

**Property Sub-Committee**

Wednesday, 2 October 2019

**12.00 pm**

Oak Room, County Buildings, Stafford

**NB.** Members are requested to ensure that their Laptops/Tablets are fully charged before the meeting.

John Tradewell  
Director of Corporate Services  
24 September 2019

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**A G E N D A****PART ONE**

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes of the Meeting held on 4 September 2019** (Pages 1 - 2)
4. **Proposed Leases to Academies** (Pages 3 - 8)
5. **Oaklands, Ashby Road, Tamworth - Proposed Transfer and Grant of Lease** (Pages 9 - 14)
6. **Site of Branston Locks Primary Academy - Proposed Transfer and Grant of Lease** (Pages 15 - 20)
7. **Exclusion of the Public**

The Chairman to move:

‘That the public be excluded from the meeting for the following item(s) of business which involves the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 indicated below’

**PART TWO**

8. **Land at Short Street, Uttoxeter - Proposed Exclusivity Agreement (exemption paragraph 3)** (Pages 21 - 26)
9. **The Friary Leisure Centre (exemption paragraph 3)** (Pages 27 - 34)

10. **Site of Former Flash Ley Resource Centre, Stafford - Proposed Sale (exemption paragraph 3)**

(Pages 35 - 38)

**Membership**

Philip Atkins, OBE (Chair)	Philip White
Mark Deaville	Mark Winnington
Alan White (Vice-Chairman)	

**Note for Members of the Press and Public**

**Filming of Meetings**

The Open (public) section of this meeting may be filmed for live or later broadcasting or other use, and, if you are at the meeting, you may be filmed, and are deemed to have agreed to being filmed and to the use of the recording for broadcast and/or other purposes.

**Recording by Press and Public**

Recording (including by the use of social media) by the Press and Public is permitted from the public seating area provided it does not, in the opinion of the chairman, disrupt the meeting.

## Minutes of the Property Sub-Committee Meeting held on 4 September 2019

Present: Philip Atkins, OBE (Chair)

Mark Deaville  
Alan White (Vice-Chairman)

Philip White

**Also in attendance:** Mike Sutherland

**Apologies:** Mark Winnington

### **PART ONE**

#### **182. Declarations of Interest**

There were no declarations of interest on this occasion.

#### **183. Minutes of the Meeting held on 7 August 2019**

**RESOLVED** – That the minutes of the meeting held on 7 August 2019 be confirmed and signed by the Chairman.

#### **184. Exclusion of the Public**

**RESOLVED** – That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 indicated.

#### **185. South Staffs Council Offices - Proposed Lease of Office Space (exemption paragraph 3)**

The Sub-Committee considered the options available for rationalising the amount of office space leased from South Staffs Council at their Codsall offices for use by various Children's Services Teams. New arrangements were required following restructuring of the Teams, the wish to introduce flexible working practices and the need to meet target savings in line with the Medium Term Financial Strategy.

**RESOLVED** – That:

- (a) approval be given to continued discussions with South Staffs Council on the rationalisation of office space utilised by the County Council, involving the surrender of the 2 existing leases with South Staffs Council and the entering into of a 10 year lease for revised space; the terms of such lease to be agreed by the Head of Commercial and Property, and
- (b) approval be given to the investment of a maximum of £151,000 in new office accommodation at South Staffs Council's Codsall Office to facilitate flexible working for County Council staff.

**186. Belvedere Park Club, Burton on Trent - Proposed Grant of Lease (exemption paragraph 3)**

Approval was sought to the finalisation of the lease of land and a building at Belvedere Park Club at a nominal rent to Belvedere Bowls Club for use as a private bowling club and associated pavilion and car park.

It was reported that the lease had originally been agreed in 2012 as part of land transactions to facilitate the provision of 2 Academy Primary Schools in the area. The transaction did not constitute undervalue as the land would normally be rentalised at a cost equivalent to its value. That rental value was being forgone as part of the school development arrangement and the Clubs agreement to fund all out goings and VAT payable now or during the life of the lease.

