

TELFORD & WREKIN COUNCIL

CABINET: 22ND APRIL 2021

ALLSCOTT FREE SCHOOL PRESUMPTION

REPORT OF THE DIRECTOR OF EDUCATION AND SKILLS

**LEAD CABINET MEMBER: SHIRLEY REYNOLDS – CABINET MEMBER
FOR CHILDREN YOUNG PEOPLE, EDUCATION AND LIFELONG
LEARNING**

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 This report seeks approval to undertake a presumption competition to establish a new primary school at Allscott due to need arising from residential development in the area.
- 1.2 An Academy sponsor needs to be identified to open the new school at Allscott to ensure there is sufficiency of school places in the local area for children moving to the new Allscott development.
- 1.3 It is proposed that the new school would open in September 2023 and provide 150 new primary school places.
- 1.4 The capital costs of delivering the new school will be met by the residential developer.

2. RECOMMENDATIONS

- 2.1 Cabinet to approve the commencement of the presumption competition to find a suitable school sponsor for the proposed Allscott Primary School.

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	<ol style="list-style-type: none"> 1. Every child, young person and adult live well in their community 2. All neighbourhoods are a great place to live
	Will the proposals impact on specific groups of people?	
	Yes	Children and Families living within the Wards served by the proposed school.
TARGET COMPLETION/DELIVERY DATE	September 2021	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	<p>The capital cost of the project will be met by the developer in accordance with a Section 106 agreement. There will be revenue costs associated with opening a new school – the academy sponsor that is successful in its bid to run the school will expect the local authority to provide start-up funding. The amount will be decided through a negotiation with the sponsor and funded using the growth element of the annual Dedicated Schools Grant (DSG) allocation. Once open, the school will be funded by DSG using the school funding formula that is applied to all T&W schools.</p> <p>TD 11.03.21</p>
LEGAL ISSUES	Yes	<p>Legal advice will be provided regarding the detail and documentation relating to any contract/procurement issues, the proposed property arrangements and the planning (Section 106) agreement variation referred to in this report. The Council has a statutory duty to secure that sufficient primary and</p>

		<p>secondary schools are available for its area under Section 14(1) Education Act 1996.</p> <p>Arrangements for establishing new schools were changed when Section 6A (the 'free school presumption') of the Education and Inspections Act 2006 came into force in 2012. This requires that, where a local authority identifies the need for a new school in its area, it must seek proposals to establish an academy (free school). The final decision lies with the Secretary of State following a presumption competition carried out in accordance with the non-statutory guidance in The free school presumption : Departmental advice for local authorities and new school proposers published in November 2019.</p> <p>KF/IR 10.03.2021</p>
<p>OTHER IMPACTS, RISKS & OPPORTUNITIES</p>	<p>Yes/No</p>	<p>There would be a risk to the Local Authority if the presumption competition did not go ahead as we would not be in a position to ensure the new primary school was operational within required timescales. Identification of a Sponsor will allow them to be involved in the detailed design of the school, including the provision of furniture, location of fixtures.</p> <p>If the school build does not proceed or indeed it begins but is not completed by the developer then additional school places would need to be provided at existing schools and pupils in the new housing and any subsequent residential developments would need to travel significant distances to school. This would also result in additional transportation costs for the Local Authority.</p> <p>The Local Authority would be breaching its statutory responsibilities for the supply of school places if the</p>

		<p>new school or additional places were not in place. To mitigate against this risk we would need to provide places at other primary schools and provide transport for pupils.</p> <p>Due to the small size of the school (150 place Village Primary) there is a risk that this may not be seen as an attractive proposition for a suitable sponsor. This risk can be somewhat mitigated by approaching suitable sponsors and working with the Regional School Commissioner's office in the soft marketing phase prior to the presumption.</p> <p>By securing developer funding for the school there is an opportunity for the Council to avoid the need for prudential borrowing in order to deliver its statutory duty to provide sufficient school places.</p> <p>The proposed school is being designed in such a way that it has potential to be expanded to a 1 Form Entry (210 place school) if there is future demand from local residential development. The initial building will comprise core facilities for any future expansion to a 1 Form Entry school.</p>
IMPACT ON SPECIFIC WARDS	Yes	<p>The creation of this new primary school will have the most impact on Wrockwardine ward within which it is located. However, there is potentially Borough wide impact due to parental preference in choosing which schools pupils attend.</p>

4. PART B) - ADDITIONAL INFORMATION

- 4.1 The planning application (TWC/2013/0113) for the erection of a mixed use development, comprising of up to 470 dwellings, was determined on 05/05/2016. The site requires a new school alongside the housing development to provide local infrastructure for the new community.

