



Derby City Council

COUNCIL CABINET
18 July 2018

Report of the Strategic Director of People
Services

ITEM 8

New Primary School Provision across the City and Hackwood Farm

SUMMARY

- 1.1 Derby City Council and Derbyshire County Council work together closely in planning school place provision, particularly in relation to accommodating pupil numbers from housing growth around the City / County boundary.
- 1.2 A new housing development is proposed at Hackwood Farm, Mickleover, for up to 700 dwellings. The development crosses the City / County boundary, with around 410 dwellings proposed in the City and 290 in the County.
- 1.3 Based on 700 dwellings, across the whole of the development, it is anticipated that 196 primary school pupils will be generated. There is very limited surplus capacity available in nearby primary schools and there are other housing developments underway in the local area which will increase the pupil population.
- 1.4 Following careful consideration, a 210 place (one form of entry) primary school is proposed, as a result of the new housing, to ensure sufficient school capacity. The proposal is for the new primary school to also include a 26 place nursery to ensure sufficient early years provision.
- 1.5 The building of the new school will be funded by the Hackwood Farm developer through Section 106 funding and will serve pupils from both the City and County element of the new housing. The proposal is for the school's catchment area to align directly with the new housing.
- 1.6 The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the free school presumption) to the Education and Inspections Act 2006. Where a Local Authority (LA) thinks there is a need for a new school in its area, it must seek proposals from potential sponsors to establish a free school. There is guidance from the Department for Education (DfE) on the process to be followed to establish a new school.
- 1.7 The process to identify a preferred sponsor for the new primary school at Hackwood Farm, Mickleover, will be the first to be carried out by Derby City Council. The way in which sponsors are identified and assessed through this first process is likely to set a precedent for future new primary schools. A number of future housing developments are proposed within Derby, for example, at Rykneld Road, Littleover and Castleward.

RECOMMENDATION

- 2.1 To approve commencement of a competition process, inviting proposals to establish a new school in Mickleover to accommodate pupils from the proposed new housing development at Hackwood Farm.
- 2.2 To delegate authority to the Strategic Director of People Services, following consultation with the Cabinet Member for Children and Young People, to approve the Council's preferred sponsor for recommendation to the Secretary of State for this competition and any future competitions, following an evaluation of proposals.
- 2.3 To delegate authority to the Strategic Director of People Services, following consultation with the Cabinet Member for Children and Young People, to approve commencement of any future competitions to establish new free schools.

REASONS FOR RECOMMENDATION

- 3.1 A new school is required to accommodate pupils from a housing development (700 dwellings) at Hackwood Farm, Mickleover. Where a Local Authority (LA) thinks there is a need for a new school in its area, it must seek proposals from potential sponsors to establish a free school.
- 3.2 The Council is able to make a recommendation to the Secretary of State on its preferred sponsor, following an evaluation of proposals. The decision on which sponsor is appointed to open the new school is then taken by the Secretary of State.
- 3.3 The Council is not the final decision maker on the appointment of sponsors to open new schools. It is proposed that the Strategic Director of People Services, in consultation with the Cabinet Member for Children and Young People, is given delegated authority to approve the commencement of any future new school competitions.

SUPPORTING INFORMATION

- 4.1 Derby City Council and Derbyshire County Council work together closely in planning school place provision, particularly in relation to accommodating pupil numbers from housing growth around the City / County boundary.
- 4.2 A development is proposed at Hackwood Farm, Mickleover, for up to 700 dwellings. The development crosses the City / County boundary, and outline planning permission has been granted as follows:
- Derby City Council: 410 dwellings, plus a new primary school to serve the whole development.
- South Derbyshire District Council: 290 dwellings
- Total: 700 dwellings
- 4.3 Based on the Council's pupil yield multiplier, 700 new houses would generate an estimated 196 primary aged pupils. There is very limited surplus capacity available in nearby primary schools and there are other housing developments underway in the local area which will increase the pupil population. Following careful consideration, it is suggested that a new one form entry primary school (210 places), is provided on the site, with nursery provision.
- 4.4 The proposal is for the new school to build pupil numbers incrementally, increasing by one year group each year. This means that upon opening, in September 2019, the school would admit children into the Reception year group only. In September 2020, the school would then admit into Reception and Year 1, and so on, until all year groups are open from September 2025. This approach will remain under review should demand for pupil places from the housing development increase in year groups other than Reception and additional year groups need to be opened.
- 4.5 The building of the new school will be funded by the Hackwood Farm developer through Section 106 funding and will serve pupils from both the City and County element of the new housing. The proposal is for the school's catchment area to align directly with the new housing.
- 4.6 The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the free school presumption) to the Education and Inspections Act 2006. Where a Local Authority (LA) thinks there is a need for a new school in its area, it must seek proposals from potential sponsors to establish a free school.

