

18 June 2012

Agenda Item: 7b

REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY AND ENVIRONMENT

RUSHCLIFFE COMPREHENSIVE SCHOOL, BOUNDARY ROAD, WEST BRIDGFORD, NOTTINGHAM

Purpose of the Report

- 1 To seek approval of the Finance and Property Committee to the freehold transfer of the land and property assets to the Governing Body of the Rushcliffe Comprehensive School, Boundary Road, West Bridgford, Nottingham, NG2 7BW this being subject to subsequent approval of any site-specific terms; and
- 2 To authorise the Corporate Director. Environment & Resources, (or his nominee) to approve site-specific terms and the transfer date, in consultation with the Chair (or Vice Chair in his absence) of the Finance and Property Committee.

Information and Advice

Background

- 3 Councillors are probably aware that managed schools are able to acquire Foundation status.
- 4 The legislation and guidance governing such asset transfers require that all land and property held or used by the local authority for the purposes of the school should transfer to the governing body, with specific provision for sites, which are shared with other, non-school, users.
- 5 It is proposed to transfer to the school's governing body the County Council's freehold interest in the school site subject to site-specific details as referred to above.
- 6 The Rushcliffe Comprehensive School will shortly be confirmed as having acquired Foundation status with the land and property assets transferring to the school's governing body, from the date of Foundation Transfer subject to formal agreement on the extent of the site to transfer.

Other Options Considered

- 7 The County Council is under a statutory obligation to transfer the school site to the Governing Body of the Foundation School. In the event of the parties, failing to reach agreement then the matter is referred to the Office of the Schools Adjudicator for determination. It is considered unlikely that the Adjudicator would agree to a basis of transfer other than that outlined above.

Reason/s for Recommendation/s

- 8 To comply with statutory requirements.

Statutory and Policy Implications

- 9 This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

That the Finance and Property Committee: -

- 1 approves the freehold transfer of the land and property assets to the Governing Body of Rushcliffe Comprehensive School, Boundary Road, West Bridgford, Nottingham, NG2 7BW this being subject to subsequent approval of any site-specific terms; and
- 2 authorises the Corporate Director, Environment & Resources (or his nominee) to approve site-specific terms and the transfer date, in consultation with the Chair (or Vice Chair in his absence) of the Finance and Property Committee.

Jas Hundal

Service Director, Transport, Property and Environment

For any enquiries about this report please contact: Patrick Robinson 0115 9772086

Constitutional Comments

10. The recommendation falls within the remit of the Finance and Property Committee. [CEH 31.05.12]

Financial Comments

11. The freehold transfer to the governing body effectively creates a loss on disposal but is not a charge against council tax. (CDS 31/5/2012)

Background Papers

12. None.

Electoral Division(s) and Member(s) Affected

13. Ward(s): West Bridgford West
Member(s): Cllr Gordon Wheeler

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SP: 2245

Properties affected: 01822 - Rushcliffe Comprehensive