

<b>Classification:</b> Open	<b>Decision Type:</b> Key
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<b>Report to:</b>	Cabinet	<b>Date:</b> 17 November 2021
<b>Subject:</b>	Delivery of a new secondary school in Radcliffe: Land proposal to DfE & Star Academies Part A	
<b>Report of</b>	Leader and Cabinet Member for Finance and Growth	

## 1.0 Summary

- 1.1 Bury Council is committed to delivering a new secondary school in Radcliffe, working in collaboration with Star Academy Trust and the Department for Education (DfE).
- 1.2 On the 5<sup>th</sup> February 2021, the Secretary of State for Education announced the outcome of an application to the Government’s Free School Programme, confirming a successful bid by Star Academy Trust to establish a new secondary school.
- 1.3 Cabinet noted on 24<sup>th</sup> March 2021 (CA.50) the previous decision of Cabinet on 26<sup>th</sup> February 2020 (CA.306) to locate the new secondary school on the site known as Coney Green, off Spring Lane in Radcliffe, and the intention to commission a study to determine the extent of the site to be utilised for the school.
- 1.4 The decision of Cabinet in February 2020 recognised the need to preserve access to an adjacent site to the North of the school site, and that the land required for this purpose would influence the extent of the site available for the school.
- 1.5 Cabinet also noted the requirement for a financial commitment from the Council to support delivery of the scheme, to be funded from Children’s Services schools capital budget, and that this will be subject to Cabinet approval when the detail is known. These financial commitments will extend to provision of the access road, site abnormalities including relocation and decant of existing users and demolition of existing buildings, and any planning conditions.
- 1.6 This Cabinet report outlines the conclusions of this study and seeks approval of the proposal to lease the identified land to the DfE and for occupation by Star Academy Trust.
- 1.6 Star Academy Trust and the DfE are currently working on a feasibility study on the site, for the new school building, in anticipation of a planning submission in 2022.

- 1.7 For the project to progress, DfE and Bury Council need to agree terms on the development site. The proposal is detailed within this report.
- 1.8 It is proposed that the Council retain the freehold of the site and grant a long leasehold to the DfE on a peppercorn basis.
- 1.9 The proposed access road will sit outside the development site, and not be subject to inclusion in the long lease. Funding for works to provide the road will fall to the Council and ongoing discussions with Star Academy Trust have considered the potential options for delivery of the road, which will also serve the school, either directly by the Council, or by Star Academy Trust as part of the school scheme.

### **Recommendation(s)**

That Cabinet:

- Approve the disposal of the land on a long leasehold basis in accordance with the proposed terms contained at Part B of this report.
- Delegate approval of any further negotiations to the Director of Regeneration, Section 151 Officer and Monitoring Officer.
- Note that a full proposal of quantified abnormal costs, including the delivery of a new access road, will be submitted to Cabinet for approval at a later date.

### **Reasons for recommendation(s)**

- To unlock the delivery of a new secondary school for Radcliffe.
- To utilise a Council owned Brownfield site for development.
- The proposed site boundaries ensure stakeholder considerations including strategic site access, future transport routes and contractor site management.
- Both delivery routes for the Council to fund the access road are required to satisfy the requirements of the DfE in relation to the delivery of the proposed free school.

### **Alternative options considered and rejected**

The site is in Radcliffe, ideally located to benefit from the proposed catchment area. The site is identified within the Radcliffe Strategic Regeneration Framework and was confirmed by Cabinet in March 2021.

The Council has commissioned investigations into the school location, appropriate massing and stakeholder considerations and have identified the site boundaries proposed within this cabinet report.

Star Academy Trust and the DfE have approved the proposed red edge of the proposed site and as such no other options have been considered.

The Council has explored both delivery routes for provision of the access road and has a procurement route that can be implemented in the required timescales of the DfE.

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## **2.0 Background**

- 2.1 The Secretary of State for Education has approved an application from the Star Academy Trust to establish a new secondary school, to be located on land off Spring Lane, Radcliffe. The school is expected to admit its first cohort of pupils in September 2024.
- 2.2 Council Members and Officers have been instrumental in developing the business case to establish the new school and 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.
- 2.3 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 for the new school. 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).
- 2.4 The cost of constructing the new school building will be met by the Department for Education, with the exception of site-specific costs including the provision of access and associated highways works, site remediation including demolition of existing buildings, and any relocation costs relating to existing uses, and costs arising from planning conditions. These costs will fall as an obligation on the Council.
- 2.5 The Council is required to identify the site for the new school, and to the enter into a long lease to enable Star Academy Trust to have use of that site for the purpose of the school. The agreement between the Council and DfE must set out the clear boundaries of the site to be included on the lease.

