

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

**Cabinet**

**DECISION NO:**

20/00097

**For publication** [Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]

## **Key decision: YES**

*Key decision criteria. The decision will:*

- a) *be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:*
  - *the adoption or significant amendment of major strategies or frameworks;*

## **Subject Matter / Title of Decision**

**Commissioning Plan for Education Provision in Kent 2021-25**

## **Decision:**

As Cabinet, is asked to agree to: Commissioning Plan for Education Provision in Kent 2021-25

## **Reason(s) for decision:**

### Background

1.1 The County Council is the Strategic Commissioner of Education Provision in Kent. The Commissioning Plan for Education Provision in Kent (KCP) is an annual document which sets out how we will carry out our responsibility for ensuring there are sufficient places of high quality, in the right places for all learners, while at the same time fulfilling our other responsibilities to raise education standards, while supporting parental preference. The KCP details our future need for education provision, thereby enabling parents and education providers to put forward proposals as to how these needs might best be met.

1.2 The KCP sets out the principles by which we determine proposals, and it forecasts the need for future provision. It also sets out in more detail plans to meet the commissioning needs which arise in each district and borough in Kent during the next five years.

1.3 This updated KCP is a 'live' document which underpins our on-going dialogue and consultation with schools, district and borough councils, diocesan authorities, KCC Members and local communities, to ensure we meet our responsibilities.

### Financial Implications

2.1 The Local Authority as Strategic Commissioner of Education Provision has a key role in securing funding to provide sufficient education provision in the County.

2.2 The pressure on the County's Capital Budget continues, particularly as secondary school demand grows. The cost of delivering school places is currently met from Basic Need grant from the Government, prudential borrowing by the County Council, Section 106 property developer contributions and Community Infrastructure Levy monies (CIL). Government funding for 'Basic Need' is allocated on a formula based upon information provided by local authorities about forecast numbers of pupils and school capacity. Such funding will only provide for predicted growth in

numbers arising from changes in the birth rate and from inward net migration. The basis of allocation is to add a third year of funding to a rolling three-year funding allocation. For places needed by September 2022 Kent has received £23.6m. To put this into context, this would barely fund one 6FE secondary school.

2.3 The DfE guidance sets out the expectation that local authorities will seek developer contributions to support the funding of not only primary and secondary school places but also nursery places, sixth form provision and special educational needs provision. In this respect we will continue to require the support of our district/borough council colleagues to support our ability to collect the developer contributions necessary to deliver the education facilities required to meet the demand produced by new homes. It must be noted that securing developer contributions will not support the lag in the funding streams and reduce the upfront capital costs that put the Council under so much financial pressure. We are in the process of reviewing KCC's Developer Contribution Guidance which will include reference to the changes in the DfE guidance.

2.4 The Covid-19 pandemic has impacted on the County Council's ability to deliver new school places for September 2020. The mitigation that has had to be put in place, for September 2020 was forecast to cost the County Council £7.9m. Further mitigation may be required to support the delivery of places for September 2021.

2.5 In order to drive efficiencies into the delivery programme we have revisited projects identified in the previous Plan. We have managed to reduce the additional secondary school places required for the three-year period 2021-23 by around 13.5FE.

2.6 Our latest budget figure which, includes all projects in the previous KCP, indicates a shortfall of £36.5m against the identified funding streams. The need to address this shortfall is already shaping the decision-making process around new education provision.

2.7 Covid-19 has also impacted the pre-school sector financially. While providers received their full free entitlement funding through the summer, and their autumn funding has been based on last autumn's headcount, plus they have been able to access other Government support packages, we recognise the loss of parental fee income will have impacted some providers heavily, especially those who remained open during lockdown. National concerns that many providers would close have not been realised so far, however as funding support reduces in January 2020, providers will need to have adjusted their cost base before then. It is possible we will see a contraction in the market in the spring. In most areas there is likely to remain sufficient supply. We will identify solutions in any area where supply is not meeting demand.

#### Legal implications

3.1 Each project identified in the KCP will be subject to a separate consultation and decision-making process. The legal implications of each proposal will be identified at that time.

#### Equalities implications

4.1 The equality impact assessment considers whether the commissioning principles and guidelines contained within the KCP may have an impact (either positive or negative) on any protected groups and if so what action, if any, should be taken to mitigate the negative impacts. Separate, more detailed equalities impact assessments will be completed as individual project consultations come forward to consider the impacts on any protected group arising from that individual education proposal. The EqIA is attached as appendix 2 to this report.

#### **Cabinet Committee recommendations and other consultation:**

This decision was considered and endorsed by the Children's, Young People and Education Cabinet Committee at its meeting 18 November 2020

#### **Any alternatives considered and rejected:**

The commissioning intentions outlined in the KCP are planned to ensure there are sufficient schools places, in the right locations and at the right time in order to fulfil our legal responsibility to offer an appropriate school place to all who require one. At the same time, we are committed to reducing the budget shortfall, but without compromising on the high-quality provision our children and young people deserve.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None**

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signed

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date