

EXPANSION OF PRIMARY SCHOOL PROVISION IN KENNETT

To: **Children and Young People's Committee**

Meeting Date: **14th November 2017**

From: **Executive Director, People and Communities**

Electoral division(s): **Burwell**

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

Purpose: **To consider the impact of a 500 home development in Kennett on the future provision of primary school places in the village.**

Recommendation:

- a) to approve the proposal to relocate the Kennett Primary School (KPS) onto the site secured within the new housing development and expand it by an additional 105 places to provide 210 places (1 form of entry (1FE))**
- b) to support the application to be made by the Staploe Education Trust to the Office of the Regional Schools' Commissioner for the relocation and expansion of the Kennett Primary School; and**
- c) to agree that the site of the existing primary school should be declared surplus to education requirements once the relocation of the school to its new site has been completed.**

<i>Officer contact:</i>		<i>Member contact:</i>	
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1. BACKGROUND

- 1.1 The Council, the local Children's Services Authority, is responsible for planning, reviewing and commissioning educational services, including the establishment of new schools. It has a statutory duty to provide a school place for every child living in its area of responsibility who is of school age and whose parents want their child to be educated in the state funded sector. To achieve this, the Council has to keep the number of school places under review and to take the appropriate steps to manage the position where necessary.
- 1.2 Kennett is a small village in East Cambridgeshire close to the town of Newmarket and closer still to the County boundary with Suffolk. It has a population of approximately 350 people.
- 1.3 Kennett Primary School (KPS) is sponsored by the Staploe Education Trust and operates as a 105 place primary school with a Published Admission Number (PAN) of 15. In the 2016/17 academic year the school had 95 pupils on roll. Due to its close proximity to the county border, 70 of these pupils are resident in Suffolk and do not live within the school's catchment area. There are 20 in catchment children on roll and pupil forecasts, unadjusted for major housing development, suggest that this figure would be unlikely to increase as current age-related birth cohorts remain in single figures.
- 1.4 The school changed its age range in September 2016 to 3-11 and admits children from the age of three (mornings only) into its early years foundation stage class. This change was made following the sudden closure of an independent provider of early years and childcare in the village.
- 1.5 KPS is on an extremely constrained site. There is no potential to expand the school and the facilities currently available do not provide a learning environment commensurate with other primary schools and neither do they not meet the requirements of the accommodation guidelines prepared by the Department for Education (DfE) in its most recent Building Bulletin (BB103).
- 1.6 Against this backdrop, Palace Green Homes are promoting a plan to develop a new garden village of around 500 homes on land at Kennett. This proposal has been included as a housing allocation in the East Cambridgeshire Submission Local Plan approved on 5th October 2017 and the applicant intends to submit an outline planning application in December 2017. It is anticipated that the development could receive approval in the summer of 2018 with work on site commencing early in 2019.
- 1.7 There is, therefore, a need to consider the implications of this development for the future of primary school provision in the village.

2. MAIN ISSUES

Demography

- 2.1 Using the Council's child yield multipliers, the garden village development of 500 homes would, based on the indicative housing mix put forward by the applicant, generate a forecast need for around 131 additional primary school places at Kennett Primary School.

- 2.2 The developer has agreed the basis for the above calculation for the purposes of the pre-application discussions which have taken place on the planning obligations to be included in the section 106 agreement.
- 2.3 There will be an ongoing need to provide around 20 places for present and future children who will live within the established (existing) village of Kennett. This will take the total demand for places from the village (the catchment area) to 150.
- 2.4 The development of 500 homes represents the first phase in the development of the garden village. There are longer term plans to expand the settlement further and there is sufficient land to do so.
- 2.5 As stated earlier, Kennett Primary School is a popular school with 70 pupils attending from Suffolk in 2016/17, mostly from the nearby village of Kentford. These children will have a right to continue their education within Kennett Primary School until the age of 11.
- 2.6 It would seem appropriate, therefore, to plan for the provision of 210 primary school places to meet the existing and future needs of the area.

Primary School Sites

- 2.7 The planning application will be for up to 500 dwellings and associated new facilities to include a primary school and other retail opportunities focused around a new village square. The school is proposed in its location to help create a new focal point for community facilities in Kennett and thereby make a wider contribution to the development as a whole.
- 2.8 The developer has offered a site of 2.3 hectares for the primary school. This is sufficient to provide for a 420 place primary school with early years provision. The site is, therefore, larger than the Council would normally seek for the size of school required to serve a development of 500 homes. However, the allocation of the primary school site reflects the developers' wish to plan strategically, ensure that the school contributes to the development of the new community and that the school can be expanded further should the garden village grow beyond the 500 homes which are the subject of the current application. Officers welcome this attitude, which should prevent the sorts of problems we have experienced on some other developments, for example Loves Farm in St Neots, where too small a site has been provided for the eventual need.
- 2.9 The site of the existing primary school is extremely constrained and there is no potential for any expansion. Current facilities are limited and have an impact on the delivery of the curriculum, in particular, the absence of an adequately large dedicated space for physical exercise, school assemblies and other learning activities. The school has no playing field. It is also located on a busy main road with no car parking available.

