

SATPF1 - Application for Secretary of State's consent under Section 77 of the School Standards and Framework Act 1998 to dispose of school playing field land

This application form must be completed by an official authorised to act on behalf of the Authority, or by an authorised member of staff or in the case of a disposal at a foundation school, a governing body. Where the disposal is at an academy that leases its land from the local authority, the local authority must confirm that the proposal is supported.

Date of application: original 27/02/2015, amended 13/11/2015

Name of local authority: London Borough of Southwark

Address: 160 Tooley Street, London, SE1 2HQ

School/Academy name: Albion Primary School

School/Academy address: Albion Street, Rotherhithe, London, SE16 7JD

DfE reference number (if applicable): 210/2003

Signed authorised officer of local authority/governing body agreeing to proposal:

& A.

Name of officer: Bruce Glockling

Position held: Head of Regeneration Capital Works

Direct contact telephone no: 02075250138

Contact E-mail: bruce.glockling@southwark.gov.uk

Notes to applicants - Please read the following prior to making an application:

This application is for the disposal of school playing field land at maintained schools, and at academies where the land is leased from local authorities. For proposals to change the use of school playing field land, where the land will continue in school use after that change, please complete the SATPF2 application form instead, this can be sought from the Schools Assets Team on the below email contact.

The Secretary of State has a <u>presumption against</u> the need to change the current pattern of playing field provision at schools. **Departmental Advice: The Protection of School Playing Fields and Public Land** sets out the criteria against which all applications will be assessed. The School Playing Fields Advisory Panel will provide the Secretary of State with independent advice on the application.

'Playing field' is defined as land in the open air which is provided for the purposes of physical education or recreation. Physical education and recreation is considered to mean team games, non-team games, informal and social activities and the study or enjoyment of the natural environment.

Some sections of the application form contain references to relevant paragraphs of departmental advice. This document can be accessed via the internet at the www.gov.uk website or via the Schools Assets Team. www.gov.uk website or via the Schools Assets Team. You should complete all questions appropriate to your application. Where you do consider a question not to be relevant, you should provide a full explanation as to why that question has not been completed. The information will not be considered as an application until all information is provided, including responses to subsequent questions. Applicants are encouraged to supplement their application with any additional information they consider appropriate.

If you have any queries, please contact:

Schools Assets Team

General line: 01325 735634

E-mail: schoolsassets.efacapital@education.gsi.gov.uk

Section A: General

Q.1 To be completed in all instances where <u>sale</u> of playing field land is proposed; Playing fields should only be sold as a <u>last resort</u>. Before completing the application, please provide details of which other sources of funding were considered <u>before</u> deciding to sell the land:

Answer: All available resources are being allocated to provide a new expanded school (from 1FE to 2FE) on the present site. There is no commercial sale of playing field land for this site but the land will be retained in the Council's ownership and the Council is seeking to appropriate the school land from the Council's Education portfolio to the Councils Housing portfolio so that the land can be used to provide social housing. The monies released to the school for this are to be spent on reproviding the new expanded school and enhancing the sport, play and educational offer for Albion School.

The budget for providing the expanded Albion School is £12 million with £8 million funding coming from the Council and the additional £4 million from the release of the school land. The current projected costs (inclusive of fees) is £14.2million and the Council will make up the balance of the costs to enable the new school to be constructed. The scheme will provide high educational provision both internally and externally and will offer much improved facilities.

Q.2 What is the overriding reason for the proposed disposal (for example, schools reorganisation, fund new sports facilities, etc.)?

Answer: The overriding reason for the disposal of the land is to provide the additional funding for the new expanded school and to re-organise a poorly laid out school site. This also allows for the land to be released for social housing in a regeneration area (Canada Water Regeneration Area).

The current school buildings are too small for a 2FE primary school and are poorly laid out across the site. This restricts the amount of useable external play space. The new school building and site layout will allow for a new all weather MUGA (floodlit and appropriately laid out to Sport England guidelines) which is not available on the existing site to offer a full sports curriculum and also allow this to be used by the local community.

