



Delegated Decisions by Cabinet Member for Education

***Tuesday, 25 April 2017 at 9.00 am
County Hall, Oxford OX1 1ND***

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on Thursday 4 May 2017 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public

A handwritten signature in black ink that reads "Peter G. Clark." with a horizontal line underneath.

Peter G. Clark
Chief Executive

April 2017

Committee Officer: **Deborah Miller**
Tel: (01865) 815384; E-Mail: deborah.miller@oxfordshire.gov.uk

Note: Date of next meeting: 23 May 2017

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. Declarations of Interest

2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. Petitions and Public Address

4. Specification for New Primary School for Southam Road, Banbury (Pages 1 - 18)

Forward Plan Ref: 2017/008

Contact: Diane Cameron, Education, Sufficiency & Access Tel: 07795 301254

Report by Director for Children's Services (**CMDED4**).

This report follows a public consultation on the educational specification for a new primary school. The planned new school will be in Banbury, on the Southam Road housing development which is already underway, and forms part of the county council's long term educational strategy for the town.

The consultation process and responses received are summarised in the report and a draft specification is recommended for formal approval, against which potential sponsors will submit their Expressions of Interest in running the new school.

The Cabinet Member is asked to note the outcomes of the consultation and is RECOMMENDED to approve the specification for the new primary school for Southam Road, Banbury.

Division(s): All Banbury divisions

CABINET MEMBER FOR EDUCATION 25 APRIL 2017

NEW PRIMARY SCHOOL AT SOUTHAM ROAD, BANBURY REPORT ON CONSULTATION AND APPROVAL FOR SCHOOL SPECIFICATION

Report by Director for Children's Services

Introduction

1. Cherwell District Council has adopted a Local Plan to guide development of the district up to 2031, and significant housing growth is planned for Banbury. The adopted Local Plan includes at least 7319 new homes in Banbury between 2011 and 2031, which have been assessed as being expected to generate over 1600 more Banbury primary pupils.
2. Within this total is the 600-home development at Southam Road, which was permitted in 2013 (Ref 13/00158/OUT and 13/00159/OUT). The Cherwell Local Plan policy Banbury 2 requires that the development includes an on-site primary school.
3. Planning for the new school is underway, with a planned opening date of either September 2019 or September 2020, depending on the speed of progress of the associated housing development.
4. This report summarises the consultation held regarding the proposed educational specification of the new primary school for Southam Road, Banbury, and seeks approval for the final specification. This will then be used as the basis for attracting potential academy sponsors.

Background

5. Oxfordshire County Council will not run the new school. The 2011 Education Act says that all new schools are expected to be academies/free schools. This law means that they are not run by the county council except in exceptional circumstances. Instead, academies are run by independent academy trusts. These trusts can be set up by lots of different organisations, including educational specialists, employers, existing local schools, charities, religious groups and community groups.
6. Oxfordshire County Council's role is to plan for and secure sufficient school places and to find a potential sponsor for the new schools. The

government has set out a bidding and selection process by which new school providers are chosen. Based on this, the Cabinet meeting of 4 September 2012 approved a new process for the identification of sponsors for new academies to meet the needs of population growth:

- i. Undertake a public consultation to identify the academy model to be implemented.
 - ii. Invite initial expressions of interest in running the school, including through the DfE website.
 - iii. Assess expressions of interest and then invite detailed bids from three or fewer providers to show clear plans of how they will contribute to the raising of education standards, add diversity of choice and which best fits the local requirements and meets the needs of those within groups offered specific protection under s149 Equality Act 2010.
 - iv. Assess bids against criteria and rank in order of preference. Agree a preferred option to be approved by Lead Member for Education or Cabinet as appropriate.
 - v. Submit report to Regional Schools Commissioner for decision.
 - vi. Proposal developed with provider approved by Regional Schools Commissioner through sharing vision of community, county and sponsor.
7. The first part of the process is to write an educational specification for the new school in order to invite bids from potential academy trusts wanting to run it. The public consultation on the draft specification for the primary school at Southam Road has now taken place. On the basis of this the specification for the school has been finalised. The purpose of this Report is to provide information on the outcomes of the consultation, and seek Cabinet Member approval to move onto the next stage of the process, inviting interested parties to submit outline Expressions of Interest to run the school, based on the proposed specification at Annex 1.
8. The expected pupil generation of new housing in the Southam Road development, as well as across other planned developments in Banbury, has been modeled using the council's PopCal tool, based on current knowledge about the timing of house building and the types and sizes of housing. The timing of houses could vary depending on housing market conditions. The Southam Road housing development is already underway.

