

ESTABLISHMENT OF A NEW PRIMARY SCHOOL AT WINTRINGHAM PARK, ST NEOTS

To: **Children and Young People Committee**

Meeting Date: **14 November 2017**

From: **Wendi Ogle-Welbourne, Executive Director: People and Communities**

Electoral division(s): **St Neots East and Gransden**

Forward Plan ref: **N/A** *Key decision:* **No**

Purpose: **a) To advise the Committee of the outcome of the process adopted by the Council to discharge the statutory requirement, under the Education Act 2011, to seek an Academy or Free School sponsor for a primary school to serve the Wintringham Park development which is part of the St Neots Eastern Expansion, and the existing Loves Farm community; and**

b) to seek the Committee's endorsement of the Diamond Learning Partnership Trust as the Council's preferred sponsor for this new primary school.

Recommendation: **Members are asked to:**

a) Endorse the Diamond Learning Partnership Trust as the Council's preferred sponsor for a primary school to serve Wintringham Park and the existing Loves Farm community.

| <i>Officer contact:</i> | <i>Member contact:</i> |
|---|---|
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1.0 BACKGROUND

- 1.1 The Council as the local Children's Services Authority, 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 educated in the state funded sector. To achieve this, the Council has to keep the number of school places under review and to take appropriate steps to manage the position where necessary. The Education and Inspections Act 2006 also requires local authorities to adopt a strategic role, with a duty to promote choice, diversity and fair access to school provision.
- 1.2 The Council has a statutory duty under the Childcare Act 2006 to secure sufficient childcare for parents to work or to undertake education or training which could lead to employment (section 6) and secure free early years provision for all 3 and 4 year olds (and up to 40% of 2 year olds who meet nationally set eligibility criteria) of 15 hours a week, 38 weeks a year, of early years education.
- 1.3 The Childcare Act 2016 is an extension to this entitlement and from September 2017 has provided for an additional 15 hours (per week 38 weeks per year) of free childcare for 3 and 4 year old children who meet the following eligibility criteria. The criteria are stated as:
- both parents are working (or the sole parent is working in a lone parent family)
 - each parent earns, on average, a weekly minimum equivalent to 16 hours at national minimum wage and less than £100,000 per year
- 1.4 Huntingdonshire District Council (HDC) is in the process of developing its Local Plan to replace its Core Strategy (adopted in 2009). It identifies sites for development and infrastructure up to 2036 and includes supplementary vision documents that aim to guide growth within every village and town within the district. The Consultation Draft stage and Call for Sites closed on 25th August. There is currently a consultation on a further Housing and Economic Land Availability Assessment (HELAA). This includes an assessment of new sites submitted within this summer's Call for Sites consultation. Comments on the further HELAA consultation and the Consultation Draft 2017, will inform the final version of the plan, the Proposed Submission Draft, which is scheduled for December 2017.
- 1.5 One of the two strategic sites in HDC's Local Plan is the St. Neots Eastern Expansion, comprising two developments, Wintringham Park and Love's Farm 2. On completion, the St Neots Eastern Expansion will consist of over 3,820 dwellings. The original Love's Farm development is already completed and includes 1,438 dwellings. The Round House Primary Academy, serving Love's Farm, opened in September 2008.
- 1.6 The Council has identified the need to establish a further three primary schools with early years facilities to serve the Eastern Expansion, two at Wintringham Park and one at Loves Farm 2.
- 1.7 The 2011 Education Act sets out the following requirements for Local Authorities with regard to the establishment of new schools:
1. The Council has to seek proposals for the establishment of an

Academy or Free School, and specify the date by which proposals must be received.

2. Following the published closing date by which proposals should have been submitted, the Council must contact the Secretary of State for Education, to outline the steps it has taken to secure applications for the establishment of an Academy or Free School, together with details of any which have been received.

Only if no Academy or Free School proposals are received, can the Council seek the Secretary of State's permission to begin a competition process to establish a maintained school under the provisions set out in the 2006 Education Act.

