

READING BOROUGH COUNCIL

REPORT BY HEAD OF LEGAL AND DEMOCRATIC SERVICES AND CHIEF VALUER

TO:	THE HEIGHTS FREE SCHOOL SUB-COMMITTEE		
DATE:	12 JULY 2016	AGENDA ITEM:	4
TITLE:	PROPOSAL FROM THE EDUCATION FUNDING AGENCY		
LEAD COUNCILLORS:	COUNCILLOR EDWARDS	PORTFOLIO:	MAPLEDURHAM PLAYING FIELDS CHAIR OF TRUSTEES
SERVICE:	TRUSTEE OF CHARITY	WARDS:	MAPLEDURHAM
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1. PURPOSE AND SUMMARY OF REPORT

- 1.1 This report advises the sub-committee of a proposal which has been received from the Education Funding Agency (EFA) in respect of the acquisition of part of Mapledurham Recreation Ground/Playing Fields (The Trust Land) for the purpose of building a new Free school and advises of various options which are open to the sub-committee in respect of the charity trusteeship of the Recreation Ground Charity (Charity) delegated to it by Reading Borough Council.
- 1.2 This report also advises the sub-committee of a successful application made to list part of The Trust Land as an Asset of Community Value.

2. RECOMMENDED ACTION

- 2.1 That the sub-committee consider the proposal which has been received from the EFA and recommend which course of action as outlined in paragraph 5 they wish to proceed with.
- 2.2 That it be noted that the pavilion, car park and access have been listed as an Asset of Community Value.

3. POLICY CONTEXT

- 3.1 Reading Borough Council holds The Trust Land in its capacity as charity trustee and the object of the Charity is:

"the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political, religious or other opinions."

- 3.2 The sub-committee has delegated authority, with the support of the Officers, to discharge Reading Borough Council's functions as charity trustee of the Charity. The sub-committee has a duty to make all decisions in what it considers to be the best interests of the Charity and in order to advance the object referred to above and any such decision must be in line with all relevant charity law and other legal restrictions. This duty applies in respect of the sub-committee's consideration of the proposal submitted by the EFA which is referred to in paragraph 4 below.

4. THE POSITION

- 4.1 The EFA has submitted a proposal to Reading Borough Council as charity trustee of the Charity in respect of the provision of a new Free school at Mapledurham Playing Fields. This proposal is attached in full at Appendix 1.
- 4.2 The salient points to note are:

The amount of land required to be transferred - whilst this is shown on plans as being 2.696 acres, the actual area required is 1.231 acres which equates to circa 5% of the total area of The Trust Land.

The location of the land to be transferred - this is at the North West corner of the Playing Fields, on Trust Land which comprises in part car parking. The potential effect on playing pitches (if any) would need to be addressed.

The request to use the Playing Fields for sport related activities, and the request that this be free of charge. The sub-committee may consider that some of the purchase price could be used to improve the quality of playing pitches.

The sharing of certain facilities outside school hours with the local community - namely Multi Use Games Area(MUGA), car park and school hall (all located within the school grounds).

Potential to improve the existing parking facilities if these can be used for additional school use e.g. parental drop off, improving the main access and parking area.

The total amount of money offered to Reading Borough Council in its capacity as charity trustee of the Charity being £1.36m, of which the EFA have attributed £30,775 to the value of the part of The Trust Land which they wish to purchase.

The EFA has made its offer time limited and require a response within 4 months of submitting its proposal. In addition its proposal is subject to planning consent being obtained.

The EFA's proposal envisages that it will make a contribution to any legal costs incurred by Reading Borough Council as trustee of the Charity in relation to the proposal.

- 4.3 An application has also been submitted by WADRA to Reading Borough Council to list the areas shown at Appendix 2 as an Asset of Community Value. This application has been agreed by Reading Borough Council. The sub-committee is asked to note the situation.

