

CABINET	AGENDA ITEM No. 13
11 MARCH 2024	PUBLIC REPORT

Report of:	John Gregg, Executive Director for Children and Young People's Services PCC	
Cabinet Member(s) responsible:	Councillor Bisby, Cabinet Member for Children's Services	
Contact Officer(s):	Karen Frearson, Head of Strategic Assets, PCC	Tel. 01733 384536

DEVELOPMENT OF THE FIRST PRIMARY SCHOOL FOR GREAT HADDON

RECOMMENDATIONS	
FROM: Executive Director for Children and Young People's Services PCC	Deadline date: March 2024
<p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> 1. Authorises the establishment of a new primary school to be developed at Great Haddon (GHPS) and delegates authority to the Executive Director for Children and Young Person to progress with the Free School Presumption Competition to select a Multi Academy Trust operator. 2. Agrees the project budget for GHPS as set out in the PCC Capital programme included at 10.1. 3. Delegates authority to the Director of Children and Young People's Services to authorise the award of the contract for the works to construct and fit out the school in consultation with the Director of Law and Governance on all legal, finance and procurement matters. 4. Agrees that the Council calls for the land for the school site from the developer on the terms as set out in the s106 Agreement. 5. Delegates authority to the Executive Director for Children and Young Persons in consultation with the Interim Director of Legal and Governance to take all necessary steps to facilitate the decisions in recommendations 1-4 including the entering into of any necessary legal agreements. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following a referral from CLT on 30th January 2024.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to provide background information in relation to the planned new 2FE primary School to be developed at Great Haddon (GHPS) and seek the Cabinet's approval in relation to the recommendations.

Great Haddon is located to the south of Peterborough between the A1(M) and Hampton. The site is very well connected to the major road network surrounding Peterborough, bound by the A1139 Fletton Parkway to the north, the A1(M) to the west, Great North Road to the south and A15 London Road to the east.

The site will deliver 5,350 homes, as well as employment leading to 9,000 jobs, four schools, three shopping centres and sports facilities. The first dwellings will be available from spring 2024 and comprise 2,3 and 4bedroom houses.

GHPS represents the first of four schools to be delivered as part of the wider Great Haddon development. Future schools are a Secondary and two further primary schools which are to be provided when aggregate housing numbers are met, as set out in the s106 Agreement. The new school will be fully compliant with latest government guidance including supporting children with SEND.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.5

To make decisions on actions relating to the awarding, assigning and termination of contracts over £500k, and waiving or granting exemptions to Contract Regulations where contracts are over £500k, with the exception any time-critical, operational, or routine decision, which may be determined by the relevant portfolio holder.

2.3 There is an exempt annex attached to this report that is NOT FOR PUBLICATION by reason of paragraphs 3 and 5 of Schedule 12A of Part 1 of the Local Government Act 1972 because it contains commercially sensitive details and information that is legally privileged. The public interest test has been applied to the information contained within this exempt annex and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. **BACKGROUND AND KEY ISSUES**

4.1 **Statutory duties**

The Council has a statutory duty to provide a school place for every child living in its area of responsibility who is of school age and whose parents want their child educated in the state funded sector. To achieve this, the Council has to keep the number of school places under review and to take appropriate steps to manage the position where necessary. Under the Education and Inspections Act 2006, it also has to adopt a strategic role, with a duty to promote choice, diversity, and fair access to school provision.