2.0 PRIMARY PROVISION TO SERVE THE ST NEOTS EASTERN EXPANSION STRATEGIC DEVELOPMENT SITE

- 2.1 The Wintringham Park and Love's Farm 2 developments are forecast to generate demand for around 1,350 primary school places (the equivalent of 6.4 FE). The table below shows the forecast demand for places for primary aged children (4-11 year olds) in the first 5 years. It has been compiled using forecast data received from Huntingdonshire District Council for the build out of the new development.

| Demographic Forecast for number of Primary Places Required. | | | | | |
|--|----------------|----------------|----------------|----------------|----------------|
| Wintringham Park | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
| Forecast Demand for Primary Places | 34 | 52 | 87 | 87 | 87 |

- 2.2 The first of three new primary schools is required to open in September 2018. This will ensure there is school provision for the new families moving into the Eastern Expansion as well as other local children from the existing community of Loves Farm. The school will open in temporary accommodation in September 2018. Feasibility work is currently taking place on 3 possible locations for the temporary school site including at The Round House Primary School. The school will move into its permanent new buildings in September 2019. It will open in September 2018 with a Published Admission Number (PAN) of 10 in Reception and 5 in Year 1. The school will be expected to admit in other year groups as housing on the development builds out.

3.0 ACADEMY/FREE SCHOOL SPONSOR PROCESS AND OUTCOME

- 3.1 The main elements of the sponsor selection process date back several years as they were established in response to the requirements of the 2006 Education Act. The process was reviewed and updated in 2012 to take account of the requirements of the 2011 Education Act, receiving Cabinet approval on 17 April 2012. More recently, some slight adjustments have been made to take account of the Council's implementation of a Committee system in place of its Cabinet. An outline of the process is provided in **Appendix 1.**

- 3.2 In February 2016, the Council published both a local and a national press announcement setting out the need for a new primary school to serve the Wintringham Park development. Potential sponsors were invited to submit proposals by 22 April 2016, to establish and run the school either as an Academy or Free School. A Background Information document and a detailed School Specification document were produced to support potential applicants/sponsors in developing their proposals and were published on the Council's website. The documents were also sent to the Department for Education (DfE).
- 3.3 Two proposals were received by the 22 April 2016 deadline from:
- The Diamond Learning Partnership Trust
 - The St. Neots Learning Partnership Trust

Copies of the executive summaries of the applications are attached at **Appendices 2 and 3** and are also available to either view or download from the Council's website at:

<https://www.cambridgeshire.gov.uk/residents/children-and-families/schools-&-learning/school-changes-&-consultations/new-primary-school-for-st-neots-eastern-expansion/>

- 3.4 Following Huntingdonshire District Council's Planning Committee's decision to refuse the housing developer's planning application, the decision was taken in May 2016 to pause the sponsor selection process in the expectation that the developer would lodge an appeal. It was agreed that the bids received from the potential sponsors would be carried forward when confirmation was received that the planning issues had been resolved.
- 3.5 These issues have now been resolved with a new developer, Urban & Civic, taking over the site. Following discussions with the DfE, the Council resumed the sponsor selection process on 4 September 2017.
- 3.6 A public meeting was held on 27 September 2017 when representatives from the two potential sponsors presented their proposals and answered a range of questions from local residents and interested stakeholders. There were approximately 12-15 members of the public among a total attendance of around 50 people. Three Members also attended, as did a representative of the Regional Schools Commissioner's office.

Questions raised related to:

- the way in which the Love's Farm community would benefit from the Wintringham Park school;
- what the new catchment for the school will be;
- how we know that the new school(s)/places proposed will be sufficient in another 10 years given the way the number of houses tends to exceed the original development proposals;
- the proposals for the temporary school site;
- an outline from sponsors about their childcare and wrap-around offer, including opening hours;
- a request for an explanation of the timescales, particularly with regard to admissions, given the uncertainty over which sponsor will be leading and managing the school and the need for a temporary site;
- how residents will be kept informed about the decisions that have been made, by whom and when.

