

Leicester
City Council

WARDS AFFECTED:

**WEST HUMBERSTONE, NORTH BRAUNSTONE
BELGRAVE, SAFFRON**

CABINET

6 NOVEMBER 2000

CLOSING SECONDARY SCHOOLS AND PLAYING FIELDS

Report of the Director of Environment and Development

1. Purpose of Report

This report updates Members on the issues leading up to the disposal of Wycliffe, Mundella and John Ellis Community Colleges and the Mary Linwood School.

2. Summary

Following the Secondary Review when Wycliffe, Mundella and John Ellis Community Colleges and the Mary Linwood School were approved for closure, work has been undertaken to bring forward the various sites for disposal. This report updates Members with regard to the progress made, identifies the issues addressed i.e. current usage, internal consultation, the Youth and Community review, the Playing Fields Pitch Assessment and the requirements for community consultation. The report identifies the Mundella and the Mary Linwood sites for marketing on completion of the consultation procedure, whilst Wycliffe and John Ellis are subject to further reports with regard to the use of Wycliffe for the proposed leisure complex and John Ellis concerning the relocation of the current Youth and Community uses.

3. Recommendations

- 3.1 Members views are invited on the proposed consultation arrangements arising from DfEE Circular 3/99 and to the consultation process commencing for Mary Linwood and Mundella as soon as possible.
- 3.2 That, subject to the outcome of the consultation process and any DfEE consents arising under Circular 3/99, the Mundella and Mary Linwood sites, as identified in the report, are marketed.
- 3.3 The Director of Arts of Leisure submits a further report with regard to the Wycliffe site.



3.4 The Director of Education submits a further report with regard to the John Ellis site and the relocation of the current uses.

4. Financial and Legal Implications

4.1 Members will recall £4.88m has been built into the Council's Capital Programme, based on the original estimates that were prepared for the 4 sites at the time the Council's Secondary Review proposals were submitted to the DfEE for approval. The current Capital Programme recognises that no receipts from the sale of school sites are likely to be achieved before 2002.

4.2 As the Wycliffe site is now unlikely to be offered on the open market, the above figure of £4.88m would reduce by about £1.13m. Therefore by foregoing the capital receipt, the Council is making a significant payment in kind toward the proposed new Leisure Centre, proposed for the site.

4.3 Subject to the recommendations in this report being agreed then based on previous timetables reported, capital receipts from Mundella and Mary Linwood should be achieved during 2002.

4.4 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 for the Secretary of State's consent to the disposal of the school sites. Subject to the appropriate consents being obtained, then the disposal of the sites will be undertaken in the manner which achieves the best consideration for the sites and will be the subject of further reports.

Officer to contact:-

Vic Meredith
Team Leader – Property Review
Ext. 5035

Peter Webster
Director of Environment and Development

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CLOSING SECONDARY SCHOOLS AND PLAYING FIELDS

Report of the Director Environment and Development

SUPPORTING INFORMATION

1. Report

Current Position

1.1 Following the ending of school-age teaching this July at the 4 schools approved for closure last year as part of the Secondary Review, various issues have been addressed to take forward the release of the sites from educational use. These are as follows:-

- Current usage
- Internal consultation to identify any other service requirements
- The Youth and Community review
- The Playing Fields Pitch Assessment
- Requirements for community consultation as part of the DfEE Circular 3/99.

The matrix within this report establishes the current position and identifies Mary Linwood and Mundella sites as those now going forward for community consultation.