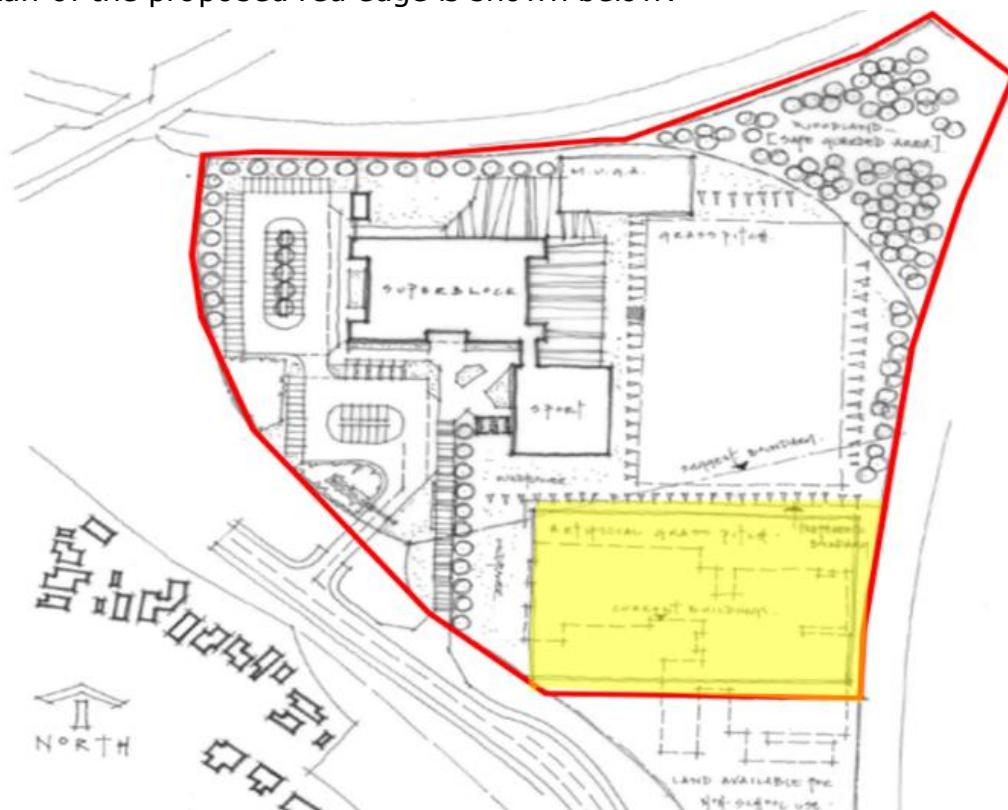
2.6 Ongoing discussions between the Council, Star Academy Trust and the DfE have now established the extent of the site boundaries, sufficient to enable the school building and all of the associated infrastructure to be delivered.

## 2.7 Leasehold terms

2.8 In accordance with the delivery of the Free Schools Programme, the DfE requires the Council to provide the land and cover infrastructure costs.

2.9 To provide security and clarity to the DfE throughout the feasibility process, the Council is proposing to grant a long leasehold to the DfE on a peppercorn rent.

2.10 Plan of the proposed red edge is shown below.



2.11 The proposed red edge of the leasehold provides suitable land for the delivery of the proposed secondary school, associated internal parking and drop off areas along with playing fields and a 3G pitch. The 3G pitch will be available for community uses. A proportion of the Northeast corner of the site will be held and safeguarded for any potential Tram extension North toward Bolton. A separate access road will sit outside the redline to serve the school, whilst also preserving access to the potential development site to the North.

2.12 The DfE requires vacant possession of the site to enable the development of the site to commence.

2.13 The required land includes a proportion of the existing structure that accommodates the Spring Lane Pupil Referral Unit and the temporary leisure centre. The Council will ensure that both facilities have been appropriately decanted prior to suitable long-term facilities.

### **3 Spring Lane School**

3.1 Spring Lane School is the Council's Pupil Referral Unit (PRU), 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 given the need to relocate the PRU from its existing site.