- 3.7 The joint member/officer Assessment Panel met on 29 September 2017 to interview and assess each potential sponsor's application against the criteria detailed in the School Specification document. The interview panel comprised three Members of the Children and Young People Committee, including the Local Member for St Neots East and Gransden, plus five officers. A copy of the assessment criteria used by the Panel, together with the details of the membership of the panel is provided in **Appendix 4**.
- 3.8 The Assessment Panel was unanimous in its view that the Diamond Learning Partnership Trust should be awarded the opportunity to establish and run the school in preference to the St Neots Learning Partnership. The particular strengths of their proposal were:
1. An ability to evidence clearly, and provide examples, that they understand in detail the challenges and opportunities for children and their families in the locality; that they have in-house expertise in leading and managing a primary school on a new development and have a clear plan, including leadership arrangements, which will ensure the Trust's support for the new school and community from day one.
 2. The Trust has built internal capacity in leadership, teaching and support roles which can be transplanted to the new school from the outset without causing negative implications for existing schools within the Trust. There are clear support structures within the 'hub' model of the Trust for teaching, curriculum development, school improvement/challenge, ongoing training and professional development and the close involvement of governors, who include representatives from the school communities.
 3. There is clear evidence of learning about transition from taking on other schools in the Trust. There is excellent support for children, including nursery nurses used within KS1. There is a robust training, retention and challenge model for teachers to draw upon.
 4. There is a very clear and strong governance model which has been developed and refined, including use of and communication through parent governors. There was evidence of robust financial monitoring and forwarding planning. The Trust invests in new skills and staff development where resources allow and gaps have been identified, for example in play therapy. There are established and well-used models for sharing resources at all levels across the Trust which evidence clear forward-planning and anticipation of both individual school/locality needs and the development of Trust expertise.
 5. There is evidence of a clear strategy and mechanisms for championing the needs of disadvantaged or vulnerable children and narrowing their attainment gaps with peers, for example inclusion staff working from the outset to help parents engage with and develop their children's reading.
- 3.9 All the information used by the Assessment Panel to reach its recommendation to Committee has been forwarded to the DfE. The outcome

of Committee's consideration of the proposals will be forwarded to the Department for Education on 15 November 2017.

- 3.10 Officers have been advised that the proposals will be considered and a decision made by the Regional Schools Commissioner, and her Head Teacher Board, at its meeting on 16 November 2017, regarding which potential sponsor they will recommend that the Secretary of State enters into a funding agreement with.

4.0 ALIGNMENT WITH CORPORATE PRIORITIES

4.1 Developing the local economy for the benefit of all

- 4.1.1 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.

4.2 Helping people live healthy and independent lives

- 4.2.1 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.

4.3 Supporting and protecting vulnerable people

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

5.0 SIGNIFICANT IMPLICATIONS

5.1 Resource Implications

- 5.1.1 New academy schools receive a combination of Council and Education and Skills Funding Agency (ESFA) funding. The main funding will be based on the local formula applied to all schools, but will need to include diseconomies funding to reflect the costs incurred whilst the new school fills to capacity.

5.1.2

| Funding: | Funding Body: | Detail: |
|---|----------------------|--|
| Local Formula Funding | ESFA | Based on the Council's local formula. Funding recouped from the Council and allocated by ESFA (some factors based on county averages in initial years) |
| 16-19 Formula Funding (where appropriate) | ESFA | Based on National 16-19 Formula |
| Pupil Premium | ESFA | Based on National Pupil Premium funding rates |
| Funding for Education Services | ESFA | Based on National Education Services Grant (ESG) funding rates |

| | | |
|---------------------------------|----------------------|---|
| Insurance Grant | ESFA | Additional funding available to support insurance costs |
| Diseconomies Funding | Local Authority | Funding from the Growth Fund to recognise costs whilst the school fills to capacity. |
| Pre-opening Revenue | Local Authority | Funding from the Growth Fund to recognise the costs involved in establishing a new school |
| High Needs Pupil Top-Up Funding | Home Local Authority | Top-Up funding for pupils with statements of SEN |

