

Property Sub-Committee

Wednesday 5 October 2022

12:00

Oak Room, County Buildings, Stafford

The meeting will be webcast live which can be viewed at any time here:

<https://staffordshire.public-i.tv/core/portal/home>

John Tradewell
Director of Corporate Services
27 September 2022

A G E N D A

PART ONE

- 1. Apologies**
- 2. Declarations of Interest**
- 3. Minutes of the Meeting held on 7 September 2022** (Pages 1 - 2)
- 4. Proposed Leases to Academies** (Pages 3 - 8)
- 5. Lichfield Skate Park - Proposed Renewal of Lease** (Pages 9 - 14)
- 6. Exclusion of the Public**

The Chairman to move:-

"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 paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 as indicated below".

PART TWO
(reports in this section are exempt)

PART TWO

- 7. Proposed Lease of Land at Doxey Road, Stafford (exemption paragraph 3)** (Pages 15 - 26)

8. **Proposed Lease of Woodland View and Silver Birch Care Homes (Exemption paragraph 3)** (Pages 27 - 38)

Membership	
Mark Deaville	Alan White (Chair)
Ian Parry	Philip White (Vice-Chair)
Jonathan Price	

Notes for Members of the Press and Public

Filming of Meetings

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If you have privacy concerns about the webcast or do not wish to have your image captured then please contact the Member and Democratic Services officer named at the top right of the agenda.

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 7 September 2022

Present: Alan White (Chairman)

Attendance	
Mark Deaville	Jonathan Price

Apologies: Ian Parry and Philip White

Part one

16. Declarations of Interest

There were no Declarations of Interest on this occasion.

17. Minutes of the Meeting held on 6 July 2022

Resolved – That the minutes of the meeting held on 6 July 2022 be confirmed and signed by the Chairman.

18. Minutes of the Meeting held on 26 August 2022

Resolved – That the minutes of the meeting held on 26 August 2022 be confirmed and signed by the Chairman.

19. Proposed Leases to Academies

Proposals were submitted to lease the site of one Academy to their Trust for a 125 year period at a peppercorn rental in line with the expectations of the Department for Education for those schools converting to Academy status.

Resolved – That approval be given to the grant of 125 year lease, at a peppercorn rental, to the Academy detailed in the schedule to the report.

20. Disposal of surplus property at The Newlands - Royal Walk, Cheadle, ST10 1EL

Proposals were submitted for the disposal of surplus property at The Newlands, Royal Walk, Cheadle ST10 1EL by way of public auction.

Resolved – That (a) approval be given for the sale of the Newlands, Royal Walk, Cheadle ST10 1EL by public auction to the highest bidder for a sum in excess of £200,000.

(b) should the purchase to the highest bidder fall through, the Assistant Director for Commercial and Assets be given delegated approval to agree best terms available with the next succeeding bidder(s).

21. Hagley Field - Rugeley - Proposed Lease

Details were submitted for the proposed 15 year Lease of Hayley Fields, Rugeley to Hagley Community Sports Association.

Resolved – That approval be given to enter into a 15 year lease agreement with Hagley Community Sports Association of the operation and management of local community facilities and sports activities on Hagley Fields; delegated approval be given to the Assistant Director for Commercial and Assets to complete the transaction in the event of a change of name in the charity and if the charity wish to lease the property for a longer term.

22. Half yearly report on the activity of the County Farms' Tenancies Panel

The Sub-Committee considered the half yearly activity report by the County Farms Tenancies Panel from 1 January 2022 to 30 June 2022.

Resolved – That the report be noted.

23. 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.

24. County Farms - Holding No. 4 Rowley Estate - Approval of starter farm letting at rental value over £200,000 for term (exemption paragraph 3)

Details were submitted for the proposed starter farm letting of Holding no.4 Rowley Estate.

Resolved – That approval be given for a starter farm letting of Holding No.4 Rowley Estate on the terms in the report.

Chairman

Property Sub-Committee – 5 October 2022

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

Item Title

Proposed Leases to Academies

Electoral Division

See Schedule

Local Member

See Schedule

Recommendations

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

Transaction Summary

1. Current Arrangements

The Sites set out in the Schedule are owned by Staffordshire County Council and are used by the Schools detailed in the Schedule.

2. Proposals

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

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

There is no statutory obligation to enter into the Lease but it is the Department of Education's expectation that a Lease of the Sites will be granted to allow the Academy to run from the Sites.

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

3. Undervalue Transaction

Not for value as this is a requirement of the Secretary of State.

Supporting Details

4. Background Information

4.1 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.

5. Alternative Options

None

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 Lease the Sites will be the responsibility of the Academy 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. Community Impact *

The school will continue as normal so the community will not be impacted.

