

PROOF OF EVIDENCE

**MR ALLEN SHEPHERD
ON BEHALF OF DERBYSHIRE COUNTY COUNCIL**

**Proposed Residential Development,
Land at Talbot Road, Glossop**



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1.0 INTRODUCTION

- 1.1 My name is Allen Shepherd. I am Head of Estates at Derbyshire County Council (“DCC”). I have responsibility for the strategic management of the Council’s estate, including responsibility for Highway Authority land matters, Acquisitions, Asset Valuations, Lease and License surrenders, Consents- Sub lets, Consents- assignments, Encroachments, Deed of Variations, Disposals, Dilapidations, Development Projects, New Lettings – Leases/licenses, Lease renewals, Rent reviews, Service Charges, Easements, Wayleaves, CPO’s, General -Estate Management Enquiries (boundary disputes), Agricultural work, Condition surveys, Ransom strips, Licence to Alter, Renegotiating agreements, Surrenders, Break notices, Active property reviews and Adverse possession.
- 1.2 I have been responsible for delivering this service since December 2022.
- 1.3 I provide this evidence in support of DCC in relation to its appeal against the refusal of outline planning permission for residential development at the former Glossopdale Community College site, Talbot Road, Glossop (“the Site”).
- 1.4 My evidence explains:
- DCC’s statutory role as local education authority (“LEA”).
 - The background to the former school site and its closure;
 - DCC’s rationale for disposal and redevelopment;
 - The decision-making processes undertaken by DCC;
 - DCC’s Outline engagement with High Peak Borough Council (“HPBC”); and
 - Other matters relating to the use of the Site, including sports provision.

- 1.5 My evidence should be read alongside the evidence prepared by all other witnesses, which address matters including planning policy, the planning balance, housing need, design, and sports provision, and the substantive appeal case.
- 1.6 At the outset, it is important to emphasise that DCC acts both as education authority and landowner. The relocation of the school and subsequent disposal of the Site were not isolated decisions, but part of a coordinated, long-standing strategy to improve education provision while making effective and responsible use of public assets.

2.0 BACKGROUND AND CHRONOLOGY

Overview

- 2.1 The sequence of events is clear and demonstrates a consistent and long-established strategy on the part of DCC in relation to the Site.

Former School Arrangement and Need for Change

- 2.2 Prior to consolidation, Glossopdale Community College accommodated 1,203 pupils (as of 2014) and operated across three separate sites at Hadfield (Newshaw Lane), Talbot Road, and Talbot House. Pupil numbers had fallen significantly from 1,928 in 2004 to 1,203 in 2014, and consequently the college had 46% spare capacity. In 2014, it was forecast that pupil numbers would fall further to 1,051 in 2018.
- 2.3 The college's arrangement across three sites (Figure 1) was inefficient and unsustainable, with operations across three sites resulting in high revenue costs and duplication of some staff and resources. In 2014, there was a maintenance backlog of £5.4 million, with many of the college's facilities designed around 60 years previous. Reflecting the age of these facilities, there were a number of significant quality issues,.
- 2.4 The Education Act 1996 makes the Local Education Authority responsible for providing sufficient schools within their area in terms of both primary and secondary education. Section 14 of the Act establishes this requirement:

"14 Functions in respect of provision of primary and secondary schools.

- (1) A local authority shall secure that sufficient schools for providing—*
- (a) primary education, and*
- (b) education that is secondary education by virtue of section 2(2)(a), are available for their area.*
- (2) The schools available for an area shall not be regarded as sufficient for the purposes of subsection (1) unless they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education.*
- (3) In subsection (2) "appropriate education" means education which offers such variety of instruction and training as may be desirable in view of—*

- (a) *the pupils' different ages, abilities and aptitudes, and*
- (b) *the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.*

(3A) *A local authority in England shall exercise their functions under this section with a view to—*

- (a) *securing diversity in the provision of schools, and*
- (b) *increasing opportunities for parental choice."*

2.5 The Education Act 1996 therefore establishes a legal obligation on a local authority (in this case DCC) to provide sufficient school places, which must be sufficient in number, character and equipment.

2.6 With the legislative requirements in mind, the existing school sites were reviewed and the Talbot Road site was considered to be particularly constrained, with challenging topography, limited site area and usable space, and substandard sports facilities, rendering it incapable of meeting modern educational requirements.

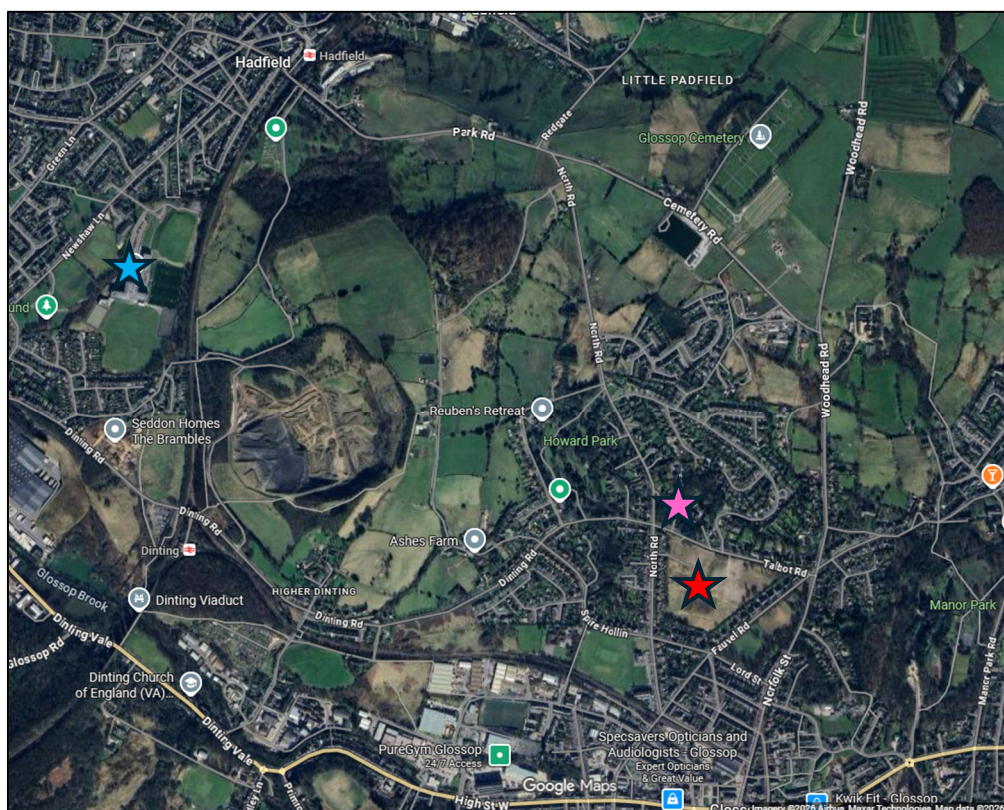


Figure 1: Extract from Google Maps showing the locations of the educational accommodation, comprising:

- *Glossopdale Community College (Glossop) (the Site in this appeal) – red star*
- *Glossopdale School (Hadfield) – blue star*
- *Talbot House Sixth Form – pink star*

2.7 DCC's Cabinet considered a report dated 21st October 2014 (**Appendix A**), which detailed the proposed reorganisation of the school site, providing details of the needs and requirements, options, costs, and decision-making in terms of consolidating the three school sites.

