

**Manchester City Council  
Report for Resolution**

**Report to:** Executive 29 June 2016

**Subject:** Land at Holy Trinity Primary School and other Voluntary Controlled Schools

**Report of:** Director of Education and Skills and the Strategic Director (Development)

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**Summary**

To report to Executive the obligation for a Local Authority to the statutory transfer of its property by way of Freehold to a Voluntary Controlled School.

**Recommendations**

The Executive is recommended to:

1. Authorise the approval for the transfer of the Councils Freehold title to Voluntary Controlled Schools as and when required under the Schools Standards and Framework Act 1998.
2. Authorise the Council's Freehold title to the land shown edged blue on the plan attached in Appendix B for the expansion of the Holy Trinity C of E Primary School, Capstan St, Harpurhey.
3. Authorise the Strategic Director (Development) to progress the Freehold transfers under delegated powers.
4. Authorise the City Solicitor to enter in to and agree and complete on behalf of the Council all necessary documentation giving effect to the above.

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**Wards Affected:** Harpurhey

<b>Manchester Strategy outcomes</b>	<b>Summary of the contribution to the strategy</b>
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Regular school attendance helps to ensure all children and young people achieve their full potential and are prepared for life after school

A highly skilled city: world class and home grown talent sustaining the city's economic success	The increase in pupil numbers across the City requires additional primary and secondary school places. This involves capital investment in new buildings and in modifying existing buildings, which creates employment in construction and other associated building enterprises
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Access to good and effective schools providing a high quality education is central to the Council's strategy of developing sustainable neighbourhoods
A liveable and low carbon city: a destination of choice to live, visit, work	Access to good and effective schools providing a high quality education make Manchester increasingly attractive to economically active people as a place to live, work and raise children
A connected city: world class infrastructure and connectivity to drive growth	The ongoing development and expansion of Manchester schools provides a high quality education infrastructure which increases the attractiveness of the city as a place to live, work and raise children

**Full details are in the body of the report, along with any implications for**

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

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#### **Financial Consequences – Revenue**

None

#### **Financial Consequences – Capital**

The Council will not receive a consideration for the transfer of its property interest.

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#### **Contact Officers:**

Name: John Edwards  
Position: Director of Education and Skills  
Telephone: 0161 234 5000  
E-mail: J.edwards@manchester.gov.uk

Name: Steve Thorncroft  
Position: Head of Development  
Telephone: 0161 234 1202  
E-mail: S.thorncroft@manchester.gov.uk

#### **Background documents (available for public inspection):**

None

## **1.0 Introduction**

- 1.1 The Council's vision for education and skills continues to be based on:
- transforming educational outcomes for all children and young people to enable them to achieve economic wellbeing and contribute to growth across the city and Greater Manchester;
  - significantly reducing the number of families with sustained and complex dependencies;
  - creating neighbourhoods of choice, where families choose to live, stay, work and send their children to school.
- 1.2 Ensuring that residents have access to high quality schools within their local area is central to achieving this vision. Achieving a sufficiency of high quality school places to meet need continues to require considerable investment, strategic planning and partnership with schools and school providers across the city, as the primary, secondary and special school pupil populations continue to increase year on year and, increasingly, throughout each year.

## **2.0 Background**

- 2.1 Holy Trinity C of E Primary School is a voluntary controlled school located in the ward of Harpurhey on Capstan Street. The school is aligned to the Manchester Diocesan Board of Education and provides education to its students in line with the religious character of the school.
- 2.2 The school has operated with a capacity of 1 form of entry (30 places per year group) up until 2013 when temporary classrooms were placed on site to meet increased demand borne out of growth in the local primary age population. As the population has continued to grow a decision was taken to expand the school to 2 forms of entry (60 places per year group) throughout and make permanent the temporary accommodation.
- 2.3 The Council's Capital Programmes and Property Division are delivering works in the form of an extension on adjacent Council owned land along with a new walkway / corridor which will link both sites. The existing school building and outdoor space is positioned on Diocesan land and it is expected that the adjoining Council land will be brought in to the school site on completion of the works.

## **3.0 Land Transfer**

- 3.1 The Council has previously granted 125 year leases for the disposal of its land for the purpose of an Academy or Free School. However, this disposal is to a Voluntary Controlled School and therefore, under paragraph 2 (1) of Schedule 3 of the School Standards and Framework Act 1998, it states that where a Voluntary Controlled school moves to a new site or on land to facilitate the School expansion, the Local Authority is obliged to provide that the land and any buildings which form part of the school premises is subject to a statutory

transfer and not a disposal by way of lease as provided by paragraph 3/5 unless a statutory exemption applies.

3.2 The City Solicitor has researched this matter and advised there is no exemption in this instance.

3.3 **Appendix A** - Identification plan showing the land owned by the Council edged in red. This land is used by the school but currently does not contain any buildings

**Appendix B** – Plan showing the site of the Primary school and Council land edged in red and the land to be disposed of to the Diocese edged in blue. The area edged in blue relates to the buildings to be erected as part of the school expansion and not recreation areas, parking or other works forming part of the scheme

**4.0 The recommendations are detailed at the beginning of this report.**

**5.0 Contributing to the Manchester Strategy**

**(a) A thriving and sustainable city**

5.1 Regular school attendance helps to ensure all children and young people achieve their full potential, are prepared for life after school, and are equipped with the skills and behaviours to benefit from the city's growth

**(b) A highly skilled city**

5.2 The increase in pupil numbers across the City requires additional primary and secondary school places. This involves capital investment in new buildings and in modifying existing buildings, which creates employment in construction and other associated building enterprises

**(c) A progressive and equitable city**

5.3 Access to good and effective schools providing a high quality education is central to the Council's strategy of developing sustainable neighbourhoods

**(d) A liveable and low carbon city**

5.4 Access to good and effective schools providing a high quality education make Manchester increasingly attractive to economically active people as a place to live, work and raise children

**5.5 (e) A connected city**

The ongoing development and expansion of Manchester schools supports the development of high quality education infrastructure which increases the attractiveness of the city as a place to live, work and raise children

## **6. Key Policies and Considerations**

### **(a) Equal Opportunities**

- 6.1 Access to good and effective schools providing a high quality education is key to ensuring that all children residing in the city have the opportunity to achieve at school and benefit from the city's continued economic growth.

### **(b) Risk Management**

- 6.2 The Council has a statutory duty to secure sufficient school places. If the places at Holy Trinity cannot be created there is a risk that the Council will fail in this duty which will result in significant reputational damage and considerable negative impact on the potential educational attainment of the affected children should they be unable to secure an alternative place.

### **(c) Legal Considerations**

As set out in the report.

## Appendix A



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