

COUNCIL

25 NOVEMBER 2010

BROMPTON ACADEMY AND FORMER TEMPLE SCHOOL SITE PROPERTY ISSUES

Portfolio Holder: Councillor Les Wicks, Children's Services
Report from: Rose Collinson, Director of Children and Adults
Author: Chris McKenzie, Head of School Organisation and Student Services

Summary

This report seeks approval to declare part of the Temple school site surplus and to add an item to the capital programme.

1. Budget and Policy Framework

- 1.1. Declaring part of the Temple site surplus is a matter for Full Council, as the value of this site is likely to be over £1,000,000.
- 1.2. Additions to the Capital Programme are a matter for Full Council.

2. Background

- 2.1 Medway's Academy programme is part of the wider transformation of Medway's portfolio of secondary schools and will be created by merging five existing schools into three, each with capacity for 1,500 students.
- 2.2 Cabinet considered a report on 9 November 2010, which presented the Outline Business Case (OBC) for the Brompton Academy for approval and onward submission to Partnerships for Schools to secure funding. The report also sought approval to a number of consequential land and property issues on the Brompton Academy and former Temple School sites.

2.3 Cabinet agreed the following:

- 194/2010** The Cabinet approved the Outline Business Case for Brompton Academy and gives delegated authority to the Director of Children and Adults in consultation with the Portfolio Holder for Children's Services, Chief Finance Officer and Monitoring Officer to make minor changes to the OBC after it has been subjected to the PfS Peer Review for ratification on behalf of the Council.
- 195/2010** The Cabinet Authorised the Director of Children and Adults, in consultation with the Portfolio Holder for Children's Services, to utilise part of the vacated Temple school buildings to allow the relocation of tenants of Youth House, including Key Training outlined in section 5.1 and to seek to obtain vacant possession of Youth House.
- 196/2010** The Cabinet authorised the Assistant Director of Housing and Corporate Services in consultation with the Portfolio Holder for Finance to grant leases for existing occupiers of Youth House to occupy parts of the Temple School Block 3 and ancillary buildings.
- 197/2010** The Cabinet authorised the Assistant Director of Housing and Corporate Services in consultation with the Portfolio Holder for Finance to enter into negotiations with Medway NHS for a lease of part of the Temple School Block 3 and ancillary buildings and to grant such lease subject to suitable terms being agreed.
- 198/2010** The Cabinet authorised the Assistant Director of Housing and Corporate services in consultation with the Portfolio Holder for Finance, to enter in to an agreement with the MoD to vary the restrictive covenant outlined in section 5.4 of the report.
- 199/2010** The Cabinet authorised the Assistant Director of Housing and Corporate services, in consultation with the Portfolio Holder for Frontline Services, to undertake the process to the divert the footpath described in section 5.5 of the report, including the consideration of any representations.
- 200/2010** The Cabinet recommended that Full Council agrees and declares that part of the Temple school site shown edged black on site plan Appendix D surplus and be available for disposal.
- 201/2010** The Cabinet recommended to Full Council that a scheme be included in the capital programme, funded from the proceeds of the sale of the surplus Temple site, to fund the

variation of the restrictive covenant and to facilitate the moves of the current occupants of Youth House to their new locations. In the first instance this be a sum of £350,000 for the adaptations to the Temple buildings with a further report on the proposal for relocating the Bradfields post-16 unit.

3. Third Parties Issues

3.1 Third parties at The New Brompton college site

3.1.1 There is a building on the Brompton site known as “The Youth House”, which currently accommodates the following tenants and council uses which need to be relocated, before the proposed building work for the new Academy commences:

- Key Training – This is a KCC provision that holds a long-term lease to use accommodation for a peppercorn rent.
- Various 3rd sector youth service providers – A variety of groups and providers, with space allocated by Medway Council Youth Service.
- Offices for the Youth Service.
- Bradfields post 16 further education centre, for pupils with special educational needs.
- A Council run youth club.

3.1.2 Cabinet has considered and recommended alternative accommodation for these third party users as described in the following paragraphs and discussions on proposed relocations is well advanced with these organisations.

3.2 Proposals for the relocation of tenants to the Temple site

3.2.1 Temple School closed in August 2009 after the school amalgamated with Chapter School to form the Strood Academy. Initially the Academy operated across two sites, but in Summer 2010, the Academy was given permission by the Department for Education (DFE), to relocate all students to a single site on Carnation Road.

3.2.2 The Temple School site is now vacant, and passed back to the Council on 10 November 2010.

3.2.3 The Temple site comprises two blocks of buildings previously used by Temple School, and a 1-form entry primary school, Temple Mill Primary School.

