

## **Children and Families Committee**

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<b>Date of Meeting:</b>	10 January 2022
<b>Report Title:</b>	School Organisation: Update on the proposal for a Primary School, Kingsley Fields, Nantwich, following consultation
<b>Report of:</b>	Deborah Woodcock, Executive Director of Children's Services
<b>Report Reference No:</b>	CF/21/21-22
<b>Ward(s) Affected:</b>	Nantwich North and West Nantwich South and Stapeley Willaston and Rope

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### **1. Purpose of the Report**

- 1.1 This report provides an update to the previously approved committee paper, received by the Children and Families Committee on 12 July 2021, on the establishment of a new primary school in Nantwich. The full committee paper from July can be found via the link: [School Capital Organisation - 1. Kingsley Fields New School Proposal.pdf \(cheshireeast.gov.uk\)](#).
- 1.2 At the July Children and Families Committee meeting, it was agreed that an update would be provided to members of the committee on the outcomes from the informal consultation which is a required stage in the Department for Education (DfE) Free School Presumption process. This report and appendix provides the detailed information for consideration and noting.

### **2. Executive Summary**

- 2.1. At the Children and Families Committee meeting on 12 July 2021, consideration was given to a report which sought approval to proceed with undertaking the free school presumption process to identify and obtain agreement for a new school sponsor relating to the Kingsley Fields housing development. It was noted and approved that a period of informal engagement would be undertaken including briefings with local ward members, school leaders and wider stakeholders at the

beginning of the process to help inform the specification of the school. It was agreed that the service would provide an update to be presented to the Committee following this activity.

### **3. Recommendations**

- 3.1. That the committee receives and notes the summary of the feedback received following the 5-week informal representation period (Appendix 1) which is a required stage in the DfE Free School Presumption process to allow the opening of a new primary school in Nantwich.
- 3.2. That the committee supports the progression of the prescribed free school process in the generation and submission of the draft specification (stage 3) to the DfE.

### **4. Reasons for Recommendation**

- 4.1. This recommendation is made on the basis of the pupil forecasts for Nantwich town planning area for September 2024 and to ensure that Cheshire East Council meets its statutory duty to provide school places for children in their community.
- 4.2. To allow the service/directorate to ensure there is a reasonable timescale to implement the necessary statutory processes, procurement, and planning to deliver the new school in readiness for September 2024.

### **5. Other Options Considered**

- 5.1. Other options considered were detailed in the committee paper that was presented and agreed at the 12 July 2021 committee meeting.

### **6. Background**

- 6.1. A detailed committee paper was presented and agreed at the July 2021 committee meeting where a series of recommendations were approved:
  - 6.1.1. The service to proceed with the free school presumption process which will include undertaking a consultation, in accordance with the Department for Education guidelines, with the local community, local schools, local councillors, town council and local MP. This is not the formal statutory consultation which sponsors are required to undertake.
  - 6.1.2. The service to proceed with the transfer of the proposed school site into the council ownership, as detailed in the Section 106 agreement, together with any other agreements associated with or ancillary to the transfer.

6.1.3. To progress with the process of attracting potential sponsors to run the new school and to complete any agreements or land transfers associated with appointing a suitable sponsor.

## **7. Consultation and Engagement**

- 7.1. In accordance with the free school presumption advice for local authorities and new school proposers issued by the DfE (November 2019) in order to open a new school, local authorities must follow the free school presumption process.
- 7.2. Before launching the competition to identify the sponsor to run the new school we will undertake consultation and engagement sessions.
- 7.3. This is not the formal statutory consultation which sponsors are required to undertake under section 10 of the Academies Act 2010, which takes place during the pre-opening phase i.e., after the sponsor has been selected.
- 7.4. As part of the consultation and engagement process the local authority has undertaken the following:
  - A formal briefing with local councillors
  - A presentation and meeting were held with local schools
  - A five-week representation period ran from 6 October to 10 November 2021 and a public notice was issued in the local press
  - Information was available on the Cheshire East website and during the representation period key stakeholders including Ward Members, MP, Diocese, and Town Council were informed of the process.
  - Information was emailed to all local schools together with a letter for distribution to their staff, governors, and parents.
  - A public drop-in session was held at Nantwich Library with representatives from the local authority in attendance to discuss the proposal and seek views from parents and the local community.
- 7.5. Feedback gathered through consultation is summarised in Appendix 1 and this will be used to help formulate and finalise the local authority's specification for a new school before its publication inviting expressions of interest from sponsors.
- 7.6. The DfE free school presumption process for proposing a new school has seven key stages, as set out overleaf. A proposed timescale for the remaining stages has been included for this specific new primary school for Nantwich:

