

WIRRAL COUNCIL

CABINET – 10 SEPTEMBER 2015

SUBJECT:	<i>ROCK FERRY HIGH SITE DISPOSAL</i>
WARD/S AFFECTED:	<i>ROCK FERRY</i>
REPORT OF:	<i>ASSISTANT CHIEF EXECUTIVE</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>CLLR ADRIAN JONES</i>
KEY DECISION?	YES

1. EXECUTIVE SUMMARY

The purpose of this report is to provide an update of the previously approved proposal to dispose of the former Rock Ferry High School site, to consider the outcomes of the public consultation and to approve the Council's submission to the Secretary of State for Education to allow the site to be used for other purposes.

As part of the Council's five year plan, the proposals in this report support the following pledges contained in the plan:

- Good quality housing that meets the needs of residents
- A safer and better environment resulting from the redevelopment of a significant vacant site
- The Council making better use of assets

2.0 BACKGROUND AND KEY ISSUES

- 2.1 In 2011 Rock Ferry High School and Park High School closed following a review of Secondary School provision in Birkenhead and came together on one site of the former Park High School under the newly formed University Academy of Birkenhead, now called the Birkenhead Academy.
- 2.2 Cabinet approved a report on 7th November 2013 in which the site was declared surplus to operational requirements and approval was given by Members for officers to dispose of the site in accordance with S123 of the Local Government Act 1972. In the same report it was acknowledged that there was a need to adopt a more strategic and pro-active approach to realising capital receipts generally. This approach would optimise proceeds and realise wider benefits across the borough, allowing for investment in the remaining assets, some of which have extensive repair and refurbishment needs.
- 2.3 A number of considerations have been given to the Rock Ferry High site including the formation of a University Technical College but despite significant development work these could not be progressed. Other educational and departmental uses have also been explored. Since the school closure one of the detached buildings (Ravenswood) the original house has been Grade II listed as being of historical and architectural interest and which will have implications for any site redevelopments.

- 2.4 During these periods of considerations for alternative use and application to the Secretary of State for Education, the site has resulted in the council incurring very significant expenditure for building security and there are still significant running costs for the redundant site and maintaining the grounds.
- 2.5 In order to change the use of school playing fields or dispose of former school land and premises a detailed submission to the Secretary of State for Education is required and should include details of the proposed alternative uses, existing areas to be considered, requirements of other neighbouring schools and details of valid objections received during the consultation period of no less than six weeks. It was during this consultation process that emerging objections to full site disposal were noted and modified future use of the Rock Ferry High School site was considered.

3.0 DISPOSAL OF SCHOOL PLAYING FIELDS

- 3.1 The Department for Education in their guidance note published in November 2014 gives advice on the protection of school playing fields and public land, the guidance note describes the main circumstances in which local authorities need to seek the consent of the Secretary of State for Education to dispose, or change the use, of land used by schools, including playing field land.

Section 77 of the Schools Standards Framework Act 1998 applies to the disposal of playing fields by the local authority and for which consent is required from the Secretary of State. In 2012 Schedule 35A to the Education Act 1996 was repealed and resulted in the extension of the requirement to obtain Secretary of State to dispose of community school land to include all land in which a freehold or leasehold interest is held.

Considerations in the application must include: other school's needs, community use, finance and consultation. Details of the consultation must be submitted with the application stating how it was carried out, details of any valid objections and how the Council proposes to address these, the submission must also include a detailed summary of all these valid objections. The current Department for Education guidance also requires consultation with the community, previously consultation was only required with neighbouring schools.

- 3.2 At the time of application to the Secretary of State the Council will be required to state its intended future use of the site. It would however, be possible to phase the submission of proposals whilst discussions are ongoing for designated areas of the site with the residents group or other interested parties.

