
**LAND ADJACENT TO FORMER SPRINGFIELD SCHOOL
ACQUISITION & DISPOSAL**

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

Responsible Director – Ian Williams, Director of Economic Growth

SUMMARY REPORT

Purpose of the Report

1. To obtain authority for the acquisition of land from Durham County Council.
2. To have the land to be acquired and Public Open Space in Council ownership declared surplus.

Summary

3. The former Springfield Primary School was closed in July 2006 and part has been developed for new Council Housing. The remaining part, shown by thick black edging on the attached plan, **Appendix 1**, being 1.83 hectares (4.54 acres) in area is comprised of approximately 0.54 hectares (1.34 acres) remaining building footprint and 1.29 hectares (3.19 acres) former playing fields.
4. When the Council became a Unitary Authority in 1997 the land shown by hatching being 0.80 hectares (1.97 acres) in area was retained by Durham County Council (DCC) being in excess of the area set out by the Department of Education as required for a primary school of the number then on roll.
5. The land shown by cross-hatching being 0.31 hectares (0.76 acres) in area is Public Open Space owned by the Council but it is poorly used.
6. All of these lands have the potential for residential development and combination will allow better quality residential development also permitting the developer to improve economies of scale thereby increasing the capital receipt to the Council.
7. Purchase of DCC's land will assist in achieving a quick sale and start of development once a purchaser has been identified.

Recommendations

8. It is recommended that :-
- (a) The land owned by Durham County Council be acquired on the terms outlined in the report;
 - (b) The Council's land shown on Appendix 1 be declared surplus to requirements and offered for sale for residential development;
 - (c) The Director of Economic Growth in consultation with the Portfolio holder for Efficiency and Resources finalise negotiations and conclude the acquisition of the land owned by Durham County Council.

Reasons

9. The recommendations are supported by the following reasons :-
- (a) To maximise the planning potential of all of the lands.
 - (b) To maximise the capital receipt to the Council from the sale of the lands.
 - (c) To expedite the sale of the lands and provide certainty to the purchaser.

Ian Williams
Director of Economic Growth

Background Papers

No background papers were used in the preparation of this report

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S17 Crime and Disorder	There are no specific Crime and Disorder implications
Health and Well Being	There are no specific implications on Health and Wellbeing
Carbon Impact	The carbon impact of any proposed development will be subject to approval through the planning process
Diversity	The proposal will be of benefit for all sections of the community equally.
Wards Affected	Haughton and Springfield
Groups Affected	All groups are affected equally
Budget and Policy Framework	This decision 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	The acquisition and disposal as identified in the report will facilitate residential development and meet the Council's strategic objectives.
Efficiency	Disposal of the site will remove an ongoing maintenance obligation and cost.

MAIN REPORT

Background

Site Assembly

10. The former Springfield Primary School closed in 2006 and, as 10 years have elapsed, there is no requirement to obtain the approval of the Department of Education as to the use of the receipts of disposal from former playing fields. However the extent of re-provision of playing fields which Sport England can insist upon is under consideration.
11. When Darlington became a Unitary Authority land surplus to operational requirements was retained by Durham County Council subject to an obligation to pay a proportion of any receipt from its disposal to the new authority based upon the ratio of the population in the new authority to that in the former authority.
12. The Council's Planning Policy Section acknowledging access issues and considers that a better quality development scheme can be secured by incorporating Durham County Council's land and the Public Open Space to the west but, re-provision of the Open Space in the new development will be required.
13. This area of land appears as Informal Open Space in the 2010 Open Space Strategy Update Report and is protected under Policy E3 of the 1997 Local Plan which is a saved policy and still applicable when determining planning applications and it is expected that re-provision of Open space will be required as a Condition of Planning Consent for the combined site.

Terms for Acquisition of Land from Durham County Council

14. It is proposed that the terms of acquisition will allow Durham County Council's share of the receipt upon resale of the site to be calculated on the basis of market value rather than sale price.
15. In order that once an acceptable form of development, including the tenure of the finished dwellings, and a purchaser are identified the land acquired will not be subject to any reservations or charges on title but Durham County Council will have a contractual right to refer the level of market value to an Independent Third Party if this cannot be agreed by negotiation.
16. Value at 25% of Durham County Council's share of the receipt has been provisionally agreed.
17. The calculation of the receipt due to the Council arising from the retention of the land by Durham County Council at the time the Council became a Unitary Authority will be separately calculated under the established arrangements.