5 DECISION

- 5.1 In line with the duty to act in the best interests of the Charity mentioned above, the sub-committee is asked to consider and decide on the most appropriate response to the EFA proposal at this stage.
- 5.2 Officers consider that the decision for the sub-committee is whether it would be in the best interests of the Charity to (A) consider the EFA proposal in more detail, with the benefit of independent professional property and legal advice and with a view to deciding whether to accept or reject the offer set out in the proposal or (B) conclude that the EFA proposal should not be considered in more detail and should be rejected at this stage.
- 5.3 Officers recommend that, in order to comply with the duty to act in the Charity's best interests, the sub-committee's decision should take into account their assessment of whether and to what extent, on its face, the EFA's proposal has the potential to preserve or enhance the recreational use that can be made of the Playing Fields bearing in mind the object of the Charity.
- 5.4 Officers also recommend that, if the sub-committee concludes that it would be in the best interests of the Charity for the EFA proposal to be rejected, the EFA should be notified of this as soon as possible.
- 5.5 If the sub-committee concludes that it would be in the best interests of the Charity for the EFA proposal to be considered in more detail, Officers recommend that the sub-committee should identify any issues which they consider the EFA should be asked to clarify at this stage and should also resolve to obtain independent legal and property advice in relation to the EFA proposal (and seek confirmation from the EFA that it will meet the cost of obtaining this advice) with a view to considering such issues and advice at a further meeting.
- 5.6 Members of the sub-committee are asked to note that, if they conclude at the further meeting anticipated in paragraph 5.5 above that it is appropriate to continue to consider the EFA proposal, the sub-committee

will also need to decide on the further steps required in order to facilitate that process, including consultation with the public, consultation with the management committee of the Charity and any engagement with the Charity Commission which is required.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Please see the EFA proposal.

7. EQUALITY IMPACT ASSESSMENT

7.1 Under the Equality Act 2010, Section 149, a public authority must consider whether the decision will or could have a differential impact on: racial groups; gender; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their religious belief.

7.2 It is not considered that an Equality Impact Assessment (EIA) is relevant to the decision at this stage.

8. LEGAL IMPLICATIONS

8.1 The legal implications are set out in the report.

9. FINANCIAL IMPLICATIONS

9.1 The financial offer is identified within this report.

9.2 If the EFA proposal is ultimately accepted then the sub-committee would need to consider how the funds received are best applied to meet the charitable object of the Charity.

10. BACKGROUND PAPERS

10.1 [Structural survey of Mapledurham Pavilion January 2016]

10.2 [Report to Policy Committee 14th March 2016]

SUBJECT TO CONTRACT AND AGREEMENT OF HEADS OF TERMS

BEST AND FINAL OFFER: FREEHOLD/LEASEHOLD ACQUISITION

Note: Although this offer is not intended to be legally binding, once accepted, it will inform the production of a number of documents including the heads of terms and contract or agreement for lease. It will therefore not be possible to agree variations to the commercial terms set out below.

1. Introduction

The Mapledurham Playing Fields (**MPF**), within which the Property is located, is held in the Charitable Trust. The Charitable Trust is administered by Reading Borough Council (**RBC**) as its sole trustee. When making decisions on behalf of the Charitable Trust, RBC is required to act in the best interests of the Charitable Trust and its beneficiaries, which are the inhabitants of Mapledurham and the Borough of Reading and not in its capacity as a Local Authority or a Local Education Authority.

The Buyer offers to acquire the Property from the Charitable Trust for the creation of a school on the terms set out in this document. This offer is open for acceptance by the Charitable Trust within the timeframe indicated in section 7 below.

2. Consultation History

2.1 *Review of previous consultation activity and choice of MPF*

Following an extensive site search, the Education Funding Agency (**EFA**) purchased "High Ridge", a one-acre residential plot, with the intention of developing this for The Heights Primary School (the **School**). Purchase of the site proved highly controversial with local residents, with a number suggesting there were better locations available locally for the School. At the EFA's request, RBC led a consultation to seek local views on where the School should be located on a permanent basis. Of 4,376 respondents, 70% were in support of siting the School on a part of MPF. This was by far the most popular choice of the five potential sites under review (including "High Ridge"). Based on the outcome of the consultation exercise, the EFA decided to pursue an acquisition of part of MPF. The results of the consultation exercise can be found in Appendix 2.

2.2 *MPF ownership and designated purpose*

The freehold of the MPF is held in the Charitable Trust but because it does not have a legal identity and cannot therefore hold title to the land in its own name, it is held by the Official Custodian for Charities on its behalf. MPF has a designated purpose as set out in the Charitable Trust's governing document. Accordingly, MPF can only be used for the specified purposes which are "the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political, religious or other opinions".

