

Property Sub-Committee – 1st April 2020

Recommendations by Cllr Mark Deaville - Cabinet Member for Commercial

Site:

Coton Green Primary School, Kipling Rise, Tamworth, B79 8LX as shown edged red on the enclosed Lease Plan.

Location/Electoral Division

Tamworth, South Staffordshire

Proposed Transaction

A Development Agreement in respect of works that Staffordshire County Council are undertaking and paying for on the Site and the completion of a 125 year Academy Lease of part of the Site when Staffordshire County Council have completed their works on the Site.

The Lease will be granted at a peppercorn rent and is therefore not for value.

The Lease is a standard form document 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 these documents will be granted to the Academy to be run from part of the Site when the school converts to an Academy.

The consent of the Secretary of State is deemed to be given once the Academy order is granted.

Recommendations

Completion of a Development Agreement for Staffordshire County Council to complete planned works on the Site and the completion of the Lease of the Site occupied by Coton Green Primary School following completion of the planned works.

Decision Level/Authority/Officer Delegation Scheme number

Property Sub-Committee decision as undervalue transaction and a Development Agreement will be required in addition to the standard form Lease.

Details

1.Current Use and Owner/Occupier/Lessee etc

The Site is owned by Staffordshire County Council and is used by Coton Green Primary School.

2.Proposed Use

The governing bodies of Coton Green Primary School have voted to change their legal school category to an Academy. The site to be leased to The Arthur Terry Learning Partnership, as shown edged in red on the enclosed Lease Plan, will therefore continue to be used as a school.

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

The Arthur Terry Learning Partnership

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 Academy Lease, the area shown edged in red on the Lease plan will be the responsibility of the Academy who will be responsible for maintenance of this part of the Site during the term of the Lease.

(c) Operational:

None

(d) Legal:

The Development Agreement will enable Staffordshire County Council to retain control of the site until the works are completed and the Lease entered into.

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**

Approval was granted on the 4th December 2019 for the Academy Lease to be entered into.

Staffordshire County Council are intending to complete works on the Site to improve and develop the facilities in accordance with their statutory obligations. The planned works are estimated to be in the region of £1,100,000 (separate approval is held for the funding of these works). The Academy have asked for these works to be completed under a Development Agreement.

Coton Green Primary School wish to convert to an Academy on the 1st April 2020 prior to completion of the Development Agreement. The Strategic Property Directorate Support has therefore authorised the parties entering into a Tenancy at Will so that the conversion is not delayed.

If Tenancy at Will will fall away on completion of the Development Agreement. When the works have been completed in accordance with the Development Agreement, the Lease will be granted to the Academy. While the works are being completed under the terms of the Development Agreement the Academy will have a licence to occupy the phases of the Site where the works are not being undertaken at that time.

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

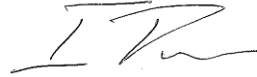
Not consulted

11. Comments by SLT Members

None

12. Proposal supported by the Assistant Director of Commercial and Assets

Signed Ian Turner



Date 24.03.20

13. Officer advising on this transaction

Signed Stuart Lane



Date 24.03.20