School Planning and Organisation

- 2.10 The Council's preferred approach is to plan new schools on the basis of whole forms of entry and no smaller than 210 places or 1FE. The reasons for this are that:
- this both facilitates single year group teaching and the implementation

of Infant Class Size legislation. This legislation limits Key Stage 1 class sizes to 30 pupils to a teacher. These limits can only be exceeded in very few circumstances.

- larger schools are more financially robust and more able to sustain key leadership roles and specialist roles such as a Special Educational Needs Co-ordinator (SENCO). The two-school solution (see 2.14 below) would be significantly less economically viable and sustainable.

- 2.11 The nearest alternative primary schools in Cambridgeshire, Fordham and Ditton Lodge, cannot be expanded to accommodate the number of children that will be generated by the garden village development. These schools are also more than the statutory 2 mile walking distance from Kennett (4.7 and 5.9 miles respectively) so the Council would incur the significant revenue costs of providing home to school transport should it elect to provide the places required at them.
- 2.12 Discussions with officers of Suffolk County Council have confirmed that while children living in Suffolk, particularly the nearby village of Kentford, may continue to express a preference for attending Kennett Primary School, there are sufficient places available and planned to accommodate these children within Suffolk schools if that proves to be necessary. This may be the case as demand for places from within Kennett Village grows albeit over what will be a lengthy period of time.

Conclusion

- 2.13 The most appropriate education solution in response to the significant growth of Kennett village would be the provision of a new primary school of 210 places (1FE) on the site allocated by the developer as part of the planning application. The age range of the school would remain unaltered (3-11) with expanded early years provision also being made available.
- 2.14 If the needs of the garden village alone were met through the creation of a new school this would result in the provision of two very small primary schools within the village of Kennett; KPS would continue to provide 105 places and the new school, potentially under a different sponsor, 150 places. It would also mean that an opportunity to address some of the accommodation deficiencies and physical constraints upon the existing primary school will be lost.
- 2.15 Council officers have, therefore, been working with the Staploe Education Trust on a proposal to relocate the existing KPS to the primary school site identified within the 500 home garden village and expand it to provide 210 places in new build accommodation. This proposal has significant capital funding and asset disposal issues which are covered in section 4 of the report.

3. ALIGNMENT WITH CORPORATE PRIORITIES

3.1 Developing the local economy for the benefit of all

Providing access to local and high quality education and associated children's services will enhance the skills of the local workforce and provide essential childcare services for working parents or those seeking to return to work. The school and early years and childcare services are providers of local employment.

A new school in this location will support the development of the homes required to support economic growth. A proportion of the housing will be affordable.

3.2 Helping people live healthy and independent lives

If pupils have access to local schools and associated children's services, they are more likely to attend them by either cycling or walking rather than through local authority provided transport or car. They will also be able to more readily access out of school activities such as sport and homework clubs and develop friendship groups within their own community. This will contribute to the development of both healthier and more independent lifestyles

3.3 Supporting and protecting vulnerable people

Providing a local school will ensure that services can be accessed by families in greatest need within its designated area.

4. SIGNIFICANT IMPLICATIONS

4.1 Resource Implications

Capital Funding

The Council will seek developer funding through a section 106 agreement to mitigate the impact of the new development of 500 homes. This will require the developer to pay a significant proportion of the cost of a new 1FE primary school with early years provision. The current cost of such a school based on most recent contract prices would be in the region of £5.7m. The County Council would need to invest in the project to cover the cost of that part which covers the relocation of the existing provision and a number of funding sources would need to be considered.

The existing school site occupied by KPS, which is subject to a 125 year lease under the provisions of the Academies Act 2010, would be declared surplus to education requirements on the successful relocation of the school to its new site within the garden village. The Commercial and Investment Committee would then decide how best to maximise the value it could achieve from this site. A valuation of the site is being sought. The value achieved from the site would be used to support the Council's overall capital programme.

The Council's current policy in respect of the disposal of assets subject to a lease pursuant to the Academies Act 2010 was adopted by the Assets and Investment Committee in

September 2016. The policy assumes that approval to a disposal will be given where a fixed percentage share (50%) of any enhanced value or receipt is returned to the County Council to be re-invested in Council services. The Academy is also required to demonstrate that the asset is not required for educational use in the future.

When the Trust relocates KPS to the new site within the garden village and vacates the site it currently occupies, the lease will be surrendered and the site will revert to the Council, subject to approval by the Secretary of State. If approval is forthcoming, which is highly likely because of the benefits that the project brings, the Council will have freehold ownership of the site without any encumbrances and its policy in respect of disposals (see above) can be applied.

There is a strong argument in this case for the Council having 100% of the value of the site returned to it for re-investment in this particular project on the basis of:

- The service need
- The funding gap between what will be provided through the section 106 agreement and the full cost of the relocated and expanded 210 places school
- The Council is likely to be procuring the new school buildings and, therefore, taking on any development risks.
- The Council will be entering a new 125 lease with the Staploe Education Trust for new buildings on a substantially larger site which in itself will have an enhanced value compared with the lease for the current site occupied by the KPA
- There is no certainty that the Education Skills and Funding Agency will invest capital funding in this project (see below)

A discussion would be required between the Council, the Staploe Education Trust and the ESFA about how the relocation and improvement of existing provision would be funded. The Council does receive capital funding for providing extra places but an element of the scheme would involve the improvement of the existing sub-standard facilities of an academy school (KPS). It is the responsibility of the ESFA to allocate capital funding for condition and suitability issues across the academy estate.

