

Agenda



Cabinet Member for Assets & Member Development

Date: Wednesday, 6 September 2017

Time: Not Required

Venue: Not Required

To: Councillors M Whitcutt

Item

Wards Affected

1 Land at Lodge Hill, Caerleon (Pages 3 - 10)

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Report

Cabinet Member for Assets and Member Development

Part 1

Date: 6 September 2017

Subject Land at Lodge Hill, Caerleon

Purpose To seek approval with the Cabinet Member for Assets and Member Development to appropriate land at Lodge Hill, Caerleon for education purposes to facilitate the construction of a new school.

Author Housing and Assets Manager

Ward Caerleon

Summary The current Caerleon Lodge Hill Primary School is delivered on two separate but adjoining sites. Under the proposals for Band A 21st Century Schools funding, the Council are in support of re-providing the educational facilities in this vicinity of Caerleon to a 21st Century standard which requires a fit for purpose school operating from one building. The Council are in the process of submitting a full planning application for the development of a new school. The majority of the site is already appropriated for educational use and part is historically leisure.

This report seeks to appropriate the land outlined on the attached plan (plan 1) to education.

Proposal Appropriate the subject land from leisure to education.

Action by Newport City Council and Newport Norse

Timetable Immediate

This report was prepared after consultation with:

- Estates Team Leader, Newport Norse
- Estates Portfolio Officer, Newport Norse
- Property Services Manager, Newport Norse
- 21 CS Client Officer, Education, Newport City Council
- Strategic Director – Place, Newport City Council
- Head of Regeneration, Investment and Housing
- Housing and Asset Manager
- Head of Finance – Chief Finance Officer
- Head of Law and Regulations – Monitoring Officer
- Head of People and Business Change

Signed

1. Background

- 1.1 The land shown on the attached plan (Plan 2) is owned by the Council and forms the site for Caerleon Lodge Hill Primary School. The school was amalgamated recently but the education delivery continues to be from two separate buildings owned by Newport City Council under title numbers CYM410033 former Infant School situated at the northern end of the site. Title number CYM409980 includes the site of the former Junior School which is situated at the southern end of the site at the junction of Roman Way and Lodge Hill.
- 1.2 Stakeholders have been engaged on delivery of a new fit for purpose 21st Century School setting and a full planning application is due to be submitted in July 2017.
- 1.3 Whilst the majority of the site is already allocated for educational use, historically, the land outlined in plan 1 is appropriated to the former 'leisure' department. The land outlined on plan 1 allows the school to have exclusive use between the hours of 9.00am and 4.00 pm on school days and as playing fields for public use for the remainder.
- 1.4 Re-allocation of this land will provide exclusive use to education of the land outlined in plan 2.
- 1.5 However, the proposed redevelopment of the school recognises the public use in this vicinity and under the planning proposals incorporates a replacement public right of leisure to include a play area and open space. This will however, be available at all times with no restrictions during school hours which differs from the current arrangements.
- 1.6 The benefits are that Caerleon Lodge Hill Primary School operates from a 21st Century setting.
- 1.7 The Council propose to place a Public Notice in the South Wales Argus outlining the intention to appropriate the land outlined in plan 1 for education purposes. Standard timeframes will be applied for any formal objections.

2. Financial Summary

	Year 1 (Current) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs (Income)					Budgets will transfer for grass maintenance and cutting to education.
Net Costs (Savings)					
Net Impact on Budget					

3. Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
The opportunity for construction of a new school for Caerleon will be lost.	H	M	Advertise intention to appropriate the land to education.	Newport CC and Newport Norse

4. Links to Council Policies and Priorities

- Corporate Property Strategy and Strategic Asset Management Plan 2013-2018
- 21st Century School's

5. Options Available

- 5.1 Take no action.
- 5.2 Agree to advertise the Council's intentions to appropriate the land to education.

6. Preferred Option and Why

- 6.1 5.2 - Agree to advertise the Council's intentions to appropriate the land to education as set out in this report.
- 6.2 This action will comply with section 122 (2A) Local Government Act 1972. This will facilitate the development of the land in the interest of promoting and improving the educational facilities in Caerleon.

