

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TAKEN BY:

Rory Love,
Cabinet Member for Education and Skills

DECISION NO:

23/00001

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
- b) be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:
 - the adoption or significant amendment of major strategies or frameworks;
 - significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.

Subject Matter / Title of Decision

Proposal to establish a new 2FE Primary School in Thanington Canterbury for September 2025.

Reason for Urgency

Administration issue resulted in delayed publication of the FED. The decision details have been in the public domain since 17 January 2023 when the item was discussed publicly at the CYPE Cabinet Committee.

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

- i) Agree that a Free School Presumption Competition can commence in order to seek applications from potential sponsors to run the new 2FE Primary School in Thanington, Canterbury.
- ii) Allocate £9.9m from the Children, Young People and Education Capital budget
- iii) 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.
- iv) 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.

Reason(s) for decision:

Background

Canterbury City Council's current Local Plan, adopted on 13 July 2017, proposed a total of just over 16,000 new homes during the Plan period up to 2031. The Canterbury Infrastructure Delivery Plan (2019) identified the provision of a 2FE Primary School within the strategic site allocation at Cocking Farm, Thanington (Policy SP3, Site 11). This is critical infrastructure needed to support the delivery of the 2017 Canterbury District Local Plan. The new 2FE Primary School in Thanington

was included in the Kent Commissioning plan and stated it would be need as and when the new housing developments progressed.

In order to establish the new 2 FE primary School in Thanington, Canterbury. Kent County Council is required to run a Free School Presumptive competition to secure an Academy Sponsor. 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 identifies 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.

Financial Implications

Capital

The current predicted cost for building the new school at Thanington is £9.9m which is £23,581.10 per pupil, slightly lower than the DfE per pupil benchmark of £25,880 for a Primary new school build. Therefore, the DfE benchmark for a 2FE new primary school is currently £10,869,600.

The new school will be delivered in two phases to ensure that there will not be an over-supply of places.

Phase Build Cost

Phase 1 1FE (7 classrooms) plus core facilities for the 2FE school including Hall, PE, and dining facilities £8m

Phase 2 1FE expansion (7 classrooms and adjacent facilities) £1.9m

Total 2FE school £9.9m

Developer Contributions totalling £6.4m have been requested and agreed towards the new 2FE Thanington Primary School. Of this £0.2m has been received. Trigger points in the s106 will release the developer contributions as the new houses are built and occupied. KCC will be asked to provide the residual funding from the Children, Young People and Education capital budget. This is subject to further key decision by the Cabinet Member for Education & Skills following planning permission and refinement of costs.

Revenue

Revenue costs are expected to be met through the ring-fenced Dedicated Schools Grant: Schools Block in accordance with the prevailing Kent County Council School's Growth Funding Policy. The current funding offer includes:

- £6,000 per new classroom to support set up costs.
- New School Set Up Funding of up to £50,000 towards the setup costs prior to the opening of the school. This is based on the typical costs associated with a setup of a new primary school. To access this funding the new school must submit a plan of expenditure to the AEO for authorisation.
- Guaranteed funding for the first three years to support the school financially to ensure it can put in place a staffing structure to provide the school places required (this will be reviewed closer to the time of opening).

The ongoing annual revenue budget for the school will be allocated in accordance with the prevailing Government requirements for setting the Local Funding Formula for Schools Budgets in Kent. Free schools are not controlled by a Local Authority and future revenue financial implications, including the management of the school budget, will be responsibility of the future Trust.

There are no revenue Council General Fund implications expected from this proposal.

Legal implications

The section 106 stipulated that the build contract for the new primary school must be entered into within 2 years of the land transferring to KCC. The land transferred in July 2021.

The secretary of State will make the final decision on the sponsor of the school.

Equalities implications

An Equality Impact Assessment has been produced and the assessment identified the following

positive impacts:

- Ensure there are sufficient accessible primary school places for children and families in Thanington and the surrounding area.

- Ensure that there is sufficient local provision to meet the need of new local housing.

Consideration has been taken of any impact that the new school may have on other Primary Schools in the Canterbury district. The new Primary school will initially open as a 1FE primary school growing year on year and the second reception class will open at a future date as the housing development expands and houses are occupied, this is to ensure that there are not too many primary school places in Canterbury and will prevent any negative impact on existing schools in Canterbury.

Other Alternatives Considered and risks if decision isn't taken.

Other options have not been considered as this school is to serve the new housing development in Thanington and forms part of a s106 agreement.

Cabinet Committee recommendations and other consultation:

The decision was considered by the Children's, Young People and Education Cabinet Committee on 17 January 2023.

Any alternatives considered and rejected:

All options were considered as part of the report attached to this document.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None



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signed

22 February 2023

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date