

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TAKEN BY:

Rory Love

Cabinet Member for Education and Skills

DECISION NO:

23/00056

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 involve expenditure of more than £1million.

Subject Matter / Title of Decision

Proposed expansion of Marden Primary Academy, Marden, Kent, TN12 9JX

Decision:

As Cabinet Member for Education and Skills, I agree to:

- a) authorise the allocation of £3,541,411 from the Children Young People and Education Services Basic Need Capital Budget to fund the permanent expansion of Marden Primary Academy to 2FE by increasing the Published Admission Number (PAN) from 45 to 60 from September 2024.
- b) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with the Leigh Academies Trust.
- c) authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts. Variations to contract value to be no more than 10% above the capital funding agreed by the Cabinet Member without requiring a new Record of Decision.

Reason(s) for decision:

KCC as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. The County Council's Commissioning Plan for Education Provision in Kent 2023-27 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all **types and phases of education in Kent**. **A copy of the plan can be viewed from this link:**

<https://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision-plan>

KCC has identified the need for additional places within the Marden and Staplehurst Planning Group, with forecasts indicating a deficit of 21 places in 2024 that gradually increases to circa 3 FE by the end of the Plan period.

It has therefore been agreed with Leigh Academies Trust (LAT) to permanently expand Marden Primary Academy's PAN from 45 to 60 places from September 2024.

Background

Marden Primary Academy joined LAT in 2020. LAT is one of the country's largest and most-established multi-academy trusts operating across Kent, Medway and South East London. It contains primary, secondary and special academies and is highly inclusive and successful.

Marden has traditionally been popular with parents and this popularity continued to be demonstrated in the recent Primary school preferences, with the academy receiving 39 1st Preferences and 73 preferences in total for its PAN of 45 places.

The expansion works will improve the class structure of the school, removing the need for mixed age classes. The works will entail both internal reconfiguring of the existing accommodation and the construction of a new teaching block to the rear of the school. KCC has agreed with LAT that the trust will manage the construction.

Financial Implications

Capital Funding: It is proposed that it will be an academy managed scheme and LAT have engaged and funded the architects and quantity surveyors to determine the cost of the capital works, which is £3,541,411. This cost has been verified by independent quantity surveyors for KCC and it represents good value for money for the works being completed. The cost of the capital works will include the cost of the build along with associated professional fees and surveys.

KCC will provide the allocated Basic Need Funding in return for the school providing the necessary accommodation and resources to increase the school's PAN from 45 to 60 places. The roles and responsibility of each party will be formally set out through a legal contract between KCC and LAT. KCC will monitor progress regularly during the building works to ensure that the accommodation needs are being met.

The cost of this project will be funded through the basic need capital programme which has a total overall budget of £160m (as at the time of this document) that covers the period of 2023 to 2026. This included an original budget allocation for this project of £3.2m based on initial estimates. Following detailed scoping of the works the total cost estimate has increased to £3.5m, £0.3m higher. The basic need capital programme budget is managed as a programme of projects, and so the affordability of this proposal is expected to be achieved through the review of future commissioning plans across the whole basic need programme.

Revenue Funding: Should the scheme progress, £6,000 per new learning space would be provided towards the cost of furniture and equipment, a total of £48,000. This is expected to be provided to the school to purchase required equipment. This is expected to be funded through the Department of Education Dedicated Schools Grant for Basic Needs revenue costs (more commonly known as growth funding). This does not represent a cost to the Council. In addition, an allowance of up to £2,500 may be payable to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. The school would receive funding for the additional pupils that it admits in line with the funding allocated to schools through schools local funding formula.

Legal Implications

The expansion will be subject to a legally binding and enforceable contract being in place between KCC and the LAT. The Trust will need to secure planning permission for the new accommodation.

Equalities implications

An Equality Impact Assessment (EqIA) has been produced and no issues were identified in the early stage EqIA, but the assessment will be reviewed as the project continues.

Data Protection implications

The academy trust are the 'controllers' under the General Data Protection Regulation and will ensure that any personal information is processed fairly and lawfully within any consultation work completed as part of the fast-track business plan application.

Cabinet Committee recommendations and other consultation:

The Children's and Young People Cabinet Committee considered the decision on 16 May 2023.

Any alternatives considered and rejected:

The Marden and Staplehurst planning group covers a large rural area to the south of Maidstone and contains 4 schools: Laddingford St Mary's Church of England Primary School, Marden Primary Academy, Staplehurst School and St Margaret's Collier Street Church of England Primary School.

Laddingford and St Margaret's Collier Street are relatively small rural schools with constricted sites that limit their potential for expansion. In the longer term, it is likely that both Staplehurst and Marden will need to be expanded to meet the forecast demand, however analysis of the current and near future additional demand indicates that Marden is under greater pressure for places.

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