

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

Richard Long,  
Cabinet Member for Education and Skills

**DECISION NO:**

**20/00068**

For publication

**Subject: Proposal to provide additional funding to support the provision of a New 2FE Primary School on the Ebbsfleet Green Development, Dartford.**

Decision:

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

- a. provide £1.9m of additional funding, making a total of £9m (including £4.6m of Developer Contributions) to build a new 2FE Primary School on the Ebbsfleet Green Housing development in Dartford Borough.
- b. 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.
- c. 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. 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:

**Background**

1.1 The Ebbsfleet Garden City is seeing rapid housing development across several sites, Ebbsfleet Green being one of the larger sites. The development is well underway. The Section 106 provides for a new 2FE school to be delivered on the site.

1.2 Kent County Council's Commissioning Plan for Education Provision in Kent 2019-23 is a five-year rolling plan which is updated annually. It sets out the future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent. A copy of the plan can be viewed from this link:

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/education-provision>

1.3 The Children's, Young People and Education Committee considered this proposal on the 13 October, 2017, and recommended that funding be agreed. The original decision can be viewed via this link: <https://democracy.kent.gov.uk/ieDecisionDetails.aspx?ID=2172>

1.4 The Maritime Academy Trust was appointed by the DfE to run the new school, following an open competition that concluded in June 2018. The 2FE primary provision would also have a 26 place early years provision and a 15 place SRP for pupils whose primary barrier to learning is autism.

1.5 The developer, Redrow, KCC and the Ebbsfleet Developer Corporation sit on an Education Review Group (ERG) to discuss and if necessary, vote on issues about the delivery of the school that are not covered by the Section 106 or need clarification.

1.6 The reason that there is now a shortfall in funding is that the project was first costed in 2017 and in line with inflation and other issues, the cost has been revised. There have been several design changes required by the planning authority, Ebbsfleet Development Corporation to achieve planning permission, not least that the building is now a 2FE fitout.

1.7 There was an initial cost of temporary accommodation in mobiles which was aborted because the decision was taken to relocate of the temporary provision to another school for a period of one year to allow the school to start this September. This resulted in aborted costs for not delivering the mobile units on the Redrow land, aborted cost of temporary design and surveys for the temporary provision.

### **Options**

2.1 There are no options. This school is being proposed to accommodate the demand from the new housing development.

### **How the proposed decision meets the objectives of 'Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement (2015-2020)'**

3.1 The provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that "Children and Young People in Kent get the best start in life".

### **Financial Implications**

#### **Capital:**

4.1 The land is provided, serviced and remediated, by the developer at no cost to KCC.

4.2 Officers have determined that the cost of the project is £9m. Of this, the developer will pay £4.6m Developer Contributions under the extant section 106 agreement. £2.5m has already been agreed by the Cabinet Member following the original passing of this proposal on 17 October 2017. This leaves a shortfall of £1.9m, which would need to be funded by the CYPE Basic Need Capital Budget.

#### **Revenue Funding:**

4.3 The School will receive £6,000 per new learning space, which can be used towards the cost of furniture and equipment. This will be given to the school to purchase the required equipment.

4.4 In addition, an allowance of up to £2500 may be payable to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment.

### **Pupil Growth Funding**

5.1 The school will receive growth funding in accordance with the Pupil Growth Policy established by KCC and its Schools' Funding Forum.

### **Legal Implications**

6.1 Contracting for KCC framework building contractors

### **Equalities implications**

7.1 An EqlA was completed and submitted with CYPE Cabinet Committee report 19/00083 presented on 15 November 2019. The It can be found here:

[https://kccconsultations.inconsult.uk/gf2.ti/f/925602/36858629.1/DOCX/-/EqlA\\_initial\\_assessment\\_Dartford\\_Primary\\_Free\\_School.docx](https://kccconsultations.inconsult.uk/gf2.ti/f/925602/36858629.1/DOCX/-/EqlA_initial_assessment_Dartford_Primary_Free_School.docx)

7.2 The assessment identified the following positive impacts:

- More primary school places available, providing families with more options and choices
- Increase in the number of places available to meet the needs of pupils with disabilities and/or SEN and specifically those with Autism Spectrum Disorder

No adverse impacts were identified.

## **Data Protection implications**

8.1 When handling consultation and scheme responses KCC are the 'controllers' under the General Data Protection Regulation and will ensure that any personal information is processed fairly and lawfully.

Cabinet Committee recommendations and other consultation: Children's, Young People and Education Cabinet Committee – 30 July:

- (1) Mr Adams introduced the report which set out information relating to the proposed decision to release additional funding to support the provision of a New 2FE Primary School on the Ebbsfleet Green Development, Dartford.
- a) In response to a question, Mr Adams recognised that the aspirations of stakeholders were not always achievable with limited amounts of funding and confirmed that he would ask Mr Watts (Area Education Officer – North Kent) to provide further information to Mrs Dean in relation to the help of the Education Development Centre outside of the meeting.
  - b) Mr Adams referred to the Section 106 and Kent County Council's dependency upon colleagues in district councils to determine financial outcomes. He added that as part of the Section 106 process, Kent County Council had to evidence the need for funding, explain exactly where money would be spent and how provision would be made available. He reminded Committee Members of Kent's changing landscape and the need for flexibility to be able to respond to the need that exists at the time in the most appropriate way.
  - c) Mr Adams referred to Kent's legacy schemes in relation to school expansions and alterations and said that whilst the number of legacy schemes continued to diminish, a number could potentially be brought back to the Committee in the future. He added that conversations took place regularly between Finance, Education and Property to ensure that legacy schemes and projects continued to be identified and held to financial account.
  - d) Mr Adams referred to a typographical error within the report and confirmed that the local member had been consulted on the proposal.
- (2) RESOLVED that the decision proposed to be taken by the Cabinet Member for Education and Skills to:
- a) provide £1.9m of additional funding, making a total of £9m (including £4.6m of Developer Contributions) to build a new 2FE Primary School on the Ebbsfleet Green Housing development in Dartford Borough;
  - b) 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; and
  - c) 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. 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,

be endorsed.

*Ida Linfield and Dr Sullivan asked that their abstention from the recommendation be noted within the minutes*

**NB: Mr Love had specifically requested during the Cabinet Committee meeting that the discussion which had taken place in relation to this decision be set out within the decision paperwork for the Cabinet Member's information.**

Children's, Young People and Education Cabinet Committee considered the proposal on 13 October 2017.  
<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=894&MId=7797&Ver=4>

Any alternatives considered:

The Commissioning Plan for Education Provision 2020-24 explored all options and the expansion of this school was deemed the suitable option.

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

None

A handwritten signature in black ink, appearing to be 'R. Smith' or similar, written in a cursive style.

21 August 2020

**Signed**

**Date**