- 4.7 In order to submit a proposal to run a new school, an organisation must be a DfE approved sponsor or will need to be assessed by the DfE through their sponsor approval process. Schools that are interested in submitting a proposal to run a new school will need to have or acquire both academy status and sponsor approval.
- 4.8 There is guidance from the Department for Education (DfE) on the process to be followed by Local Authorities to establish a new school. The following are the key stages of the process:
- Approval to start a competition process, inviting bids to open the new school.
 - Notify the Secretary of State of the Council's plans to seek proposals for a new school.
 - Advertise for proposals for a new school and await responses.
 - Council evaluation of proposals.
 - Approval to recommend a preferred sponsor to the DfE.
 - DfE evaluation of proposals and notification of successful sponsor.
 - Conclusion of funding agreement by DfE.

A more detailed draft timeline is attached as Appendix 2 to this report.

- 4.9 The process includes the development of a specification for the new school, including information on school place planning, age range and the capacity of the new school as well as expected cost. The Council would then invite proposals to open the new school by posting an advert and documentation on the Council's website, and through other routes, such as an article in the Schools' Circular. The Department for Education will also publish details of the new school on its website.
- 4.10 The Department for Education provides model criteria for evaluating the proposals. The assessment panel process includes an evaluation and scoring of the proposals as well as a presentation from each of the potential school sponsors and an interview process.
- 4.11 Following the evaluation of bids, it is proposed that approval is sought from the Strategic Director of People Services, in consultation with the Cabinet Member for Children and Young People, to forward a recommendation to the Secretary of State on the Council's preferred sponsor. It should be noted that the Secretary of State will take the LA's preferred sponsor into consideration, but has the option to decide to appoint an alternative sponsor.
- 4.12 Under regulations, the LA is responsible for providing the site for the new school and meeting all associated capital and pre and post opening costs. In terms of the school site and capital funding, these will be met through the Section 106 agreement. Further work will be required in due course to establish the likely pre and post opening costs, which will then be agreed with the successful sponsor of the school once they have been identified. Pre opening costs are likely to be in relation to the appointment of a headteacher, teaching staff and administrative capacity. Post opening costs relate to the funding required to address diseconomies of scale until the school reaches full capacity. The proposal is for the school to open in September 2019.

- 4.13 The process to identify a preferred sponsor for the new primary school at Hackwood Farm, Mickleover, will be the first to be carried out by Derby City Council. The way in which sponsors are identified and assessed through this first process is likely to set a precedent for future new primary schools. A number of future housing developments are proposed within Derby, for example, at Rykneld Road, Littleover and Castleward.
- 4.14 With regard to secondary school places, the housing development is within the catchment area of Murray Park School which currently has some surplus capacity and is proposed for expansion from September 2019 to accommodate higher primary pupil numbers moving through to secondary schools. For the City element of the Hackwood Farm development, an assessment of capacity at Murray Park School will take place prior to occupation of 205 dwellings in the City (50% occupation) and a contribution calculated based on any available places. In accordance with planning policy, if there are sufficient places available at that point to accommodate all anticipated secondary aged pupils from the development at Murray Park School, a S106 contribution cannot be requested.

