

Committee:	Lead Cabinet Member for Resources
Date:	18 June 2013
Title of Report:	Disposal of the former Tilling Green School site
By:	Chief Operating Officer
Purpose of Report:	To seek approval for the disposal of the former Tilling Green School site for the redevelopment of the site for community and residential purposes

RECOMMENDATIONS:

The Lead Member for Resources is recommended to:

- 1) Delegate authority to the Chief Operating Officer to take all necessary steps and actions in connection with applying to the Secretary of State for consent to dispose of the former Tilling Green School site in accordance with section 77 of the School Standards and Framework Act 1998 ('s77 consent'), and in accordance with schedule 1 of the Academies Act 2010 ('schedule 1 consent');**
- 2) Delegate authority to the Chief Operating Officer to dispose of the site for the purposes of community facilities as part of a wider development of the site, if s77 consent, and the schedule 1 consent is given by Secretary of State ; and**
- 3) Delegate authority to the Chief Operating Officer to approve the use of the sale proceeds from the disposal of school playing fields forming part of the site having regard to the criteria set out in 'Advice on the protection of School Playing Fields and Public Land' published by the Department for Education (November 2012).**

1. Financial Appraisal

1.1 A Community Interest Company (the Rye Partnership) provides community services from the building on the basis of a 3 year lease agreement running until 6th June 2014. The tenant maintains the property and meets all other property costs.

1.2 The disposal of this property upon the expiry of the current lease will yield a capital receipt which will contribute towards the Council's capital programme and will remove any liability for the future maintenance of this property. The future development will also provide Community Facilities.

1.3 If approval is given by the Secretary of State to the disposal of the playing field forming part of the former site of the Tilling Green School then the capital receipt will need to be used for such purposes.

2. Supporting information

2.1 The site consists of former school buildings and playing fields on a site that had historically been identified by the Environment Agency as being at risk of flooding. A plan of the site is attached at Appendix 1.

2.2 On the 28 March 2008 the Lead Member for Corporate Resources considered and approved a report to declare Tilling Green Infant and Freda Gardham Community School surplus to County Council requirements. The Council has subsequently explored option to develop these sites, however due to the risk of flood it was not possible to obtain the necessary planning consents to enable their disposal.

2.3 In 2010 it was identified that there was a need and opportunity to facilitate a local community centre in the Tilling Green area of Rye. Therefore the Council invited local community and social enterprise partners to bid a for a three year lease of the vacant school buildings and grounds whilst the Council continued to explore development options. Following a short competition a successful bid was received from the Rye Partnership and subsequently a three year lease was granted.

2.4 Since that date the Rye partnership has continued to provide a range of local voluntary services and activities and the community centre has become valued by the Tilling Green and wider Rye community. The continuation of such services by a community orientated organisation is considered a positive part of the site development.

2.5 The Council has continued to explore development options and has secured professional planning advice that indicates there is potential for a scheme of between 12 and 27 social and private sale homes, plus the re-provision of a new community facility. The site is located in area of social housing and it is therefore anticipated that subsequent development proposals will reflect the residential context of the local area.

2.6 Furthermore, advice received from the Environment Agency in January 2013, concluded that residential development of the Tilling Green site could be appropriate, subject to the adoption of a Flood Risk mitigations scheme detailing how the risk of surface water flooding will be resolved and how surface water drainage away from site will be achieved.

2.7 It is proposed that the property be disposed of by a tender process. The land will be publicly advertised and contractors interested in the development of the site will be required to submit a joint proposal with a community organisation to demonstrate the preservation of a community facility alongside the residential development. Bids received will be required to include details of development proposal including the retention of community facilities on the site.

2.8 After completion of this initial phase, the Council will negotiate more detailed terms with one or more of the preferred bidders.

2.9 The Council will engage with local voluntary support organisations to ensure the appropriate guidance is supplied to community groups wanting to work with interested contractors. The sustainability of the community facility must be assessed on the basis of a robust business plan and financial profile.

2.10 The disposal of the site will be subject to the consent of the Secretary of State for Education in accordance with Section 77 of the School Standards and Framework Act 1998 and Schedule 1 to the Academies Act 2010. The Secretary of State has published criteria in 'Advice on the protection of School Playing Fields and Public Land' (November 2012) against which applications to dispose of schools and school playing fields will be considered. This criteria includes in respect of the disposal of school playing fields, the Secretary's expectations as to the intended use of any expected sale proceeds, and requirements as to carrying out consultations on proposals.

2.11 In seeking such approval, the County Council needs to satisfy the Secretary of State as to the use of the sale proceeds from the playing field.

2.12 Upon closure of Tilling Green School, the new school provision was provided in a new fit for purpose facility neighbouring Rye Community College (an Academy) enabling the use of a MUGA and playing fields not previously available to other primary school children.