2.3 *Review of current site*

The site is located south of Upper Woodcote Road in Caversham, Reading and falls under the planning jurisdiction of RBC.

The total area of the site is approximately 110,125 square metres or 11.01 hectares. The site is surrounded by Hewett Avenue to the west, Chazey Road to the south, Upper Woodcote Road to the north and St Peter's Avenue to the east.

The site is primarily made up of open playing fields, with the following landscape features and elements:

1. The car park which is accessed via Upper Woodcote Road. The surface is predominately compacted gravel with timber parking space demarcation. There are also several demarked DDA parking spaces with tarmac surface adjacent to the tennis courts.
2. A pavilion building next to the four existing tennis courts. Following a survey undertaken by RBC, the pavilion building is currently closed pending further investigation. However, it has traditionally been used as changing facilities and for organised clubs and meetings.
3. Tennis courts and associated ball stop fencing.
4. Marked out football pitches and goalposts. There are three pitches located within the site. One is located towards the north of the site and its dimensions are 100m x 66m. The other two are located side by side (along the short edge) towards to the southern portion of the site and dimensions of these pitches are 90m x 60m each. All of the pitches fall within the Sports England recommended football pitch sizes for outdoor club use (minimum 90m x 45.5m and maximum 120m x 90m).
5. An area used as an informal kick-about or warm up space prior to the organised football games on marked out pitches.
6. Play area which includes swings, multi play unit, zip-wire, see-saw and springees. The play area covers approximately 520 square metres and is located towards the centre of site. It has a bark safety surface, is surrounded with bow-top fencing and has self-closing gates to restrict dog access to the play area.
7. Hard surfaced ball court and basketball area. The surface is tarmac and there are two end hoop units fixed into the ground. The total area of this space is approximately 662 square metres.
8. An orchard that includes an interpretation panel at the north eastern corner which explains in detail the fruit species and layout.
9. An area of regenerated broad-leaved woodland along the eastern edge of the site. As noted in the Preliminary Ecological Appraisal (**ADAS**), there is a diverse mix of species which include Oak (*Quercus* sp), Field Maple (*Acer campestre*), Elder (*Sambucus nigra*) and Hazel (*Corylus avellana*). The understory is dominated by Ivy (*Hedera helix*), with occasional woodland species such as Wood Avens (*Geum urbanum*), Lords-and-Ladies (*Arum maculatum*) and Stinking Iris (*Iris foetidissima*).
10. Existing boundary tree and vegetation.

Following a qualitative survey, the below observations were made of current user groupings, purpose of use and timings:

- At MPF, the groups undertake a mixture of activities which utilise different aspects of the site, such as the pavilion building, football pitches and ecological resources.
- The groups use the playing fields and pavilion at a range of times throughout the day. Most of the groups use the site at least once a week. The Caversham Trents Football Club uses the site every day of the week.
- The Bridge Group and the Caversham Trents Football Club use the site continually

throughout the year and Escape Toddler group were using the site for 11 months of the year. The other main user groups use the site for 10 months (volunteer football club) and 8 months (Friends of Mapledurham Playing Fields). August is the month when all of the non-year round users stated they did not use the site.

- It is acknowledged that, in some cases, usage extended considerably beyond 5 years to 17 years and 30 years for the Friends of Mapledurham Playing Fields and Bridge Club respectively. When cross-checking within the surveys, it was mentioned by Escape Toddlers that they have been using the site for in excess of 15 years prior to the pavilion being closed.
- All of the groups use the site for at least 2 to 3 hours when present.
- Group participants travel to the site from a range of distances, the modal response being between 500m and 1km.

The site is well used throughout the year by groups which have a variety of interests. Based on the responses received, Caversham Treants Football Club is the largest user of the outdoor space and the Bridge Club and Escape Toddlers were the largest users of the pavilion.