The new school layout will provide dedicated play areas for all year groups (nursery thru to Year 6) including a roof play deck on the main school building (which is also fully accessible to the whole school). There will be a larger gym/hall, performance studio and specialist teaching laboratory in the new school enhancing the schools educational offer for both sports, arts and sciences.

Q.3 Which category below best describes the land being disposed of? If more than one category is applicable, please complete those categories which best describe the land. Specify size of area(s) in m² for each category.

Sports pitch (for example whole pitches, part of sports pitch, goalmouth, corner of football pitch)	Answer: Not applicable m ²
All-weather pitch or part of all-weather pitch	Answer: Not applicable m ²
Hard surface games court (for example multi-games court, hard tennis court, basketball or netball court)	Answer: Not applicable m²
Hard and soft play informal and social areas (for example, playground, grassed or paved area, outdoor seating and teaching area, quiet area)	Answer: 1359.76 m ²
Marginal area (for example, around edges or playing fields for run-off and to allow cyclical re-alignment of pitches, scrub or wasteland)	Answer: Not applicable m²
Habitat area (for example, for environmental studies, including school gardens, copse, livestock enclosure, nature trail)	Answer: 482.32 m²
Local authority parkland that is used, or has been used for the purposes of a maintained school	Answer: Not applicable m²

Please attach a plan (A4 size) of:

- **a)** The local area showing the playing field in question and identifying any other school playing fields held or used by the school (with measurement amounts shown), include any off-site facilities; <u>and</u>
- b) The school site (if applicable) and the area that will be affected by the proposed disposal.

You may also attach photographs of the land to be disposed of, if this helps describe it.

Section B: Schools' needs – Please refer to paragraph 13 of s77 advice.

Only complete this section if the school is <u>continuing or relocating to another site under the same name</u>, if the school's pupils have transferred to a different school please provide an Annex A with those school's details instead

Q.4 Please provide:

a) Current <u>capacity</u> of the school for pupils aged 7 years and under (KS1 and below) x105% (as defined in paragraph 13 of the advice document):

Answer: $225 \times 1.05 = 236$

b) Current <u>capacity</u> of the school for pupils aged 8 years and older (KS2 and higher) x105% (as defined in paragraph 13 of the advice document):

Answer: $240 \times 1.05 = 252$

Q.5 Using the figures provided in **Q.4** above, please provide the school's recommended minimum playing field area in area guidelines (Annex A of the advice document explains how to calculate area guidelines):

Answer: $2596 + 12,600 + 4000 = \text{Total } 19,196\text{m}^2$ This is based on projected pupil numbers as the school is not yet a full 2FE.

Q.6 Please provide the existing amount of playing field land at the school (m²):5,814

Sports pitch (for example whole pitches, part of sports pitch, goalmouth, corner of football pitch)	Answer: Not applicable m²
All-weather pitch or part of all-weather pitch	Answer: Not applicable m ²
Hard surface games court (for example multi-games court, hard tennis court, basketball or netball court)	Answer: 1490 m²
Hard and soft play informal and social areas (for example, playground, grassed or paved area, outdoor seating and teaching area, quiet area)	Answer: 3465.34 m ²
Marginal area (for example, around edges or playing fields for run-off and to allow cyclical re-alignment of pitches, scrub or wasteland)	Answer: Not applicable m ²
Habitat area (for example, for environmental studies, including school gardens, copse, livestock enclosure, nature trail)	Answer: 858.40 m²
Local authority parkland that is used, or has been used for the purposes of a maintained school	Answer: Not applicable m ²

Q.7 Please provide the amount of playing field land retained <u>after</u> disposal, If a proportion of this is off-site, please separate areas into on and off-site:

Answer: New school area on site 4,240 m². The school also have free access to Southwark Park Sports and Play areas which has an area allowance off site of 86,643m². The Council have issued a letter confirming the schools free use of the Park's facilities and a Licence for their use is currently being agreed between the parties.

