

# WIRRAL COUNCIL

## CABINET 4 JUNE 2015

<b>SUBJECT:</b>	<b><i>DISPOSAL OF THE FORMER FOXFIELD SCHOOL, DOUGLAS DRIVE, MORETON</i></b>
<b>WARD/S AFFECTED:</b>	<b><i>MORETON WEST &amp; SAUGHALL MASSIE</i></b>
<b>REPORT OF:</b>	<b><i>HEAD OF UNIVERSAL &amp; INFRASTRUCTURE SERVICES</i></b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b><i>COUNCILLOR ADRIAN JONES</i></b>
<b>KEY DECISION?</b>	<b><i>YES</i></b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to declare the former Foxfield school site in Douglas Drive, Moreton a surplus asset and to seek authority for its disposal. Should permission from Cabinet be obtained additional authority from the Secretary of State to dispose of the former school site and playing fields will also be required and this will be submitted following a statutory consultation period. The matter is being reported to Cabinet as the potential sales receipt is anticipated to be in excess of the threshold for delegated decisions.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Council was successful in securing capital grant funding under the national Priority Schools Building Programme (PSBP), which has enabled the rebuild of Foxfield School on a new site in New Hey Road, Woodchurch. The new school building was opened to pupils on 2<sup>nd</sup> March 2015.
- 2.2 Prior to its closure, this school building was a local authority maintained special school for boys and girls aged 11 to 19, who had statements of special educational needs because of complex learning difficulties. The school site in Douglas Drive is now surplus to educational requirements and due to the very poor condition of the building it is not suitable for educational, Council or community use. The site extends to 1.46 Hectares (3.61 Acres) and is identified on the attached plan.
- 2.3 As the land has been used for school purposes within the last 8 years, in accordance with, the guidance provided by the Department for Education, the Council will need to seek approval from the Secretary of State for (i) the disposal of community school land in accordance with Schedule 1 of the Academies Act 2010 and (ii) the disposal of school playing field land under Section 77 of the School Standards and Framework Act 1998. A statutory six week public consultation will be required prior to the application to the Secretary of State. Notification of approval from the Secretary of State can take a few months.

- 2.4 Should the disposal be approved by the Secretary of State, it is proposed that a marketing exercise for the site be undertaken on the Council's behalf by its appointed property consultants, and the site be sold on the best terms reasonably achievable. The Secretary of State requires that Capital receipts following the disposal of playing fields should be re-invested in sports facilities and facilities at other schools.

### **3.0 RELEVANT RISKS**

- 3.1 There is a risk that the Secretary of State will not grant permission to dispose the former school land and playing fields and further discussions with the Department for Education would be required.
- 3.2 There is a risk that the property will not sell, in which case the Council will continue to be responsible for its maintenance until a purchaser was found or an alternative use identified.
- 3.3 Vandalism of the site is likely following the relocation of the school, reports from Wirral Community Patrol have already confirmed this. Additional security on site is very costly, it is therefore proposed to demolish the building immediately which could be prior to Secretary of State approval.

### **4.0 OTHER OPTIONS CONSIDERED**

- 4.1 As the property is not required by the Council and the condition of the building is prohibitive for alternative use, a sales marketing exercise by the Council's appointed property consultants is considered to be the most appropriate method of disposal. Consequently no other options have been considered.

### **5.0 CONSULTATION**

- 5.1 Secretary of State approval is required which requires a six week consultation period.
- 5.2 The appointed property consultants will undertake a promotional exercise to advertise the availability of the property/land.

### **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 6.1 The site is not considered to be suitable for transfer or disposal to voluntary, community or faith groups, although such groups would be able to submit an offer.