**RESOLVED** – That a lease be entered into with Belvedere Bowls Club in accordance with the Terms originally agreed in in 2012

**Chairman**

**Property Sub-Committee – 2<sup>nd</sup> October 2019**

**Recommendations by Cllr Mark Deaville - Cabinet Member for Commercial**

**Site:**

See Schedule.

**Location/Electoral Division**

See Schedule.

**Proposed Transaction**

A separate 125 year Lease of each Site set out in the Schedule.

These Leases will be granted at a peppercorn rent and are therefore not for value. They are standard form Leases in accordance with the requirements of the Department of Education.

There is no statutory obligation to enter in the Lease but it is the Department of Education's expectation that a Lease of a Site will be granted to the Academy run from the Site when the school converts to an Academy.

The consent of the Secretary of State has to be obtained before any Lease is completed.

**Recommendations**

Lease of the Sites set out in the Schedule in the standard format be approved.

**Decision Level/Authority/Officer Delegation Scheme number**

Property Sub-Committee decision as undervalue transaction.

**Details**

**1.Current Use and Owner/Occupier/Lessee etc**

The Sites set out in the Schedule are owned by Staffordshire County Council and

are used by the Schools detailed in the Schedule.

## **2. Proposed Use**

The governing bodies of the Schools have voted to change their legal school category to an Academy. The Sites will therefore continue to be used as schools.

## **3. Proposed Purchaser/Lessee/Lessor/tenant etc...**

See Schedule

## **4. Estimated Value/Cost/Rental Income**

No valuation has been undertaken

## **5. Proposed transaction sale price/outline terms**

Not for value as referred to above.

## **6. Implications of transaction for County Council (Risks)**

### **(a) Strategic: To include contribution transaction makes to outcomes listed in the Strategic Plan \***

None

### **(b) Financial:**

**Capital costs/income**

**Revenue costs/income**

**Change in Property running costs**

From completion of the Leases the Sites will be the responsibility of the Academies who will be responsible for maintenance of the Sites during the term of the Leases.

### **(c) Operational:**

None

### **(d) Legal:**

None as the whole of the Sites are occupied by the Schools and no part thereof is used by any third parties or any other part of the community

**7. Background Information:**

- (a) site history/details of negotiations etc
- (b) Consultations carried out/required
- (c) Alternative options for site
- (d) Reasons for recommended option
- (e) Rationale for acceptance of lower offer (where applicable)
- (f) Relevance of Section 123 of the Local Government Act 1972/General Disposal consent Order 2003
- (g) Resource/VFM Analysis

As stated above, it is a requirement/expectation of the Department for Education that SCC grant a Lease to an Academy in the standard form when a school converts to an Academy. The consent of the Secretary of State is required prior to completion of any Lease.

**9. Community Impact (eg, reference to particular communities or service users affected by the proposal)**

It is anticipated that there will be a continuity of School arrangements so the communities will not be impacted

**10. Comment by Local Member**

Not consulted

**11. Comments by SLT Members**

None

**12. Proposal supported by the Head of Commercial and Property**

Signed



Date 19.09.2019

**13. Valuer/Officer advising on this transaction**

Signed



Date 19.09.2019





## SCHEDULE Property Sub Committee 2 October 2019

<b>Site</b>	<b>Location / Electoral Division</b>	<b>School Type and Land to be Leased</b>	<b>Conversion Date</b>	<b>Academy</b>
Paulet High School Violet Way Burton upon Trent Staffordshire DE15 9 RT	East Staffordshire - Stapenhill	School Building and Playing field	1 November 2019	John Taylor MAT



**Property Sub-Committee – 2<sup>nd</sup> October 2019**

**Recommendations by Cllr Mark Deaville - Cabinet Member for Commercial**

**Site:**

Oaklands, Ashby Road, Anker Valley, Tamworth as shown edged in red on the enclosed plan

**Location/Electoral Division**

Tamworth, Staffordshire

**Proposed Transaction**

The transfer of the Site from Bellway Homes Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 1<sup>st</sup> April 2015, as varied, and the grant of a 125 year Lease of the Site following the construction of the primary school on the Site by Staffordshire County Council.

