

Monthly Meeting 5th September 2011

Agenda Item 6)

Proposals for Swanage Free School

Following the decision by Dorset County Council to close Swanage Middle School and move to a two-tier education system in Purbeck, Education Swanage have been planning to open a Free School in the town. Their aim is to preserve high-quality secondary education in Swanage, in turn bringing social, economic and cultural benefits to the town. They have gained the support of Human Scale Education and the Co-Operative College. Further details are set out in the attached letter and are also available on-line at www.educationswanage.co.uk

Education Swanage is now established as a company limited by guarantee and on 10th August 2011 attended an intense interview at the Department for Education to interrogate their business plan for the Free School. The news as to whether they have been selected to go through to the next stage is expected to be announced during the Conservative Party Conference between 2nd and 5th October. If their proposals are accepted the company will be constituted an Exempt Charitable Trust and the directors/governors of the company will become Trustees.

Members will be aware that proposals for Free Schools are not uncontroversial and they are currently under the media spotlight as the first 24 such schools open this month (17 of which are primaries). Perhaps the best known example is the West London Free School which is being championed by Toby Young. This will open in temporary accommodation at an existing school building, before moving on to a former council property in an 18th/19th century building.

Locally, Education Swanage has been successful in gaining the support of a significant number of parents which has been provided as evidence of community support to the Department for Education. However, some local residents are concerned at the impact that the school may have on the funding of the Purbeck School. An example of such views can be found on the Swanage View blog <http://swanageview.blogspot.com/2011/05/old-grammar-school-site.html>. In turn, Education Swanage has been at pains to provide explanation why they believe such fears will not be realised.

Councillor Trite has kept in close touch with Education Swanage's plans, and Councillors Patrick and Wiggins, as individual members, have also spoken to the headteachers of most local schools to ascertain their views.

To date the Town Council has been supportive of retaining secondary education in Swanage, having been critical of the County Council for not having undertaken an economic impact assessment as part of the Purbeck Schools Review (see minute 124d) of the Monthly Meeting held on 1st February 2010). If successful, progress will have to be made quickly to ensure opening by the deadline for closure of the Middle School in October 2013, and Education Swanage have requested the Town Council's support in delivering the project.

Whilst acknowledging that there are many uncertainties as to precisely how it will progress, the following is a summary of the main issues that the Town Council will need to consider should the Swanage Free School gain approval to proceed.

Location

An analysis of potential sites identified the existing Swanage Middle School and the former Grammar School building as the only possibilities for adapting existing buildings. Although there is an example of an existing middle school being utilised in this way in the town of Clare in Suffolk (see www.stourvalleyeducation.org), Dorset County Council have alternative plans for the Swanage Middle School site.

The owner of Swanage Grammar School has made it known that he is prepared to discuss the use of the existing building for a free school and following a site visit from Partnership for Schools first indications are that the building is structurally sound.

The attached letter from Education Swanage states that the owner would be willing to gift the site to Swanage Town Council, although no formal communication of this intention has been received to date. It appears that there are alternative ways forward, and it may be possible for the school trust, when it is formed, to own the building in its own right. At present there is a lack of clarity over whether the Department for Education has a preferred option in this respect.

Given that a large section of the community laments the loss of the former Grammar School from public ownership, there may be considerable community support for the building's return to local control. The Town Council has the legal power to accept such a gift under section 139 of the Local Government Act 1972, although any decision to do so should also be informed by an assessment of the potential ongoing liabilities. Given the lack of detailed information as to the future management of the site, the structural condition of the building and the terms on which any such gift might be made, such an assessment is impossible at the current time.

Where, as in this case, the gift is received for the benefit of the inhabitants of the town, rather than for the purpose of discharging the Town Council's functions, any works of improvement or maintenance could not exceed the annual limit set by section 137 of the Local Government Act 1972. This is currently £6.44 per elector, equating to approximately £53,800.

Should the Town Council decline such an offer, or if it proves unnecessary, it may be possible to explore the introduction of covenants into any deed of gift to ensure that the Town Council is given an opportunity to acquire the building if the school should close.

Alternatively, it may be possible to nominate the building as a community asset under powers currently being introduced in the Localism Bill, so that it can't be disposed of in future without the opportunity being given to the community to acquire it. Whether or not this is possible will not be clear until guidance notes are issued on the implementation of the Localism Bill.

If central government approves the school's business case, it is likely that a meeting between the Town Council, Education Swanage and the owner of the Grammar School would be a first step to further explore the available options.

Planning

The offer of a site by the owner of the Grammar School is dependent upon his being granted planning permission for a number of market houses on the former school playing field. This raises a number of issues, during the discussion of which councillors should be careful not to express any predetermination of their response to any future planning application.

- 1) Is it appropriate to build on this site, given its location outside of the settlement boundary and current allocation as holiday accommodation, educational or community use? During the consultation held in summer 2010 on sites for new housing in Swanage 685 respondents supported some housing in this vicinity, equating to 85 per cent of responses. The following wording has been incorporated by the District Council in the revised draft Core Strategy and is currently out for public consultation:

Ahead of formal allocation through a subsequent plan(s) and to enable opening by Autumn 2013, should Education Swanage achieve government funding for the provision of a 'free school', proposals that lie outside of the current settlement boundary will be given consideration provided that they have the support of Purbeck District Council and Swanage Town Council in consultation with Dorset County Council. Should development in the form of housing be required outside of the existing settlement boundary to facilitate the provision of a new school, any such residential development must contain an appropriate level of affordable housing. The location of any housing should have regard to the results of the 'Where shall we build in Swanage and Corfe Castle 2010 – 2026?' consultation (June 2010).

- 2) In line with the above, any planning application would require provision for a proportion of affordable housing. Should the site owner and developer be unwilling to incorporate this within the scheme, the District Council as planning authority could be asked to consider whether to waive this requirement, accepting the benefit to the community of the gift of the school site in lieu of affordable housing. The Town Council can also comment on the above policy as part of the Core Strategy consultation.
- 3) Alternatively, the requirement for affordable housing could be accommodated on an alternative site. In its representations to the Pre-submission Draft Core Strategy the Town Council highlighted the possibilities for building affordable housing on land in local authority ownership. All local authority assets have been listed through the Locality Review process. Potential sites could include the Council's Depot in King's Road and Prospect allotments. Both of these would be subject to the satisfactory relocation of existing facilities and public consultation.

All of these matters will require further detailed consideration at a later date. Clearly if 3) were deemed to be the best option the work of identifying an appropriate site and agreeing

the level of the Council's involvement in delivering any affordable housing would be time and resource intensive.

The revised Core Strategy will be brought forward for consideration at the Policy and Planning Meeting on 19th September.

Sports Facilities

Given the potential loss of the school's original playing field, and the proximity of the Grammar School building to Day's Park and Journey's End, it is likely that the school would be interested in making use of these council-owned sports facilities. It is possible that the school could bring much-needed investment into the Football Club premises, and the Council has made the club aware of these possibilities. The Town Clerk and Project Development Officer are meeting officers of the Football Club later this week.

Again, it is anticipated that if the proposals for the Grammar School site progress a meeting should be held with Education Swanage to discuss options and ensure, where possible, that any funding agreement with central government takes into consideration the need for improved sporting facilities for the local community.

Decision required:

To determine whether to authorise Town Council officers to work with Education Swanage as a priority to explore what role the Council has in bringing the Swanage Free School to fruition.

If agreed a further report would be made to Council when clarification of any of the issues around site ownership, planning, affordable housing and sports facilities is available.