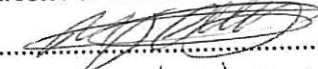
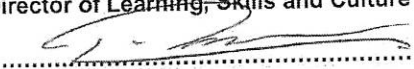
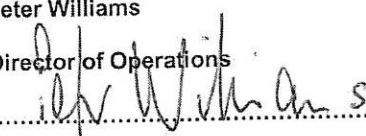


**NORTH LINCOLNSHIRE COUNCIL
OFFICER DECISION NOTICE AND RECORD
(PUBLISHED)**

DECISION TAKEN:			
<ul style="list-style-type: none"> to accept the DfE conditions associated with the building and establishment of a new, Post 16, Special Free School 			
EXECUTIVE	✓	NON-EXECUTIVE	(Please tick either)
IS THIS A 'KEY DECISION' ? (see definition overleaf)			Yes No ✓
DOES THIS DECISION RELATE TO EXEMPT INFORMATION?			Yes No ✓
EXEMPT PARAGRAPH REFERENCE (NOT TO BE PUBLISHED)			

2. OFFICER DECISION TAKER	<p>NAME Mick Gibbs</p> <p>POSITION/POST Director of Children and Community Resilience</p> <p>SIGNATURE </p> <p>DATE 20/3/2019</p> <p>NAME Peter Thorpe</p> <p>POSITION/POST Director of Learning, Skills and Culture</p> <p>SIGNATURE </p> <p>DATE 20/3/2019</p> <p>NAME Peter Williams</p> <p>POSITION/POST Director of Operations</p> <p>SIGNATURE </p> <p>DATE 20/3/19</p>
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3. REASONS FOR THE DECISION
(Please ref to any report/minute/background documents attached)

In July 2018 the DfE launched a joint special and AP free schools wave, where local authorities were first asked to set out their case for why a new school would benefit their area.

North Lincolnshire Council submitted a bid to meet the need previously identified in the published "All our Children" – SEND Inclusion Plan. The bid was for a new, 60 place, Special Free School to meet the needs of pupils aged 16+.

On 11th March 2019 the DfE announced the 39 successful local authority bids.

The DfE undertakes to finance the construction of the new school and initial start-up grant subject to NLC acceptance of the conditions set out in their approval letter.

The next stage in the process is for NLC to instigate a competition to seek proposals to establish the new free school. The competition specification has to be published on the NLC website and a link sent to the DfE by 19th March 2019.

The conditions that fall within the remit of the Director of Operations are:

- Provide a site for the school with a 125 year peppercorn lease without premium (mirroring the lease agreement for all Academies). The Heads of Terms to be provided within 3 months and exchange completed within 5 months of the project entering pre-opening.
- Meet site access costs from adopted highway and any ground abnormal costs.
- Provide vacant possession of site and shared access and service charge arrangements with remaining occupier of site.
- Facilitate a meeting with the Head of Planning, DCS and DfE representative within 6 weeks of the Secretary of State's formal approval of the project. A minute of the meeting, setting out the strategy for, and prospects of securing the necessary planning permission in a timely manner, to be circulated and agreed by all parties within two weeks of the meeting.
- Facilitate a meeting with Sport England, Head of Planning and a DfE representative within 12 weeks of the Secretary of State's formal approval of the project. A minute of the meeting, setting out the strategy for, and prospects of, securing Sport England's support in principle for a strategy to mitigate the loss of playing fields, to be circulated and agreed by all parties within two weeks of the meeting.
- Operate a fair and open competition for sponsors to operate the new school.
- Establish a new free school and not use the process to replace or expand existing provision.

The conditions that fall within the remit of the Director of Learning, Skills and Culture are:

- Publish the competition specification for the new free school by 18th March 2019. (Draft attached)
- Ensure the school is affordable and sustainable within the NLC high needs block funding allocations. Clearly state the number of places we will commission at a cost of £10k per place and the top-up funding rates we will expect to pay in addition to the place funding.
- Accept that the provision is only for pupils with an EHCP or without an EHCP in accordance with the SEND Code of Practice.
- Undertake an assessment of the impact of the proposal on existing educational institutions locally and in terms of particular groups of pupils from an equalities perspective.

This decision is to record Director of Operations and Director of Learning, Skills & Culture assurance on the conditions outlined above and record Director of Children's Services approval to:

- accept the DfE conditions for the new free school outlined above and provided in more detail in Annex A of their letter dated 11th March 2019 (attached)

4. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED (BY DECISION TAKER(S))

To decline the offer of DfE funding to build a new, post 16, Special Free School.

TO BE COMPLETED BELOW - ONLY WHEN A DELEGATED OFFICER DECISION REQUIRES PRIOR CONSULTATION WITH A MEMBER (LEADER OF THE COUNCIL, CABINET MEMBER/CHAIRMAN OF A COMMITTEE) IN ACCORDANCE WITH THE 'SCHEME OF DELEGATIONS TO OFFICERS' OR DECISION/MINUTE OF COUNCIL/COMMITTEE OR DECISION/MINUTE OF CABINET/CABINET MEMBER.

<p>5. DECISION REQUIRED TO BE TAKEN IN CONSULTATION WITH RELEVANT MEMBER</p>	<p>COUNCILLOR</p> <p>POSITION</p> <p>SIGNATURE</p> <p>DATE</p>
<p>6. ANY CONFLICT OF INTEREST DECLARED BY ANY EXECUTIVE (CABINET) MEMBER (S) CONSULTED, WHICH RELATES TO THE DECISION, OR (NON-EXECUTIVE) – ANY MEMBER OF THE COMMITTEE THAT DELEGATED THE DECISION TAKEN</p>	
<p>7. WITH REFERENCE TO 6. ABOVE - HAS ANY DISPENSATION BEEN GRANTED TO THE EXECUTIVE (CABINET) MEMBER? (ONLY APPLIES TO EXECUTIVE)</p>	

PLEASE REMEMBER TO ATTACH ANY ACCOMPANYING REPORT.

WHEN COMPLETE, PLEASE SEND TO HEAD OF DEMOCRATIC SERVICES, CIVIC CENTRE, SCUNTHORPE FOR PUBLISHING.

(The definitions of a key decision are when an executive decision is likely -

(i) to result in the Council incurring expenditure or the making of savings (including the receipt or loss of income) over £350,000 in any one financial year; or

(ii) to be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority).