

Report of Property and Contracts

Report to Chief Officer Property and Contracts

Date: 07/04/2014

Subject: Request to declare Rycroft Primary School site surplus to Departmental requirements and grant approval to appropriate the site from the Department of Environment and Housing to the Department of Children's Services.

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| Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Farnley and Wortley | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Are there implications for equality and diversity and cohesion and integration? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Is the decision eligible for Call-In? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Summary of main issues

1. Rycroft Primary School site (highlighted on the attached plan) is currently vested with Environment and Housing. The department of Children's Services have recently approached Environment and Housing requesting the site be appropriated to them.
2. The site now fulfils an Education not a Housing function. The school on the site is vested with Childrens Services, only the land remains with Environment and Housing.

Recommendations

3. It is recommended that the Chief Officer of Property and Contracts declares the Rycroft Primary School site surplus to the Department of Environment and Housing operational requirements and grants approval to appropriate the site to Children's Services.

Purpose of this report

- 1.1 To request approval from the Chief Officer of Property and Contracts for the appropriation of land vested with Environment and Housing to the department of Children's Services.

2 Background information

- 2.2 Originally the land was acquired by the Council in 1948 as part of a much larger plot which was earmarked for a housing development. Houses were built on the site and Ryecroft Primary School was also built to the rear of the properties on Stonebridge Grove.
- 2.3 The school buildings are vested with Children's Services however the land is vested Environment and Housing. The school has recently applied to the Department for Education (DfE) to be granted academy status. The DfE has made an academy order enabling the school to convert to an academy under section 4 of the Academies Act 2010.
- 2.4 A requirement of an academy order is that the local authority must cease to maintain the school on the date on which the school, or a school that replaces it, opens as an academy.
- 2.5 In order for the DfE to ultimately approve a school's academy status, it requires confirmation that the council has agreed to transfer the site to the proposed academy. Under the legislation this transfer must be at nil consideration.

3 Main issues

The majority of school sites are now vested with Children's Services. The Ryecroft School site now fulfils an Education not a Housing function and therefore has no operational use for the department. Furthermore the school buildings are vested with Children's Services. The transfer of the site cannot be made directly from Environment and Housing to the academy as it cannot be transferred at nil consideration as per the requirements of an academy order. Therefore the land will need to be appropriated to Children's Services first.

- 3.1 Legal Services have confirmed Secretary of State consent is not required in relation to the appropriation of this site as the Council is not appropriating land consisting of a house or part of a house.
- 3.2 The two access points to the site (highlighted in brown on the attached plan) will remain in Council ownership and the academy will be required to pay at least 50% of the total maintenance cost towards the roads. This requirement will be written into the lease and agreed through Legal Services and City Development.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Local Ward Members and Area Management have been consulted on the proposal and ward members requested confirmation that the two access roads highlighted in brown on the attached plan would remain in Council ownership. Confirmation has been sent to all ward members.

4.2 Equality and Diversity / Cohesion and Integration

4.2.2 An equality, diversity cohesion and integration screening exercise has been carried out. This has affirmed that equality, diversity, cohesion and integration considerations have been effectively considered in relation to this proposal and that a full impact assessment was not required.

4.3 Council policies and City Priorities

4.3.3 There are no adverse implications for Council policy or governance regarding the proposed appropriation of land and the land in question is best vested with the Department of Children's Services.

4.4 Resources and value for money

4.4.4 It is more appropriate for the land in question to be vested with Children's Services as the school buildings on the site already are and the Department can then proceed with fulfilling their obligations under the academy order.

4.5 Legal Implications, Access to Information and Call In

4.5.5 There are no adverse legal implications relating to the proposal.

4.6 Risk Management

4.6.6 There are no known risks associated with the proposal to appropriate the land to the Department of Children's Services.

5 Conclusions

5.7 Following internal consultation with Legal Services and Children's Services the most appropriate course of action will be to appropriate the land in question to the Department of Children's Services.

6 Recommendations

6.1 It is recommended that the Chief Officer of Property and Contracts declares the Ryecroft Primary School site surplus to the Department of Environment and Housing operational requirements and grants approval to appropriate the site to Children's Services.

6.2 Background documents¹

6.3 Plan identifying the site.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.