



Department
for Education

The Office of the
Regional Director for South-East Region
34 Clarendon Road
Watford
WD17 1JJ

23 August 2022

Dear Councillor Hammon,

Thank you for your letters sent on 24 May and 27 July. Please accept my apologies for the delay in responding to you and your working group.

The letter sent on 24 May was co-signed by several stakeholders including Vivian Daniels and Dr Carol Linton, both have written to the Department separately on the matter raised in your letters. For your convenience I have provided the background to the decision to close Burnham Park Academy and have provided information, which has previously been shared with several stakeholders, on the process to be followed to open a new school.

Rationale for Decision

E-ACT, the Multi-Academy Trust which ran the school, requested the termination of the funding agreement for Burnham Park Academy in April 2019, which would result in the closure of the school.

The reason for the request to terminate the school's funding agreement was because of low pupil numbers at the school. The Trust were unable to deliver a full curriculum and the school was unviable. Burnham Park Academy had experienced low pupil intake for many years and saw a significant fall in numbers. The Year 7 cohort had only 21 pupils by the end of the 2018/19 academic year against an admission number of 140. The projected intake of pupils also showed that there was unlikely to be an uptake of places at the school and it was clear the school was not financially viable.

E-ACT ran a full and open consultation on the closure of Burnham Park Academy in January 2019, and a four-week listening period on 17 June 2019. E-ACT contacted over 300 people and organisations and received 66 responses to their consultation. The results of the listening period and consultation were considered by the Secretary of State prior to the decision to terminate the funding agreement for Burnham Park Academy.

Buckinghamshire Council raised concerns over the closure of the school, and consideration was given to transferring the school to a new trust. However, this option was not considered realistic given the financial viability of the school and projected pupil numbers. The Secretary of State therefore took the decision to close Burnham Park Academy.

Burnham Catchment

The majority of secondary aged children from the Burnham catchment area currently attend a Maidenhead school due to parental choice as well as good transport links. This trend is well established and while there can be no guarantees, the projections for Maidenhead indicate there will be sufficient capacity to accommodate the current level of pupil movement from Burnham to Maidenhead secondary schools for the foreseeable future.

Buckinghamshire Council and the Royal Borough of Windsor and Maidenhead continue to keep the situation under review and monitor longer term births within the existing population, migration trends, parental choice such as movement of Maidenhead pupils into Buckinghamshire grammar schools. The Royal Borough of Windsor and Maidenhead suggest that if demand were to rise again potentially up to two form entry, then out of county pupils may be displaced in the longer term. However, Buckinghamshire Council expect to be able to meet this level of demand through the expansion of existing Buckinghamshire schools and/ or reducing the number of out of catchment pupils those schools admit.

Free School Presumption

Local Authorities have a statutory duty to ensure that there are sufficient school places in their area. The presumption process is the main route by which local authorities establish new schools in order to meet the need for additional places, both in terms of basic need and the need for diverse provision within their areas.

The Department continues to work closely with Buckinghamshire and Slough to ensure that they have sufficient school places. I am sure that Buckinghamshire Council's place planning lead would be more than happy to explain how this works in practice. Their contact details are:

- Stephen Chainani, stephen.chainani@buckinghamshire.gov.uk

The presumption process sits alongside the central mainstream free schools' programme, which invites applications from interested groups including, but not limited to Academy Trusts.

Opening New Schools centrally

The free schools programme remains an important part of this government's plan to level up standards and respond where there is need for more school places. An Expression of Interest process was launched on 10 June 2022 for new mainstream free schools which covers both primary and secondary schools.

We are seeking proposals for up to fifteen mainstream schools in areas with a clear demographic need.

Applications in Priority Education Investment Areas and wider Education Investment Areas will be prioritised. Please note that currently, Buckinghamshire is not an Education Investment Area. Further information, including guidance on how to express an interest, can be found at [Free schools: how to apply - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

Before considering whether to apply, we recommend applicants first contact Create: Schools, who receive a grant from the Department to provide free advice, guidance, and resources to those seeking to open free schools. Further details about the services available to applicant groups can be found on the Create Schools website: <https://www.createschools.co.uk>

It is important that the applicant can demonstrate that there is clear evidence of a need for the places that will be created and that the proposed school will be viable. We would suggest meeting with Buckinghamshire Council to discuss any free school proposal.

Applicants must register their interest by **17:00** on **16 September 2022**.

Yours sincerely,

A handwritten signature in black ink that reads "SGallagher". The signature is written in a cursive style with a large, stylized 'S'.

Sean Gallagher

Project Lead in the Regional Delivery Division for South-East England