1.2 In addition, both of these latter sites are within SRB areas and this merits more detailed comment.

SCHOOL	CURRENT USAGE (OCT 2000)	RESULTS OF INTERNAL CORPORATE CONSULTATION	YOUTH & COMMUNITY REVIEW	DRAFT PLAYING PITCH ASSESSMENT	COMMUNITY CONSULTATIONS (DfEE CIRCULAR 3/99)
Wycliffe	Closed for school age teaching last July; still in use (until 31.08.01) for youth & community facilities, student support and voluntary groups.	Previously identified as the location for the new sports complex and excluded from the corporate consultation process undertaken in May 2000.	Identified for the new sports complex which will include for continued youth and community provision.	No formal 'marked' pitches; previously used Braunstone Park. Minimal impact on pitch provision.	Not applicable – no intention to dispose of the site.
John Ellis	As Wycliffe.	Director of Arts & Leisure - identified as possible Collections Resource Centre (proximity to Abbey Property Station and NSSC). Director of Housing - if site sold for residential use would like this site to be considered for Social Housing.	Agreed actions from the outcome of the Review were not property specific. No alternative location yet identified for current activities – relocation will be problematic and the Director of Education will report back at a later date.	Unmet demand from user groups identified.	Not applicable until such time as a decision in principle is taken to dispose of the site.
Mary Linwood	Closed and boarded up; CCTV and security alarm retained and operative; managed by the Education Dept.	No corporate requirement identified. Director Arts & Leisure could be suitable for the Leicester City Football Youth Academy. Director of Housing – same comments as for John Ellis.	Youth and community activities transferred to Rolleston Teachers Centre.	Overall pitch stock within the area available for community use is not used to capacity. Evidence suggests that the quality of the facilities act as a disincentive leading to demand from clubs to purchase or lease grounds that they can maintain themselves.	Will be required if the recommendations to dispose of this site are approved.
Mundella	As Mary Linwood.	As Mary Linwood.	Youth and community activities being transferred to Merrydale Annexe.	Unmet demand from user groups identified.	As Mary Linwood.

Mundella

- 1.3 Members will be aware from previous reports of the SRB 6 bid proposed by the West Humberstone Community Group (WHCG). This bid has since been submitted by a constituted body called the Greater Humberstone Management Group (GHMG) which is resident led and chaired and includes resident members from the Rowlatts Hill area. The East Midlands Development Agency has recently approved a total of £7.8m for the programme. It is hoped that this figure can be added to substantially from additional funds levered into the programme.
- 1.4 The GHMG have expressed interest in the site, particularly part of the main building, the gymnasium and the ballcourt, and are seeking to develop a community development trust which can carry on regenerating the area beyond the life of the programme. This flagship project would be centrally located in the bid area and provide the base for delivering a wide range of services to local residents, such as training, childcare, adult education, health services, general advice services and a wide range of social activities as well as incubator units for small business ideas. In addition it would provide a base for workers that will be employed to develop and deliver the programme and supplementary support and activities for young people.
- 1.5 GHMG intend to undertake a feasibility study of the proposals and produce a comprehensive business plan and are keen to find out whether a proportion of the site would potentially be available for community use to justify the costs and resources required for such a feasibility study.
- 1.6 Funding of £200,000 has been granted for year one of the programme (up to 31/3/01 and it is likely that £1,500,000 will be profiled for year 2 of the programme commencing 1/4/01.

Mary Linwood

- 1.7 This property is within the Saffron SRB core area, which is now in year 2 of 5 year programme. The Saffron SRB Executive Board are currently undertaking a feasibility study on the re-use of vacant commercial property in the Aylestone Park area and would consider using such a study as a springboard for consulting local residents and other stakeholders about the future use of the Mary Linwood site. They are anxious therefore to commence consultations as soon as possible and are keen to work in partnership with the Council.

The Next Step – Community Consultation

- 1.8 There are three elements to consider when undertaking this consultation
 - The requirements of DfEE Circular 3/99
 - The planning guidance
 - The basis and extent of consultation

The requirements of DfEE Circular 3/99

- 1.9 This circular relates to the sale or change of use of playing fields and the Circular prescribes a complicated legal framework involving community consultation (see Appendix 3) to ensure that all community issues are addressed. The definition of playing fields includes hard surface games courts, informal social areas, habitat areas, buildings and access facilities and marginal areas around playing fields. The extent of the areas proposed to be identified for disposal are:-

Mary Linwood – all the property shown within the areas edged black and shaded light and dark on the plan at Appendix 2.