The recent community engagement events, which had 332 attendees and 1,142 written respondents, indicated that the majority of respondents, 71%, were supportive of a school being built on a small part of MPF. The opportunity to make use of the new school hall and Multi Use Games Area (**MUGA**) outside of school hours was particularly welcomed. There were questions about whether the development could also help to secure the repair of the pavilion and improve the football facilities. Concerns were also raised about the impact of traffic and parking associated with the School. This offer has been designed to address these concerns and the EFA's proposals are detailed later in this offer.

2.4 *Spatial analysis of required area*

In considering the area of land that the EFA wishes to purchase to enable delivery of a new primary school, the EFA has made use of the national guidelines, namely Building Bulletin 103 available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/324056/BB103_Area_Guidelines_for_Mainstream_Schools_CORRECTED_25_06_14.pdf

The area that the EFA anticipates to be required for the School, including the MUGA and school hall, but not a school pitch area, is approx. 4,983 square metres/1.231 acres. The EFA's intention is to limit the impact and 'land take' required for the School. Hence, in response to issues raised by the local community, the EFA is suggesting that it does not attempt to purchase more land than is absolutely necessary to deliver the School and, in particular, does not incorporate a dedicated school pitch within its development proposals. Instead, the EFA's offer includes additional financial contribution that could be used to improve the existing pitches which will remain within the ownership and maintenance responsibilities of the Charitable Trust. In return, however, the EFA would expect that the School has reasonable access, free of charge, to those existing (possibly improved) pitches during School hours/term time as necessary for the purposes of teaching the curriculum.

It is proposed by the EFA and the School that the School's MUGA (which will be approximately 960 square metres) will be available for hire outside of School hours/term time. It will be suitable for sports such as five a side football, cricket practice and netball. This would substantially add to the current sporting facilities in the community.

The new school hall will be approximately 180 square metres. Again, the EFA and the School are proposing that this is available for hire outside of school hours/term time. It will be appropriate for activities such as yoga, aerobics, residents' meetings, adult learning and social gatherings.

The EFA anticipates that the total area required for the School, including the MUGA and the hall will be approximately 4,983 square metres /1.231 acres. This takes up under 5% of the total site area, still leaving a large site for other sporting activities/leisure whilst enhancing its access/usage with improved sporting facilities/leisure activities on site.

Whilst the EFA anticipates that the total area required by the School to be 1.231 acres, due to the project still being in its early stages of architectural design it is requested that the Charitable Trust permits the EFA to develop plans within a larger area of the site, 2.7 acres, as set out in section 5 below. This will enable the design to develop in line with stakeholder and planning requirements and ensure the most efficient siting of the School. Once the design is finalised, the red line plan showing the extent of the Property (as attached in Appendix 1) will be modified to reflect the final boundary of the Property. Please note that it is not the EFA's intention to create a School site that is 2.7 acres. The EFA is requesting only that it is able to plan a 1.231 acre site within this area. This is to avoid a situation where any modifications to the EFA's design would then require it to re-enter negotiations to secure a slightly different part of the site. Land that is not within the final School boundary will remain in the Charitable Trust ownership. Please note that the EFA has no intention of building in a way that inhibits access to the pavilion or playing fields.

To further expand on the BB103 area calculations, the following aims to develop an indicative layout and associate any proposals with the completed surveys and analysis. Figure 1 illustrates a draft initial layout for consideration and future consultation.

1. Proposed access – following recommendations within the transport and highway survey (Transport feasibility appraisal, February 2016), there is an opportunity to provide for improved main access to playing fields, pavilion, car park and proposed School. Given the existing width of the current access road, the layout/design will need to consider the requirement for vehicular access (drop off and deliveries), passing points and pedestrian access.
2. Proposed building location and orientation. Double storey building with School hall towards south east of building. Main entrance to the north access via proposed car park.
3. Hard surfaced informal outdoor space.
4. Soft informal area.
5. New School car park (but may be shared with MPF users outside School hours/term time).
6. New MUGA (available for hire outside school hours/term time).
7. Potentially improved shared soft outdoor PE pitch.
8. Potential improvement to access points into playing fields



Figure 1 – Indicative Building and External Space Layout

2.5 *Site constraints*

Based on the above analysis of space required, current uses and sensitivities of the site (determined by site surveys), Figure 2 below sets out what is considered the most appropriate location for the School.

Indicated in red hatching are areas where it is felt any potential for development is not possible due to an existing constraint. Whilst the areas shown in blue hatching are potentially developable, lack of appropriate access makes them unviable.

