

Executive 5th August 2021

Report Title	New two Form of Entry Primary School on the Stanton Cross Sustainable Urban Extension (SUE) development	
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List of Appendices

Appendix 1: Site Plan

Appendix 2: Elevation views

1. Purpose of Report

- 1.1. The purpose of this report is to provide Cabinet members with all the necessary information to make a fully informed decision on the proposal to;
- Build a new, two form of entry (420 place), primary school on the Sustainable Urban Extension (SUE) at Stanton Cross, Wellingborough.

2. Executive Summary

- 2.1 This report contains details of the planned construction of a new two form entry primary school, located on the new Sustainable Urban Extension (SUE) at Stanton Cross, Wellingborough.
- 2.2 This report will detail how the construction of the planned new school will be funded.
- 2.3 This report contains the demographic and other reasons as to why a new primary school is required in this location and in the proposed timeframe.

3. Recommendations

3.1 It is recommended that the Executive Committee:

- a) Approve the Section 106 expenditure of £9.66 million to fund the new 2FE primary school, located on Stanton Cross, SUE;
- b) Note the inclusion in the Council's capital programme of a new two form entry primary school situated on the new SUE at Stanton Cross, Wellingborough;
- c) Authorise the necessary contract awards for Stanton Cross, following the procurement process and proceed with the construction on the new school, with a proposed opening date of September 2022;
- d) Approve the financial and governance arrangements associated with the capital scheme;
- e) Delegate authority to the Director of Children's Services North Northamptonshire in consultation with the Cabinet member with responsibility for Children, Families and Education to authorise all necessary contract awards to deliver the new school;
- f) Note that Council Officers will begin the process to appoint an Academy Sponsor to run the new school, in accordance with the 'Free School Presumption' regulations stipulated by the Department for Education.

3.2 Reason for Recommendations;

- The Local Authority has a legal obligation to deliver the primary school, in accordance with the signed section 106 agreement;
- The recommended course of action will allow the timely progression of capital works to build the new primary school at Stanton Cross SUE;
- The recommended course of action will benefit students and families who will reside within the development, by providing local school places for local school children;
- North Northamptonshire Council (or customers) will receive the maximum benefit from the option proposed.

4. Report Background

- 4.1 Stanton Cross SUE is a large housing expansion close to the town of Wellingborough. It is expected to contain circa 3,650 homes, once complete. A two form (420 place) primary school is being built to serve the first phases of housing.
- 4.2 North Northamptonshire Council has a statutory duty to provide sufficiency of school places for all children residing within the council area and this development is expected to create demand for circa 1,085 primary places once complete. A further two primary schools are scheduled to be built as further phases to the SUE are completed.
- 4.3 Wellingborough currently has 14 schools providing primary phase education within the town, 8 primary schools, three junior schools, and three infant schools. These schools are as follows; All Saints CEVA Primary School, Avenue Infant School Croyland Primary School. Freemans Endowed CE Junior Academy, Oakway Academy, Olympic Primary School. Our Lady's Catholic Primary, Park Junior School, Redwell Primary, Ruskin Infant, Ruskin Junior, St Barnabas CE Academy, Victoria Primary and Warwick Academy. Available primary school places in the town stands at 438 as of February 2021. It is expected that a significant amount of the current surplus spaces will be taken by children moving into the area during the first phases of the housing development within the SUE.
- 4.4 The S106 agreement which governs the development provides the site for a new two form entry primary school, inclusive of a children's centre (for the first phase of the development) with associated facilities. NNC is under an obligation to have the school ready for opening by the 1st September 2022, following occupation of the 400th dwelling. The September following occupation of the 400th dwelling will be September 2022.
- 4.5 As a result of the Education Act 2011, the school will be operated as an academy under the Department for Education (DfE) 'Free School Presumption' arrangements. The process of appointing a sponsor in line with the DfE Free School Presumption process is expected to be complete by July 2021. Any Academy provider will be required to work with a phased intake and make the sports hall available for community use.

5. Issues and Choices

- 5.1 A feasibility study was undertaken to look at suitable designs and layouts, that take into account that set out the DfE template designs for new schools and the area guidelines provided by Building Bulletin 103. Early discussions were held with the Borough Council of Wellingborough and Bovis/Vistry (SUE Developers), to ensure the building met with the design aspirations of the developer and local planning authority. Each of these considerations has been taken into account in the final, agreed design of the new school. The designs/plans for the proposed new school are attached to this report as Appendix 1 and 2.
- 5.2 Whilst there is a significant amount of surplus capacity available within primary schools located within Wellingborough town, the Stanton Cross development is

growing at a significant rate and the pupil yield from this new housing is increasingly accordingly. The current planned opening date of September 2022 is due to the obligations placed on the Local Authority by the relevant S106 agreement. The Local Authority would be in breach of the S106 agreement if it did not use or reasonable endeavours to deliver the new school for September 2022. Delaying the school past this point would mean the Local Authority is in breach of the relevant S106 agreement and would incur reputational and financial liabilities as a result.

