



Coventry City Council

# 4.1.3

## Public report

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**Report to**

Cabinet

31<sup>st</sup> October 2006

**Report of**

Director of Children, Learning and Young People, Director of City Development and Director of Finance and ICT

**Title**

Lease Terms for New Academy to Replace Woodway Park School

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### 1 Purpose of the Report

- 1.1 The report seeks approval to the Heads of Terms for the lease of the Woodway Park School site for the establishment of an Academy.

### 2 Recommendations

- 2.1 Cabinet is recommended to approve the following:-

2.1.1 The transfer of the site for a term of 125 years to the Academy

2.1.2 Agree to a contribution of £180,000 towards the build cost of the extended school facilities to be funded from the Childrens Services Capital Programme

2.1.3 Note that the existing Surestart nursery provision on the site will cease when the new school is completed and that officers will explore alternative provision in the area and retain a site within the school site for a new nursery.

2.1.4 Authorise the marketing of the nursery site opportunity.

2.1.5 Delegate to the Head of Property Management and the Director of Children Learning & Young People in consultation with the Cabinet Member (Children, Learning and Young People) any subsequent variation to these lease terms.

### 3 Information/Background

3.1 Cabinet approved the proposal to replace the current Woodway Park School with a new seven form of entry Academy on the 7<sup>th</sup> March 2006. The sponsor of the Academy is Mr R Edmiston of the IM Group. The report indicated that the terms of the lease to the Academy would be reported to Cabinet for approval.

3.2 The approval is subject to the Academy operating the same admissions policy as other community secondary schools in the City and having the same catchment area as the existing Woodway Park school.

- 3.3 The existing Woodway Park School is currently 5 form of entry and includes a 21place Sure Start Nursery that operates from a surplus classroom within the existing school.
- 3.4 Academies are classified as independent schools and are funded by the DFES. The sponsor (Mr R Edmiston) contributes £2m towards the capital cost of the rebuilding of the school with the remainder funded by the government. Under the Academy programme, the DFES/Sponsor will only fund the direct replacement of the school, within certain specified parameters. Any additional facilities remain the responsibility of the Council and will have to be funded by the City Council. This contradicts other Government policy initiatives, which encourage the establishment of Extended Schools with long opening hours providing a range of facilities including childcare.
- 3.5 The City Council and the Governors of Woodway Park School have been operating it as one of the City's Full Service Extended Schools, providing a range of additional facilities including childcare, which is one of the Core Services required to be delivered either on or near to the school. During the consultation on the establishment of the Academy, the City Council undertook to ensure the new academy would continue to be an Extended School.
- 3.6 The running cost and maintenance of the school would be the responsibility of Grace Academy and not the City Council and this would be reflected in the lease on a Full Repairing & Insuring Basis.
- 3.7 Coventry Core of Drums, a private organisation currently occupy surplus space in the school for storage of musical equipment and use the school playgrounds for parade purposes, however under the terms of the transfer to Grace Academy, their occupation on the site will need to be brought to an end by Summer 2007 as the property they currently occupy needs to be demolished for an access road, which will serve the construction site of the new school. The Governors of the school will need to bring this arrangement to an end and the Council are in the process of seeking to identify suitable alternative accommodation in other schools. If no alternative accommodation can be identified then the Coventry Core of Drums will need to make their own arrangements for accommodation.
- 3.8 Grace Academy has submitted an outline planning application (ref 53407) for the redevelopment of the school site and erection of the new school. This is currently being determined and a decision is expected in November. The site of the nursery has been incorporated into the application and this will confirm in principle its location.
- 3.9 A reserved matters planning application will have to be submitted regarding the detailed design of the school at a later date. A date for the submission of this application has yet to be discussed and is dependent on the Outline Application being approved.

#### **4 Proposal and Other Option(s) to be Considered**

##### **4.1 Lease Issues**

- 4.1.1 Officers of the City Council have been in negotiation with representatives of the Academy concerning the Lease of the site. The following main terms have been provisionally agreed.
- 4.1.2 The Academy will enter a building agreement to construct the new school on the existing school site. The Building Agreement will be conditional on the grant of planning permission and the completion of a funding agreement between the Academy and the DFES that the Council are satisfied with. During the construction of the new school the existing Woodway School buildings will continue in use as a school. Upon completion of the new school the existing school buildings will be demolished

4.1.3 Upon completion of the new School, which is expected in September 2009, the City Council will then formally grant a 125 year lease for the whole of the Woodway Park site on the terms set out below.

Tenant Grace Academy

Term 125 years

Rent A peppercorn (to be formally demanded or not)

Repair To be responsible for the full repair, maintenance & Insurance of the site.

Use To be used for educational purposes

Nursery Site A site of approximately 1 acre for the construction of a nursery will be reserved from the site to be leased (see para below)

Extended School suite : The extended school suite will be subject to a lease back to the City Council (see para below)

## 4.2 Extended School Facilities

4.2.1 To deliver its commitment to maintain the Academy as an Extended School, the City Council has had extensive discussions with the Academy project team to identify what facilities over and above direct school provision are to be funded by the Academy programme and need to be incorporated into the scheme. Wherever possible extended services will be provided by joint uses of the main school buildings. However two specific additional elements have been identified

4.2.2 Office, consultation and meeting space in the main school building will be required. The City Council will contribute £180,000 for the construction of this accommodation, which will be designed into the main school building. The area will be approximately 70sqm and will accommodate the Multi Agency teams employed by the City Council, whose aim is to provide specialist support during and beyond the school day to assist the needs of pupils, their families and the wider community. The City Council will have exclusive occupation of this area throughout the term and holidays. The City Council is currently in negotiations with the Academy regarding the terms of the Underlease.

