

JULY 2023

Report Title:	APPROVAL TO CONSULT ON THE APPROPRIATION OF PUBLIC OPEN SPACE AT PART OF WALLACRE PLAYING FIELDS FOR EDUCATIONAL USE
Report of:	ASSISTANT DIRECTOR, ASSET MANAGEMENT

REPORT SUMMARY

The school rebuilding programme funded by the Department for Education carries out major rebuilding and refurbishment projects at schools and sixth form college buildings across England, with buildings prioritised according to their condition. Mosslands School, Wallasey has been approved for a complete rebuild within the programme.

The school currently utilises part of the adjacent open space land known as Wallacre Playing Fields for its sports provision, it is a proportion of this land which is considered as being required for educational use. Before it can be appropriated for such use, consultation is required under section 122 of the Local Government Act 1972.

The decision supports the delivery of the Wirral Plan by providing Brighter Futures: working together for brighter futures for our children, young people, and their families by breaking the cycle of poor outcomes for all regardless of their background.

This decision affects the Wallasey Ward and is not a Key Decision.

RECOMMENDATION

The Director of Regeneration and Place is recommended to:

- (1) Approve the commencement of consultation to appropriate land shown edged red on the annexed plan ("the Site ") which is currently designated as Public Open Space to Educational Use as shown in Appendix 1
- (2) If no objections are received following the advertisement requirements of section 122 of the Local Government Act 1972 the Site be appropriated for Educational use
- (3) If objections are received then those objections to be considered by the Assistant Director, Asset Management in consultation with the Chair of the Economy, Regeneration and Housing Committee.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

The current site of the school presents significant challenges in building a new educational facility whilst maintaining curriculum continuity. Design opportunities of the school building and associated external sports facilities would be missed if a wider boundary was not taken into consideration for the school. The existing school does not have sufficient dedicated playing facilities and already makes use of part of the adjacent fields for grass sports. Enlarging the school boundary to incorporate the Site would provide the opportunity to meet educational needs and ensure appropriate site security for pupils undertaking recreational activities. The proposed school boundary is shown edged red in Appendix 3. It is considered that the educational needs outweigh the requirement for open space and that notably, community use will still be available on the remaining Wallacre playing fields.

2.0 OTHER OPTIONS CONSIDERED

2.1 If appropriation is not effected then the educational needs may not be met in the most efficient way possible. Any new build would focus solely on the existing red line boundary shown edged red in Appendix 2. Early options show that there would be significant practical difficulties in building a new school within the current boundary, lost design opportunities to deliver the best educational outcome and to enhance sports facilities across the whole site for the wider community. Any build project would be taking place on an existing school site delivering a full curriculum and this would increase cost and programme timescales.

3.0 BACKGROUND INFORMATION

- 3.1 The school rebuilding programme carries out major rebuilding and refurbishment projects at schools and sixth form college buildings across England with buildings prioritised according to their condition. Bids were submitted for four Wirral schools to be included in this programme. Riverside Primary and Mosslands School are included in the programme.
- 3.2 It was initially envisaged that Mosslands School was to receive funding for limited block replacement. However, following detailed site investigations and technical assessment it has been confirmed that the whole school building will be replaced as the existing configuration is not fit for purpose.
- 3.3 Initial options appraisals looked at redeveloping the Mosslands School on the existing site but it was acknowledged that this presented challenges to the project. Design options have come forward which could both significantly enhance the design of the school and also sport facilities across the wider site. The emerging options also provide significant benefits for pupils and staff due to curriculum continuity, ease of construction phasing and delivery timescale of the project.
- 3.4 The Department for Education is in support of exploring the most effective design to meet the educational needs of pupils at Mosslands and the wider community use of the facilities. All designs will of course be subject to the planning process and statutory consultations.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no significant financial implications arising as a result of this request to consult on appropriation.
- 4.2 The land is held for amenity purposes and therefore has no significant commercial value.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council has the power to change the use of public open space land and appropriate it for other uses but may only exercise this power after advertising as required under section 122 of the Local Government Act 1972 and due consideration of any objections received. The proposed designated use would be for Education use.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no direct staffing and ICT implications arising from this report.
- 6.2 The current designation of the Wallacre Playing Field within Wirral Council's Unitary Development Plan is classified as Urban Green Space (ref: GR2/102). Within the emerging Local Plan the area is proposed as Local Green Space (LGS-SA1.10) until the Local Plan is approved the UDP classification will apply.

7.0 RELEVANT RISKS

- 7.1 That a new school cannot be built successfully without significant disruption to staff and pupils and educational needs will be not be met.
- 7.2 Further discussions would need to be held with the Department of Education on other options available to progress a less efficient and effective project, which would lead to significant delays in the delivery of the project.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Public Consultation is required by way of a published notice on two consecutive weeks in the local press.
- 8.2 Planning Consent Application would be required following the conclusion of the consultation.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2 An Equality Impact Assessment has been completed for this report and can be found here: <https://wirralcouncil.sharepoint.com/sites/governance/SitePages/Equality-Impact-Assessment.aspx>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct implications for environment and climate as a result of the request to consult on the appropriation of land.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no direct implications for Community Wealth as a result of the request to consult on the appropriation of land.

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APPENDICES

1. Plan of the Site for appropriation
2. Plan of the existing school boundary
3. Plan of the proposed school boundary to include the Site

BACKGROUND PAPERS

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
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