



Cheshire West
and Chester

**Free school presumption:
Specification for proposers wishing
to establish a new primary school for
Wrexham Road, Chester.**

Section A - Introduction

Cheshire West and Chester Council, referred to as The Council, has a statutory duty to provide a school place for every of school age child living in the Borough. In order to ensure the Council meets its statutory duty, the officers monitor pupil forecasts along with any planned new housing developments to ensure that it can identify when there is the need to provide additional school places and to respond in a timely manner.

The Education and Inspections Act 2006 also requires local authorities to adopt a strategic role, with a duty to promote choice, diversity, and fair access to school provision. The 2011 Education Act changed the arrangements for establishing new schools. As a result, whenever a Local Authority (LA) identifies the need to establish a new school it must, in the first instance, seek proposals to establish an academy.

The Council also has a statutory duty under the Childcare Acts 2006 and 2016 and the Education Act 2011 to secure sufficient childcare to enable parents to work or to undertake education or training which could lead to employment (section 6). In addition, the Council must ensure that there is sufficient free Early Years (EY) provision for all 3 and 4 year olds and those 2 year olds who meet the eligibility criteria. The EY offer has recently been extended as the government has announced that:

- From April 2024, all eligible working parents of two-year-olds will be able to access funding for 15 hours per week of education and care for 38 weeks of the year.
- From September 2024, all eligible working parents of children aged nine months up to three-years-old will be able to access funding for 15 hours per week of education and care for 38 weeks of the year.
- From September 2025, all eligible working parents of children aged nine months up to three years old will be able to access funding for 30 hours per week of education and care for 38 weeks of the year.

Following the progress of the housing development on Wrexham Road in the Chester South Planning Area, the Council has identified an increased need in primary school places and seeks to establish a new 1.5 form entry (FE) 315 place, mainstream, mixed primary free school and 26 place nursery, for ages 3 to 11. It is proposed the new school and nursery would open at the earliest in September 2026.

The school building will be built in two phases, the first being a 1 FE (210 place) building with the ancillary spaces (such as hall, kitchen, dining etc) for a 1.5 form entry/315 pupil place school, to open September 2026. The second phase will then proceed at the point in which pupil numbers determine it, this will add on the additional accommodation for the additional 0.5 form entry, 105 pupils.

The new school will be located within the Wrexham Road development. The school will primarily serve the families on that new development. It is planned, based on current forecasting, that the school will initially open at 0.5 FE to Reception and key stage 1 aged children in September 2026. The Published Admission Number (PAN) will be limited on opening and will increase in line with housing growth and increased pupil numbers. The nursery will initially have limited intake at 13 places upon opening and will increase in-line with growth.

The new school and nursery are currently in design, and will soon be submitted for planning permission, therefore the successful academy trust will not have the opportunity to influence the design of the new school. The Council welcomes proposals from all potential academy trusts.

Evidence of Need

The Wrexham Road development in the Chester South Planning Area, also known as Kings Moat Garden Village, comprises of 1,400 new dwellings. This development has been identified in the Cheshire West & Chester [Local Plan](#), which was adopted in 2015 and leads additional development up to 2030. The strategic development site at Wrexham Road includes provision of a new Primary School and nursery.

The development commenced in 2018 and is expected to be approaching the completion of 500 dwellings. The total number of primary children expected from the development is 315 pupils.