Adjacent schools sites are more than 2 miles from the development which is the DfE recommended maximum walking distances for pupils under the age of 8 and the council would incur transport costs transporting pupils to either of the school sites. In addition the adjacent school sites are not suitable for expansion.

- 4.2 The council secured funding for a new primary school via the S106 agreement. The developer, S J Roberts, is to fund and construct a new 150 place Primary School on the former British Sugar site at Allscott. A map of the school site is attached to this report at **Appendix A**. Development of the site commenced in January 2020 and of the 200 properties in phase 1, 41 have been completed and 12 are now occupied. The next stage of the development is for 41 dwellings which should be completed by spring 2022. It is anticipated that the whole development will be complete by Spring 2028. The Reserved matters housing site plan is attached to this report at **Appendix B**. The school site and layout of the school is still at a preliminary stage and is yet to be confirmed, prior to submission of the reserved matters planning application.
- 4.3 As Local Authorities are not legally allowed to open and run new schools, the process by which a new school is set up is through a free school presumption. This is a competition run by the Local Authority in conjunction with the Regional Schools Commissioner's Office to identify a sponsor who will be responsible for running the school once built.
- 4.4 Subject to receiving Cabinet approval to proceed, the presumption competition would be run in the second half of the summer term 2021 and then following our review of the submissions the outcome of the competition would be passed to the Regional School's Commissioner to make a final decision on the sponsor on behalf of the Secretary of State in the Autumn term 2021.
- 4.5 The presumption competition consists of the following elements:
- Consultation process with stakeholders and other interested parties.
 - Impact and equality assessments
 - Preparation of new school specification
 - Advertise/market the opportunity to prospective trusts
 - Assessment of proposals/submissions
 - Due diligence checks
 - Local Authority recommendation

- Secretary of State/Regional Schools commissioner approval.
- 4.6 Outline planning consent for the school has been granted (as per the plans at appendix 1) and it is currently envisaged that the developer would submit the reserved matters planning application for the new 150 place school in October 2021. Construction would then commence in May 2022 in order for the school to open in September 2023.
- 4.7 The capital costs associated with the building of the school will be met by the developer. The developer now proposes to also build the school itself which will require a variation to an existing S106 Planning Agreement which currently obliges the developer to make payments to the Council for the Council to undertake the school construction.
- 4.8 Going forward, the developer will need to build a school that will be acceptable to a future Academy. The design of the school will be monitored by the BIT to ensure compliance with the relevant school building guidelines. It is anticipated that the property arrangements will involve the school site, being transferred to the Council and, after the school has been properly constructed/fitted out, the Council granting a 125 year lease to the successful Academy sponsor.
- 4.9 It is the Department for Education's (DfE) expectation that any pre-opening revenue costs as well as post-opening revenue costs in the first year are met through the revenue budget growth fund provided to LA's by DfE. This is to be mutually agreed between the LA and the successful school sponsor.
- 4.10 Allscott is one of two new schools providing additional primary places in the Borough. Proposals are currently being developed alongside the Department for Education for the provision of a further 420 place (2 Form of Entry) Primary free school in Priorslee currently due to open in September 2024. Similarly to Allscott this school will provide school places to meet demand arising from significant housing development with 3,000 plus new houses proposed to be built in this area over the next ten years.
- 4.11 There is also a significant increase in the demand for Secondary places in the borough with two secondary expansion projects being progressed which will provide 600 new Secondary school places when complete.
- 4.12 300 places are being provided at Telford Langley at a cost of £4.9m, increasing the planned admission number from 180 to 240 in each year

group. The capital construction project is due to complete in time for this year's September 2021 intake.