Q.8 If <u>retained</u> playing field area (**Q.7**) is smaller than the minimum <u>recommended</u> playing field area (**Q.5**), please explain how the pupil's current and future needs will be catered for (for example, use of off-site provision):

Answer: The needs of the pupils will be catered for by the enhanced sport facilities that are provided as a result of the new school facilities which will be provided as part of the site re-organisation. The new facilities will include a new all weather Multi Use Games Area to Sport England guidance and floodlit for use throughout the school year. The new school hall (will be larger than BB99 advises) and will be used as a gym for gymnastics, badminton, basketball/netball, 5 a side football etc. The performance studio will be used for dance. The school will also be using free of charge the off site facilities at the near by Southwark Park which caters for tennis, football, rugby, cricket and athletics.

Q.9 Where a school will operate with less playing field area than the minimum area recommended in guidelines, please provide a detailed assessment of the impact that the proposal will have on the provision of both formal and informal curriculum. You should clearly demonstrate how the curriculum will be met (for definitions of the curriculum, please see Para 13 of the advice document):

Answer: Please see the separate response attached to this application titled 'Albion Primary School, Section 77, Question 9 response'.

Q.10 How will the disposal affect pupils with a disability? For example will the disposal of this land affect the quality or amount of facilities that they currently enjoy, and If new facilities are to be provided, how will they improve the standard

available to disabled pupils.

Answer: At present the site is not DDA compliant and there are areas of the site which disabled pupils would struggle to negotiate (the existing games court has manhole covers and drainage inlets across the court and is a hard asphalt surface). The new school will be DDA compliant and the new MUGA will be available for all abilities to use with wide entrances and run off areas around the games courts, all weather surface and fully floodlit. The first floor play deck has been designed to take into account pupils with SEND and this areas is fully accessible. The new studio space and hall/gym will also be fully accessible and covered by hearing loops and acoustically treated and these spaces will also be used for indoor sports activities as they will be double height spaces.

Section C: Other schools' needs – Please refer to paragraph 14 of s77 advice.

Provide a map of the local area showing the ½ and 1 mile radii and location of identified schools.

Complete Annex A of the SATFPF1 for each school (including academies on land leased from LA but excluding freehold academies) within ½ mile (primary) and 1 mile (secondary) radii. This information will help the Department assess the level of provision of school playing fields in the local area and the needs of those schools. **All-age special schools should be included in the list of primary schools (Q.11).

Q.11 List all primary schools within 0.5 mile radius of disposal area (include special schools).

Answer: St Joseph's Catholic Primary School, Gomm Road, Lower Road, London SE16 2TY Alfred Salter Primary School, Quebec Way, Rotherhithe, London SE16 7LP St John's Roman Catholic Primary School, Elmo's Road, Rotherhithe, London SE16 6SD

Q.12 List all secondary schools within 1 mile radius of disposal area (include special schools).

Answer: City of London Academy, 240 Lynton Road, Southwark, London SE1 5LA

Q.13 List any of the schools that share a campus or a boundary with the school in question.

Answer: No schools share a campus or boundary with Albion Primary School.

Q.14 If there are any maintained schools (and academies on LA leased-land) in the local area which are below the minimum recommended playing field area as set out in area guidelines (Annex A of the advice document), please explain why the land subject to this application cannot be used by those schools, providing supporting evidence (for example, letters from those schools declining use of the area for disposal and the reason why).

Answer: The schools which are under area guidelines are Alfred Salter Primary School, St John's RC Primary School, St Joseph's RC Primary School and City of London Academy (Southwark). All of the schools and the Academy have declined to use the land subject to this application as they either have their own outdoor facilities or in the case of City of London Academy the site is too far away from their school to be used practically. Please see the attached letters and/or emails confirming this.

Section D: Community use – Please refer to paragraph 16 of s77 advice.

Q.15 Do any authorised users/groups use the playing field that is the subject to this application? If 'Yes', what alternative arrangements are proposed? Please provide any evidence that will help illustrate these alternative arrangements are acceptable to users. (For example user agreements to use other facilities)

Answer: There are no community groups who currently use the school or its grounds.

Q.16 If applicable, set out any existing after-school activities affected by the proposed disposal, and what alternative arrangements are proposed?

Answer: The school currently have an after-school club but this will not be affected by the release of this land. It is proposed that the land will only be released once the new school has been completed and the new external play and sport provisions have been provided.