2.8 This report explains that DCC undertook a review of options for rationalising the college and these options were based on needing to deliver a 1,200 place, 11-16 school, with 240 place post-16 provision, in order to meet the long-term needs of the area.

2.9 The report outlines that the following important matters:

“Cost of the options ranged from £19m for a mixture of new build and extensive refurbishment to £22.5m for a full new build. The first option when compared with new build would involve a much longer period of works and prolonged disruption for the College. The Business Case also showed the Hadfield Site to be the preferred site for new build, being of sufficient size to accommodate a school of 1,440 students with room for future expansion. There are extensive playing fields on the site along with a recently constructed 3G floodlit All-Weather Pitch. In addition a new building could be constructed on this site with minimum disruption to the College.”

2.10 The report continues to explain that:

“If a new building was constructed on the Hadfield site – thus allowing the Talbot Road and Talbot House sites to be disposed of – estimated capital receipts of £9m could be realised. Cabinet has previously approved £5.5m from the CAYA Capital Programme towards the strategic development of the school, thus there is a potential funding shortfall of £8m on the new build option at Hadfield.”

2.11 DCC had a duty under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, to follow a statutory process in order to close a school site (where it occupies more than one site) and approval was sought through the Cabinet report.

- 2.12 Following this, DCC undertook statutory consultation in 2014 on proposals to consolidate provision onto a single site at Hadfield. This consultation was undertaken between 3rd November 2014 and 12th December 2014 and comprised a notice in the local press and circulated to all students, staff, Governors and parents of the College, as well as being published on the College's website and around the college. The Cabinet report also explains that the notice was also issued to feeder primary schools, surrounding secondary schools, and residents adjacent to the three school sites.
- 2.13 The outcome of this consultation was reported to Cabinet and this led to a Cabinet resolution in February 2015 to both relocate the school and dispose of the Talbot Road site (**Appendix B**).

Establishment of Disposal Strategy

- 2.14 That decision is pivotal. It confirms that the Site was identified as surplus to educational requirements as early as 2014, and that its disposal formed an integral component of the rationalisation and funding strategy for the new school, with the anticipated capital receipt expressly relied upon to fund the new build school at the Hadfield site.
- 2.15 Of significance to this appeal, the 2014 Cabinet report specifically identified the need to achieve the maximum capital receipt for the Talbot Road site (**Appendix A**) and that consequently, the playing fields needed to be disposed of and used for residential development:

"In order to achieve the maximum capital receipt for the College's main site on Talbot Road, consent needs to be obtained for the small area of playing fields on this site to be disposed of and used for residential development."

- 2.16 Later in 2015, the Secretary of State granted consent under Section 77 of the School Standards and Framework Act 1998 for the disposal of the Site [**CD 8.5**], including playing fields, on the basis that proceeds would be reinvested in enhanced educational and sporting facilities. This is a binding legal obligation on DCC. This demonstrates that the principle of disposal was accepted at national level and formed part of a coordinated reinvestment strategy.

- 2.17 The enhanced educational and sporting facilities have since been delivered but the cost of so doing is still being borne by DCC. The proceeds from the sale of the Site will (and must) go towards those costs. The replacement school has effectively been forward funded by the Council and the Site must be sold so that any proceeds can be used to repay the loan for the Hadfield school.

Delivery of Replacement School

- 2.18 The Hadfield site provided the opportunity to develop a purpose-built, consolidated campus with sufficient scale, improved topography, and modern sports provision.
- 2.19 The replacement school was constructed between 2016 and 2018 and opened in 2018. All pupils transferred to this facility, after which the Talbot Road site ceased to have any educational function.
- 2.20 Demolition of the former buildings was approved by High Peak Borough Council (“HPBC”) in 2020 and completed in 2021. The Site has remained vacant since and constitutes previously developed land within the settlement boundary.
- 2.21 Following the demolition and site clearance works, the site has remained fenced off to prevent unauthorised access and antisocial behaviour on the site. The site is unattractive in its appearance, somewhat overgrown and presenting a maintenance liability for DCC including maintenance of a culvert which crosses the site.

DCC’s Position and Emerging Dispute

- 2.22 Throughout, DCC’s position has been consistent: the Site is to be disposed of in order to generate a capital receipt, reflecting both the original funding assumptions, its statutory duty under Section 123 of the Local Government Act 1972 to secure best consideration, and in accordance with the approval under Section 77 of the School Standards and Framework Act 1998 [CD 8.5].
- 2.23 Early discussions with HPBC aligned with this approach, including in-principle support for residential redevelopment. However, from around 2018, HPBC began developing a brief for a potential leisure use for part of the Site. This position emerged through a draft development brief which was neither formally adopted nor endorsed by either HPBC or DCC.

- 2.24 At paragraph 1.8 of this draft Development Brief, HPBC reference the costs and funding requirements for the new Hadfield school and that the funding for the new school was totally reliant on the capital receipts from the sale of the Talbot Road site:

“The cost of the project was £22.5M with a further £1M being committed this year. Although the Council invested in the project, the funding was totally reliant on the capital receipts that could be generated by the sale of the surplus sites at Talbot Road and Talbot House. Whilst the new building was completed in 2018, the demolition of the old school on the Hadfield site and the creation of new sports facilities are nearing completion. In addition, funds have been used to secure the old site ready and prepare for demolition ahead of its disposal.” (my emphasis)

- 2.25 The shift towards a preference for a leisure centre is evident in HPBC’s pre-application response (April 2023) [CD 4.4], which, while accepting residential development in principle, introduced an expectation for a leisure use and referenced the draft, unadopted, development brief.
- 2.26 In my opinion, that expectation is unrealistic, aspirational, lacking policy support, funding, or a deliverable scheme. It represents a departure from the earlier consistent position supporting residential redevelopment. The introduction of a leisure centre would also conflict with the disposal strategy for the Site, as explained in more detail below.
- 2.27 Importantly, the inclusion of a significant non-revenue-generating use would materially reduce the Site’s value, undermining both the 2015 funding strategy and the Council’s statutory obligation to secure best consideration. It is also likely to lead to viability issues for any redevelopment.

DCC’s Approach

- 2.28 DCC has acted properly and transparently throughout: identifying deficiencies in the former estate, undertaking consultation, and delivering a significantly improved replacement facility at Hadfield which meets and exceeds previous educational and sporting provision.

- 2.29 The intention to dispose of the Site as part of the funding strategy was clearly established from the outset and reflects established public sector practice of releasing surplus assets to fund infrastructure, consistent with statutory duties.
- 2.30 The proposed residential redevelopment represents the implementation of that long-standing strategy, enabling DCC to realise the value of a surplus asset and deliver housing on a sustainable brownfield site. The replacement school formed part of a structured capital programme in which disposal of the Site was a key funding component. The anticipated receipt was embedded within the financial model and supported overall project affordability.
- 2.31 Conversely, requiring a substantial leisure use without policy basis or funding would necessitate a departure from that strategy and materially reduce value, contrary to DCC's statutory and fiduciary obligations.
- 2.32 Accordingly, DCC's actions have been justified, consistent, and aligned with the public interest, reflecting sound asset management and policy-compliant development.
- 2.33 This is not a new or opportunistic approach, but the completion of a strategy established over a decade ago: to replace an inadequate school, reinvest in infrastructure, and release surplus land. The Site is no longer required for education, those needs having been met to a higher standard elsewhere, and there is no sound basis to prevent DCC from realising its value as intended.