Mundella – all the property shown within the areas edged black and shaded light and dark on the plan at Appendix 1 but excluding the area A-B-C-D.

- 1.10 A 10 week term time consultation is required by the DfEE (where the Schools have closed the period can be reduced) and this consultation and DfEE approval will be required before marketing of the sites for disposal can commence.

The planning guidance

- 1.11 Specific planning guidance for Mundella and Mary Linwood, with plans of the school sites, is set out in Appendix 1 and 2 of this report.

The plans show the areas of the buildings and the hard surfaced areas which are coloured pink on the City of Leicester Local Plan (CLLP). These are designated for Community, Education and Leisure uses. The relevant policies within the CLLP are as follows:-

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

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

- a) the development involves a small part of the site and offers enhancement to existing or 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 in the area.

Details of the implication of this policy for each site, in the light of the draft Playing Pitch Assessment, is set out in the Appendix.

- 1.12 Planning Policy Guidance Note 3: Housing. This sets out government policy

on brownfield site targets and the need to maximise use of previously developed land for housing. The use of the sites for housing will have implications for the assessment of urban capacity in the City. All of the sites have been entered on the Government's National Land Use Database of brownfield sites and the planning constraints noted.

The basis and extent of consultation

- 1.13 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. This leaflet would identify the area proposed for disposal and invite the views of the local community. Drafts of the proposed wording for the Mary Linwood and Mundella sites are attached at Appendix 4 and 5 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.

2. Conclusion

- 2.1 **Wycliffe** - The Director of Arts and Leisure is now leading on developing proposals for the new Leisure Centre on the Wycliffe site and he will therefore be reporting separately and periodically to Members on progress.
- 2.2 **John Ellis** - Consultation does not take place at the stage because:-
- (i) it will be used for operational purposes until September 2001
 - (ii) the future of Youth and Community activities at this location have yet to be resolved and
 - (iii) there is interest by Arts and Leisure for the Museums Service.

The Director of Education will submit a further report .

- 2.3 **Mary Linwood and Mundella** – the sites are identified for disposal and alternative use in accordance with the Planning Guidance contained within this report and that they form the basis of consultations and the DfEE Circular 3/99 as referred to in the report.

Officer to contact:-

Vic Meredith
Team Leader – Property Review
Extn. 5035

Peter Webster
Director of Environment and Development

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

1. Financial Implications

- 1.1 Members will recall £4.88m has been built into the Council's Capital Programme, based on the original estimates that were prepared for the 4 sites at the time the Councils Secondary Review proposals were submitted to the DfEE for approval. The current Capital Programme recognises that no receipts from the sale of school sites are likely to be achieved before 2002.
- 1.2 As the Wycliffe site is now unlikely to be offered on the open market, the above figure of £4.88m would reduce by about £1.13m. Therefore by foregoing the capital receipt, the Council is making a significant payment in kind towards the proposed new Leisure Centre.
- 1.3 Subject to the recommendations in this report being agreed then based on previous timetables reported, capital receipts from Mundella and Mary Linwood should be achieved during 2002.

2. Legal Implications

- 2.1 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 for the Secretary of State's consent to the disposal of the school sites. Subject to the appropriate consents being obtained, then the disposal of the sites will be undertaken in the manner which achieves the best consideration for the sites 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	No		
Crime and Disorder	No		
Human Rights Act	No		

4. Background Papers – Local Government Act 1972

None other than those referred to in the reports.

5. Consultations

The Town Clerk, Director of Education and Director of Arts and Leisure have been consulted on the preparation of this report.