Consultation

9. The public consultation to inform the development of a specification for the new primary school was conducted by the Education Sufficiency & Access team 20 February – 28 March 2017. The purpose was:
- To gather local community views to help shape the specification of the school and choice of sponsor.

- To act as pre-notification to potential sponsors of the future bidding process.
10. The consultation was publicised through the county council consultations website and local library. Invitations to join the consultation were targeted at local councillors, schools, and other stakeholders.
 11. The only consultation response received was from the Department for Education, which was advisory, and suggested some points of clarification.
 12. In order to secure an academy sponsor in good time to allow the school to open in September 2019, approval is now sought for the educational specification for this school, which has been informed by this consultation.

Proposed specification for the new school at Southam Road

13. The school will be a 1 form entry, 3-11 age range primary school, with an Admission Number of 30 children per year group. The school will include a 26-place nursery.
14. The specification includes 6 places reserved for specialist resourced provision for children with communication and interaction needs (autism and speech and language difficulties), physical or sensory needs.
15. The school's catchment is expected to be primarily the Southam Road strategic development area, but will draw from a wider area to meet population pressures in the north of Banbury.
16. The detailed specification is provided in Annex 1.

Next steps

17. The Cabinet Member is requested to approve the draft specification attached as Annex 1 as the basis for stage (ii) of the academy provider process outlined in paragraph 6 above, the invitation of Expressions of Interest from potential providers. Such Expressions of Interest would be sought during spring 2017, and short-listed by officers, with short-listed applicants invited to submit a detailed proposal by September 2017.
18. A further report would be submitted to Cabinet Member in November 2017 to confirm which provider the county council wishes to recommend to the Regional Schools Commissioner for approval.

Equality and Inclusion Implications

19. Section 149 of the Equalities Act 2010 imposes a duty on the Council to give due regard to three needs in exercising its functions:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic, and those who do not.
20. The specification seeks to increase equality of access to education for children with disabilities by including the provision of additional SEN provision.

Risks and mitigation

21. There is a degree of uncertainty about the precise timescale of the school's growth as it will be influenced by factors outside the county council's control, including the housing market. To mitigate against this risk, providers will be sought who are able to be flexible in how quickly the new school will grow. Providers will be specifically asked in the application process how they will manage these uncertainties. Until a funding agreement is signed with the provider, the county council will be able to renegotiate details of timing should conditions change.
22. If the specification proves unattractive to potential sponsors, we may not be able to identify sufficient providers interested in running the school. In cases where an academy provider cannot be identified, the DfE expects to be able to assist.

Financial and Staff Implications

23. The direct financial implication of this report is the cost of the process of seeking Expressions of Interest, which is planned for and met within the normal Children's Services budget provision. There are no significant financial implications or risks at this stage.
24. Additional revenue funding for specialist SEN resourced provision is referred to under "Supporting vulnerable learners and those with special educational needs". This funding will come from the Dedicated Schools Grant High Needs Block, and will be factored into allocation decisions for this budget.
25. Local authorities are required to make provision to support new schools prior to opening, to cover set-up costs, as well as during the period until the school reaches full capacity, as during this period they are not able to benefit from economies of scale. To this end, the Schools Forum has

approved the establishment of a Growth Fund from the Schools Block of the Dedicated Schools Grant.