Q.17 Have you considered using the land to further develop after-school activities and out-of-hours clubs? If not, why?

Answer: The school already have an after-school programme and they do not use the area of land proposed for disposal for this programme. If they were to use this for after-school activities then it would need to be upgraded to enable this to be feasible. The new expanded school does provide a roof play deck which can be used for all year groups and appropriately supervised alongside this the new school will have a purpose built MUGA to Sport England standards which will be used for active sports such as football, short tennis, netball, flag rugby and volleyball. The school already have activities around bicycle use and training and this will be expanded in the new school with a dedicated provision for reception aged children.

Section E: Finance- Please refer to paragraph 18 of s77 advice.

Q.18 Based on a valuation (which **must** be less than 12 months old) of the disposal area, what are the estimated proceeds or value of any benefits in kind? Please provide an official, signed and dated valuation report (If the land will be leased instead of sold, please also provide a copy of the lease agreement):

Answer: The value of the disposed area is £4 million. Attached is the valuation report prepared by consultant valuers BNPPRE.

Q.19 Paragraph 18 of the advice sets out that the first priority for investment of proceeds or benefits arising from any disposal should be sports facilities (where these are needed by the school), then specific <u>education capital</u> <u>projects</u> to improve or enhance facilities at this or other schools. Please detail how the whole of the disposal proceeds are to be invested as capital and enclose a full cost breakdown of the proposal(s). It is not acceptable to include any expenditure classed as revenue, for example sports equipment or day to day repairs and maintenance.

Answer: The full proceeds of the disposed land will be spent on providing a new expanded school (from 1FE to 2FE) to meet the demand for places locally and as part of this new enhanced sports facilities will also be provided. The budget for reprovding an expanded Albion school is £12 million. The Council are providing £8 million in funding and the balance is from the disposed land proceeds which is £4 million. The Council has confirmed its commitment to this funding in the Cabinet Report dated 8th December 2014 (attached to this application and titled 'Albion Street Regeneration') in particular paragraphs 44-49 with regard to finances. The cost report (attached to this application) sets out the capital cost for the new school at Stage C of the design process as £12.3 million excluding fees. Fees are currently circa £1.9 million which takes the total cost to £14.2 million, the balance will be met by the Council. Without the funding from the release of the land then the scheme would not go forward.

Q.20 Where proceeds are to provide new sports or leisure facilities, please detail how the sustainability of those facilities over a 10 year period has been taken into account.

Answer: The new school facilities are to be designed to a stated design life (as per the EFA design guidance for new schools) and as such the structures should have a minimum design life of 60 years and cladding 40 years. The external MUGA will have a design life of 25 years and will incorporate LED lighting which is low maintenance and energy efficient. The contractor will also be providing a planned maintenance programme for the school and Council to incorporate into their maintenance palnning once the new school is completed.

Section F: Consultation – Please refer to paragraph 20-22 of s77 advice.

Please attach evidence of the relevant s77 consultation undertaken. Where schools in the area are below the recommended minimum playing field area, but do not require access to the land being disposed of, please provide written evidence from those schools clarifying that access is not required.

- Q.21 Please confirm, with reference to paragraph 21 of the advice, that consultation has taken place with:
- **a)** Governing Body, head teacher, teachers and parents of pupils attending the school (if applicable) or any other school which uses, or has used, the playing field. Please state how the consultation was carried out.

Answer: There has been extensive consultation with the Governing Body, head teacher of Albion Primary School and the wider consultation commenced on the 25th September 2014 and ended on 6th November 2014. The Council and the school extensively publicised the proposals via adverts in the local newspaper (Southwark News). Letters from the head teacher and governors were sent to all parents and carers. Public consultation event was held at the school on 2nd October 2014 for any interested party to view and comment on the

proposals. People were given response forms to complete on the proposals and it was clearly stated that proposals included reducing the school area by 2,260 m².

b) Please state how the consultation was carried out with the Governing Body and headteacher of the schools within a one-mile radius of disposal area. What were the outcomes?