The Lease will be granted at a peppercorn rent and are therefore not for value. It will be a standard form Lease in accordance with the requirements of the Department of Education (DFE).

There is no statutory obligation to enter in the Lease but it is the DFE's expectation that a Lease of the Site will be granted to the Academy sponsor identified by the DFE following construction of the school which is expected to be completed around September 2021.

The consent of the Secretary of State has to be obtained before any Lease is completed.

**Recommendations**

The completion of the transfer of the Site from Bellway Homes Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 1<sup>st</sup> April 2015, as varied, and the grant of a 125 year Lease of the Site following the construction of the primary school on the Site by Staffordshire County Council.

**Decision Level/Authority/Officer Delegation Scheme number**

Property Sub-Committee decision as undervalue transaction.

## Details

### 1. Current Use and Owner/Occupier/Lessee etc

The Site is currently owned by Bellway Homes Limited

### 2. Proposed Use

Staffordshire County Council intend to construct a one form entry primary school on the Site following the Transfer of the Site to Staffordshire County Council from Bellway Homes Limited

### 3. Proposed Purchaser/Lessee/Lessor/tenant etc...

Following construction of the school on the Site, a standard 125 Academy Lease will be granted to the Academy Sponsor identified by the DFE

### 4. Estimated Value/Cost/Rental Income

No valuation has been undertaken

### 5. Proposed transaction sale price/outline terms

Not for value as referred to above.

### 6. Implications of transaction for County Council (Risks)

#### (a) Strategic: To include contribution transaction makes to outcomes listed in the Strategic Plan \*

None

#### (b) Financial:

**Capital costs/income**

**Revenue costs/income**

**Change in Property running costs**

Separate approval is held for the cost of the construction of the school on the Site.

From completion of the Lease the Site will be the responsibility of the Academy who will be responsible for maintenance of the Site during the term of the Lease.

#### (c) Operational:

None

**(d) Legal:**

None as the whole of the Site will be occupied by the Academy following completion of construction and no part thereof will be used by any third parties or any other part of the community

**7. Background Information:**

- (a) site history/details of negotiations etc**
- (b) Consultations carried out/required**
- (c) Alternative options for site**
- (d) Reasons for recommended option**
- (e) Rationale for acceptance of lower offer (where applicable)**
- (f) Relevance of Section 123 of the Local Government Act 1972/General Disposal consent Order 2003**
- (g) Resource/VFM Analysis**

As stated above, it is a requirement/expectation of the DFE that Staffordshire County Council grant a Lease to an Academy in the standard form following construction of the school. The consent of the Secretary of State is required prior to completion of the Lease.

**9. Community Impact (eg, reference to particular communities or service users affected by the proposal)**

It is anticipated that the addition of a new school will benefit the local community

**10. Comment by Local Member**

Not consulted

**11. Comments by SLT Members**

None

**12. Proposal supported by the Head of Commercial and Property**

**Signed**



**Date**

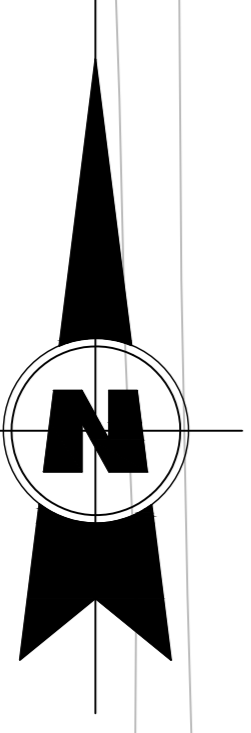
19.09.2019

**13. Valuer/Officer advising on this transaction**

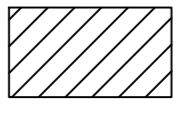
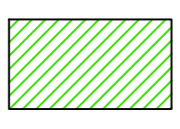
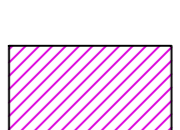
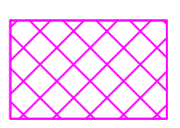
**Signed**

