

From: Roger Gough, Cabinet Member for Children, Young People and Education
Patrick Leeson, Corporate Director for Children, Young People and Education

To: Children's, Young People and Education Cabinet Committee – 22 June 2017

Subject: Proposal to approve a new two form entry Primary school with a 26 place nursery, and SEN specialist provision for pupils with Autistic Spectrum Disorder, at Chilmington Green, Ashford

Classification: Unrestricted

Past Pathway of Paper: None
Future Pathway of Paper: Cabinet Member decision

Electoral Divisions: Ashford South (Dara Farrell), Ashford Rural South (Mike Angel), Ashford Rural West (Charlie Simkins)

Summary:

This report sets out the need for a new two form entry (2FE) Primary school at Chilmington Green, Ashford, to open in September 2018. The school will include a 26 place nursery and SEN specialist provision for pupils with Autistic Spectrum Disorder. The new school will open off site in the former Ashford South Primary School buildings.

Recommendation(s):

The Children's, Young People and Education Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Children, Young People and Education on the decision to:

- a) Allocate £7.2m from the Children, Young People and Education Capital Budget;
- b) To authorise the Director of Infrastructure in consultation with the General Counsel to enter into any necessary contracts/ agreements on behalf of the County Council; and
- c) Authorise the Director of Infrastructure 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.

1. Introduction

- 1.1 The Ashford Borough Local Plan sets the expectation that 20,350 new homes will be built in the District between 2001 and 2021 with the development at Chilmington Green being an integral part of this plan. The development is located south west of Ashford Town and bordered on the west by the A28. The development will be a new community of some 5,750 homes, alongside significant leisure and community facilities. The development will produce additional demand for Primary and Secondary school places which cannot be met locally. Once the development reaches capacity there are planned to be three new 2FE Primary schools, a 1FE Primary school and a Secondary school accommodating up to 8FE. Therefore, we are seeking a sponsor for the first new 2FE free school that will serve the District Centre of the development.

2. Proposal

- 2.1 We are proposing the opening of the first of the Primary schools. Our intention is that it will be a 2FE Primary school with a 26 place nursery. The Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) identifies the need to provide additional places for pupils with Autistic Spectrum Disorder (ASD). We are proposing, therefore that the school contains specialist provision for pupils with ASD. This could be via a satellite unit of Wyvern Special School on the new school site. The alternative is for the sponsor to operate a Specialist Resourced Provision within the school.

3. The Need For School Places

- 3.1 The developers of Chilmington Green have commenced construction of the site access and work is underway to discharge all pre-commencement conditions. It is anticipated house building will commence in winter 2017 with occupations in 2018. The rate of house building is forecast to be 350 units per year. This would be expected to produce 98 Primary aged pupils per year, or half a form of entry. At this rate a new 2 FE school will be full within four years.
- 3.2 Figures 1 and 2 show the forecast surplus and deficit places across the Ashford District and across the Ashford South planning area and across Ashford South adjoining planning areas if no action is taken.

Figure 1: Year R Surplus/deficit capacity if no further action is taken

Planning Group	2015-16 capacity	2015-16 (A)	2016-17 (F)	2017-18 (F)	2018-19 (F)	2019-20 (F)	2020-21 (F)	2020-21 capacity
Ashford South	360	8	11	-4	27	17	19	360
Ashford South and adjoining planning areas	1,181	104	77	30	78	18	42	1,181
Ashford	1,635	134	111	102	160	63	105	1,630

Figure 2: All Year Groups Surplus/deficit capacity if no further action is taken

Planning Group	2015-16 capacity	2015-16 (A)	2016-17 (F)	2017-18 (F)	2018-19 (F)	2019-20 (F)	2020-21 (F)	2020-21 capacity
Ashford South	2,520	86	113	75	85	90	105	2,520
Ashford South and adjoining planning areas	7,916	340	358	284	307	271	266	8,372
Ashford	11,009	533	559	470	528	501	528	11,520

The forecasts show that from 2017-18 Ashford District is forecast to be operating with less than 5% surplus school places available across Years R-6. This picture is similar in the Ashford South Planning Area, where the new development is located, and in the adjacent planning areas. It is evident that there will be insufficient capacity in the local planning areas to meet the need of approximately 100 extra pupils in each year. Indeed, we would forecast a deficit of places across Ashford South and the adjoining planning areas by 2020-21. With this in mind we are proposing that the new school will initially open in September 2018 in premises located at the former Ashford South School, Jemmett Road, Ashford. On completion of the new school building in Chilmington Green the school will relocate. This is expected to be in September 2019.

4. The Free School Presumption Process

- 4.1 The Education Act 2011 changed the arrangements for establishing new schools and introduced Section 6A (the academy and free school presumption) to the Education and Inspections Act 2006. This was amended in March 2015 to be only a free school presumption. Where a local authority thinks there is a need for a new school in its area it must seek proposals to establish a free school. All new 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 and approval. The preference indicated by the local authority will be a key factor in that consideration. We are presently completing the competition process following the timetable outlined in figure 3.

Figure 3: Timeline for the free school competition

Event	Proposed Dates
Invitation to submit a proposal published	3 April 2017
Deadline for receipt of applications	19 May 2017
KCC informs DfE of all proposals received	23 May 2017
Promoter Assessment Panel meets	6 June 2017
Education Commission considers proposals	20 June 2017
KCC submits all proposals to the Secretary of State	27 June 2017
Secretary of State appoints the successful sponsor	End July 2017
School opens off site	September 2018
School open in the development	September 2019

4.2 In order to encourage the widest choice of quality sponsors the LA has:

- Published information about the competition on the KCC website. This included an indicative 3-year budget profile, an application form for potential sponsors to complete, and assessment criteria against which the applications would be assessed on.
- Sent the competition information to the Free Schools Presumption team who forward this to the New School Network.
- Written to all Ashford Headteachers.
- Written to trusts who had already expressed an interest.
- Written to 18 trusts that sponsor Academies in Kent.
- Included the need for a free school in Chilmington Green in KCC's Education Commissioning Plan 2017-21.