4.3 The second additional element is the full day care nursery facility. The redevelopment of the existing school will lead to the closure of the existing 21 place Surestart nursery provision that is currently accommodated in a surplus classroom in the School when the new school is completed. The Early Years and Childcare Service secured capital funding of £ 200,000 for this provision of which £114,000 was related to building works in 2004. Under the terms of the Surestart funding agreement there is a clawback provision in favour of the DFES should the Local Authority fail to continue to deliver childcare for a period of 25 years. However, officers will explore opportunities to relocate the nursery in the area while the development of the new academy is underway.

4.3.1 In the longer term, an area of approximately one acre fronting onto Wigston Road has been excluded from the Academy lease for a new nursery provision. The City Council will seek to secure a new nursery on the site either through a partnership with a private sector operator or until funds can be provided for a replacement service and authority is sought to market this opportunity. The area that has been reserved is adequate to ensure that a 40–60 place nursery will be able to be constructed on site including all ancillary areas such as parking, secure play space etc. The new nursery site will not be available for development until the existing school has been demolished and therefore it will not be possible to secure continuous nursery provision on the site if a partner or other funds are not identified.

4.3.2 Officers will explore opportunities to decant the nursery facility to other facilities in the area until a new nursery can be provided.

## 5 Other specific implications

### 5.1

	Implications (See below)	No Implications
Best Value		
Children and Young People	✓	
Comparable Benchmark Data		
Corporate Parenting		
Coventry Community Plan		
Crime and Disorder		
Equal Opportunities		
Finance	✓	
Health and Safety	✓	
Human Resources		
Human Rights Act		
Impact on Partner Organisations		
Information and Communications Technology		
Legal Implications	✓	
Neighbourhood Management		
Property Implications	✓	
Race Equality Scheme		
Risk Management		
Sustainable Development		
Trade Union Consultation		
Voluntary Sector – The Coventry Compact		

### 5.2 Children & Young People

The Grace Academy will extend the range of choice of provision for pupils in line with Government policy. It will have the same catchment area as the existing schools and follow agreed Local Authority admission procedures. The school will still remain within the family of secondary schools and support the work of the North East Federation. The new building will offer pupils up to date facilities replacing the existing outdated provision and offer a wider range of teaching and learning opportunities. Provision for extended activities will be maintained in partnership with the Local Authority. The early years provision will be replaced when resources allow, there may be a gap in onsite provision whilst the new build takes place.

### 5.3 Finance Implications

5.3.1 The additional capital costs for the extended school facilities outlined above is £180,000. This will need to be paid to the Academy in due course and will be funded from within the total Children, Learning and Young People's Capital Programme.

5.3.2 There is potential for clawback of Surestart capital expended in 2004 on the nursery provision at the school. Officers are seeking to mitigate this risk by identifying temporary and permanent alternative provision in the area and subsequently permanent provision on the Academy site.

5.4 Health & Safety

5.4.1 The Academy's contractor will be responsible for ensuring the new school is constructed safely whilst the existing school remains in use.

5.5 Legal Implications

5.5.1 In main body of report

5.6 Property Implications

5.6.1 In main body of report

5.7 Risk Management

5.6.1 There will be no guarantees that the City Council will be able to attract a private sector operator to construct a new nursery or that a new nursery will cater for the existing client group and hence the risk of clawback that officers are seeking to mitigate.

**6 Monitoring**

6.1 Officers will continue to monitor the on-going development of the Academy.

**7 Timescale and expected outcomes**

7.1 The new academy is currently programmed for completion by September 2009

	Yes	No
<b>Key Decision</b>		✓
<b>Scrutiny Consideration (if yes, which Scrutiny meeting and date)</b>		✓
<b>Council Consideration (if yes, date of Council meeting)</b>		✓

List of background papers

Proper officer: Head of Property Management

Author: Telephone  
Nigel Clews , Head of Property Management, Property Management (Ext.2704)  
(Any enquiries should be directed to the above)

Other contributors:  
Chris West, Head of Finance & ICT (Ext.3710)  
James Grant, Valuation Surveyor, City Development (Ext.3674)  
Julie Sprayson, Principal Legal Executive, Legal & Democratic Services (Ext.3106)  
Chris Wainwright, Partnership Officer, Children, Learning & Young Peoples Directorate (Ext 3615)  
Gill Carter, Senior Solicitor, Legal & Democratic Services (Ext 3116)  
Peter Robinson, Major Projects, City Development (Ext.1791)  
Andy Walmsley, Excellence in Cities Co-ordinator (Ext.1180)  
Carole Pullin, Head of Strategic Planning, Children, Learning & Young Peoples Directorate, (Ext.1530)  
Jos Parry, Head of Strategy, Children, Learning & Young Peoples Directorate (Ext.1502)  
Barry Hastie, Finance Manager, Children, Learning & Young Peoples Directorate (Ext.1643)  
Lara Knight, Legal and Democratic Services (Ext. 3237)

Papers open to Public Inspection

**Description of paper**

**Location**

None