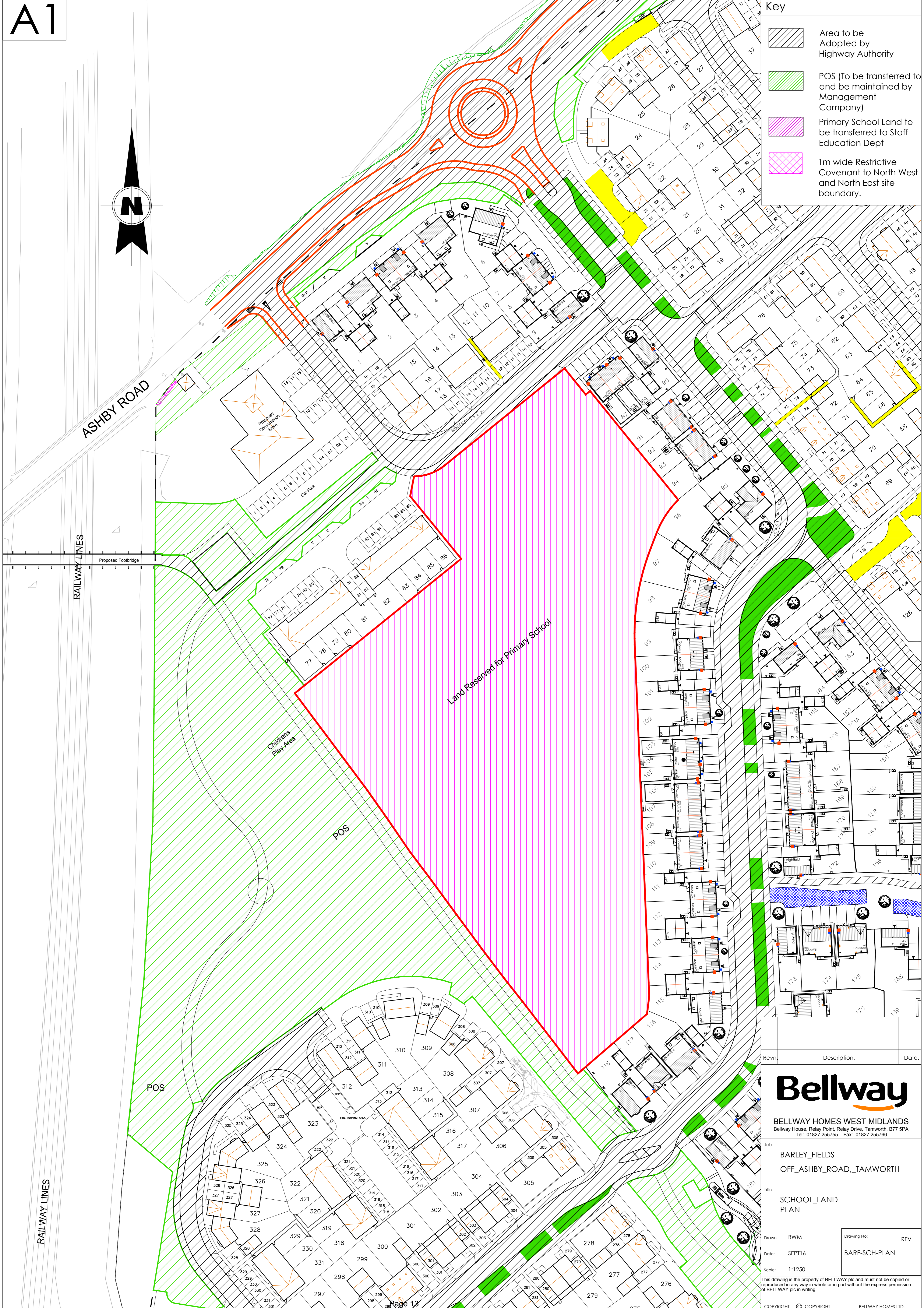


**Date** 19.09.2019



**Key**

-  Area to be Adopted by Highway Authority
-  POS (To be transferred to and be maintained by Management Company)
-  Primary School Land to be transferred to Staff Education Dept
-  1m wide Restrictive Covenant to North West and North East site boundary.