The EFA is therefore proposing that the School is positioned in the green area indicated. The EFA is seeking to purchase a 1.231 acre site within this 2.7 acre area, the precise location of School site boundary to be determined.



Figure 2 – Development Constraint Analysis

2.6 Review of recent consultation activity

Residents consultation

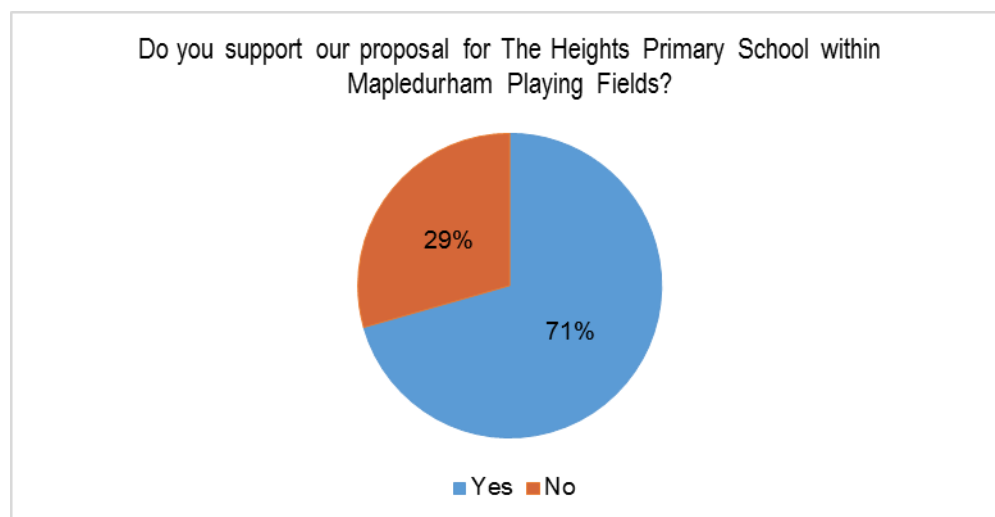
The EFA has undertaken an extensive programme of public consultation to ensure that all local residents are fully informed about, and given the opportunity to submit feedback on, the plans to position the School on MPF.

The headline summary of the steps taken in the consultation process are as follows:

- 13,500 community newsletters were distributed in Caversham to all residents surrounding MPF and further to the east. The distribution map for newsletters can be seen below. Furthermore, a press advertisement was also taken out in the Reading Chronicle and Reading Midweek publicising the exhibitions and it was also publicised in local libraries.
- Invitations were issued to a stakeholder preview consultation, which took place on Thursday 17th March 2016 from 6pm-9:30pm. A number of near neighbours, regular users, sports groups and other interested parties attended to preview and discuss the proposals with the EFA project team.
- In total, 332 local residents attended two public exhibitions held at Church Street, 59 Church Street RG4 8AX on Monday 21st March from 5pm-9pm and Mapledurham Golf Course, RG4 7UD on Tuesday 22nd March from 3pm-7pm. Eight exhibition boards were on display informing residents on the proposals and feedback forms were available so that members of the public could let the EFA know their thoughts.
- A project-specific website, <http://www.anewhomefortheheights.com>, was established with information which featured at the public exhibitions for those who could not attend. Also advertised on the site was an email address, info@anewhomefortheheights.com, which allowed residents to pose questions to the EFA project team.
- 1,142 responses were received to the question 'Do you support our proposal for The Heights Primary School within Mapledurham Playing Fields?' 806 respondents (71%) answered 'Yes', indicating their support for the proposal.



Newsletter Distribution Map



The Charitable Trust will be aware that there is a group of local residents who strongly oppose the sale of any land for the purpose of a school, arguing that this is against the designated purpose for which the land is held. The EFA's aim is not to undermine the strength of the Charitable Trust but rather to demonstrate how its offer will make a substantial contribution to the objects of the charity that outweigh the loss of land. The recent consultation exercise with the local community provided an invaluable opportunity to listen to what residents would like to see enhanced on MPF in relation to sport and leisure. The EFA considers that its offer provides the Charitable Trust with an opportunity to address those concerns. It will help to create a genuine sports and leisure 'hub for the community' as well as providing a much needed primary school for local families. There are other cases where land held in such trusts has been sold. The Charitable Trust, in accepting the EFA's offer, may also wish to consider making a statement reassuring residents of the position of the rest of MPF, as concerns were raised at the EFA's community events that the sale of land for a school would be a precursor to the sale of more land for other purposes.

