

From: Patrick Leeson, Corporate Director for Education, Learning and Skills

To: Education and Young People Services Cabinet Committee – 22 April 2014

Subject: Decision: 14/00040 - New primary school at Knights Park, Tunbridge Wells

Classification: Unrestricted

**Past Pathway of Paper: Education Cabinet Committee report – Commissioning Plan for Education Provision - 27<sup>th</sup> September 2013**

**Future Pathway of Paper:** Cabinet Member decision

**Electoral Division:** Tunbridge Wells East, Mr Christopher Hoare

**Summary: This report sets out the processes undertaken to establish a new school at Knights Park, Tunbridge Wells and the associated financial implications for KCC.**

**Recommendation(s): The Education Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Health Reform on the decision to:**

- (i) Allocate £5.4million from the Education Learning and Skills Capital Budget to fund the capital costs of the new primary school at Knights Park.
- (ii) Authorise the Director of Property and Infrastructure Support in consultation with the Director of Law and Governance to enter into any necessary contracts/ agreements on behalf of the County Council
- (iii) Authorise the Director of Property and Infrastructure Support to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## **1. Introduction**

1.1 The Knights Park development is located on the northeastern periphery of Tunbridge Wells. The development is immediately bordered by existing development including the North Farm Industrial Estate, the Sherwood Estate and a leisure park. It relates well to the existing built up area of Tunbridge Wells and is enclosed by woodland and the A21 to the east.

1.2 The development has received outline planning consent from Tunbridge Wells Borough Council for up to 550 homes. The housing is expected to produce additional demand which cannot be met locally. The Kent Commissioning Plan for Education Provision 2013-2018 has therefore identified a need for additional primary provision of up to 2 forms of entry (FE) within the Tunbridge Wells district for 2015. It is proposed that this need will be met by a new primary school on the Knights Park development, opening in September 2015.

- 1.3 In accordance with statutory guidance, all new schools must be an academy or free school which requires the Secretary of State's determination of a suitable sponsor. The academy or free school would be established through a funding agreement with the Education Funding Agency (EFA) and open on land leased from the local authority. The local authority must assess all the proposals to establish and sponsor a new school and the preference indicated by the local authority will be a key factor in the Secretary of State's consideration of the sponsor.
- 1.4 It is proposed that the new school site at Knights Park will also host a satellite unit for up to 12 pupils which would be linked to a Profound, Severe and Complex Needs (PSCN) Special School. Discussions are currently taking place with a local special school over their potential role in operating the satellite provision. The proposal to create these additional places is in line with Kent County Council's strategy for children and young people with special educational needs and who are disabled (SEND) and the aims of the Kent Commissioning Plan for Education Provision 2013-18.
- 1.5 This report sets out the processes undertaken to establish a new school at Knights Park, Tunbridge Wells and the associated financial implications.

## **2. Financial Implications**

- 2.1 The proposal requires the provision of a new school building on land west of Knights Way, Longfield Road, Tunbridge Wells, Kent, TN2 3UQ. The first phase of the accommodation will be delivered in line with the new EFA school baseline designs, which have smaller footprints than the Kent Standard of recent years.
- 2.2 The intention is to build a 1FE building for 210 pupils, with 2FE ancillary facilities in the first phase. This will allow the school to be easily expanded to accommodate future need and ensure that the school meets the pupil demand arising from the new development and local demand from population growth.

### **a. Capital**

- i. A sum of £3.742 million and a school site have been secured in respect of developer contributions towards education as set out in the Section 106 completion document dated 28/01/14. The constrained site is smaller than normally made available for a 2FE school, although the site can accommodate all of the required facilities.
- ii. The total cost for phase 1 is estimated to be in the region of £5.4 million. However the cost net of the developer contributions is expected to be approximately £1.3m. The costs of the project are estimates and these may increase as the project is developed. If the cost of the project is greater than 10% the Cabinet Member will be required to take a further decision to allocate the additional funding.

### **b. Revenue**

- i. Furniture and Equipment - £6,000 per classroom will be provided towards the cost of furniture and equipment. This will be given to the new school's leadership team for them to undertake procurement.

