

WEST NORTHAMPTONSHIRE COUNCIL CABINET

8 MARCH 2022

**CABINET MEMBER RESPONSIBLE FOR FAMILIES & EDUCATION –
COUNCILLOR FIONA BAKER**

Report Title	Proposal to fund a Football Association standard, 3G sports pitch at the new free school to be delivered at Wantage Farm, Moulton
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Contributors/Checkers/Approvers		
West MO	Catherine Whitehead	Emailed 14 th February 2022
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Other Director/SME	Chris Kiernan – Interim Director of Children’s Services	14 th February 2022
Communications	Gavin Moore – Senior Communications Officer	25 th February 2022

List of Appendices

None

1. Purpose of Report

- 1.1. The purpose of this report is to provide Cabinet Members with all relevant information to make a fully informed decision on the proposal outlined above.

2. Executive Summary

- 2.1 The proposed new secondary free school to be delivered at Wantage Farm, Moulton, will address the significant deficit of secondary school places in the wider Northampton area experienced in recent academic years and will provide sufficient capacity to meet demand in the short to medium term future.
- 2.2 As a free school, the new school buildings will be funded and delivered by the Department for Education (DfE) and the school will be operated by the Northampton School for Boys Charitable Trust upon opening. The school has a proposed opening date of September 2023. The new school will have a specialism in Sport.
- 2.3 It is proposed that WNC utilise a banked S106 developer contribution received for the purpose of secondary education, to fund a Football Association standard, 3G sports pitch at the new school for the benefit of students that will attend the school and the wider community.
- 2.4 The proposal would see WNC act as the funding body only and the required monies be passported to the Academy Trust and the DfE for delivery of the sports pitch. Should the proposal be approved, the passporting of the funds would be underpinned by a Funding Agreement that would limit WNC's financial liability to the amount identified in section 3.1(a) of this report.

3. Recommendations

- 3.1 It is recommended that the Cabinet:
- a) Approve the expenditure required to deliver the 3G sports pitch at the proposed new school at Wantage Farm, Moulton at a cost of £641,046.
 - b) Delegates responsibility to the Director of Children's Services in conjunction with the Cabinet Member for Children, Families & Education to make and authorise all necessary legal and financial agreements to ensure effective delivery of the proposed scheme.

4. Reason for Recommendations:

- The option will ensure that the facilities available at the proposed new school are commensurate with those at other area schools and provide the best possible education environment for students that will attend the school.
- The option will mitigate against a risk that the S106 developer contribution would have to be returned to the developer in the event that no other scheme that is compliant with the S106 agreement be identified by 2027.
- The proposal will provide wider community benefit via access to increased and improved sports facilities and promote 'healthy living' agendas.
- The future Council (or customers) will receive the maximum benefit from the option proposed.

5. Report Background

- 5.1 The wider Northampton town area has experienced a significant deficit of Year 7 places in recent academic years and the WNC (and the County Council previously) have been required to provide the following amounts of temporary bulge capacity to ensure that its statutory obligation of providing a sufficiency of school places was fulfilled;
- 19/20 – 260 places;
 - 20/21 – 260 places;
 - 21/22 – 230 places;
 - 22/23 – 200 places.
- 5.2 The result of such large levels of bulge capacity being added at existing schools within the area is that the majority of these schools can no longer accommodate any further increases in student numbers and have reached the maximum number of students that can be safely accommodated on their school sites.
- 5.3 To provide the permanent capacity that is required to meet the demand for secondary school places in the Northampton town area in future academic years, WNC supported the submission of a free school bid by the Northampton School for Boys Charitable Trust to the DfE.
- 5.4 The free school bid was approved by the DfE in 2019. The funding for the new school and the delivery of it will be provided by the DfE and will be the mechanism by which WNC is able to fulfil its statutory obligation of providing a sufficiency of school places in Northampton in the short and medium term future.
- 5.5 Without the proposed new free school, WNC is looking at a clear, immediate and certain failure of its ability to deliver sufficient secondary school places from 1st September 2023 onwards.
- 5.6 The school will be co-educational and have a focus and specialism in sport. The school has a provisional opening date of September 2023.
- 5.7 The DfE have confirmed that the budget available for delivery of the wider school facilities does not include funding for a sports pitch of the quality and scope of what this proposal intends to provide.
- 5.8 WNC is currently in receipt of a £1.4m S106 developer contribution for the purpose of providing new secondary school places, from the Buckton Fields East development. This funding has been received and banked and is available for use. It is proposed that partial use of this funding would be used for this proposal.
- 5.9 The proposal to fund the 3G sports pitch at the new school to be delivered at Wantage Farm, Moulton, was approved at WNC's 'Capital and Assets Board' meeting from this source of funding on Tuesday 25th January 2022.