3.2 Work has been commissioned to explore options available to support the relocation. These will be progressed during the autumn term.

3.3 The existing PRU building will need to be decommissioned and demolished at an agreed date to facilitate the new school build. However, subject to the planned construction work, it may be feasible for PRU to continue operating from the site in the interim.

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

4.1 As part of the Radcliffe Strategic Regeneration Framework, a new Leisure Centre is proposed to be included in the new town centre hub.

4.2 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.

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#### **Links with the Corporate Priorities:**

The provision of the new school will support key ambitions of the Let's do it strategy:

- A better future for the children of the borough
- A better quality of life

The community of Radcliffe faces key challenges:

- The percentage of Radcliffe young people achieving five good GCSE's is 55.8%, for Bury as a whole it is 62.1%.
- A greater proportion of Radcliffe residents are in poor health or with limiting long term illness than for the population of Bury as a whole, and more Radcliffe children at age 4 and 10 have excess weight compared to the same borough-wide cohort, a trend that continues on into adulthood.

- Deaths from heart disease are significantly greater for Radcliffe residents than for Bury.
- Unemployment, including long term unemployment is greater for Radcliffe residents than for Bury residents as a whole.
- A greater proportion of Radcliffe residents live within one of the most 20% deprived areas nationally, when compared with all Bury residents.
- From a total secondary age cohort of 11,203 students in all Bury schools, 1,733 (15.5%) are resident in Radcliffe. 82% of the Radcliffe resident cohort attend a Bury school, with the balance travelling outside the borough.
- 36% of the Radcliffe resident secondary age cohort travel over 2½ miles to access a secondary school place. This compares with 18% of the total Bury resident secondary age cohort travelling over the same distance.
- A high number of extra district pupils, resident in neighbouring local authority areas, have historically applied for and secured places in a Bury school. For the Radcliffe resident secondary age cohort this trend is reversed with 18% travelling outside the borough.

Given this education, health and employment profile, there is a clear need for a fresh and different approach to supporting Radcliffe people and building community resilience. Strong leadership from schools and in particular the new secondary school is fundamental to this.

### **Equality Impact and Considerations:**

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.

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.

The provision of a high-quality secondary school will contribute to measures designed to address these inequalities.

The new school will help to minimize travel distances to school, improve accessibility to local school provision, and increase parental choice.

The new school is not expected to have an adverse impact on any group with protected characteristics.

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### **Environmental Impact and Considerations:**

*Please provide an explanation of the carbon impact of this decision.*

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**Assessment and Mitigation of Risk:**

<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  The full extent of capital costs falling to the Council will not be known until more detailed design and planning has been completed	The recommendations set out in this report respond to these risks in identifying the extent of the school site and seeking approval to the establishment of a long lease between the Council and DfE, enabling progress in delivery of the project to be made.

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**Legal implications**

This recommendation proposes the transfer of Council owned land the DfE to allow the development of the school building. The proposed Head of terms sets out a list of pre and post leasing conditions. There are a number of additional agreements which will be required including access to site agreements. The current terms have been reviewed by the in house legal team and will be refined if necessary following the site investigations. Ongoing legal advice will be provided throughout.

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**Financial Implications:**

The Council is fully committed to the delivery of the scheme. There is £3m identified within the Children's Services schools capital budget. However, further work is required to determine the financial commitments and values associated with the provision of the access road, site abnormalities including relocation and decant of existing users and demolition of existing buildings, and any planning conditions. A further report will be brought to Cabinet for approval when the detail is known.

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**Background papers:**

Radcliffe – Establishment of a new secondary school – Report to Cabinet 24<sup>th</sup> March 2021.

<https://councildecisions.bury.gov.uk/documents/s26477/Radcliffe%20Establishment%20of%20a%20new%20secondary%20school.pdf>

Radcliffe – Secondary School Provision Lease of land off Spring Lane, Radcliffe - Report to Cabinet 26<sup>th</sup> February 2020.

<https://councildecisions.bury.gov.uk/documents/s20446/FINAL%202020-02-26%20Cabinet%20Report%20Radcliffe%20School%20final.pdf>

Radcliffe – Secondary School Provision – Report to Cabinet 13<sup>th</sup> November 2019.

<https://councildecisions.bury.gov.uk/documents/s19808/2019-11-13%20Cabinet%20Report%20Radcliffe%20School%20revised%2022-10%20GL%20amends%20clean%20version.pdf>

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

Term	Meaning