

## Report to Cabinet



Date of Meeting	30 <sup>th</sup> June 2020
Portfolio	Cabinet Member for Children's Services
Report Author	Fay Davies
Public/Private Document	Public

## New Schools - Disposal of School Sites

### Executive Summary

- 1.1 Rochdale borough is in the process of getting three new central government delivered Academy Free schools. To facilitate this process the council has been working towards finding and delivering good sites for the schools that meet local need.
- 1.2 A Department for Education, DfE, Capital Delivery team is now in place for the proposed secondary school in Middleton. Final red line boundary for the site is now nearing agreement and negotiations are ongoing with regard to agreeing the Heads of Terms. Cabinet approval is required for the disposal. The disposal of the school site land will be by way of a lease for a Term of 125 years at a peppercorn rent. The DfE's model lease will be used.

### Recommendation

- 2.1 That approval is given to the disposal, by way of a 125 year lease, of part of the grazing land site at Bowlee, Middleton, which is shown edged red on the plan at appendix 1, for the purpose of the new secondary school in Middleton. The school site will be between a minimum of 54,000 sq m and a maximum of 67,500 sq m as required by current school building guidance for a 900 pupil place secondary school.
- 2.2 That the Director of Economy and the Director of Resources, acting jointly, be given delegated authority for final sign off of the Heads of Term for the secondary school in Middleton.
- 2.3 That approval is given for the Assistant Director of Resources (Legal, Governance and Workforce) to carry out all necessary legal work in connection with the disposal.

## Reason for Recommendation

- 3.1 The local authority has a statutory duty to offer every child living in the borough, and who applies, a school place. Birth rates have been increasing for the last 15 years and secondary schools in the Rochdale Borough have reached capacity. The town of Middleton has and is continuing to see increasing new housing, and with outstanding Primary schools locally, has seen large rises in pupil numbers. Numbers of pupils are expected to continue to rise until 2027/28.
- 3.2 With Rochdale Sixth Form College (RSFC), continuing to be outstanding and a national leader in sixth form provision, the local authority is in a privileged position with Altus Education Partnership, the RSFC trust, opening the new secondary school in Middleton.
- 3.3 Delivering the new school site and aiding the process of the new school delivery is important for families looking for outstanding school provision in the area, and will encourage families to settle in the Rochdale Borough and facilitate improvements in education and therefore wider employability skills in residents.

## Key Points for Consideration

- 4.1 In 2016 the Cabinet report “The Need for Extra Secondary School Places” dated 31st October noted that local authority plans currently had a short fall in places in its secondary schools and that two new schools would be needed.
- 4.2 In 2018 the government opened Wave 13 of the centrally funded schools bidding rounds and in June 2019 Rochdale local authority was notified that Altus Education Partnership (the Trust behind Rochdale Sixth Form College) had been successful in their bid to open a new secondary school in Middleton.
- 4.3 As part of supporting a bid, for a new school to open in Middleton, the local authority named Bowlee as a suitable area that met the requirements for the bid (local authority land that could be provided at peppercorn rent) as it is an area where pupil number forecasts showed a need for additional school capacity. The Cabinet report on the 19<sup>th</sup> December 2017 decided:-  
  
“That the release of Council owned land within the Bowlee site to be leased to the Altus Education Partnership for the building of a new Secondary School for the Borough be approved”.
- 4.4 Following a consultation exercise conducted by Altus Education Partnership about the new school the council Cabinet on the 13<sup>th</sup> March 2018 resolved:-  
  
“That the alternative site identified through the public consultation process on land bordering Whittle Brook down to Martindale Crescent be identified as the preferred site for a free school.”

4.5 Cabinet on the 30<sup>th</sup> October 2018 also decided:-

“That the leasing of the land for the new schools to the winners of either the Wave 13 bidding process or the winners of a Free School Presumption competition (in the event that a presumption process is run), with the preference noted in section 2.2 [referring to a local provider trust] of the report be approved. The lease would be based on the statutory Academy Template, but would be subject to further Cabinet approval being sought to agree any specific Heads of Terms.

and also:-

“That the provision of a Letter of Comfort to the DfE in relation to the proposed leases as outlined in section 2.3 of the [30<sup>th</sup> October 2018] report be approved.”

- 4.6 Following discussions with the DfE, creating the whole school site within the grazing land as defined in section 4.4 above as the “preferred option”, rather than sharing of playing field pitches as put forward as an option in the Cabinet report of 29<sup>th</sup> October 2019, is requested as the final solution. Delivery of the school site within the grazing land at Bowlee is considered to be the quickest and most appropriate solution to bring forward. If approved the school building, sports fields and recreation areas within the school site would be delivered within the red line boundary in appendix 1.
- 4.7 The final school layout of buildings and sports fields will be considered through the required DfE tendering procedure, with building plans being agreed through Rochdale local authority statutory planning procedures with the required formal consultation period. Within the red line boundary in appendix 1 the site for the school will be between 54,000 sq m and 67,500 sq m.

### **Alternatives Considered**

- 4.8 None. School cohorts within Middleton have continued to rise, with natural birth rates being boosted from families moving into the area and an increase in new housing locally. Existing secondary schools in the area have been expanded over the last few years and no further expansions are possible. Current government legislation dictates new schools must be delivered through the Free school – Academy programme.

## Costs and Budget Summary

- 5.1 The cost to Rochdale BC is the land value which is dependent on the other possible uses of the site. The land will be leased to the Altus Education Partnership in accordance with the Academies Act of 2010.
- 5.2 Costs associated with leasing out the land as grazing land will be lost. This income loss for 2020 would have been £3,896.28 with a 3% per annum uplift.
- 5.3 Costs associated with legal and estates requirements for the delivery of the site and Outline planning permission, not exceeding £60,000, will be met from schools capital funding from Basic Need and/or s106 developer contributions for secondary school places.

## Risk and Policy Implications

- 6.1 Without the new school, or if there is any considerable delay to the new school, Rochdale Council could find that meeting the statutory requirement for sufficient school places is challenging.
- 6.2 The proposed new school site is adjacent to Bowlee park and playing fields and is currently Protected Open Land and part of a green space corridor in the UDP (2006) and this aspect must be addressed through the planning submission. However relevant to this application is the Ministerial Policy statement "Planning for schools development" published in 2011. This sets out a presumption in favour of development of state funded schools and states that applications should be approved wherever possible, and expands on the NPPF's presumption in favour of state-funded schools. It states that local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions, and the answer to development proposals should wherever possible be "yes". Further the Core Strategy (2016) section C7 paragraph 8.44 notes "Improving education and skills is a high priority" and key to improving education is "Promoting existing and new facilities".
- 6.3 The Council has the power under s123 of the Local Government Act 1972 to dispose of land in any way it thinks fit, provided that disposal is for the best consideration that can be reasonably obtained.

## Consultation

7. Statutory consultation will be required through the Outline planning and Reserved Matters planning procedure. Previously Altus Education Partnership consulted informally prior to submission of the Wave 13 bid to open the school.

**Background Papers**

**Place of Inspection**

8. Not applicable	
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