

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

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

Subject: **Commissioning Primary and Secondary Capacity in Ebbsfleet, Dartford**

Classification: Unrestricted

Past Pathway of Paper: Children's, Young People and Education Cabinet Committee
- 13 October 2017

Future Pathway of Paper: Cabinet Member decision – 18/00018

Electoral Division: Swanscombe and Greenhithe – Peter Harman

Summary: This report sets out the need for a new Secondary School of up to 8 forms of entry (FE) and a new 2FE Primary School in Dartford and requests endorsement to commence Free School Presumption Competition processes to seek sponsors to run the new schools. This report also requests endorsement for the Cabinet Member's decision to allocate the funding for the building of the second form of entry of the new 2FE Primary School.

Recommendation(s):

The Cabinet Member for Children, Young People and Education is asked to agree to:

(i) Commence a Free School Presumption Competition process in order to seek applications from potential sponsors to run a new Secondary School in Dartford, within the Alkerden development on Eastern Quarry, which forms part of the Ebbsfleet Garden City.

(ii) Commence a Free School Presumption Competition process in order to seek applications from potential sponsors to run a new 2FE Primary School in Dartford, within the Ebbsfleet Green development, which forms part of the Ebbsfleet Garden City.

(iii) Allocate £2.5m from the Basic Need Capital Programme Budget to fund the provision of the second FE of the proposed 2FE Primary School on Ebbsfleet Green.

(iv) Authorise the Director of Infrastructure in consultation with General Counsel to enter into any necessary contracts and 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.

1. Introduction

1.1 The need for new Secondary School provision to meet demand arising from the Ebbsfleet Garden City development was identified during the original planning of the City and has been highlighted in recent versions of the KCC Commissioning Plan for Education Provision, including the latest 2017-21 version of the Plan. More specifically the school is anticipated to accommodate pupils who are residents of any of the three villages on Eastern Quarry or of the Ebbsfleet Green development. Based on current housing trajectories for those developments, it is anticipated the first four forms of entry will be required by September 2021.

1.2 The need for new Primary School provision to meet demand arising from the Ebbsfleet Garden City development was identified during the original planning of the City and has been highlighted in recent versions of the Commissioning Plan for Education Provision, including the latest 2017-21 version of the Plan. More specifically the school is anticipated to accommodate pupils who are residents of the Ebbsfleet Green development. Based on current housing trajectories, it is anticipated the first form of entry will be required by September 2020.

1.3 Regardless of the situation in respect of the ESFA's Free School Wave application process, the onus is on the local authority to run competitions outside of any Wave, as both schools will be funded either wholly through developer contribution or through a mixture of Local Authority Basic Need funding and developer contribution.

1.3 Through the existing Section 106 agreements the Secondary School will be produced wholly through developer contributions relating to Eastern Quarry and Ebbsfleet Green. The Section 106 agreement for the Primary school on Ebbsfleet Green provides for a site of 2.05 hectares to be provided along with a 1FE Primary school with infrastructure to allow expansion to 2FE.

1.4 Due to the high pupil numbers being realised by existing housing developments in Dartford, existing pupil place pressures already being experienced in the District and the fact that 1FE Primary Schools are vulnerable in terms of viability, it is the intention to provide a 2FE Primary School within the Ebbsfleet Green development.

2. Background

2.1 The requirements for new Secondary School provision to meet demand arising from the Eastern Quarry and Ebbsfleet Green developments and new Primary School provision to meet demand primarily arising from the Ebbsfleet Green development were identified during the original planning of the Ebbsfleet Garden City and have been highlighted in recent versions of the Commissioning Plan for Education Provision in Kent, including the latest 2017-21 version of the Plan. The timing of provision of the new schools is linked to housing development completion rates. The section 106 agreements, including trigger points for school delivery are

currently being considered by the Ebbsfleet Development Corporation. However, the delivery triggers are not expected to change significantly.

2.2 The Eastern Quarry site and the Ebbsfleet Green site are part of a much wider constellation of strategic regeneration and growth initiatives, including from 2016 the Thames Estuary Growth Commission.

2.3 The Ebbsfleet Development Corporation (EDC) was established in April 2015, with the statutory designated area being defined by the Department of Communities and Local Government following public consultation. EDC determines planning applications, although plan-making remains the responsibility of Dartford and Gravesham Borough Councils, and Kent County Council. Although EDC's statutory powers only apply within the defined area, the impact of investment, development and regeneration initiatives will have an impact on the wider surrounding area and EDC will aim to ensure that the benefits from new development will flow into the neighbouring established communities.

2.4 In terms of development, the Eastern Quarry area will create 6,250 new homes and over a quarter of a million square metres of office, retail, hotel, leisure and community space. The Ebbsfleet Green development area will create 950 new homes and 8000 square metres of retail, hotel and community space.

2.5 Demand for school places in Dartford has increased steadily over the last eight years. It is predicated on four factors. Firstly, a birth rate which has historically been higher than both the Kent and national averages. Secondly, migration from London and abroad. Thirdly, significant house-building and lastly, Dartford Borough Council has also recently identified that changes in living circumstances has resulted in larger families living in dwellings that traditionally would have housed smaller families.

2.6 The Kent Education Commissioning Plan 2017 – 21, describes an ambitious plan to increase capacity in Primary and Secondary schools, including expansion of existing schools and new schools. The new Secondary school at Alkerden and the new Primary school on Ebbsfleet Green are integrated within that wider plan.