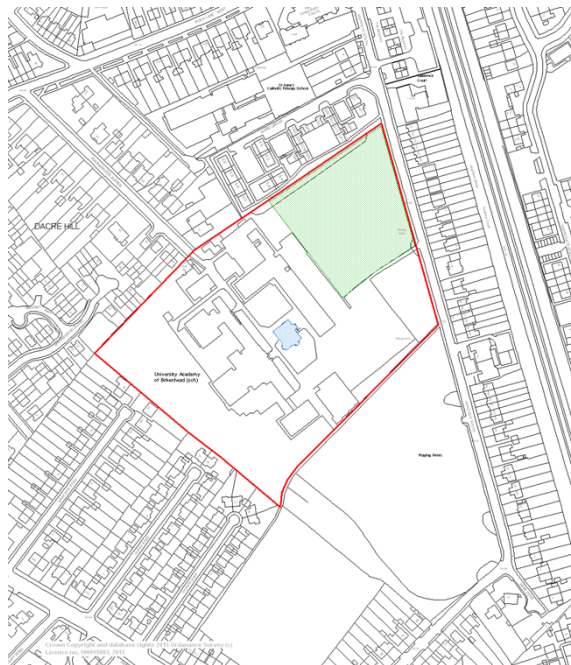
4.0 THE SITE

- 4.1 The site, which extends to approximately 8.3 hectares, comprises the buildings and playing fields of the former Rock Ferry High School. The site is bisected by a public footpath, which runs south-west to north-east across the site, known locally as the "cinder path". The area to the north of the footpath (4.6 hectares) includes the complex of former school buildings; a large area of woodland situated between the school buildings and the adjacent residential properties in Briarswood Close, Bankside Road, Hurst Bank and Thorpe Bank; and a small playing

field (0.97 hectares and marked in green) and woodland along the frontage to Highfield South, immediately adjacent to the residential properties in Ward Grove. A distinctive sandstone wall and security fence runs along the whole of the boundary with Highfield South.

The current main access to the complex of former school buildings, which comprises a number of separate buildings of varying age and design is from Ravenswood Avenue to the north, with a narrow secondary minor access from Highfield South, between the smaller playing field and woodland to the south of Ward Grove. To the rear of the woodland is a small area of hard standing.

'Ravenswood' a detached building is located towards the centre of the complex and is a Grade II Listed Building (shown in blue). The frontage with Highfield South is designated as part of the school playing field in the Unitary Development Plan.



(i) Plan showing main school site referred to as Area A

The area to the south of the footpath (3.7 hectares) is a large grassed area of former school playing fields is split into two distinct areas divided by an area of woodland (edged in red).

The larger area of playing fields to the north east of the woodland (2.4 hectares) is generally level but slopes gently down towards Highfield South. The area is bounded by railings and a line of trees and shrubs along the frontage to Highfield South, with a gated vehicular access point with a setback sandstone entrance.

There is a level change down towards the smaller area of playing field to the south west of the woodland (1.3 hectares), which forms an outrigger separating the housing at Thorpe Bank, Old Chester Road and Highfield South, which is at a significantly higher level than the surrounding housing. A grassed bank overlooks the rear of the properties in Old Chester Road and a belt of trees runs along the rear boundaries to 88 to 114 Highfield South. The whole of areas B and C are designated as part of the school playing field in the Unitary Development Plan.



- (ii) Plan showing detached playing fields referred to as Areas B and C
B being the main sports field and C known locally as the “plateau”

4.2 The Council owns the freehold interest in the entire site with the exception of the “cinder path”

5.0 CONSULTATION

5.1 Consultation Process

A minimum 6 week (term time) consultation period is required by the Department for Education guidance; this took place from 1 December 2014 to 23 January 2015 but was extended following a series of four public meetings which concluded on 29 May 2015. The initial consultation was communicated by the distribution of 348 letters to residents, posters sent to 116 community venues and groups, adverts in the Wirral Globe and Councillors and MP’s were notified by email. Consultation information directed people to the electronic survey via Survey Monkey which resulted in 55 responses, and other communications were received by telephone, mail and email. Due to the level of interest in the area local Councillors and the MP arranged four public meetings to discuss the residents’ thoughts on the disposal and future use of the site, these were held on 27 January, 13 February, 13 March and 29 March 2015. Officers attended these meetings to answer questions raised by the public.

5.2 Consultation Outcomes

There were a number of key themes in the combined responses of the consultation, notably:

- Desire for Community use of Green Space
- Preservation of woodland and boundary trees
- Protection of the boundary wall
- Protection of biodiversity in the area
- Protection of the listed Ravenswood building
- Public right of way preserved
- Quality development of houses
- Sports facilities to be explored
- Concerns around traffic and access
- Alternative use of the buildings

5.3 A summary of the responses to the “survey monkey” online consultation has been attached as appendix 1. This summary will be submitted to the Secretary of State for Education.

5.4 Specific question raised at the four public meetings are detailed in the notes made on each of the evenings and are attached as appendix 2.
As a result of the public meetings a Residents Association has been formed to look at the local issues and to bring forward proposals particularly in respect of the areas of the site to the south of the “cinder path”.