Rev.	Description	Date
<b>Bellway</b>		
BELLWAY HOMES WEST MIDLANDS Bellway House, Relay Point, Relay Drive, Tamworth, B77 5PA Tel: 01827 255755 Fax: 01827 255766		
Job: BARLEY_FIELDS OFF_ASHBY_ROAD,_TAMWORTH		
Title: SCHOOL_LAND PLAN		
Drawn: BWM	Drawing No: REV	
Date: SEPT16	BARF-SCH-PLAN	
Scale: 1:1250		
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**Property Sub-Committee – 2<sup>nd</sup> October 2019**

**Recommendations by Cllr Mark Deaville - Cabinet Member for Commercial**

**Site:**

Branston Locks Primary Academy, Burton on Trent as shown edged in red on the enclosed plan

**Location/Electoral Division**

Burton on Trent, Staffordshire

**Proposed Transaction**

The transfer of the Site from Nurton Developments (Quintus) Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 14<sup>th</sup> April 2015, as varied, and the grant of a 125 year Lease of the Site following the construction of the primary school on the Site by Staffordshire County Council.

The Lease will be granted at a peppercorn rent and are therefore not for value. It will be a standard form Lease in accordance with the requirements of the Department of Education (DFE).

There is no statutory obligation to enter in the Lease but it is the DFE's expectation that a Lease of the Site will be granted to the Academy sponsor identified by the DFE following construction of the school which is expected to be completed around September 2021. It is understood at this stage that the Academy sponsor will be the John Taylor Free School Academy Trust or the John Taylor MAT.

The consent of the Secretary of State has to be obtained before any Lease is completed.

**Recommendations**

The completion of the transfer of the Site from Nurton Developments (Quintus) Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 14<sup>th</sup> April 2015, as varied, and the grant of a 125 year Lease of the Site following the construction of the primary school on the Site by Staffordshire County Council.

## Decision Level/Authority/Officer Delegation Scheme number

Property Sub-Committee decision as undervalue transaction.

### Details

#### 1.Current Use and Owner/Occupier/Lessee etc

The Site is currently owned by Nurton Developments (Quintus) Limited

#### 2.Proposed Use

Staffordshire County Council intend to construct a primary school on the Site following the Transfer of the Site to Staffordshire County Council from Nurton Developments (Quintus) Limited

#### 3. Proposed Purchaser/Lessee/Lessor/tenant etc...

Following construction of the school on the Site, a standard 125 Academy Lease will be granted to the Academy Sponsor identified by the DFE

#### 4. Estimated Value/Cost/Rental Income

No valuation has been undertaken

#### 5. Proposed transaction sale price/outline terms

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#### 6. Implications of transaction for County Council (Risks)

**(a) Strategic: To include contribution transaction makes to outcomes listed in the Strategic Plan \***

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**(b) Financial:**

**Capital costs/income**

**Revenue costs/income**

**Change in Property running costs**

Separate approval is held for the cost of the construction of the school on the Site.

From completion of the Lease the Site will be the responsibility of the Academy who will be responsible for maintenance of the Site during the term of the Lease.

**(c) Operational:**

None

**(d) Legal:**

None as the whole of the Site will be occupied by the Academy following completion of construction and no part thereof will be used by any third parties or any other part of the community

**7. Background Information:**

- (a) site history/details of negotiations etc**
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- (g) Resource/VFM Analysis**

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**9. Community Impact (eg, reference to particular communities or service users affected by the proposal)**

It is anticipated that the addition of a new school will benefit the local community

**10. Comment by Local Member**

Not consulted

**11. Comments by SLT Members**

None

**12. Proposal supported by the Head of Commercial and Property**

**Signed**



**Date**

19.09.2019

**13. Valuer/Officer advising on this transaction**

**Signed**

A handwritten signature in black ink, appearing to be 'R. D. H.', written in a cursive style.

**Date 19.09.2019**





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of Part 1 of Schedule 12A  
of the Local Government Act 1972

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