RECOMMENDATION

26. **The Cabinet Member is asked to note the outcomes of the consultation and is RECOMMENDED to approve the specification for the new primary school for Southam Road, Banbury.**

LUCY BUTLER

Director for Children's Services

Contact Officer: Barbara Chillman, Pupil Place Planning Manager
07554 103418

Background Papers: Annex 1 Draft specification for new primary school at Southam Road, Banbury

March 2017

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New school for Southam Road, Banbury

School specification document for potential sponsors of a new primary school in Banbury, Oxfordshire

Section 1: Introduction and context

Oxfordshire County Council has identified the need to establish a new primary school in Banbury to open in September 2019. Under section 6A of the Education and Inspections Act 2006 (the 'free school presumption') where a local authority identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy.

The new school will chiefly serve a permitted new housing development of 600 homes in north Banbury, construction of which is underway. This school forms part of the strategic planning for additional school capacity to meet the expected growth in pupil numbers arising from housing growth included in the Cherwell Local Plan for Banbury.

The authority is therefore seeking proposals from appropriate providers to sponsor this new school. The new school would be deemed a free school. Section 9 sets out how potential sponsors can apply.

1.1 Planned housing growth in Banbury

The adopted Local Plan includes at least 7319 new homes in Banbury between 2011 and 2031, which have been assessed as being expected to generate over 1600 more Banbury primary pupils (equivalent to nearly 8 forms of entry in school capacity).

The Cherwell District Council Annual Monitoring Report for 2016 notes that during the first five years of the Local Plan Period (2011-2016) 893 new homes were completed in Banbury, and as of 31/03/16 the stock of planning permissions in Banbury totalled 3439 homes. The speed of housing delivery has increased sharply in recent years:

Year	Completions (net)
2011/12	136
2012/13	42
2013/14	34
2014/15	328
2015/16	353

Housing delivery is expected to increase significantly over the coming years:

Year	Projected completions (net)
2016/17	386
2017/18	648
2018/19	1062
2019/20	1096
2020/21	987

The Southam Road development has already commenced, with 25 occupations as of January 2017.

1.2 School capacity planning for Banbury

Oxfordshire County Council is planning school capacity strategically across Banbury to meet the needs of the recent and planned housing growth, as well as the existing population growth.

The first phase of primary school capacity growth has been implemented through expansions of existing schools:

- Dashwood Banbury Academy – from 1 form entry to 2 form entry
- Queensway Primary School – from 1 form entry to 2 form entry
- Hill View Primary School – from 2.5 form entry to 3 form entry
- Hanwell Fields Primary School – from 1.5 form entry to 2 form entry

These expansions were primarily to address existing pressure on school places in Banbury, but will also contribute towards meeting the needs arising from housing growth.

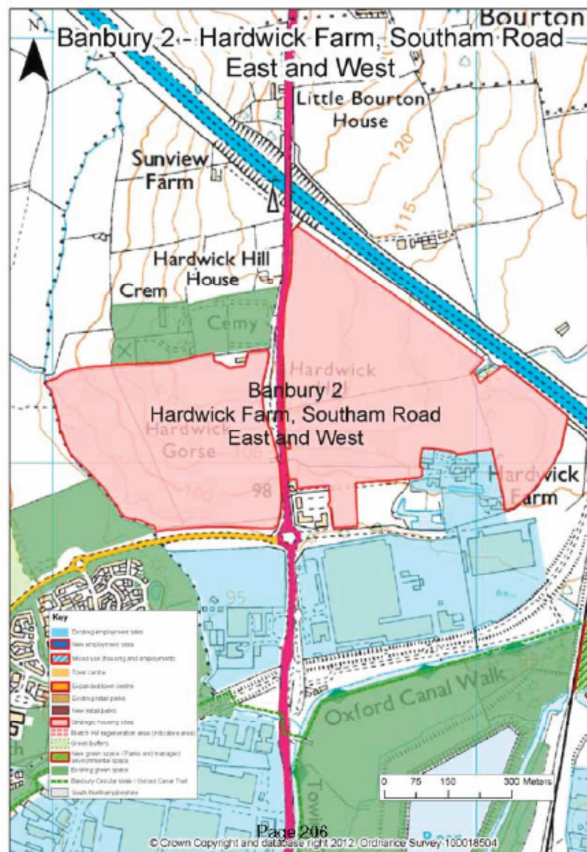
The second phase of primary school capacity growth is now underway, through the establishment of new schools:

