

Record of officer decision

Decision title:	Agreement for lease and lease of land at former Broadlands Primary School to Barrs Court Academy Trust for a new SEN school for pupils aged 16 - 19
Date of decision:	8 February 2019
Decision maker:	Director for Children and Families
Authority for delegated decision:	<p>Following the decision taken by cabinet on the 18 January 2018, the director for children and families (formerly the director for children's wellbeing), following consultation with the solicitor to the council and chief finance officer, be authorised to take all operational decisions necessary to make the site available. Including the agreement of a lease of up to 125 years for part of the former Broadlands site of an area sufficient for a special school of 50 pupils.</p> <p>https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=4956</p>
Ward:	Aylestone Hill
Consultation:	Consultation has been undertaken with key stakeholders and they are supportive of the decision
Decision made:	<p>To approve the grant of an agreement for lease; subject to planning permission.</p> <p>Following planning permission approval; to then grant a 125 year standard Department for Education (DfE) academy lease to Barrs Court Academy Trust (the selected provider to lead the new SEN free school for 16 – 19 year olds).</p>
Reasons for decision:	<p>The construction of the new SEN free school funded by the Education and Skills Agency of behalf of the DfE is dependent on the selected provider Barrs Court Academy Trust entering into an agreement for lease pending grant of planning consent for the new premises and thereafter a 125 year lease of part of the former Broadland Primary School site.</p> <p>The lease will provide them with exclusive occupation of the site, enable the building of the new school and delivery of education to pupils aged 16+ with special educational needs.</p> <p>The agreement of the 125 year lease will be based on the standard terms for an academy produced by the DfE and which provides for payment of a nominal rent and the transfer of all liabilities to the occupying Academy Trust.</p>
Highlight any associated risks/finance/legal/equality considerations:	None - the agreement and lease will transfer all risks to the new free school tenant and the Secretary of State who is providing funding for the project under the government's free school programme.
Details of any alternative options considered and rejected:	None - not proceeding with these occupational arrangements would be contrary to the cabinet decision and children and families in Herefordshire would not benefit from the proposed school for 16-19 year olds with special educational needs.
Details of any declarations of interest made:	None