Revenue Funding

As a relocated Academy school which will be expanded to meet the impact of the new development as it grows, the Trust will need to agree with the Council that it receives growth funding based upon an estimate of future numbers in the next academic year. This would be funded from the growth fund which is created from centrally retained Dedicated Schools Grant (DSG). The growth fund, £2.5m in 2017/18, supports both maintained and academy schools and the amount and eligibility criteria are approved by Schools Forum on an annual basis.

However, the cost to the DSG of expanding an existing school is less than providing a new basic need academy school. A new school would also receive an allocation of funding for pre-opening costs (£150K) and diseconomies funding in addition to funding growth in pupil numbers on an annual basis until filled to capacity. The current amounts payable are set out in the Council's New Schools' Funding Policy.

Recently published national schools funding guidance refers to the need to explore options

for funding growth in the future including the use of projections and in-year funding adjustment. As such the arrangements above are subject to change based on national policy.

4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

New accommodation for schools which are designed and built by the Council are done so under its design and build contract framework arrangements.

4.3 Statutory, Legal and Risk Implications

The Council will grant a standard 125 year Academy lease to the Staploe Education Trust for the site of the relocated and expanded school within the Kennett garden village. Use will be made of the model lease prepared by the DfE as this protects the Council's interest by ensuring that:

- The land and buildings would be returned to the Council when the lease ends.
- Use is restricted to educational purposes only.
- The Academy is only able to transfer the lease to another educational establishment provided it has the Council's consent.

The Academy (depending on the lease wording) is only able to sublet part of the site with approval from the Council.

The Council will acquire the site for the relocated and expanded school within the garden village development under the terms negotiated in a section 106 legal agreement. It can, therefore, further protect its position if it wishes to secure the full receipt for the disposal of the existing KPS site by making the transfer of the new site dependent on 100% transfer of the asset value being agreed by the Staploe Education Trust and the ESFA. A relevant clause to this effect could be included in the transfer agreement for the new site.

4.4 Equality and Diversity Implications

The accommodation provided for delivery of early years and childcare and primary education will fully comply with the requirements of the Public Sector Equality Duty and current Council standards.

As part of the planning process for new and expanded schools, local authorities must also undertake an assessment of the impact, both on existing educational institutions locally and in terms of particular groups of pupils from an equalities perspective

4.5 Engagement and Communications Implications

The initial Masterplan for the garden village was produced as a response to feedback gathered from the local community over a consultation weekend in 2016. More than 100 local residents took part in the event and the applicant is confident that it has captured the views of the communities of Kennett, Kentford and other surrounding villages. The outcome of this work was presented at a public meeting in the village of Kennett and amendments to the plan have been made since and prior to the submission of the planning application.

There will be further statutory consultation period on the application once it is submitted.

The KPS is its own admissions authority. It will be required to consult the local community and parents on any relocation and expansion proposal before it presents its business case to the Office of the Regional Schools' commissioner for approval.

4.6 Localism and Local Member Involvement

The local member for Burwell is Councillor Joshua Schumann. He is a Director of the Staploe Education Trust and a Trustee. He will be seeking advice from Democratic Services regarding the nature of his interest and the comments that he is able to make.

4.7 Public Health Implications

An increase in the school population places an additional demand on Public Health commissioned services such as school nursing, vision screening, National Childhood Measurement Programme, school-based immunisation programmes.

Implications	Officer Clearance
Have the resource implications been cleared by Finance?	Yes Name of Financial Officer: Martin Wade
Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement?	Yes Name of Officer: Paul White
Has the impact on statutory, legal and risk implications been cleared by LGSS Law?	Yes Name of Legal Officer: Fiona MacMillan
Have the equality and diversity implications been cleared by your Service Contact?	Yes Name of Officer: Keith Grimwade
Have any engagement and communication implications been cleared by Communications?	Yes Name of Officer: Matthew Hall
Have any localism and Local Member involvement issues been cleared by your Service Contact?	Yes Name of Officer: Keith Grimwade
Have any Public Health implications been cleared by Public Health	Yes Name of Officer: Raj Lakshman

Source Documents	Location
<p>Kennett Garden Village – illustrative masterplan</p> <p>Note of meeting with Palace Green Home – December 2016</p> <p>Email from Staploe Education Trust September 2017</p> <p>Report to Assets and Investment Committee 2016</p> <p>Minutes of Assets and Investment Committee – September 2016</p> <p>School Pupil forecasts - August 2016</p> <p>New Schools Funding Policy 2016</p> <p>Criteria for Funding Growth in Schools - 2016</p>	<p>Ian Trafford 0-19 Area Education Officer</p> <p>OCT1213 Shire Hall Cambridge CB3 0AP</p>