

**POLICY & RESOURCES  
COMMITTEE**

**Agenda Item 15**

Brighton & Hove City Council

**Subject:** Hove Park Depot – Long lease to School  
**Date of Meeting:** 12<sup>th</sup> June 2014  
**Report of:** Executive Director of Finance and Resources  
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**Ward(s) affected:** Hove Park

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To advise Committee on the provision of a primary Bilingual Free School and to seek approval to the grant of a long leasehold interest at a premium.
- 1.2 The Government has a policy of promoting the provision of Free Schools and academies. Free Schools are state funded all ability schools set up in response to parental demand. As part of this policy they have run several rounds of applications for Free Schools.
- 1.3 A primary Bilingual Free School was approved by the Secretary of State for Education to open in September 2012. The school was promoted by a group of parents and teachers who share a passion for bilingualism. The bilingual school worked with experts from the Department for Education (DfE) and the Education Funding Agency (EFA) to enable it to enter into a Funding Agreement with the Secretary of State for Education in the summer of 2012.

**2. RECOMMENDATIONS:**

- 2.1 That approval be given to the disposal, subject to planning permission, of land at Hove Park Depot as shown on the attached plan, on a 125 year lease at a peppercorn to the Bilingual Free School for the capital receipt identified in the confidential appendix to this report.
- 2.2 That the detailed terms of the lease shall be settled by the Head of Property & Design and the Head of Law, in consultation (as appropriate) with the Executive Director of Children's Services. and that the Head of Law is authorised to complete all of the necessary documentation.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Hove Park Depot site is located at the north western end of Hove Park adjoining Drove Road and close to the junction with Nevill Road as shown edged red on the plan in Appendix 1. The site is approximately 0.73 hectares (1.8 acres) and is broadly level at the northern end with the land sloping upwards towards the Drove Road. It is currently under utilised and only has a few Parks vehicles and trailers stored in garages with a staff mess room in the eastern corner and an electricity sub station in the southern corner. The mess hut will be excluded from the long lease to the Bilingual Free School. The site adjoins the listed Engineerium to the west and is part of the Engineerium Conservation Area. The Hove Park depot is a brown field site which has previously been considered as a site for a bowls facility and as a site for a council maintained school.
- 3.2 Officers are currently undertaking a search to identify an alternative site for the relocation of the parks stores and garages in the west of the city.
- 3.3 The school worked hard with the EFA and the council to locate a suitable site on which to open in September 2012. Unfortunately there was no suitable site available at the time which could offer the school the first class location and facilities that they were looking for.
- 3.4 The Brighton Aldridge Community Academy (BACA) opened its brand new £25million state of the art school building in September 2011. The bilingual school and the EFA approached BACA to establish if BACA would be willing to offer part of their site to the Bilingual Free School on a temporary basis until a suitable permanent site could be found.
- 3.5 BACA was able to offer the school space to allow them to operate completely independently, including their own dedicated reception area. The temporary arrangement was put in place for a period of three years from September 2012. This allowed the school the time to continue their search for a suitable site. The only site it has been able to identify which is capable of providing the accommodation required and is acceptable to the Bilingual Free School is the Hove Park Depot site.
- 3.6 Consultants for the Bilingual Free School submitted an initial planning application for a 3 storey 3 form entry primary school on the site in June 2013. The planners considered that the height would obscure the views of the adjoining listed Engineerium. A revised planning application submitted in March 2014 reduces the height of the proposed buildings to 2 storeys to alleviate this issue.

### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The DfE have been unable to find a suitable site for the Free School in the west part of the city which is why the school entered into the temporary arrangement of operating from the premises of BACA whilst their search continued. There are currently no other sites available in the city that could be used for the Bilingual Free School.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The planning advisors for the Bilingual Free School have undertaken pre-application consultation with the public on the revised scheme for the school. As part of the planning process the statutory consultations will be undertaken by the planning officers. Consultations were undertaken internally with Education, Finance, Legal and Environment.

## **6. CONCLUSION**

- 6.1 The recommendation is to grant a 125 year lease at a peppercorn to the Bilingual Free School for a capital receipt.
- 6.2 The provision of the Bilingual Free School will fulfil the government's policy to provide Free Schools where there is a demand.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 Hove Park Depot will be disposed of on a 125-year lease at a peppercorn with a capital receipt for the Council subject to planning consent. The capital receipt will be used to support the Council's corporate capital investment strategy for future years.

There are some costs associated with the running of the site including utilities and security, however, any costs associated with relocating of existing equipment at the Depot will need to be met from existing revenue budgets. The capital cost of any new garage/store that may be required would be deducted from the capital receipt subject to a cost analysis exercise.

*Finance Officer Consulted: Rob Allen*

*Date: 6 May 2014*

### Legal Implications:

- 7.2 The depot is not open space and therefore the standard s.123 Local Government Act 1972 provisions in respect of there being a requirement for the council to achieve best consideration in respect of the lease, subject to the terms of the General Disposal Consent (England) 2003, apply. Further information is set out in the Part II appendix.

*Lawyer Consulted: Bob Bruce Date: 6<sup>th</sup> May 2014*

### Equalities Implications:

- 7.3 Provision of a Bilingual Free School will broaden the range of educational opportunities available to young persons within the city.

### Sustainability Implications:

- 7.4 Development of the Hove Park Depot Site will allow an underutilised brown field site to be developed to its full potential

Any Other Significant Implications

None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

- 1 Plan of site (1.1)
- 2 Part 2 information – Exempt Category 3 – Not for publication

### **Documents in Members' Rooms**

None