

## Property Sub-Committee – 4<sup>th</sup> December 2019

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

**Site:**

Land off Bramshall Road, Uttoxeter as shown edged in red on the enclosed plan

**Location/Electoral Division**

Uttoxeter, Staffordshire

**Proposed Transaction**

The transfer of the Site from St Modwen Developments Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 4<sup>th</sup> November 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.

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 St Modwen Developments Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 4<sup>th</sup> November 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 St Modwen Developments 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 St Modwen Developments 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**     Ian Turner



**Date**        18.11.19

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

**Signed**        Stuart Lane



**Date**        18.11.19