Traffic and Parking

Beyond general support for the scheme, a number of respondents raised concerns about the travel plan which would accompany the proposed School. Specifically, a common response questioned the impact that the School would have on local traffic congestion and whether highways adjustments would have to be made to ensure that the site is sufficiently accessible.

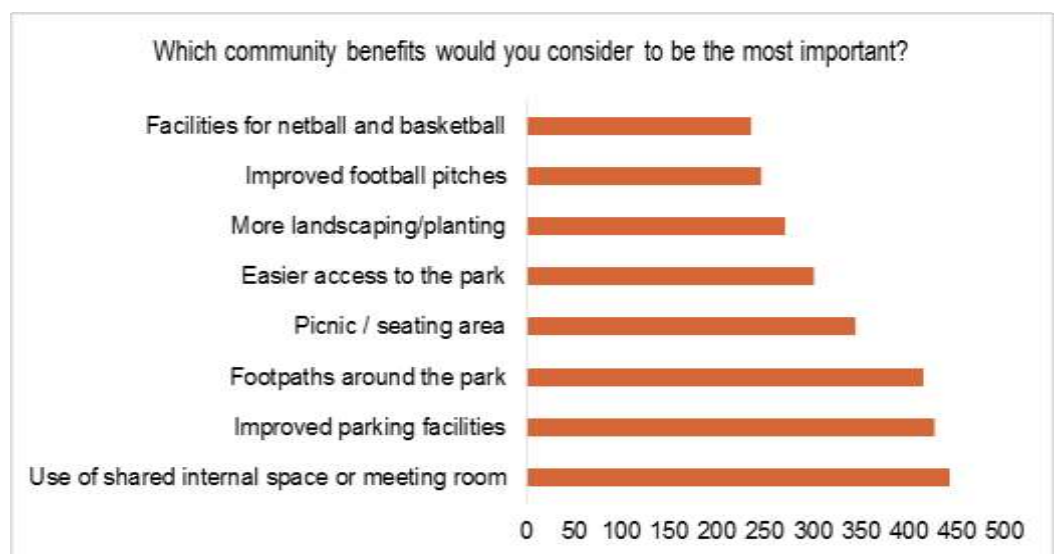
In response to those concerns, as part of the EFA's offer, the EFA wants to assure stakeholders that the EFA has a proven track record of working positively with the traffic and highways teams within local authorities to devise safe drop off/pick up, emergency access and parking facilities that address such concerns. The EFA's specialist contractors have already undertaken an initial feasibility of the site access issues and are confident that appropriate safe arrangements can be made. The EFA is also willing to discuss, as part of the planning process, any necessary mitigating actions to limit the impact of traffic and parking from the development on near neighbours. The EFA has routinely, as part of its developments, been asked to put in place measures such as traffic calming, pedestrian crossings, limited hour and residential parking only zones. These are often conditioned as part of planning approval and hence must legally be complied with. The EFA is willing to work with the local authority and residents to devise the most appropriate measures for this School. The Charitable Trust may also wish to use some of the EFA's financial contribution to improve existing MPF parking facilities. In addition, The EFA is willing to consider how the new parking facilities developed for the School can be made available for community use outside of School hours/term times.

More Sports and Leisure

The current proposal is that the new School hall and the MUGA that are incorporated within the School development are made available for hire at affordable rates by the community outside of school usage. This proposal was widely welcomed in the EFA's community engagement events.

Some respondents also indicated that they would welcome further investment in sports and leisure facilities on MPF to ensure that the development is in keeping with the objects of the Charitable Trust. In particular, the football club was concerned about investment in the pitches, and others were concerned about securing the repair and reopening of the pavilion for wider leisure use.

In addition to this, the community were asked which community benefits they considered to be the most important. The chart below indicates the local desire for an accessible site with community spaces and improved parking facilities.