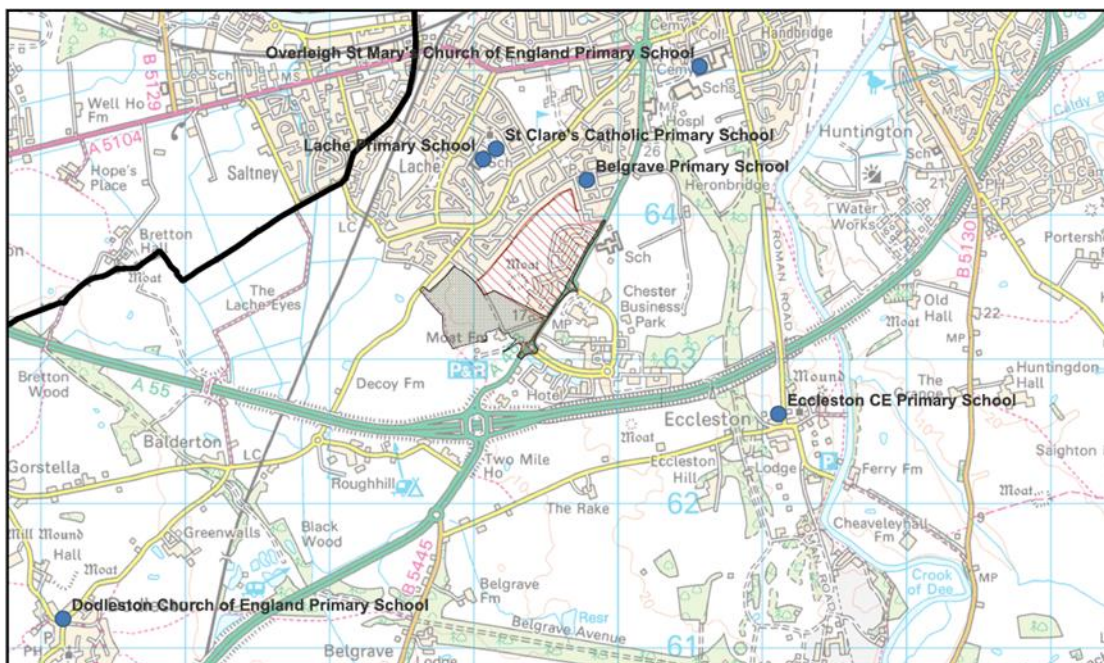
	Cumulative to date	Year of completion					Cumulative 2028 onwards
		2023-24	2024-25	2025-26	2026-27	2027-28	
Projected no. houses completed	470	132	131	110	110	111	336
Projected primary school places required per year	99	28	28	23	23	23	71
Projected primary school places required – cumulative	99	127	155	178	201	224	295

Based on forecast need and the timeline to deliver a new School, it is anticipated that the new school will be required to open at the earliest, September 2026. The projected primary school places required are pupil yields that were used at the time of assessing the outline application in 2016/2017. The Department have since published updated pupil yields which can be found [here](#).

To help understand the area further, the Department for Education’s “Find and compare schools in England” website provides data on primary performance (2019), Ofsted ratings, absence, pupil population, workforce and finance within a one and three mile radius. Based

on the approximate school site, there are five schools within a one mile radius. There are a total of 31 schools within a three mile radius of the site and further information can be found on the [Government website](#).

The map below shows the position of the existing primary schools in the Chester South Planning Area and the location of the Wrexham Road housing developments (hatched):



The secondary school catchment for the area is Queens Park High School, Chester. [Free School presumption Process](#)

Proposers should complete the “model application form for proposers” in [Annex B of the DfE’s free school presumption guidance](#)

Free school Presumption Timetable	
Stage 1 – Invitation for Proposals	
Council publish specification: National and local announcements using Department for Education (DfE) and Cheshire West and Chester Council websites	Monday 11 March 2024
Closing date for applications	Monday 20 May 2024
Stage 2 – Assessment	
Council informs DfE of all proposals received	27 May 2024
Council assesses proposals using DfE criteria	June 2024
Assessment panel of shortlisted proposers	September 2024
Recommendation to Cheshire West and Chester Cabinet Member for Children and Families and confirmation of preferred sponsor.	October 2024
Council assessment and preferred sponsor submitted to the Regional Director, for the North-West for consideration and decision	Autumn 2024
Stage 3 – Decision	

The Regional Director for the North-West (for the Secretary of State) will consider the Councils assessments and recommendations and decide which proposer is in the best position to take forward the new school. The RD will inform the Council and the successful proposer of the decision, and the Council will inform unsuccessful proposers.	There is no specified timescale for this part of the process
New school opens (at the earliest)	September 2026

Applications will be assessed using the “model criteria for local authorities and proposers” in Annex C of the DfE’s free school presumption guidance plus the council’s additional criteria, shown below in this specification.

