

Core Strategy Evidence
Whitchurch Primary School Playing Field Provision

Supplementary Evidence to CD10/E21 – Education Provision for Whitchurch to support proposed allocation RA5

Education justification

Primary School Provision:

- 1.1 Applying the pupil yield figures as listed in the SPD, the proposed development is calculated to generate 62 primary age pupils (200 dwellings).
- 1.2 The cost per place sum as listed in the SPD is £12,992.42 per primary school place. This is derived from the DfE 2008-2009 cost per place multiplier which is currently being used and is £12,257.00 per primary school place. The location factor for Bath and North East Somerset which is used is 1.06, which when applied to £12,257.00 gives £12,992.42 per place x 62 = £805,530.04.
- 1.3 Whitchurch Primary school (WPS) is the closest school to the development. Pupil projections indicate that the school will be full by 2017. This projection includes some pupils who live nearby in Bristol City Council (BCC) as pupils can qualify for a place at this school regardless of their home Local Authority
- 1.4 The Admissions Criteria for the school does not differentiate between pupils resident in B&NES and those in BCC.
- 1.5 There are areas of BCC which are closer in a direct line to WPS than to any other community or voluntary controlled school and which are closer to the school than all or part of the development site.
- 1.6 There are several other primary schools located to the north in BCC. BCC is forecasting that all primary schools within this area will be over-subscribed with nowhere else for BCC or B&NES resident pupils to go to if they cannot get a place at WPS because the new development pupils have added to pupil numbers in the area. Primary provision here is projected to be over capacity and this development will serve to worsen this situation by further increasing this over capacity unless additional provision is made available.
- 1.7 The school is on a constrained site meaning the only usable part of the site for PE is the team games playing field and hard games courts at the rear. This is also the only part of the site that has sufficient space and suitable access on which to build sufficient extra accommodation for an expanded school. The comparative measurements are on this basis. The school presently has 210 places. The hard games courts are 965m² and the playing field 3,105m², which is also habitat and social/informal soft and hard play. Building Bulletin 99 (BB99) demonstrates these spaces are already undersized by some 45%. Provision of a multi use games area (MUGA) and

off site pitch would be the only means of meeting BB99 guidance if the existing areas were built on. For an expansion to 286 places, made up of 14 pupils (from another development) and 62 extra (based on 200 dwellings), the shortfall is even greater at 60%.

- 1.8 This is exacerbated when the new accommodation is added. Using BB99, for an expansion of 76 pupils, 3 classrooms and ancillary accommodation of 358m² is required (if the revised DfE guidelines are used, the footprint is approximately 300m²). External areas and link to existing buildings will further increase the footprint size which will reduce the useable hard games by approximately 30%, replacement only possible on the team games playing field. The replacement hard games court can only be the size of courts plus run off and fencing and will reduce useable team games below that required for competitive sports (the school plays competitively).
- 1.9 A replacement hard games courts or similar all weather surface provision and an off site playing field measuring 3,100 square metres to permit full team games playing will be required in addition to a financial contribution.
- 1.10 The replacement sports pitch will need to be in a location that is accessible from the school and a safe access footpath will need to lead from the school to the pitch, providing a short and safe route to avoid the busy road. The location of the pitch, the quality of the path and its proximity to the pitch will need to be approved by the Headteacher and Governing Body. The financial contribution will be used to add classrooms and other necessary supporting accommodation such as toilets, group space and storage and to adapt outside play space at Whitchurch Primary school within 7 years of receipt of the contribution, which together with the off site pitch, would meet our outstanding concerns

CPO Timeframe and Project Threads

Time Frame:-

We are about to embark on a CPO project to bring back run-down and disused housing back into use and have outlined the following as a time-frame.

1. Start negotiation and preparing CPO – by 30 Nov 2013
2. Serve CPO – 1 March 2014
3. Decision by secretary of state - estimated 01 August 2014 (in the event no objections are received perhaps 6 months is a reasonable timeframe. If there are objections a decision could be anywhere between 12-18 months post public inquiry)
4. Transfer ownership – 01 November 2014 (once we have confirmation by the SoS there is a 6 week challenge period in any event. Therefore if no challenge is made transfer could take place within 5 months).

We must, however, be mindful that there needs to be flexibility in the framework given the opportunities for challenge/objection and once the Order is submitted we will be dependent on the SoS's timeframes.

Project 'threads'

1. Communication:

- Members/Press Office fully briefed before commencement and updated on progress
- Public statements health checked by legal
- Land owner(s), contacted and regularly updated through correspondence and or site/ public notices where necessary

2. Negotiations for purchase:

- always preferred option; make clear to land owner(s)/members/public
- negotiations on-going throughout; keep land owner(s) updated
- negotiations fully documented in the event of Inquiry

3. Compulsory Purchase Procedure: set out in Compulsory Purchase Act, Acquisition of Land Act, Regulations and Circulars

- Resolution:
 - Cabinet/Full Council
- Referencing: (request for information under the Acquisition of Land Act)
 - Identify land, boundary, rights and interests
 - Identify those who may be affected by the CPO
 - If after diligent enquiry the owners cannot be traced a CPO may proceed on the 'unknown owner' basis.
- Make the CPO
 - Draft schedule with; interests sought, names and addresses of owner(s)/reputed owner(s), lessees, tenant(s), occupier(s) etc.
 - Order Map; extent of land and interests
 - Order sealed ('made') by Council
- Statement of Reasons (document drafted by instruction officers with project team input)
 - Description of land
 - Justification for use of the power
 - Outline of purpose of acquisition
 - Funding
 - Policy position
 - Government statements
 - Human Rights
 - List of documents relied on
- Notification that Order 'made'
 - Press notice

- Site notice
- Personal notice (all those who may be affected by the Order)
- Submission to Secretary of State (confirming minister)
 - Objections; if cannot be negotiated away then Inquiry is held.
 - NB Statement of Reasons becomes Statement of case and must address all the objections
 - No Objections; Order confirmed
- Confirmed Order:
 - May be challenged by 'persons aggrieved' in the High Court
 - Notification (after 6 weeks challenge period expires)
 - Press notice
 - Site notice
 - Personal notice (to include copy of the confirmed Order)
- Taking possession (3 years to exercise power)
 - Notice to Treat; creates a relationship similar to that of seller and buyer, must also serve notice of entry
 - General Vesting Declaration: considered draconian but simpler process transferring ownership to authority.

CPO Land

The Planning Department has undertaken a site visit to start to identify the potential land parcel for a CPO (29 Jan 2014). Further work would be undertaken to establish the site boundary in detail following the allocation of a Strategic Site at Whitchurch in the Core Strategy (policy RA5).

Note drawn up with B&NES Planning Department/Local Education Authority/Property/Legal Services - January 2014