3.2.4 The Council owns the land outlined in black on the attached plan (Appendix A).

- 3.2.5 The buildings towards the North end of the site, hatched on the plan are in poor condition, and are not considered to be suitable for alternative uses.
- 3.2.6 The buildings to the south of the site are the Temple Mill Primary school and are to be retained. Additional land is shown within the boundary for Temple Mill Primary, to enable expansion of the school to two forms of entry in future, should this be required.
- 3.2.7 The buildings towards the Southwest end of the site as shown crosshatched known as Block 3 are in better condition, and are considered to be suitable for re-use.
- 3.2.8 It is proposed to let these to Key Training and the various 3rd sector youth service providers currently based in the Youth House. In addition Medway NHS has approached council officers, about the possibility of locating the child development centre (CDC) currently in various locations in Medway into accommodation on the Temple site. At the Children and Adults Overview and Scrutiny Committee meeting on 20 October 2010, the committee received a report updating them on progress with the relocation of the Child Development Centre (CDC). The report presented two options for the future location of the service, the former Temple School site and a property owned by a health provider (currently partially used by mental health services).
- 3.2.9 The Committee debated the two options and expressed support for the use of part of the former Temple School site, although requested that assurances be made with regard to appropriate public transport provision to the site and that the building could be modernised and adapted to meet the needs of the CDC service.
- 3.2.10 The Committee recommended the Cabinet to approve the use of part of the Temple site for the CDC and recommended that officers work with Arriva to ensure bus routes, frequencies of service and vehicles used would be suitable for the users of the service. This work will be undertaken by Children's Services Commissioning Team.
- 3.2.11 Officers have visited the site with representatives from Key Training and Medway Council's Youth Service who viewed the buildings on behalf of the various 3rd sector youth service providers. These users have given in principle agreement to re-locate to the building. Works have been identified to ensure that the building is suitable for use by Key Training and the Youth services at an estimated cost of £320,000.
- 3.2.12 NHS representatives have also visited and evaluated the remaining available accommodation on the site and confirmed that they would be interested in renting the space. Medway NHS would fund any capital works required to convert accommodation into use for the CDC and the Council will be seeking to charge a market rent for the accommodation.

3.2.13 The remainder of the site, as shown edged black on attached plan (Appendix B), including the remaining buildings (hatched) would be declared surplus, to allow its sale. The land, which is not built on, is designated as protected open space in the local plan, so it is unlikely that planning permission will be forthcoming to build on all of these areas and ultimately, they may be retained by the council as open space.

3.3 Proposals for the relocation of Bradfields post-16 further education centre for pupils with special educational needs

3.3.1 Officers are considering a number of options for the relocation of Bradfields post 16 further education centre for pupils with special educational needs (which is also currently located in Youth House).

3.3.2 In July 2010 the Government announced there will be a green paper on special educational needs and disability (SEND) in the autumn 2010. In addition the James Review of Capital Investment will be published in the autumn setting out the framework for the allocation of education capital funding in the future.

3.3.3 Both of these reports are likely to have a bearing on the viability of the options for the relocation of Bradfields post-16 further education centre, and a further paper setting out proposals will be presented to Cabinet following the publication of these reports. The Outline Business Case for the academy confirms the Council's commitment to relocate all tenants from Youth House prior to the commencement of building works.

4. **Advice and Analysis**

4.1 This surplus land at the Temple school, can either be retained or sold. If it is sold, a capital receipt will be obtained, which subject to DfE consent, the Council can use towards funding the variation of the covenant at Brompton Academy and the relocation of the occupants of Youth House and other education improvements.

4.2 The occupiers at the Youth House need to be relocated, so that this area can be incorporated into the new academy and it is far more cost effective to relocate them to an existing building.

5. Risk Management

| Risk | DESCRIPTION | Action to avoid or mitigate risk |
|---|--|--|
| The surplus land and buildings will remain vacant and become expensive and difficult to manage. | The surplus land and buildings may attract vandalism and antisocial behaviour. | Regular inspections of the property and offer for sale as soon possible. |

6. Consultation

- 6.1 Consultation has been undertaken with the third parties as highlighted in section 3 above. The outcomes of consultation and proposals for the relocation of third parties is included within this report.
- 6.2 The recommendations in this report have been considered and approved, where appropriate, by Cabinet.