The application form, and associated documents can be found on Cheshire West and Chester Council’s website: [Opening a new free school | Cheshire West and Chester Council](#)

Completed forms should be returned to SchoolOrganisationandConsultations@cheshirewestandchester.gov.uk no later than 10am Monday 20 May 2024, applications received after this time will not be considered.

If you would like further information or wish to discuss your application, please contact Vikki Williams, School Organisation and Transport Policy Manager – Vikki.williams@cheshirewestandchester.gov.uk or Janine Smart, School Admissions and Capital Development Manager – Janine.smart@cheshirewestandchester.gov.uk

NB: the local authority led free school presumption is a different route to the DfE’s free school programme. Further information about how to establish a new school via the DfE’s free school programme route can be found at: <https://www.gov.uk/government/collections/opening-a-free-school>

Section B - The School

Opening date

The new school is planned to open in September 2026. However, trusts should be aware that this is the earliest planned date. Pupil place demand and build out rates will continue to be reviewed regularly alongside securing ownership of the school site, any one of these factors may identify the need for the school to open on an alternative date.

School size and age range

The school’s capacity will be planned at 315 places. The school building will be built in two phases, the first being a 1 FE (210 place) school, to open September 2026, at the earliest. The second phase will then proceed at the point in which pupil numbers determine it, this will add on the additional accommodation for the additional 0.5 form entry, 105 pupils.

The Council will want to work with the academy trust to balance the availability of places against local demand. This will require a flexible approach based on the pace of house building in the area. We anticipate that the new school will open initially with 15 places in Reception, Year 1 and 2. The school will then build up to a capacity of 210 primary places and then, as the housing development progresses and demand increases, a capacity of 315 primary places. Academy Trusts will need to work with the Council to manage the availability of places, to ensure that the new school does not impact on surrounding schools and ensure that children moving onto the development can access a place. This arrangement will be reviewed with Cheshire West and Chester Council prior to the school opening subject to demand for primary school places from the development.

The school will accommodate mixed genders and will be expected to accommodate children aged 3-11 years. The school will have pre-school provision of 26 places.

Nursery and childcare provision

There is a presumption that local authorities planning a presumption project to establish a primary school should include nursery provision in the specification unless there is a demonstrable reason not to.

Early education and childcare must be offered flexibly in response to the childcare needs of families. Nursery capacity will be commensurate with a 1.5FE primary school and one class base has been included in the design of the building. The nursery will open initially with 13 places and then, as the housing development progresses and demand increases, a capacity of 26.

For further information please see Appendix 2

Support for vulnerable learners and those with special educational needs and/or Disability:

The new school must provide an inclusive learning environment in which all pupils, including those with special or additional educational needs and those with disabilities, are supported and enabled to make appropriate progress. The needs of vulnerable children and young people should be met locally wherever possible. The new school should have a strong focus on equalities, early intervention, and supporting the needs of the local community.

In line with the 0-25 SEND Code of Practice (2014), schools must ensure all children and young people have access to a broad, balanced and appropriate curriculum that is inclusive of those with SEND. Additionally, as part of The Equality Act (2010) any reasonable adjustments to support children and young people with disabilities (whether of a physical, educational or mental health nature) to access the same provision as others should be made.

Site location and context

The site location is a 1.46 Hectare plot on the South-Western edge of Chester, with the Westminster Park and Lache area to the North, and the redefined greenbelt to the South as part of the wider Wrexham Road Masterplan.



