

**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**

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

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