5.5 The outcomes of the consultation have influenced the original views and thoughts on future development held by officers, resulting in the following options.

6.0 OPTIONS

6.1 Do Nothing - The option of leaving the site in its current state is not considered to be an option; the site is costing on average over £200,000 a year to keep secure including rates and service charges.

6.2 Reuse the Existing Building - This option has been explored by officers. The site consists of numerous buildings

- (i) three 1970’s blocks had previously been earmarked for demolition and are in a very poor condition, these are not thought to be suitable for reuse.
- (ii) Ravenswood – this building was Grade II listed in July 2012 following an assessment by Historic England, the implications of the listing mean that protection of the building must be carried out in accordance with Historic England Guidance. Whatever the decisions are regarding the site there is a requirement that Ravenswood is protected as per the guidance. There is extensive backlog maintenance required to bring the building back into full use, the extent and costs of this has not been assessed at this stage.
- (iii) The original main building was badly damaged in a fire a few years ago (circa 2002) but a successful restoration project was undertaken to get the building back into educational use. Backlog maintenance would have to be addressed if the building was brought back into use. This building was assessed by Historic England in 2013 for listed status but it did not meet the required criteria.

6.3 Declare the whole site surplus – all areas of the site could be released for housing but as the feedback confirms there are strongly held local views against this proposal. This would have a direct impact on the amount of capital receipt the Council could

receive if this land was available for redevelopment (subject to Secretary of State approval).

6.4 Take account of local views and develop a mixed use option for the site

- (i) area (A) i.e. the main school site, development for housing
- (ii) areas (B) and (C) the former playing field site could be considered for community asset transfer for continued sport use and open space. This is of particular interest to the residents in the area and plans for the management and development of the area are being considered. Football clubs in the area have expressed an interest and there are opportunities for obtaining grant funding. This area was previously designated as school playing fields and the only community use was through lettings agreed with the school, general community access was not endorsed.

7.0 RELEVANT RISKS

- 7.1 Continued security and running costs of the vacant site will put increasing pressure on departmental budgets, which are running currently at approximately £200,000 per annum.
- 7.2 Additional Secondary School places across Wirral will be required in the future; this risk has been analysed using national and local data and the overall capacity in Wirral Schools to 2020 is predicted to be 77% capacity in non-faith schools and 97% capacity in faith schools. This equates to 3,800 pupil places available across Wirral with the Birkenhead area having some of the highest surplus places.
- 7.3 Risks to the community due to safety of the external areas and will continue to attract anti-social behaviour.
- 7.4 Limitations to the modernisation and investment in Council Services and buildings are likely to occur if capital is not generated from the disposal of surplus assets and will increase the risk to the financial stability and other risks to the Council.

8.0 OTHER OPTIONS CONSIDERED

- 8.1 A number of other options for the site have been explored including the provision of a University Technical College (UTC), education administration building and other education facilities.

9.0 CONSULTATION

- 9.1 Full consultation has been undertaken in accordance with the guidance issued by the Department of Education for the protection of playing fields and public land. Details of the process are given in section 3.0 of this report.

10.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

- 10.1 The minutes from Cabinet on 7th November 2013 read:

The flowing sites be declared surplus to operational requirements and officers be instructed to dispose of them in accordance with S123 Local Government Act 1972:

- the former Rock Ferry High School

10.2 Approval be given via the strong leader model, to accept the purchase offers upon sale of the identified sites.

11.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

11.1 Local voluntary, community and faith groups were made aware of the consultation process for the Rock Ferry High School site.

12.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

12.1 A valuation report has been prepared to provide an opinion of market value by a qualified officer.

Area A which comprises the former High School buildings with associated playing fields which extends to approximately 4.65 Ha has an estimated value of £4.1m. Area B and C which comprise the former detached playing fields extends to 3.65 Ha has an estimated value of £3.5m. There is potentially £7.6m worth of Capital receipts available which could then be reinvested within the Borough. These figures are subject to demand at the time of marketing the site. There is an expectation that the first priority for re-investment of Capital receipts generated from the sale of school playing fields should be sports facilities or specific capital projects to improve or enhance facilities at schools.

12.2 The site is currently costing £200,000 to secure and meet running costs. Any release of part or the entire site will reduce or remove these costs.

