



**WARDS AFFECTED:
BELGRAVE WARD**

CABINET

5 NOVEMBER 2001

FORMER JOHN ELLIS COMMUNITY COLLEGE

Report of the Acting Assistant Director - Corporate Property Officer

1. Purpose of Report

The purpose of this report is to seek approval to undertake consultations arising from DfEE Circular 3/99, in connection with the proposed disposal of the site.

2. Summary

The report outlines the progress made and the issues addressed as a preliminary to undertaking consultations arising from DfEE Circular 3/99 and marketing the site for disposal.

3. Recommendations

- 3.1 That the extent of the area for consultation as referred to in paragraph 1.8 of the Supporting Information is agreed.
- 3.2 Cabinet Members' views are invited on the proposed consultation arrangements arising from DfEE Circular 3/99 and to the consultation process commencing as soon as possible.
- 3.3 That a further report to be submitted on the outcome of the public consultation.

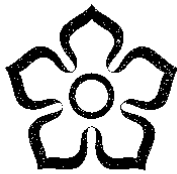
4. Financial and Legal Implications

The City Council must comply with Circular 3/99 with regard to the community consultation to be undertaken prior to applying for the Secretary of State's consent for the disposal of this school site.

The estimated capital receipt, in the region of £1.5 million, has already been anticipated to transfer to EMDA in respect of the Council's contribution towards the Abbey Meadows relocation. In the event that, for whatever reason, there is a shortfall in the capital receipt, then this shortfall will have to be made up from other additional receipts.

5. Report Author

Vic Meredith Ext. 5035
Team Leader – Property Review
Environment & Development Department



Leicester
City Council

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SUPPORTING INFORMATION

1. Report

1.1 Background

Following the decision to close the John Ellis Community College under the Secondary Review, school age teaching as an Annexe to Babbington Community College ceased at 31st August 2000. Youth and Community activities at the site ceased on 31st August 2001. Use in connection with the Special Needs Teaching Services will continue on the site until December 2001 before relocating to other sites.

1.2 Current Position

Various issues have been addressed to take forward the release of the site from educational use. These are as follows: -

Internal consultation to identify any other service requirement

The Director of Arts and Leisure identified the site as a possible Collections Resource Centre because of its proximity to the National Space Centre and the Abbey Pumping Station. However, no funding has been identified for this facility and therefore this interest is not being pursued.

The Director of Housing commented that if sold for residential use, he would like the site to be considered for Social Housing.

SRB Programme Managers have confirmed that there are no plans in the adjoining SRB programme areas that involve the John Ellis site. SRB5 Leicester North West supports two projects that have been based at the site, a domestic violence project and an education project. The education project has already been decanted and the domestic violence project is due to move out very shortly, as soon as alternative premises can be found.

The Draft Playing Fields Pitch Assessment

At the time of the survey for the Playing Pitch Assessment, competitive teams used the three pitches at John Ellis Community College and there was a waiting list of three teams. In the north area of the city, around the former school site, the assessment identified an unmet demand resulting in a shortfall in provision of two senior football pitches. Loss of the school pitches would increase this shortfall.

Changing facilities are provided in the school and, therefore, the potential loss of these facilities will need to be addressed as part of any redevelopment of the site.

Requirements for community consultation as part of DfEE Circular 3/99

This will be required if the recommendations to dispose of the site are approved.

1.3 The Next Step – Community Consultation

There are three elements to consider when undertaking the consultation.

- The requirements of DfEE Circular 3/99
- The planning guidance
- The basis and extent of consultation

1.4 The requirements of DfEE Circular 3/99

This Circular relates to the sale or change of use of playing fields and the Circular prescribes the legal framework which involves community consultation to ensure that all community issues are addressed. The definition of playing fields includes hard surface games, courts, informal social areas, buildings and access facilities and marginal areas around playing fields. The extent of the area proposed to be identified for disposal is all the property shown within the area hatched black on the plan at Appendix 1.

