

07 August 2013

Agenda Item: 6

REPORT OF SERVICE DIRECTOR TRANSPORT, PROPERTY & ENVIRONMENT

PURCHASE OF FREEHOLD INTEREST IN SOUTH MANSFIELD COMMUNITY CENTRE, BELLAMY ROAD, MANSFIELD

Purpose of the Report

1. To seek approval to: -
 - a. the terms for the purchase of the freehold interest of the land and buildings known as the South Mansfield Community Centre, Bellamy Road, Mansfield as detailed in the exempt appendix; and
 - b. negotiate and enter in to an agreement with South Mansfield Community Association for the shared use of 5 car parking spaces at the South Mansfield Community Centre sufficient to satisfy the condition to the planning consent for the construction of new classrooms at St Peter's School, Mansfield.

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. 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. The St Peter's Church of England (C of E) Primary School is located at Bellamy Road, Mansfield. The school catchment has a priority requirement for an intake of additional pupils from September 2013 (105 additional admissions over 7 years). It is proposed to accommodate this upcoming intake of additional pupils by the construction of 4 new classrooms within the school grounds. The School is C of E aided, so is managed by the Southwell Diocese.
4. The County Council has the benefit of a right of access to the school site over a route shown hatched on the attached plan.

5. Planning permission has been granted for the 4 new classrooms subject to a planning condition requiring the provision of access and 5 car parking spaces to serve the development.
6. Adjacent to the school, there is a Community Centre (South Mansfield Community Centre) which is owned by Mansfield District Council (MDC), and part of which is subject to a lease to South Mansfield Community Association (SMCA) which expires in June 2027.
7. The District Council owned site is 0.44 hectares, of which 0.29 hectares (approximately) is the subject of the lease to SMCA.
8. It is proposed to acquire the freehold interest (owned by MDC) and the reasons for the proposed acquisition are detailed in the exempt appendix.
9. Terms have been agreed with MDC to purchase the freehold interest of the Community Centre site, subject to the existing lease to the Community Association, on terms detailed in the exempt appendix. This purchase will deliver a rental income stream to the County Council. The acquisition will create a direct landlord and tenant relationship between the County Council and SMCA, greatly simplifying the estate management structure of the wider site (MDC are removed from that structure) allowing the potential for a far more streamlined site management structure for the enlarged site including the adjoining School.
10. The cost of this acquisition will be considered as an additional build cost associated with the school basic need provision and will be funded from that project.

Other Options Considered

11. Negotiate parking rights with MDC over the Community Centre site – unavailable.
12. Seek off-site parking in satisfaction of the planning condition – no suitable sites available.
13. Seek a revised / new planning consent for the proposed classrooms incorporating the necessary 5 spaces within the School site: Subject to planning, this would be a workable solution, but shared use of 5 (existing) spaces at the Community Centre would be the preferred solution in terms of timing and cost.

Reason/s for Recommendation/s

14. The proposed acquisition will deliver:-
 - a. An income stream to the County Council.
 - b. Creation of a direct landlord and tenant relationship between the County Council and SMCA. In the short term this should deliver better comprehensive estate management across the site, to the benefit of both school and

Community Association and for the future should deliver more streamlined [re]development options for the site.

15. Agreement with the South Mansfield Community Association as to the shared use of 5 spaces at the Community Centre will provide the best solution for the earliest implementation of the existing planning consent for the new classroom.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, 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

- 1) That approval is given to:-
- a) the terms for the purchase of the freehold interest of the land and buildings known as the South Mansfield Community Centre, Bellamy Road, Mansfield as detailed in the exempt appendix; and
 - b) negotiate and enter in to an agreement with South Mansfield Community Association for the shared use of 5 car parking spaces at the South Mansfield Community Centre sufficient to satisfy the condition to the planning consent for the construction of new classrooms at St Peter's School, Mansfield.

Jas Hundal

Service Director, Transport, Property & Environment

For any enquiries about this report please contact: Ian Brearley, Estates Specialist 07775 541641

Constitutional Comments (SSR 26/07/13)

17. The recommendations set out in this report fall within the scope of decisions that may be approved by the Finance & Property Committee.

Financial Comments (MA 29/07/13)

18. The financial implications are as detailed in the exempt appendix.

Background Papers and Published Documents

19. None.

Electoral Division(s) and Member(s) Affected

20. Ward(s): Mansfield East

Member(s): Councillor Colleen Harwood, Councillor Alan Bell

File ref.: /IB/SB/

SP: 2492

Properties affected: 01172 - St Peters C of E Primary Mansfield