Answer: There has been extensive consultation with the Governing Body, head teacher of Alfred Salter Primary School, St John's RC Primary School and City of London Academy (Southwark). Letters were sent out to each head teacher and Chair of Governors detailing that an application would be made under section 77 for Albion Primary School and giving details of the area been released. They were also invited to the public event held at the school on 2nd October 2014. All of the above schools have responded that they are not interested in using the land subject to this application.

c) Please state how the consultation was carried out with any group or organisation with permission to use the playing field. What were the outcomes?

Answer: There are no groups or organisations who have permission touse the school playing fields.

d) Please state how the consultation was carried out with the local community generally. What were the outcomes?

Answer: There has been extensive consultation with the Governing Body, head teacher of Albion Primary School and the wider consultation commenced on the 25th September 2014 and ended on 6th November 2014. The Council and the school extensively publicised the proposals via adverts in the local newspaper (Southwark News). Letters from the head teacher and governors were sent to all parents and carers. Public consultation event was held at the school on 2nd October 2014 for any interested party to view and comment on the proposals. People were given response forms to complete on the proposals and it was clearly stated that proposals included reducing the school area by 2,260 m².

e) Please state how the consultation was carried out with any minor authority in whose area the playing field is situated. What were the outcomes?

Answer: Not applicable

f) Where the disposal is at a Foundation School, the Governing Body must consult the Local Authority. What were the outcomes?

Answer: Not Applicable

Q.22 Please provide a detailed summary of valid objections if any identified. (Valid objections are for example concerns about a schools' ability to provide adequate facilities for its pupils or the ability of other schools in the local area to provide adequate playing fields. Similarly concerns about adverse effects on existing formal or informal authorised use of playing fields by groups or organisations. The Department should not take into account objections concerning the development of land or the possibility of future increases in community use as these are matters for the planning process)

Answer: Please see the appended document titled 'Summary of consultation and the council's response' as this details all of the responses received and the Council's response to these. The valid objections are contained as reference numbers 41-43 on the table of response included in the above document, the relevant text stating the objection has been highlighted in red.

Q.23 Where there are valid objections to the proposed disposal how do you propose to address them?

Answer: The valid objections mainly focus on the land been released for part funding the new school development. This is essential to ensure the new school is developed and we have published the responses to the initial consultation meeting. Further meetings have been held with the community to update them on the proposals. The Councils response is as set out in the appended document titled 'Summary of consultation and the council's response'.

Q.24 Consultation should be carried out for a minimum of six weeks (with four of those being in term-time). How many weeks in total, and in term-time, has the consultation covered?

Q.25 If the consultation period for any of the groups is less than six weeks please explain why the Department should accept a shorter period.
Answer: Not applicable as the consultation was run in accordance with the guidance.
Q.26 Name of local Member of Parliament and whether they have expressed an interest, does he/she support or oppose the proposed disposal? Please give details, if applicable.
Answer: Simon Hughes MP for Bermondsey and Old Southwark. Simon is in support of the application and the reprovision of an expanded 2FE primary school. Please see Simons letter of support attached to this application.
Section 77 application - Checklist for Completed application from SATPF1, have you:
Confirmed all relevant questions on the application form have been completed in line with Departmental advice?
Enclosed an official, signed and dated valuation report or lease agreement (whichever applicable)
Attached a plan of the local area showing the playing field in question and identifying any other school playing fields held or used by the school?
Attached a plan of the school site (if applicable) and the area that will be affected by the proposed disposal?
Attached photographs of the land to be disposed of?
Provided evidence of the range and type of consultation undertaken, for example, copies of letters sent to other schools and authorities and copies of notices in the local press?
Completed and attached an Annex A for each school falling within the radii (if applicable)?
In respect of any schools in the local area that are below recommended playing field provision, provided letters from those schools confirming that the land subject to this application is not required by those schools?

