

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 13 July 2022
Subject:	Secondary School Provision in Radcliffe – Financial approval to Council’s funding obligations – Part A	
Report of	Cabinet Member for Children and Young People	

1.0 Summary

- 1.1 Bury Council is committed to delivering a new secondary school in Radcliffe. The provision of a high quality secondary school is a key component of the wider Radcliffe Strategic Regeneration Framework, and to the delivery of ambitions set out in the Radcliffe People & Community Plan.
- 1.2 Educational outcomes for secondary age Radcliffe residents are below the borough average and, through the new school such inequalities can be addressed, preparing the young people of Radcliffe for the opportunities that will be created through the development of the Northern Gateway and the high quality jobs that will be created.
- 1.3 With the Town Centre regeneration delivering major investment, with the Hub and Market Chambers opening in 2024, alongside significant housing development, it is important that the new school is delivered to the same timeframe, opening to its first cohort in September 2024.
- 1.4 On the 5th 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 to establish a new secondary school.
- 1.5 The Department for Education (DfE) is responsible for delivery of the scheme to construct the new school building, and it will lead on the design, project management and delivery of the scheme.
- 1.6 Ordinarily, the DfE would primarily work with the sponsor, in this case Star Academy to agree the design and delivery milestones for the new Free School.
- 1.7 Given the critical role that the Council has played in securing the approval for the new school, and the important role of the new school, and the part it plays in the wider socio-economic regeneration of Radcliffe, the Council has continued to meet with DfE and Star on a monthly basis to maintain progress.
- 1.8 The Council has requested that the DfE strengthen the Governance arrangements to ensure that this progress is maintained, with appropriate

senior representation from the Council. The DfE is now putting these arrangements in place.

- 1.9 Cabinet noted on 24th March 2021 (CA.50) the previous decision of Cabinet on 26th February 2020 (CA.306) to locate the new secondary school on the site off Spring Lane in Radcliffe.
- 1.10 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.
- 1.11 Cabinet also noted at its meeting in February 2020, 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 would be subject to Cabinet approval when the detail was known. This financial commitment would extend to the cost of provision of the access road, site remediation, including demolition of existing buildings, and any associated planning conditions.
- 1.12 At its meeting on the 18th November 2021 (CA172), Cabinet approved the disposal of the land identified for the purposes of the school, on a long leasehold basis in accordance with the proposed terms, as set out in the appendix to that report.
- 1.13 In addition, Cabinet was asked to approve the principle of each of the potential delivery routes for the provision of the access road, on the basis that the Council would fund that provision, with final approval delegated to the Chief Executive.
- 1.14 The DfE deemed that the procurement and construction of the access road, separate to the school construction contract, would constitute too great a risk, and it was therefore agreed that the access road would be procured and constructed through the DfE framework, to a specification agreed by the Council, and enabling access to the site to the North to be preserved. This specification has now been provided to the DfE.
- 1.15 The DfE commissioned a feasibility study in early 2022 to determine site conditions, produce high level plans for the school, determine site layouts, including the access road, and from that determine an outline programme for construction of the new school, together with indicative costs.
- 1.16 It is from this feasibility study that the provisional financial obligations to the Council have been identified, and which are now being set out in this report. The full feasibility study was due to be shared with the Council at the beginning of June but is still awaited.

