

17 September 2018

Agenda Item: 9

## **REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND SKILLS**

### **COMMUNICATION STRATEGY FOR THE PROMOTION OF FREE SCHOOL PRESUMPTION COMPETITIONS TO SECURE SPONSORS FOR NEW SCHOOLS ARISING FROM HOUSING DEVELOPMENTS**

#### **Purpose of the Report**

1. This report seeks approval to run publicity campaigns for the following new schools when the time is right:
  - a) alert potential school sponsors to eight Free School Presumption competitions arising from the need for new schools, generated by new housing on:
    - Priority 1: Sharphill - Rushcliffe - School required September 2020
    - Priority 2: Rempstone Road, East Leake - Rushcliffe - School required September 2020
    - Priority 3: Crown Land, Bingham - Rushcliffe - School required September 2021
    - Priority 4: Teal Close - Gedling - School required September 2022
    - Priority 5: Gateford - Bassetlaw - School required September 2022
    - Priority 6 : Lindhurst - Mansfield - School required September 2023
    - Priority 7: Land South of Newark (Fernwood) - Newark - School required September 2023
    - Priority 8: Land South of Newark (Newark Town) - Newark - School required September 2024
  - b) invite potential school sponsors to submit a proposal(s) to Nottinghamshire County Council to become the named promoters of the new schools at an appropriate time

#### **Information**

2. The Council has a statutory duty to ensure a sufficiency of school places for Nottinghamshire children.
3. Where a local authority thinks a new school needs to be established, section 6A of the Education and Inspections Act 2006 (EIA 2006) places the local authority under a duty to seek proposals to establish academy (free schools) and to specify a date by which proposals must be submitted to the local authority.

4. The local authority is required to take all necessary steps to ensure that the widest possible range of groups or organisations that might be interested in establishing the new free schools are aware of the opportunity to do so and has sufficient time to develop proposals.
5. When the time is right in the proposed development site's building trajectory a publicity campaign will be launched. This is usually once the development has reached 150 house completions and on the current formula will have delivered 32 primary aged children (100 houses delivers 21 primary aged children). However, the building timelines/trajectory are subject to change. (Rolls Royce (Watnall Road) presumption was run one to two years before the school was required).
6. Advice relating to the processes by which new schools are established under section 6A, which is known as the free school presumption, can be found at:  
<https://www.gov.uk/government/publications/establishing-new-maintained-schools>
7. In each case, at the point the land and finance triggers are met within the section 106 agreements all information relating to the eight free school presumptions will be lodged with the Secretary of State and will therefore be available to potential sponsors.
8. In certain instances successful multi-academy trust sponsors may be required as part of the presumption process to take on responsibility for the building of the school.
9. It should be noted that the above priority list is based on information provided by the relevant district/borough councils on the number of houses being built on these developments in the next five years. These are revised frequently by the district/borough councils and can come forward quicker than stated above or can be delayed. Officers will continue to work with colleagues in districts/boroughs to keep the above under continual review.
10. At any point during the presumption process, but before the allocation of a sponsor, should a Direct route application be approved by the Secretary of State any presumption process can be withdrawn by the Local Authority.

### **Other Options Considered**

11. As outlined above local authorities are required to alert all potential sponsors in a fair and transparent way and must therefore engage in a communications process.

### **Reason for Recommendation**

12. To enable the County Council to comply with the duty to seek proposals in a fair and transparent way by running a publicity campaign to:
  - a) alert potential school sponsors to the eight free school presumption competitions arising from the need for a new schools, generated by new housing.
  - b) invite potential school sponsors to submit proposals to Nottinghamshire County Council to become the named promoter of the new schools.

- c) This report does not commit the current or future administrations to run a presumption for all the above sites. If a Direct Route presumption has already been run or if it is agreed there is no requirement for a new school or the places can be delivered by extending existing school provision the publicity campaign will not be required.

## **Statutory and Policy Implications**

13. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Financial Implications**

14. It is anticipated that there will not be any costs for the publicity campaign but if there are they will be minimal and contained within the service's allocated budget and centrally via the Council's Communications team.

## **RECOMMENDATION/S**

That approval is given to run publicity campaigns to:

- 1) alert potential school sponsors to the Free School Presumption competitions arising from the need for new schools, generated by new housing.
- 2) invite potential sponsors to submit a proposal to Nottinghamshire County Council to become the named promoter of the new schools.

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## **Constitutional Comments (SLB 28/08/18)**

15. Children and Young People's Committee is the appropriate body to consider the content of this report.

## **Financial Comments (SAS 24/08/18)**

16. The financial implications of the report are contained within paragraph 14 above.

**Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

**Electoral Division(s) and Member(s) Affected**

All.

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