



**New Maintained Schools
Cabinet Sub-Committee**

**1 February 2016
10am**

**The Blue Room
County Hall
Northampton**

Barbel Gale is managing this Agenda:

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AGENDA

*** Papers enclosed > Papers to follow**

Item No.	Time	Subject	Responsible Officer & Tel No. (01604)
1.	10.00	Apologies for non-attendance, if any.	Barbel Gale 367730
2.	10.00	Notification of requests from members of the public to address the meeting.	Barbel Gale 367730
3.	10.05	Declaration of Members' Interests, if any	Barbel Gale 367730
4.*	10.05	New primary school for Pineham Barns, Northampton, opening September 2017	Chris Wickens 366341
4a.	10.10	Preston Hedges Primary School Trust: 10.10-10.30am – Formal Presentation 10.30-10.50am – Q&A's	Chris Wickens 366341
4b.	11.00	EMLC Academy Trust: 11.00-11.20am – Formal Presentation 11.20-11.40am – Q&A's	Chris Wickens 366341
4c.	11.50	Northampton Primary Academy Trust: 11.50-12.10pm – Formal Presentation 12.10-12.30pm – Q&A's	Chris Wickens 366341
5.	12.30	Meeting closes. Members of the 'NMS' sub-committee retire to consider recommendation.	Barbel Gale 367730

Quentin Baker
LGSS Director of Legal Services

Date issued: 22 January 2016

This meeting will webcasted and can be accessed using the following link:

<http://www.northamptonshire.gov.uk/webcast>

This Information can be made available in other formats upon request. Please contact Barbel Gale, Democracy Officer, Democratic Services on Tel. (01604) 367730, Fax (01604) 366223 or E-mail: bgale@northamptonshire.gov.uk

Public Contribution to New Maintained Schools Cabinet Sub-Committee meetings

This section of the agenda papers is intended to provide members of the public with further information on the role and membership of the Cabinet, and on opportunities to attend and contribute to New Maintained Schools Cabinet Sub-Committee meetings.

What is the New Maintained Schools Cabinet Sub-Committee?

The Cabinet is the body that takes most decisions relating to the running of the services provided by Northamptonshire County Council, within the policies (for example, the Council budget) that have been agreed by the Full Council.

The Education and Inspection Act 2006 introduced a requirement for Local Education Authorities to adhere to a competitive process when establishing new schools. The competitive process is intended to increase the diversity of education provision and means that anyone can come forward as a promoter when the need for a new school is established. The Cabinet of Northamptonshire County Council has chosen to establish a formal sub-committee to determine the outcome of such competitions.

Who are the members of the Committee?

The Committee consists of three Cabinet Members including the Cabinet Member for Learning, Skills and Education.

How do I find out about upcoming Decisions?

The agenda papers for all Council committee meetings are published 5 working days in advance and can be obtained from County Hall or downloaded from the County Council website at: http://www.northamptonshire.gov.uk/Democracy/Committees/committee_papers.htm.

Every month the Council also publishes a list of future Cabinet and Cabinet Member decisions known as the Forward Plan. This provides a summary of upcoming business and sets out when particular items are due to go to Cabinet. Copies of the Forward Plan are available from County Hall or at:

<http://cmis.northamptonshire.gov.uk/cm5live/>

Can I take part in New Maintained Schools Cabinet Sub-Committee meetings?

The meetings are normally held in public and members of the public are free to attend to listen to discussion.

Members of the public also have the right to address the Cabinet or ask a question on any item on the agenda for that meeting. Anyone wishing to speak at a meeting should notify the Committee Manager (whose name and contact details are given on the front page of this agenda) by 12 noon at least two working days before the day on which the meeting is due to take place.

An individual addressing the meeting is entitled to up to 3 minutes to make their point.

Declarations of Interest

Members are reminded that the Code of Conduct contains provisions relating to the declaration of Disclosable Pecuniary Interests, (DPI), and Non-Statutory Disclosable Interests, (NSDI). Please refer to the Members' Code of Conduct in Part 5 of the Constitution for a fuller description of what constitutes a DPI or an NSDI.

Members are asked to note that under the new Code of Conduct, they need only declare the existence of either a DPI or NSDI, if that interest is **not** already listed in their register of Members' interests. Councillors are reminded of the seriousness of failing to declare a DPI or NSDI interest. In addition, Members are reminded that if they have a DPI or a significant NSDI, in a matter to be discussed, whether registered or not, they must not take part in the debate or vote on that matter and should remove themselves from the meeting room irrespective of whether they are a member of the committee.

