

meeting CABINET

date 14 September 2011

agenda item number 5

REPORT OF THE CABINET MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES

The Future of Sutton Centre Community College: Section 15 Notice

Purpose of report

1. This report updates Cabinet on the progress made with the proposal to create an academy to replace the Sutton Centre Community College.
2. The report also seeks the approval of Cabinet to withdraw the implementation of the linked proposal to close the above-mentioned school on 31 August 2011.

Information and advice

Background

3. The initial proposal to implement the closure of the above-mentioned predecessor school in order that it would re-open as the Sutton Community Academy, sponsored by West Nottinghamshire College (WNC) and co- sponsored by Nottinghamshire County Council with effect from 31 August 2010, was approved by Cabinet on 3 March 2010. The approval was given having considered the results of a statutory consultation process which was outlined in the report to Cabinet on 3 March 2010.
4. A report seeking to modify the date to implement the closure to 31 December 2010 was approved by Cabinet on 28 April 2010. A report to further modify the date for implementation to 31 August 2011 was approved by Cabinet on 15 December 2010.
5. The reports noted that any approval decision would be conditional pending the funding approval by the Secretary of State for the establishment of the proposed academy. This condition is to safeguard the Local Authority in making sure it is not left with a duty to implement its closure proposal without the school being replaced by a proposed and implemented alternative.

Update on the proposal to establish an academy

6. On 5 July 2010 the Secretary of State for Education announced the end of the Building Schools for the Future programme, through which the proposed new Sutton Community Academy development was to have been delivered, and also the launch of a comprehensive review of all capital investment in schools to be known as The James Review.
7. Partnerships for Schools (PfS) were instructed to review a number of proposed academies nationally, including the Sutton Community Academy. An officer from PfS inspected the existing school on 21 October 2010 and met with the existing school, officers of the County Council and representatives of the proposed sponsor, West Nottinghamshire College.
8. The government has announced which new academy projects considered under the review were to proceed. The Sutton Community Academy was not included in those approved projects.
9. The independent Review of Education Capital, led by Sebastian James (Group Operations Director of Dixons Retail plc), was published by the Department for Education (DfE) on 8 April 2011. The review makes 16 recommendations which, if adopted, would lead to a fundamental change in the present system for building and maintaining schools.
10. On 28 April 2011 the DfE advised that no further decisions would be made about the future of the proposed Sutton Community Academy project until the government responded formally to the James Review later in the year.
11. On 19 July 2011 the DfE responded to the James Review and announced a new privately financed priority school re-building programme targeted at local authority maintained schools in the worst condition. Applications to the programme are invited in October 2011 with a timeline for decisions to be made of December 2011.
12. West Nottinghamshire College has met with the existing school to discuss the way forward. Both parties remain committed to collaborative and strategic partnership working, but accept that the vision for the new Sutton Community Academy sponsored by WNC is not achievable in the foreseeable future.
13. The governing body of Sutton Centre Community College is committed to providing the best educational opportunities for the young people of Sutton in Ashfield and is considering a number of options which will enable the school to build on its strengths.
14. For the reasons outlined above, the original proposal that the DfE and WNC would enter into a funding agreement to establish a new academy will not now be progressed. As the school will therefore no longer close as outlined in the proposal approved by Cabinet on 3 March 2010, it is necessary to formally reject that proposal. Any future

proposal which included the closure of the school would require the County Council to undertake a new statutory consultation process.

Statutory and policy implications

15. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the service. Where such implications are material, they have been described in the text of the report. Attention is however drawn to the following:-

Financial implications

16. Sutton Centre Community College ended the 2010/11 financial year with a revenue budget surplus of £410,761. The school has submitted a budget plan for 2011/12 indicating a revenue surplus of £212,678.

Corporate Services' (Property Division) implications

17. The proposed Sutton Community Academy development was granted Outline Planning consent on 10 September 2010. An application to grant Village Green status on the land currently used as the school's detached playing fields and identified as the site for the new development was rejected by the County Council's Rights of Way Committee on 22 June 2011.

RECOMMENDATION

18. That the planned implementation of the closure of Sutton Centre Community College on 31 August 2011 be rescinded.

COUNCILLOR PHILIP OWEN

Cabinet Member for Children and Young People's Services

Reasons for recommendation

19. The implementation of the closure of the existing school was conditional pending the funding approval by the Secretary of State for the establishment of the proposed academy. Due to the circumstances outlined in the report this has not happened.

Other options considered

20. There are currently no other options.

Legal Services' comments (LM/29.7.11)

21. Cabinet has delegated authority to approve the recommendations in the report in order to discharge the County Council's functions as a Local Authority responsible for the provision of education.

Financial comments of the Service Director – Finance (NDR)

22. There are no direct financial implications arising from this report. An indication of the school's revenue budget surplus is given in paragraph 16.

Background papers available for inspection

The 'complete proposal' referred to in the published Section 15 statutory notice

Report on the closure consultation process

Written objections received during the representation period of the above notice.

Electoral division(s) affected

Sutton-in-Ashfield East

M19C2832