3.0 FUNDING OF THE REPLACEMENT SCHOOL

- 3.1 The delivery of the replacement Glossopdale Community College at Hadfield formed part of a structured capital programme led by DCC, supported through a combination of public sector funding and the Council's own resources, including capital programme allocations and, where necessary, prudential borrowing in accordance with the CIPFA Prudential Code.
- 3.2 The project was subject to formal governance and approval processes, as I have explained.
- 3.3 At the time of the Cabinet decision in February 2015 (**Appendix B**), it was expressly recognised that the disposal of the Talbot Road site would form a key component of the funding strategy for the new school. The anticipated capital receipt was factored into the overall affordability of the project and relied upon to offset capital expenditure and/or reduce the Council's borrowing requirement.
- 3.4 This approach reflects established public sector funding principles, whereby surplus assets are realised to support investment in modern infrastructure. The Council's internal documentation confirms a consistent expectation that the Site would be redeveloped for residential use in order to generate a significant capital receipt. Accordingly, the disposal was not incidental or speculative, but a deliberate and integral component of the approved scheme.
- 3.5 To the extent that the project involved Department for Education ("DfE") funding or oversight, the Council was required to demonstrate a robust and deliverable funding strategy. This included the appropriate use of land receipts, which is a recognised mechanism for supporting reinvestment in improved educational facilities.
- 3.6 In delivering the project and managing the Site, the Council has had regard to its statutory and regulatory obligations, including:
- the duty under Section 123 of the Local Government Act 1972 to secure the best consideration reasonably obtainable when disposing of land;
 - compliance with the CIPFA Prudential Code to ensure borrowing is prudent, affordable and sustainable; and
 - adherence to any conditions associated with education capital funding and the Secretary of State's Schedule 1 consent (**Appendix C**) and section 77 [CD 8.5].

3.7 In this context, the disposal of the Site is not a matter of discretion or convenience, but the implementation of a long-established and approved funding strategy. Any proposal to utilise a substantial proportion of the Site for non-revenue-generating uses, such as leisure provision, would materially undermine the financial assumptions underpinning the scheme and would be inconsistent with the Council's statutory duties, fiduciary responsibilities, and the approved funding model. To demonstrate this, Ms Sarah Cox's Proof of Evidence is supported by a Development Appraisal to demonstrate the effects of sacrificing part of the Site for a leisure development.

4.0 FUNCTIONAL CLOSURE OF THE OLD GLOSSOPDALE SCHOOL AND OPENING OF THE NEW SCHOOL

The New School: Glossopdale Secondary School and Sixth Form College

- 4.1 In 2016, construction commenced on a new purpose-built facility at Hadfield, designed to consolidate all three sites into a single, modern campus. The new school opened in 2018.
- 4.2 The new secondary school and sixth form college comprises 10,000m² of floorspace across four storeys, providing a comprehensive range of teaching and support facilities. These include general and specialist classrooms, ICT suites, nine STEM laboratories, a lecture theatre, a learning resource centre, and dedicated performing arts and sports facilities.
- 4.3 The facility accommodates approximately 1,200 pupils and 150 staff and delivers high-quality, state-of-the-art learning environments for academic and vocational education. It also includes a sixth form centre, specialist provision for pupils with special educational needs, and extensive dining and social spaces.
- 4.4 The school also incorporates community-accessible sports and leisure facilities, supporting wider public use.
- 4.5 Externally, the development includes approximately 81,000m² of sports pitches, tennis and netball courts, landscaped social spaces, and a bespoke habitat area. The scheme also provides car and cycle parking for staff and visitors, together with improvements to site access, including reconfiguration of the main entrance and the provision of a new pedestrian crossing.
- 4.6 The total construction cost of the project was approximately £23 million.

Section 77 Consent

- 4.7 The Secretary of State's consent under Section 77 of the School Standards and Framework Act 1998 [CD 8.5] is a material consideration of significant weight. Consent was granted on the basis that the disposal proceeds would be reinvested in improved educational and sports provision:

“The Secretary of State expects any net sale proceeds arising from the disposal of school playing fields to be used towards specific projects to improve, or enhance, sports or educational facilities at schools. The Secretary of State’s consent is given, therefore, on the understanding that the proceeds from the sale of the land will be used for the purposes identified in the council’s application.”

- 4.8 This establishes a clear and direct linkage between the release of the Site and the delivery of enhanced replacement facilities at Hadfield. It also confirms that the loss of the former school site and associated playing fields was accepted in principle at a national level, subject to that reinvestment.
- 4.9 In this context, from DCC’s perspective, it is clear that the educational and sporting needs previously served by the Site have been fully met, and exceeded, at the new Hadfield facility. It appears that the Council now accepts this: see the Draft Development Brief **[CD 6.10]** at paragraphs 1.6 – 1.8.

5.0 HPBC'S LEISURE CENTRE DEVELOPMENT ASPIRATIONS

Evolution of High Peak Borough Council's Strategic Approach to Leisure Provision in Glossop

- 5.1 HPBC's published strategies and corporate reports demonstrate that, for a number of years, the Council's stated approach to improving health and wellbeing in Glossop was founded upon increasing participation in physical activity and making better use of existing facilities, rather than providing substantial new leisure infrastructure.
- 5.2 In its Draft Sports and Physical Activity Strategy dated 1st March 2017 **[CD 6.23]**, the Council identified Glossop as a priority area for intervention because of poorer health outcomes and wider social challenges. However, the draft strategy concluded that the principal issue facing the area was low participation in physical activity rather than a lack of sports facilities. The Council's proposed response was therefore to increase activity levels amongst under-represented groups, including women and girls, older people, people with disabilities, young people and lower-income communities. The strategy advocated a "place-based approach" in Glossop, bringing together health, education and community partners, building upon existing local assets and facilities and engaging residents in the design and delivery of solutions (Draft Sports and Physical Activity Strategy, 29th March 2017, paragraphs 3.3, 3.7 and 8.2.2–8.2.3).
- 5.3 This approach was reaffirmed in the Strategy for Physical Activity and Sport **[CD 6.24]**, adopted by the Executive Committee (Report and Minutes) on 15th June 2017 (report and minutes provided as **[CD 6.25]**). The adopted strategy identified five priorities: supporting inactive people to become active, reducing inequalities in participation, targeting priority communities including Glossop, maximising the use of outdoor spaces and strengthening sports clubs and the voluntary sector. Significantly, the strategy proposed better utilisation of existing leisure centres, community assets and under-used school sports facilities. It did not identify a need for a replacement leisure centre or advocate the provision of major new indoor sports facilities. Instead, sport and physical activity were promoted as means of delivering wider outcomes, including improved health and wellbeing, stronger communities and reductions in anti-social behaviour (Strategy for Physical Activity and Sport, June 2017, paragraphs 3.9, 8.2.3, 8.3.1–8.3.3 and 8.4).
- 5.4 The same strategic direction was reflected in a subsequent Executive Committee Report dated 4th December 2019 (report and minutes provided as **[CD 6.26]**). Following adoption of the

strategy, HPBC commissioned consultants to review future sport and leisure provision. That review was concerned with supply-and-demand analysis, alternative operating models and improving value for money. It was not directed towards identifying a requirement for significant new sports facilities. HPBC's continuing emphasis remained upon increasing participation, improving public health outcomes, making more effective use of existing assets and ensuring the long-term sustainability of leisure provision (Executive Minute 18/6, 15th June 2017 **[CD 6.25]**; Executive Minute 20/34, 4th December 2019 **[CD 6.26]**).