When declaring an interest at a meeting, councillors are asked to state:

- The item number in which they have an interest;
- The nature of the interest; and
- Whether the interest is a discloseable pecuniary interest, (DPI), or non-statutory disclosable interest, (NSDI).

Seeking Advice...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

Notice of items on this agenda which may be held in private

At times it is necessary for the Council to give consideration to items where the public must be excluded from the meeting. Members of the public are excluded from meetings whenever it is likely that, in the view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. This includes exclusion from access to any pertinent documents.

Details of the exemption categories can be found in the 'Access to Information Procedure Rules' section in the Council's Constitution.

The table in this section lists any items which may be considered in private at this meeting, the reason for holding the meeting or part of the meeting in private, any representations made to the Council regarding why the meeting should be held in public along with the Council's response to these representations.

Details of any items of this agenda which may be held in private			
Decision making body:	New Maintained Schools Cabinet Sub-Committee		
Date & Time of meeting:	None		
Item in respect of which the meeting or part of the meeting may be held in private	Reason for holding the meeting or part of the meeting may be held in private	Details of any representations made to the Council regarding why the meeting should be held in public	Details of the Council's response to the representations
None	None	None	None

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NEW MAINTAINED SCHOOLS SUB-COMMITTEE

1 FEBRUARY 2016

DIRECTOR OF CHILDREN, FAMILIES & EDUCATION: ALEX HOPKINS

CABINET MEMBER WITH RESPONSIBILITY FOR CHILDREN, FAMILIES & EDUCATION: CLLR MATT GOLBY

Subject:	New primary school for Pineham Barns, Northampton, opening September 2017.
Recommendations:	<ol style="list-style-type: none"> 1. The sub-committee is asked to carefully consider the presentations from a number of organisations interested in becoming the Academy Sponsor for the new school named above. 2. The sub-committee is asked to confer 'preferred bidder' status on one such organisation, this will then be forwarded to the Department for Education for a final decision as to which organisation will become the Academy Sponsor for the new school.

1. Purpose of Report

1.1 The new maintained schools sub-committee is being convened to consider the proposals received for the new primary school at Pineham Barns, Northampton, which is scheduled to open in September 2017. Appendix 1 is a copy of the specification that was provided to all potential bidders. This report provides the sub-committee with all the background information on the Free School Presumption process and the bids that have been received. Three bidders have been invited to present their bids at the meeting, so that the sub-committee can make its recommendation to the Secretary of State.

2. Relevant Priority Outcomes

Perspective	Outcome
Customers & Community - to achieve our vision, what will our customers see?	<ul style="list-style-type: none"> • Active, safe and sustainable communities • Ambitious Young People
Process - to satisfy our customers, what processes must we excel at?	<ul style="list-style-type: none"> • Contract & performance management • Commissioning outcomes • Building social capital & community wellbeing • Shaping our growing county • Using business intelligence to segment customers and predict demand
Finance – to finance our vision, what must we do efficiently, effectively and economically?	<ul style="list-style-type: none"> • Maximised income and new funding mechanisms • Exploited fixed assets • Sustainable social resourcing

3. Background

- 3.1 Cabinet approved site acquisition and the capital scheme for this new school in March 2015 and construction is due to start at the end of March 2016. Section 6A of the Education and Inspection Act 2006 places the County Council under a duty to seek proposals to establish any new school as an Academy or Free School, which is known as the 'Free School Presumption'. Revised guidance from the Department for Education as to the operation of this presumption was issued in July 2015. The guidance published by the DfE prescribes that although the final decision as to who will be appointed as the academy sponsor resides with the Secretary of State for Education, local authorities are able to conduct their own assessment of each interested organisation and confer 'preferred bidder' status on the organisation of their choice.
- 3.2 As per the specification published by Northamptonshire County Council in relation to the 'Free School Presumption' process, the local authority has conducted the following process;
- Invitation to all Academy Trusts and local schools advising of the opportunity;
 - Requested the submission of a formal bid from all parties interested in becoming the academy sponsor of the new school;
 - Invited each organisation to make a formal presentation and engage in a Q&A session with the 'New Maintained Schools' sub-committee of Northamptonshire County Council. After each presentation has been heard in full, the sub-committee will retire and make a decision as to which organisation will be awarded 'preferred bidder' status.
- 3.3 In accordance with the DfE published guidance on this subject, local authorities can only make a recommendation as to their 'preferred bidder', and are prohibited from making any announcements until the DfE has made a decision as to who will be appointed to operate the new school.
- 3.4 At the beginning September 2015, the opportunity to bid to become the new school operator was advertised in accordance with the DfE regulations:
- Published on the NCC website, DfE website and 'New Schools Network' website;
 - All Academy chains in the county, local 'outstanding' schools and others who have previously contacted the Council were informed of the opportunity;
 - All schools located in the vicinity of Pineham Barns were notified. Five initial 'Expressions of Interest' were received at this stage and three organisations were invited to submit a formal bid (the DfE did not wish to progress with the bids from The Education Fellowship Trust and The Methodist Schools Academy Trust and advised their applications should not be taken any further). The Council received bids from each of the organisations invited to bid by the deadline of 11th December 2015. The table below lists the bids received and, for information, the Northamptonshire schools that are already operated by each proposer.

