

PROVISION OF A SECONDARY SCHOOL IN CAMBOURNE

To: Cabinet

Date: 14th June 2011

From: Executive Director: Children and Young People's Services
and Local Government Shared Services: Director Finance

Electoral division(s): Bar Hill, Bourn, Gamlingay and Hardwick

Forward Plan ref: 2011/045 **Key decision:** Yes

Purpose: To:

- i) update Cabinet on the progress made towards the establishment of a new secondary school to serve Cambourne; and to
- ii) seek Cabinet's agreement to conclude terms for the acquisition of the land required for:
 - a) the new Cambourne secondary school and access road;
 - b) a fourth primary school to safeguard the Council's position should such a school be needed in future.

Recommendation: Cabinet is recommended to

- i) delegate to the Local Government Shared Services (LGSS): Director Finance and the Cabinet Member for Resources and Performance agreement of the terms for the acquisition of the land required for:
 - a) the new Cambourne secondary school and access road;
 - b) a fourth primary to safeguard the Council's position should such a school be needed in future; and to
- ii) support Comberton Education Trust in seeking an exemption from the new schools' competition requirements should its application to promote the new secondary school in Cambourne as a Free School be unsuccessful.

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1.0 Background

- 1.1 In April 1994, outline planning permission was granted for the new settlement of Cambourne to provide 3,300 dwellings. Agreement was reached with the housing developers to provide sites and S106 funding for two 420-place (two form entry (FE)) primary schools. In addition, agreement was reached between the developers, the Principal and Governing Body of Comberton Village College, and the County Council, that Comberton Village College would be the designated catchment school for children of secondary school age living in Cambourne.
- 1.2 S106 funding was secured for the expansion of Comberton Village College to 1500 places (10FE) for 11-16 year olds and the S106 agreement signed between the school and the developer.
- 1.3 Comberton Village College is a highly successful, popular and over-subscribed school. Current forecasts show that the College will be full to its 1500 place capacity for the 11-16 age range by September 2013. The College's Governing Body has made clear that it does not want the school to increase in size.
- 1.4 Since building work commenced, Cambourne has developed rapidly. In addition, more family housing has been provided than originally planned in response to identified need.
- 1.5 In 2007, the developers submitted a planning application to build an additional 950 dwellings. This was subsequently approved by South Cambridgeshire District Council in December 2010, thus increasing Cambourne to 4,250 homes.
- 1.6 A third primary school opened in September 2009.
- 1.7 Cambourne is now of a sufficient size and population to have its own, viable secondary school. Comberton Village College agree the need for a new secondary school in Cambourne.
- 1.8 In January 2011, Cabinet approved the new Children and Young People's Services (CYPS) five year rolling programme of capital investment as part of its Integrated Planning Process (IPP). The programme provides for £20m to be invested in a new 750 place (5FE) secondary school in Cambourne. Council subsequently approved the IPP at its meeting in February 2011.

2.0 MAIN ISSUES

2.1 Site Acquisition

Two potential sites were identified and discussions were held with the respective owners or those with controlling interests.

- Circa 10 hectares (ha) of agricultural land to the west of Cambourne in the ownership of the Topham Family (**Option 1**)
- On the Cambourne Business Park opposite South Cambridgeshire Hall. (This option still required some of the Topham family land for the provision of the playing fields.) (**Option 2**)