- ii. Start-up Costs: KCC will provide a budget of £50,000 for start-up costs which will typically commence from January through to 31 August prior to the new school opening on 1 September 2015. This is to cover the costs of employing appropriate staff. On opening, the new school will be funded directly by the Education Funding Agency.
  - iii. Pupil Growth Funding: In accordance with the Pupil Growth Policy established by KCC and its School's Funding Forum, the school will receive guaranteed funding as follows:
    - Year 1 - 60 pupils
    - Year 2 - 90 pupils
    - Year 3 - 120 pupils
  - iv. The costs of the satellite unit would be met from the Dedicated Schools Grant, with funding being provided to the special school to run the provision.
- c. Human – The school will appoint additional teachers and support staff as required.

### **3. Bold Steps for Kent and Policy Framework**

- 3.1 This proposal will help to secure our ambition “to ensure every child will go to a good school where they make good progress and can have fair access to school places” as set out in ‘Bold Steps for Education’.
- 3.2 The Kent Commissioning Plan for Education Provision sets out the additional demand for school places in 2013-2018 to be met by commissioning additional places across Kent.
- 3.3 Kent County Council’s strategy for children and young people with special educational needs and who are disabled (SEND) identified the need to add 275 additional SEN places in Kent for pupils with Autism and Behavioural Needs. 175 of these places will be in special schools.

### **4. The Academy/Free School Presumption process**

- 4.1 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 local authority thinks there is a need for a new school in its area it must seek proposals to establish an academy or free school. All new academy and free school proposals require the Secretary of State’s approval. The local authority must assess all proposals received and send the outcome of the assessment to the Secretary of State for consideration. The preference indicated by the local authority will be a key factor in that consideration.
- 4.2 The process and timetable for identifying the best sponsor for the new school at Knights Park was aligned to the timetables set out by the Department for Education.

Timeline:

Competition commences	11 February 2014
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Full application to be with KCC	11 March 2014
Inform DfE of all proposals received	12 March 2014
Promoter Assessment Panel	17 March 2014
Education Commission considers proposals	20 March 2014
KCC submits all proposals to the Secretary of State	21 March 2014
Secretary of State full sign off	21 May 2014

- 4.4 KCC published specifications, including an indicative three year budget profile, an application form for potential sponsors to complete, and assessment criteria against which the applications would be assessed.
- 4.5 The Academies Presumption Team was notified of the competition on 11 February 2014. A case worker was assigned to KCC and the specification was forwarded onto the New Schools Network, Independent Academies Association, SSAT and the Freedom and Autonomy for Schools National Association (FASNA) and included on the DfE website. KCC also notified all 'outstanding' schools in Kent and organisations currently sponsoring a Kent Academy.

#### *Assessment*

- 4.6 Three organisations submitted proposals to KCC by the deadline of 11 March 2014. An assessment panel represented by the Director of Education Planning and Access, the Area Education Officer for West Kent, the Senior Primary School Improvement Officer for Tunbridge Wells and a School Finance Team Officer convened on 17 March 2014 to consider the applications. Each application was carefully assessed against the assessment criteria published by KCC on 11 February 2014 and a scoring matrix was completed.
- 4.7 A report incorporating the findings of the assessment panel was submitted to a meeting of KCC's Education Commission on 20 March 2014. The Education Commission unanimously endorsed the recommendation to put forward the highest scoring sponsor for the new academy at Knights Park, Tunbridge Wells.
- 4.8 A report setting out the recommendation of KCC's Education Commission was submitted to the Secretary of State for Education on 21 March 2014 for consideration. The announcement of the chosen sponsor is expected in May 2014.

## **5. Community consultation**

- 5.1 The Academy/Free School Presumption guidance states that it is for the local authority to decide how to consult on the proposed new school and with whom. A community drop-in consultation is scheduled to take place in term 5. All key stakeholders will be invited.

## **6. Equality Impact Assessment**

- 6.1 An Equality Impact Assessment has been completed as part of the process to seek sponsors. To date no comments have been received and no changes are required to the Equality Impact Assessment.

## **7. Delegation to Officers**

- 7.1 The Officer Scheme of Delegation; under Appendix 2 part 4 of the Council's Constitution, provides a clear and appropriate link between this decision and the actions needed to implement it. For information it is envisaged, if the proposal goes ahead, that the Director of Property & Infrastructure Support will sign contracts on behalf of the County Council.

