

JENNETT'S PARK : UPDATE

Children, Young People and Learning Overview and Scrutiny Panel

Context

The Council granted planning permission in 2004 for a residential development, and a section 106 agreement was concluded under which the developer was (amongst other matters) obliged to reimburse the Council a contribution to the cost of the construction of a one form entry primary school, and its subsequent enlargement to provide a further form of entry at a later date.

The developer has indicated to the Council that it would be willing to take responsibility for building the school, instead of paying a financial contribution. The school would, under this proposal, be built as a two form entry school, with the classrooms to accommodate the second form of entry left as a shell to be brought into use as and when required.

From the Council's perspective this is an attractive proposition.

Current Position

We are currently seeking Counsel's advice on our ability to alter the section 106 agreement and we await the decision of the European Commission Judgement. However, initial advice is positive.

Two plans of action are being developed in order to meet the aim of the school opening in September 2011. Both of these designs are currently in the pre-planning application stage for comment.

Once we hear the outcome of the European Commission, we shall be in a position to either: advertise under the EJEU for a design and build contract or formally agree a change of section 106 agreement with the Jennett's Park consortium, to build the school.

David Watkins
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