- 4.13 A further 300 places will be provided at Holy Trinity Academy, subject to planning approval, following the proposed construction project which is due to start in summer 2021 with completion currently proposed for September 2022. The current estimated cost of this scheme is circa £7.8m. This would see the intake rise from 150 in each year group to 210.
- 4.14 Alongside the increases in Primary and Secondary places in the Borough, a series of SEN Hubs are being developed to deliver additional SEN places. These hubs each provide 8 additional SEN places in mainstream primary and secondary settings. Two hubs are currently in place at Hollinswood and Old Park primary schools with four further hubs to be put in place over the next two years.
- 4.15 One of the SEN hubs will be provided as part of a significant new build and remodelling scheme at the co-located Haughton and John Randall schools. The overall remodelling and new build outturn cost is expected to be in the region of £7.6m and will provide additional SEND places.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

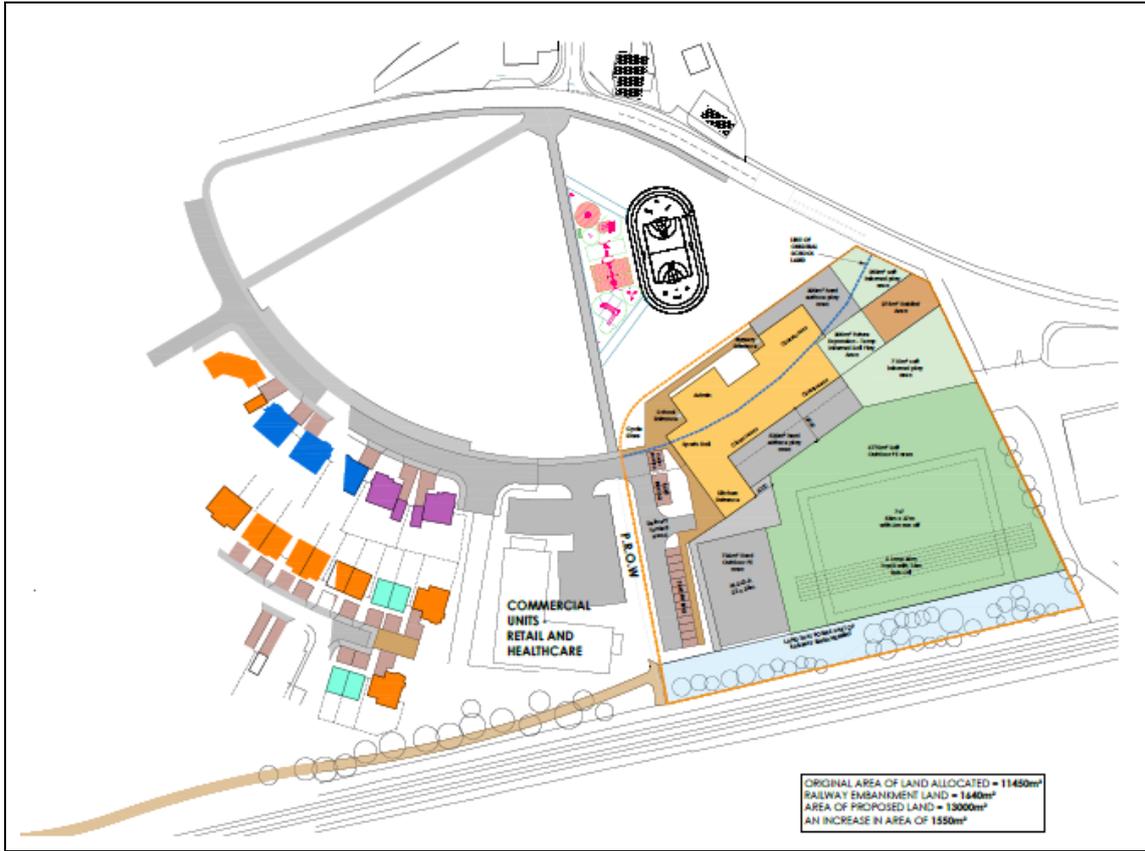
Not applicable

6. PREVIOUS MINUTES

Not applicable

Report prepared by Shane Billingham, School Organisation and Admissions.

**Appendix A
Site plan for the new free school at Allscott Meads**



Appendix B
Reserved matters housing site plan - Allscott Meads

