



Department
for Education

Hannah Woodhouse
Regional Schools Commissioner for the South
West
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Councillor Anna Keen
Cabinet Member for Education and Skills
Bristol City Council

Dr Jacqui Jensen
Executive Director - People
Bristol City Council

Alison Hurley
Director, Education and Skills
Bristol City Council

17 September 2020

Dear Dr Jensen, Councillor Keen and Ms Hurley,

Your ref: Oasis Academy Temple Quarter Free School

We are writing to you following our recent discussions to confirm that the Oasis Academy Temple Quarter School will not be opening in temporary accommodation for September 2021. This decision has been taken due to the ongoing uncertainty regarding planning consent for the permanent scheme, the lack of a viable temporary site which could be delivered for next year, and the need for the LA to confirm school places for parents and children ahead of the upcoming admissions window.

We previously advised that the Department can only pursue opening the new school in temporary accommodation once there is certainty of delivery for the permanent scheme and planning permission has been secured. Historically, opening schools in temporary accommodation prior to securing planning for the permanent site has resulted in a number of schools being accommodated in temporary accommodation with basic facilities for long periods of time with no certainty around when a permanent building will be available. This does not provide the best experience for the students.

As planning permission has not yet been secured, a provisional opening date has not been confirmed for Oasis Academy Temple Quarter. Unfortunately planning permission for the permanent scheme has faced numerous delays due to the complexity of the site and an outstanding objection from the Environment Agency (EA). Whilst Bristol City Council's (BCC) planning committee has resolved to grant permission for the scheme, planning permission has not yet formally been granted. The Environment Agency objection has resulted in the application being referred to the Secretary of State (SoS) for Housing, Communities and Local Government (MHCLG) for a decision. MHCLG are currently in the process of issuing an "Article 31 Holding Direction", which provides the SoS with additional time to review the proposal and may delay the decision by a number of weeks. If the Minister opts to 'call in the scheme', this will result in a lengthy Public Inquiry. Timescales associated with this process are currently unknown.

Alternatively, if the Holding Direction is lifted and the Minister directs BCC to issue the planning permission, there are still two hurdles to overcome. First, the legal agreement (Section 106 Agreement) needs to be completed and signed by all parties with an interest in the site. Secondly, once the permission has been issued, there is a Judicial Review period, which lasts 6 weeks, during which a third party could challenge the issue of the permission.

If planning permission is secured for the site, there remain other potential risks to the project timeline. These include works by Square Bay, who are a third-party developer, and involve demolition work and full site remediation. Furthermore, the construction works associated with the school and listed boiler shed are complex and are yet to be fully market tested by the Department's framework contractor. The Department will continue to work closely with the developer Square Bay and the proposed school contractor to mitigate and monitor these risks.

Due to the continued uncertainty and risks regarding planning for the permanent scheme and site construction, the Department cannot commit to opening the school in temporary accommodation at this time.

Over the last two years, Free Schools Capital colleagues have explored at least 25 sites for potential temporary accommodation and feasibility studies have been conducted on the most viable sites to ascertain the deliverability of a 2021 opening date. Unfortunately, the outcome of this investigation was that none of identified sites were viable for a 2021 opening. This is due to a number of risks associated with the individual sites which impact the delivery programme and the significantly compressed timescales for completion next year. The Department will now explore opening the school in temporary

accommodation for September 2022, subject to securing planning permission for the permanent site.

We would like to thank LA colleagues for your positive and collaborative engagement with the Department on this matter. The Department is committed to supporting and working with BCC as you implement your plans to provide additional secondary places to meet basic need next year.

Kind regards,

A handwritten signature in blue ink, appearing to read 'Hannah Woodhouse', is positioned above the printed name.

Hannah Woodhouse

Regional Schools Commissioner for the South West