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 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.

3.2 The Ebbsfleet Development Corporation (EDC), as the local planning authority, is seeking to work with KCC officers on the competition tender document. The EDC is seeking to include additional criteria into the tender that reflect their aspirations for

how a local school in the Ebbsfleet Garden City should be integrated with the local community. This discussion process is planned to take place during the winter months, with the suggested completion date being early April 2018. Accordingly, we are proposing the following timetable for the competition process to establish a new Secondary school in Dartford through the free school presumption route.

Event	Date
Invitation to submit a proposal published	2 April 2018
Community consultation commences	2 April 2018
Expressions of Interest to be submitted by	11 May 2018
Deadline for receipt of full applications	1 June 2018
Community consultation ends	1 June 2018
Promoter Assessment Panel meets	w/c 01 June 2018
Education Commission considers proposals	w/c 15 June 2018
KCC submits all proposals to the Secretary of State	29 June 2018
Secretary of State appoints the successful sponsor	September 2018
Target date for opening of new school	September 2020

3.3 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 Headteachers of Primary, Secondary and Special schools in Dartford and Gravesham ;
- Write to Trusts who have already expressed an interest;
- Commence community engagement and consultation through sharing all the competition information with Dartford and Gravesham District Councils, the local MPs and the local Parish Councils.
- Holding a Public Meeting

4. Financial Legal and Equalities Implications

4.1 Financial Implications

- a. Capital for New Secondary Provision – The full cost of land and buildings for the new Secondary School will be met from developer contributions and will therefore have no impact on the Children, Young People and Education

capital budget. However, capital funding will be allocated to enable the School to resource each new classroom as they come on line, presently at a value of up to £2,500 per classroom

- b. Capital for New Primary Provision – The cost of the first FE of accommodation for the Primary school, and the cost of the core buildings, will be met through developer contribution. The land will transfer to KCC with no charge. The estimated cost of providing the second form of entry within the Primary School on Ebbsfleet Green is £2.5m. It is the aim that through close liaison with colleagues from Dartford Borough Council that additional developer contributions or CIL from other local developments can be secured to mitigate the impact of this cost on the Children, Young People and Education capital budget. However, at this stage the full cost should be allowed for. 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 up to £2,500 per classroom.
- c. Revenue – A one-off £25,000 grant will be provided to each successful sponsor of the schools by the Department for Education to cover legal expenses. KCC will provide a budget of £50,000 for start-up costs for the new Secondary school and £50,000 for the new Primary school, which will typically commence from January through to 31 August prior to the new schools opening on 1 September 2020. The schools will receive funding through the General Annual Grant (GAG), via the Education and Skills Funding Agency. In accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum, the schools 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 organisations as laid out in the table below for each school. We will review the admission numbers and the school structures with the successful sponsors regularly, to ensure sufficient capacity will be in place when required without a significant over-capacity that would place an unnecessary pressure on the growth fund.

Proposed Admissions Numbers at the new school over the first 3 years

New Secondary School

	Year 7	Year 8	Year 9	Year 10	Year 11	Pupil Numbers Funded
2020/21	120	60	60	0	0	240
2021/22	120	120	60	60	0	360
2022/23	120	120	120	60	60	480

New Primary School

	Year R	Year 1	Year 2	Year 3	Year 4	Number of Classes Funded	Pupil Numbers Funded
2020/21	30	30	30	0	0	3	90
2021/22	30	30	30	30	0	4	120
2022/23	30	30	30	30	30	5	150

It is currently the intention to let the 1 FE for Primary provision at least fill across all KS1 year groups before introducing the 2nd FE. However the Local Authority will work closely with the nominated provider and may request the earlier introduction should demand be evident.

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

4.2 Legal Implications: None

4.3 Equalities Implications: An Equality Impact Assessment will be completed and made available on the KCC website as part of the commissioning process.

5. Consultation

A six week consultation with the community and other stakeholders will begin at the end of October.

6. Kent Policy Framework

This proposal 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 Commissioning Plan for Education Provision in Kent 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 and new Primary School in Dartford.

7. Views

7.1 The view of the Local Members

The local member for Swanscombe and Greenhithe has been informed of the proposal.

7.2 The view of the Area Education Officer

The Area Education Officer for North Kent fully supports these proposals as being key components to meeting KCC’s commitment to provide sufficient school places to those residents who require one.

8. Conclusions

Demand for school places in Dartford has increased steadily over the last eight years, as evidenced by successive Kent Education Commissioning Plans. This report describes the need for a new Secondary School of up to 8FE and a new 2FE Primary School in Dartford, as a result of new housing development in the Ebbsfleet

area. To progress these two proposals, we request endorsement for the Cabinet Member's decision to commence two Free School Presumption Competition processes to seek sponsors to run the new schools. This report also requests endorsement for the Cabinet Member to allocate the funding for the building of the second FE of the new 2FE Primary School.

9. Recommendation(s)

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The Cabinet Member for Children, Young People and Education is asked to agree to:

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- (iv) Authorise the Director of Infrastructure in consultation with General Counsel to enter into any necessary contracts and agreements on behalf of the County Council.
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10. Background Documents (plus links to documents)

10.1 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>

10.2 Commissioning Plan for Education Provision in Kent 2017-21

www.kent.gov.uk/educationprovision

10.3 Consultation Document and Equality Impact Assessment.

11. Contact details

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