Trust	Schools in Northamptonshire
EMLC Academy Trust	Castle Primary, Hardingstone Primary, Stimpson Avenue Primary, Prince William School (4) The Trust will also be operating 'Northampton International Academy upon its proposed opening in September 2016.

Northampton Academy Trust	Primary	Abington Vale Primary, Headlands Primary, Lings Primary, Simon de Senlis Primary, Weston Favell CE Primary (6)
Preston Hedges School Trust	Primary	Preston Hedges Primary School (1)

3.5 Each organisation has now been invited to make a formal presentation to the 'New Maintained Schools' sub-committee. Each presentation will be assessed using the following criteria;

- Each Trust's education plan and key innovations for the school;
- How the above will promote high standards and pupil attainment, including how success will be measured;
- Demonstrating the Trust has the capacity to take on a new school;
- How the Trust will support the Council's safeguarding and inclusion policies within the school.

4. Consultation and Scrutiny

4.1 The County Council has not engaged in a formal consultation process relating to this matter as the 'Free School Presumption' process as defined by the DfE does not state that any period of consultation is required. Northamptonshire County Council is not the decision-making body in this case but has liaised with the DfE throughout the process to ensure that it has been administered correctly.

5. Alternative Options Considered

5.1 The 'Free School Presumption' process governs the opening of all new schools by Local Authorities in England, as such, no alternative option was considered by the County Council although the Secretary of State can agree to the establishment of a new school as a Community School maintained by the Council if no suitable academy or free-school proposals are identified.

6. Financial Implications

6.1 The identification of an Academy Sponsor for the new primary school at Pineham Barns Road, Northampton through the 'Free School Presumption' process has been cost neutral for the County Council. The financial implications of establishing the new school were detailed in a separate report approved by Cabinet on 10th March 2015.

7. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
The preferred bidder is unable to deliver their proposal for the new school.	Rigorous assessment of the submitted bids and oversight by DfE as the final arbiter.	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Northamptonshire County Council cannot open the new school otherwise than by following this procedure and therefore would be unable to provide sufficient school places in this area of Northampton.	Red

8. List of Appendices

Appendix 1: Pineham Barns – Specification

Author:	Name: Chris Wickens Team: Strategic Planning
Contact details:	Tel: 01604 366341 Fax: 01604 367011 Email: cwickens@northamptonshire.gov.uk
Background Papers:	Cabinet 11.03.15: "Provision of school places in Northampton and Roade"
Does the report propose a key decision is taken?	NO
If yes, is the decision in the Forward Plan?	NO
Will further decisions be required? If so, please outline the timetable here	NO
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications been cleared by the Capital Investment Board (CIB)	The financial implications of the new school are covered by the Cabinet report of 10.03.15
Has the report been cleared by the relevant Director?	YES Name of Director: Alex Hopkins
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Cllr Matt Golby
Has the relevant scrutiny committee been consulted?	N/A
Has the report been cleared by Legal Services?	YES Name of solicitor: Duncan Bisatt
	Solicitor's comments:
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Joni Ager
Have any property issues been cleared by Property and Asset Management?	The property issues are covered by the Cabinet report of 10.03.15
Has an Equalities Impact Assessment been carried out in relation to this report?	This was carried out as part of the Cabinet process in March 2015 to establish the new school
Are there any community safety implications?	NO

Are there any environmental implications:	NO
Are there any Health & Safety Implications:	NO
Are there any Human Resources Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	Cllr Jill Hope – Sixfields