

DERBYSHIRE COUNTY COUNCIL
CABINET MEMBER MEETING FOR
COUNCIL SERVICES

5 October 2017

Report of the Strategic Director Corporate Resources

Grant of a Lease; Assignment of Leases and a Sub-lease in
Connection with the Conversion of the Ironville and Codnor
Primary School to Academy Status

1. Purpose of the Report

Approval is sought for the Council to the grant of a lease, the assignment of two leases and the taking of a sub-lease at Ironville and Codnor Primary School.

2. Information and Analysis

The Ironville and Codnor Primary School has applied to become an academy. The Council is required to facilitate this process by granting a lease of land owned by it and assign other leases held by the Council to an Academy Trust. The Council is to take a sub-lease granting it the right to continue to use part of the Children's Centre located within the School following conversion.

The site for the School is comprised of a small area owned by the Council (shown black on the plan); an area of land owned by The Vicar and Church Wardens of the Church (shown diagonally hatched right to left on the plan); an area of land owned by the Amber Valley District Council (shown spotted on the plan); and an area leased from the former Butterley Company Limited (two parcels as shown with horizontal lines on the plan). These areas of land owned by other parties are held by the Council under leases so it is proposed to assign these agreements to the Academy Trust as is required under the Acts. The area of land owned by the Council is to be leased to the Academy Trust under a lease of 125 years, as required by the Department for Education. The land owned by Amber Valley District Council (shown cross hatched on the plan) is not currently in use by the school so this area is to be retained by the Council. The area shown vertical hatched on the plan was in unknown ownership but has now been registered to form part of the land leased from the Vicar and Church Wardens Church Trustees). The lease of this land will also be assigned to the Academy Trust. The Council is also to retain rights to use the Children's Centre shown diagonally hatched left to right

on the plan for the purpose of delivering services to children and families. As the Children's Centre is subject to a grant in favour of the Department for Education, the lease term is to be for 19 years, comprising the remainder of the clawback period whereby the grant will have to be repaid if the existing use discontinues. All other terms are to be as per the sub-lease agreement which contains the terms of use for the Children's Centre and is to be signed by both parties.

3. Financial Considerations

In regards to the sub lease for the Children's Centre, the Council will be required to pay £3.50 per hour and a proportion of the cleaning costs of the shared parts of the premises. The Council will be required to pay an all-inclusive rental of £86 per sq. metre for the area occupied solely by the Children's Centre.

4. Legal Considerations

The Director of Legal Services will, upon instruction from the Director of Property, arrange for the lease, sub-lease and assignment documentation referred to in this report to be sealed by the Council and subsequently completed.

5. Social Value Considerations

The relevance of social value in terms of social, economic and environmental wellbeing has been considered in the preparation of this report. Meeting the current and future educational needs of communities in the best possible way and in accordance with Central Government Policy, sustainable development is central to the role of the County Council as Local Authority for educational provision.

6. Other Considerations

In preparing this report the relevance of the following factors has been considered; prevention of crime and disorder, equality and diversity, human resources, environmental, health and transport considerations.

7. Background Papers

None

8. Key Decision

NO

9. Call-in

Is it required that call-in be waived for any decision on this report? **NO**

10. Officer Recommendation

That approval be given to the grant of a lease, the assignment of leases and the taking of a sub-lease at Ironville and Codnor Primary School on the terms contained in this report in order to facilitate the school's conversion to academy status.

Strategic Director Corporate Resources

Scale 1 : 1250

0 m 40 m 80 m

25-Jul-2017

KEY

- Butterley Co Limited
- Vicar & Church Wardens
- Former unknown now registered in to lease of 99 years above
- Land owned by AVBC to be taken by the academy
- Land owned by DCC
- Land to be leased by DCC for Childrens Services

DERBYSHIRE
County Council