- 5.5 Taken together, these documents demonstrate that HPBC's established strategy between 2017 and 2022 was focused on participation, health improvement and the optimisation of existing facilities. HPBC's published evidence did not identify a need for a replacement leisure centre in Glossop, nor did it indicate that the development of a substantial new leisure facility on an alternative site formed part of its strategic objectives.
- 5.6 Against that background, a marked change in approach occurred during 2022, when HPBC sought funding through the Government's Levelling Up Fund Round 2 programme for the construction of a new leisure and wellbeing hub in Glossop. On 3rd August 2022, HPBC confirmed that it had submitted a bid for approximately £20 million of Levelling Up Fund support focused on two principal projects: a new leisure and wellbeing hub and improvements to Victoria Hall.
- 5.7 HPBC's commitment to the proposal is evident from its formal decision-making processes. On 23rd June 2022, the Executive considered a report entitled Levelling Up Fund Round 2 Bid, which formed the basis of the Council's funding application. Although the report was considered in private session because it contained commercially sensitive information, its consideration demonstrates that the proposal had progressed to a stage requiring formal Executive approval and that the Council was actively seeking Government funding for its delivery.
- 5.8 Further evidence is provided by the minutes of the Corporate Select Committee meeting held on 25th July 2022 (report and minutes provided as **[CD 6.27]**). Members were informed that the Council had established a £3 million Levelling Up Fund reserve to support commitments arising from a successful funding bid. The minutes specifically record that "the bid to the Levelling Up Fund is to provide new leisure facilities in Glossop". Members were further

advised that, upon completion of the proposed facility, "the existing leisure centre facilities would be sold, and the reserves replenished", and that additional funding opportunities, including a bid to Sport England, would also be pursued. HPBC therefore envisaged the proposed leisure and wellbeing hub operating as a replacement facility rather than simply an addition to existing provision.

- 5.9 The significance of these matters is heightened by the fact that the proposed leisure and wellbeing hub was intended to be delivered on land owned by DCC, rather than land owned or controlled by HPBC. Despite the central importance of the site to the proposal, DCC was not consulted regarding the inclusion of its land within the Levelling Up Fund bid. Nor had any agreement been reached concerning the availability, acquisition or development of the site.
- 5.10 The proposal therefore emerged without prior engagement with the landowner and against the background of more than five years of HPBC's policy which had consistently emphasised participation initiatives, health improvement and the better use of existing facilities rather than the development of a replacement leisure centre. From DCC's perspective, there had been no indication in HPBC's adopted strategies, committee reports or previous engagement that a new leisure centre on DCC's land was being actively pursued. The inclusion of the site within a major Government funding application therefore represented an unexpected and significant change in direction.
- 5.11 On 19th January 2023, HPBC announced that its Levelling Up Fund application had been unsuccessful. The Council confirmed that the bid had sought funding for a new leisure and wellbeing hub together with improvements to Victoria Hall and expressed disappointment that the project would not proceed with Government support. Accordingly, irrespective of the other issues with HPBC's aspiration for a leisure centre, it is clear from this point that the delivery of the proposed leisure centre was (and remains) unfunded and thus unachievable. Further, there is no apparent prospect of obtaining the necessary funding in any reasonable time frame.
- 5.12 Notwithstanding the failure of the funding application, HPBC's committee reports, minutes and public statements provide clear evidence that, by 2022, the delivery of a replacement leisure facility in Glossop had become a significant strategic objective.

- 5.13 They also demonstrate that HPBC was prepared to advance a substantial public funding application founded upon development proposals affecting land that it neither owned nor controlled and in respect of which no agreement had been reached with the landowner. In circumstances where DCC had not been consulted and had no prior indication that its land was being promoted for such a purpose, the proposal came as a significant surprise. The deliverability of the scheme was necessarily dependent upon the future cooperation and consent of a third-party landowner whose interests had neither been secured nor formally engaged at the time the funding bid was prepared and submitted.
- 5.14 This is relevant because it demonstrates that the current position cannot be understood simply by reference to the appeal application itself. The application emerged during a period when HPBC was actively pursuing a replacement leisure centre on land outside its ownership and control and was proposing the eventual disposal of its own leisure assets. That strategic objective subsequently fell away when Government funding was not secured. Nevertheless, the appeal site remained linked to a proposal that had been advanced as part of HPBC's wider regeneration plans despite the absence of any agreement with DCC as landowner.
- 5.15 Accordingly, the appeal should be viewed in the context of a scheme that was intended to facilitate a much broader leisure and regeneration strategy, including the replacement of existing facilities and the disposal of Council-owned assets. Once the Levelling Up Fund bid failed, the strategic foundation upon which those proposals had been advanced materially changed. Put simply, HPBC's scheme was dead. The importance of that change is that it illustrates how the appeal site became drawn into a wider project which was never secured, never funded and never agreed with the landowner.
- 5.16 The significance of this history is that the leisure issue has subsequently assumed a prominence that is wholly disproportionate to its actual relevance to the appeal. The proposed leisure and wellbeing hub was a product of High Peak Borough Council's unsuccessful Levelling Up Fund strategy. That strategy failed. The funding bid was unsuccessful. The replacement leisure centre was not delivered. The disposal of existing leisure assets did not occur. The wider regeneration package predicated upon those proposals has not been implemented. There is no realistic prospect of HPBC's purely aspirational scheme ever coming forward. There is not even any adopted planning policy to support this aspiration.

- 5.17 Yet the legacy of that failed proposal continues to feature prominently in discussions relating to the appeal site. In DCC's view, this risks distracting attention from the real planning issues before the Inquiry. The appeal site should not be treated as land safeguarded for leisure development, nor should decision-making be influenced by assumptions regarding a leisure scheme that was never secured, never funded, never agreed with the landowner and never progressed beyond the funding-bid stage.
- 5.18 Crucially, Derbyshire County Council has no intention of bringing forward the appeal site for leisure development. That position has been accepted in the agreed evidence before the Secretary of State. The site is therefore not being retained for a leisure scheme, nor is there any realistic prospect of the former Levelling Up Fund proposal being implemented. Consequently, little if any weight should be attached to speculative arguments regarding future leisure provision on the site.
- 5.19 In reality, the leisure centre debate derives from an abandoned proposal promoted by HPBC rather than from any live development aspiration of the landowner. The Inquiry should not therefore attribute significance to a scheme which was dependent upon funding that was never secured, land that was never controlled by the promoter and a development strategy that has since fallen away. The planning merits of the appeal should be considered on the basis of the present circumstances, not on the basis of a speculative leisure proposal that no longer exists
- 5.20 The subsequent actions of HPBC are also revealing. By October 2022, only a matter of weeks after submission of the Levelling Up Fund bid, the Council approved its refreshed Move More High Peak Strategy (strategy, reports and minutes provided as **[CD 6.28]**). That document reaffirmed many of the same principles that had underpinned the Council's approach since 2017, namely increasing participation, reducing inactivity, addressing health inequalities, strengthening community partnerships and maximising the contribution of existing facilities and assets.
- 5.21 Significantly, the refreshed strategy did not identify the delivery of a replacement leisure centre on the appeal site as a strategic priority. Instead, it focused on a broad range of measures designed to increase activity levels across the Borough, including place-based initiatives, Active Communities Plans, partnership working with leisure operators, investment

in parks and play facilities, walking programmes, football facilities and targeted interventions for priority groups.

