



LEAD MEMBER FOR RESOURCES

DECISIONS to be made by the Lead Member for Resources,
Councillor Nick Bennett

WEDNESDAY, 3 FEBRUARY 2021 AT 10.30 AM

COMMITTEE ROOM, COUNTY HALL, LEWES

++Please note, the Lead Member will not be present in person, but will be taking the decisions remotely++

AGENDA

- 1 Decisions made by the Lead Cabinet Member on 26 January 2021 (*Pages 3 - 4*)
- 2 Disclosure of Interests
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct
- 3 Urgent items
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
- 4 Summerdown School - 125 year Free School Lease to the Southfield Trust (*Pages 5 - 8*)
Report by the Chief Operating Officer
- 5 Any urgent items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
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26 January 2021

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NOTE: *As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website and is accessible at:*
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LEAD MEMBER FOR RESOURCES

DECISIONS made by the Lead Member for Resources, Councillor Nick Bennett, on 26 January 2021 at County Hall, Lewes

Councillor Matthew Beaver spoke on items 5 and 8 (see minutes 19 and 21)

Councillor Godfrey Daniel spoke on items 4, 5 and 8 (see minutes 18, 19 and 21)

16 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 20 OCTOBER 2020

16.1 The Lead Member approved as a correct record the minutes of the meeting held on 20 October 2020.

17 REPORTS

17.1 Reports referred to in the minutes below are contained in the minute book.

18 FREE SCHOOL LEASE - ROPEMAKER ACADEMY, HAILSHAM

18.1 The Lead Member considered a report by the Chief Operating Officer.

DECISIONS

18.2 The Lead Member RESOLVED to (1) authorise the Chief Operating Officer to agree and enter into a Department for Education standard 125-year Free School Lease for premises at Reef Way, Hailsham known as The Ropemakers' Academy, Hailsham; and

(2) authorise Property Services to agree terms in line with the standard Department for Education 125-year Free School Lease at a peppercorn rent.

Reasons

18.3 The newly created school will become a free school, as outlined in the Education Act 2011 and the Education and Inspection Act 2006.

19 LAND AT FORMER ST LEONARDS ACADEMY, DARWELL CLOSE, HASTINGS

19.1 The Lead Member considered a report by the Chief Operating Officer, together with exempt information contained in a later agenda item.

DECISIONS

19.2 The Lead Member RESOLVED to (1) agree to the disposal of the site following the marketing of the site and an analysis of the offers contained in the exempt report at a later agenda item; and

(2) delegate authority to the Chief Operating Officer to secure best value in accordance with s123 of the Local Government Act 1972.

Reasons

19.3 Competitive formal marketing through an experienced property agent has been undertaken. Four robust formal offers were received and have been analysed.

20 EXCLUSION OF PUBLIC AND PRESS

20.1 It was RESOLVED to exclude the public and press for the remaining agenda items on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraph 3 of Part 1 of the Local Government Act 1972 (as amended), namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

21 LAND AT FORMER ST LEONARDS ACADEMY, DARWELL CLOSE, HASTINGS - EXEMPT INFORMATION

21.1 The Lead Member considered a report by the Chief Operating Officer.

DECISIONS

21.2 The Lead Member RESOLVED to note the information.

Reasons

21.3 The report contained exempt information in support of an earlier agenda item.

Report to: Lead Member for Resources

Date of meeting: 3 February 2021

By: Chief Operating Officer

Title: Summerdown School 125-year Free School Lease to The Southfield Trust

Purpose: To authorise ESCC to enter a 125-year Free School Lease for premises known as Summerdown School, Eastbourne

RECOMMENDATIONS

It is recommended for the Lead Member for Resources to:

- 1) authorise the Chief Operating Officer to agree and enter into a Department for Education standard 125-year Free School Lease for premises adjacent to Cross Levels Way, Eastbourne known as Summerdown School; and**
 - 2) authorise Property Services to agree terms in line with the standard Department for Education 125-year Free School Lease at a peppercorn rent.**
-

1 Background

- 1.1 East Sussex County Council (ESCC) holds the freehold for land at Cross Levels Way. A Deed of Release from the Joint Use (sports field facilities) Agreement dated 1 April 2000 was agreed with the Joint Use partners to facilitate a new special Free School. The school will be constructed by the ESFA (Education & Skills Funding Agency) in partnership with ESCC and The Southfield Trust. The construction project will be led, majority funded, managed, and delivered by the ESFA. The ESFA requires the lease to be granted to The Southfield Trust in advance of commencement of construction. Planning permission has been granted by Eastbourne Borough Council (Ref 190812) referred to as Land adjacent to Broadwater Way, Eastbourne.
- 1.2 As a local authority, ESCC has a statutory duty to ensure there are sufficient school places to meet demand. In response to an increasing demand for special school places, ESCC supported The Southfield Trust to establish a new Free School in the Eastbourne area. The school will support ESCC's Special Educational Needs and Disability (SEND) strategy to increase provision for pupils with SEND and Education, Health and Care Plans. The school will accommodate 84 pupils aged 5-16 with autism and speech, language and communication needs, and 51 pupils with profound and multiple learning disabilities (PMLD), including 6 places for nursery age children.
- 1.3 ESCC has contributed part of the capital funding for the construction of the PMLD element of the new build school as part of the Schools Capital Programme 2020-2021. The school will be established by The Southfield Trust. The planned opening date for the completed school is 1 September 2022.
- 1.4 The newly created school will become a Free School, as outlined in the Education Act 2011 and section 6A Education and Inspection Act 2006. All new schools since February 2012 will be opened as a Free School based on this legislation. The Council will therefore be required to grant a standard Department for Education 125-year Free School lease at peppercorn rent. The land to subject to the lease is shown hatched black on the plan attached at Appendix 1.