At time of writing, the proposed school site is an undefined field area with a vertical ditch running North to South, and a central Mature Oak tree. Once all phases of the surrounding development are complete the school site will sit centrally within the new village as part of the new core parkland area. Moat Park will be to the Northeast with playing fields and 3G pitch to the North.

The urban fabric immediately surrounding the 1.46 Ha school site is still in development. Over the course of the next 2-3 years the site will become completely enveloped by the Kings Moat housing and infrastructure development. Once complete the site will have views over the proposed Moat Park to the East and across to the playing field and 3G Pitch immediately to the North that will create a landscape buffer to the existing Westminster Park and Lache [Orange].

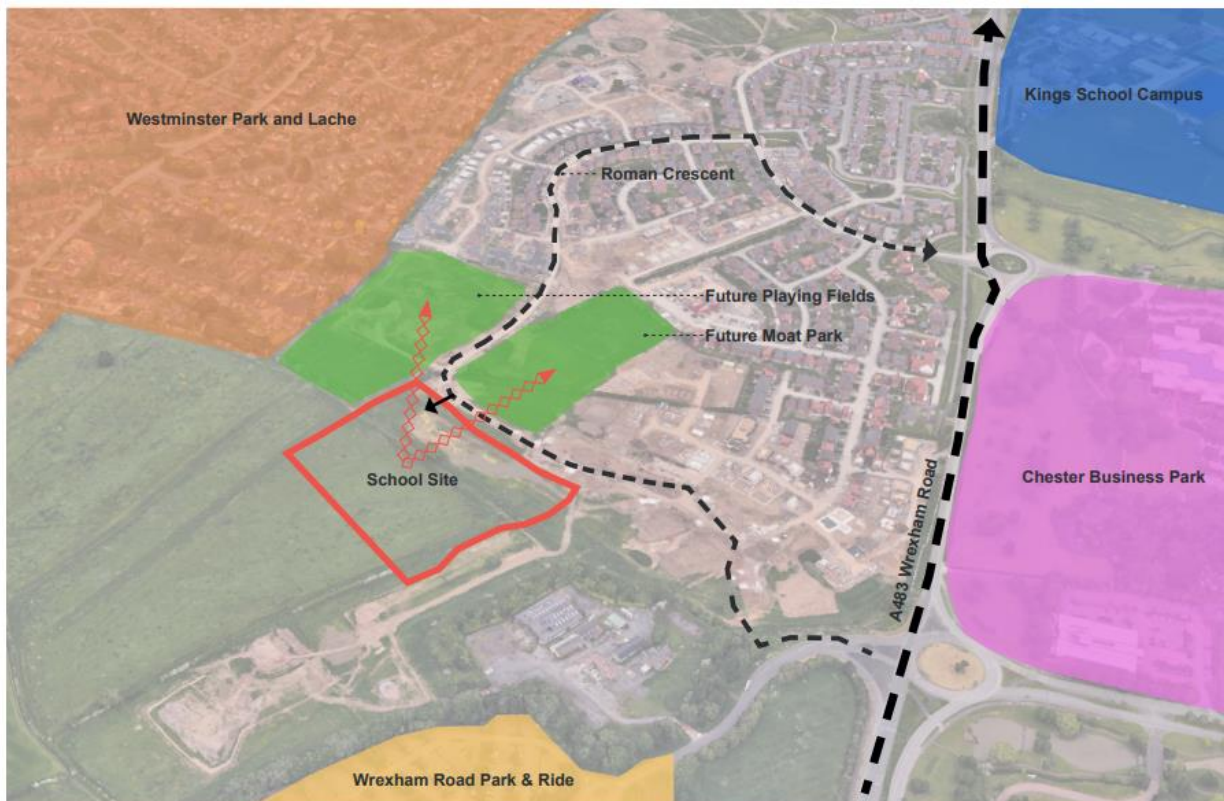


Image 03

Google Map Overlay to illustrate surrounding context to development

The school site will be accessed from the A483 [Wrexham Road] which is one of the primary vehicular arteries into Chester city centre [Black Dash]. The new residential development will be serviced by a main boulevard that links between the two roundabouts currently servicing the Chester Business Park, with the school site vehicular access point designated for the North end of the site. There are a number of other land uses that provide the context for the development site:

