

From: **Patrick Leeson, Corporate Director for Children, Young People and Education**

To: **Roger Gough, Cabinet Member for Children, Young People and Education**

Subject: Commissioning Secondary Capacity in Thanet District

Classification: **Unrestricted**

Past Pathway of Paper: Education and Young People Services Cabinet Committee - 23 November 2016

Future Pathway of Paper: Cabinet Member Decision

Electoral Division: Margate (Barry Lewis), Birchington & Rural (Emma Dawson), Broadstairs (Rosalind Binks), Cliftonville (Lesley Game), Ramsgate (Karen Constantine and Paul Messenger)

**Summary:** This report sets out the need for additional Secondary school capacity in Thanet district, including:

1. A new 6FE Secondary School in Margate – this report requests endorsement to commence a Free School Presumption competition process to seek sponsors to run the new school from September 2019 or 2020 (Decision No: 17/00101).
2. A permanent 2FE expansion of Ursuline College from September 2019 (Decision No: 17/00100).
3. Some temporary expansion of existing Secondary schools in Thanet which will also be required in order to ensure that sufficient Year 7 places are available for entry in September 2018 and 2019.

**Recommendation(s):**

The Cabinet Member is asked to:

- (i) Agree that a Free School Presumption Competition process can commence in order to seek applications from potential sponsors to run a new Secondary School in Thanet on the former Royal School for the Deaf site in Margate.
- (ii) Allocate £20m from the Basic Need Capital Programme Budget to fund the building of the new Secondary School.
- (iii) Allocate £3m for the permanent expansion of Ursuline College and agreement for the Local Authority (LA) to hold a joint consultation on a proposal to permanently expand the school.
- (iii) Authorise the Director of Infrastructure in consultation with General Counsel to enter into any necessary contracts/agreements on behalf of the County Council.

(iv) 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 Kent Commissioning Plan for 2015 to 2019 identified the need for additional secondary school provision for Thanet to be in place for September 2019 onwards. The Kent Commissioning Plan for 2017 to 2021 forecast that up to 8 forms of entry of provision would be required during the period 2019-22. It was expected that this would be via a new Free School established through Wave 12 (autumn 2016) or Wave 13 (spring 2017). Although two applications from Sponsors to run the new Secondary school were received by the ESFA during the Wave 12 application period, neither sponsor was approved by the DfE.

1.2 At the meeting of the Children's Young People and Education Cabinet Committee meeting on 22 June 2017, Mr Abbott, Director of Education Planning and Access informed the Committee of the concerns about the implications of the delay of Wave 13. It is likely that Wave 13 will not open until spring 2018 (if at all). This would mean that any decisions on sponsors would be made by autumn 2018 at best. Where we have sponsors in place for new secondary schools that were approved in Wave 12, the schools (e.g. in Canterbury) plan to open by September 2020 at the earliest. If we were to wait for Wave 13, we would run the risk of it not happening at all and losing another year, or at best, securing a sponsor and the school not opening until September 2021 or 2022.

The onus would now be on the LA to run a competition outside of the Wave process in order to secure sponsors for the required new schools. The competition process would take at least eight months to complete.

1.3 Acquisition of the former Royal School for the Deaf site was agreed following discussion at Property Sub Group on 8 September 2017. The site will accommodate a 6FE secondary school for students aged 11-16 years. The site is not large enough to include a 6<sup>th</sup> form provision and therefore the LA will work with all Post 16 providers in Thanet to ensure sufficiency of future pathways for students.

1.4 As a future minimum 8FE of need has been identified, temporary and permanent expansion of existing schools will also be required, including a permanent 2FE expansion of Ursuline College.

## **2. Background**

2.1 The requirement for additional secondary capacity in Thanet district highlighted in the Kent Commissioning Plan is linked to the impact of a decade of rising numbers in the Primary phase which is expected to impact significantly on the Secondary phase from 2019-20. The table below sets out the Secondary school population figures and forecast of surplus and deficit places (assuming that no action is taken) included in the 2017 to 2021 edition of the Plan.

