

	London Borough of Hammersmith & Fulham CABINET 3 NOVEMBER 2014
POPE JOHN EXPANSION (DISPOSAL OF FATIMA CENTRE)	
Report of the Cabinet Member for Children and Education - Councillor Sue Macmillan and the Cabinet Member for Housing - Councillor Lisa Homan	
Open Report	
Classification - For Decision	
Key Decision: Yes	
Wards Affected: Wormholt and White City	
Accountable Executive Director: Andrew Christie – Executive Director of Children's Services	
Report Author: Dave McNamara - Tri-borough Director of Finance & Resources (Children's Services)	Contact Details: Tel: 020 8753 2300 E-mail: dave.mcnamara@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. The Council has agreed with the Roman Catholic Diocese of Westminster (the Diocese) to expand Pope John School from one to two forms of entry as part of the School Organisation Strategy 2012-13. This requires redevelopment of the Fatima Centre, which adjoins the school and is leased to the Diocese. The Diocese has agreed to acquire the freehold of the Fatima Centre at a cost of £240,000, and in the meantime requests the Council's consent to the demolition and redevelopment of the Fatima Centre.

2. RECOMMENDATIONS

- 2.1 That the Council agrees to dispose of the Fatima Centre to the Diocese for the provision of school places.
- 2.2 That, if necessary, the Council as freeholder permits the demolition of the Fatima Centre, in advance of disposal, to enable the construction of an extension to Pope John RC Primary School.

3. REASONS FOR DECISION

- 3.1 In order to implement the School Organisation Strategy, and facilitate the expansion of Pope John RC Primary School in association with the Diocese, the Council needs to dispose of the Fatima Centre to the Diocese in order to provide the space to accommodate the additional space required for the new school build. Community provision will be re-provided within the new configuration.

4. INTRODUCTION AND BACKGROUND

- 4.1 Pope John RC Primary School is a one-form entry school located on the White City Estate. Its expansion to a two form entry school is part of the School Organisation Strategy 2012-13. Whilst the school itself was transferred to the Diocese under the School Standards and Framework Act 1998 some years ago, the expansion involves the redevelopment of the adjoining Fatima Centre. The Fatima Centre was originally leased by the GLC to the London Federation of Boys Incorporated for a term of 80 years expiring on 31st July 2044, and later assigned to the Diocese. The ground rent is £40 pa, and the permitted use is as a club for young people provided it does not preclude its use for education, religious, welfare or other approved purposes. There is no provision for demolition and redevelopment in the lease.
- 4.2 The existing lease of the Fatima Centre ensures that community facilities are provided locally. The new development will include a community hall through which the community benefit will continue.
- 4.3 The Diocese has already designed the extension to the school and has obtained planning permission. Tenders for the building works have been obtained. Delay will impact on the availability of new places, which are now expected to be provided in September 2015, one year later than originally planned.

5. PROPOSAL AND ISSUES

- 5.1 The land on which the Centre stands is held within the Housing Revenue Account (HRA). The land is not used for housing purposes, and the community use is protected in the proposals. The building works will be managed by the Diocese and funded by the Council's Basic Need allocation from the DfE. In order to expedite the works prior to completion of the land transfer, it is proposed to grant a licence to demolish with a condition that the Diocese will construct the new school buildings.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1 The following options have been considered:
- I Extend the existing lease.

The Diocese have stated that the existing lease, with 30 years unexpired, is too short to justify this level of capital expenditure. A lease would also result in the school occupying part of the site on a freehold basis and part as a leasehold. Moreover the proposed use is outside the permitted use, and there is no clause within the lease for demolition and reconstruction.

II Transfer the freehold under the provisions of the School Standards and Framework Act 1998. As the property would be held in trust for the purposes of statutory education provision, future use is restricted to a school and, if the school were to close, the property would revert to the Council.

III To dispose of the freehold outright to the Diocese,

7. CONSULTATION

7.1 Extensive consultation was undertaken before the 2012-13 School Organisation and Investment Strategy was adopted.

8. LEGAL IMPLICATIONS

8.1. The land is at present held within the Housing Revenue Account. Under the General Consent for the Disposal of Land held for the purposes of Part II of the Housing Act 1985 – 2013, A3.1.1 the Council can dispose of land held for housing purposes “for a consideration equal to its market value”

8.2. Also, the Council can dispose of the land, without ministerial consent, provided it obtains the best consideration reasonably obtainable. (Local Government Act 1972, section 123).

8.3. The licence to demolish will need to include reasonable safeguards to protect the Council’s position if the Diocese does not proceed with the sale.

*Implications verified/completed by: David Walker, Principal Solicitor,
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9. FINANCIAL AND RESOURCES IMPLICATIONS

9.1. The expansion of the school is costed at £4.5M. Capital expenditure will be met from the Council’s external Basic Need grant.

9.2 The freehold interest in the Fatima Centre was last valued in May 2014 at £240,000, taking into account the existing leasehold interest and 50% of the marriage value.

9.3 The Director for Building and Property Management confirms that this figure represents market value, and Best Consideration in accordance with Section 123 of the Local Government Act 1972”.

Financial Implications completed by: Dave McNamara, Director of Finance, telephone 020 8753 3404.

Property implications added by Marcus Perry, Interim Head of Asset Strategy and Portfolio Management 020 8753 2835.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	School Organisation and Investment Strategy 2012-13 (published)	Alan Wharton, 020 7641 2911	Children's Services