



Environment, Food and Rural Affairs Committee

Committee Office, House of Commons, London, SW1A 0AA

Tel 020 7219 6194/5528 Email efracom@parliament.uk Website www.parliament.uk

From the Chair of the Committee

Gillian Keegan MP
Parliamentary Under Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

30 March 2021

Newton Rigg College

You may be aware that the EFRA Committee held an evidence session on land-based education provision in England on 23 March. As part of that we heard and received evidence about the proposed closure of Newton Rigg College in Cumbria. As you know the potential closure of Newton Rigg and the sale of its assets on the open market by its current owners Askham Bryan College has caused a lot of local concern.

Questions have been raised about the Government's actions in approving the terms of the transfer of Newton Rigg to Askham Bryan from the University of Cumbria in 2011, given that they apparently involved agreeing to removal of the protections that had previously been attached to the Newton Rigg site ensuring its continuing use for further education and training. The Committee is keen to understand this transfer in considering how to prevent the loss of further land-based education assets. We would therefore be grateful to know why the Skills Funding Agency and Young People's Learning Agency agreed to a confidential Deed of Release which removed the protections contained in the Asset Deed agreed between the Learning and Skills Council and St Martins College in 2007, despite the Prospectus for Sale issued by the University of Cumbria in 2010 envisaging the completion of a new Asset Deed?

It would also be helpful to understand how Newton Rigg was covered in the "area reviews" of FE provision carried out by the Department in 2016-17. Questions have been raised about whether the site's financial viability and contribution to local provision were properly considered in the Cumbria Area review, from which it seems to have been largely excluded. Nor does there seem to have been much consideration of Newton Rigg in the York, North Yorkshire, East Riding and Hull review which covered Askham Bryan.

Given the high level of public interest in these issues I would be grateful for an answer by 16 April.

Yours Sincerely

A handwritten signature in purple ink, consisting of the name 'Neil' followed by a stylized, looped signature.

Neil Parish
Chair of the Committee



Gillian Keegan MP

Parliamentary Under Secretary of State for Apprenticeships and Skills

Sanctuary Buildings 20 Great Smith Street Westminster London SW1P 3BT
tel: 0370 000 2288 www.education.gov.uk/help/contactus

By email: EFRACOM@parliament.uk

16 April 2021

Rt. Hon. Neil Parish MP
Chair of the Environment, Food and Rural Affairs Committee (EFRA)

Dear Neil,

Thank you for your letter dated 30 March 2021 regarding Newton Rigg Campus.

I am aware of the many challenges facing Askham Bryan College and its Newton Rigg Campus. The FE Commissioner's team, officials at the Department for Education and myself have been working to try to identify a sustainable solution for the future of the Newton Rigg Campus and its learners studying land-based courses there.

Having met with Neil Hudson on several occasions in the last few months to discuss this matter, I understand completely how important land-based further education is to the economy of Cumbria. In the short term, Myerscough College's partnership with Ullswater Community College is welcomed and will ensure there is continuity of land-based provision in place for the beginning of the new academic year.

It is important to highlight to the Committee that further education colleges are independent of government and the decision to close the campus has been taken by the governing body of Askham Bryan College. This decision was made because it was determined, following a comprehensive review, that the campus was no longer financially viable. A local provision needs analysis undertaken by the Further Education Commissioner in May 2020 confirmed the significant financial sustainability challenges at Newton Rigg and that this has been an issue since incorporation in 1992.

Moving onto the specific points raised by the Committee; firstly, the Newton Rigg prospectus, published by the Skills Funding Agency (SFA), in September 2010 did, as you have highlighted, set out that a new provider would be expected to agree a new asset deed to protect further education assets at Newton Rigg. At the time the prospectus was launched it was not known what type of organisation would be interested in replacing the University of Cumbria, therefore the

expectation was that a new asset deed may be required.

However, in line with the policy on further education assets adopted by its sponsor department (Department for Business, Innovation and Skills at the time) the SFA and its predecessor, the Learning and Skills Council (LSC) only used asset deeds when further education assets were being transferred to other types of organisations, such as Higher Education Institutions. This was to ensure that those assets were used and retained for the benefit of further education. As the outcome of the prospectus resulted in the transfer of the asset to Askham Bryan College, an asset deed was not required as they were an incorporated further education college whose core mission was and remains the delivery of further education. Whilst the DfE policy remains that an asset deed is not routinely required when assets transfer within the statutory further education sector, we may require one where it is needed to protect the interest of the learners.

This approach was consistent with government policy introduced at the same time, where significant freedoms and flexibilities were provided, that put further education colleges on a similar footing to charities operating within the independent sector.

The Education Act 2011 also removed a wide range of restrictions and controls on further education college corporations, so that they could make their own judgements on how to manage their affairs for the benefit of learners, employers, and wider communities. In the case of Newton Rigg, its disposal will ensure that Askham Bryan College can sustain and safeguard its land-based provision delivered from its campus in York for the benefit of current and future learners, who enrol with the college from across the North of England and in some cases from further afield.

Secondly, area-based reviews commenced in September 2015 and were concluded in March 2017. The steering group established to consider the Cumbria area-based review met for the first time in April 2016 and was included in wave 3; at this meeting it was confirmed that Newton Rigg campus was outside the scope of the review as it was not a separate legal entity. However, curriculum data for Newton Rigg was subsequently produced for the steering group.

As the campus is part of Askham Bryan College, they were included in the wave 4; York, North Yorkshire, East Riding and Hull area-based review, which commenced in September 2016. This approach was consistent with the broad principles of area-based reviews in that colleges should be formal members of only one area review steering group.

A financial assessment of Askham Bryan College, which incorporated Newton Rigg was produced in December 2016 for the wave 4 review and this confirmed it met 3 of the 4 financial benchmarks. It also forecast that it would deliver improving operating surpluses. At the same time, a strategic review of the college's 5-year strategy was being undertaken to ensure its continued sustainability. At the time of the review, both the college governing body and the steering group agreed, based on the analysis of primary data relating to finance, quality, curriculum, and the current and future needs of learners and employers, that Askham Bryan

College should remain as a standalone independent college.

More recently, during the Further Education Commissioners local provision needs analysis, it was confirmed that whilst there was a great deal of support from further education institutions located in Cumbria to identify a solution for Newton Rigg, no one institution expressed any interest in acquiring the campus due to the well-known challenges associated with its financial viability.

Finally, on a wider point, both the Secretary of State for Education and I recognise that land-based colleges face several key issues including a mismatch between supply and demand; and business models reliant on large-scale onsite facilities that require significant investment to maintain and keep updated.

The recent Skills for Jobs White Paper set out our ambition for further education to be more responsive to the skill needs of employers, both locally and nationally. At a local level, this means closer engagement between land-based colleges and agricultural industries and working with business representative organisations such as Chambers to reflect those needs in Local Skills Improvement Plans.

At a national level, the new DEFRA Institute for Agriculture and Horticulture aims to develop a sector skills strategy. This represents an opportunity for effective engagement between land-based colleges, their representative body Landex and the Institute to develop more relevant provision to meet the technical demands of agricultural industries.

In addition, Robbie Moore MP, a member of the Committee, has been invited to undertake a key piece of work to define a future vision for the land-based further education sector. It is expected that he will present his findings and recommendations to the Secretary of State for Education in June.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Gillian Keegan', with a long horizontal flourish extending to the right.

Gillian Keegan MP
Parliamentary Under Secretary of State for Apprenticeships and Skills