7. Comments of Chief Financial Officer

- 7.1 There are no financial implications for Newport City Council as a result of this proposal. Relevant maintenance costs and budgets will transfer from Leisure to Education with no impact on the Authority's bottom line.

8. Comments of Monitoring Officer

- 8.1 The proposed action is in accordance with the Council's powers under section 122 of the Local Government Act 1972 to re-appropriate land within its ownership for the purposes of different functions. In this case, the land adjacent to the existing school site is currently appropriated for leisure purposes and the area is available for public use outside school hours. Therefore, in order to facilitate the proposed new school development, this land will need to be re-appropriated from leisure to educational use and incorporated within the school premises. Because the land is currently designated as informal public open space, then the Council has to publish a statutory notice in two consecutive weeks in a local newspaper under section 122 (2A), giving notice of its intention to re-appropriate this area for educational purposes. Therefore, if the Cabinet Member is minded to agree to the proposed re-appropriation, he will need to consider any objections or representations received in response to the public notice before deciding whether or not to proceed with the proposal. However, in terms of the loss of this public open space, it should be noted that there is provision to replace it with a more accessible public open space and play area, as part of the planning application for the development.

9. Comments of Head of People and Business Change

- 9.1 This report deals with the appropriation of the land in order to progress with the building of a new 21st Century School on the Lodge Hill site. This programme aims to deliver school buildings fit for current teaching practices and anticipating the needs of future generations in modern, sustainable premises. There are considerable wellbeing benefits in terms of improved educational outcomes, attendance and inclusion which have implications for longer term life-chances.

10. Comments of Cabinet Member

- 10.1 Cabinet Member has approved the report.

11. Local issues – Ward Member Comments

11.1 No comments received.

12. Comments from Non Executive Members

Councillor Joan Watkins

I am pleased to note the provision of a new school for Primary education on this site. However I note also the provision of a small leisure area incorporating a children's play area is also included in the plan. It is essential that the latter facility is open for the public to access 24/7 as is currently in place. I am concerned that in a recent conversation with a member of Streetscene they stated the play facility would not be accessible to the public during school hours, this of course would not be acceptable so can I have absolute confirmation as to what is planned for this area? Thank you

Response from Cabinet Member for Assets & Member Development

Please find below a response to your concerns raised during the All Member Consultation:

The existing play facility is being relocated onto what is the current junior play area, however, due to the land available this will be delivered in two parts as not all of the existing provision can be accommodated onto the junior play area.

It has been agreed with the Parks service and the school that the existing (older) children's play equipment will be transferred onto the play yard at the end of September 2017 (once the existing play area is de-commissioned to allow the new school to be constructed). This will only contain older children's play equipment i.e. those of junior age and who should be in school. This facility will be used by the schools pupils during normal school hours and there will therefore be no public access to this facility until the end of the school day when the facility will be opened and available to the public. The play area will not be locked and the school site will be fully secured from the play area.

Once the new school has been completed, the existing junior school remodelled, it will allow the play area (on the junior play yard) to be expanded and a new toddler facility included in the scheme. During this period, the existing play area may need to be temporarily closed to allow the remodelling to be undertaken in a safe manner. However, after this area has been completed the whole public play area will be accessible to the public 24 hours a day seven days a week.

13. Scrutiny Committees

13.1 N/A

14 Equalities Impact Assessment and the Equalities Act 2010

14.1 N/A

15. Children and Families (Wales) Measure

15.1 N/A

16. Wellbeing of Future Generations (Wales) Act 2015

16.1 The Well-being of Future Generations (Wales) Act seeks to improve the social, economic,

environmental and cultural well-being of Wales. Public bodies should ensure that decisions take into account the impact they could have on people living in Wales, in the future. The 5 main considerations are:

- Long term: The term '21st Century Schools' indicates the intention of the programme to provide modern schools, which are fit for purpose now and for the needs of future pupils. This report paves the way for such a facility at Caerleon Lodge School.
- Prevention: There is evidence to indicate that modern, well maintained, purpose built teaching facilities can improve pupil attainment. Educational outcomes are known to be a key factor in influencing the life chances of young people over the courses of their lives.
- Integration: The intention to deliver a 21st century school could positively impact on most of the wellbeing goals in an integrated manner. For instance improved attainment, attendance inclusion and modern sustainable buildings can contribute to all of wellbeing goals.
- Collaboration: This project as it progresses will provide opportunities for collaboration between stakeholders from the Welsh Government, the Council, the design and construction team and staff and children.
- Involvement: As this project progresses there will be opportunities for community engagement, and the participation and involvement of children and young people and teaching staff in decision making with regards to the design and use of the building.

