

Norfolk County Council

Record of Individual Cabinet Member Decision

Responsible Cabinet Member: Cllr Penny Carpenter (Cabinet Member for Children's Services)

Background and Purpose: Children's Services requires cabinet member approval to form a grant agreement for £400k of Basic Need grant funding to the Eastern Learning Alliance. The purpose of the grant is to meet requirements ensure Downham Market Academy can increase capacity for 270 pupils for Year 7 for two academic years, ahead of a permanent major capital expansion.

Decision: To approve making the grant allocation using the agreement with Eastern Learning Alliance

Is it a key decision? No

Is it subject to call-in? Yes

If Yes – the deadline for call-in is: 4pm Thursday 8 February 2024

Impact of the Decision: The proposal ensures the requirement to spend the funds under the terms of the grant. The budget allocation has been approved by the Executive Director of Children's Services with her delegated powers from NCC Cabinet.

Evidence and reason for the decision: Improved facilities and capacity at secondary school ensuring modern purpose-built teaching spaces and to ensure Norfolk County Council is able to deliver its statutory duty to ensure sufficient school places. This is ahead of planned permanent extension of the school to accommodate up to 300 pupils in each year group for 11-16 year olds.

Alternative options considered and rejected: If the grant and scheme to add capacity does not proceed as proposed. 30 children for September would be offered places at alternative secondary schools, with the transport implications. The nearest available school is likely to mean a journey of about 20 miles with the resulting costs for transport for the children during their time between Years 7 and 11 is approximately £200K, and therefore across two year groups, this is likely to be £400K. These costs are estimated at today's prices and presuming the market could meet the demand; inflation plus supply pressures mean that the overall cost of transport could well be higher.

The Basic Need grant has to be prioritised across all schools' capital programme where growth is required. An alternative option for the allocation of funding, is to prioritise for other schemes across the programme. However, this would mean the Council's statutory duty for place planning is not met for Downham Market.

Financial, Resource or other implications considered: None

Record of any conflict of interest: None

Background documents:

- n/a
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Date of Decision: 1 February 2024

Publication Date of Decision: 1 February 2024

Signed by Cabinet Member:

I confirm that I have made the decision set out above, for the reasons also set out.

Signed: Cllr Penny Carpenter

Print name: Cllr Penny Carpenter

Date: 29 January 2024

Accompanying documents:

- Cabinet decision making paper

Once you have completed your internal department clearance process and obtained agreement of the Cabinet Member, send your completed decision notice together with the report and green form to committees@norfolk.gov.uk

Cabinet

Item No:

Report Title: Grant Agreement between Norfolk County Council and the Eastern Learning Alliance Multi-Academy Trust responsible body for Downham Market Academy

Date of Meeting: January 2024

Responsible Cabinet Member: Cllr Penny Carpenter (Cabinet Member for Children's Services)

Responsible Director: Sara Tough, Executive Director Children's Services

Is this a Key Decision? No

If this is a Key Decision, date added to the Forward Plan of Key Decisions: n/a

Executive Summary / Introduction from Cabinet Member

Recommendations:

Children's Services requires cabinet approval to form a grant agreement for £400K of Basic Need schools' growth grant to Eastern Learning Alliance to expand school places at Downham Market Academy. The purpose of the grant is to meet the statutory duty for sufficient school places and ensure the Eastern Learning Alliance can increase capacity for two years from 240 Published Admission Number to provide 270 places for Secondary Admissions at Year 7.

1. Background and Purpose

- 1.1 There are currently very high numbers of pupils in the Downham Market Academy catchment for Year 7 Admissions into secondary school, for the second year running. Changes to the school over time have meant the Published Admission Number has been reduced to 240 in each year group, and in order to deliver 270 places needed additional accommodation is required.

- 1.2 A longer-term capital solution to expand places at the school is being developed with the Eastern Learning Alliance who run the school, but this project will take some time as a major scheme.
- 1.3 The County Council receives a Basic Need grant from Central Government for the purpose of increasing school places, and on the recommendation of Members of Capital Priorities Group, the Executive Director of Children's Services has approved the budget of £400K.
- 1.4 The delivery of this minor capital works can be delivered effectively by the Academy Trust that runs the school and owns the freehold for the land.

