

**NORTH SOMERSET COUNCIL
DECISION**

DECISION OF THE EXECUTIVE MEMBER FOR HR, ASSET MANAGEMENT AND CAPITAL AND TRANSFORMATION PROGRAMMES AND THE EXECUTIVE MEMBER FOR CHILDREN AND YOUNG PEOPLE'S SERVICES WITH ADVICE FROM THE SECTION 151 OFFICER OF THE COUNCIL, CORPORATE SERVICES DIRECTORATE

**DECISION NO: P&C84****SUBJECT: Crockerne C of E Primary School, Pill – Land Transfer and leaseback****BACKGROUND:**

The school is to convert to an academy and is in the process of joining the Inspirational Futures Multi-Academy Trust. The school site is part-owned by the Council and part by the Diocese of Bath and Wells (the Diocese). The part owned by the Council comprises an element of the school building and surrounding paved areas and the school swimming pool. The Crockerne Children's Centre is also located within that part of the school building owned by the Council.

The Council is required to transfer the freehold interest in the part of the site in its ownership to the Diocese under the School Standards and Framework Act 1998. The Diocese has asked that this is completed before the school converts to an academy. Once the Council's part of the site has been transferred, the Diocese will grant a 125 year lease of the school site to the Academy Trust and a 125 year lease of the Children's Centre to the Council.

The following principal terms have been provisionally agreed with the Diocese for the transfer out of the Council owned part of the site and lease-back of the area occupied by the Children's Centre:

1. The Council will convey the freehold interest in the land shown in red outlined on the report plan to the Diocese of Bath and Wells for the sum of £1. A 125 year lease will then be granted on the whole school site (excluding the Children's Centre area) by the Diocese to the Academy Trust.
2. The land will be conveyed to the Diocese of Bath and Wells under the Schools Standards and Framework Act 1998 and will be used for education purposes only.
3. The Diocese of Bath and Wells will grant the Council a 125 year lease on the Children's Centre area shown in pink colour on the plan at a peppercorn/nominal rent.
4. The Council will use the leased premises to provide services to children and young adults.

5. The Council will be responsible for the full (internal and external) repair of the leased premises.
6. The Council will also be granted the following rights:
 - a. Access over the school car park to the leased premises
 - b. Use of the school services (gas, electric, water, etc) for the duration of the term
 - c. Parking for one car in the school car park
 - d. Use of the kitchen located in the school nursery for the duration of the term
7. The Council will enter into a management agreement with the Academy Trust and make an agreed contribution towards the provision of services and other relevant running costs.
8. The Council can terminate the lease at any time on giving 6 months' prior written notice.
9. Both parties will bear their own costs incurred in connection with both transactions.

DECISION:

Approval is given to dispose of the Council's freehold interest in part of the Crockerne C of E Primary School site (as shown below) to the Diocese of Bath and Wells as required by legislation and take a 125 year leaseback of the Children's Centre area from the Diocese in accordance with the principal terms and conditions set out in this report.

Reasons:

To formalise existing occupations and protect the Council's position on the continued provision of relevant children's services from the site following the school conversion to academy status.

Other Alternatives Considered:

None.

Financial Implications:


The Council will be responsible for its own costs incurred in connection with the transactions. In normal circumstances the council reimburses the legal costs incurred by the Diocese when land is transferred under the Schools Standards and Framework Act but this arrangement has been waived in this case.

When the school converts to academy status the Council will have no financial commitments or responsibilities in repairing and maintaining the buildings.

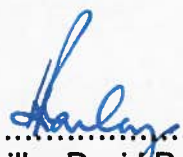
The cost of running the Children's Centre will be based on the agreed contribution set out in the local management agreement and will be funded from the relevant People and Communities revenue budget.

Implications for Future Years:

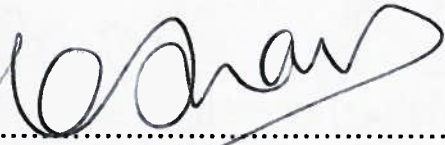
None other than those set out above.

Signed: 
Section 151 Officer, North Somerset Council

Dated:22.10.16.....

Signed: 
Councillor David Pasley.
Executive Member for HR, Asset Management,
Capital and Transformation Programmes

Dated:28/4/2016.....

Signed: 
Councillor Colin Hall
Executive Member for Children and Young People's Services

Dated:28.4.16.....



Crockerne C of E Primary School
land transfer and Lease Plan

Property and Asset Management
Castlewood, Tickenham
Road, Clevedon, BS21
6FW

Scale: 1:1000
Drawn by: Stuart Bates
Date: 08 March 2016
Time: 12:01:06



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