Answer: Six Weeks

A.1 School name: Alfred Salter Primary School

A.2 DfE reference number: Establishment No. 210/2853

A.3 Please provide:

a) Current capacity of the school for pupils aged 7 years and under (KS1 and below) x105% (as defined in paragraph 13 of the advice document):

Answer: 277

b) Current capacity of the school for pupils aged 8 and older (KS2 and higher) x105% (as defined in paragraph 13 of the advice document):

Answer: 186

A.4 Recommended minimum playing field area as calculated using area guidelines (Annex A of the advice document explains how to calculate area guidelines):

Answer: $2000 + 3047 + 9300 = 14,347 \text{ m}^2$

A.5 Existing playing field area (m²):

Answer: 9,400 m²

A.6 If <u>existing</u> playing field area (**A.5**) is smaller than the <u>recommended minimum</u> playing field area (**A.4**), what is the deficit in m²? Has the Headteacher confirmed the school does not want access to the land to be disposed of (if not, for what reason)? (**Q.14 refers**)

Answer: Area deficit is 4,947m². The Headteacher does not want to use the Albion School land. See attached email from the School Head. We have received no response from them incorporating a response from the Chair of Governors.

Please send the completed form to:

A.1 School name: St John's RC Primary School

A.2 DfE reference number: 210/3669

A.3 Please provide:

b) Current capacity of the school for pupils aged 7 years and under (KS1 and below) x105% (as defined in paragraph 13 of the advice document):

Answer: 111

c) Current capacity of the school for pupils aged 8 and older (KS2 and higher) x105% (as defined in paragraph 13 of the advice document):

Answer: 108

A.4 Recommended minimum playing field area as calculated using area guidelines (Annex A of the advice document explains how to calculate area guidelines):

Answer: 2000 + 1224 + 5408 = Total 8632 m²

A.5 Existing playing field area (m²):

Answer: 4,455 m²

A.6 If <u>existing</u> playing field area (**A.5**) is smaller than the <u>recommended minimum</u> playing field area (**A.4**), what is the deficit in m²? Has the Headteacher confirmed the school does not want access to the land to be disposed of (if not, for what reason)? (**Q.14 refers**)

Answer: Deficit area 4,177 m². Head teacher and Chair of Governors have confirmed in writing that they do not want access to the land in question (see attached correspondence).

Please send the completed form to:

A.1 School name: St Joseph's RC Primary School

A.2 DfE reference number: 210/3476

A.3 Please provide:

c) Current capacity of the school for pupils aged 7 years and under (KS1 and below) x105% (as defined in paragraph 13 of the advice document):

Answer: 176

d) Current capacity of the school for pupils aged 8 and older (KS2 and higher) x105% (as defined in paragraph 13 of the advice document):

Answer: 81

A.4 Recommended minimum playing field area as calculated using area guidelines (Annex A of the advice document explains how to calculate area guidelines):

Answer: 2000 + 1936 + 4050 = Total 7,986 m²

A.5 Existing playing field area (m²):

Answer: 4,252 m²

A.6 If <u>existing</u> playing field area (**A.5**) is smaller than the <u>recommended minimum</u> playing field area (**A.4**), what is the deficit in m²? Has the Headteacher confirmed the school does not want access to the land to be disposed of (if not, for what reason)? (**Q.14 refers**)

Answer: Deficit area 3,734 m². Head teacher and Chair of Governors have confirmed in writing that they do not want access to the land in question (see attached correspondence).

Please send the completed form to:

A.1 School name: City of London Academy (Southwark)

A.2 DfE reference number: 210/6905

A.3 Please provide:

d) Current capacity of the school for pupils aged 7 years and under (KS1 and below) x105% (as defined in paragraph 13 of the advice document):

Answer:NIL

e) Current capacity of the school for pupils aged 8 and older (KS2 and higher) x105% (as defined in paragraph 13 of the advice document):

Answer: 1265

A.4 Recommended minimum playing field area as calculated using area guidelines (Annex A of the advice document explains how to calculate area guidelines):

Answer: 9000 + 63,250 = Total 72,250 m²

A.5 Existing playing field area (m²):

Answer: 24,758 m²

A.6 If <u>existing</u> playing field area (**A.5**) is smaller than the <u>recommended minimum</u> playing field area (**A.4**), what is the deficit in m²? Has the Headteacher confirmed the school does not want access to the land to be disposed of (if not, for what reason)? (**Q.14 refers**)

Answer: Deficit area 47,492 m². Principal and Chair of Governors have confirmed in writing that they do not want access to the land in question (see attached correspondence).

Please send the completed form to: