

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	OAKLANDS SCHOOL CHANGE OF USE CONSENT
<b>DATE OF DECISION:</b>	16 OCTOBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES
<b>STATEMENT OF CONFIDENTIALITY:</b>	
None.	

### **BRIEF SUMMARY:**

Under the terms of the Short Term Lease, the Oasis Academy: Lord's Hill vacated the old Oaklands Community School site after completion of its new buildings. As the Council has determined that it intends to redevelop this site in the medium-term, this paper seeks Cabinet's consent to make a formal disposal application to the Department for Education (DfE).

This report also seeks approval for the transfer of the Children's Services land at Oaklands site to the Resources portfolio, on the basis that the future development of the site will be corporately determined.

### **RECOMMENDATIONS:**

- (i) To delegate authority to the Director of Children's Services and Learning to apply to the Department for Education for consent to dispose of the Oaklands site as no longer required for Educational purposes. Such an application would apply to all areas within the red line boundary, as marked on Appendix 1.
- (ii) To delegate authority to the Director of Children's Services and Learning to notify the Department for Education of the disposal of the hard play and outdoor social areas at the Oaklands site, under a General Consent granted to the Council in accordance with Section 77 of the School Standards and Framework Act 1998. Such an application would apply to the following areas marked on Appendix 2:
  - Play Ground 1 – 2,281m<sup>2</sup>
  - Play Ground 2 – 2,870m<sup>2</sup>
  - Social Area – 2,647m<sup>2</sup>
- (iii) Subject to obtaining consent from the Department for Education, to approve the transfer of 33,680m<sup>2</sup> of land at the Oaklands site from the Children's Services portfolio to the Resources portfolio, the land to be transferred is shown in Appendix 3.

### **REASONS FOR REPORT RECOMMENDATIONS:**

1. Once the school has become surplus and before the school can be considered for alternative uses, consent is required from the DfE to remove the school from Education use.
2. As the future development of the Oaklands site is to be a corporate decision and is unlikely to involve an educational use, it makes sense to transfer this land out of the Children's Services portfolio and into the central Resources portfolio.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

3. Retaining the school for education use has been considered, although there is no identified need in this respect, largely due to the fact that a new building has been developed for the Oasis Academy: Lord's Hill, in close proximity to the Oaklands site.

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

4. The Oaklands site was returned to the management of the Council on 21 September 2012, as a function of the Oasis Academy: Lord's Hill occupying their new premises on the Lordshill Recreation Ground site.
5. The future of the whole Oaklands site is currently under consideration. Whilst options are still being explored, the current intention is that the site should be redeveloped as part of a wider regeneration scheme for the area.
6. In order to progress such a proposal, it is essential that an application for disposal of the site be logged with and approved by the DfE. In advance of such approval being granted, the land remains designated for the purposes of education and cannot be redeveloped for alternative purposes. In addition, the Council would need to notify the DfE of its intention to dispose of the external social/play space on the site, under a General Consent in accordance with Section 77 of the School Standards and Frameworks Act 1998. This report seeks approval to proceed with making such an application and notification.
7. Options for future management of the site, following receipt of the necessary consent for change of use, have been considered. In view of the fact that the site is intended for non-educational redevelopment, it is considered sensible to transfer the site from the Children's Services to the Resources portfolio. This report seeks approval to undertake this transfer, subject to the above consent from the DfE being forthcoming.

### **RESOURCE IMPLICATIONS:**

#### **Capital/Revenue:**

8. The costs of making the application will be met from existing budgets within the Children's Services portfolio.

#### **Property/Other:**

9. At present, funds need to be identified for vacant management of the site.

### **LEGAL IMPLICATIONS:**

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

10. Section 1 of the Localism Act 2011 empowers the Council to do anything a private individual could do (the general power of competence) subject to pre and post commencement limitations, none of which are deemed to apply in this matter.
11. Consent to dispose of the school buildings will be required under the Education Act 1996 and Schedule 1 of the Academies Act 2010. Furthermore, the Council will have to notify the DfE of its intention to dispose of the external social/play areas under a General Consent afforded the Council by Section 77 of the School Standards and Framework Act 1998.

**Other Legal Implications:**

12. None.

**POLICY FRAMEWORK IMPLICATIONS:**

13. None.

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**KEY DECISION?** Yes

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

**Appendices:**

1.	Plan of Total Disposal Site
2.	Plan of Section 77 Disposal Areas
3.	Plan of Land for Internal Portfolio Transfer

**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)
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1.	None	
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