

KENT COUNTY COUNCIL –RECORD OF DECISION

DECISION TAKEN BY:

Cabinet Member for Education and Skills

DECISION NO:

23/00002

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) *result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or*

Subject Matter / Title of Decision**Expansion of Sir Roger Manwood's School****Decision:**

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

- I. A funding agreement between Kent County Council and Sir Roger Manwood's School Trust be entered into to enable £2.1m (plus indexation) of developer contributions to be paid to the School as and when received by the Council.
- II. Authorise the Director of Education in consultation with the General Counsel to enter into any necessary contracts / agreements on behalf of the County Council.
- III. Authorise the Director of Education to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

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

Sir Roger Manwood's School is a co-educational selective school in Sandwich. In 2015 the School's Trustees increased the Published Admissions Number from 120 places per year group to 150 and has been self-funding remodelling of the School's buildings to accommodate the additional pupils.

The Authority has not provided any funding from its Capital Programme to support the expansion of the School. To date financial support has been limited to £285k of developer contributions which the Authority received and passed on to the School to pay for works undertaken as part of its expansion.

The School has a master plan in place which demonstrates how it will continue to remodel its facilities to address the pressure points created by admitting additional pupils. The plans demonstrate three phases of works.

Dover District has seen secondary school rolls rising for several years. In the non-selective sector this increase has been absorbed within existing capacity. However, in the selective sector Dover Girls' Grammar School, Dover Grammar School for Boys and Sir Roger Manwood's School have all increased their Published Admissions Numbers and have admitted further pupils. Consequently, the Authority's forecasts (Figure 1) indicate only a small deficit of Year 7 places in forthcoming years. This would not be the case had Sir Roger Manwood's not increased by 1FE.

Figure 1: Secondary - Year 7 surplus/deficit capacity if no further action is taken

	2021-22 capacity	2021-22 (A)	2022-23 (F)	2023-24 (F)	2024-25 (F)	2025-26 (F)	2026-27 (F)	2027-28 (F)	2028-29 (F)	2029-30 (F)	2030-31 (F)	2031-32 (F)	2031-32 capacity
Dover Selective	440	2	3	-6	-6	6	-6	-1	-5	4	27	31	440

Financial Implications

The Authority has sought developer contributions to support the School's expansion from 4FE to 5FE, with agreements in place to the value of £2.1m. In line with the CIL Regulations that applied at the time, these contributions name the School and can only be used to support expansion here. They also refer to phases of delivery, again because the CIL Regulations at the time restricted the Authority to utilising no more than five obligations to a project.

The Authority has not provided any funding from its Capital Programme to support the expansion of the School. To date financial support has been limited to £285k of developer contributions which the Authority received and passed on to the School to pay for works undertaken as part of its expansion.

As of November 2022, KCC has £741k of banked developer contributions which name Sir Roger Manwood's School and the projects which support the expansion from 4FE to 5FE.

It would be appropriate to enter into a funding agreement for total £2.1m of developer contributions. This will set out the individual development agreements from which funding has been received or is anticipated. It will stipulate the monies, and any indexation received with these, will only be paid to the School if and when received by the Authority. This will not place any financial pressure on the Capital Budget.

Legal implications

The Authority has a duty to ensure sufficient school places are available. It also has an obligation to spend the developer contributions it receives in line with the terms of the relevant agreement, in this case supporting Sir Roger Manwood's School deliver the additional capacity set out in its master plan.

A legal agreement will be required for £2.1m. This will ensure the places funded by this money are guaranteed for the future, that the County Council is able to see building plans and contracts, and be sure that the funding is spent appropriately and in line with S106 agreement terms.

Equalities implications

An Equality Impact Assessment has been completed. It is believed that the proposal would have a positive impact on the community. No adverse impacts have been identified on any group with protected characteristics at this stage.

Data Protection implications

No DPIA was require.

Cabinet Committee recommendations and other consultation:

The Children’s, Young People and Education Cabinet Committee considered this decision at its meeting on 17 January 2023.

Any alternatives considered and rejected:

There are two other selective schools in Dover District: Dover Girls Grammar School and Dover Grammar School for Boys. The contributions secured cannot be used to expand these schools.

The option of returning the contributions secure to the developers has been considered and discounted. This would be detrimental to the Kent community.

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



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signed

...14 February 2023.....
date