6. Report Author

Vic Meredith
Team Leader – Property Review
Ext. 5035

Peter Webster
Director of Environment and Development

FORMER MUNDELLA COMMUNITY COLLEGE

It appears likely that some accommodation could be required on this site for community activities. As the school buildings fronting Wycombe Road are a good feature of the street scene they could be retained for community use as part of a mixed-use development scheme which includes housing.

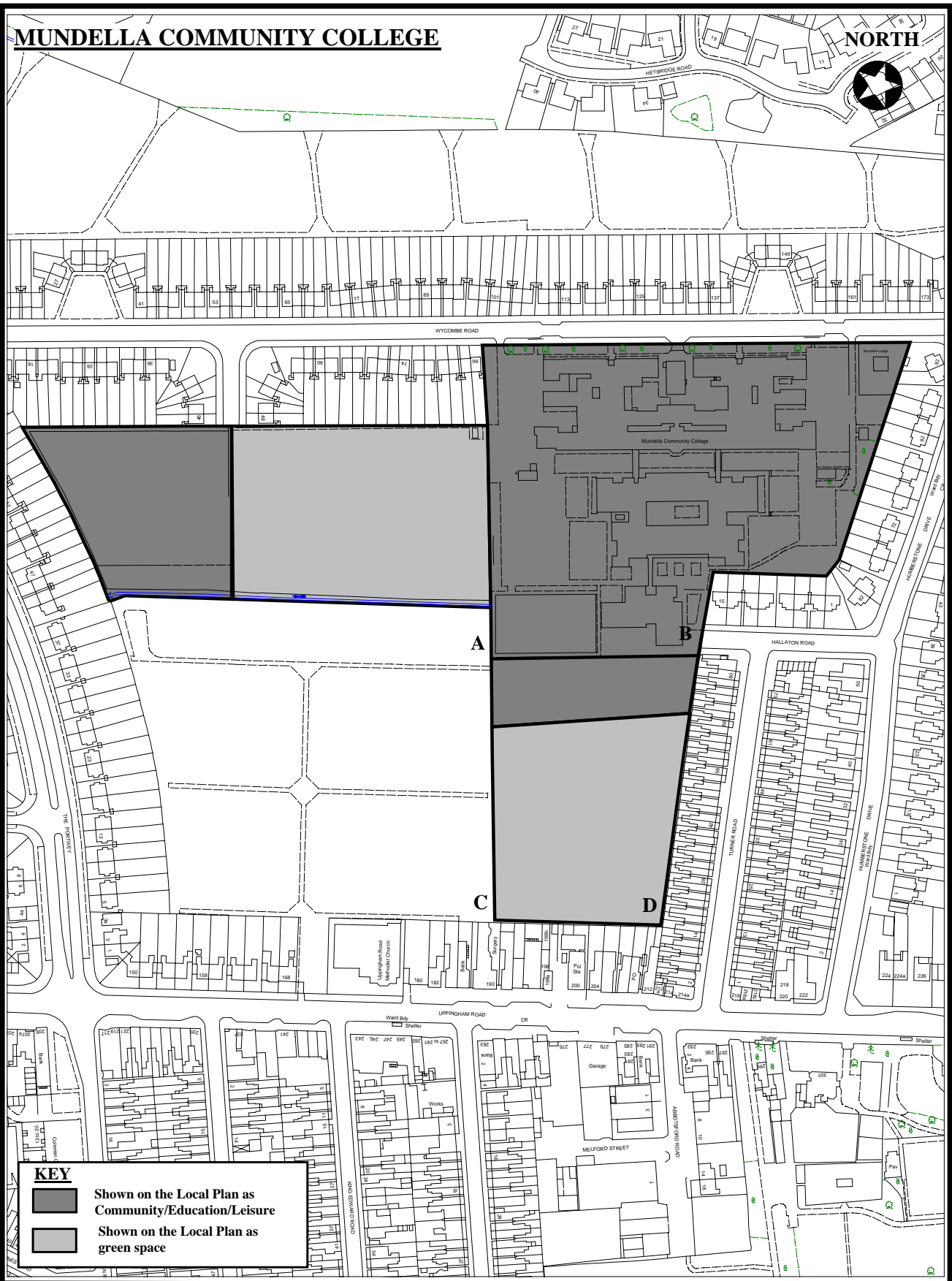
The informal grassed play area between the school buildings and the hard surfaced area is shown in CLLP as Greenspace where planning permission would not normally be granted for any development. The residential area adjoining the site is deficient in public open space and this grassed area should provide some publicly accessible open space as part of a development scheme. However, some residential development would ensure surveillance of the open space and provide a buffer for existing rear gardens.