- 5.22 The strategy also confirmed that the Council regarded its existing leisure centres as key assets and was working with Parkwood Leisure to develop plans for their future operation and community use. Future investment and service delivery were to be considered through the Council's Leisure Transformation Plan and associated implementation programmes.
- 5.23 In my view, this is a telling feature of the evidence. If the proposed leisure and wellbeing hub on Derbyshire County Council land had genuinely represented the only realistic means of meeting future leisure needs in Glossop, one would have expected it to feature prominently within the Council's refreshed strategic framework. Instead, the October 2022 strategy demonstrates that the Council was simultaneously pursuing a range of alternative mechanisms for improving leisure and physical activity provision across the Borough.
- 5.24 The importance of this point is that it undermines any suggestion that the appeal site must be protected because it remains necessary for a future leisure centre. HPBC's own evidence demonstrates that by late 2022 its strategy for improving physical activity and leisure outcomes was considerably broader than, and not dependent upon, the proposed Levelling Up Fund scheme. Indeed, following the failure of the funding bid in January 2023, High Peak Borough Council continued to pursue alternative leisure and physical activity strategies rather than advancing a replacement proposal for development on DCC's land.
- 5.25 The Inquiry should therefore treat with caution any attempt to elevate the former leisure centre proposal into a continuing justification for resisting the appeal. In my view such an argument is untenable. The proposal originated from an unsuccessful funding bid, was advanced on land outside the Council's ownership and control, was never agreed with the landowner and has since fallen away. DCC has no intention of bringing forward the appeal site for leisure development, a matter reflected in the agreed position before the Secretary of State. In those circumstances, the continued focus on potential leisure provision serves only to distract from the real planning issues raised by the appeal. The evidence indicates that High Peak Borough Council itself had already moved towards alternative and more flexible approaches to meeting leisure and physical activity objectives by October 2022.

HPBC Draft Development Brief

- 5.26 Elements of HPBC's (now failed) aspiration were reflected in a draft Development Brief prepared by HPBC. This was an aspirational document which is now more than five years old and HPBC has not advanced any updates to this document, and it remained as a draft Development Brief. The document was not formally adopted as part of the development plan and was not endorsed by DCC as landowner.
- 5.27 Critically, there is no adopted development plan policy, site allocation, or supplementary planning document which requires or safeguards the Site for leisure use. Nor is there any policy requirement for the provision of a leisure facility in this location as a form of mitigation or infrastructure delivery. The absence of such policy support is significant and distinguishes this case from circumstances where specific uses are plan-led and clearly justified.
- 5.28 Furthermore, no deliverable, viable, or funded scheme has been identified for the provision of a leisure facility on the Site. There is no confirmed operator, no secured capital funding, and no evidence of a realistic delivery programme. This means that the proposed leisure use remains speculative and uncertain, with no prospect of implementation within a reasonable timeframe.
- 5.29 In the view of DCC, the continued promotion of a leisure use in these circumstances lacks a robust evidential basis. It is not supported by adopted policy, is not underpinned by funding or delivery mechanisms, and has not been demonstrated to be necessary, viable, or achievable.
- 5.30 Accordingly, the leisure centre aspiration does not alter the planning position and should not be given any material weight. Nor does it displace or diminish the Council's clear and long-established strategy to dispose of the Site for residential development in order to realise its value and support its approved capital programme.

APPENDICES

Appendix A – Derbyshire County Council Cabinet Report, *Glossopdale Community College – Single Site Reorganisation – (Children and Young People)*, 21st October 2014

DERBYSHIRE COUNTY COUNCIL**CABINET****21 October 2014****Report of the Strategic Director for Children & Younger Adults****Glossopdale Community College – Single Site Reorganisation – (Children and Young People)****1. Purpose of Report**

To seek approval to undertake a statutory consultation on a proposal to reorganise Glossopdale Community College onto a single site, and to apply to the Department for Education (DfE) for consent to dispose of the playing fields on one of the College sites.

2. Information and Analysis

2.1. Glossopdale Community College currently occupies 3 separate sites, 2 of which are approximately 2 miles apart. The vast majority of the accommodation on the 3 sites is in relatively poor condition with a total maintenance backlog of £5.4 million. Many of the facilities were designed around 60 years ago and are less than ideal for providing education in the 21st Century. Over the last ten years there has been a significant reduction in the numbers of students attending the College. These have fallen from 1,928 in 2004 to 1,203 in 2014 resulting in the College having 46% spare capacity. Student numbers are forecast to continue falling to 1,051 by 2018. Operating on 3 sites is a high revenue cost to the College due to duplication of certain staff and resources

2.2. Following a visit to the school early in 2014, by the Deputy Cabinet member for Children and Younger People, a Business Case was requested looking at a strategic plan for the College which produced in May 2014. It explored four options of rationalising the College onto a single or two adjacent sites with either new build or a mix of refurbishment and new build. The options were based on a 1,200-place 11-16 school with facilities for 240 post-16 students, as this was viewed as the possible long term need for the area. Cost of the options ranged from £19m for a mixture of new build and extensive refurbishment to £22.5m for a full new build. The first option when compared with new build would involve a much longer

period of works and prolonged disruption for the College. The Business Case also showed the Hadfield Site to be the preferred site for new build, being of sufficient size to accommodate a school of 1,440 students with room for future expansion. There are extensive playing fields on the site along with a recently constructed 3G floodlit All-Weather Pitch. In addition a new building could be constructed on this site with minimum disruption to the College.