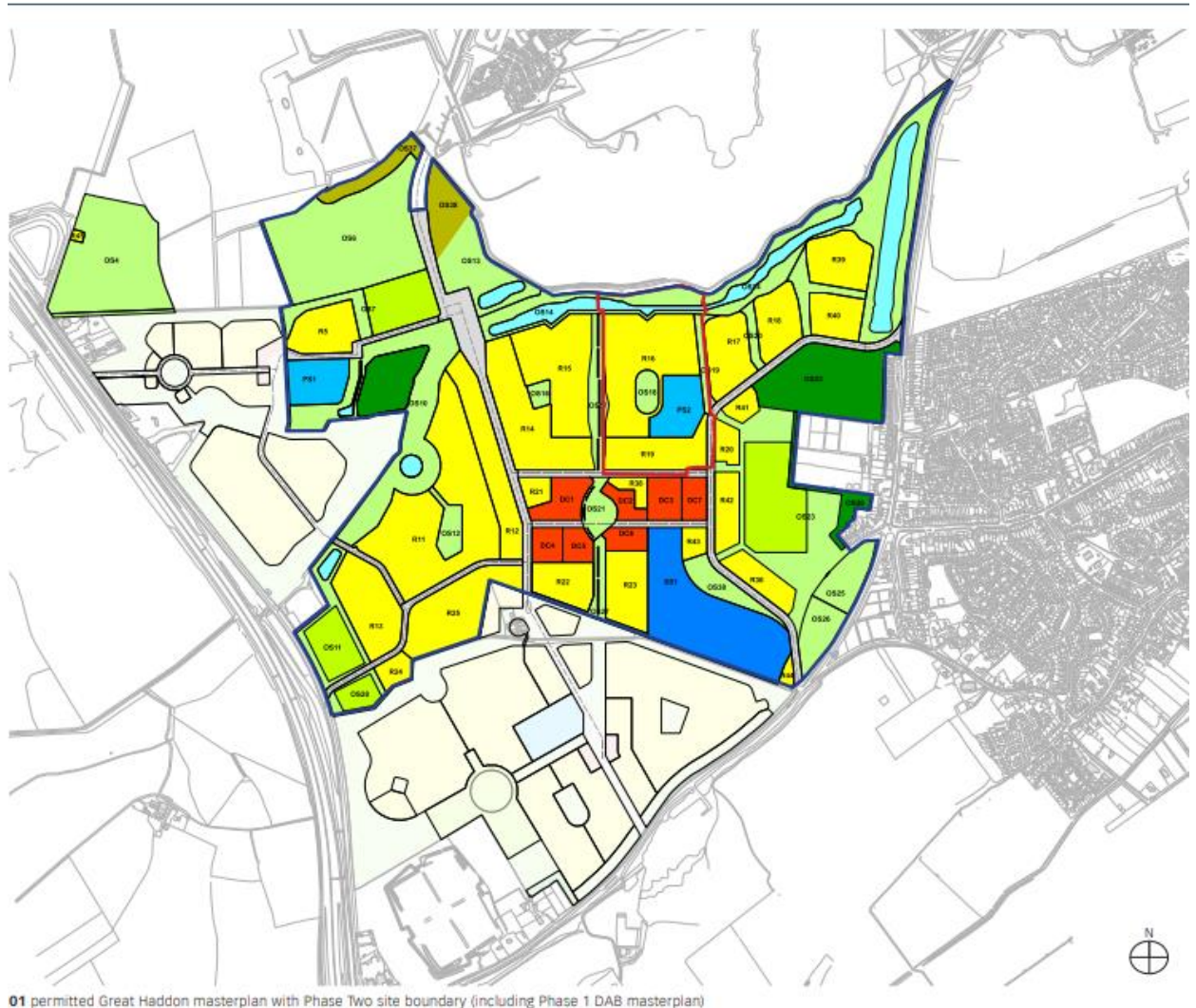
4.2 **The Process for establishing the new School.**

The Education Act 2006 made Local Authorities (LAs) commissioners, rather than providers, of new schools. There are two routes to open new schools. Either via the Department for Education's (DfE) central free school programme or the free school presumption route. GHPS will be the first school to be delivered by PCC via the Free School Presumption Competition process.

The 2011 Education Act sets out the requirements for Local Authorities with regard to the establishment of new schools. Where LAs have identified a clear, 'basic need', for a new school in their area and there is no free school proposal in play, the Council must run a competition to commission a new school. The Council has an established, joint officer/Member process for selecting its preferred school sponsor and the Regional School's Commissioner (RSC) and their head teacher reference group take this into account when reaching a decision on which potential sponsor they will recommend that the Secretary of State enters into a funding agreement with.