7. Financial and Legal Implications

- 7.1 The value of the works required to relocate the third party youth providers and Key Training from Youth House has been estimated at £320,000 as per paragraph 3.2.11 above. It is also likely that there will be costs arising from the potential relocation of the Bradfields post-16 unit and it is suggested that all these costs, plus the cost of varying the restrictive covenant of £30,000, be funded from the proceeds of the surplus Temple site.
- 7.2 The Council has a duty under s123 of the Local Government Act 1972 to obtain best consideration, when it disposes of interests in property, (including granting leases of over 7 years) unless consent is obtained from the Secretary of State, or one of the general consents applies.
- 7.3 The Council will need Department for Education consent to dispose of the land and use the proceeds.
- 7.4 The Council will have to bear the cost of managing any surplus buildings pending disposal from within existing budgets.

8. Recommendations

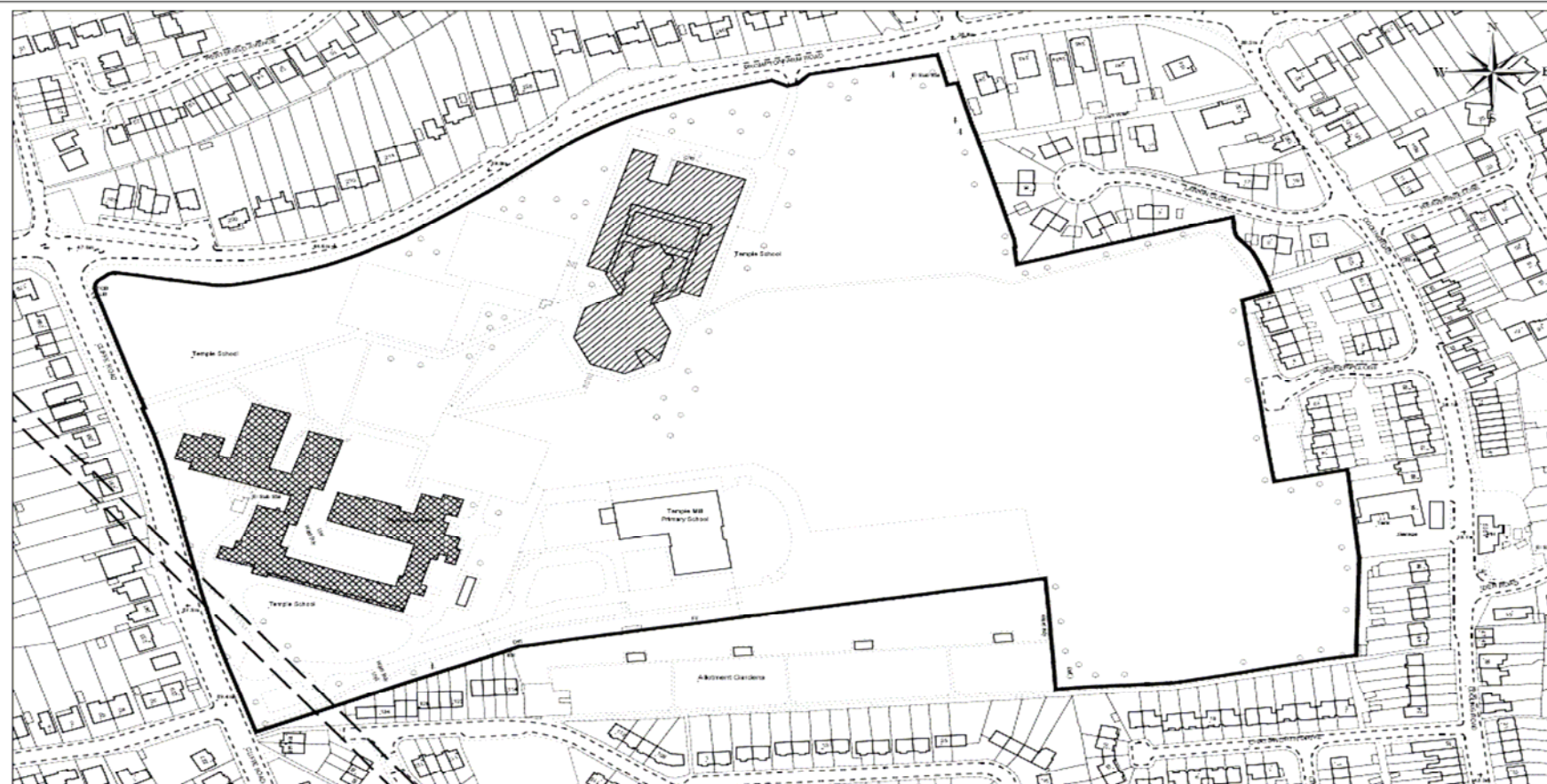
- 8.1 The Cabinet recommends that Council declares that part of the Temple school site shown edged black on site plan Appendix B surplus and be available for disposal.
- 8.2 The Cabinet recommends to Council that a scheme be included in the capital programme, funded from the proceeds of the sale of the surplus Temple site, to fund the variation of the restrictive covenant on the land at New Brompton College and to facilitate the moves of the current occupants of Youth House to their new locations. In the first instance this be a sum of £350,000 for the adaptations to the Temple buildings with a further report on the proposal for relocating the Bradfields post-16 unit.

