

CANNOCK CHASE COUNCIL

CHILDREN AND YOUNG PEOPLE POLICY DEVELOPMENT COMMITTEE

4 JUNE 2008

BRIEFING NOTE TO MEMBERS

SPRINGVALE SCHOOL PLAYING FIELDS

1. Purpose of Briefing Note

- 1.1 To provide further clarification regarding the "10 year rule" in relation to school playing fields.

2. Recommendations

- 2.1 That Members note the position

3. Background

- 3.1 As Members are aware Springvale School closed approximately 2 years ago and the buildings and playing fields are on separate sites. Officers were asked to ascertain from the County Council as to its intentions regarding the playing fields and their possible availability for lease. At the Select Committee on 8 April 2008 Members were advised that the playing fields were being left vacant and unused pending expiry of a 10 year period. However the County Council continues to maintain the field. At the present time, no alternative use has been identified for the playing fields and in any event any alternative use would be subject to legislation.

Members asked for further clarification concerning the "10 year rule".

4. Legislative Background

- 4.1 Further contact was made with Officers of the County Council's Asset Management and Planning Division to ascertain the basis of the "10 year rule" within Section 77 of the School Standards and Framework Act 1998.
- 4.2 Section 77 relates specifically to the disposal of playing fields as opposed to buildings and states that except with the consent of the Secretary of State an authority may not dispose of any playing fields which are :-
- (a) Immediately before the date of disposal used by a school or
 - (b) are not so used but have been used within a period of 10 years.

It is possible to dispose of playing fields for another use within the 10 year period but only with the Secretary of State's consent which may or may not be given or if given may be subject to conditions.

- 4.3 By leaving the land vacant and unused for 10 years therefore the County Council avoid the need to apply for any specific consent from the Secretary of State and subject to

planning consent are able to dispose of the land for any purpose. However, if an alternative use were identified prior to expiry of the 10 years, application would need to be made to the Department for Children, Schools and Families for permission to use the site.

- 4.4 By way of clarification regarding the school buildings themselves the County Council Officers confirmed that they are to be converted to offices planning consent to the change of use having been granted by this Council in 2007. This will then enable Social Services to relocate from premises elsewhere in Cannock.