

Minutes of the Meeting of the Corporate Overview and Scrutiny Committee held on 4 July 2018 at 7.00 pm

- Present:** Councillors Oliver Gerrish (Chair), Jack Duffin (Vice-Chair), Mike Fletcher, Leslie Gamester and Andrew Jefferies
- Apologies:** Councillors Colin Churchman
- In attendance:** Michele Lucas, Interim Assistant Director – Learning and Skills
Detlev Munster, Assistant Director – Property and Development
Lucy Tricker, Democratic Services Officer
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Before the start of the Meeting, all present were advised that the meeting may be filmed and was being recorded, with the audio recording to be made available on the Council's website.

8. Items of Urgent Business

There were no items of urgent business.

9. Declaration of Interests

There were no interests declared.

10. Delivering Our Free School Programme - Land Disposal

The Assistant Director of Property and Development introduced the report and explained that the Committee were being asked to note and comment on the item before it goes to Cabinet. The report informed Members that the Council has a statutory responsibility to provide school places. The Council are limited by statute and cannot build new schools, so work with the Education Skills and Funding Agency (ESFA) who have granted circa £58 million in funding to Thurrock. He then informed Members that the new Pupil Place Plan has identified an increase in the number of school places needed, and that the building of new homes in the borough will also result in the need for new schools. He went on to say that the identified Elm Road site was 6.04 acres and included playing fields, a basketball court, and a children's playing area. The Officer advised the Committee that the site would hold a 6 form entry (FE), 900 place school funded through the ESFA, and the community could use the school's amenities outside of hours. He went on to say that public consultation would take place as the land was public open space, and that the Secretary of State may need to give consent before disposal.

The Chair welcomed the report and asked what the process had been for identifying the site, and if any other sites had been considered. The Assistant Director of Property and Development answered that it had been a

collaborative process with the ESFA and Department of Education to identify sites in areas where there was demand. He stated that the ESFA had also identified sites closer to Tilbury, as well as central Grays, but these had constraints and challenges. The Chair then examined the process of consultation, to which the Officer stated that there would be public consultation before the land was disposed, in line with the Local Government Act, and again at the planning process. He also stated that the public consultations would be included in the delegated decision report.

The Chair then raised concerns over increased traffic in the area, and problems this would cause residents, as well as the loss of amenities. The Assistant Director of Property and Development responded that during site analysis there had been preliminary investigation into the problems and opportunities the potential site might raise. He stated that it was the responsibility of the local planning authority to mitigate those issues, and this stage was for identification only. The Chair drew the Committee's attention to point 1.6 of the report and stated that the recommendation delegated significant powers to one Officer, and asked what powers Officers and Portfolio Holders had if the Elm Road site is not bought forward. The Assistant Director of Property and Development answered that they could only identify, and not dispose of other sites. He went on to say that Officers and Portfolio Holders were not allowed to develop sites until they had gone through the planning process.

Councillor Fletcher drew attention to the process, as he felt important public consultations were happening after recommendations to Cabinet occurred. He asked if the consultations could occur earlier, or if there could be an informal consultation process. The Officer responded the report only agrees in principle the disposal of land, and that once the sites had been identified public consultation would be undertaken and the findings and recommendations would be included in the delegated authority report before Officers and Councillors to make a decision.

Councillor Duffin then drew the Committee's attention to the map in Appendix 1 of the Cabinet report and asked how up-to-date it was, as he had evidence that there was now a second basketball court on the site. He mentioned that if the system was out-of-date, it would need to be upgraded as he felt it was a big factor when deciding on reports. The Assistant Director of Property and Development replied that he would get back to the Committee with an answer. He also stated that the Council could only print maps they had copyright access too, but that site conditions were fully investigated irrespective of maps used. Councillor Duffin continued by commenting on the price the site would be sold for, as the Council needed revenue. Councillor Duffin drew the Committee's attention to point 8.1 on page 13 of the agenda, and said he felt that the Council did not have a strong negotiating position if they were considering selling for £2 million below market value. The Assistant Director of Property and Development answered that while the Council had undertaken formal site valuation, the exact value of the transaction was yet to be agreed with the ESFA, but this was included in the report to indicate that the

Secretary of State may have to approve the disposal if the site is sold where the undervalue exceeds more than £2 million.

