

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

Rory Love, Cabinet Member for Education and Skills

**DECISION NO:**

24/00024

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

**Key decision:** YES

**Subject Matter / Title of Decision**

Expansion of Leigh Academy, Green Street Green Rd, Dartford DA1 1RB

**Decision:**

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

- I. APPROVE the expansion of Leigh Academy by 2FE,
- II. AGREE to allocate £425,000, subject to a binding funding agreement, from the CYPE Capital Budget to the Leigh Academy Trust (LAT), to:
  - a. enable design work for the essential internal and external works
  - b. enable LAT to undertake essential internal modification works, during 2024.
- III. AGREE to allocate £975,000 from the CYPE Capital Budget, to enable KCC to undertake feasibility checks, design, plan, cost and tender for the project to construct a new standalone block, from June 2024
- IV. DELEGATE authority to the Director of Infrastructure to, in consultation with the Director of Education, enter into any necessary contracts or other legal agreements, as required to implement this decision; and
- V. AGREE for the Director of Infrastructure to be the nominated Authority Representative within the relevant agreements, with authority to enter variations as envisaged under the contracts.

**1. Reason(s) for Decision:**Reason for the decision

This proposal to expand Leigh Academy was developed because the Kent Commissioning Plan 2024/28 indicates that there will be a shortfall in year 7 places in the Dartford and Swanley non-selective planning group.

To support KCC to mitigate against this shortfall, Leigh Academy agreed to increase its PAN from 240 to offer 270 places for September 2023, September 2024 and September 2025.

Following further discussions, Leigh Academy agreed to offer 300 places from 2026, subject to a physical expansion. This proposal sought to facilitate the expansion by building a standalone block,

and to enable various internal and external works. The Trust, senior leadership team and governors of Leigh Academy agreed to consult on the proposal to permanently expand the school and enlarge the secondary provision within the school by the addition of 60 places per school year.

Leigh Academy, part of the Leigh Academy Trust (LAT), is a co-ed secondary school. Following an inspection that took place in April 2023, Ofsted deems Leigh Academy to be a 'GOOD' school.

A decision is required now to allow internal modifications to Leigh existing building to be undertaken, which will allow the school to continue to admit an increased cohort from September 2024 and to begin work on external areas of the site. The funding will also allow KCC to enter into a contract to undertake the requisite feasibility studies and design work for the main scheme to produce a new standalone block on site.

Subject to the delivery of this decision, a decision on final progression of the project will be taken at a later date by the Cabinet Member, taking account of any comments made by the Cabinet Committee at its meeting on 16 May 2024

If no further action is taken in the longer term, Kent County Council will find it extremely difficult to provide sufficient secondary school places in the Dartford and Swanley non-selective planning group..

## **2. Securing Kent's Future**

The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to ensure sufficient school places are available to any child or young person who requires one. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.

This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

The County Council's Commissioning Plan for Education Provision in Kent 2024-28 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 latest plan can be viewed from this link:

<https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>

## **3. Consultation**

The school is an Academy, so ran its own consultation on the proposal, with assistance from KCC. The consultation ran from 29 February 2024 to 28 March 2024.

The school held a public drop-in session on 12 March 2024, which was attended by KCC Officers.

The consultation results were presented to the Governing Body who agreed to proceed with the proposal.

The division affected is Dartford East served by Mrs Penny Cole. Mrs Cole was informed of the proposal and has said:

"Overall, I am in agreement with the proposal as there is such pressure on places in the area and it is the most cost effective way of providing more school places. However, I do have concerns about the potential impact of congestion in the area around the school, as it is right by junction 1b of the M25 and the area regularly gets snarled up when there are issues with the tunnel."

Both the school and the Trust are fully supportive of the proposal.

The Assistant Director Education - North has said that the analysis of the demand that will be created by new housing development in Dartford shows that about 60 new year 7 places will be needed. All alternatives have been considered, and the conclusion is that the best solution is to expand Leigh Academy.

At the Cabinet Meeting, a question was asked about the cost of any highways mitigations. The report confirmed that any such cost would be met from the final project budget.

#### 4. Equalities Assessment

An Equality Impact Assessment has been completed that indicates that there are no issues.

#### 5. Financial Implications

##### **Capital**

The total cost of the expansion is estimated to be £10.5m, including both KCC and LAT spend which is to be allocated from the CYPE Capital Budget. This sum has been included within the Basic Need Capital Programme that was recently agreed by Council. KCC will investigate whether other funding sources can be accessed, such as Community Infrastructure Levy, once full costs are known. A summary of the anticipated costs is as follows:

	Early Release of Funding for Preliminaries	Construction (estimate)	Sub total
LAT costs	£ 73,000		£ 73,000
LAT Costs (internals 2024)	£, 352,000	-	£ 352,000
LAT Costs (externals & dining 2025)		£ 750,000.00	£ 750,000
KCC Costs	£ 975,000	£ 8,200,000.00	£ 9,175,000
Contingency		£ 150,000.00	£ 150,000
<b>Sub total</b>	£ 1,400,000	£ 9,100,000.00	£ 10,500,000

These totals are estimates and a final costing for the whole scheme will be notified to the Cabinet Member at a later date.

LAT costs will be remitted directly to the Academy, subject to a binding funding agreement being signed by both parties, in order for them to complete their preliminary work which will involve internal reconfiguration (toilets and teaching space) in preparation for September 2024, followed by the relocation of their tennis courts and an expansion of their dining area, once full planning permission has been obtained.

An allowance of up to £2,500 may be payable to the school, to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. This will be met from the overall Capital allocation for this project.

Should the scheme not proceed through to completion, any costs incurred at the time of cessation would become abortive costs and are likely to be recharged to Revenue. This would be reported through the regular financial monitoring reports to Cabinet.

**Revenue**

The school would also receive funding for the additional pupils that it admits in line with the funding allocated to schools through KCC's Schools Funding Formula.

As the scheme progresses, £6,000 per newly provided learning space, would be provided towards the cost of furniture and equipment, such as tables, desks, chairs, cabinets and learning resources.

Both of these revenue allocations will be met from the Growth Funding provision held within the dedicated school's grant.

**Human**

The school will appoint additional staff as required; utilising revenue funding allocated through the Schools Funding Formula for these additional pupils.

**6. DPIA**

The School is the Data Controller for the consultation. KCC will not handle any personal data relating to this consultation or subsequent decision.

**Cabinet Committee Recommendations and Other Consultation:**

This decision was considered and endorsed at the meeting of the Children's, Young People and Education Cabinet Committee on 16 May 2024.

**Any Alternatives Considered and Rejected:**

Every other Secondary school in Dartford Borough, both selective and non-selective, has either been expanded already, or considered for expansion. Nevertheless, the Assistant Director Education, North, conducted further analysis to see whether there were any schools that would be a better candidate for expansion.

Sites were considered on the basis of the Ofsted rating of the school, popularity, available site space, willingness of the Governing body and cost. The conclusion from this analysis was that the expansion of Leigh Academy is the most appropriate option to deliver the capacity that is needed in the area.

**Any interest declared when the decision was taken, and any dispensation granted by the Proper Officer:**

None



9<sup>th</sup> July 2024

.....  
signed

.....  
date