Stage	Process	Detail	Proposed Timescale
Stage 1	Notification	Notification to the DfE to trigger the process – this has been completed	April 2021
Stage 2	Informal Consultation	Consultation of the proposal with local schools, parents, carers, staff, pupils, school governors and trustees, Diocese representatives, local community, and ward members – Minimum of 4 weeks recommended. Feedback received will help formulate the specification for the school and complete the Equality Impact Assessment (EIA)	October, November 2021
Stage 3	Draft Specification	Draft specification and EIA submitted to DfE for approval	January/February 2022
Stage 4	Formal Specification for the school published (In-line with DfE requirements)	Following DfE approval, LA and DfE publish the specification and invite potential sponsors to submit their applications. Recommended to allow 6-8 weeks but if time allows 12-14 weeks may be more appropriate	April/May 2022
Stage 5	Assessment Phase	The decision-maker (usually the LA) assesses/scores the applications, may invite potential sponsors for interview. This process is supported by the DfE regional leads.	July/August 2022
Stage 6	Sponsor Approval	The LA submits preferred sponsor to the RSC, which is taken to the Headteacher Board for potential approval.	Autumn 2022
Stage 7	Implementation, pre-opening.	LA and approved sponsor work together to ensure the school opens as per the specification. This stage includes the approved sponsor undertaking Statutory Consultation prior to any funding agreement being issued.	Spring 2023

## 8. Implications

### 8.1. Legal

8.1.1. No additional legal commentary is required for this update report.

### 8.2. Finance

8.2.1. Included in the Education and 14-19 Skills Capital Programme is a named scheme 'New School Nantwich', with a total approved budget of £3.5m.

8.2.2. The proposed new school is currently funded via Section 106

contributions and Basic Need Grant. Section 106 education funding contributions are those agreed with new housing developers specifically to fund the additional pupil places needed due to new housing development, this is received in stages over many years.

8.2.3. The funding profile is as follows:

- £2.27m Section 106 contributions agreed.
- £1.23m Basic Need

8.2.4. The project will be forward funded by Basic need, this will be replenished as the Section 106 contributions are received.

8.2.5. At this stage a provisional budget of £3.5 million inclusive of all professional and statutory fees has been allocated to the project. Design development will be commissioned to identify more accurately the costs of implementation of a standard 1FE primary school in line with BB103 requirements and the DfE's standardised design principles.

8.2.6. Revenue funding for schools is provided through the schools' block of the dedicated schools grant.

8.2.7. The new and growing school will be funded through the schools funding formula in place at the time and in line with the relevant minimum per pupil funding levels.

### **8.3. Policy**

8.3.1. In accordance with the free school presumption departmental advice for local authorities and new school proposers issued by the DfE (November 2019), in order to open a new school, local authorities must follow the free school presumption process.

### **8.4. Equality**

8.4.1 A detailed Equality Impact Assessment will be completed and submitted as part of Stage 3 'Specification' of the DfE Free School Presumption process.

### **8.5. Human Resources**

8.5.1. Not applicable for this report summary. Please see the previous report for implications relating to the new school.

## 8.6. Risk Management

8.6.1. Not applicable for this report summary. Please see the previous report for implications relating to the new school.

## 8.7. Rural Communities

8.7.1. Not applicable for this report summary. Please see the previous report for implications relating to the new school.

## 8.8. Children and Young People/Cared for Children

8.8.1. Not applicable for this report summary. Please see the previous report for implications relating to the new school.

## 8.9. Public Health

8.9.1. Not applicable for this report summary. Please see the previous report for implications relating to the new school.

## 8.10. Climate Change

8.10.1. Not applicable for this report summary. Please see the previous report for implications relating to the new school.

<b>Access to Information</b>	
Contact Officer:	Mark Bayley Acting Director of Education and Skills <a href="mailto:mark.bayley@cheshireeast.gov.uk">mark.bayley@cheshireeast.gov.uk</a>
Appendices:	Appendix 1 – Summary of Feedback Kingsley Field
Background Papers:	<a href="https://www.gov.uk/government/collections/convert-to-an-academy-documents-for-schools">https://www.gov.uk/government/collections/convert-to-an-academy-documents-for-schools</a>