- [Blue] Kings School campus to the Northeast primarily composed of 2 and three storey buildings.
- [Purple] Chester Business Park to the East on the opposite side of the A483. Two and Three storey buildings in a parkland setting. Buildings are largely screened by the mature trees that flank its main ring road.
- [Yellow] Wrexham Road Park and Ride to the South containing a single storey building, again screened by mature trees at the perimeter of the site. In line with the existing and proposed urban context the current outline planning application [17/02453/OUT] defines the maximum school building height as 9m [2 Storey Building]

The school will be easily accessible to all, and the building project will, as a minimum, address Part M of the government's building regulations in order to meet the needs of pupils, visitors and staff. The accommodation will be provided in line with the current DfE building bulletins and guidance for primary provision and will be built by the council.

The new school and nursery are currently in design, and will soon be submitted for planning permission, therefore the successful academy trust will not have the opportunity to influence the design of the new school. The Council welcomes proposals from all potential academy trusts including for voluntary aided schools and academies with a faith designation.

Once submitted a link to the planning application and associated documents will be provided on the council website.

Planning conditions

As part of the outline development the school site has planning conditions which the successful sponsor will have the responsibility of delivering. The conditions to be met are as follows:

School Community Use:

Academy trusts must ensure the school plays a key role within its immediate community and the wider local economy. The school will be expected to provide access for community groups as appropriate and in line with safeguarding and security protocols.

Before occupation or initial use of the school hereby permitted, a community use policy shall be submitted to and approved in writing by the Local Planning Authority. The community use policy shall apply to the external playing pitches and provision for community use of internal facilities and shall include accessibility to the car park and 'drop-off/pick-up' facilities by community users. The successful sponsor must demonstrate how community use of these facilities will not impinge upon the local community, (e.g., ensure there is sufficient cycle/ scooter storage) and the operation of adjacent park and ride facilities and advise on any mitigation proposed. The policy shall include details of community use targets/sports development plan, affordable pricing policy, hours of school and community use (for term-time and school holidays), access by non-educational establishment users, booking arrangements (including block booking and casual use) and management responsibilities (including provision for a community use management committee) and a mechanism for review. The development shall not be used at any time other than in strict compliance with the approved policy.

School Travel Plan:

A School Travel Plan and School Travel Plan Coordinator for the Primary School are required in order to promote alternatives to the private car, reduce traffic problems, address road safety issues and improve air quality.

Within six months of the first occupation of the school hereby permitted, a School Travel Plan shall be submitted to the local planning authority for approval. The School Travel Plan shall include provision for the appointment of a Travel Plan Co-ordinator (either standalone or school staff member with specific responsibility and accountability), it should include SMART Targets for Modal Share for home to school travel (pupils and staff), supply an implementation plan and timetable and shall include arrangements for monitoring and evaluation of progress against agreed targets. The School Travel plan should be reviewed and submitted to the LPA on an annual basis, each year from the date of approval. The School Travel Plan (as may be amended/amplified by successor plans approved in writing by the local planning authority), shall be implemented and maintained in accordance with the approved timetable and scheme of monitoring and review for the lifetime of the school hereby permitted. A budget for delivery of infrastructure or initiatives that encourage walking, wheeling and cycling should be considered, in order to ensure sufficient capacity is in place to maximise use of active modes (e.g. cycle or scooter storage) for both school pupils and to encourage use of such modes by community groups using the school facilities and to make a positive impact on climate, poverty and health and wellbeing of our residents.