2.13 Consultation with the community and Rother District Council will be essential in mitigating concerns around the development of the site. The local member has been consulted and is supportive of these proposals.

3. Conclusion and Reason for Recommendations

3.1 The disposal and subsequent redevelopment of the site will provide an opportunity to provide homes a dedicated facility for the community and for the Council to realise a capital receipt, whilst disposing of the former school site. It is therefore recommended that the Lead Member approve the disposal of this site for redevelopment for community and residential purposes. Although, if the disposal of the school playing fields is approved by the Secretary of State, any sale proceeds from the school playing fields may be subject to restrictions laid down by the Secretary of State.

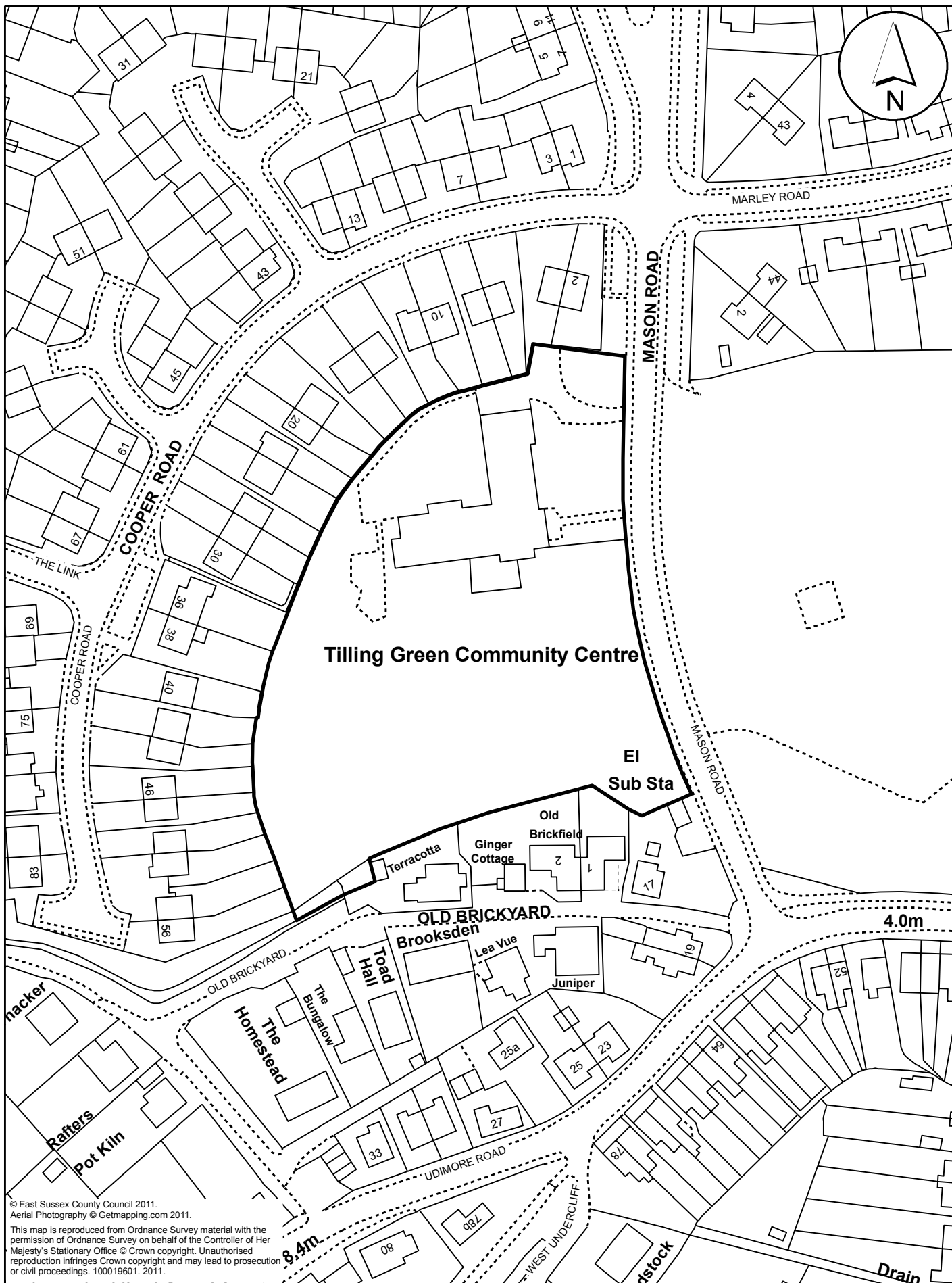
KEVIN FOSTER
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Local Members: Councillor Glazier

Background Documents: None



Map Title: Former Tilling Green School, Rye		East Sussex County Council County Hall St Annes Crescent Lewes	
Date: 20 May 2013	Map No: 1		
Scale: 1:1,250	Author: DT/RP		