

Southend-on-Sea Borough Council

Report of Corporate Director Children & Learning
to
The Cabinet and all Members of the Council
on
20th June 2007

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Agenda
Item No.

Chase High School
Children & Lifelong Learning Scrutiny Committee –
Executive Councillor: Councillor Carr
A Part 1 Public Agenda Item

1. Purpose of Report

- 1.1 To consider the lease of part of the playing field of Chase High School for the provision of sports pitches for school and community use.

2. Recommendations

- 2.1 That the Council agree in principle to part of the playing field as set out in Appendix 1 being leased to Playfootball.net for the provision of sports pitches for the use of the school during the day time and community use at other times.**
- 2.2 That permission for the development be sought from the Department for Education and Skills, the Department for Communities and Local Government, and Sport England.**
- 2.3 That the term of the lease should be no more than 25 years.**
- 2.4 That the Chief Executive, in consultation with the Leader, be given delegated power to settle the other detailed terms and complete the lease.**
- 2.5 That the Council reserves it's right as a planning authority to judge the proposal on it's merits when it is submitted for planning permission.**

3. Background

- 3.1 Chase High School opened as a new school on 1st September 2006, replacing on the same site the former Prittlewell Technology College.
- 3.2 Chase High School wish to pursue specialist status in sport as a way motivating pupils and improving overall standards in the school. This would be consistent with the overall 14-19 strategy across the borough with different schools specialising in different areas to give parents and pupils a wide choice of provision. The Department of Children & Learning supports the school in pursuing sports specialist status.

3.3 Although the Chase Leisure centre is on the same site as the school, and the centre share facilities such as the sports hall, fitness centre and gym, the overall sports facilities at the school are only adequate. In particular the school lacks high quality outdoor facilities, including a multi weather surface. The current pitches at Chase High School are of poor quality, and are unusable for parts of the year. The school is keen to increase participation in physical activity through the provision of high quality facilities.

3.4 It is recognised by the Borough, and by Sport England that there is a deficiency in high quality outdoor facilities in the Prittlewell and Leigh areas.

4. The provision of outdoor facilities

4.1 The Governing Body of the school have been in discussion with a company called Playfootball.net. The company specialise in building 5 a side football pitches and all weather multi games areas and have successfully provided such facilities elsewhere (see 4.6 below). In return for a long year lease (typically 30-50 years), the company provide the facilities which are then made available to the school during school time and immediately after school. The company then use the facilities on a commercial basis in the evenings and weekends.

4.2 Appendix 1 identifies the site and indicates the possible area of land proposed to be leased identifying the 5 a side football areas and an all weather Multi Use Games Area (MUGA). The company would also construct a single storey pavilion with changing room and bar facilities which would be for non school use. The Playfootball.net facilities would be entirely separate from the Chase Leisure Centre which also has a bar, but it is hoped that the two facilities would be complementary with customers being encouraged to use both facilities.

4.3 The MUGA and 5 a side area could be used for a wide variety of sports e.g. football, rugby, hockey, tennis, volley ball. Playfootball would intend to provide acoustic screening and make use of the latest technology in floodlighting to minimise the impact on nearby properties. Playfootball recognise that a lighting survey would need to be carried out as part of the planning process.

4.4 The new facility would have an additional 118 car parking spaces separate from the Chase Leisure Centre and the school. Based on surveys from car usage at similar sites this would be more than sufficient to provide the total parking needs for the provision. To minimise the loss of green area, parking would be marked out on the current hard court sports area, which could continue to be used for Netball and during break-times, reverting to parking in the evening. The main use of the facilities would not coincide with school hours and Playfootball anticipate that the effect on parking on the adjacent streets would be minimal. They recognise that as part of the planning process they may need to carry out a traffic survey.

4.5 The school will be committing £100,000 of their specialist school capital towards the overall development, and will be receiving the benefit of over £1.5 million of capital investment. The provision of such high quality outdoor facilities for the school is something neither the school nor the Council would be able to provide. It would not be a priority for the Education Capital Programme when faced with a long backlog

of condition and suitability issues. Increasingly the Council must look to work with private enterprise for the provision of such additional facilities.

- 4.6 Playfootball.net has negotiated agreements in other parts of the country including Daniel James Community School in Swansea, Stopsley (Foundation) High School in Luton, Tulketh Community Sports College in Preston, and Collegiate (Community) High School Blackpool. Three other sites on designated playfields are in Portsmouth, Bournemouth and Liverpool. Playfootball have agreed heads of terms with the governing body or Council prior to the completion of the legal agreement. Discussions have taken place with the school or Council at 3 of the above facilities, who have all reported very positively about the facilities, the agreement and working with Playfootball. The Youth Sport Trust have confirmed that "Playfootball offer a product and service which is fit for purpose and of a safe quality and standard. This relates to their provision of astro-turf pitches, changing rooms and associated support services. Our feedback from other schools who have introduced such facilities has been positive in relation to both the quality of the product and the ongoing support provided by the organisation."
- 4.7 Representatives from the Adult & Community Services have been in discussion with the school and attended a meeting between representatives of the company and the governing body. They are supportive of this proposal. The Governing Body have considered carefully the proposal, and with limited investment feel that they are receiving good value for future children at the school, as well as benefiting the community. Whilst there are other firms offering similar investment, the feedback from other schemes elsewhere in the Country (see 4.6 above) does indicate that Playfootball do offer value for money.

5. Obtaining the necessary agreements

- 5.1 Chase High School is a community school and the land is owned by the Council. The decision on any lease is therefore for the Council. Note that if the school were a foundation school, the decision would rest with the Governing Body.
- 5.2 Whoever owns the land, agreement would need to be obtained from the Department for Education and Skills and Sport England. Both bodies would consider the loss of playing field, but in circumstances where enhanced facilities were being provided, as in this case, these bodies would be likely to approve. In addition approval would need to be obtained from the Secretary of State for Communities and Local Government to comply with Section 123 of the Local Government Act and demonstrate that the Council has got best consideration for the disposal.
- 5.3 The overall area available for school use will decrease by 2,756 sqm due to the loss of existing hard play and tennis courts for car parking. However the replacement of two all weather surfaces (the MUGA and the 5 a side football area) both of over 5,000 sqm count on a "two for one" basis, as they can be used all year round and much more intensively than grass pitches. Sport England and the Department for Education & Skills (DfES) would take these factors into consideration in deciding whether to approve.
- 5.4 The construction of the pitches, the clubhouse and any floodlighting would require planning permission. In agreeing to the proposal as the owner of the land the

Council needs to reserve its right as a planning authority to judge the proposal on its merits when it is submitted for planning permission.

6. Detailed arrangements

- 6.1 Assuming approval in principle by the Council the detailed arrangements would then need to be discussed, including agreeing to heads of terms and an exclusivity agreement. The latter would restrict the school and Council from negotiating with another company for a period of 6 months to allow the heads of terms to be agreed and for any necessary permissions to be obtained.
- 6.2 The heads of terms would set out such things as the length of the lease, the exact times of usage by the school, the sharing of running costs (e.g. electricity, cleaning), and the responsibility for repairs. Although the length of the lease at other developments has been typically 30-50 years it is recommended that the lease be no more than 25 years. Playfootball have indicated their agreement to this.
- 6.3 It is recommended that the Chief Executive, in consultation with the Leader, be given delegated powers to settle the other detailed terms and complete the lease. Playfootball has completed heads of terms with other Local Authorities and the Council will be able to use the experiences elsewhere to ensure that any terms are as favourable as possible to ensure value for money.

7. Corporate Implications

- 7.1 Contribution to Council's Vision & Critical Priorities - The establishment of a successful school on the site of the former Prittlewell Technology School, formerly in special measures was a critical priority for the Council. The new facility would assist the new Chase High School in consolidating its popularity amongst parents and improve overall standards at the school, as well as adding to the provision of sports facilities in the Prittlewell area. This development would enable the school to secure a significant component of it's vision.
- 7.2 Financial Implications - The agreement would have no direct financial consequences for the Council. The school plans to invest approximately £100,000 in this development. This level of funding would be made available to the school by central government as a result of its bid for specialist sports college status: this bid is expected to be successful. Playfootball would meet the costs of any construction, and the school would meet any shared revenue costs from their delegated budget.
- The cost of drawing up the heads of terms and the lease would need to be met by the school from its delegated budget, or by Playfootball.
- 7.3 Legal Implications – see sections 5 & 6 above.
- 7.4 People Implications – None.
- 7.5 Property Implications – see sections 5 & 6 above.
- 7.6 Consultation - The school governing body have promoted this development. Within the Council both the Departments of Adult & Community Services, and Enterprise, Tourism & the Environment have been consulted.

A meeting was held at the school on 24th May attended by 6 local Councillors representing the 3 wards which border Chase High School (Blenheim Pak, Westborough and Prittlewell). There were also representatives from the Governing Body. Following a walk round the site there was a presentation from Playfootball and an opportunity for questions.

Local Ward Councillors were able to appreciate the poor quality of the existing playing fields and the clear benefits of the provision. There were mixed views about the development. Whilst there was some support, some Members were unable to express a view to ensure their future role in the planning process was not prejudiced. Others wanted to reserve their judgement pending consultation with local residents. There was concern expressed at the possible length of the lease.

7.7 Equalities Impact Assessment - This proposal will promote equality of opportunity by strengthening access to school pupils and the local community to a wider range of sports facilities.

7.8 Risk Assessment - The main risk is the lease of an area of land would prohibit any unknown and possible future development of the site. However future use other than as a school seems unlikely. The school is relatively new and the current further development of the centre of the school with DfES funding means it will not be a priority for rebuilding under the Building School for the Future programme, with the need to provide alternative land on which to build.

The Chase High is a community school. If the school was a foundation school it would be able to agree this development itself. Non-agreement of this development by the Council may encourage the school to seek foundation status: current legislation provides for easy conversion to foundation status through a fast track route. With the potential complexity of a joint use provision, maintaining single ownership of the land would be preferable.

7.9 Value for Money - Whilst there are other companies who might offer similar deals, the facilities offered, and usage by the school compare favourable with other projects undertaken elsewhere in the Country and feedback on Playfootball has been good. The Governing Body did consider other competition before deciding on Playfootball. The negotiation on the heads of terms will need to ensure the best possible terms are achieved.

7.10 Community Safety Implications - None

7.11 Environmental Impact - The proposed development will be providing enhanced facilities on an existing sports field. Any impact will need to be considered as part of the planning permission process.

8. Background Papers

8.1 Publicity material provided by Playfootball.

9. Appendices

9.1 **Appendix 1** – Details of the land proposed to be leased at Chase High School.