Admission to school

Academy trusts must have oversubscription criteria that are reasonable, clear, objective, procedurally fair and which comply with all relevant legislation. The successful academy trust will be required to follow the DfE School Admissions Code and the School Admissions Appeal Code.

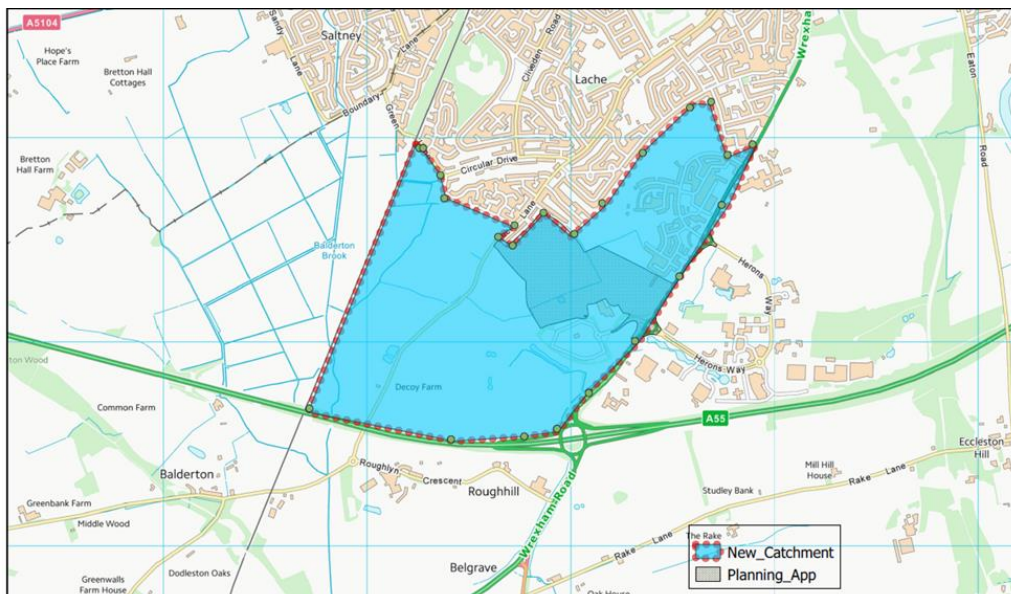
The successful academy trust will also be required to participate in the Council's co-ordinated scheme for the normal admissions rounds. They will also have to follow the Council's In-year Fair Access procedure.

Admission arrangements, which may include a catchment area for the new primary free school, would ultimately be decided by the sponsoring Trust. The Council will however strongly expect a collaborative approach when determining these arrangements in order to ensure cohesion and sustainability of the local primary school economy and that any proposed arrangements reflect local needs.

A school's catchment area is a defined area which has been determined for the school to serve. The Council is proposing to establish a new catchment area for the new school. The proposed catchment area for the new school, within the development at Wrexham Road, would overlap existing school catchment areas for Dodleston Church of England Primary and Lache Primary. The proposed new catchment area for the new school at

Wrexham Road will be to serve the new development only, however the existing school catchment areas for Dodleston Church of England Primary and Lache Primary will remain unchanged and will therefore become shared catchment areas for the new school.

Proposed catchment area for the new school:



The oversubscription criteria must reflect the fact that the school will open, principally, to serve families on the Wrexham Road development site in Chester South.

Information about the capacity and distance of existing local primary and secondary schools within a 2 and 3-mile radius of the development are set out in Appendix 1.

Home-to-School Travel

Information regarding the councils Home to School Transport Policy and accompanying documents can be found at: [School transport | Cheshire West and Chester Council](#)

The successful academy trust will be expected to produce a School Travel Plan, which is a Condition of the planning approval. The new academy will be expected to encourage safe and sustainable travel to and from school. The successful academy trust will be expected to work with neighbouring schools when agreeing the timing of the school day and professional development dates to enable efficient use of school and commercial transport.

