18. KEVICC Panel Updated Note (inc Panel queries) June 2025 (redacted)

King Edward VI Community College ("KEVICC") – Education South West

UPDATE NOTE FOR SCHOOL PLAYING FIELDS PANEL WITH RESPONSE TO PANEL FURTHER QUERIES

Purpose of this note

Officials are providing this note in response to some queries raised by Panel members following the Update Note provided for the Panel on 19 June 2025. The Update Note has been attached below at Appendix 1 for ease of reference.

Officials do not feel that a further application is required as in this case the playing field land being disposed of remains the same. The passage of time since the application was submitted and the date of the initial decision (which now needs varying) has meant that the priorities with regard to the use of any proceeds has changed.

Queries raised by Panel following Update Note (with DfE response in red)

1. **What total area of land WILL be disposed of (since Area C is to be added back into the mix) - specifically playing field of course - and is it all currently held under freehold by the Academy trust ?**

The playing field land which will be disposed is still 32,215 m^2. The overall amount to be disposed of is now 54,015 m^2. Area C (16,400 m^2) will not be included in the disposal land. Area C is not classed as playing field land.

The land to be disposed of is held freehold by the academy trust.

2. **What is the current expected capital receipt for this total area and is Devon County Council due any share of this?**

The trust's land agent has advised that the total land to be disposed of is valued between £6.6 million and £9.25 million. Although this is not a formal valuation, it is not felt cost effective to commission a valuation at this time since the trust estimates the sale to take at least 5 years to come to fruition, owing to the likely hurdles which will be faced with obtaining planning permission. A formal valuation prior to disposal *will* be required as part of the condition of any consent granted.

NB when the Panel originally considered the matter the expected receipt, backed up by a valuation was £3.265 million.

Devon County Council is not entitled to the proceeds of the sale unless this is directed by the SoS under its powers. Officials are not proposing to recommend a direction in these terms.

3. **Has the Department checked that the priorities that our Panel agreed upon originally have been completed or are on track to be completed or confirm why they are no longer needed?**

The Panel did not express specific projects were required to be prioritised. However, the report to the Panel in June 2022 detailed the intended reinvestments as follows:

- **New Changing Facility to service new All-Weather Pitch**
- **New All-Weather Pitch, including fencing, run-off areas and lighting**
- **Informal viewing area and access to All Weather-Pitch**
- **New landscaped external space with high quality spaces for students. Granite paving or the like.**
- **Steps to provide change in heights.**
- **Raised landscaping areas.**
- **External lighting. Street furniture. Demolition of mobile buildings.**
- **Enhancing passive drainage of existing playing field.**
- **Tree screen clear stemmed and thinned to aid passive surveillance of top field.**
- **Provision of 2 Nr bus/coach drop-off areas, including pavements. Works to existing pedestrian paths. Possible provision of cycle ways. Roundabout in improve traffic flow, including crossing points.**
- **Arial Suite reconfigured to provide 6th Form entrance (515m2) ,**
- **Alterations and refurbishment of adjacent block (500m2) . External works to provide semi-private courtyard and landscaped approach**
- **Refurbished surfacing to existing car park, including white lining. Landscaping including hedging. Safeguarding fencing with maglock controls.**
- **Auditorium style seating.**
- **Additional refurbishment to incorporate high quality spaces.**

Officials have not conducted a site visit as to the extent to which these works have been done, but have received the comments on the proposed works as detailed in Annex 3. In summary, owing to the passage of time and the changes in leadership at the school

(the school is now run by the trust, but the original proposals were formulated by the foundation trust), priorities have changed and some projects are not required. See Annex 3 of the Update Note for details.

4. **Is the Academy Trust allowed to spend the receipt at any of their schools outside the County of Devon?**

   Yes, in theory it could. Officials would always expect the school disposing of the land to be prioritised for spend, followed by other schools within the trust. Note that this Multi Academy Trust currently has 14 schools and they are all based in Devon – one in Exeter, with the rest in the Dartmouth, Newton Abbott, Totnes and Kingsbridge areas.

5. **Have there been any significant changes to Community use of these areas since the original application?**

   The academy trust has not told officials about changes to community use at the site though it does remain of great interest as the department frequently receives correspondence from members of the local community and councillors.

APPENDIX 1 UPDATE NOTE FOR PANEL PROVIDED 19 JUNE 2025.

Timeline of events

November 2021 – KEVICC foundation trust submits application to dispose of some of its playing field land to rationalise its sprawling site in face of falling numbers.

June 2022 - The Panel recommends approval to dispose of all of the playing field land included in the application to disposal at the Panel meeting held on 15 June 2022. Panel letter is annexed at Annex 1.

September 2022 – KEVICC converts and becomes part of Education South West Academy Trust (who wish to continue with the application to dispose).

2022 – April 2023 - Land identified as possible use for a free school (issues with another free school in the area arose and so the KEVICC site was kept in reserve)

May 2023 – KEVICC land confirmed as not needed for free school, but another nearby school, River Dart Academy, had been suffering severe flooding issues and had been placed on the School Rebuilding Programme to be relocated and rebuilt on a suitable site. KEVICC land identified as potentially suitable.

