

Property Sub-Committee – 2 February 2022

Recommendations by Cllr Mark Deaville - Cabinet Member for Commercial Matters

Item Title: Henry Prince CE(C) First School, The Old School House, Main Road, Mayfield, Ashbourne, DE6 2LE (“the Site”)

Property PID: 222

Electoral Division: Uttoxeter Rural

Local Member: Philip Atkins OBE

Recommendations

The statutory transfer to the Lichfield Diocesan Board of Education the freehold of the 1970’s extension at the former Henry Prince Primary School, Mayfield that is currently owned by Staffordshire County Council as shown edged red on the attached plan. The final details of the transaction to be delegated to the Assistant Director for Commercial and Assets.

Transaction Summary

1. Current Arrangements

The Site is currently owned by the Staffordshire County Council (“Council”) and used by the Trustees.

2. Proposals

A Transfer of the freehold interest in the Site required under the School Standards and Framework Act 1988 as amended by the Education and Inspections Act 2006 (“the Acts”) to the Trustees.

A pedestrian/vehicular right of way will be granted to the Trustees over the land coloured blue and cross hatched brown on the plan.

The Trustees will be responsible for erecting and maintaining a fence between point, A, B and C on the plan.

3. Undervalue Transaction

Not undervalue - The Transfer will not be for value as the transfer is not discretionary or a matter for the Council to approve but is required by legislation in accordance with the Acts.

Supporting Details

4. Background Information

4.1 Under the Acts the Council is required to transfer land (other than playing fields) which is held or used by a local authority for the purposes of a school to the Trustees of a school which has changed category, to foundation, voluntary aided, voluntary controlled or foundation special schools. Land includes the building and structures attached to it.

4.2 There is a mix of land ownership at the Site split between the Council and the Trustees. The playing field owned by the Council at the Site will be retained by the Council.

4.3 On the 27 March 2012, the Trustees requested that there be a statutory transfer of land and buildings upon which an extension of the school had been built on in accordance with the Acts. The Trustees of the Site will continue to be responsible for insurance, security and for internal and external repair and maintenance.

4.4 The school closed on the 31 August 2019 and is currently vacant.

4.5 This transfer is currently pending but the Council were required to transfer the Site in 2012 and while the Council still own the legal interest in the Site, the beneficial interest will sit with the Trustees

4.6 Once the Site has been transferred to the Trustees the Trustees cannot dispose of any of the Site without the written consent of the Secretary of State.

4.7 The Council will not receive an income for the transfer of the Site.

4.8 Under the Acts the Council have to pay the costs of the persons to whom the Site is transferred (the Trustees). A standard fee has been agreed at £750 plus VAT with the Trustees together with land registry disbursement for the registration of the Site into the Trustees name. The land registry fee in respect of this statutory transfer is £40.00.

5. Alternative Options

"discussed above"

6. Implications of transaction for County Council (Risks)

None as the whole of the Site is occupied by the Trustees and no part is used by any third parties or any other part of the community.

7. Community Impact *

None.

8. Comment by Local Member

To be reported to committee

9. Proposal approved by Assistant Director for Commercial and Assets

Signed: 

Name: Ian Turner

Date: 18 January 2022

10. Officer advising on this transaction

Signed: 

Name: Stuart Lane

Date: 18 January 2022

11. Background Documents

Plan

*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