that requests for further deferral of opening dates for new schools would be required in these circumstances

4.3 **Climate Change**

4.3.1 The need to minimise the environmental impact of the establishment of new schools has been influential in the development of the policies which Cabinet endorsed at its meeting on 11 September 2007 summarised below:

- a) Locations should promote walking and cycling.
- b) New primary schools should be planned to open in time to ensure places are available to serve the first children to live in the new communities being created, thus avoiding the need for children to have to travel outside of their communities for their educational provision.

- c) The maximisation of co-location opportunities for community, sport, leisure and art facilities.
- d) New schools to have a defined catchment area which is informed by existing schools' catchment boundaries and the Council's Sustainable Travel Strategy, which promotes walking and cycling to school.

4.3.2 The Building Research Establishment (BRE) is the pre-eminent centre for research in the built environment within the UK, with much of its core business concerned with helping others to improve their environmental performance. It has developed the Building Research Establishment Environmental Assessment Method (BREEAM) for a range of building types including schools. A building can achieve 'Pass', 'Good', 'Very Good' or an 'Excellent' BREEAM rating based upon wide-ranging performance criteria that cover energy used in the servicing and construction of a building, health and internal comfort levels for occupants, impact upon the landscape and promotion of the use by the public.

4.3.3 The County Council has already adopted BREEAM for all new school building projects, including extensions, and is committed to the national requirement of achieving a 'Very Good' rating, with an aspiration to achieving an 'Excellent' rating.

4.3.4 On 4 November 2008, Cabinet endorsed recommendations for the development of a policy framework and associated performance indicators in response to the Government's target for all new schools to be zero carbon by 2016. The design of the both schools will need to achieve a BREEAM 'Very Good' rating as a minimum.

4.4 Access and Inclusion

4.4.1 At its meeting on 11 September 2007, Cabinet reaffirmed the Council's policy of inclusion of children and young people with special educational needs (SEN) in their local mainstream school where appropriate, and of a maximum journey time of 45 minutes each way for children and young people with SEN.

4.4.2 The competition specification for both schools reflected this policy position. The value and benefit of promoting inclusion within schools was supported by both proposers within their bid documents.

Source Documents	Location
<p>DCSF Guidance Document: Establishing a New Maintained Mainstream School – A Guide for Local Authorities Establishing a New Maintained Mainstream School – Decision Makers Guidance Office Of School Adjudicators – Secondary School Competition Decision 19th December 2008 Cabinet Reports: 02 December 2008 - Establishment of Trumpington Meadows Primary School Southern Fringe Determination of Promoter 04 November 2008 - Policy Framework - Zero Carbon Schools 11 September 2007 - New Schools Competition Arrangements Policy and Decision-Making</p>	<p>Education Capital Castle Court Room B202</p>

Process

22 May 2007 - Secondary Educational Provision to
serve Cambridge