	2015-16 capacity	2015-16 (A)	2016-17 (F)	2017-18 (F)	2018-19 (F)	2019-20 (F)	2020-21 (F)	2021-22 (F)	2022-23 (F)	2022-23 capacity
Year 7	1,471	41	44	-59	-94	-183	-232	-192	-227	1,444
Years 7-11	7,275	337	371	221	50	-242	-516	-751	-920	7,220

The deficit of places for entry in September 2017 was met by three of the Secondary schools in Thanet agreeing to admit over their Published Admission Number (Royal Harbour Academy 31 places, Ursuline College 30 places and St George's CE Foundation School 10 places).

2.2 The LA has undertaken feasibility work in order to make informed decisions on how further Secondary capacity can be provided either on a permanent or temporary basis for entry in September 2018, when a 3FE+ deficit of Year 7 places is predicted. The 2FE expansion of Ursuline College has been identified as a cost effective solution to providing additional places for entry in September 2018 onwards and consultation on permanent expansion will take place during the latter part of this autumn term.

2.3 Temporary expansion will also be required to provide sufficient Year 7 places for September 2018 and discussions are taking place with the other Secondary schools in Thanet on how this need can be met.

2.4 A deficit of 183 Year 7 places is forecast for entry in September 2019. This will require 5FE of temporary expansion in addition to the 2FE expansion of Ursuline College. Feasibility work has shown that one or two schools could provide temporary bulge classes with little capital costs incurred, but others would require additional buildings and facilities which would not be possible to deliver by September 2017. This option does carry a high risk as the schools may not be prepared to agree to temporary expansion and securing planning consent for additional buildings and facilities, if required, could be an issue.

2.5 An alternative option to providing temporary expansion of existing schools in order to meet the 5FE shortfall for entry in September 2019 would be the opening of the new Secondary school by utilising the former Walmer Secondary School site in Deal, pending moving the students into the new school in Margate once completed. This option reduces short-term capital costs but will result in additional transport revenue costs (circa £100k in 2019/20 ) for transporting students for the year that the new school operates from the Deal site. (Transport costs would be over 100k for each subsequent year if the school needs to remain beyond 2019/20.)

2.6 The Thanet District Local Plan proposes that 14,212 new dwellings are built across Thanet with approximately 950 dwellings per annum. A new 6FE Secondary Free School, together with the permanent expansion of Ursuline College by 2FE, would provide sufficient capacity within the medium to longer term. If all the proposed new housing is built, a further new Secondary school may be required in the future. Discussions have been initiated via Thanet District Council with the developer for the Westwood Village development to identify a site that could be suitable for a future secondary school.

### 3. The Free School Presumption Process

3.1 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 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. The LA 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 LA will be a key factor in that consideration. We are proposing the following timetable for the competition process to establish a new Secondary school in Thanet through the free school presumption route.

<b>Event</b>	<b>Date</b>
Invitation to submit a proposal published	30 October 2017
Community consultation commences	30 October 2017
Expressions of Interest to be submitted by	17 November 2017
Deadline for receipt of full applications	08 December 2017
Community consultation ends	08 December 2017
Promoter Assessment Panel meets	w/c 08 January 2018
Education Commission considers proposals	w/c 15 January 2018
KCC submits all proposals to the Secretary of State	26 January 2018
Secretary of State appoints the successful sponsor	March 2018
Target date for opening of new school	September 2019
Target date for opening of school on new site	September 2020

3.2 In order to encourage the widest choice of quality sponsors the LA will:

- Publish information about the competition on the KCC website. This will include an indicative 3-year budget profile, an application form for potential sponsors to complete and assessment criteria against which the applications would be assessed;
- ; Send the competition information to the DfE Free School Presumption Team who will forward this to the New Schools Network (an independent charity that works to encourage and support good new free school applicants).
- Write to Thanet Headteachers;
- Write to Trusts who have already expressed an interest and those already operating in Kent;
- Commence community engagement and consultation through sharing all the competition information with KCC local Members, Thanet District Council, local MPs, Parish Councils and other stakeholders.