The playing field is shown as Greenspace First drafts of the Playing Pitch Assessment indicate that the playing pitch could help to satisfy a latent demand for pitch access in the area. It should be retained for community or club use and consideration given to the retention of existing changing facilities or the provision of new facilities. The ball court could also provide a community facility.

There is potential for access to the site, particularly the area of the ball court and playing field, from Hallaton Road.

MUNDELLA COMMUNITY COLLEGE

NORTH



KEY

- Shown on the Local Plan as Community/Education/Leisure
- Shown on the Local Plan as green space

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PETER WEBSTER, DIRECTOR ENVIRONMENT & DEVELOPMENT LEICESTER CITY COUNCIL

FORMER MARY LINWOOD SECONDARY SCHOOL

If no requirement for community use of the buildings is identified then the site could be developed for housing, small scale employment uses or a mixed use scheme, compatible with the surrounding area. There would also be scope for some buildings to be retained as part of a redevelopment scheme.

The playing fields are shown in CLLP as Greenspace and Policy EN48 states that planning permission will not normally be granted for any development which would encroach upon Green Corridors or Greenspace. However the site is part of an extensive area of Greenspace and is not crucial to the nature conservation role of the Green Corridor.

The school playing fields adjoin the Linwood Playing Fields to the south which are currently unused because of the lack of changing facilities. There is one good quality senior football pitch on the school site but that has not had official community use. First drafts of the Playing Pitch Assessment indicate that the closure of the Linwood Playing Fields has created pressure on other pitches. The poor quality of other playing fields in the area means that they are not used to capacity but overall there is no quantitative deficit.

The residential area to the north of the site is deficient in public open space. Although the school playing fields could provide public open space, the area would have to be made accessible from Trenant Road to alleviate the deficiency. Alternatively development of the site could be realigned to provide an accessible area of public open space to the north, whilst taking account of the landscape quality of the south part of the site and the links with the Linwood Playing Fields. There is potential for the provision of changing facilities as part of a development scheme, to bring the Linwood Playing Fields into full use. A buffer zone should be retained around the Jubilee Spinney to the east of the playing fields to ensure that development does not adversely affect the strategic nature conservation value of the area.

MARY LINWOOD SECONDARY SCHOOL

NORTH



KEY

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 NOT TO SCALE

PETER WEBSTER, DIRECTOR ENVIRONMENT & DEVELOPMENT LEICESTER CITY COUNCIL

APPENDIX 3

58. The Secretary of State therefore has an expectation that applications for consent under section 77 to dispose, or to change the use, of school playing fields, will have addressed thoroughly the community use issue.

59. The Secretary of State intends to ensure that applicants have consulted all those most likely to be affected by the proposal. So, for example, groups with permission to use the playing fields should be consulted, whether they do so by virtue of formal agreements or otherwise. The local community generally should also be consulted (see 'Consultation' at paragraph 60 below). Where current community users would be displaced if the proposal were implemented, the Secretary of State expects the application to include a complete and full account of the effect on those users: in particular, whether their activities can realistically be moved to an alternative site on terms which do not adversely affect them. So, for example, applicants should make clear whether charges at the alternative venue are higher than at present.