We have initiated engagement with the local community through:

- Sharing all the competition information with Ashford Borough Council, the local MP and the local Parish Councils.
- Arranging a meeting with Chilmington Green Stakeholder Group on 13 June 2017 to gather their views on the need for primary provision in Chilmington Green

5. Financial Implications

5.1

- a. Capital –The estimated cost of the new school is in the region of £7.2m. Developer contributions totalling £6m have been agreed towards the school with KCC providing the residual funding from the Children, Young People and Education capital budget. Capital funding will also be allocated to enable the School to resource each new classroom as they come on line, presently at a value of £6,000 per classroom.
- b. Revenue - A one-off £25,000 grant will be provided to the successful sponsor by the Department for Education to cover legal expenses. 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 2018. The school will receive funding through its GAG, via the Education and Skills Funding Agency. In accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum, the school will receive guaranteed funding during the first three years. The growth fund will support the school financially to ensure it can put in place a staffing structure to provide the places commissioned. For the purposes of providing a guaranteed budget we are assuming the organisation as laid out in figure 4 below. We will review the admission numbers and the school structure with the successful sponsor regularly, to ensure sufficient capacity will be in place when required without a significant overcapacity that will place an unnecessary pressure on the growth fund.

Figure 4: Proposed Admissions Numbers at the new school over the first 3 years

	Yr. R	Yr. 1	Yr. 2	Yr. 3	Yr. 4	Yr. 5	Yr. 6	Number of Classes Funded	Pupil Numbers Funded
2018/19	30	15	15	15	15	0	0	3	90
2019/20	30	30	30	15	15	15	0	5	150
2020/21	30	30	30	30	15	15	15	6	180

- c. Human – The school will appoint additional staff as required, as the School size increases and the need arises, utilising its revenue budget.

5. Vision and Priorities for Improvement

- 6.1 These proposals will help to secure our ambition that “Every child and young person should go to a good or outstanding early years setting and school” as set out in Vision and Priorities for Improvement 2016-2019.
- 6.2 The Commissioning Plan for Education Provision in Kent 2017-21 identified the need to commission the new school in Chilmington Green.

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 Infrastructure will sign contracts on behalf of the County Council.

8. Conclusion

- 8.1 The new school will provide the initial 2FE of provision, a 26 place nursery and specialist ASD provision for the Chilmington Green development thus ensuring that pupils have a school place and access to a local school.

9. Recommendation(s)

Recommendation(s): The Children’s, Young People and Education Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Children, Young People and Education on the decision to:

- a) Allocate £7.2m from the Children, Young People and Education Capital Budget;
- b) To authorise the Director of Infrastructure in consultation with the General Counsel to enter into any necessary contracts/ agreements on behalf of the County Council; and
- c) Authorise the Director of Infrastructure 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.

10. Background Documents

- 10.1 Vision and Priorities for Improvement
<http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/vision-and-priorities-for-improvement>
- 10.2 Commissioning Plan for Education Provision in Kent 2017-21
<http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision-plan>
- 10.3 Competition Document and Equalities Impact Assessment.
<http://www.kent.gov.uk/education-and-children/schools/education-provision/provision-of-new-schools#tab-3>

11. Contact details

Report Author:

- David Adams
- Area Education Officer – South Kent
- 03000 414989
- david.adams@kent.gov.uk

Relevant Director:

- Keith Abbott
- Director of Education Planning and Access
- 03000 417008
- keith.abbott@kent.gov.uk

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Roger Gough,
Cabinet Member for Children, Young People and Education

DECISION NO:

For publication

Subject: Proposal to approve a new 2FE primary school with a 26FTE place nursery, and specialist provision for pupils with Autistic Spectrum disorder, at Chilmington Green, Ashford

Decision:

As Cabinet Member for Children, Young People and Education I agree to:

- a) Allocate £7.2m from the Education and Young People's Service Capital budget;
- b) To authorise the Director of Infrastructure in consultation with the General Counsel to enter into any necessary contracts/ agreements on behalf of the County Council; and
- c) Authorise the Director of Infrastructure 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:

The Commissioning Plan for Education Provision in Kent (2017-21) sets out the intention to commission additional school places in Ashford. The Plan also mentioned a specific need for a 2FE school in Chilmington Green.

In reaching this decision I have taken into account:

- The need for extra school places required in Chilmington Green due to housing developments;
- The views of the Area Education Officer;
- The Equalities Impact Assessment and comments received regarding this; and
- The views of the Children, Young People and Education Cabinet Committee which are set out below

Financial Implications

- a. Capital –The estimated cost of the new school is in the region of £7.2m. Developer contributions totalling £6m have been agreed towards the school with KCC providing the residual funding from the Children, Young People and Education capital budget. Capital funding will also be allocated to enable the School to resource each new classroom as they come on line, presently at a value of £6,000 per classroom.
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commissioned. For the purposes of providing a guaranteed budget we are assuming the organisation as laid out in figure 4. We will review the admission numbers and the school structure with the successful sponsor regularly, to ensure sufficient capacity will be in place when required without a significant overcapacity that will place an unnecessary pressure on the growth fund.

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2020/21	30	30	30	30	15	15	15	6	180

- c. Human – The school will appoint additional staff as required, as the school size increases and the need arises, utilising its revenue budget.

Cabinet Committee recommendations and other consultation:
To be added after Committee meeting

Any alternatives considered:

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

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Signed

Date