- 5.1.3 Where a new school (other than a free school) is opening, local authorities are required to estimate the pupil numbers expected to join the school in September to generate funding through the Authority Proforma Tool (APT). Local authorities should also estimate pupil numbers for all schools and academies, including free schools, where they have opened in the previous seven years and are still adding year groups. These estimates should be adjusted each year to take account of the actual pupil numbers in the previous funding period. For academies an allocation of funding is recouped from each local authority and following formula replication by the ESFA an annual grant allocated.
- 5.1.4 Alongside the main formula funding, the Council is required to have a centrally-retained Growth Fund to fund post start-up costs and any diseconomy of scale costs for new schools provided to meet basic need and to support schools anticipating growth, including academies. The fund has been created from a top-slice from the schools block distribution total prior to budget setting. The amount in the fund and the criteria for its allocation are agreed by Schools Forum. The ESFA will continue to fund start-up and diseconomy costs for new free schools.
- 5.1.5 Pre-opening funding for Primary Schools is currently £50,000 and is calculated on the basis of 1 term prior to the date of opening. Post-opening diseconomies funding is provided at the rate of £125 for each new mainstream place created in the primary phase on an annual basis, plus an additional allocation to reflect the number of year groups that the school will ultimately have that do not yet have pupils.
- 5.1.6 Final revenue funding amounts for new schools will vary depending on numerous factors. As the majority of the funding will come directly from the ESFA, their application of the local formula factor and national factors is key to determining these amounts.
- 5.1.7 The Government have recently published their responses to the consultations on the National Funding Formula for Schools and High Needs Funding. The full details of the final announcements are currently being assessed, and although no immediate amendments to new schools funding are proposed for 2018/19 it must be noted that the methodology for funding new schools is subject to change dependent on local and national policy changes.
- 5.1.8 Officers are in negotiation with the developers to secure an appropriate level of Section 106 to meet the capital costs of building the new school.

5.2 Procurement/Contractual/Council Contract Procedure Rules Implications

- 5.2.1 All new presumption schools which are designed and built by the Council are done so under its design and build contract framework arrangements.

5.3 Statutory, Risk and Legal Implications

- 5.3.1 There are specific statutory requirements which have been followed in seeking a successful sponsor for the new primary school under the provisions of the Education Act 2011. The process adopted by the Council is compliant with the requirements of the Act.
- 5.3.2 The Council will grant a standard 125 year Academy lease of the whole site (permanent school site) to the successful sponsor based on 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.

5.4 Equality and Diversity Implications

- 5.4.1 The Council is committed to ensuring that children with special educational needs and/or disabilities (SEND) are able to attend their local mainstream school where possible, with only those children with the most complex and challenging needs requiring places at specialist provision.
- 5.4.2 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.
- 5.4.3 As part of the planning process for new schools, local authorities must also undertake an assessment of the impact, both on existing educational institutions locally and in terms of impact on particular groups of pupils from an equalities perspective.

5.4 Engagement and Consultation Implications

- 5.4.1 The process adopted by the Council for consideration of Academy or Free School proposals makes provision for a public meeting at which members of the local community can meet the potential sponsors and ask them questions about their proposals. The public meeting took place on Wednesday 27 September 2017 and was attended by around 50 people.

5.5 Localism and Local Member Involvement

- 5.5.1 The local Member for St Neots East and Gransden, Councillor Julie Wisson along with Councillor Simone Taylor (St Neots, Eynesbury), attended the public meeting and participated in the joint officer/member panel together with Councillor Adela Costello (Ramsey and Bury). Councillors Simon Bywater, Chairman of the CYP Committee, and Peter Downes also attended the public meeting.

5.6 Public Health Implications

5.6.1 New schools will have an impact on the 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 25/09/2017 Name of Financial Officer: Martin Wade |
| Have the procurement/contractual/Council Contract Procedure Rules implications been cleared by Finance? | Yes 25/09/2017 Name of Financial Officer: Paul White |
| Has the impact on statutory, legal and risk implications been cleared by LGSS Law? | Yes 26/09/2017 Name of Legal Officer: Fiona McMillan |
| 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 04/10/2017 Name of Officer: Jo Dickson |
| 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 25/09/2017 Name of Officer: Raj Lakshman |

| Source Documents | Location |
|---|--|
| <ul style="list-style-type: none"> Assessment Panel Evaluation Document Assessment Panel Interview Questions Notes of Public Meeting 27 September 2017 The Diamond Learning Partnership Trust Application The St. Neots Learning Partnership Trust Application Background Information Document February 2016 School Specification Document February 2016 | Daniel Mason 0-19 Place Planning and Sufficiency Officer OCT1213 Shire Hall Cambridge CB3 0AP |

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|---|--|
| <ul style="list-style-type: none">• The free school presumption: DfE advice for local authorities and new school proposers, February 2016• New School Revenue Funding Policy 2016/17 | |
|---|--|