Consultation

60. It is for the applicant to decide the details of any consultation, but they should remember that local concerns prompted legislation to protect playing fields used by schools. It is with this in mind that the Secretary of State expects prospective applicants to consult fully on their proposals prior to submission for consent. What, in the Secretary of State's view, represents full consultation is described below. Applications will need normally to satisfy these expectations.

Duration

61. The Secretary of State expects consultations to take place for no fewer than 10 term-time weeks.

Scope

62. The Secretary of State further expects that, as part of the consultation, views will be sought by prospective applicants from

- (i) the parents of pupils attending any school using the field for the purposes of the school, or which has used the field for the purposes of the school at any time during the past 10 years (except those using the playing fields because their own playing fields were unavailable to them temporarily)
- (ii) any nursery, community, community special, voluntary, foundation or foundation special school and any pupil referral unit within the local area, whether they use the playing fields concerned or not
- (iii) any group with permission to use the playing field, whether by virtue of a formal agreement or otherwise (perhaps via the school)
- (iv) the local community generally (perhaps through a newspaper notice)
- (v) any minor authority in whose area the playing field is situated (such as a district or parish council)
- (vi) the local authority, where the proposal is being made by a governing body or foundation body, and
- (vii) the local authority in whose area the playing field is situated, if that is different from the local authority intending to dispose, or to change the use, of the playing field.

SECOND DRAFT

**DEPARTMENT FOR EDUCATION AND EMPLOYMENT (DfEE)
CIRCULAR 3/99 –
THE PROTECTION OF SCHOOL PLAYING FIELDS**

FORMER MARY LINWOOD SCHOOL

1. Following the review of secondary education in Leicester, the above school has closed and the City Council is now seeking to dispose of the site in order to fund the reorganisation of secondary education in the city, as approved by the Secretary of State for Education and Employment in January 1999.
2. The site being considered for disposal is shown overleaf hatched and stippled and edged black. It includes hard surfaced play grounds, tennis courts and grassed playing fields. A change of use or redevelopment of the site could incorporate recreational open space.
3. Circular 3/99 was introduced in June 1999 to ensure any application to dispose, or change the use of school playing fields will have addressed the following criteria : finance, schools' needs, community needs and consultation.
4. Written comments are therefore invited by the City Council and should be received by the under mentioned not later than [closing date].

Director of Environment & Development
(Ref: Sov-3/PRT/VM)
New Walk Centre
Welford Place
LEICESTER
LE1 6ZG

5. For further information please contact:-



(i)	Planning and Local Plan Matters	Alison Bowen/ or Jeevan Desi	Tel
(ii)	Sport and Recreation Matters	Paul Edwards	Tel
(iii)	Marketing and Disposal Matters	Vic Meredith	Tel

MARY LINWOOD SECONDARY SCHOOL

NORTH



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PETER WEBSTER, DIRECTOR ENVIRONMENT & DEVELOPMENT LEICESTER CITY COUNCIL

FIRST DRAFT

**DEPARTMENT FOR EDUCATION AND EMPLOYMENT (DfEE)
CIRCULAR 3/99 –
THE PROTECTION OF SCHOOL PLAYING FIELDS**

FORMER MUNDELLA COMMUNITY COLLEGE

1. Following the review of secondary education in Leicester, the above school has closed and the City Council is now seeking to dispose of the site in order to fund the reorganisation of secondary education in the city, as approved by the Secretary of State for Education and Employment in January 1999.
2. The site being considered for disposal is shown overleaf hatched and stippled and edged black. It does not include the playing field marked ABCD but does include the hard surfaced play grounds, the ball court and the grassed play area. A mixed use development which includes housing and public open space could be appropriate for the site.
3. Circular 3/99 was introduced in June 1999 to ensure any application to the DfEE to dispose, or change the use of school playing fields will have addressed the following criteria: finance, schools' needs, community needs and consultation.
4. Written comments are therefore invited in accordance with the requirements of Circular 3/99 and should be received by the under mentioned not later than [closing date].

