



Classification	Item No.
Open	

<b>Meeting:</b>	Radcliffe Cabinet Committee
<b>Meeting date:</b>	18 March 2021
<b>Title of report:</b>	Radcliffe – Establishment of a new secondary school
<b>Report by:</b>	Cabinet Member, Children, Young People & Skills
<b>Decision Type:</b>	<b>Non-Key Decision</b>
<b>Ward(s) to which report relates</b>	All

### **Summary:**

On the 5<sup>th</sup> February, the Secretary of State for Education announced the outcome of applications to wave 14 of the Government’s Free School Programme. In doing so, the Council received confirmation that the application submitted by Star Academies, to establish a new secondary school in Radcliffe, had been approved.

The agreement to establish the new school is between the Department for Education and the Star Academies Trust, and construction of a new school building will be for the DfE and Trust to deliver.

The Council clearly has an interest in the establishment of the new school and, there are some matters which require the Council’s commitment and agreement. This report sets out these matters.

This report now sets out wider considerations in respect of the site for the new school, the capital funding implications to the Council, and matters relating to the existing use of the Spring Lane site.

### **Recommendations**

To endorse that Cabinet formally welcome this important result for Bury, Star Academies and Radcliffe.

To note the previous decisions of the Council in respect of the Spring Lane site, and the intention to commission a study to determine the extent of the site to be utilised for the school, whilst preserving access to the adjacent development site.

To note that there is a financial commitment by the Council to the delivery of the scheme, and it is anticipated that this be funded from the schools capital budget, and that this will be subject to Cabinet approval when the detail is known.

To note the alignment of the delivery of the school to the Radcliffe Strategic Regeneration Framework.

To note the continuing close partnership working between the Council, Star Academies and the Department for Education.

To note that discussions are underway for the acquisition of additional land to support the delivery of the school and its ancillary uses and that a further report would be brought back to Cabinet seeking approval for any acquisition.

## **Background**

The Secretary of State for Education approved an application from the Trust of Star Academies to establish a new school, to be located on land off Spring Lane, Radcliffe. The initial capacity of the school to be 750 pupils, increasing to 1,000 over time, as population growth demands.

The Free School Programme is the sole means by which new schools can be established, and the Governments programme enables sponsors to apply to do so. Applications can be made independently of the Council but in the case of the application submitted by Star Academies, this was submitted with the full support of the Council.

Council Members and Officers have been instrumental in developing the business case to establish the new school, and it was this that encouraged and enabled Star to submit its successful application.

Officers have worked extensively to demonstrate the need for new secondary school provision in Radcliffe, and the importance of that provision in supporting the economic growth and sustainability of Radcliffe. The comprehensive case produced by the Council, and the engagement with DfE to demonstrate that need, played a significant part in ensuring the successful application.

This ongoing partnership is instrumental in ensuring the delivery of the new school, and its alignment with the wider objectives of the Radcliffe Strategic Regeneration Framework (SRF).

The Council has previously considered reports on this subject.

Cabinet received a report on the 13<sup>th</sup> November 2019 in which it agreed to:

1. Endorse the submission by Star Academies of an application to the Department of Education for funding for a new secondary school for Radcliffe
2. Note that a successful application to establish a Free School will require the Council to provide the land on which the new school will be constructed, to be leased to the Sponsor at a peppercorn rent, and that a further report will be submitted to Cabinet to seek this approval
3. Require the Assistant Director (Education & Inclusion) to lead the process of engagement with Star Academies in support of the application and submit a further report to Cabinet as soon as the outcome of the application is known

Cabinet received a further report on the 26<sup>th</sup> February 2020, in which it agreed to:

In the event of a successful application by Star Academies to establish a new Free School, Cabinet agrees to the release of the land edged red at Appendix 1 through the granting of a lease to Star Academies in return for a peppercorn rent, for a period of 125 years, whilst preserving access to the adjacent development site.

The cost of constructing the new school building will be met by the Department for Education, with the exception of those matters referred to below, which will fall as an obligation on the Council.

Because of delays in announcing the outcome of the applications to the Free School Programme, it is likely that the earliest the new school could be open to admit pupils will be September 2024. Initially, the school will admit pupils to year 7, and so will increase in size incrementally over 5 years. The admission policy for the new school will need to be agreed well in advance. A further report will be brought forward on the proposed admission arrangements at a later date.

The construction of the new school building will be facilitated by the Department for Education, with Star Academies being the client. The Council is a stakeholder in the process but does have specific obligations, as set out below:

- Site – With the full support of the Council, Star Academies identified land off Spring Lane, Radcliffe as the proposed location of the new school. This site is within Council ownership. Upon completion of construction of the new school building, the Council will be required to agree to a 125 year lease at a peppercorn, to enable the Trust to use the site. The Council's Cabinet, at its meeting on the 26<sup>th</sup> February 2020 (CA.5) agreed the following:

*In the event of a successful application by Star Academies to establish a new Free School, Cabinet agrees to the release of the land edged red at Appendix 1 through the granting of a lease to Star Academies in return for a peppercorn rent, for a period of 125 years, whilst preserving access to the adjacent development site.*

- The Council must commit to certain costs relating to the remediation of the site, which will include the demolition of any existing structures that are not otherwise being retained, plus any abnormal works linked to the condition of the site. In addition, highways works that are necessary to serve the school, and the cost of any planning conditions stipulated by the Local Planning Authority, are costs that need to be met by the Council.

It is anticipated that these costs will be met from within the schools' capital programme, with a further report being presented to Cabinet at a later date when detail known.

