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**LAND OFF BATES AVENUE, DARLINGTON - PLAYINGFIELDS TO FORMER  
ALDERMAN LEACH PRIMARY SCHOOL**

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**Responsible Cabinet Member - Councillor Stephen Harker  
Efficiency and Resources Portfolio**

**Responsible Director - Paul Wildsmith, Director of Resources**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To have the Council-owned land shown coloured grey on the **attached plan** declared surplus to requirements and to seek authority to dispose.

**Summary**

2. The land shown coloured grey on the attached plan, approximately 0.87 hectares (2.15 acres), was the playingfield to the former Alderman Leach Primary School, now relocated to West Park.
3. The land was subject to the provisions of the School Standards and Frameworks Act 1998 in relation to the application of the receipts of disposal for 10 years from ceasing to be a playingfield, such period having now elapsed.
4. Disposal of the land is subject to obtaining the approval of Sport England. In principle discussions with Sport England has agreed that on this occasion re-provision of an equivalent area of playingfield land is not required but part of the proceeds of sale will need to be invested in improving sports facilities in the Borough.
5. No appropriate alternative operational use has been identified for the land and as such, it is considered surplus to requirements.
6. The land is allocated as open land in the adopted 1997 Darlington Local Plan and subject to the decision by Cabinet a Planning and Development Brief for the site will be required..
7. It is anticipated that the land will be of interest to private sector developers and it is proposed to offer it for sale by informal tender on the open market.

## Recommendation

8. It is recommended that :-

- (a) The land indicated on the plan attached to this report is declared surplus to the Council's requirements and authority to offer it for sale be granted.
- (b) The Director of Resources be authorised in consultation with the Cabinet Portfolio Holder for Efficiency and Resources to agree the detailed terms of disposal, including price and the sum to be invested in sports provision and, to complete the appropriate documentation.

## Reasons

9. The recommendations are supported by the following reasons :-

- (a) To secure a capital receipt for the Council
- (b) To contribute to the provision of housing in line with the adopted Darlington Core Strategy.
- (c) To meet Sport England's requirements for investing in sports facilities within the Borough.

**Paul Wildsmith**  
**Director of Resources**

## Background Papers

No background papers were used in the preparation of this report.

Guy Metcalfe : Extension 2735

S17 Crime and Disorder	The design of the new development will minimise the potential for Crime & Disorder as part of the Planning Consent.
Health and Well Being	There are no Health & Wellbeing issues
Carbon Impact	The carbon impact implications of the development will be dealt with as part of the Planning Consent.
Diversity	There are no Diversity issues as a result of this report.
Wards Affected	Cockerton East
Groups Affected	None
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	There are no issues adversely affecting the Community Strategy
Efficiency	The disposal of the land will generate a capital receipt and remove an ongoing maintenance obligation.

## MAIN REPORT

### Information and Analysis

10. The former Alderman Leach Primary School was relocated to West Park and the footprint of the school buildings, shown hatched on the attached plan, was sold for residential development in 2004.
11. The land shown cross hatched has been retained by the Council and is a grassed open area with footpath and cycleway and, balancing ponds for surface water run off.
12. Although the period of 10 years required by the School Standards and Frameworks Act 1998 during which the receipts of disposal must be applied to schools' sports has elapsed, the land is subject to obtaining the approval of Sport England
13. In the particular circumstances of this land, it has been discussed with Sport England that in principle the usual requirement for re-provision of an equivalent area of playingfield land is waived with, as an alternative, part of the proceeds of sale is to be invested in improving sports facilities in the Borough.
14. In addition to agreeing the appropriate sum of money it will be necessary to formally agree with Sport England the location and nature of the improvements and a timetable for their delivery.
15. A form of agreement which will satisfy Sport England but not present difficulties to the purchaser is under consideration.
16. Despite the current poor market for land for residential development it is anticipated that there will be interest from developers and the property should be offered for sale by competitive means on the open market.
17. Whilst recognising the above, subject to negotiation with the purchaser, the terms of disposal will seek to ensure an early start to development in order to contribute to economic activity in the Borough and the provision of new housing in line with the Darlington Core Strategy.

### Procurement Advice

18. There are no procurement implications arising from this report.

### Planning Policy Considerations

19. In line with the adopted Core Strategy the disposal of playing fields is only permitted in exceptional circumstances. The single playing field is lower than average quality as a result it has not accommodated programmed matches since the school closed.
20. The Core Strategy identifies a hierarchy of playing field provision; the focus should be providing and improving facilities at hub sites like Eastbourne Sports complex or

Blackwell Meadows rather than managing lower quality single playing fields, with no changing rooms or car parking.

21. As a result, following discussions with Sport England it is proposed that a total of circa £20,791 from the sale of this site be ring fenced to be used to improve facilities at hub sites. The figure is based on the expected number and mix of dwellings that the site could accommodate and the approach and costs set out in the Council's adopted Planning Obligations SPD for providing sports facilities.
22. Other planning obligations required to deliver a sustainable development, will be negotiated with the developer during planning application discussions.

### **Equalities Considerations**

23. In seeking to dispose of this site for development, the potential impact on those people with protected characteristics under the Equality Act 2010, is considered to be no greater than the impact on any other group or individual.

### **Financial Implications**

24. The costs of the marketing and sale of the surplus property will be met from the capital receipt. Of the final capital receipt, £20,791 is required to be spent upon improving Sport's Facilities elsewhere in the Borough to meet conditions set by Sport England. The remainder of the final capital receipt will be available to the Council for use within its capital programme.

### **Asset Management**

25. There are no schools in the area with a shortage of playingfields and the Council's policy is to provide Community Sports facilities through managed hubs with changing facilities.
26. The area is well served with a variety of types of Open Space and no other appropriate alternative operational use has been identified.