As the school has closed for school age teaching, the ten week term time required by the Department for Education and Skills (DfES) can be reduced. It is recommended therefore, that a period of eight weeks be allowed for the consultation.

The consultation, and subsequent DfES approval, will be required before marketing of the site for disposal can commence.

1.5 Planning Guidance

Planning policies for the site are set out below. A statement of potential uses for the site is included in the consultation leaflet in Appendix 2. The responses to the consultation will aid the preparation of Site Development guidance.

The plan at Appendix 1 shows the buildings and the hard surfaced areas, coloured pink in the City of Leicester Local Plan (CLLP). This area is designated for Community, Education and Leisure uses. The remainder of the

site i.e. the grass playing fields, is shown in CLLP as part of a Green Wedge and within the flood plain. The policies in CLLP relating to the site are as follows:

Policy C4 states that the development of community buildings will not normally be permitted unless there is no longer a need to retain the facilities.

Policies EN43-47 set out a general presumption against development in Green Wedges.

Policy R7 has a general presumption against the development of playing fields unless:

- a) The development involves a small part of the site and offers enhancement to existing and remaining facilities, or
- b) suitable alternative provision is made, or
- c) there is, and would remain, an excess of sports pitch provision and public open space provision in the area.

The Deposit Replacement Local Plan (RLP) was approved by Cabinet on 25th June 2001 and will be placed on deposit for public comments on 29th October. RLP identifies the built up area of the site as a surplus school site. It is also within the Riverside Policy Area. RLP policies continue the presumption against development in Green Wedges and on playing fields. Other policies relating to the site are as follows:

Policy CL08 states that any development should take account of the social, environmental, community and recreational needs of the adjoining area. Alterations to or disposal of buildings should not result in the local deficiency of community or leisure facilities.

Policy SPA13 sets out stringent requirements for development within the Riverside Policy Area.

Policy BE20 states that development that is likely to have an unacceptable impact on the natural functions of the floodplain will not be permitted.

The “Leicester Riverside Strategy and Waterway Corridor Study; March 2000” suggests the possibility of a Marina in this location, this would be the subject of a detailed feasibility study. Any such development should not affect the predominantly open and green nature of the Green Wedge. The plan at Appendix 3 (colour copies will be available at the Cabinet meeting) is an extract from the above mentioned study and shows that a Marina could encroach on the Green Wedge the Playing Pitches. In accordance with CLLP Policy R7(b) suitable alternative playing pitches would need to be provided to replace those lost to the development of a Marina.

Planning Policy Guidance Note 3: Housing sets out government policy on brownfield site targets and the need to maximise use of previously developed land for housing. The use of the site for housing will have implications for the assessment of urban capacity in the City. The site has been entered on the government’s National Land Use Database of brownfield sites and the planning constraints noted.

1.6 The basis and extent of consultation

It is proposed that a leaflet is widely available in accordance with the requirements of Circular 3/99 and is also available from local community centres or facilities within the area. Established community groups within the area will also be targeted. This leaflet would identify the area proposed for disposal and invite the views of the local community on the loss of the hard surface play areas and the possible options for development that will guide the preparation of the Site Development guidance. A draft for the leaflet is attached at Appendix 2 for comment. As and when schemes for redevelopment or change of use lead to planning applications, then these will be considered in accordance with the usual consultation procedures under the planning system.

1.7 Leicester City Regeneration Company (LCRC)

The proximity of the site to the Abbey Meadows priority area, currently being studied by the LCRC, will result in liaison with the LCRC throughout the consultation and any subsequent disposal process. Early indications from a baseline study of the Abbey Meadows area commissioned by the LCRC are that the site is capable of separate development and, consequently, its development is unlikely to be included in any development programme for the works depot and Co-op sites at Abbey Meadows.

1.8 Conclusion

Having regard to the Playing Field assessment, policies of the City of Leicester Local Plan and the Leicester Riverside Strategy and Waterway Corridor Study, it is recommended that: -

- I. The area shown hatched on the plan at Appendix 1 is the subject of consultation under DfEE Circular 3/99 .
- II. In the event of a feasibility supporting the development of a Marina which encroaches on the grassed Playing Pitches within the stippled area on the plan at Appendix 1, a further consultation under DfEE Circular 3/99 will be undertaken.

Officer to contact: -

V. Meredith
Team Leader – Property Review
Ext. 5035

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

1. Financial Implications

The estimated capital receipt, in the region of £1.5, million has already been anticipated to transfer to EMDA in respect of the Council's contribution towards the Abbey Meadows relocation. In the event that, for whatever reason, there is a shortfall in the capital receipt, then this shortfall will have to be made up from other additional receipts.

2. Legal Implications

The City Council must comply with the requirements of Circular 3/99 with regard to the community consultation requirements to be undertaken prior to applying to the Secretary of State for consent to dispose of the school site. Subject to appropriate consent being obtained, then the disposal of the site will be undertaken in the manner which achieves the best consideration for the site and will be the subject of further reports.

3. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within report	References
Equal Opportunities	No		
Policy	No		
Sustainable and Environmental	Yes	1.5	
Crime and Disorder	No		
Human Rights Act	No		

4. Consultations

- Graham Feek - Financial Strategy Manager
- Guy Goodman - Assistant Head of Legal Services
- Jeevan Dhesi - Senior Planning Officer
- Allison Bowen - Senior Planning Officer
- Andrew Ross - Head of Regeneration
- Paul Edwards - Acting Assistant Director (Parks and Sports Services)



APPENDIX 1

JOHN ELLIS COMMUNITY COLLEGE

NORTH



KEY

-  Coloured pink on the Local Plan as Community/Education/leisure
-  Coloured green on the Local Plan as Green Wedge

BASED UPON THE ORDNANCE SURVEY MAP WITH THE SANCTION OF THE CONTROLLER OF H.M. STATIONERY OFFICE. CROWN COPYRIGHT RESERVED. LICENCE No. LA 078417

DRAWN BYAS..... PLAN No Cttee 32
 CHECKED BYCl..... DATE 11/09/2001

NOT TO SCALE

PETER CONNOLLY, DIRECTOR OF ENVIRONMENT, DEVELOPMENT AND COMMERCIAL SERVICES LEICESTER CITY COUNCIL



VIEWS SOUGHT ON THE FORMER JOHN ELLIS COMMUNITY COLLEGE

The reorganisation of secondary education in the city was approved by the Secretary of State for Education and Employment in January 1999. To assist the funding of the reorganisation, the City Council is seeking to dispose of the former John Ellis Community College.

In accordance with Government guidelines for disposal or the change of use of school playing fields and play areas, the Council now seeks the views of local residents, local businesses and community groups in respect of its intention to dispose of the site edged black (see plan on the reverse side of this sheet) for redevelopment. This information will also assist the preparation of Site Development Guidance for the site*.

The site being considered for disposal includes the hard surfaced playgrounds, the ball court and the grassed play area.

Housing would be an appropriate use of the site and should be included in any mixed use scheme. Alternative uses could reflect the location of the site close to the river, the National Space Centre or the Abbey Pumping Station.

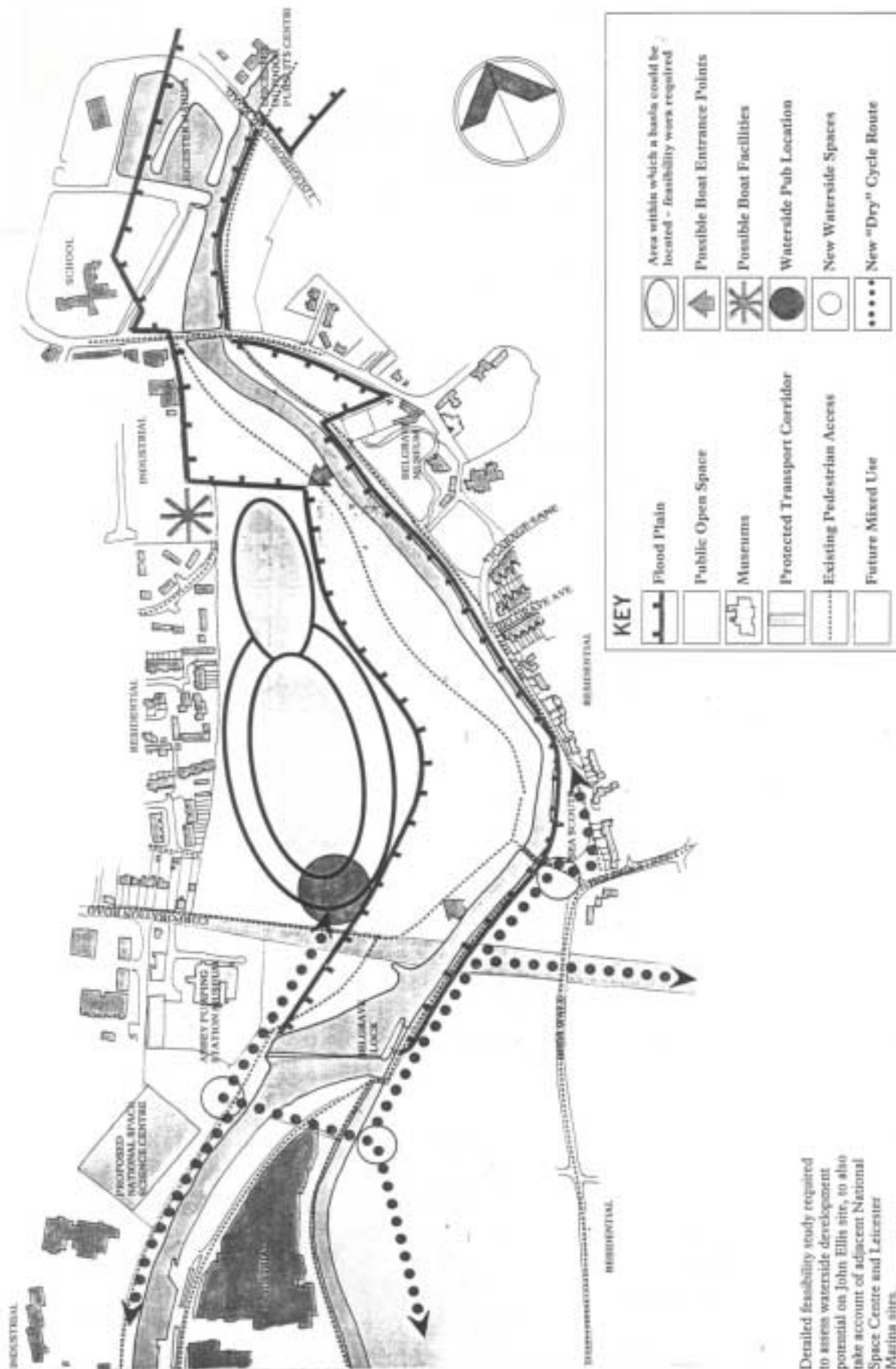
Further information may be obtained by contacting the Environment & Development Department telephone 299 5007 or 299 5041.

*Note - As and when schemes for redevelopment or change of use lead to planning applications then these will be considered in accordance with the usual consultation under the planning system.

Written comments is should be received by 2001 and sent to:

**Environment & Development, (Ref: Property/PRT/VM)
Leicester City Council,
New Walk Centre, Welford Place,
Leicester LE1 6ZG**

or faxed to 0116 299 5082 e-mail: propertvshop@leicester.gov.uk
Minicom: 0116 2995066



Detailed feasibility study required to assess waterside development potential on John Ellis site, to also take account of adjacent National Space Centre and Leicester Marina sites.