## **8. Conclusion**

- 8.1 This report has set out the need for a new school at the Knights Park development, Tunbridge Wells; the associated financial implications and Academy presumption process followed by KCC which is aligned to the Academy/Free School Presumption Guidance 2013. A careful, transparent evaluation was undertaken of the bids received and based on this process, KCC's Education Commission recommended a potential sponsor for consideration by the Secretary of State for Education.

- 9. Recommendation(s):** The Education and Young People Services Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Health Reform on decision 14/00040 to:
- (i) Allocate £5.4million from the Education Learning and Skills Capital Budget to fund the capital costs of the new primary school at Knights Park.
  - (ii) Authorise the Director of Property and Infrastructure Support in consultation with the Director of Law and Governance to enter into any necessary contracts/ agreements on behalf of the County Council
  - (iii) Authorise the Director of Property and Infrastructure Support to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

## **10. Contact details:**

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## **11. Background Documents:**

Bold Steps for Kent and Policy Framework

[http://www.kent.gov.uk/your\\_council/priorities\\_policies\\_and\\_plans/priorities\\_and\\_plans/bold\\_steps\\_for\\_kent.aspx](http://www.kent.gov.uk/your_council/priorities_policies_and_plans/priorities_and_plans/bold_steps_for_kent.aspx)

Kent Commissioning Plan for Education Provision 2013-2018

<https://democracy.kent.gov.uk/documents/s43253/ItemD3KentEducationCommissioningPlan20132018final.pdf>

Strategy for Children & Young People with Special Educational Needs and Disabilities

<https://shareweb.kent.gov.uk/Documents/KELSI/supporting-pupil-learning/SEN/SEN/FINAL%20Strategy%20for%20Children%20and%20Young%20People%20with%20Special%20Educational%20Needs%20and%20Disabilities.pdf>

KCC School consultation webpage - Knights Park:

[http://www.kent.gov.uk/education\\_and\\_learning/plans\\_and\\_consultations/school\\_provision\\_planning.aspx](http://www.kent.gov.uk/education_and_learning/plans_and_consultations/school_provision_planning.aspx)

## KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Roger Gough,  
Cabinet Member for Education and Health Reform

DECISION NO:

**14/00040**

For publication

**Subject: New primary school at Knights Park, Tunbridge Wells**

Decision:

**As Cabinet Member for Education and Health Reform I agree to:**

- (i) Allocate £5.4million from the Education Learning and Skills Capital Budget to fund the capital costs of the new primary school at Knights Park.
- (ii) Authorise the Director of Property and Infrastructure Support in consultation with the Director of Law and Governance to enter into any necessary contracts/ agreements on behalf of the County Council
- (iii) Authorise the Director of Property and Infrastructure Support to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts

Reason(s) for decision:

The Commissioning Plan for Education Provision set out the need for a new school at the Knights Park development, Tunbridge Wells; the associated financial implications and Academy presumption process followed by KCC which is aligned to the Academy/Free School Presumption Guidance 2013. A careful, transparent evaluation was undertaken of the bids received and based on this process, KCC's Education Commission recommended a potential sponsor for consideration by the Secretary of State for Education.

In reaching this decision I have taken into account:

- the views of the, the local County Councillor; Headteacher and Chair of Governors of the school;
- The views of th Education Committee
- the views of the Education Cabinet Committee which are set out below

Cabinet Committee recommendations and other consultation:

**27 September 2013**

The Committee resolves that:-

- a) the responses to comments and questions by Members be noted;
- b) the increase funding available through the Targeted Basic Need grant be noted; and
- c) the Education Cabinet Committee endorses the decision to be taken by the Cabinet Member for Education and Health Reform on the proposed decisions to expand and build at the schools and in the areas identified.

**14 October 2013**

The Committee endorsed the Kent Commissioning Plan, which identified a need for up to 2FE on Land West of Knights Way, Longfield Road, Tunbridge Wells, Kent, TN2 3UQ Knights Park, subject to the development of housing.

**22 April 2014**

To be added after Committee meeting

Any alternatives considered:

The Commissioning Plan for Education Provision 2013-18 explored all options and the expansion of this school was deemed the suitable option.

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

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signed

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Date