8. Comment by Local Member

Local members informed of academisation and the proposed lease any specific comments will be reported to the committee.

9. Proposal supported by approved by Assistant Director for Commercial and Assets**Signed:** **Name:** Ian Turner**Date:** 20 September 2022**10. Officer advising on this transaction****Signed:** **Name:** Stuart Lane**Date:** 14 September 2022**11. Background Documents**

No previous reports are relevant to this transaction/proposal

*3 priority Outcomes for the people of Staffordshire are:

- To be able to access more good jobs and feel the benefits of economic growth
- To be healthier and more independent
- To feel safer, happier and more supported in their community.

SCHEDULE Property Sub Committee 5 October 2022

Site and PID Number	Location / Electoral Division	Local Member	School Type and Land to be Leased	Conversion Date	Academy/MAT
Whittington Primary School, Common Lane, Whittington, Lichfield WS14 9LG PID 113	Whittington & Streethay	Alan White	Community School School Building and Playing field	1 November 2022	John Taylor Multie Academy Trust whose registered office is at John Taylor Free School, Branston Road, Tatenhill, Burton on Trent DE13 9SA (Company Registration Number: 07421140)
Bhylls Acre Primary School, Bhylls Lane, Wolverhampton, Wolverhampton, WV3 8DZ. PID 112	Wolverhampton City Adjacent to Kinver ED	Victoria Wilson Adjacent division member	Community School School Building and Playing field	1 January 2023	St Stephen's C of E Multi-Academy Trust Woden Road Wolverhampton West Midlands WV10 0BB (Company Registration Number: 0773530)

Property Sub-Committee – 5th October 2022

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

Item Title

Lease of Skate Park at the former Burntwood Youth Centre

Property PID 2938

Electoral Division

Burntwood South

Local Member

Cllr Mike Wilcox

Recommendations

The grant of a Lease of the skate park at the former Burntwood Youth Centre to Lichfield District Council with any and all actions to agree the terms of the lease and implement the decision to be delegated to the Assistant Director for Commercial and Assets.

Transaction Summary

1. Current Arrangements

Holding over on previous lease to Lichfield District Council for the provision of a skate park.

2. Proposals

To grant a further lease at peppercorn to Lichfield District Council to permit the continued use of the skate park until the 31st March 2023.

3. Undervalue Transaction

The transaction is for nil value, it is not an undervalue transaction for the purpose of S123 of the Local Government Act 1972 because it is a short-term lease and not a disposal.

Supporting Details

4. Background Information

On the 12th September 2016 Staffordshire County Council granted a lease of the skate park to Lichfield District Council for a term of 5 years. This lease expired on the 31st March 2021 but Lichfield District Council have remained in occupation.

It is proposed that a new lease will be granted to Lichfield District Council, substantially on the same terms, until the 31st March 2023 so that the skate park can continue to be used by the community until the site is redeveloped.

The site is currently being considered for a new health centre development and if appropriate the council will look to demolish the skate park and the former youth centre at the same time to keep costs down.

Term: Completion of the lease until the 31st March 2023

Rent: £1 per annum (if demanded)

Security of Tenure: Excluded from Landlord and Tenant Act 1954 protection

Permitted Use: as a recreational area including skate park and parkour equipment for community use.

Alienation: Assignment of whole only with SCC's consent.

5. Alternative Options

None considered. This option enables the skate park to continue to be provided by Lichfield District Council for the benefit of the community until the proposed redevelopment of the site.

Lichfield District Council have indicated they may not re provide the skate park but will reutilise the parkour equipment and move it to another location.

6. Implications of transaction for County Council (Risks)

The lease will regularise the occupation of the skate park by Lichfield District Council following the expiry of the term of the previous lease.

7. Community Impact *

The grant of the lease will ensure that the skate park remains open and available to the public until the 31st March 2023.

8. Comment by Local Member

Mike Wilcox (Burntwood North)

I fully support the proposals going to Cabinet.

9. Proposal supported by Assistant Director for Commercial and Assets

Signed: 

Name: Ian Turner

Date: 12/9/22

10. Valuer/Officer advising on this transaction

Signed: N/A

Name:

Date:

11. Background Documents

Appendix 1: Plan

*3 priority Outcomes for the people of Staffordshire are:

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- To be healthier and more independent
- To feel safer, happier and more supported in their community.



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Plot Centre (BNG):
Easting: 404741
Northing: 308979

Scale 1:1500

Date: 13-JUN-2016

Plan Ref: RWB

Title:
Burntwood Youth Centre
Cherry Close
Burntwood
Staffordshire WS7 4RJ

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

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