12.3 There are no implications for IT and staffing.

12.4 Asset implications are dealt with within the main body of the report.

13.0 LEGAL IMPLICATIONS

13.1 The Council is required to fulfil its responsibilities under Section 77 of the School Standards and Frameworks Act 1998 to change the use of school playing fields. The Academies Act 2010 also requires Secretary of State consent to dispose of community school land in which a freehold or leasehold interest is held by the Local Authority.

14.0 EQUALITIES IMPLICATIONS

14.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) Yes and impact review is attached – <http://www.wirral.gov.uk/downloads/6342>

15.0 CARBON REDUCTION IMPLICATIONS

15.1 Proposals would reduce Carbon usage and will be taken into consideration when identifying key building for retention. Other environmental issues will be dealt with as per planning requirements.

16.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

16.1 The land containing the main school buildings in Area A is designated as part of the Primarily Residential Area on the Unitary Development Plan (UDP) Proposals Map. This part of the site also contains a Grade II listed building (known as Ravenswood). Residential development in this part of the site is acceptable in principle subject to UDP Policy HS4 and Policies WM8 & WM9 in the Waste Local Plan. Special regard must also be given to the long term use and setting of the listed building under UDP Policies CH01 and CH1. Development Management Policies in the emerging Core Strategy Local Plan will also be a material consideration. The remainder of Area A forms part of the school playing field and is subject to the same policies as Areas Band C.

16.2 The remainder of the site Area B and C are designated a School Playing Field on the UDP Proposals Map and National Planning Framework, paragraph 74 would be relevant in the assessment of future development on this part of the site. Playing fields should not be built on unless clearly surplus to requirements, unless they can be replaced with better or equivalent provision in another suitable location.

16.3 Analysis of this site in context with existing open space elsewhere in the immediate area indicates that this could be addressed through the provision of on-site public open space including, children's play facilities to meet the standards in UDP Policy GRE1 and Policies CS31 and CS32 in the emerging Core Strategy.

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

16.5 Proposals would be required to demonstrate that there would be no detrimental change to the character of the area and address criteria for considering the protection to be given to existing natural features such as established trees in line with UDP Policies GR5, GR7, and Policy CS30 in the emerging Core Strategy Local Plan.

16.6 If the school playing fields in Areas B and C were to be made accessible to members of the public, there would be no requirement to provide green space on Area A under the terms of UDP Policy GR6.

16.7 All sites above 1.0ha or developments of more than 150 dwelling-houses must be screened for environmental impacts before a relevant planning application could be determined.

16.8 Any future proposals would be subject to further community consultation in accordance with the Council's adopted Statement of Community Involvement. Community safety implications will be considered as projects are agreed and drawn up.

17.0 RECOMMENDATION/S

It is recommended that:

- 17.1 Cabinet approves the submission of the application to the Secretary of State for Education for the disposal and change of use of the former Rock Ferry High School.
- 17.2 Approve the mixed use option for the site as outlined in 6.4
- 17.2 Approve officers to progress development proposals to site (area A) for residential development in accordance with local planning requirements
- 17.3 Work with the newly formed Rock Ferry Residents Association to bring forward proposals for the management of the site (areas B and C)

18.0 REASON/S FOR RECOMMENDATION/S

- 18.1 The recommendations will release Council assets which have the potential to realise Capital Receipts and to allow investment to retained assets. By producing an updated strategic Asset Management Plan following best practice this will provide the Council with a considered approach to the management of assets going forward.
- 18.2 The recommendations allow the Council to fulfil its responsibilities under Section 77 of the School Standards and Frameworks Act 1998 to change the use of playing fields. Additionally the Academies Act 2010 requires Secretary of State consent to dispose of community school land in which a freehold or leasehold interest is held by the Local Authority.
- 18.3 As part of the Council's five year plan, the proposals in this report support the following pledges contained in the plan:
- Good quality housing that meets the needs of residents
 - A safer and better environment resulting from the redevelopment of a significant vacant site
 - The Council making better use of assets

REPORT AUTHOR: **Jeannette Royle**
Senior Manager, Asset Management
telephone: (0151) 606 2644
email: jeannetteroyle@wirral.gov.uk

APPENDICES

- Appendix 1 On Line Consultation Survey (Summary)
- Appendix 2 Notes from Residents Meetings

BACKGROUND PAPERS/REFERENCE MATERIAL

BRIEFING NOTES HISTORY

Briefing Note	Date

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	7 November 2013