

Minute Item 7.(i)

Your reference. 2018-0019079

As proposer of the Stockport Council motion 5th April 2018, I would like to thank you for your explanation of the law pertaining to the location of new school buildings. However, that was not purpose of the letter.

The resolution of Stockport Council was to call on the government to revise legislation so that all schools must be built in locations where the Local Authority agrees there is proven need for capacity, and in light of this, has given approval for school building to take place.

Therefore, please could you confirm that the Education Secretary has had sight of the letter, is aware of the point in relation to this Council resolution and also what he is doing to address this.

Yours Sincerely,
Cllr Dean Fitzpatrick
Cabinet Member for Education
Stockport MBC

(6th July 2018)

Dear Cllr Fitzpatrick

Thank you for your follow up correspondence about school place planning and our earlier reply. It may be helpful if I firstly explain that the Secretary of State for Education delegates responsibility for correspondence of this nature to officials, who respond on his behalf.

As you are aware, Local Authorities (LAs) must plan and secure sufficient school places for their area and, as we set out in our earlier reply, where a need to establish a new school is identified LAs must, in the first instance, seek proposals to establish a free school. Guidance has been provided to you on processes but, in brief, the LA is responsible for determining the specification for the new school and leads the project to establish the school, including providing all capital and set up costs and the site. LAs assess the proposals they receive and make a recommendation for the preferred sponsor to the Secretary of State (via the RSC), however the final decision rests with the Secretary of State.

As explained previously, in addition to the free school presumption process described above, new schools may also be created via the central free school programme. Officials will work with relevant LAs for their advice on basic need and their representations on proposals are valued, but the final decision also rests with Secretary of State.

The Pupil Place Planning Team within the Education and Skills Funding Agency (ESFA) supports and challenges LAs on the delivery of their statutory duty to provide school places, and they work with LAs to support local decisions on the creation of

new schools and expansions of existing ones. ESFA Advisers engage with LAs and are able to feed local intelligence into decision-making processes for free schools.

Thank you for taking the time to put forward your suggestions. There are no plans to change the legislation, we consider there are sufficient provisions in place to ensure LAs can effectively plan school place provision.

I hope this clarifies the position.

Yours sincerely
Emma Robinson