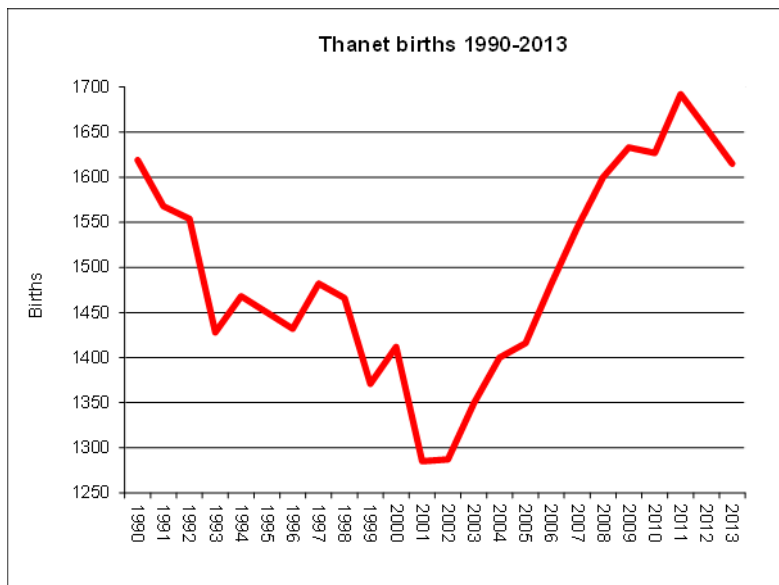
#### **4. Financial Legal and Equalities Implications**

## 4.1 Financial Implications

### *New 6FE Secondary School*

- a. Capital – The Secondary pupil number position in Thanet is growing rapidly from a low point of almost 12% spare capacity in Year 7 in 2013-14 and 2014-15 to a forecast deficit position for September 2018 onwards as the growth in the Primary school population that started in 2011/2012 now moves through to Secondary. Many of the strategic housing development sites for Thanet were negotiating developer contributions at a point when Secondary pupil numbers were at a low point. Due to this, KCC was not able to secure developer contributions towards additional Secondary school provision. Changes to the legislation also required KCC to name a specific project against which contributions could be secured. Until we were able to identify a site for a new school, we could not name a project against which contributions could be secured, therefore very little in developer contributions has been secured so far towards the cost of providing the new Secondary school. It is therefore likely that the majority of the £20m funding will need to be provided from the Children, Young People and Education capital budget. Capital funding will also need to 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.

The chart below shows the sharp increase in the number of births in the Thanet district from the low point in 2001/2002:



- b. Revenue – A one-off grant of £25,000 will be provided to the successful sponsor by the DfE 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 2019. The school will receive funding through its General Annual Grant (GAG), via the ESFA. 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 the table 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.

#### Proposed Admissions Numbers at the new school over the first 4 years

	Year 7	Year 8	Year 9	Year 10	Year 11	Number of Classes Funded	Pupil Numbers Funded
2019/20 Walmer site	120	0	0	0	0	4	120
2020/21	150	120	90	0	0	12	360
2021/22	150	150	120	90	0	17	510
2022/23	180	150	150	120	90	23	690

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

#### *2FE Permanent Expansion of Ursuline College*

- a. Capital – The enlargement requires the school to be provided with additional general teaching spaces, specialist teaching areas and facilities. A curriculum assessment has been carried out in order to identify the additional accommodation required for the project. The cost of the project is estimated as £3m and this may increase as the project is developed. If any increase in 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 – For a period of three academic years the school will receive protection for additional Year 7 pupils. For each additional classroom resulting from the expansion the sum of £6,000 will be allocated towards the classroom setup costs.
- c. Human – The school will appoint additional staff as and when appropriate.

### **5. Equalities Implications**

An Equality Impact Assessment will be completed and made available on the KCC website as part of the commissioning process to establish Secondary school provision in Thanet.

### **6. Consultation**

6.1 A six week consultation with the community and other stakeholders will be held on the proposal to establish a new 6FE Secondary School on the former Royal School for the Deaf site.

6.2 The Governing Body of Ursuline College, together the Local Authority will hold a four week consultation on a proposal to expand the school by 2FE. The consultation is likely to start later in the autumn term.

### **7. Kent Policy Framework**

These proposals will help to secure our ambition “to ensure that Kent’s young people have access to the education, work and skills opportunities necessary to support Kent business to grow and be increasingly competitive in the national and international economy” as set out in ‘Increasing Opportunities, Improving Outcomes: Kent County Council’s Strategic Statement (2015-2020)’.

The Kent Commissioning Plan for Education 2017-21 sets out how we carry out our responsibility for ensuring there are sufficient places of high quality, in the right places, for all learners and this project supports that aim to provide sufficient places where they are needed. The Plan identified the need to commission a new Secondary school in Thanet and expansion of existing schools.

## **8. Views**

### **8.1 The view of the Local Members**

The views of the Thanet Members will be sought during the consultation periods for both the the new school and the expansion of Ursuline College.

### **8.3 The view of the Area Education Officer:**

The lack of success in securing a sponsor in Wave 12 of the Free School programme and the delay to the Wave 13 process has meant that the timeframe to ensure that we have between seven and eight additional forms of entry for children coming through from our primary schools is extremely tight. Developers for the strategic sites in Thanet were not able to provide us with the option of sites that could be accessed in the timeframe we required, although there are possibilities for future provision should this be required towards the end of the planning period. The acquisition of the former Royal School for the Deaf site has provided us with the opportunity of establishing a new secondary school in an area of high population density. We need to commence the competition process urgently in order to increase our chances of securing a suitable sponsor in time for the opening of the new school. Discussions are continuing with all Thanet secondary school headteachers, other interested parties and CEOs of Academy Trusts operating in Thanet to ensure that we can meet the pupil demand coming forward.

Feasibilities have been carried out at a number of the Thanet secondary schools to identify the potential for expansion. In some cases schools have subsequently decided against bringing forward any expansion proposals. Following consideration of the feasibility reports and taking into account parental popularity, standards and governing body support, we feel that the permanent expansion of Ursuline College by two forms of entry would be the best option.

## **9. Conclusions**

Without the additional Secondary Capacity being proposed from September 2018 onwards for Thanet district, there will not be sufficient Year 7 places available to meet demand. This would result in children having to travel to other districts for their education (some of these districts are also coming under pressure for pupil places) and would further increase transport costs for KCC. This would also be very unpopular with the families in Thanet.

## **10. Recommendation(s)**

The Cabinet Member is asked to:

- (i) Agree that a Free School Presumption Competition process can commence in order to seek applications from potential sponsors to run a new Secondary School in Thanet, on the former Royal School for the Deaf site in Margate, opening initially in September 2019 in the former Walmer School.
- (ii) Allocate £20m from the Basic Need Capital Programme Budget to fund the building of the new Secondary School.
- (iii) Allocate £3m for the permanent expansion of Ursuline College and agree that the LA hold a joint consultation on a proposal to permanently expand the school.
- (iv) Authorise the Director of Infrastructure in consultation with General Counsel to enter into any necessary contracts/agreements on behalf of the County Council.
- (v) 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.

## **11. Background Documents (plus links to documents)**

### 11.1 Vision and Priorities for Improvement

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-andemployment-policies/vision-and-priorities-for-improvement>

### 11.2 Commissioning Plan for Education Provision in Kent 2017-21

[www.kent.gov.uk/educationprovision](http://www.kent.gov.uk/educationprovision)

11.3 Consultation Information and Equality Impact Assessments will be made available at:

[www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations)

## **12. Contact details**

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