17. Crime and Disorder Act 1998

- 17.1 Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

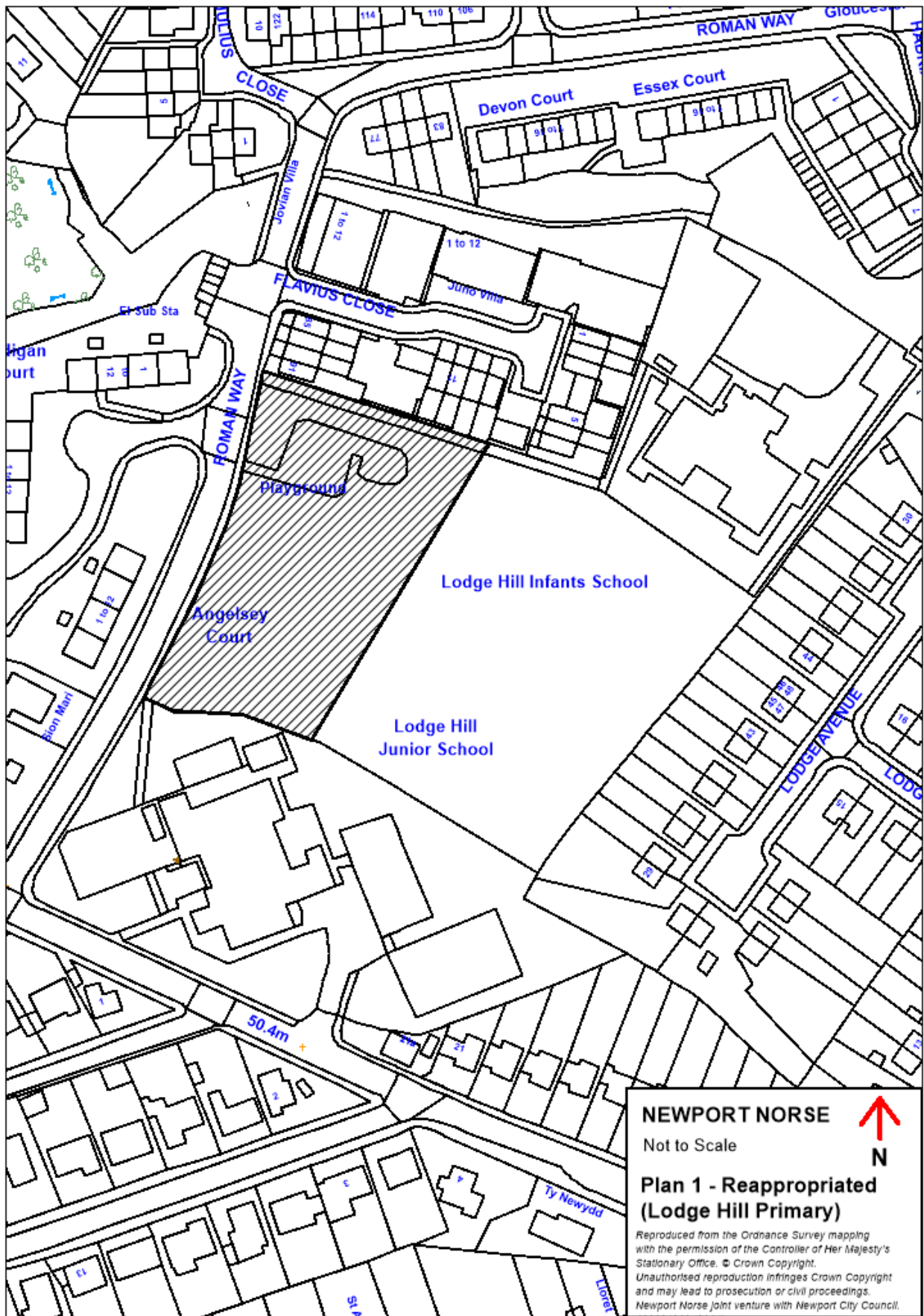
18. Consultation