The EFA's offer therefore includes an additional financial contribution, significantly above the valuation of the land required for the School, to enable the Charitable Trust to fund improvements for sports and leisure facilities on MPF. The funds will be paid to the Charitable Trust on legal completion of the proposed acquisition, which is subject to a planning approval for the School being secured. The amount of this additional contribution is of a level that the EFA considers to be sufficient to enable the Charitable Trust to invest, should it choose to, significantly in the pitches, the pavilion, existing parking facilities and possibly other benefits for the local community.

Accordingly, the EFA's offer would help to improve not only the current state of the recreational grounds and facilities thereon but also to bring additional benefits for the local community. This in turn would enable the Charitable Trust to further its charitable objectives namely to provide and maintain a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading.

Accordingly, if the EFA's offer is accepted by the Charitable Trust, planning permission for the School secured and RBC (as a sole trustee) agrees to invest the funds on the priorities identified by the community, then residents and users will have both the benefit of a much needed, new and aspiring primary school for local families alongside significantly improved sports and leisure facilities on MPF. As mentioned above, this would include a new School hall and MUGA for hire outside of School hours/term time, a reopened pavilion offering changing rooms for sports and also space for social

activities/group meetings/toddler groups and significantly improved football pitches, including, if RBC chooses to prioritise it, a 4G pitch. MPF would be a genuine 'hub of the community' offering a range of sports and leisure facilities for all. This will help return vibrancy to the fields and engage the community in new sports and leisure activities on the site.

With the anticipated increase in the range and number of activities and facilities on offer to the community on MPF, this offer is subject to confirmation by RBC (as a sole trustee) that it will ensure a fit for purpose management structure will be maintained to provide fair access for the whole community whilst ensuring the School will have appropriate access to be able to meet the requirements of its curriculum. The EFA is therefore proposing to establish a committee with representation from the School, Charitable Trust and residents and other users to oversee the policy for access to these shared facilities and devise an appropriate community use agreement. The EFA would be willing to work with the Charitable Trust and residents representatives on the detail of those arrangements.

- 3. Seller** PLAYING FIELD AND RECREATION GROUND CHARITY (registered charity number 304328) care of RBC, Civic Centre, Castle Street, Reading, RG1 7AE (**Charitable Trust**)
- 4. Buyer** THE SECRETARY OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT, 4th Floor, Fry Building, 2 Marsham Street, London, SW1P 4DF
- 5. Property** Freehold or 125 year lease (in either case with vacant possession) of 1.231 acres within the area of 2.7 acres (as shown edged red on the plan in Appendix 1) at Mapledurham Playing Fields, Woodcote Road, Caversham, Reading RG4 7EZ.
- 6. Purchase Price and Additional Financial Contribution**
- 6.1 The total amount payable to the Charitable Trust will be £1,360,000, inclusive of any VAT that may be payable on the transaction.
- This amount will be paid in full on completion.
- 6.2 This amount includes the following:
- a) Purchase price for the Property in the amount of £30,775 (which is £25,000 per acre, based on a Red Book Valuation);
- This valuation has been undertaken in line with the recommendations of the Royal Institution of Chartered Surveyors Professional Standards for Valuation to meet the statutory requirements of the Charities Act. It has concluded that Reading Borough Council's adopted planning policies prevent development on Public and Strategic Open Space, explicitly precluding it from development. This severely limits its value in the open market.
- In contrast, the provisions of planning guidance issued by the Secretary of State for Communities and Local Government jointly with the Secretary of State for Education established a presumption in favour of development for Free Schools, providing a basis on which consent could be granted for the development of a new school. This unique situation renders the EFA a special purchaser for the determination of value.
- b) Notwithstanding the restrictions on value identified above, the EFA recognises that further financial consideration is required to ensure the development of the School is able to enhance the provision of sport and recreation on the playing fields as a whole. The purchase price

therefore includes a contribution in the amount of £1,329,225 (which can be used as determined by the Charitable Trust in furtherance of its charitable objects).