2023/2024 – Various sites reviewed for relocation of River Dart Academy and KEVICC land still identified as feasible. Devon County Council confirms that only part of the KEVICC land would be needed.

February 2025 - Consent to dispose of part of the playing field and non playing field land at KEVICC granted by the minister on 10 February 2025. Conditions on the use of the proceeds were included. It was proposed that the remaining part of the land which was the subject of the application (playing field and non playing field) would be

directed to Devon County Council, who could then use the land as the relocation site for River Dart Academy. A copy of the decision letter is attached at Annex 2.

March 2025 - Before the land was formally directed to Devon CC, local planning authority states it would not grant planning permission on the KEVICC land for the rebuild of River Dart Academy. The department took planning advice on this and decided that an appeal against a negative planning decision was unlikely to be successful. An alternative site for River Dart Academy will therefore have to be found by Devon County Council, and the trust for KEVICC is therefore still seeking consent to dispose of this part of the land.

Variations to Decision required

- Decision now needs to include the land which was allocated for River Dart as it will not now be directed to Devon County Council.
- Trust confirms that it will not be disposing of land marked plot C (non playing field land) and will be retaining this land so decision needs to be varied to reflect this updated position.
- Owing to the passage of time since the original application, the trust has decided that the original proposals for the use of proceeds are, to some extent, no longer relevant for the school, since those projects had either been carried out using alternative funds, or did not represent value for money for the school. Details of the reasons for this are attached in Annex 1. Moreover, this site is particularly complex from a planning point of view, and the trust expects it to take a further 5-6 years before proceeds to the school will actually be realised. As such, the trust is asking that the consent is varied to alter the conditions of the use of proceeds.

Land Transactions Proposal

- Recommend disposal of land which was originally allocated to River Dart Academy.
- Recommend that decision is amended to remove Plot C from the land
- Recommend that conditions are varied as follows:

  a) The sale price is no less than the estimated open market value of the land confirmed by an up-to-date red book valuation (within 6 months of the sale date); and

b) The proceeds of sale are used for:

i) Either a capital replacement and refurbishment of the school's estate in agreement with officials at the DfE with the following projects being prioritised (to the extent those projects are required at the time):

- **New changing facilities;**
- **Improved drainage to existing playing fields to the school's western site;**
- **Refurbishment of the existing gym/sports hall**

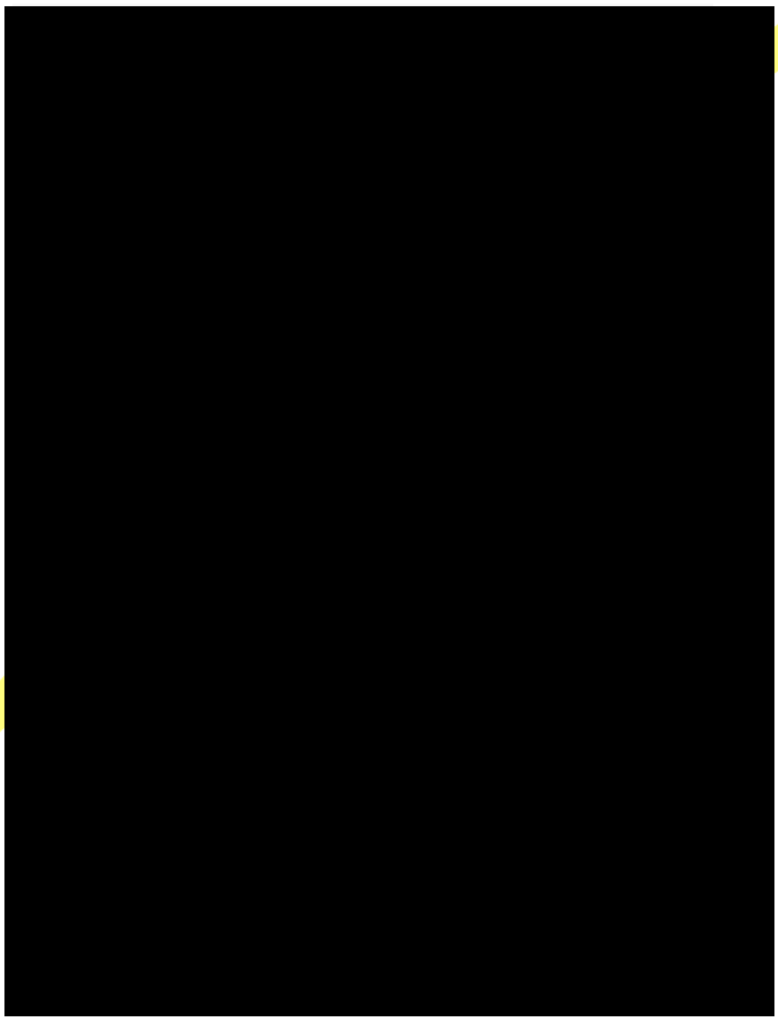
ii) Or, in the event there are no suitable projects at the school, capital projects and improvements to recreational facilities at other schools within the trust in agreement with officials at the DfE.

