

Officer Non Key Executive Decision

Relevant Chief Officer:	Steve Thompson, Director of Resources
Relevant Cabinet Member:	Councillor Mark Smith, Cabinet Member for Levelling Up:Place
Report Author:	Anne Thornton, Service Manager, Estates and Asset Management
Implementation Date of Decision:	20 March 2024

Land Transfer of Boundary Primary School to Synergy Education Trust by way of 125 Year Lease

1.0 Purpose of the report:

1.1 To seek authority to transfer the Council owned land and buildings to the newly formed Synergy Education Trust under a 125 Year Lease in line with their forthcoming Acadamisation from 1st April 2024.

2.0 Recommendation(s):

2.1 To enter into a 125 year DoE Academy Land Transfer Lease along with Commercial Transfer Agreement (CTA).

3.0 Reasons for recommendation(s):

3.1 As a result of the requirements of the Academies Act 2010, the school buildings and associated land shall transfer on completion of the 125 year lease.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 The Council is required to enter into a standard DoE 125 year lease of the land and buildings as part of the Acadamisation process.

5.0 Council Priority:

5.1 The relevant Council Priority is

- “The economy: Maximising growth and opportunity across Blackpool”
- “Communities: Creating stronger communities and increasing resilience”

6.0 Background Information

6.1 The Boundary Primary School has decided to Academise to the newly formed Synergy Education Trust, alongside two other converting schools (Highfurlong Special and Stanley Primary schools).

Prior to Academisation the Council are required to enter into a standard Department of Education (DoE) 125 year lease in respect of school buildings and associated land which are currently used by the school and are within the freehold ownership of the Council.

6.2 As part of the Academisation process the Council is obliged to enter into a Commercial Transfer Agreement (“CTA”) with The Synergy Education Trust.

Does the information submitted include any exempt information?

No.

7.0 List of Appendices:

See site plan attached.

8.0 Financial considerations:

8.1 To pay other parties reasonable costs as outlined in the School Standards and Framework Act 1998, schedule 3 paragraph 5.

9.0 Legal considerations:

9.1 Subject to all legal requirements and due diligence. The legislation governing the entering into the lease is laid down in the Academies Act 2010.

10.0 Risk management considerations:

- 10.1 All appropriate due diligence to meet the requirements of the DfE and school whilst protecting the Council interests as freeholder.
- 10.2 The Council has undertaken a ground monitoring survey prior to conversion following historic remedial works to mitigate future subsidence.
- 11.0 Equalities considerations and the impact of this decision for our children and young people**
- 11.1 Fully supporting the school to provide appropriate education facilities and access for their children and staff.
- 12.0 Sustainability, climate change and environmental considerations**
- 12.1 Subject to all appropriate environmental and sustainable development requirements.
- 13.0 Internal/ External Consultation undertaken:**
- 13.1 Liaison with all relevant stakeholders throughout.
- 14.0 Decision of Chief Officer**
- 14.1 To enter into a 125 year DoE Academy Land Transfer Lease along with Commercial Transfer Agreement (CTA).
- 15.0 Reasons for the Decision of the Chief Officer**
- 15.1 As a result of the requirements of the Academies Act 2010, the school buildings and associated land shall transfer on completion of the 125 year lease.