4.3 Land Ownership & Site Considerations

The land for GHPS is currently in the ownership of O&H who will provide a serviced site to PCC, with PCC delivering the construction of the new School. The site is shown on the extract from the Master Plan below edged in red below.



4.4 A summary of the transfer process and risks are contained in the Exempt Annex Appendix 1.

5. CORPORATE PRIORITIES

5.1 The recommendation links to achieving the following Corporate Strategy outcomes:

- Education and Skills for All
- City Priorities
- Economic & Inclusive Growth, Places & Communities

Construction of a new school will produce significant levels of emissions. Waste generated through construction will also be raised. Emissions generated through increased use of heating and electricity will rise once the school is in operation. Vehicle emissions will rise during construction.

However, travel emissions may reduce due to school pupils being able to attend a local school. There is also the opportunity for the school to be designed with energy efficiency and low carbon heating. Architects and projects managers are aware of the requirements and will ensure carbon calculations are included in design works.

6. CONSULTATION

- 6.1 Officers presented a briefing paper to CLT on 30th January 2024 and this report was considered by Cabinet Policy Forum on the 26th February 2024.
- 6.2 If this recommendations in the report are approved by Cabinet, consultation with officers at the Department of Education will take place prior to the commencement of the Free School Presumption Competition.
- 6.3 The following Councillors have been consulted:
- Councillor Ray Bisby – Cabinet Member for Children’s Services
 - Councillor Marco Cereste – Ward Member
 - Councillor Lindsay Sharp – Ward Member
 - Councillor Chris Wiggin – Ward Member

This recommendation been considered by:

- Corporate Leadership Team (CLT)
- Cabinet Policy Forum (CPF)

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 The outcomes of approval of the recommendations in the report will be the delegation of the necessary authority to progress the definition and development of the project, specifically:
- Establish the new school and run the competition process.
 - Confirm the budget for construction of the school.
 - Provide the necessary governance delegations as set out in the recommendations section to support the development of GHPS.

8. REASON FOR THE RECOMMENDATION

- 8.1 To enable the Cabinet to be briefed on the matters surrounding GHPS, provide the necessary authority to progress the project and facilitate the development of the new School and provision of the required school places.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 Status quo – ‘do nothing’ – this option was rejected as the delivery of the Schools Delivery Programme (of which GHPS is the first school) is an obligation on the Council under the section 106 Agreement (dated 23 July 2018 and entered into between the Council and O&H Properties Ltd and O&H Q7 Limited) and the Council needs to comply with its statutory requirements to provide school places.

Defer calling for the land – without formally calling for the Land, the landowner may not commit to providing a serviced site and PCC will not be able to establish the timeframe for delivery of GHPS in this context.

10. IMPLICATIONS

Financial Implications

- 10.1 Budget provision has been made and approved for GHPS in the Medium-Term Financial Strategy comprising of s106 contributions and Council borrowing. Refer to appendix 2 for further detail.

Capital Programme £15m is allocated currently but it is at early feasibility stage and final budget is still to be confirmed.

Legal Implications

- 10.2 The Council has a statutory duty to provide a school place for all children living in its area. The report is seeking approval to progress this and if approved, legal advice will be sought in respect of the legal implications of implementing the decisions at each stage as set out in the recommendation.

Equalities Implications

- 10.3 Local authorities have a number of statutory duties including securing diversity in the provision of schools, increasing opportunities for parental choices, and ensuring fair access to educational opportunity.

The Public Sector Equality Duty (s149 Equality Act 2010) requires a public authority to have 'due regard' to the need to advance equality of opportunity and to take steps to meet the needs of persons.

The design of the new building must be compliant with all relevant legislation and building regulations to ensure accessibility and use for all.

Carbon Impact Assessment

- 10.4 A Carbon Impact Assessment will be completed and approved prior to any development works commencing on site.

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 11.1 None

12. APPENDICES (exempt)

- 12.1 Appendix 1: Legal Summary and Risk Review
Appendix 2: GHPS Viability Study

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