

14th October 2019

Agenda Item: 5

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

**FREE SCHOOL PRESUMPTION COMPETITION TO SECURE A SPONSOR
FOR A NEW SECONDARY SCHOOL IN WEST BRIDGFORD AND UPDATE ON
THE STATUS OF FREE SCHOOL PRESUMPTION COMPETITIONS**

Purpose of the Report

1. This report seeks approval to run a free school presumption competition in relation to the proposed new secondary school in the West Bridgford planning area.
2. The report also updates Committee on the current status of free school presumption competitions.

Information

Communication strategy for the promotion of free school presumption competition to secure a sponsor for a new secondary school in West Bridgford

3. The Council has a statutory duty to ensure a sufficiency of school places for Nottinghamshire children.
4. 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 an academy (free school) and to specify a date by which proposals must be submitted to the local authority.
5. 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 school are aware of the opportunity to do so and have sufficient time to develop proposals.
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-a-new-school-free-school-presumption>

7. In this case, the land and finance components are to be met from within the relevant section 106 agreement, from Basic Need (Government Grant) and borrowing. All information relating to this Free School Presumption will be lodged with the Secretary of State and will therefore be available to potential sponsors.
8. 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of a sponsor, should a Direct route application be approved by the Secretary of State any presumption process can be withdrawn by the Local Authority.

Update on the status of free school presumption competitions to secure sponsors for new schools arising from housing developments

9. The status of previous potential free school presumption competitions are as follows:

Gateford – Bassetlaw	On hold pending housing delivery
Teal Close – Gedling	Presumption currently open with a closing date of 15 th November 2019 (5pm)
Lindhurst – Mansfield	Presumption to be run during the Autumn term 2020
Land South of Newark (Fernwood) – Newark	On hold pending housing delivery
Land South of Newark (Newark town) – Newark	Withdrawn. New school will be delivered as an enlarged relocated Christ Church Infant becoming Christ Church CE VA Primary
Crown Land, Bingham - Rushcliffe	Presumption competition to open Spring 2020
Rempstone Road, East Leake – Rushcliffe	Presumption competition to open Spring/Summer 2020
Sharphill – Rushcliffe	Competition closed. Project allocated to Spencer Academy Trust. New school to open September 2020.

Other Options Considered

10. 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

11. To enable the County Council to comply with the duty to run the DfE free school presumption process in relation to the proposed new secondary school in the West Bridgford planning area.
12. Members are reminded that approval to run free school presumption competitions in the other areas recorded in **paragraph 9** were approved by the Children and Young People’s Committee on 17th September 2018 which is available as a background paper.

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 be some costs to running the free school presumption competition but they will be minimal and contained within the service's allocated budget and centrally via the Council's Communications team.

RECOMMENDATION/S

That Committee:

- 1) gives approval to run a free school presumption competition in relation to the proposed new secondary school in the West Bridgford planning area.
- 2) considers whether any further information and/or updates are required in relation to the information contained in the report .

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Constitutional Comments (AK 03/10/19)

15. The recommendation falls within the remit of the Children and Young People's Committee under its terms of reference.

Financial Comments (SAS/GB 03/10/19)

16. There is currently no Basic Need funding allocated towards this project and any requirement for funding from the Council's own resources would be subject to the usual capital approval processes.

17. It is anticipated that there will be some costs to running the free school presumption competition but they will be minimal and contained within the School Place Planning budget of £386,000 and centrally via the Council's Communications team.

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.

[Communication strategy for the promotion of free school presumption competitions to secure sponsors for new schools arising from housing developments](#) - report to Children and Young People's Committee on 17th September 2018.

Electoral Division(s) and Member(s) Affected

All.

C1298