- Longford Park Primary School – opening September 2017; 1.5 form entry with potential to grow to 2 form entry
- Southam Road – covered by this specification; 1 form entry
- South of Salt Way – timescale to be confirmed subject to the progress of housing development; expected to be at least 2 form entry.

As housing proposals develop, it may become necessary to plan for further school capacity growth.

Section 2: The Southam Road development and school

In 2013 Cherwell District Council approved outline planning permission (Ref 13/00158/OUT and 13/00159/OUT) for housing development at this site, which was subsequently incorporated into the [Cherwell Local Plan](#) as Strategic Development Banbury 2 - Hardwick Farm, Southam Road (East and West).



The Cherwell Local Plan policy Banbury 2 requires that the development includes an on-site primary school. A site has been secured for the school in the new development. (The nearest postcode to this location at the current time is OX16 2DA.) The school site is within the west of Southam Road development:



A capital project has commenced to design and build the school, with an expected completion date of June 2019 and the school is currently anticipated to open in September 2019. This timescale may be amended to September 2020 subject to the continued speed of delivery of housing on this development. There is sufficient primary school capacity in the town for families moving in to Banbury before that date, as a result of the previous school expansions.

To inform the selection of a sponsor, Oxfordshire County Council conducted a public consultation on this educational specification for the new school from 20 February 2017 – 28 March 2017. The consultation resulted in one response.

The consultation has informed this specification, which was approved by the Oxfordshire County Council Cabinet Member for Education in April 2017.

Section 3: Size and type of school

This school will be:

- A 1 form entry school. (The site secured is sufficient to allow the school to be expanded if necessary, but current indications of local population growth do not indicate a need for the school to be larger.)
- Age range: 3-11.
- Admission number: 30
- Total places provided for Reception to Year 6: 210 places.
- Nursery places provided: 26 full-time equivalent nursery places.
- Co-educational.

The school will also be expected to contribute towards meeting local needs for wraparound care and childcare.

The school's capacity is inclusive of 6 places reserved for specialist resourced provision for children with communication and interaction needs (autism and speech and language difficulties), physical or sensory needs.

The school's catchment is expected to be primarily the Southam Road strategic development area, but will draw from a wider area to meet population pressures in the north of Banbury.

The new school will be included within the county council's coordinated admission scheme, but the successful sponsor will be responsible for consulting on, and publishing, its specific admissions policy.

Information about Oxfordshire's school admissions and home-to-school transport is available at www.oxfordshire.gov.uk/cms/public-site/school-admission-rules-and-policies.

The school will need to be flexible in how it organises classes to respond to the growth in local school-age population, including children who move to the development after the normal age of starting school. Proposers will be expected to demonstrate how they will ensure the needs of new residents of the development are met without promoting or encouraging a large scale relocation of existing pupils from other schools.

Section 4: Educational Vision

Oxfordshire County Council's vision is for an autonomous and self-improving education system; we are committed to enabling schools and settings to promote excellence and lead their own improvement. This is set within the context of a well-planned continuum of provision from birth to 25 that meets the needs of children and young people in Oxfordshire. Our ultimate purpose is to improve attainment, achievement and well-being, including the progression into employment for young people, by developing collective capacity in the county.

An academy sponsor is sought to work with the county council to achieve this vision. In particular, prospective sponsors will need to demonstrate how they will help meet the following outcomes.