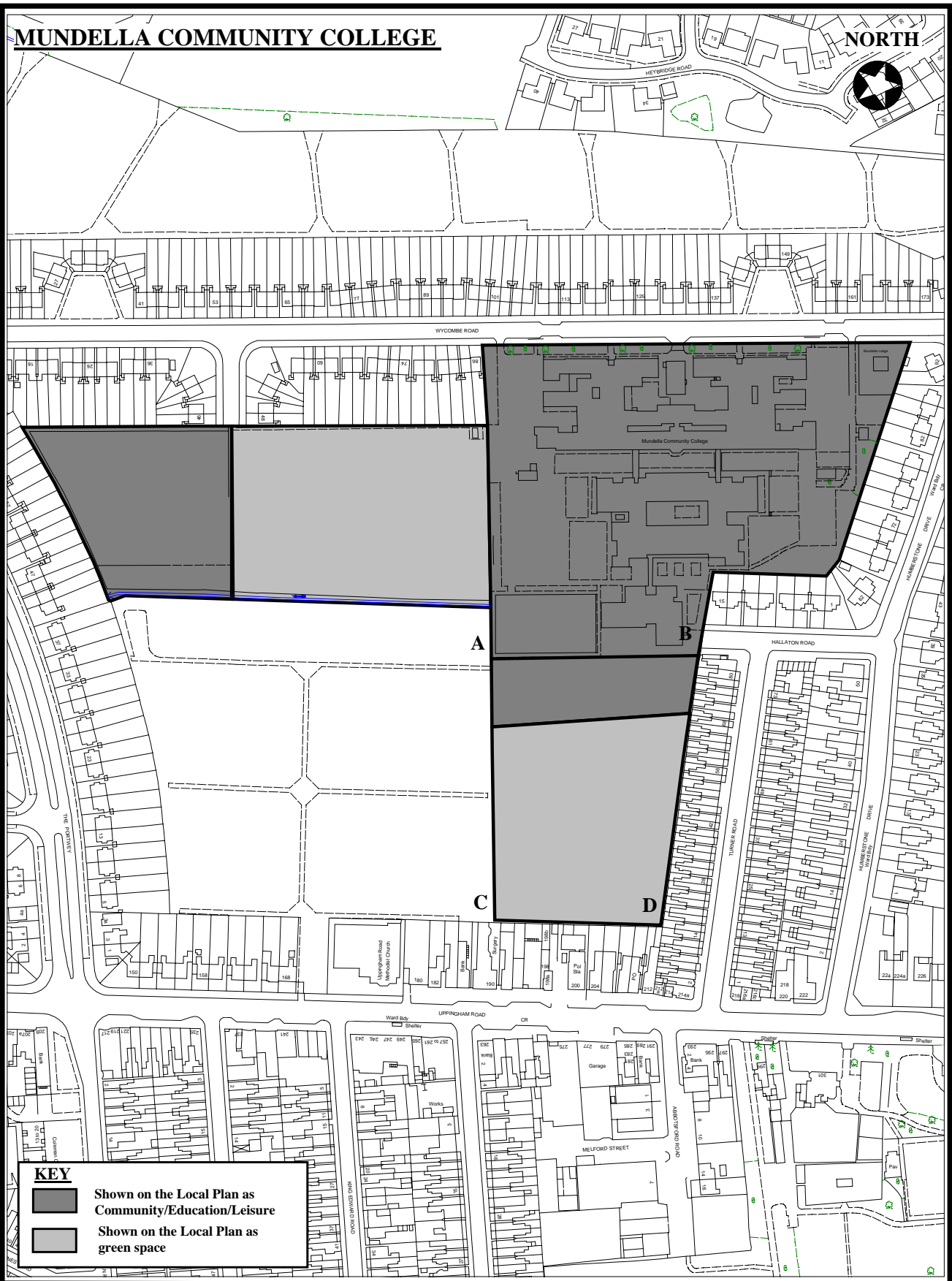
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