

Property Sub-Committee – 7th April 2021

Recommendations by Cllr Mark Deaville - Cabinet Member for Commercial

Site:

Land at Fradley Park, Halifax Avenue, Fradley, Staffordshire as shown edged in red on the attached plan ('the Site')

Location/Electoral Division

Fradley (Lichfield), Staffordshire

Janet England – Lichfield Rural North

Proposed Transaction

The transfer of the Site from Fradley Park Developments Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 24th October 2013 as varied by a Deed of Variation dated 21st April 2017 and the completion of an Agreement for Lease and a 125 year Lease of the Site following the construction of the Fradley Park Primary and Nursery School on the Site by Staffordshire County Council.

A Free School Lease will be granted to the John Taylor MAT at a peppercorn rent and is 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 into the Lease, but it is the DFE's expectation that a Lease of the Site will be granted to the John Taylor MAT following construction of the school which is expected to be completed for September 2022.

Recommendations

The completion of the transfer of the Site from Fradley Park Developments Limited to Staffordshire County Council in accordance with the terms of the s106 Agreement dated the 24th October 2013 (as varied) and the completion of (an Agreement for Lease and) a 125 year Lease of the Site following the construction of the Fradley Park Primary and Nursery 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 Fradley Park 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 by Fradley Park Developments Limited
3. Proposed Purchaser/Lessee/Lessor/tenant etc... Following construction of the school on the Site, a standard 125 Free School Lease will be granted to the John Taylor MAT
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 MAT 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 MAT 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 will grant a Lease to the John Taylor MAT in the standard form following construction of the school. The consent of the Secretary of State is required prior to completion of the Lease.

8. 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

9. Comment by Local Member

To be reported to committee

10. Comments by SLT Members

None

11. Proposal supported by Assistant Director of Commercial & Assets

Signed Ian Turner



Date 19.03.21

12. Officer advising on this transaction

Signed Stuart Lane



Date 17.03.21

Background Documents

Please list here any previous reports to Members relevant to this transaction/site:

N/A

*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.