- 2.3.** As part of the Business Case, the Strategic Director of Property was asked to undertake a valuation of the College's three sites. This showed that if a new building was constructed on the Hadfield site – thus allowing the Talbot Road and Talbot House sites to be disposed of – estimated capital receipts of £9m could be realised. Cabinet has previously approved £5.5m from the CAYA Capital Programme towards the strategic development of the school, thus there is a potential funding shortfall of £8m on the new build option at Hadfield.
- 2.4.** The Business Case only looked at replacing the main school, it excluded any Enhanced Resource School ERS provision (to accommodate pupils with Special Educational Needs). There is also a youth centre at the entrance to the Hadfield site which would need to be demolished in order to construct the new school. These two facilities if required would add an additional 235m² to the new building.
- 2.5.** Since the Business Case was produced due to inflation in the construction industry concern has arisen over the original £22.5m cost for the new build option on the Hadfield site with £24m now suggested as being more realistic. The scheme has therefore been reviewed to reduce costs. A reduction in cost of approximately 10% can be achieved by phasing the project so that the initial scheme provides the accommodation needed over the next few years. If the first phase has a capacity of 1,200 students (1,000 11-16 plus 200 post-16) this would be greater than the forecast roll of 1,076 in 2019 and reduce the buildings area by approximately 1,000m².
- 2.6.** Further design work is required to refine the budget of the phase 1 scheme. This will be reported to Cabinet in a future report.
- 2.7.** The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, require that where a Local Authority seeks to close a school site (where the school occupies more than one site) they must follow a statutory process. Approval is therefore sought to undertake a public consultation on the proposed move of the College to a single site. Attached with this paper (Appendix 1) is a draft consultation paper which will be

published in the local press and circulated to all students, staff, Governors and Parents of the College. Furthermore, the consultation will be published on the College's website and a notice about the proposals will be posted in conspicuous places around the college. In addition copies will be issued to feeder primary schools of the College, surrounding secondary schools in the Authority and residents adjacent to the three sites. It is proposed to issue the paper on Monday 3 November 2014 with a deadline for responses of Friday 12 December 2014. This allows six term weeks for consultation. The outcome of the consultation will be reported to Cabinet in February 2015.

- 2.8.** The School Standards and Framework (SSFA) Act 1998 Section 77 requires the prior consent of the Secretary of State to the disposal or change of use of school playing fields. In order to achieve the maximum capital receipt for the College's main site on Talbot Road, consent needs to be obtained for the small area of playing fields on this site to be disposed of and used for residential development. Approval is therefore sought to apply to the Secretary of State for consent. A development of this size would add overtime to the number of children in the College, but there is sufficient spare capacity within the phase 1 proposal to accommodate this increase.
- 2.9.** The College currently has a Published Admission Number (PAN) of 360. It is proposed to reduce this on completion of the new building to 200. This number will cater for the forecast demand for places from students living within the College's normal area for the next five years. The building will be designed so that it can be easily extended if required.

3. Financial Considerations

- 3.1.** This is a large and complex project that is at an early stage of planning. It is proposed that the details of the scheme be developed and that Cabinet considers the scheme again when more details are available. The cost of the phase 1 project, including additions for youth service and Special needs resource space is £22.5m. The Business Case has demonstrated a clear value for money rational for this scheme, particularly given the inefficiency of the current split site operation, spare places and poor facilities.

4. Legal Considerations

Local authorities have a duty to ensure sufficient supply of school places in their areas. The proposals set out in this report follows a statutory process set out in the School Organisation (Prescribed Alterations to

Maintained Schools) (England) Regulations 2013 and the accompanying statutory Department for Education guidance 'School Organisation Maintained Schools – Guidance for proposers and decision makers' (January 2014). A statutory consultation is required under the said regulations and guidance.

As indicated above, the School Standards and Framework Act 1998 requires that the Secretary of State's consent is obtained in order to dispose of, or change the use of a school playing field.

5. Other Considerations

In preparing this report the relevance of the following factors has been considered:- prevention of crime & disorder, equality of opportunity, environmental, health, legal & human rights, human resources, property, economic regeneration and transport considerations.

6. Is it necessary for the call-in period to be waived in respect of the decisions being proposed in the report? No

7. Background Papers

These are held on file in the CAYA Development Section

8. Key Decision Yes

9. Officer Recommendation That approval be given to:

8.1 undertake a statutory public consultation on a proposal to consolidate Glossopdale Community College onto a single site.

8.2 to apply to the Secretary of State for consent to dispose of the playing fields on the College's Talbot Road for residential development.

8.3 the use of expected capital receipts of £9m from the disposal of Talbot Road and Talbot House sites towards the cost of a new school building on the Hadfield site.

8.5 to receive a further report to confirm the budget for the scheme when the statutory proposal is determined and more detail on the cost of the project is known.

Ian Thomas, Strategic Director for Children & Younger Adults

Appendix 1

Glossopdale Community College

Move to single site

Public Consultation

Introduction

Derbyshire County Council wishes to consult all interested parties on a proposal to move Glossopdale Community College onto a single site by building a new school on the existing Hadfield Site then disposing of both the main Talbot Road Site and the Talbot House Site.

Background

Glossopdale Community College currently occupies 3 separate sites, 2 of which are approximately 2 miles apart. Year 7 and year 8 students are based at the Hadfield Site, the main school site on Talbot Road is used primarily by students in years 9, 10 and 11, whilst the adjacent Talbot House forms the base for post-16 provision. The vast majority of the accommodation on the 3 sites is in relatively poor condition; with a current maintenance backlog of over £5m. In addition many of the facilities were designed between 60 to 100 years ago and are not really fit for purpose. Over the last ten years, there has been a significant reduction in the numbers of students attending the College. These have fallen from 1,928 in 2004 to 1,203 in 2014, resulting in the College having approximately 46% spare capacity. Student numbers are forecast to continue falling to 1,051 by 2018. There are significant disadvantages for the College in operating on 3 sites; financially the duplication on 3 sites of resources and certain staff, the cost and waste of time for teachers and other staff travelling between sites, younger students missing out on the opportunity to mix socially and academically with older students, teaching facilities may differ, whilst communication and the professional development of staff can be impeded. There is thus a strong case to rationalise the College's accommodation onto a single site and provide new or refurbished buildings of an appropriate size.

Proposal

A number of alternatives were investigated by the Authority with the preferred option being to move the entire school onto the Hadfield Site into new purpose-built accommodation.

The Hadfield site is preferred as it has extensive playing fields; including a recently constructed 3G floodlit All-Weather Pitch. In addition, a new building can be constructed on this site with the minimum of disruption to the existing College accommodation and operation. The site is large enough to allow for future expansion if required.

The new building will be designed to cater for 1,000 11-16 aged students plus 200 post-16 places. The school will also be designed so that it can be easily extended if required to take the capacity up to 1440, comprising 1200 11-16 students and 240 post-16 students. It will provide modern, suitably sized, efficient accommodation, suitable for education in the 21st Century. The Authority's projections forecast that this size of school would be able to provide places for all students from within its normal area. However, building will be designed so that it can be easily extended should there be the need. Within the new College there will be specialist teaching spaces for science, art, music, technology, drama, IT and PE plus general teaching classrooms for maths, English, humanities and modern languages. The accommodation will also include a hall, library, post-16 teaching & social spaces, learning resource areas, dining area & kitchen, a 4-court sports hall and activity studio plus staff offices, work & social areas etc. The College currently has an Enhanced Resource facility; this will be replicated in the new building. It is likely that the existing Youth Centre currently sited at the entrance to the Hadfield site may need to be demolished as part of the project, additional facilities to enable youth service provision to continue will therefore be incorporated into the new building.

Cost and timescale

The cost of the project is estimated to be in the region of £22.5m. The funding would be subject to further approval but would include allocations from Capital Grant, and proceeds from the sale of the two sites. This would be a major construction project which could take at least 2 years to design and build. Thus it is likely that the new school would open in 2017.

Educational Achievement

The College firmly believes that this project would have a significant positive impact on the standards of educational achievement in the school. The present facilities for the College are not ideal for teaching and learning. Spare places and poor buildings result in poor use of resources. The cost of this has been estimated at £275,000. Furthermore, staff time is wasted travelling between sites and split site operation results in difficulties for staff co-ordination. A number of split site secondary schools have been consolidated onto a single site in recent years as a consequence.

