

## **Cabinet – 16 March 2011**

### **Leasing of the Sneyd school site to the Black Country University Technical College and future leases to Academies**

**Portfolio:** Councillor Adrian Andrew, Deputy Leader and Regeneration

**Service:** Regeneration - Property Services

**Wards:** All Wards

**Key decision:** No

**Forward plan:** No

#### **1. Summary of report**

The purpose of this report is to advise Cabinet of the progress made in discussions with Walsall College for the establishment of The Black Country University Technical College (UTC) on the site of the closing Sneyd Community School and to approve the granting of a short term lease and subsequently a 125 year lease at a peppercorn rent to facilitate the opening of the UTC with effect from the 1 September 2011.

The report also advises cabinet that there will be further applications from Secondary and primary schools for Academy status and the process thereby required

#### **2. Recommendations**

- 2.1 That cabinet approve the Black Country University Technical College be granted a short term lease for construction of the new facility and subsequently a 125 year lease at a peppercorn rent of the land shown edged bold on plan number EPMS 3478 and extending to 135,200 square metres or thereabouts to facilitate the opening of the UTC Academy on the 1 September 2011.
- 2.2 That Cabinet approve granting 125 years leases at a peppercorn rent in respect of those schools primary and secondary that convert to academy status in accordance with Partnerships for Schools guidelines

### **3. Background information**

- 3.1 Cabinet at its meeting on the 3 February 2010 received the joint report of Children's Services and Walsall Childrens Services Serco regarding proposals for a 14-19 University Technical College and resolved:

'That the Cabinet notes arrangements for a regional Engineering University Technical College based in Walsall as part of the Local Authority's plans to implement the national 14-19 reform agenda as outlined in this report, and; (2) That cabinet delegates responsibility to the Executive Director for Children, in consultation with the portfolio holder for Children's services to sign an expression of interest in the UTC.'

- 3.2 The said Expression of Interest has now been accepted by the Department for Education and Officers have since been in discussion with Walsall College over a proposal to open a technical college to be known as The Black Country University Technical College (UTC) on the site of the current Sneyd Community School with effect from the 1 September 2011. This follows the decision of Cabinet on the 17 November 2010 to bring forward the closure of Sneyd Community School to the 31 August 2010.
- 3.3 In the summer of 2010 the government announced a policy for the creation of Academy schools commencing with all outstanding schools to be converted to this new status. The policy is gradually being widened to all secondary and primary schools. In converting to the new status, the Council is required by Partnerships for Schools to grant a 125 lease at a peppercorn rent. The Council has already received a number of applications and this is expected to increase over the coming months

### **4. Resource considerations**

#### **4.1 Financial:**

The financial implications were identified in the 3 February 2010 cabinet report for the opening of the Black Country University technical college. There are no further financial implications associated with the leasing of the land.

At this stage there are no financial implications associated with lease of land to schools applying to become Academies, however, depending on the volume of applications received the Council may need to review how it provides staff resources to respond to the applications

#### **4.2 Legal:**

The closure of Sneyd Community School in order for the UTC to become an academy is subject to statutory procedures and is dependent on the signing of a Funding Agreement by the Secretary of State.

The granting of 125 leases to the UTC and future Academies, will be subject to a standard lease agreement as prescribed by Partnerships for schools

If there are any unforeseen or unusual circumstances in proposing a 125 years lease at a peppercorn rent then further reports to cabinet will be made as necessary.

#### **4.3 Staffing:**

4.3.1 The staff employed at Sneyd are employees of Walsall Council. In a technical college, the staff are employed by the governors (trustees). The UTC sponsor has confirmed that the national terms and conditions of service would apply to staff employed at the proposed academy.

4.3.2 In circumstances where a school closes and reopens as an academy, staff are 'TUPEd' across to the new employer on the same terms and conditions of service.

### **5. Citizen Impact**

All existing community engagement on the UTC site will be considered as part of the proposals

### **6. Community safety**

There are no direct implications for community safety

### **7. Environmental impact**

The UTC will be constructed by refurbishing the existing buildings funded through Partnerships for Schools

### **8. Performance and risk management issues**

#### **8.1 Risk:**

There is a loss of direct control by the Council of property in schools that become Technical Colleges and Academies. This would apply for the life of the Technical College or Academy and there would be conditions in the agreement to ensure that the property would return to the Council if the Technical College or Academy closes and can ensure that the property can only be used for specified purposes.

#### **8.2 Performance management:**

The Council has established a project team to deal with future Academy applications with representatives from, Walsall Childrens Services Serco, Property Services, Legal Services and HR.