6. Issues and Choices

- 6.1 The funding of an 11 a side, Football Association standard 3G sports pitch at the proposed new school will provide several benefits and ensure:

- The standard of accommodation and facilities available are commensurate with those available at other, existing schools in the area.
- The new school will provide the best possible education environment for students who will attend the school in the future.
- The proposal will provide benefit to the wider community in the form of an increased choice of sporting facilities and allow for the promotion of 'healthy living' options.
- The proposal will also provide the new school with increased financial viability via letting opportunities and allow for any funding generated to be re-invested back into education at the school.

6.2 Partial use of the banked S106 funding received from the Buckton Fields East housing development will mitigate against any risk that this developer contribution would be required to be returned to the developer if it is not spent by 2027. WNC would be legally required to return this funding if the money has not been used by this date.

6.3 The wider scheme to deliver the proposed new school at Wantage Farm, Moulton, will provide sufficient school places in the area into the medium term i.e. the next 5 year period. As such, it may prove difficult for WNC to identify another scheme for which this funding could legally be utilised i.e. a scheme that provides new, permanent secondary school places and can be considered to serve the Buckton Fields East housing development.

6.4 Should this proposal not be approved, the benefits identified in section 5.1 of this report will not be realised and WNC may be required to return the S106 contribution to the housing developer. In this scenario, no benefit will be realised from this funding by the current and future school aged population of West Northants.

6.5 Should this proposal be approved, the passporting of the identified funding would be governed by a Funding Agreement, which would provide the legal basis for which the funding is being provided and limit WNC's financial liability to a maximum of £641,046.

7. Implications (including financial implications)

7.1 Resources and Financial

7.1.1 This proposal entails the passporting of £641,046 of banked S106 funding to the Northampton School for Boys Charitable Trust and DfE for the purpose of providing a new 3G sports pitch.

7.1.2 Any agreement of this proposal and passporting of funding would be governed by a legally binding Funding Agreement that would limit WNC's total financial commitment to this scheme to £641,046.

7.1.3 As this proposal would require WNC to act as the funding (rather than delivery) body only, this proposal has no resource implications for WNC.

7.2 Legal

- 7.2.1 There are no legal implications that would arise from the decision to fund a 3G sports pitch at the proposed new school at Wantage Farm, Moulton.
- 7.2.2 As stated previously in this report, a legally binding Funding Agreement would be signed by all parties in respect of this proposal and would provide the legal basis on which monies would be provided and limit WNC's maximum financial liability in respect of this scheme.

7.3 Risk

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
Costs higher than agreed funding envelope	All works have been procured via the DfE's construction frameworks and price obtained is confirmed. Should costs increase between now and the actual delivery of the sports pitch, the Funding Agreement will limit WNC's total financial liability to £641,046	Green

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

Risk	Risk Rating
New school will experience a facilities deficit when compared to other local schools and students attending the school will not benefit from the best facilities they otherwise would have.	Red
The wider community are not able to benefit from increased availability of local sports facilities.	Red
WNC may be required to return the S106 education contribution to the developer in the event that it is not possible to identify another S106 compliant proposal for its use (by 2027).	Amber

7.4 Consultation

- 7.4.1 No statutory consultation is required in respect of this proposal.

7.5 Consideration by Overview and Scrutiny

- 7.5.1 N/A

7.6 Climate Impact

- 7.6.1 Should the proposal be approved, the delivery of the new sports pitch will be progressed by the DfE. Construction of sports pitch and wider school will seek to reduce any climate impact wherever possible.

7.7 Community Impact

- 7.7.1 The proposal to provide an 11 a side, Football Association standard 3G sports pitch, will provide an increased amount of sporting facilities that can be accessed by residents of West Northants and will be available for use outside of school hours. The Northampton School for Boys Charitable Trust have already received a number of enquiries from local football teams and 5/6 a side leagues about use of the facility once the school opens. The funding of the new sports pitch will also assist WNC in promoting 'healthy living' considerations/agendas. As such, this proposal can be considered to provide a positive community impact if approved.

8. Background Papers

- 8.1 N/A