### **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 7.1 The Council will demolish the existing building prior to marketing for sale and funding for the demolition is within the Council Capital Programme.
- 7.2 The potential sales receipt is anticipated to be in excess of the threshold for Delegated Authority limits. It is anticipated that the site will be re-developed with residential units. The number of units will be determined in accordance with Planning Policy. Once a development scheme is completed, the Council will benefit from additional Council Tax income.
- 7.3 An additional £1m has been invested in the new Foxfield School in order to replicate the school's previous hydrotherapy and swimming facilities which were not able to be funded through the Priority School Building project. Additional classrooms were also included in the scheme to provide future capacity in the school if required. This

additional contribution was funded by the schools Capital allocation via the Department for Education (£500,000) and Council Capital Programme (£500,000). An additional amount of £120,000 for demolition costs is also funded from the Council Capital programme. The Secretary of State will require that any capital receipt received for the sale of the former school site will be reinvested in either sports facilities or specific school capital projects in the Borough.

## **8.0 LEGAL IMPLICATIONS**

- 8.1 The disposal will require the preparation of appropriate legal documentation related to the disposal.
- 8.2 A full marketing exercise by the Council's appointed property consultants is considered to be the best way of demonstrating that the best price reasonably obtainable has been achieved, which satisfies s123 of the Local Government Act 1972.
- 8.3 Consent from the Secretary of State via form SATPF1 will be required before the playing fields can be sold and form SCH1F for the disposal of the school site.
- 8.4 It is necessary that the site of the former Foxfield School be formally appropriated for planning purposes and the required notices under section 122 of the Local Government Act 1972 be served.

## **9.0 EQUALITIES IMPLICATIONS**

- 9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?  
  
No because there is no relevance to equality.

## **10.0 CARBON REDUCTION IMPLICATIONS**

- 10.1 The sale will result in a reduction of the Council's carbon emissions.

## **11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 11.1 Planning permission for the redevelopment of the site will be required.
- 11.2 The land containing the main school buildings is designated as part of the Primarily Residential Area on the Unitary Development Plan (UDP) Proposals Map. Housing development in this part of the site would be acceptable in principle subject to UDP Policy HS4 and Policies WM8 & WM9 in the Waste Local Plan. Development Management Policies in the emerging Core Strategy Local Plan will also be a material consideration.
- 11.3 The remainder of the site is identified a School Playing Field on the UDP Proposals Map and paragraph 74 of the National Planning Policy Framework (NPPF) would be relevant in the assessment of any future development on this part of the site. NPPF paragraph 74 states that existing open space, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements or the loss resulting from proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

11.4 In this particular case, the site is within 400 metres walking distance of Lingham Park which includes 4 football pitches, a bowling green, a running track, a skate park and a children's play area. Current analysis also indicates that there is a surplus of publicly accessible open space available to the wider settlement area when calculated against the Council's standard in the UDP. Consultants have been appointed by the Council to prepare an up to date playing pitch assessment, but it is not scheduled for publication until the end of 2016.

11.5 The facilities at the former Foxfield site including the playing field have been provided for at the new purpose-designed site in Woodchurch with outdoor and indoor sports facilities under the terms of planning permission APP/13/01185.

11.6 Sport England will need to be consulted on any future planning application. If Sport England objects, any future application would need to be referred to the Secretary of State before approval could be granted.

## 12.0 RECOMMENDATIONS

12.1 That the former Foxfield School be declared surplus and authority be given to disposal on the best terms as recommended by the Council's appointed property consultants, subject to Secretary of State approval.

12.2 That officers undertake the necessary consultation prior to the Secretary of State application being made to dispose the school playing fields.

12.3 That demolition of the building is undertaken immediately which could be prior to the Secretary of State application being approved to dispose the school playing fields and school land.

12.4 That the land be appropriated for planning purposes.

## 13.0 REASON/S FOR RECOMMENDATION/S

13.1 To make the best use of the Council's property assets by declaring the property surplus and to seek authority to a disposal.

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## APPENDIX

Location plan

## REFERENCE MATERIAL

No reference material has been used in the preparation of this report.

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date