In identifying the Spring Lane site as the preferred location for a new school, the Council recognised that provision would need to be made for access to a potential development site to the North of the Spring Lane site, as identified in the Strategic Regeneration Framework (SRF). This raises a number of issues:

- The issue of access to the site to the North of the Spring Lane site is one for the Council, and not a matter for DfE or Star Academies, although each party has a clear interest. Further, the access is not required solely for the purpose of serving the new school, but to enable wider development opportunities. The cost of provision is not therefore, something that should be ascribed purely to the school project. It is important that the Council has a clear position with regards the proposed access requirements in order to determine the implications for the current Spring Lane site, including any loss of land that needs to be set aside for access.
- Given that the proposed access route will require part of the existing Spring Lane site to be retained by the Council, there may then be a requirement for the Council to provide additional land to meet the needs of the school, to compensate for this loss.

These factors need to be determined in order to correctly identify the site of the new school, and in order to allow the DfE to carry out its due diligence on the actual site to be the subject of the lease to the Trust, and to enable design work for the new school to be undertaken.

Initial conversations with DfE suggest that the exact boundaries of the site need to be confirmed by September 2021 to ensure current programme targets to be met.

In relation to the Radcliffe SRF, the Council has commissioned a range of activities to support master-planning across the wider area encompassing Radcliffe town centre. It is proposed that the brief of this commission be extended to enable a more targeted assessment in relation to the Spring Lane site, building on earlier work the Council commissioned in support of the initial business case for the school.

This more detailed master-planning will clarify the impact on the site, in making provision for an access to the North of the site. In turn this will also determine the ability of the site to retain and /or accommodate other uses on the site, including the existing facilities serving Spring Lane School and the Radcliffe Leisure Centre and Pool.

Further, it will inform the need for the Council to acquire additional land in order to meet the needs of the school. The appropriation of land linked to the SRF is subject to a separate report.

### **Spring Lane School**

Spring Lane School is the Council's Pupil Referral Unit, operating on three sites across the borough, including the building on Spring Lane. Discussions have been ongoing with the leadership of the school about future accommodation requirements in respect of the Spring Lane building.

These discussions will be progressed to inform next steps. The proposed master-planning may determine that the location of Spring Lane School is unaffected. In the event that it is affected, work is ongoing to identify alternative premises. Provisional sums have been included the Council's (Children's Services) Capital Programme to meet anticipated costs.

### **Radcliffe Leisure Centre and Pool**

As part of the Radcliffe SRF, a new Leisure Centre is proposed. Four location options are currently being assessed in respect of their viability, including the Spring Lane site. A decision in respect of location will be reached via Cabinet.

Regardless of the decision made in terms of location of a new leisure centre, in respect of school based leisure provision, a four-court sports hall, a 3G pitch (subject to available funding) and grass sports pitches will be provided as part of the school complex.

The existing Radcliffe Pool and Leisure Centre will need to be decommissioned and demolished at an agreed date to facilitate the school build. However, subject to the planned construction work, it may be feasible for Radcliffe Pool and Leisure Centre to continue operating for as long as possible to enable continued service provision and community access.

### **Next Steps**

Whilst the delivery of the new school project will primarily be driven by DfE and Star Academies, the continuing contribution of the Council is essential to ensure successful delivery, and alignment with the objectives of the Radcliffe SRF.

To enable the Council to fulfil this role, a Project Group will be established with governance linked to Radcliffe SRF.

Master-planning of the site will be commissioned in order to identify the full extent of the site for the new school and consider any implications to existing site usage.

There will be ongoing community engagement and stakeholder consultation as the project develops.

Radcliffe Cabinet Committee is asked to note the contents of the report.

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## Community impact/links with Community Strategy

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### Equality Impact and considerations:

*Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

*The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

<b>Equality Analysis</b>	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>
<p>Section 9 of the Academies Act 2010, and section 149 of the Equality Act 2010 require the local authority to assess the potential impact of any new school on existing educational provision and also impact on any groups with protected characteristics.</p> <p>The business case that supported the application for the new school documented the significant inequalities in the education, health and economic profile of the residents of Radcliffe.</p> <p>The provision of a high quality secondary school will contribute to measures designed to address these inequalities.</p> <p>The new school will help to minimize travel distances to school, improve accessibility to local school provision, and increase parental choice.</p> <p>The new school is not expected to have an adverse impact on any group with protected characteristics.</p>	

*\*Please note: Approval of a cabinet report is paused when the 'Equality/Diversity implications' section is left blank and approval will only be considered when this section is completed.*

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### **Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
Failure to identify the extent of the site for the new school will impact on the timely delivery of the project	Master-plan to be commissioned
The full extent of capital costs falling to the Council will not be known until more detailed design and planning has been completed	Provisional sum identified to cover anticipated financial obligations. Master-plan may identify opportunities to limit financial obligations on the Council
There are significant opportunities to align the project with the wider objectives of the Radcliffe SRF	Governance arrangements for the project to link to those for the Radcliffe SRF

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### **Consultation:**

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### **Legal Implications:**

There are no legal implications arising from this report but future funding arrangements will need Cabinet approval, along with the proposals for land development and any associated acquisitions if they are within the definition of a 'key' decision. Legal and financial advice will be required going forward.

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### **Financial Implications:**

There are likely to be some costs associated with the proposals that will fall to the Council although it is anticipated that this will be funded from capital grants. These will be subject to Cabinet approval as and when the detail emerges. The main cost of the school will be met from DfE funding.

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**Background papers:**

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

Term	Meaning