- 1.17 The Council is required to commit to meet those costs for which it is responsible before the scheme can proceed to the next phase which will see detailed design work undertaken. The DfE programme indicates that this detailed design work will be commissioned in August.
- 1.18 As costs will remain indicative until detailed tender submissions are received by DfE, approval is sought from Cabinet to those indicative costs, and to then delegate authority to the Executive Director of Finance to agree final costs once determined.
- 1.19 The indicative costs falling to the Council are set out in Part B to this report.
- 1.20 Provision has been made within the Children's Service schools capital budget to meet these financial obligations.
- 1.21 Ordinarily, the access road would form part of the school, with the cost met by DfE, and only at the point where works become necessary to link to the main highway, would the Council become liable for costs. In this instance, because the Council requires the access road to be available to serve the potential development site to the North, it must meet the full cost of that provision.
- 1.22 It is for this reason that the Council's financial obligations are higher than would otherwise be the case.
- 1.23 In identifying the Spring Lane site as the preferred location for the new secondary school, it recognised the need to make appropriate arrangements in relation to the existing Council activity on the Spring Lane site that includes the Pupil Referral Unit (Spring Lane School) and the leisure centre.
- 1.24 The Council has been asked to provide full vacant possession of the site, by September 2022. For the project to proceed the very latest date for vacant possession is the 1st March 2024. An agreement for lease will be entered in to, the parties have been in the process of agreeing a draft head of terms in advance of entering into formal lease arrangements.
- 1.25 The Council is undertaking an options appraisal on the plans to relocate the Pupil Referral Unit. If the resultant option is unable to meet the September 2023 deadline to vacate the Spring Lane site, an interim temporary solution will be developed to enable the vacant possession date to be achieved.
- 1.26 Provision is made within the Children's Services schools capital programme to meet the cost of a relocation option, subject to the level of those capital costs being determined.

1.27 The financial arrangements relating to the relocation of the Pupil Referral Unit will be subject of a separate report to Cabinet, once indicative costs have been determined.

1.28 In addition, the Council is committed to the re-provision of the existing leisure centre facilities, to be located in the new Town Centre Hub. Interim arrangements are being explored to support a continued leisure, health and wellbeing offer during the period between the existing leisure centre closing, and the new facility opening in the summer 2024.

1.29 The funding relating to the re-provision of the Leisure Centre has been approved previously.

Recommendation(s)

That Cabinet:

- Note the indicative financial costs that will fall to the Council.
- Approve the funding of indicative costs as set out in Part B of this report, to meet the Council's financial obligations, to be met from the Children's Services schools capital programme.
- Delegate approval of the final costs to the Executive Director of Finance.

Reasons for recommendation(s)

- To unlock the delivery of a new secondary school for Radcliffe.
- Utilise a Council owned Brownfield site for development.

Alternative options considered and rejected

In order to deliver the new school in Radcliffe, the Council is required to confirm that it will commit to meet certain financial obligations. Failure to provide such a commitment will prevent the scheme from being progressed.

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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.

Environmental Impact and Considerations:

The Department for Education is responsible for the design and delivery of the project and is committed to lowering the carbon footprint of new schools, both during construction and during the lifetime of the building.

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Failure to agree the funding to meet the Council's financial obligations 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 indicative costs, and the budgets from which these can be funded.

Legal Implications:

The DfE have insisted they require vacant possession of this site by 2024 to ensure all expectations are met with regards to the development.

As set out in the report the Council and DfE will enter into an agreement for lease, a draft head of terms are currently being considered. It is proposed that there will be binding obligations on the Authority to provide vacant possession. Legal advice and assistance will be provided throughout.

The procurement route to be undertaken by the DfE is a lawfully compliant one.

Financial Implications:

Funding has been identified within the Education capital programme for this work.

In terms of the relocation of the pupil referral unit a separate report will be brought to Cabinet at a later date and the costs associated with that part of the scheme will be contained within that report. There is separate provision within the Education capital programme for this element of the scheme.

Work is still ongoing to understand the Council's obligations in respect of the Heads of Terms and any potential financial penalties due to delays in providing vacant possession of the site.

Background papers:

New High School for Radcliffe. Long Leasehold to Star Academy Trust - 18th November 2021.

Radcliffe - Establishment of a new secondary school - Report to Cabinet 24th March 2021. [Radcliffe Establishment of a new secondary school.pdf \(bury.gov.uk\)](#)

Radcliffe - Secondary School Provision Lease of land off Spring Lane, Radcliffe - Report to Cabinet 26th February 2020. [FINAL 2020-02-26 Cabinet Report Radcliffe School final.pdf \(bury.gov.uk\)](#)

Radcliffe - Secondary School Provision - Report to Cabinet 13th November 2019. [2019-11-13 Cabinet Report Radcliffe School.pdf \(bury.gov.uk\)](#)