

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	OAKLANDS PRE-SCHOOL
<b>DATE OF DECISION:</b>	16 APRIL 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES AND LEARNING
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

### **BRIEF SUMMARY**

Under the terms of the existing Short Term Lease, the Oasis Academy: Lord's Hill will vacate the Oaklands site upon the completion of its new buildings (currently scheduled for September 2012). Although the long-term future of the site remains to be fully determined, there is a need to put measures in place to ensure that the onsite pre-school can be adequately housed in the short-term. This report therefore seeks approval for the leasing of the pre-school element of the building to the existing provider, to take effect from the date of facilities transfer.

### **RECOMMENDATIONS:**

- (i) Subject to obtaining consent from the Secretary of State to dispose of the relevant area (as identified in Appendix 1), to delegate authority to the Executive Director of Children's Services & Learning, following consultation with the Heads of Legal, HR and Democratic Services, Property and Procurement and Finance, and the Cabinet Member for Children's Services & Learning, to approve the details and completion of the letting of the pre-school facilities on the Oaklands site to Oasis Community Learning at the appropriate time, following the vacation of the former Oaklands Community School site by Oasis Community Learning. A 2-year lease will be offered, which will be reviewable after 1 year.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. Under the terms of the existing Short Term Lease, the Oasis Academy: Lord's Hill will vacate the Oaklands site upon completion of its new buildings (currently scheduled for September 2012). This will serve as a trigger for the Short Term Lease being terminated and, as such, for the Oaklands site being handed back over to the Authority. On this basis, it is now necessary to put in place arrangement for the operation of the onsite pre-school (who would otherwise be left without rights to occupy their element of the building from September 2012). Although the Council is exploring options in relation to the long-term use of the Oaklands site, the arrangements for this facility to operate in the short-term are yet to be established.
2. This report, therefore, seeks to secure agreement for a short term lease solution relating to the facilities in question, with a view to having this in place in time for the handover of the site in September 2012.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. As there is currently a pressure on early years places throughout the city, it has been determined that the pre-school provision currently located at the Oaklands site should be maintained. The option of disbanding this provision has thus been discounted. As maintaining this pre-school in its current location represents the most cost-effective option available (as this space would otherwise be vacant) and even serves to offset some of the maintenance liabilities that would otherwise fall to SCC; it has been determined that the offer of a lease to the pre-school in their current location represents the most practical means of maintaining provision in a sustainable fashion (as opposed to relocating them elsewhere).

### **DETAIL (Including consultation carried out)**

4. In consultation between CSL's Strategy & Capital Programme Team and the Early Years Service, it was determined that there was a need to maintain provision for early years within the vicinity of the Oaklands site. On this basis (and for the reasons set out above), it was agreed that negotiations with the existing service provider (Oasis Community Learning) should be entered into, with the purpose of securing the provider's position as occupier of the existing facilities after the termination of the Short Term Lease (under which they currently occupy the facilities) in September 2012.
5. Bearing in mind the fact that the long term future of the Oaklands site is yet to be determined, the negotiations with the service provider have resulted in an agreement that the most rational way forward is to progress on the basis of an offer of a 2-year lease of the existing facilities, which is reviewable after 1 year. Such an arrangement would provide sufficient security for the pre-school, whilst enabling suitable flexibility in terms of the lease being able to adapt to any timescales for necessary vacation of the premises that may emerge from the options appraisal pertaining to the future of the site itself.
6. The proposed lease plan of the pre-school facilities to be let to Oasis Community Learning is attached to this document as Appendix 1. The delegation of authority to complete this letting will be subject to the Secretary of State granting Schedule 35A Consent (Education Act 1996) to dispose of the area set-out in this plan. Should the recommendation of this report be agreed, an application to obtain this consent will be made shortly thereafter, under officer delegated powers.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

7. In order to ensure the viability of this pre-school provision for the term of the lease, it is proposed that it be offered at nil rent (which would represent a replication of the terms under which they presently occupy the premises). This will be a full repairing and insuring lease, meaning that the letting of this facility will be at no ongoing cost to the Council.

## Property/Other

8. The power for the Council to grant the lease is Section 123 of the Local Government Act 1972. The General Disposal Consent (England) 2003 allows Local Authorities to dispose of land at less than best consideration where the authority considers it will contribute to the economic, social, or environmental well-being of an area and the undervalue is less than £2 million. The Director of Children Services & Learning supports the disposal at less than Best Consideration because it will contribute to such well-being for the reasons set out above and the proposals are supported by and in accordance with the Community Strategy.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

9. As set out in paragraphs 6 and 9 of this report.

### **Other Legal Implications:**

10. N/A

## **POLICY FRAMEWORK IMPLICATIONS**

11. The continued operation of the pre-school at Oaklands will contribute to the outcomes of the Children and Young People's Plan, by serving to retain early years places in accord with demand.

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**KEY DECISION?** Yes/No Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Redbridge and Coxford
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### **SUPPORTING DOCUMENTATION**

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

#### **Appendices**

1.	Proposed Pre-school Lease Plan
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#### **Documents In Members' Rooms**

1.	None
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#### **Integrated Impact Assessment**

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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#### **Other Background Documents**

**Integrated Impact Assessment and Other Background documents available for inspection at:**

Title of Background Paper(s) Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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