Whilst the normal statutory entitlement and the council's home to school transport policies will apply, there is no expectation that the council would provide free transport to the free school as a matter of course. As usual, parental parking will not be provided at the school and the school travel plan must reflect upon mitigation of the impact on local residents and the park and ride service in school travel arrangements.

Working in Partnership

A key component of selection will be the academy trust's willingness to work in collaboration with other providers and local partners to develop services which meet the needs of local children, young people and families in a coordinated way. The successful academy trust will be expected to liaise with local high schools to plan effective pupil transition. The successful academy trust will also be expected to support the strategic responsibilities of the Council to ensure sufficiency of high-quality school places and improved educational outcomes through agreed sharing of data and information. The successful academy trust will also be expected to work with the Council to manage the PAN whilst the school grows, which will include limiting the PAN throughout the growth of the school to ensure that places are available to children on the new development.

Section C - Vision

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum, please ensure you include the following:

- A strong educational vision and a curriculum delivery based on high standards of attainment for each key stage,
- Plans for appropriate engagement with the local community and parents during the pre-opening period and any on-going engagement,
- Excellent support facilities to meet the needs of all children, including looked after children, those with Special Educational Needs, etc,
- A commitment to excellent outcomes and high quality of teaching and learning
- Evidence of commitment to contribute to the cohesion and sustainability of the local primary school economy.
- Evidence of commitment to the Council's declared Climate and Poverty Emergencies within the school setting

Section D - Education Plan

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum please ensure you include the following:

- An ambitious, broad and balanced, deliverable curriculum plan which is consistent with the vision and pupil intake. This could include a curriculum table and pupil build up chart,
- Strategies for measuring pupil performance effectively and setting challenging targets,
- A staffing structure that will deliver the planned curriculum within the expected income levels; with a focus on outstanding teaching (including strategies for effective performance management). This could also include an organogram and staff build

- up chart,
- The needs of all children are fully provided for and how the school will be fully inclusive,
- Details of enrichment and extended services, for example, breakfast clubs, sports clubs, homework clubs and music/art clubs
- The school's approach to: PHSE; the Prevent Duty; safeguarding and welfare; and promoting fundamental British values (democracy, the rule of law, individual liberty, mutual respect and tolerance of those with different faiths and beliefs)
- Details of how the school will facilitate independent travel as part of the Year 6 to Year 7 transition.

Section E - Capacity and Capability

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance.

As a minimum please ensure you include the following:

- The resources you would draw on and/or deploy to support the development of the new free school by the opening date.
- Clear evidence that you have the range of skills and abilities necessary to set up and then run a school effectively, including: managing school finances; leadership; project management; marketing; human resources; safeguarding; developing and monitoring the School Travel Plan and health and safety
- How the school would be organised and what the governance arrangements would look like, including a diagram of the proposed structures

Section F - Funding and Costs

Applicants should take account of the relevant criteria in Annex C of the free school presumption guidance

Please provide;

- Most recent set of Trust accounts
- Financial forecast for the next 3 years which would include at a summary level:
 - Pupil number projections (in conjunction with Council info)
 - Income projections GAG funding and other income streams such as other grants and income from services
 - Staff costs
 - Premises costs
 - Education and Learning Resources
 - Supplies and Services

Capital Funding

To accommodate the additional children generated by development in the area, developer contributions have been secured to provide a suitable site of 1.46 hectares and funding towards the new school on the development site. The capital costs of the new school will be fully funded, from a combination of developer contributions and council capital funds.

Lease Arrangements

The site will be made available to the agreed academy provider on a 125-year lease, with the usual terms pursuant to the 2010 Academies Act.

Other Allowances

Pre-opening

Project Development Grant (PDG) The DfE provides a one-off grant of £25,000 to the successful proposer for legal expenses associated with establishing a new free school through the Free School Presumption route.