2 Supporting information

- 2.1 Under the Academies Act 2010 (as amended), there is provision for existing maintained schools to transfer to Academy status. There has been a long-standing authority granted on 16 November 2010 by the Lead Member for Learning and School Effectiveness. The delegated authority allows for the transfer of schools to Academy Trusts using these delegations.
- 2.2 However, this delegated authority does not cover Free Schools and the associated grant of a long 125-year Free School lease. A standard 125-year Free School lease issued by DfE is slightly different to that for an existing school converting under an Academy conversion process. Therefore, Lead Member approval is requested for this Free School lease to The Southfield Trust.
- 2.3 It is intended to review the Scheme of Delegations for property transactions to include Free School 125-year leases going forward.

3. Conclusion and reasons for recommendations

- 3.1 Summerdown School will be constructed by the ESFA and will be operated as a Free School by The Southfield Trust.
- 3.2 It is recommended for the Lead Member for Resources to authorise the Chief Operating Officer to agree and enter into a DfE standard 125-year Free School lease at a peppercorn rent to The Southfield Trust for the premises to be known as Summerdown School.

Phil Hall
Chief Operating Officer

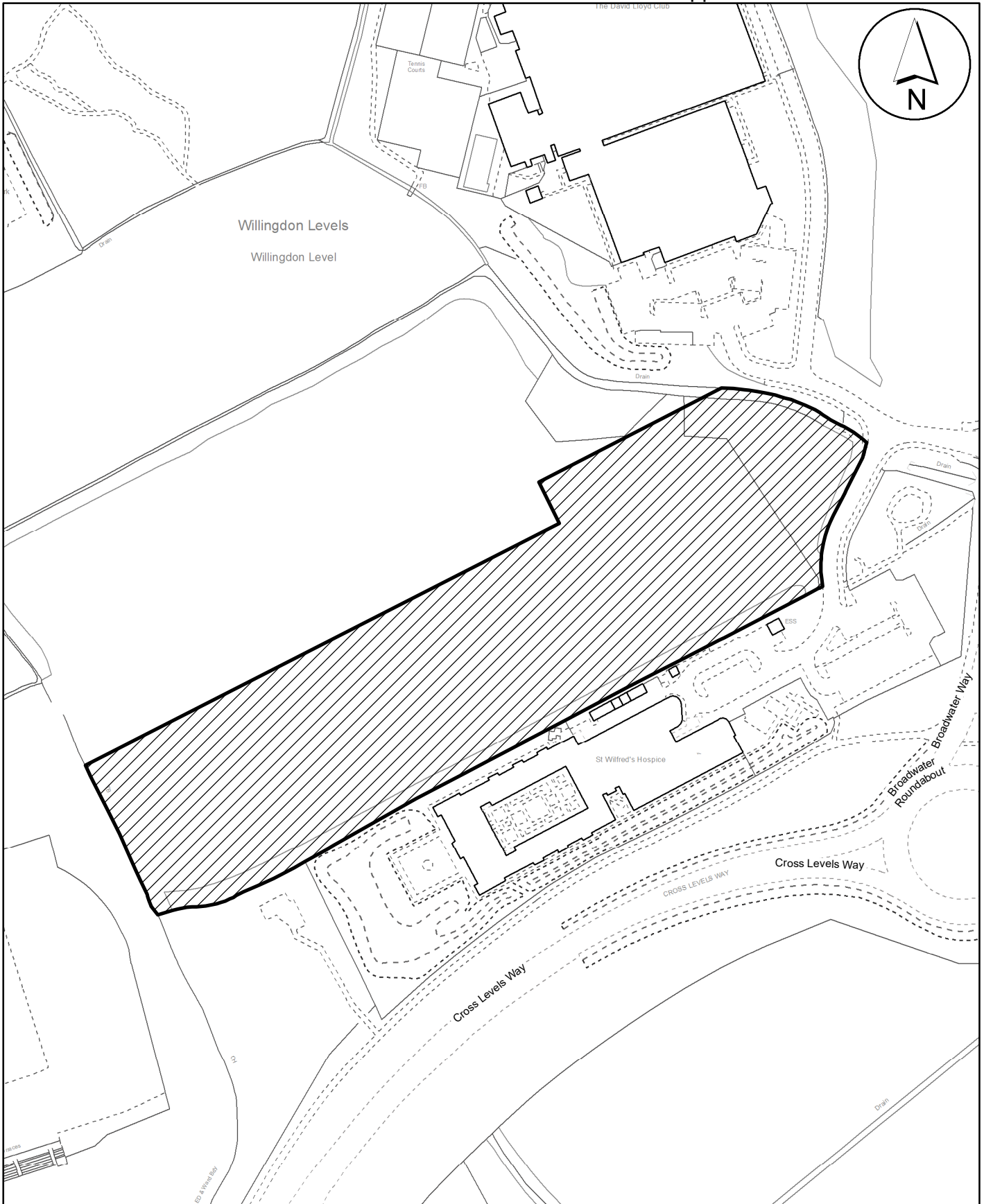
Contact Officer: Pauline Young, Senior Estates Surveyor
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LOCAL MEMBERS

Councillor Colin Swansborough

BACKGROUND DOCUMENTS

None.



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Summerdown School

Scale: 1:2,000

Author: PY/RP

Date: 22/01/2021



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