- 5.3 The Local Authority has a statutory obligation to ensure there is sufficiency of school places within local areas. Not proceeding with the option of a new school would put the local authority at risk of not meeting its statutory obligation, once the development matures and continues to grow.

6. Implications (including financial implications)

6.1 Resources and Financial

- 6.1.1 This scheme is fully funded through Section 106 contributions from the Stanton Cross Sustainable Urban Extension. (WP/15/00605/VAR).

- 6.1.2 The project is being procured via Design and Build where the contractor (McAvoy) accept the risk for the project at a pre-agreed price.

- 6.1.3 Detailed design costs indicate that the planned new school will cost £9.66 million. Please note, £596,000 of this cost, has previously been approved for the design phase of this project via Northamptonshire County Council's governance processes, as the Local Authority at the time. The figure quoted above is inclusive of this amount.

	Current Year	Forecast		
	2020/21	2021/22	2022/23	2023/24 & beyond
	£	£	£	£
Capital Investment	£0	£4,261,000	£4,364,500	£131,500
Costs	£596,443	£214,000	£71,000	£21,557
Funded by	Section 106 funds (S106)			
Ongoing costs (revenue)				
Costs – staffing	Any impact on revenue costs for the school will be met through their budget.			
Other				
Total on-going costs (revenue)				
Funding by	Dedicated Schools Grant (DSG).			

6.2 Legal

- 6.2.1 Not delivering the proposed new primary school in accordance with the obligations and timeframes identified within the relevant S106 agreement, would result in a significant risk of legal challenge to the Local Authority and possible reputational harm and financial penalties.
- 6.2.2 The Local Authority has a statutory obligation to ensure there is sufficient school places within a local area. Due to the high number of homes being developed within the Stanton Cross development, the new 2 form of entry primary school is required to ensure that the Local Authority fulfils its statutory obligation of providing a sufficiency of school places in future academic years.

6.3 Risk

- 6.3.1 Insufficient capital resource. Funding is limited due to the amount specified within the S106 agreement. The amount of S106 funding to be received for delivery of the first primary school on the Stanton Cross development are indexed link and are sufficient to deliver the school with the current detailed design costs. See below for further risk information. However, the wider national, financial situation may impact upon this should indexation rates fall.
- 6.3.2 Delays and cost increase caused by COVID-19 and Brexit: Having materials readily available in line with the programme, to enable project delivery, on time and within budget is a risk to the scheme. Brexit has caused uncertainty in contractors' supply chains supply and pricing, whilst an increased demand from Europe for steel manufactured in China has also had an impact. The cost of materials is increasing, steel prices are currently sitting at 50% of pre-Brexit prices and copper prices are approximately 15% higher. There may be other increases in materials, although these are the two major risk factors. Covid-19 has also had an impact, mainly in the supply of materials. There is an increase in lead times for most materials, including steel which is now on an 8 week lead time which is up from a 3-4 week lead time. This is partly due to Brexit and also reduced capacity at the manufacturers, due to Covid-19 measures being put in place. However, as this proposed scheme is being delivered as a Design and Build contract, all prices will be fixed at the point the construction contract for the school is signed, which will mitigate against this risk.
- 6.3.3 The opening of the primary school for September 2022, may have a detrimental impact on the number of pupils on roll at primary schools operating close to the new primary school at Stanton Cross. A phased opening, with the school taking in a reception cohort initially and maturing in subsequent academic years, will minimise this impact and ensure that any detrimental impact on neighbouring, existing schools is reduced.

6.4 Consultation

- 6.4.1 Construction of the new school has been subject to a separate consultation, which formed part of the planning application process. Planning permission was granted for this project in February 2021.

- 6.4.2 Following the Free School Presumption process, an academy sponsor will be chosen to operate the school. The chosen Academy Sponsor is required to conduct consultation with all relevant stakeholders prior to the Secretary of State entering into a funding agreement with the Academy Sponsor in relation to the new school. This process is likely to begin after Easter 2021.

6.5 **Consideration by Scrutiny**

- 6.5.1 N/A

6.6 **Climate Impact**

- 6.6.1 Any construction works at the Stanton Cross primary school site, would have a climate impact but this would have been managed via the relevant planning process. The decision to passport funding itself has no impact in this regard.

6.7 **Community Impact**

- 6.7.1 This proposal can be considered to have a positive impact upon on both students that will attend the primary school on the Stanton Cross SUE, by providing access to improved educational facilities.

7. **Background Papers**

- 7.1 N/A