The Council will provide the following funding:

A one-off start-up allowance of £110,000 - to allocate as appropriate to cover costs such as the employment of a Headteacher and administrative support in advance of the school opening.

Resources: calculated as £7,000 per 30 places created (excluding nursery). For example, a 1-FE 210-place primary school would create 210 places and receive a total of £49,000 paid over the first three years, i.e., £17,000 in the year of opening, £16,000 in the 2nd and in the 3rd year of opening.

Diseconomies of Scale and Financial Viability: in the four years after opening, an amount would be paid annually based on the number of “empty cohorts” due to year groups being admitted incrementally. The amount would depend on how many year groups with pupils aged 5-11 were empty, as set out below:

Empty Cohorts	4	3	2	1	Total
1FE Primary	£36,250	£29,500	£22,750	£15,500	£104,000

Minimum Viability Number

Your budget planning should reflect the fact that it takes time for local housing development(s) to be completed and occupied so the free school may be undersubscribed in its opening years.

Although the Council wishes to limit the PAN initially to 15 and increase this in line with growth on the development, we recognise the challenges related to opening a new school including financial pressures.

To ensure a minimum level of per-pupil funding during the first three years of opening, the

Council will fund the school based upon a minimum viability number (MVN) for each year group agreed with the successful sponsor. Typically, a MVN of 21 would be used (which is 70% of a 1FE admission number):

- Opening year: funding for a minimum of 21 Reception pupils, 21 Year 1 pupils and 21 Year 2 pupils
- Second year of opening: funding for a minimum of 21 Reception, 21 Year 1 pupils, 21 Year 2 pupils and 21 Year 3 pupils;
- Third year: funding for a minimum of 21 Reception pupils, 21 Year 1 pupils, 21 Year 2 pupils, 21 Year 3 pupils and 21 Year 4 pupils.

The Trust will be expected to organise the class teaching in a manner that is efficient, ensuring that there are sufficient places to accommodate new families moving onto the development, but not in such a manner that is unsustainable for the trust or the pupils.

Trusts should consider mixed class teaching where appropriate, taking into consideration statutory requirements such as infant class size legislation. Should more than 3 class bases be required, the usual growth funding process would be followed to apply for additional funding.

In addition, your application form (Annex B) must include:

- a separate 3-year budget plan that models expenditure and income to demonstrate that “as the school grows” there are “affordable staffing structures and sensible phasing plans”
Guidance can be found at Mainstream free school revenue funding - GOV.UK (www.gov.uk)

Section G - Impact and Equalities Assessments

As prescribed by section 9 of the Academies Act 2010 and section 149 of the Equality Act 2010, the local authority must assess the potential impact of any new school on existing educational provision in the area. The local authority must also consider whether the new school would impact on any groups with protected characteristics.

Cheshire West and Chester Council conducted an Equality Impact Assessment (EQIA) for the proposal to open the new primary school and the full draft assessment can be found in Appendix 5. We will continue to monitor this should any negative impacts be identified.

The outcome of the EQIA advised there will be more places available to meet the demand for places in the Chester South Planning Area. With the additional housing development on Wrexham Road families on the new estate will be able to attend their local school provision and not have to travel distances to school. The positive impacts have been identified as

- Ensures there are sufficient primary school places for children and families in the Chester South Planning Area which are accessible and available for pupils.
- Ensures that there is sufficient local provision to meet the need of new local housing.

Careful consideration has been given to any impact that the new school may have on other local primary schools in the Chester South Planning Area. The new primary school will initially open as a 1FE primary school, growing year on year, as the housing development expands, and houses are occupied. This phased approach will ensure that there are not too many primary school places in Chester South and will prevent any negative impact on existing schools within the area.

Appendices

Appendix 1 – List of local schools

Appendix 2 – Early Years additional information

Appendix 3 - Application form for proposers

Appendix 4 – Model criteria

Appendix 5 – Draft Equalities Impact Assessment (EIA)