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Background papers

| Description of document | Location | Date |
|---|---|-----------------|
| Cabinet report – Brompton Academy Outline Business Case | http://democracy.medway.gov.uk/mgConvert2PDF.aspx?ID=6183 | 9 November 2010 |

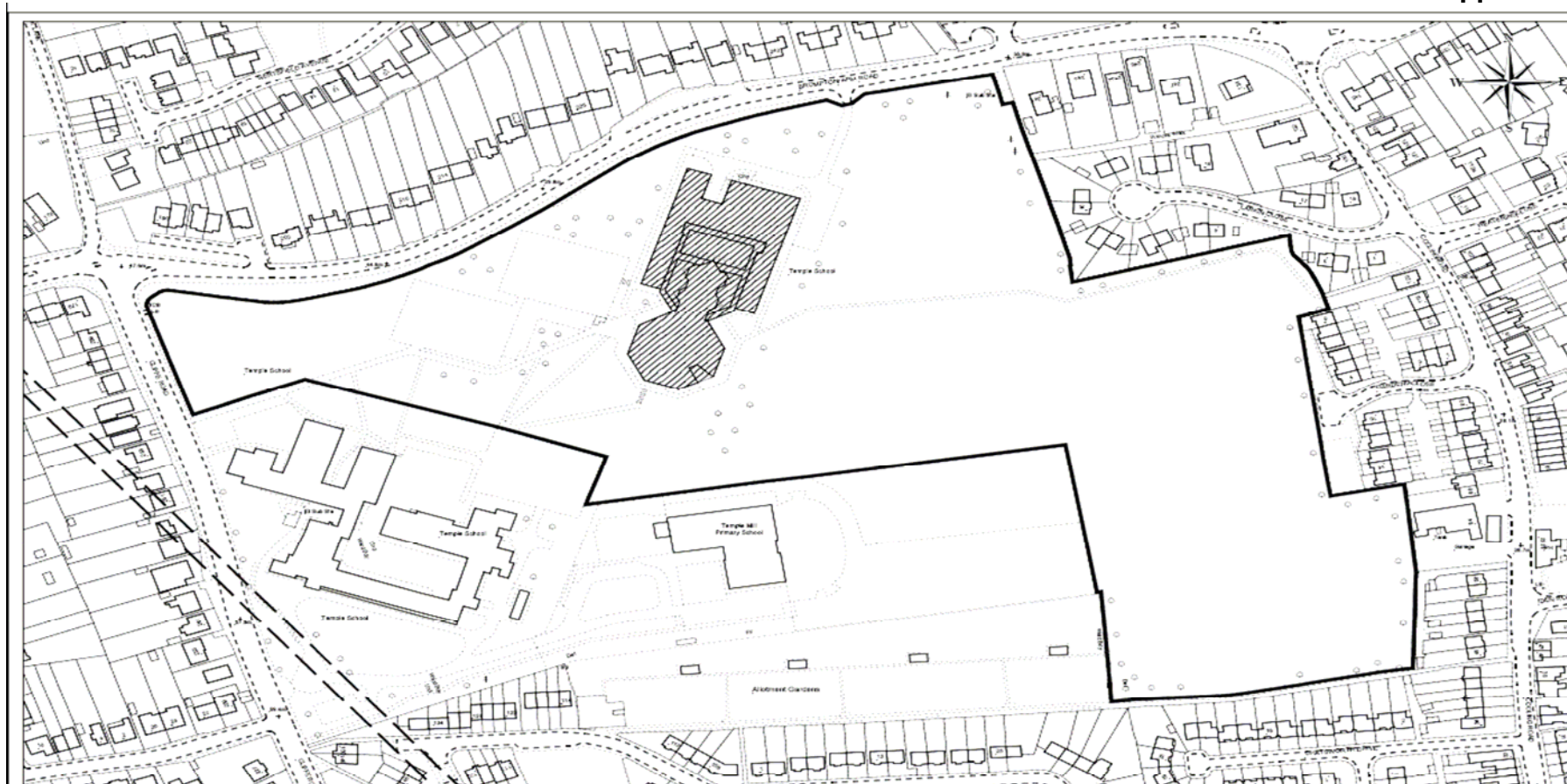


Temple Site - Appendix A

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Medway
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Scale: NTS 19/10/10
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Temple Site - Appendix B

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