- 2.1.1 Following detailed investigation of **Option 2** it became clear that the owners of the Business Park, Development Securities, were unable to secure the support of their partners for the site to be used for a secondary school. Therefore, in March 2011 the decision was taken not to proceed any further with this option but to concentrate on Option 1.
- 2.1.2 Since this decision a series of meetings have followed in quick succession and significant progress has been made. Negotiations on the terms for the acquisition of the site have largely been concluded. The Council has secured agreement that it will acquire the freehold of the site. However, the owners have not been prepared to accept the Council's independent valuation of the land. Whilst higher than the Council's valuation, the sum for the freehold of the site and access can be met from the overall capital project allocation of £20m. The site area is of sufficient size to build the secondary school and a fourth primary school should there be a need for an additional primary school in the future.
- 2.1.3 Promptly concluding the acquisition of the site in Option 1 will enable the delivery of a secondary school and site for a fourth primary in Cambourne by the required date of September 2013.
- 2.1.4 Cabinet is asked to agree to delegate to the Local Government Shared Services (LGSS): Director Finance and the Cabinet Member for Resources and Performance agreement of the terms for the acquisition of the land required for:
- a) the new Cambourne secondary school and access road
 - b) a fourth primary to safeguard the Council's position should such a school be needed in future.

2.2 School Design and Build

Following a competition between the Council's framework contractors for a design and build solution, a preferred contractor was appointed early in March 2011. Site surveys, including ecological surveys, were undertaken almost immediately to inform submission of the planning application. This will need to be submitted in September 2011. The other key milestones are:

- The need to secure planning approval by January 2012
- Start on site for construction by May 2012 to enable completion of the build by May 2013. This will allow sufficient time to enable fit out, commissioning and occupation of the building for the start of the Autumn term in September 2013

- 2.2.1 A Project Team has been established and a Design Stakeholder Group comprising representatives of South Cambridgeshire District Council, Cambourne Parish Council and the Comberton Education Trust will meet monthly to ensure that the scheme as it develops is supported by those with an interest in the project. The involvement of the Comberton Education Trust in the project reflects that it is likely to be the promoter of the new secondary school in Cambourne. This issue is covered in more detail in section 2.4.

2.3 Land Use Planning

While there is widespread acknowledgement of the need for Cambourne to have its own secondary school, there will be some concerns that development of the

substantial built form of a secondary school in open countryside will encourage further applications for housing development and the expansion of Cambourne itself. It is reasonable to assume, therefore, that there will be individual objections to the planning application.

- 2.3.1 The planning application for the secondary school will be determined by the County Council as a Regulation 3 application. However, South Cambridgeshire District Council as the local planning authority and the master planning authority for Cambourne is a key consultee. Its views will carry significant weight. An objection by South Cambridgeshire District Council to the application would represent a significant risk to a successful outcome.
- 2.3.2 The site west of Cambourne is currently used for agricultural purposes and, as such, is classified as open countryside. The planning application for a school on this land is a departure from the local development plan (LDF). The potential exists, therefore, for the Secretary of State to “call in” a County Council decision to grant planning permission for the school for review.

2.4 New School Promoter

Under current education law (the 2006 Education Act), local authorities are required to run a competition for every new school for which they identify a need unless they can secure the Secretary of State’s approval for an exemption from having to do so. The competition process takes around 9 months to complete.

In 2007 Cabinet adopted a policy of running competitions for all new schools except in the case of primary schools resulting from the amalgamation of existing infant and junior schools.

- 2.4.1 The Education Bill 2010 proposes changes to the process for establishing new schools. Under the proposed arrangements, where a Local Authority considers there is a need for a new school in its area, rather than moving straight to a competition it would first seek to establish an Academy (including Free Schools).
- 2.4.2 In November 2010, a parental survey on the future provision of secondary education in Cambourne was undertaken. The overwhelming majority of responses supported the option of a new secondary school in Cambourne which maintained a formal link to Comberton Village College.

In response, the Comberton Education Trust submitted an outline proposal to the Secretary of State to establish the new secondary school as a Free School. A formal application was submitted in May 2011. If the Secretary of State gives in principle approval to the application, a business plan will be prepared which will include details of capital funding available. The earliest date by which in principle approval will be received is September 2011.

- 2.4.3 Given the need for additional school places to be available to meet the needs from Comberton Village College’s catchment area no later than September 2013, Cabinet is asked to give its support to the Comberton Education Trust in securing an exemption from the competition process should its Free School application be unsuccessful.

3. ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING

3.1 Supporting and protecting vulnerable people when they need it most

3.1.1 There are no significant implications for this priority.

3.2 Helping people live healthy and independent lives in their communities

3.2.1 There are no significant implications for this priority.

3.3 Developing the local economy for the benefit of all

3.3.1 The following bullet points set out details of the implications for this priority:

- The provision of a secondary school in Cambourne for 11-16 year olds provides a location within the community from which to provide other services such as adult learning and training, post 16 provision and targeted youth service and careers advice.

Potential beneficiaries of such services may currently be deterred from accessing them at Comberton Village College which is 8 miles from Cambourne

- The secondary school will be a significant employer within Cambourne

3.4 Ways of Working

3.4.1 The following bullet points set out details of the implications for this priority:

- The Council's role is that of commissioner of the new secondary school in Cambourne rather than the provider. If Comberton Education Trust is successful in securing approval to establish the school as a Free School it will receive its revenue funding direct from Government as a publicly funded independent school. The Trust will make all decisions relating to the financial affairs, organisation and management of the school.
- Although Cambourne is well provided for by way of community facilities, the Comberton Education Trust is discussing with community representatives whether there are currently any unmet needs that may be provided for as part of the secondary school accommodation.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource and Performance Implications

4.1.1 Some gains have been made by the Council in its negotiations with the land owners in that it will now acquire the freehold rather than a long lease which may have placed restrictive covenants on the Council.

4.1.2 The owners' valuation is higher than the Council's independent valuation. However, the sum that the Council would be required to pay for the site and its access can be contained within the overall capital project allocation of £20m identified in the CYPS five year rolling capital programme.

- 4.1.3 Due to existing pressure on places in some year groups at Comberton Village College the Council is providing free transport to a number of children from the College's catchment to secondary schools in Cambridge. If secondary school provision is not made in Cambourne by 2013 the Council faces the prospect of having to transport a large number of children some distance to other secondary schools with available spare capacity. This will not be popular with the Cambourne community and will be potentially damaging to the Council's reputation.

4.2 **Statutory, Risk and Legal Implications**

- 4.2.1 The Education Bill 2010 includes an expectation that all new schools will be either Free Schools or Academies. There is some uncertainty at present how this aspiration sits alongside the current statutory requirement to hold a competition to establish a new school. Further guidance is still awaited from the Department for Education (DfE). In the meantime, the Council has to work on the basis of the current legislation. It is proposed to support the Comberton Education Trust in securing an exemption from competition should it be unsuccessful in its application to establish the new school in Cambourne as a Free School.
- 4.2.2 The key risks for successful delivery of this project remain the tight timescale for the design and build scheme and the need to obtain planning consent on an application which is a departure from the local development plan.

4.3 **Equality and Diversity Implications**

- 4.3.1 The school will operate as a catchment area school serving Cambourne. The school will admit children in accordance with the Government's Admissions Code and the Council's policies on inclusion for children with Special Educational Needs (SEN).

4.4 **Engagement and Consultation**

- 4.4.1 As indicated in section 2.2.1, a Design Stakeholder Group has been established which includes representatives from South Cambridgeshire District Council and Cambourne Parish Council.
- 4.4.2 The planning application for the new school will be subject to extensive pre-application consultation in accordance with the Council's Statement of Community Involvement. The planning application is also subject to a statutory consultation process.
- 4.4.3 The County Councillor for Bourn and the Parish Council support the provision of a secondary school in Cambourne. The Parish Council supports the location of the school on land west of Cambourne.

| Source Documents | Location |
|---|--------------------------------|
| Cambourne Parental Survey November 2010 Briefing Note for Members on Secondary School Provision in Cambourne Pupil Forecasts from CCC Research Group Draft Heads of Terms – (confidential) | B202 Castle Court Cambridge |