2. Proposal

- 2.2 A legal agreement has been prepared by nplaw between Norfolk County Council and the Eastern Learning Alliance, of which Downham Market Academy is part. The terms of the Agreement stipulate how the funds will be spent and released, meeting pre-agreed triggers.

3. Impact of the Proposal

- 3.1 The proposal will secure classrooms and associated school accommodation for the school to support 270 pupils admitted in the September 2023 Admissions round and September 2024.
- 3.2 Improved facilities and capacity at secondary school ensuring modern purpose-built teaching spaces and to ensure Norfolk County Council is able to deliver its statutory duty to ensure sufficient school places. This is ahead of planned permanent extension of the school to accommodate up to 300 pupils in each year group for 11-16 year olds.
- 3.2 This mitigates the need to travel to the nearest, alternative secondary school with available places that would involve a journey of approximately 20 miles each way for some children.
- 3.3 The grant will allow Eastern Learning Alliance to directly deliver the project and the commitment is for them to take an additional 30 children into Year 7 for September 2024. This will mean fewer appeals faced by families in the area.

4. Evidence and Reasons for Decision

- 4.1 Secondary places in Downham Market Academy will increase with the increased capacity. New facilities will deliver fit for purpose modern teaching spaces in line with the national standards for mainstream secondary schools.

5. Alternative Options

- 5.1 If the grant and scheme to add capacity does not proceed as proposed, 30 children for September would be offered places at alternative secondary schools, with the transport implications.
- 5.2 The nearest available school, Icen Academy, Methwold, is likely to mean a journey of about 20 miles with the resulting costs for transport for the children during their time between Years 7 and 11 is approximately £200K, and therefore across two year groups, this is likely to be £400K. These costs are estimated at today's prices and presuming the market could meet the demand; inflation plus supply pressures mean that the overall cost of transport could well be higher.
- 5.3 The Basic Need grant has to be prioritised across all schools' capital programme where growth is required. An alternative option for the allocation of funding, is to prioritise for other schemes across the programme. However, this would mean the Council's statutory duty for place planning is not met for Downham Market.

6. Financial Implications

- 6.1 The legal agreement set out between Norfolk County Council and the Multi-Academy Trust ensures financial risk is negated.
- 6.2 Funding will be controlled and allocated via triggers to ensure the maximum use of Basic Need grant.

7. Resource Implications

- 7.1 **Staff: None applicable**
- 7.2 **Property: The freehold is owned by Eastern Learning Alliance as the Academy is a former foundation school. Norfolk County Council therefore does not have a property interest in these schools. As a result , there are no property implications.**
- 7.3 **IT: None applicable**

8. Other Implications

- 8.1 **Legal Implications: The legal agreement between both parties safeguards the interests of the Local Authority.**

8.2 Human Rights Implications: None applicable

8.3 Equality Impact Assessment (EqIA) (this must be included):

New school places are planned to ensure that provision has no adverse impact on young people including those with disabilities, gender reassignment, marriage/civil partnerships, pregnancy/maternity, race, religious belief, sex or sexual orientation where appropriate. The agreed policy aims to secure a good place of education for every child. In particular it seeks to ensure that every school has sufficient capacity for strong leadership and governance to safeguard a good education for all.

8.4 Data Protection Impact Assessments (DPIA): None applicable

8.5 Health and Safety implications (where appropriate): None applicable

8.6 Sustainability implications (where appropriate): None applicable

8.7 Any Other Implications: None applicable

9. Risk Implications / Assessment

9.1 The key risk to Norfolk County Council is a failure to provide sufficient places in Downham Market catchment if unable to support the Academy's project.

10. Select Committee Comments

10.1 Not applicable

11. Recommendations

- 1. To provide a grant to Eastern Learning Alliance to enable them to undertake agreed capital development work at Downham Market Academy.**

12. Background Papers

12.1 n/a

Officer Contact

If you have any questions about matters contained within this paper, please get in touch with:

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