Essentially the land being disposed of is in fact less than that originally proposed, but the playing field land remains the same. It is not felt that a further Panel review is required since the playing field land has not changed from the original application but we would welcome any comment you have on this.

The school will not be providing a new all weather pitch (see Annex 3) and so the mitigation for the loss of playing field land is slightly less than when the Panel reviewed the case (resulting in the school retaining 156% of the recommended playing field land against the school's capacity). The school does not consider the all weather pitch is value for money and so officials do not consider the trust should be obliged to install it. The school is also much lower on numbers than its capacity suggests, so the school's pupils in fact enjoy a higher level of playing field land in reality. Instead, by including a requirement for officials to agree the spend, the department can ensure that the proceeds are spent in line with policies at the time, and adequate consideration is given to the facilities required at the point the trust receives the sale proceeds.

Annex 1

Panel letter dated June 2022

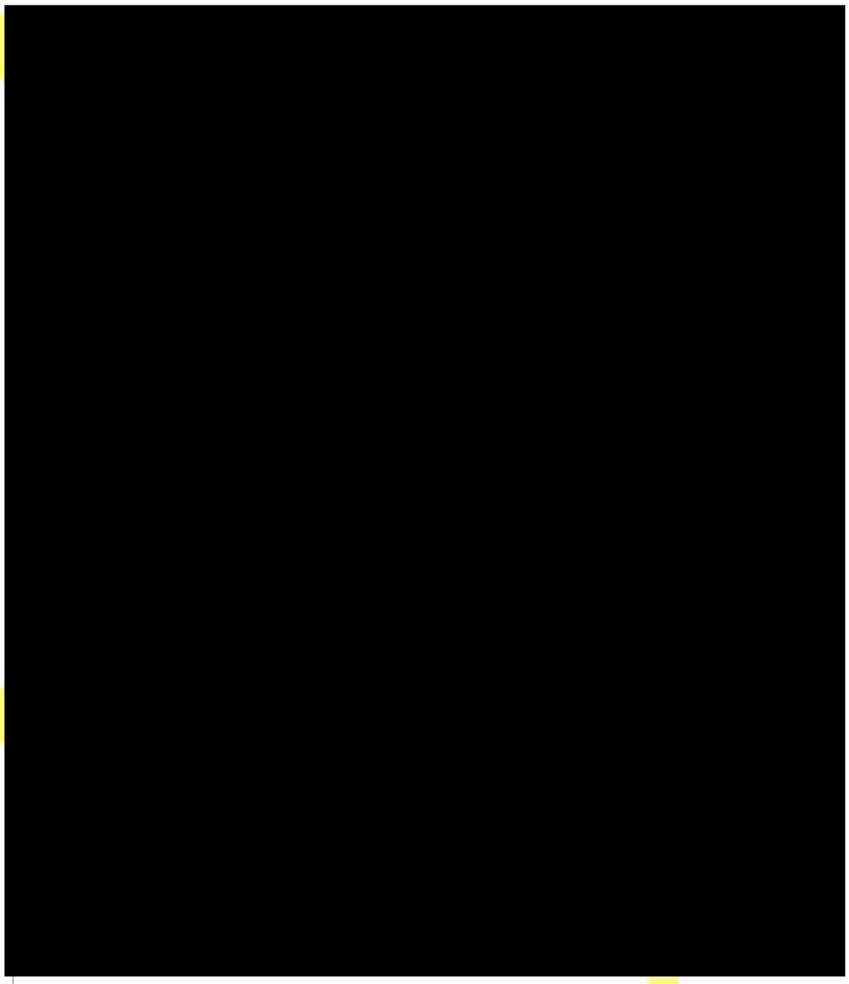


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Annex 2

Copy of decision letter dated 10 February 2025 following ministerial decision

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Annex 3

An update on the proposals from the trust is listed below:

- **New additional all weather pitch on the school's western site** – The trust has stated that this would not represent a value for money proposition. The school already has access to an AWP, which is regularly used by the school as part of the curriculum delivery as well as the provision of extra curricular provision. The trust states that a brand new AWP could absorb £1 million upward of precious funds to create a facility that is not needed.
- **New changing facilities –** The trust notes that there are adequate facilities in the main school and there are changing facilities at the AWP, which do need upgrading, though the likelihood is that those will have been upgraded by the time any proceeds are received.
- **Improved drainage to existing playing fields on the school's western site** - The trust has confirmed it would still seek this, but it may be that the improvement is required before the sale proceeds are received.
- **Refurbishment of the existing gym/sports hall** - The trust has confirmed it would still seek this, but again it may be that the improvement is required before the sale proceeds are received.
- **Creation of a new sixth form block** – The school has changed its strategy here and will not be proceeding with this as it does not see it as value for money and rising construction costs mean that the sale proceeds would not cover this anyway.
- **Enhancements to the external environment of the school site –** the trust confirms that aspects of this have already been concluded using alternative funds and the original plans around this are unlikely to materialise.