4.1 High Educational Quality and Standards

The school should:

- Provide sustainably good or outstanding education with an exciting and inspiring broad and balanced curriculum.
- Rigorously focus on educational standards to ensure that every child achieves their potential, and goals and national expectations are met or exceeded.
- Ensure an inclusive learning environment in which all pupils, including those with special or additional educational needs and those with disabilities, are supported and enabled to make appropriate progress.
- Develop a strong moral and caring ethos, ensuring care and support for the whole child.
- Seek out and share best practice within and beyond the school, promoting innovation and creativity in learning and teaching.
- Maintain outstanding and dynamic leadership, management and governance.
- Attract, retain and develop the highest quality teachers and support staff to ensure good or better teaching and learning, and effective and motivated workforces.

4.2 Support for Vulnerable Learners and Children with Special Educational Needs & Disabilities

The school's capacity is inclusive of 6 places reserved for specialist resourced provision for children with communication and interaction needs (autism and speech and language difficulties), physical or sensory needs. The sponsor will need to work closely with outside agencies including speech and language therapists, learning

mentors, social workers, educational psychologists, and the mental health service (CAMHS).

The resourced provision is part of the continuum of support available to children with special educational needs in local areas. In accordance with funding arrangements for high needs children, the school will receive an allocation, currently set at £10,000 per place.

The school should:

- Promote inclusive opportunities for the most vulnerable children and have a strong focus on equalities, early intervention, and supporting the needs of the local community.
- Provide specialist support to address each learner's specific needs and to improve their progress.
- Provide a learning environment for learners to benefit from specialist small group teaching and interventions as part of a personalised learning programme.
- Ensure suitably qualified and trained staff to advise and support the local workforce to deliver quality teaching and learning experiences for children with special educational needs, and support for their families.

4.3 Safeguarding, Well-being and Community Development

A key component of selection will be the proposers' willingness to work in collaboration with other providers and local partners to develop services which meet the needs of local children, young people and families in a coordinated way.

The school should:

- Work in partnership with the county council and other educational providers to contribute towards meeting the collective responsibility to secure the best for all Oxfordshire's learners, including participating in school-to-school support, and a commitment to cooperating with Fair Access protocols.
- Implement strategies to ensure that attendance of children matches the attendance rates of the highest performing authorities.
- Support the strategic responsibilities of the county council to ensure sufficiency of high quality school places and improved educational outcomes through agreed sharing of data and information.
- Engage parents/carers in supporting and encouraging their children's learning.
- Support the county council in delivering effective early intervention services, ensuring school readiness and supporting our most vulnerable learners and families.

- Work in partnership with wider services such as social care services, health and police to keep children safe, support families and build stronger communities.
- Be outward facing, playing a key role within its immediate community and the wider local economy, for example through opening up facilities to the community, and participating in community activities.
- Develop strategic alliances, partnerships and networks to better meet the needs of children and families in Banbury.

Section 5: Education Plan

Prospective sponsors should submit details of:

- An ambitious, broad and balanced, deliverable curriculum plan which is consistent with the vision and pupil intake.
- A staffing structure that will deliver the planned curriculum within the expected income levels, with a focus on outstanding teaching (including strategies for recruitment, retention and effective performance management).
- Strategies for measuring pupil performance effectively and setting challenging targets.
- Rigorous processes of self-evaluation and continual improvement, including recognising the importance of Pupil Voice in these processes.
- Strategies for ensuring that the needs of all children are fully provided for, and that the school will be fully inclusive.
- How additional support will be provided through the resourced provision included at the school.
- Strategies for ensuring safeguarding and well-being responsibilities are met.
- How the new school will support the collective responsibility to educate Oxfordshire's children and young people.
- How the school will seek out and share best practice within and beyond the school.
- Enrichment and extended services, for example, breakfast clubs, sports clubs, homework clubs and music/art clubs.
- The school's approach to: PHSE; the Prevent Duty; safeguarding and welfare; and promoting fundamental British values (democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs).
- Groups and organisations seen as being key partners, and plans for engagement and joint-working with those partners both during the pre-opening period and after opening.

