

EXECUTIVE SUB-COMMITTEE FOR PROPERTY

A meeting of the Executive Sub-Committee for Property was held on 13 June 2018.

PRESENT: Councillors J Brunton Dobson, M Carr, C M Rooney, D Rooney, J Rostron, M Thompson and N J Walker

OFFICIALS: S Blood, D Johnson and G Maddison

APOLOGIES FOR ABSENCE: Councillor L Young

18/1 **MINUTES FROM THE PREVIOUS MEETING HELD ON 16 MAY 2018**

The minutes of the Executive Sub Committee for Property held on 16 May 2018 were taken as a correct record.

18/2 **POTENTIAL SITE FOR DISCOVERY SPECIAL ACADEMY**

The Executive Member for Education and Skills presented a report which sought approval of the disposal of part of the Nature's World site by private treaty, for the purposes of a new Special School.

On 12 April 2017, Tees Valley Education (TVEd) Trust was successful in securing approval from the Government's Free School Programme to establish a new special school in Middlesbrough for up to 84 children aged 4-11. TVEd is a locally based multi-academy trust that operates two primary schools in Middlesbrough and one in Redcar & Cleveland.

Named the Discovery Special Academy, the free school would provide a specialist education for children with complex and significant learning, communication, physical and medical needs. It is proposed to open the school in temporary accommodation in September 2018, with the construction of the school's building to be completed in 2019/20.

Demand for this type of specialist education in Middlesbrough was outstripping supply. In anticipation of the school opening the Council has therefore used its 2018/19 SEN capital to provide a limited amount of temporary accommodation at Pennyman Primary Academy. Five Middlesbrough pupils were admitted to this provision in September 2017, on the roll of Priory Woods School, and will transfer to the Discovery Special Academy upon opening in 2018. This was a value for money approach to avoid out-of-area placements at a much higher cost to the Council and inconvenience to families.

The report provided the case for disposal of the land, currently allocated as Open Space in the Local Plan, to the Secretary of State for Housing, Communities and Local Government for the purpose of providing a new Special Free School to meet the demand of pupils with Special Educational Needs.

Reasons for recommendations

The report outlined that demand for the specialist type of education proposed to be offered by the school was greater than the local supply of school places. Although capacity at the existing Priory Woods Special School had recently been increased, each year there are more children meeting the admissions criteria than there are places available.

Middlesbrough Council was under a statutory duty to ensure that there are sufficient places to meet demand. However, it no longer has the powers necessary to establish new school provision. All new schools must now be Free Schools established by academy trusts such as TVEd. TVEd is currently the only trust with approval to establish a new special school in Middlesbrough to meet the identified demand.

Middlesbrough Council also had a duty to secure provision to meet pupils' needs. Where there was a shortage of local places this can mean out-of-area placements with additional transport

costs or, in the case of mainstream provision, with significantly increased support costs. In general terms, the most cost efficient way of educating these pupils is in local specialist schools such as the Discovery Special Academy.

Without an appropriate site on which to locate the new school, its delivery would not be possible. The sale of the site, following further negotiations, would also result in a capital receipt to the Council which could be reinvested into the Council's capital programme. It is envisaged that the value of the site would be determined by a joint, independent valuation.

Officers were of the view that the site was well located for use as a special school for pupils of primary school age. The site is large enough to provide good levels of playing field provision and recreational space alongside the school building and would lend itself to a building design which is sympathetic to the surrounding area. There are good transport links to facilitate pupils' journeys, especially those travelling from Redcar and Cleveland. The existing community involvement in the area would also provide an opportunity for the school to build good community links which would benefit the community, the school and the pupils.

The proposal would contribute to the social regeneration of Middlesbrough: providing more local school places for pupils with complex learning and developmental needs, ensuring that young people can get the right education, learning experiences and qualifications they need. The school would support pupils and their families, in partnership with other agencies, with access to therapies, equipment, trained staff and resources to give them the best start in life.

Other potential decisions and why these have not been recommended

The ESFA has considered a range of other sites within Middlesbrough including Middlehaven (adjacent to the police station); North Ormesby Road; Whitestone Weavers; Hutton Road; and Cargo Fleet Lane. More detailed consideration has also been given to the playing fields of the current Pennyman Primary Academy and sites at Springfield Road (Ayresome) and land adjacent to MyPlace in Middlehaven.

The ESFA's approach to the Council regarding the Sandy Flatts site has been made following their own appraisal of the options available, balancing identifiable barriers to delivery, delivery timescales and the benefits of each location for the purposes of a special school in consultation with TVEd. Reasons for rejection of sites include the sites being too small, having poor access, or not being appropriately located for use by a school or for the age of the pupils.

The ESFA have also undertaken a wider trawl of sites available outside of Middlesbrough's boundary but have asserted that, due to school registration and revenue funding complications, the school must be located in Middlesbrough. This is also of benefit to Middlesbrough Council and local families.

The Council could choose not to agree the disposal of the site. This is likely to lead to a significant delay in the delivery of the free school and may jeopardise the scheme altogether. Any significant delay to the delivery of the school would put at risk the Council's ability to secure places for pupils with SEN in the coming years and significantly increase the Council's costs. The negative impact on those young people who would benefit from a place at Discovery Special School would be significant.

ORDERED

To seek approval of the disposal of part of the Nature's World site by private treaty, for the purposes of a new Special School.

REASONS

The decision was supported by the following reason:

- **Result in improved educational opportunity for primary-age pupils with Special**

- Education Needs.**
- **Enable the Council to fulfil its statutory duty to ensure there are sufficient school places in the town to meet demand.**
 - **Reduce the need to use out-of area placements with associated transport costs, or placements in local mainstream schools with expensive support costs.**
 - **Result in a capital receipt for the Council and inward investment in the construction and staffing of a new school.**

The decision(s) will come into force after five working days following the day the decision(s) was published unless the decision becomes subject to the call in procedures.