OTHER OPTIONS CONSIDERED

- 5.1 Based on the Council's pupil yield multiplier, 700 new houses would generate an estimated 196 primary aged pupils. The option of creating no additional provision was discounted as there is very limited surplus capacity available in nearby primary schools and there are other housing developments underway in the local area which will increase the pupil population.
- 5.2 Due to the size of other local primary schools and site constraints, it was not considered possible to expand existing primary schools to the extent needed to accommodate estimated pupil numbers. Following careful consideration, it is suggested that a new a one form entry primary school (210 places) is provided on the site, with nursery provision.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Communications Service Director(s) Other(s)	Emily Feenan, Principal Lawyer Alison Parkin, Head of Finance – People Services None None Ruth Sadler, Senior Communications Officer Gurmail Nizzer, Director of Commissioning (Acting)
For more information contact: Background papers: List of appendices:	Gurmail Nizzer 01332 642720 gurmail.nizzer@derby.gov.uk None Appendix 1 – Implications

	Appendix 2 – Draft timeline and stages to open the proposed new primary school at Hackwood Farm.
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IMPLICATIONS

Financial and Value for Money

- 1.1 The LA is responsible for providing a site for the new school, and meeting all associated capital costs. As the need for a new school has arisen as a direct result of a new housing development, a site and funding for the school have been negotiated and agreed with the developer under Section 106 arrangements.
- 1.2 Local authorities are also required to meet the initial revenue costs of the new provision. Further work is continuing to establish the likely pre and post opening costs, which will then need to be agreed with the successful sponsor of the school once they have been identified. Pre opening costs are likely to be in relation the appointment of a headteacher, teaching staff and administrative capacity. Post opening costs relate to the funding required to address diseconomies of scale until the school reaches full capacity. These costs are eligible expenditure to be funded through the Dedicated Schools Grant.

Legal

- 2.1 The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the academy / free school presumption) to the Education and Inspections Act 2006. Where a LA thinks there is a need for a new school in its area, it must seek proposals to establish an academy / free school.

Personnel

- 3.1 None arising from this report.

IT

- 4.1 None arising from this report.

Equalities Impact

- 5.1 An Equalities Impact Assessment will be completed in relation to the opening of the new primary school, which is required by the Secretary of State as the decision maker on the appointment of the successful sponsor.

Health and Safety

- 6.1 None arising from this report.

Environmental Sustainability

- 7.1 None arising from this report.

Property and Asset Management

- 8.1 The Council has negotiated and agreed with the developer that the Council will lead on the design and specification of the school. Under regulations, the new school will need to be a free school and the school site leased to the new school's sponsor for a term of 125 years.

Risk Management

- 9.1 None arising from this report.

Corporate objectives and priorities for change

- 10.1 This report supports the Council priority outcome of 'Enabling individuals and communities, and Raising achievement and skills'.

**Draft timeline and stages to open the proposed
new primary school at Hackwood Farm, Micklegate**

Action	Timescale
Invitation to submit a proposal opens and documents are published on Council's website	Thursday 26 July 2018 to Thursday 6 September 2018 (6 weeks)
Invitation to submit a proposal - submission deadline	Thursday 6 September 2018
Advise Secretary of State of all potential sponsors that have submitted proposals and send the proposals to the Department for Education. They require 4 weeks to comment.	Friday 7 September – Friday 5 October (4 weeks to comment)
Assessment Panel to read through proposals, make own notes to be used in assessment stage and identify any clarification questions for potential sponsors for when they do their presentations.	Friday 7 September – Friday 5 October
Construction starts on new primary school.	October 2018
Presentations by new school proposers to Assessment Panel. The assessment panel process involves a presentation from each of the bidders and interview questions.	W/C Monday 8 October 2018
Assessment Panel to complete notes on each of the scoring criteria for each potential sponsor.	Friday 19 October
Assessment Panel meets to moderate scores and arrive at consensus scores for each bidder.	W/C Monday 22 October
Strategic Director & Cabinet Member approval of Council's recommended preferred sponsor	W/C 29 October 2018
LA recommendation of preferred sponsor to Secretary of State	November 2018
Secretary of State appoints a sponsor	Anticipated December 2018
LA writes to successful and unsuccessful proposers to advise of outcome.	December 2018
Successful sponsor consults	
Conclusion of funding agreement by DfE	
Sponsor to make headteacher and staff appointments	
Free school opens	September 2019