Section 6: Capacity and Capability

Prospective sponsors should demonstrate:

- Their prior experience of successfully providing the nature of education required in this specification.
- The resources available to support the development of the new school by the opening date.
- Clear evidence of the skills and abilities necessary to set up and then run a school effectively, including: managing school finances; leadership; project management; marketing; human resources; safeguarding; and health and safety.
- How the school would be organised and what the governance arrangements would look like, including a diagram of the proposed structures.

Section 7: Funding and Cost

Under Section 106 of the Town and County Planning Act, 1990, the county council has negotiated a site and capital funding for the school. The signed section 106 agreement for this site secures a 1.83ha site for the school, adjacent to a 0.39ha site for a community multi-use-games area (MUGA) which the school will have the option of using. In addition, the section 106 agreement secures capital funding for the delivery of the school equivalent to £6.1m at 1Q18 values.

The school site will be owned by Oxfordshire County Council, and is expected to be made available to the academy on a 125 year lease, with the usual terms pursuant to the 2010 Academies Act.

The MUGA will be under the freehold ownership of Cherwell District Council, who will be responsible for maintenance of the MUGA. The section 106 agreement includes provision for the academy provider to enter into a joint use agreement with the district council to the intent of ensuring that the MUGA is available for exclusive use by the school between 8am and 5:30pm on all days when the school is in session.

School start-up costs will be provided by the county council to the total of £66,000 for pre-opening costs and £150,000 for post-opening costs, the phasing of these payments being agreed through negotiation between the county council and the successful sponsor. The Department for Education will provide a one-off grant payment of £25,000 to the successful sponsor to cover the legal costs incurred in establishing the new free school.

Section 8: Impact and Equalities Assessments

As prescribed by section 9 of the Academies Act 2010 and section 149 of the Equality Act 2010, the local authority must assess the potential impact of any new school on existing educational provision in the area. The local authority must also consider whether the new school would impact on any groups with protected characteristics.

The provision of a new school at Southam Road is necessary as the scale of growth is expected to generate more pupils than could be accommodated through expansion of existing nearby schools, and a new school in the heart of significant new housing developments is considered to be an important element of community building.

Taking into account the high level of housing growth in Banbury and the forecast sustained increase in pupil numbers, the impact of the proposed new primary school is not likely to be significant in the medium to long term. In the short-term, there may be some turbulence in pupil numbers at local schools, as patterns of parental preference shift in reaction to the new provision. However, it is not considered that this would be sufficient to threaten the viability of any existing schools.

The county council has sought to minimise any risks to the existing schools by writing into the school specification that the eventual sponsors will manage school growth in such a way as to not adversely affect existing schools, and will work closely with the existing partnership of schools.

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

The new school is expected to have a positive impact on two specific groups with protected characteristics:

- Children and young people: the new school will help to minimise travel distances to school, and increase choice. If sufficient primary school places are not available within the heart of the community this can affect access to out of school activities, social contact with peers, travel patterns and community cohesion.
- Children with special educational needs: the school's specialist resourced provision for children with communication and interaction needs (autism and speech and language difficulties), physical or sensory needs will increase provision in the local area.

Section 9: How to Apply to Sponsor this New School

Oxfordshire runs a two-stage application process, first inviting outline expressions of interest from potential sponsors, and then shortlisting up to three applicants to submit a detailed proposal.

Key Dates (subject to change):

- 28 April – 26 May 2017: Expressions of Interest (Eoi) invited from potential sponsors.
- June 2017: Shortlisting of Eoi received, with reference to how well they meet the specification for the school.
- July / August 2017: Shortlisted potential sponsors develop detailed bids for submission by midday on Monday 4 September.
- 2 October 2017: Interviews and presentations by shortlisted bidders.
- 28 November 2017: OCC Member for Education formally approves the county council's choice of preferred sponsor. This is communicated to the Regional Schools Commissioner (RSC).
- December 2017 / January 2018: RSC makes the final decision on the sponsor for the new school.
- September 2019 or 2020: New school opens.

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