Admissions

At present the school has a Published Admission Number (PAN) of 360. It is proposed that if the proposal is implemented the school would reduce its admissions number to 200. The school would continue to have sufficient capacity to meet the demand for

places from its normal area. There is some scope within the first phase for the College to take in more students if its popularity rises as a consequence of the investment.

Student transport

An analysis of the location of existing College students shows that they mainly reside in two areas surrounding the main Talbot Road and Hadfield sites. The numbers of students in both areas are approximately equal. All students normally spend 2 years of their time at the College on the Hadfield site, thus the move to a single site should not have a significant impact on transport.

Normally, students who have to travel over three miles to their normal area secondary school are eligible for free transport, however each case is assessed individually. Moving the entire College to the Hadfield site may mean that some students, for example in Tintwistle, lose their entitlement to assistance for the years they attend the Glossop site. However, others, possibly in areas such as Chisworth and Charlesworth, could qualify for free transport. Overall the numbers involved are likely to be small.

Consultation

Cabinet will consider all views expressed during this consultation before deciding on whether to proceed with the proposal.

If you would like to respond to this consultation, please e-mail or write to Geoff Brown (geoff.brown@derbyshire.gov.uk) Development Section, Chatsworth Hall, Chesterfield Road, Matlock. DE4 3FW by Friday 12 December 2014 when this consultation will end.

Appendix B - Derbyshire County Council Cabinet Report, *Reorganisation of Glossopdale Community College*, 10th February 2015

DERBYSHIRE COUNTY COUNCIL

CABINET

10 February 2015

Report of the Acting Strategic Director for Children & Younger Adults

**REPORT ON THE OUTCOME OF THE CONSULTATION REGARDING THE
PROPOSAL TO REORGANISE GLOSSOPDALE COMMUNITY COLLEGE
ON TO A SINGLE SITE - (Children and Young People)**

1. Purpose of Report

To advise Cabinet of the responses to the Authority's statutory consultation on a proposal to reorganise Glossopdale Community College onto a single site.

2. Information and Analysis

On 21 October 2014, Cabinet gave approval for a statutory consultation to be undertaken on the proposal to move Glossopdale Community College on to a single site by building a new school on the existing Hadfield site, then. The consultation was held from Monday 3 November 2014 to Friday 12 December 2014. Statutory notices were published in the local press, on the College website and displayed outside the College's three sites. A consultation paper was published on both the Derbyshire County Council and College web sites, whilst paper copies of a consultation leaflet were circulated to parents, students, staff and governors of the College. Leaflets were also sent to: local libraries, all feeder primary schools – these are all in Derbyshire - within the normal area, surrounding secondary schools in the Authority, and residents adjacent to the College's three sites. During the six week period of consultation a total of 95 responses were received. Of these responses 69 were fully in favour of the proposal, a further 16 supported the proposal but raised various concerns whilst 5 were totally opposed. An additional 5 responses made comments without either supporting or opposing the proposal. The three local members for the area served by the school – Etherow, Glossop and Charlesworth - have expressed support for the proposal. The concerns and comments expressed in the responses have been collated into broad themes identified in the report below.

Choice of Hadfield Site

A small number of responses queried the choice of the Hadfield site for the new school as opposed to the Talbot Road site. Concern was expressed by two respondents that if the proposal went ahead there would no longer be a secondary school in the town of Glossop.

Authority's Comment

The Hadfield site was chosen for a number of reasons: It is the largest site, being twice the size of the Talbot Road site and also relatively flat. There are existing playing fields of a sufficient size and a recently constructed 3G All Weather Pitch. Using the Hadfield site will allow a new school to be built with minimum impact on the staff, students and local residents, whereas the Talbot Road site is on a steep gradient, closely surrounded by residential development and has very limited, poor quality on-site playing fields. The Hadfield site, in addition is large enough to allow for future expansion of the school, should there be an increase in student numbers. The County Council is mindful of the fact that should the proposal go ahead, there will not be a maintained secondary school within the actual town of Glossop, however the Authority's view is that the significant advantages of consolidating the College into new buildings onto a larger, more suitable site in Hadfield which all students already attend for part of their time, outweigh this fact.

Traffic and Access Issues on the Hadfield Site

A significant number of respondents expressed concern about the impact of increased traffic that would result from moving the College to a single site at Hadfield. The provision of adequate parking/pick up/ turning facilities, along with consideration of student safety as pedestrians when accessing the new school was queried. The issue of transport for students was also raised.

Authority's Comment

During the design process discussions will be held with both Derbyshire County Council Highways and Planners as regard to the traffic impact on the area and any necessary mitigating measures that may be necessary. Sufficient car parking will be provided on the site for all staff and visitors, along with a dedicated bus drop off/ pick up bay. There will be segregated access points to the site for both vehicles and pedestrians. As part of the formal planning submission a Traffic Plan will be prepared which analyses how all the staff and students will reach the site from their homes and what measures need to be adopted in order to make these journeys as safe as possible and minimise the use of private cars. The entitlement of students to assistance with travel will be reassessed when the College moves to a single site. Each case will be considered individually, but usually students who have to travel over three miles to their normal area secondary school are eligible for free transport. Ten years ago there were in the region of 1,000 students based on the Hadfield site, so the impact of this proposal is less than it would first appear. In addition,

a school located on split sites produces additional vehicle movements with staff, both teaching and non-teaching, travelling between sites during and at the start/end of the day.

Location of new building on the Hadfield Site

Concern was expressed in some responses about the actual location of the new school on the Hadfield site, particularly as to whether it would be on the footprint of the existing buildings and the impact it may have on local residents.

Authority's Comment

This project is in the early stages of development. A contractor has yet to be appointed to design and build the new school, thus no decision has been made about the design or exact location of the new building. It is, however, unlikely to be on the footprint of the existing building, as this would necessitate additional disruption to the existing students, moving them twice; once to allow demolition and then back into the new building. Such a proposal is also likely to increase the predicted overall cost, as temporary accommodation would be required. If the new building is constructed on any part of the playing fields then these will be replaced when the existing buildings are demolished. It is the Authority's normal practice on major schemes such as this to consult with local residents during the design process in order to understand their concerns and before the submission of formal planning permission.

Size of the new school

Some responses commented on the size of the new building; concern was expressed as to whether it would be of sufficient size to accommodate all students who wished to attend.

Authority's Comment

The new building will be designed to cater for 1,200 students (1,000, 11-16 aged students with 200 post-16 places) The Authority's analysis of existing student numbers and projection data has shown that a total capacity of 1,200 is currently more than sufficient to meet the forecasted demand from within the normal area. However the building will be constructed so that it can be extended in order to increase the capacity if required.

Youth Club/Community Centre

A small number of respondents were concerned about the possible need to demolish the existing Youth Centre/Community Centre and felt that provision needs to be made in the new build to replace these facilities.

Authority's Comment

It is acknowledged that it may be necessary to demolish the existing Youth and Community Centre in order to open up access to the site and facilitate the construction on a new building. If this is the case additional floor area will be included in the new build to compensate. Discussions will be held during the design process with Youth and Community Services to determine exactly what this additional area should consist of.

