



HARTLEPOOL BOROUGH COUNCIL

OFFICER DECISION RECORD

Department:	Resources and Development
Division:	Resources and Development (Development and Growth) Estates and Asset Management Section
Date of Decision / Issue of Licence:	26 th January 2023
Officer Making Decision:	Denise McGuckin (Managing Director)
Subject / Description & Reason for Decision:	<p>Ward Jackson Primary School – grant of academy lease</p> <p>Ward Jackson Primary School governing body obtained an Academy Order in late 2022 and intends to join Durham and Newcastle Diocesan Learning Trust, the multi-academy trust run by the Anglican dioceses of Durham and Newcastle. As it is a church school only the playing field is owned by the Council and in 2012 the Council granted a 99 year lease to the Durham Diocesan Board of Finance at a peppercorn rent alongside the freehold transfer of the school buildings. This is a slightly unusual situation and the Department for Education has informed the Trust solicitors that they would prefer the existing lease to be surrendered by the Diocese and a standard academy lease then granted to the Trust. Otherwise the existing lease would have to be assigned to the Trust and it does not contain the provisions particular to academy leases such as the relationship with funding agreements.</p> <p>It is therefore proposed to take a surrender of the 2012 lease and grant an academy lease of the playing field on the following main terms:</p> <ol style="list-style-type: none">1. Tenant: Durham and Newcastle Diocesan Learning Trust2. Lease Term: 125 years from 1st April 20233. Rent: Nil4. User: Educational Purposes in accordance with Academies Act 2010 only

ODR No.: 23 - 182

5. Alienation, Assignments & Under letting: Landlord's prior written consent required, not to be unreasonably withheld but assignment must be to another academy trust.
6. Alterations: Landlord's prior written consent required, not to be unreasonably withheld
7. Repair and Insurance: Tenant responsibility (except for pre-existing defects)

The authority usually charges the Academy Trust £2,500 per school to cover legal and other costs incurred in the academy conversion process.

The playing field area to be leased is shown verged red on the plan below.

Type of Decision: Non Key

Nature of Delegation Being Exercised: Committee Delegated Authority

In accordance with paragraph 4.2 of the Delegation Scheme set out at Part 3 of the Constitution the Managing Director is authorised to exercise any of those functions delegated to the Directors and hereby exercises the delegation as set out below:

DRD74	Power to approve land and property disposal, leases, lettings, licences, wayleaves, easements, undertaking and concluding rent reviews, lease renewals and the release and amendments of restrictions, covenants and other land and property matters within prescribed thresholds as set out in the Finance and Policy committee arrangements
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Alternative Options Considered and Rejected: None

Any Declared Register of Interest No

OFFICER WITH THE DELEGATION

SIGNED: _____

NAME: Denise McGuckin

POSITION: Managing Director

DATE: 26th January 2023

