

5th October 2023**REPORT OF THE GROUP MANAGER, PROPERTY ASSET MANAGEMENT****STANHOPE PRIMARY AND NURSERY SCHOOL, SHELFORD ROAD,
GEDLING - CONVERSION TO ACADEMY STATUS****Purpose of the Report**

1. The grant of a 125 year academy lease to an academy trust following an application for academy status.

Information

2. This report contains an exempt appendix which is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended). Information relating to any individual or the business affairs of a particular person (including the authority holding that information). Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
3. Stanhope Primary and Nursery School has applied for Academy status and as part of the conversion process, the Academy Trust is entitled to a 125 year full repairing and insuring lease. This lease will include any Council owned land and buildings which form part of the principal operational School site.
4. The Academies Act 2010 allows maintained schools to become Academies by applying to the Secretary of State for conversion. Following the grant of the Conversion Order, it requires all parties to enter into a Transfer Agreement. As a part of the Transfer Agreement the County Council is required to transfer the relevant assets currently held by the County Council or the existing governing body to the Academy Trust.
5. The school site includes some rooms which are the subject of a licence to Jester's Childcare Limited which provides wraparound care and a full-time funded provision for young children. In addition, there is a licence of a play area to Gedling Borough Council for use outside school hours. Both of these licences will be terminated upon conversion with new licences granted directly by the Academy Trust. The school site also incorporates an electricity substation which is the subject of an existing lease which will transfer to the Academy Trust as part of the academy lease upon conversion.
6. This report seeks approval to the grant of a 125 year lease of the land and buildings as shown edged and hatched black on the attached plan to Flying High Trust on the basis of the terms outlined in the exempt Appendix.

Consultation

7. The Cabinet Member for Economic Development and Asset Management and the Ward Councillor are to be consulted regarding this proposal.

Other Options Considered

8. The Academies Act 2010 does not allow the Authority any options as regards the transfer and therefore no other options have been explored.

Reasons for Recommendations

9. To enable the school to convert to an academy in accordance with statutory requirements.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial implications

11. The licence fee income received from Jester's Childcare Limited is received by the School and the School should continue the licence arrangements after the Academy Conversion. The licence of the play area and the lease of the substation are at nominal sums.

RECOMMENDATIONS

That approval be given to:

- 1) the grant of a 125 year academy lease of Stanhope Primary and Nursery School as shown edged and hatched black on the attached plan to Flying High Trust, 2a Vickery Way, Chilwell, NG9 6RY; and
- 2) the termination of the licences to Jester's Childcare Limited and Gedling Borough Council at the same time as 1) above;

on the basis of the main terms outlined in the exempt appendix.

Neil Gamble

Group Manager, Property Asset Management

For any enquiries about this report please contact: Neil Gamble, Group Manager, Property Asset Management, Tel: 0115 977 3045

Constitutional Comments (SR 03/10/2023)

12. The recommendation falls within the remit of the delegation to Service Director Investment and Growth by Cabinet Member Economic Development and Asset Management on the 6th June 2022 now being exercised by Service Director Green Growth, Investment and Assets which has absorbed the role. The lease should be in a form approved by Legal Services.

Financial Comments (GB 03/10/2023)

13. There are no financial implications arising directly from this report.

Background Papers and Published Documents

- None.

Electoral Division(s) and Member(s) Affected

- Arnold South
- Councillor John Clarke and Councillor Michelle Welsh

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SP: 4077

Properties affected: 01466: Stanhope Primary and Nursery School