SEN provision

Provision for SEN students

One respondent queried the provision for students with special educational needs.

Authority's Comment

The new building will contain specialist areas for working with students in groups or individually who have special educational needs (SEN). The detailed design of these rooms will be developed in consultation with the school. In addition, the College currently has an Enhanced Resource (ER) facility for a small number of students with SEN, this will be replicated in the new building.

Sale of the Talbot Road Site

Some respondents commented on the proposed sale of the Talbot Road site for housing. There was concern that any new development should include affordable properties. In addition 2 respondents felt that the playing fields on this site should not be developed, instead being retained for community use.

Authority's Comment

It is proposed that following the opening of the new building on the Hadfield site, both the Talbot Road and Talbot House sites will be sold for housing development. The potential receipts from these sales will provide a significant contribution towards the cost of building the new school. The exact type and quantity of housing on the sites would be a matter for the developer to agree with High Peak Borough Council. However in

accordance with the District Council's local plan, any development on the Talbot House Site would need to include some affordable housing. Glossopdale Community College, in addition to the three sites, has two detached playing fields on Fauvel Road and Cemetery Road in Glossop. It is intended that these will be retained for community use. The Fauvel Road playing fields are adjacent to the Talbot Road site. The Authority is applying to the Secretary of State for consent to dispose of the small area of playing fields on the existing main College site on Talbot Road so the entire site can be sold. These playing fields are on a steeply sloping site, are difficult to access and of poor quality. Planning guidance would indicate that a developer would need to provide a small recreational area for children's games on the Talbot Road site if the entire College site was sold for residential development.

Disruption during construction

Concern was expressed in a few responses about possible disruption to local residents and the adjacent Care Home whilst the new College was built, also the impact of construction traffic on local roads around the Hadfield site. Comment, in addition, was made about the need to ensure that there was minimum disruption to the College students.

Authority's Comment

The Authority has extensive experience of managing the construction of new secondary schools on existing sites, having undertaken 10 such schemes in the last few years and will thus ensure that this project is managed in order to minimise the impact on all parties. As part of the design process any potential impact will be carefully considered, whilst the principal contractor will be required to submit a detailed construction plan and programme as part of the planning submission. One of the reasons for choosing the Hadfield Site is that of all the options considered this one causes the least potential disruption to staff and students. The College will be able to continue operating on all 3 sites until the new build is complete. As the Hadfield Site is large and only Year 7 and 8 students are based there it will be possible to construct a new school on a separate area of the site with minimum disruption, which would not be the case on the main College site on Talbot Road.

Separate 6th form and split sites

One respondent believed that post-16 facilities should be detached from the 11-16 provision, whilst three other responses were in favour of retaining split sites and investing in their refurbishment

Authority's Comment

At this early stage in the project it is not possible to comment on the design or location of the 11-16 facility within the building. It is likely, however, there will be some separate social, teaching and private study areas purely for post-16 students. The design will be developed in line with national guidelines from the Department for Education (DfE). The Business Case which investigated a number of options in detail regarding the future development of the College concluded that due to the additional revenue costs of operating on three sites, the considerable amount of surplus accommodation and the high maintenance backlog on the existing buildings, the most cost effective option would be to relocate the College into new buildings on the Hadfield Site. The Principal, Staff and Governors fully support the proposal of moving to a single site, advocating that it will have a significant positive impact on the standards of educational achievement within the College.

Support for the proposal.

The overwhelming majority of the respondents were in support of the Authority's proposal. Many commented on the benefits a new suitably sized, modern, efficient and designed for purpose building on a single site would bring to both the College and the local community. The reasons for choosing the Hadfield Site and disposing of the Talbot Road sites were understood by a significant number of respondents who supported the proposal.

Next Steps

Officers from CAYA Development will proceed with the submission to the DfE for the disposal of the playing fields on the Talbot Road site. In addition they will consult with the College Principal, Senior Staff, and Governors in order to draw up a detailed brief for the new building. Officers will then liaise with Corporate Property in competitively procuring the project through a design and build contract. A further report will be brought to Cabinet when the budget and method of procurement is finalised.

3. Financial Considerations

This is a large and complex project. It is proposed that the details of the scheme be further developed in conjunction with Corporate Property and that Cabinet considers the scheme again when more details are available. The cost of the phase 1 project, including additions for youth service and Special needs resource space is approximately £22.5m.

4. Legal Considerations

Local authorities have a duty to ensure sufficient supply of school places in their areas. The proposals set out in this report follows a statutory process set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and the accompanying statutory Department for Education guidance 'School Organisation Maintained Schools – Guidance for proposers and decision makers' (January 2014). A statutory consultation is required under the regulations and guidance.

The School Standards and Framework Act 1998 require that the Secretary of State's consent is obtained in order to dispose of, or change the use of a school playfield field.

5. Other Considerations

In preparing this report the relevance of the following factors has been considered:- prevention of crime & disorder, equality of opportunity, environmental, health, human rights, human resources, property, economic regeneration and transport considerations.

6. Background Papers

A file is held in CAYA Development Team office which includes copies of all responses received during the consultation

7. Key Decision Yes

8. Call-in

Is it required that the Call-in period be waived in respect of the decisions being proposed within this report? No.

9. Acting Strategic Director's Recommendation: That approval be given to

- 9.1 agree to the proposal to move Glossopdale Community College to a single site in Hadfield with the disposal of the Talbot Road and Talbot House sites following consultation.
- 9.2 the use of the capital receipts from the disposal of the Talbot Road and Talbot House sites towards the cost of a new school building on the Hadfield site
- 9.3 proceed with the scheme to build a new school on the Hadfield site which is likely to open on 1 September 2017.

- 9.2 consider a further report to confirm the budget for the scheme and more detail on the cost when the method of procurement for the new school building is known.

Ian Johnson, Acting Strategic Director for Children & Younger Adults

Appendix C - Secretary of State Schedule 1 Consent Letter, 25 March 2015



Education
Funding
Agency

Education Funding Agency
Schools Assets Team
Bishopsgate House
Feethams
Darlington
DL1 5QE

Mr Geoff Brown
Derbyshire County Council
Chatsworth Hall
Chesterfield Road
Matlock
Derbyshire
DE4 3FW

Tel: 01325 340634

25 March 2015

Dear Geoff

**Land disposal application under Schedule 1 to the Academies Act 2010 –
Talbot House Site and Talbot Road Site, Talbot Road, Glossop, Derbyshire,
SK13 7DR**

Thank you for your application seeking consent to dispose of land at Talbot House Site and Talbot Road Site.

Schedule 1 to the Academies Act 2010 extends the requirement to obtain Secretary of State consent to dispose of community school land to include all land in which a freehold or leasehold interest is held by the local authority and which has been used for any school (including any Academy) in the last 8 years.

Consent under Schedule 1 does not affect the requirement for separate consent under section 77 of the School Standards and Framework Act where disposal of school playing field land is proposed.

I am pleased to inform you that the Secretary of State has given consent under Schedule 1 to the Academies Act 2010 for disposal of Talbot House Site and Talbot Road Site, site in this instance, as detailed in your application dated March 2015.

Yours sincerely

Jude Le Roi