The Chair then queried what stage discussions were at regarding the use of school land and the access residents will have to it. The Officer responded that it was a condition that the site remained accessible to the public outside of school hours, and that the proposal included sports pitches and a multi-use games area, but this was still in the concept stage. The Interim Assistant Director for Learning and Skills commented that the borough has a history of schools working with the community. She observed that joint partnerships between schools and communities were common so that residents and the school could access resources and be a part of the community.

Councillor Duffin asked if the Committee could note that the area of land also included an artificial pitch, as this was not mentioned in point 3.1 on page 11 of the agenda. He also queried whether the public will have access to the marked paths when the school is being built. The Assistant Director of Property and Development noted the point on the artificial pitch and responded that he would double check this with other Officers. He stated that access to pathways depended on the school plans and the safeguarding of children, but that a requirement of the site was the maintenance of the cycle highway for community use.

The Chair then asked Councillor Kent to come to the table and address the Committee. Councillor Kent started by saying that the site had been there for over 100 years and was used from 6am until midnight for a variety of recreational activities and that the children's play equipment was well used. He went on to say that both Elm Road and Maple Road were very narrow and could cause a build-up of traffic in the area as both staff and parents would need vehicle access. He felt that residents were unhappy that they had not been consulted on this issue, and felt the availability of amenities outside of school hours was not enough. He also felt that informal consultation should have taken place, and that Officers should have contacted relevant ward Councillors as they do not get alerted to all meetings. He went on to mention that the decision should not be delegated to one Officer, as Member's should have more input. The Assistant Director of Property and Development noted the comments and replied that public consultation during the planning stage would pick up any issues regarding traffic.

Councillor Jefferies then asked how behind the Council would be in meeting their statutory requirement if they did not build the new school. He also enquired whether there would be an additional cost if children had to travel further round the borough to get to school. The Assistant Director for Learning and Skills replied that she felt there would be a large impact on meeting their statutory requirement as the additional primary places needed at the moment would continue up to secondary schools, particularly in central Grays. She also stated that there would be an additional cost in providing children transport to schools further round the borough. Councillor Jefferies then asked if the other sites looked at were public or private sites, and asked which option was quicker when building new schools. The Assistant Director of Property

and Development replied that the ESFA had looked at both public and private sites, and public were quicker. Councillor Jefferies then drew the Committees attention to a letter received from the Osborne Trust which stated that the loss of open space would be compensated and replaced.

Councillor Duffin asked officers what plans for parking the site had, as the roads were very narrow around the area. The Assistant Director for Learning and Skills replied that the ESFA had the full documents which officers had not seen, but that parking was accommodated on site.

The Chair then began to summarise discussions. He stressed the importance of ensuring there were enough pupil places within the borough, but that the Committee had some concerns regarding the site. The concerns included access to the site, for example traffic and impact on residents, and loss of amenities during the construction phase, and after the school had been built. He stressed the importance of discussions between Members, Officers and residents before the Committee and Cabinet stage and recommended this occur before formal reports are presented. The Chair also recommended that in future multiple sites are brought forth for consideration to ensure there is choice. The Chair also advised that recommendation 1.6 be changed to remove the power of disposal, and only give the power of identification of sites. In addition, the Chair recommended that before disposal occurs, residents are given a guarantee they will still have access to community spaces. The Chair also stated that disposal should come to Cabinet and should not be a delegated decision as it was important to the democratic process. Councillor Duffin then agreed that recommendation 1.4 should not be delegated to one officer, but to a number of Portfolio Holders instead. The Chair then summarised that the Committee were concerned about the site and the impact on local residents, and felt problems had not been mitigated against.

RESOLVED: That:

- 1. Corporate Overview and Scrutiny Committee noted and commented on the report.**

The meeting finished at 7.40 pm

Approved as a true and correct record

CHAIR

DATE

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Democratic Services at Direct.Democracy@thurrock.gov.uk**