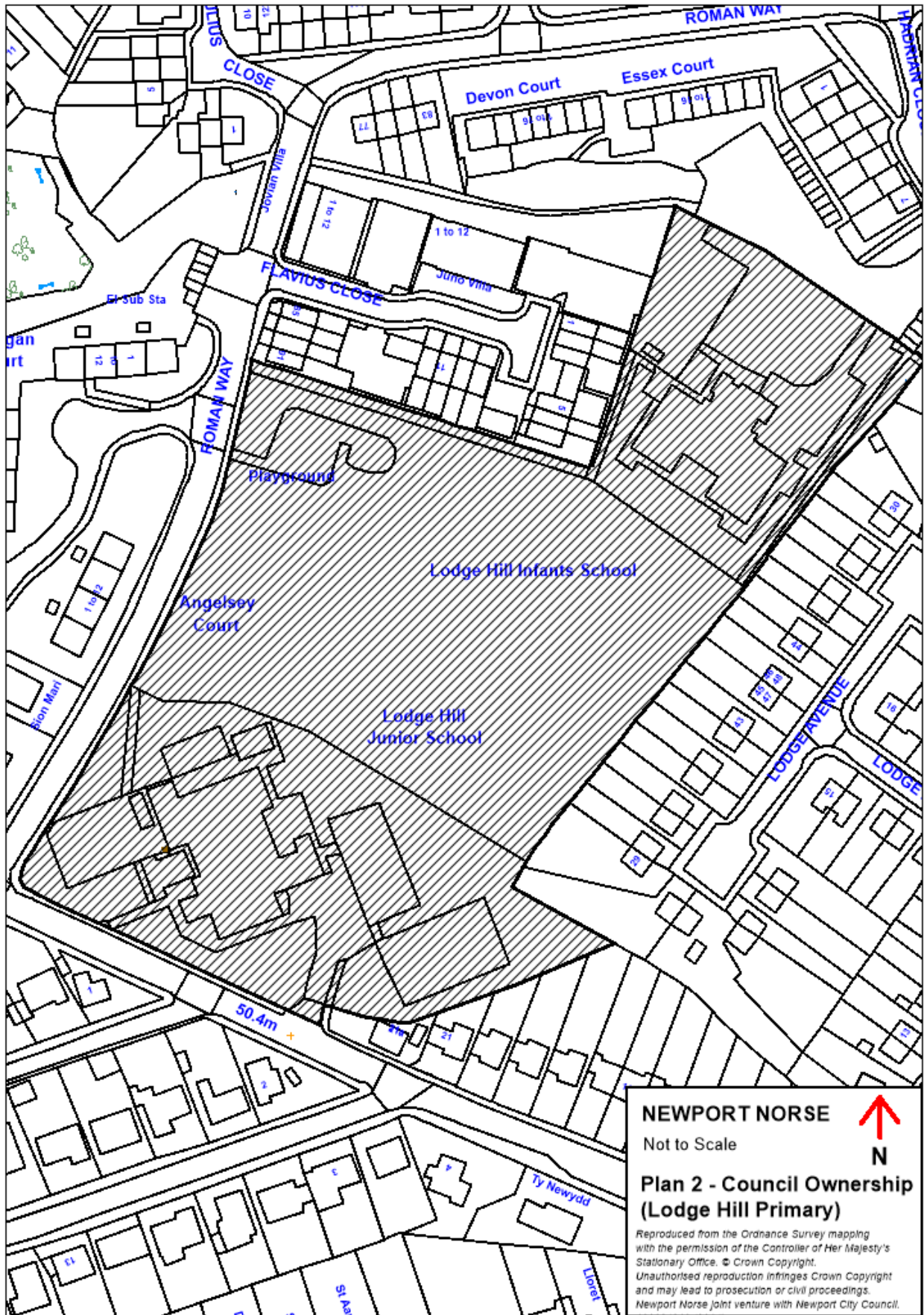
- 18.1 None.

19. Background Papers

- 19.1 Site Plan attached.

Dated: 6 September 2017





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