## 9. Equality implications

The Lease agreement with Technical colleges or Academies will ensure that exiting community leases are considered

## 10. Consultation

The Community Association at Sneyd have been consulted in the development of the UTC proposals and have been offered a place on the Governing body of the new college

## Background papers

None

## Author

Kevin Kendall  
Head of Property Services  
☎ 471259  
✉ [kendallk@walsall.gov.uk](mailto:kendallk@walsall.gov.uk)



Tim Johnson  
Executive Director  
Regeneration

16 March 2011



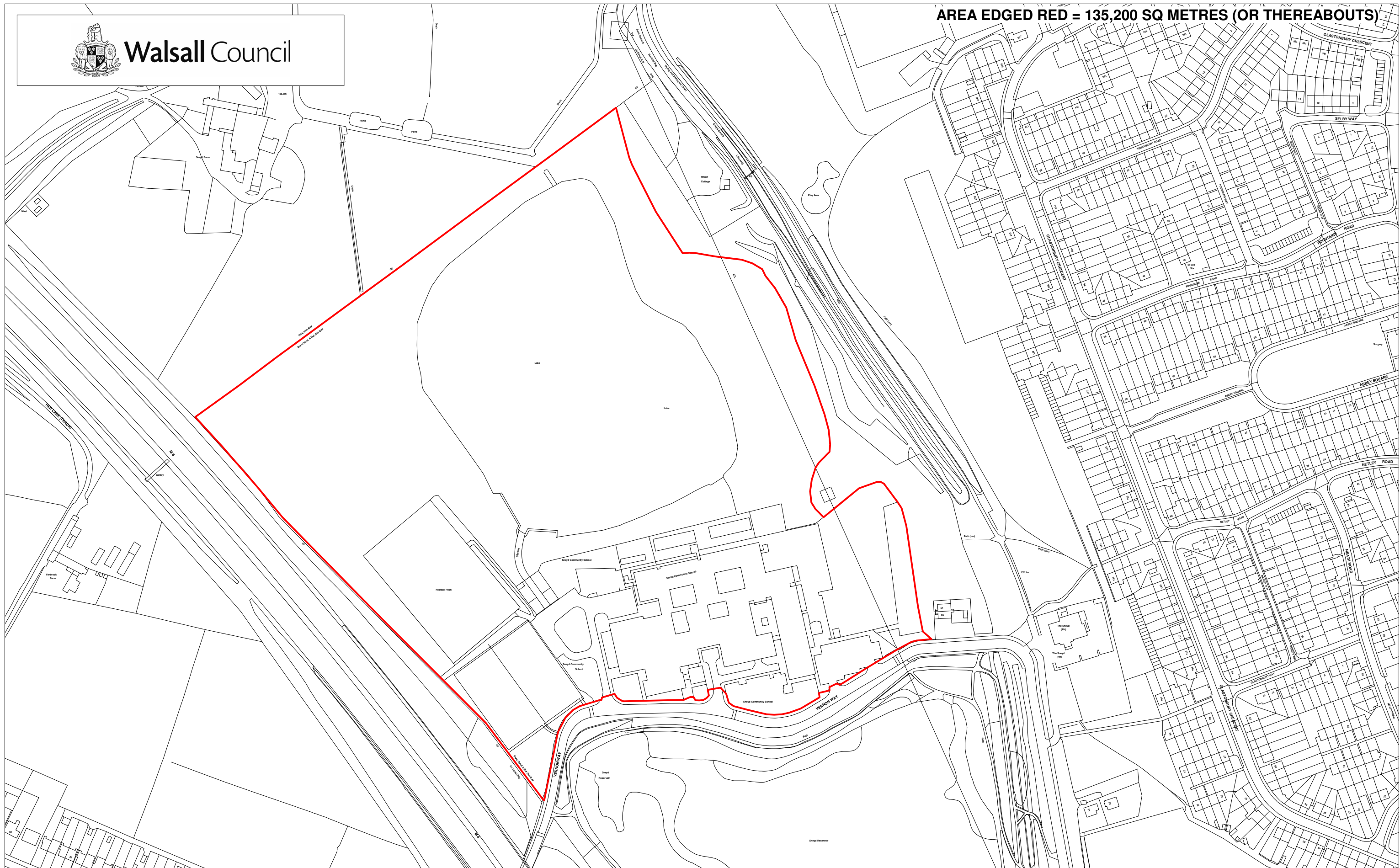
Councillor Adrian Andrew  
Deputy Leader  
Portfolio holder: Regeneration

16 March 2011



Walsall Council

AREA EDGED RED = 135,200 SQ METRES (OR THEREABOUTS)



ASSET  
MANAGEMENT  
Civic Centre  
Walsall  
WS1 1TP  
Tele: 01922 652084,  
Fax: 01922 636150

**SITE ADDRESS:**  
**VERNON WAY**  
**WILLENHALL**

**DRAWING NO : EPMS 3478**  
**DATE : 08/03/2011**  
**DRAWN BY : SSP**



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