6.3 In addition to paying the Charitable Trust for the land and making significant financial contribution that can be spent on the priorities identified by residents, the Buyer also proposes to address concerns raised by local community through the following:

- Making available the School hall for hire at reasonable times outside of School hours/term time at affordable rates;
- The School's MUGA will also be available for hire at affordable rates and at reasonable times outside of School hours/term time;
- Considering potential improvement of existing parking facilities on MPF if the Charitable Trust allows these to be used for the School, for example - for parental drop off or similar;
- Willing to work with the residents and Charitable Trust to devise an arrangement whereby the School's new car parking facilities could also be used by the visitors and users of MPF outside School hours/term time;
- Working with the School, local authority, traffic and highways and residents to create a traffic and parking management strategy for the School to implement. This has been welcomed by the school which has already established a strong culture of sustainable travel to its existing site, working in partnership with RBC and Sustrans. It intends to continue and develop this culture further once it has relocated to a site within its primary catchment area;
- Improving (possibly widening) main access to MPF.

6.4 Whilst the EFA's additional financial contribution could be used by the Charitable Trust as it sees fit (provided this is in the furtherance of its charitable objects), the EFA believes that this amount (in conjunction with any sums raised by residents) could refurbish/reopen the pavilion, enable the current pitches to be improved, including, if agreed locally as the key priority, the installation of a 4G pitch. The Buyer is leaving RBC (as a sole trustee) to determine the priority for expenditure.

The pavilion, pitches and possibly new 4G pitch and any other sports and leisure facilities RBC chooses to develop with the funds outside of the School site boundary will remain in the ownership of the Charitable Trust who would retain the responsibility for repair and maintenance. As indicated above, the Buyer anticipates that a committee would be established on which the School, residents and other users as well as the Charitable Trust are represented and become responsible for overseeing the policy for shared access to and use of these new and/or improved facilities on MPF.

Whilst RBC can determine priority for the investment of the EFA's financial contribution, given that the EFA is deliberately limiting the 'land take' of the School by not building a pitch for the bespoke use of the School, the EFA's offer is made on the basis that it expects significant investment by the Charitable Trust in the existing sports pitches which would then be made available for use by the School free of charge during School hours/term time to enable it to meet the requirements of its curriculum. The availability of this arrangement is what will enable the School to operate within its 1.231 acre site.

- 7. Timing**
- 7.1 This offer is open for acceptance for a period of 4 months from the date hereof. The EFA believe this allows a sufficient period for the Charitable Trust's Management Committee to consider the terms of this offer, undertake any consultation with its beneficiaries (as it deems necessary or desirable) and then (if appropriate) to accept this offer.
- If written acceptance of this offer is not received within a 4 month period from the date hereof, this offer will lapse.
- Should, however, this offer be accepted, the Buyer recognises that there may be a subsequent requirement to consult with and/or seek prior consent of the Charity Commission. The Heads of Terms will set out the indicative timetable within which the parties will seek to exchange and complete this acquisition, having regard to any necessary consultation or requirement to seek prior consents.
- 7.2 Completion will take place following satisfaction of all of the Conditions Precedent for Completion though the Buyer will be permitted to elect to complete earlier at its discretion.
- 7.3 The Contract (or Agreement for Lease) will permit the Buyer to assign the Contract (or Agreement for Lease) to another Secretary of State or a school trust prior to completion without the Seller's consent being required.
- 8. Conditions Precedent for Exchange of Contracts**
- 8.1 Satisfactory completion of title investigation and due diligence;
- 8.2 Receipt of Ministerial approval to proceed with the transaction on the agreed terms;
- 8.3 The Charitable Trust procuring any necessary consents to proceed with this transaction.
- 8.4 Receipt of satisfactory survey results.
- 9. Conditions Precedent for Completion**
- 9.1 Completion will be conditional upon the Buyer obtaining satisfactory planning permission (without a challenge being made during the JR period) for the construction, opening and operation of a school on a permanent basis upon terms acceptable to the Buyer (as determined by the Buyer in its absolute discretion) and free from the EFA standard onerous planning conditions.
- 9.2 The long-stop date for the satisfaction of the conditions will be 24 months from the date of planning application.
- 10. Costs**
- The Seller's reasonable and proper legal costs (up to £20,000 including VAT less any funds already made available) in relation to this transaction will be met by the Buyer.

Mapledurham Playing Fields, Woodcote Road, Caversham, Reading, RG4 7EZ



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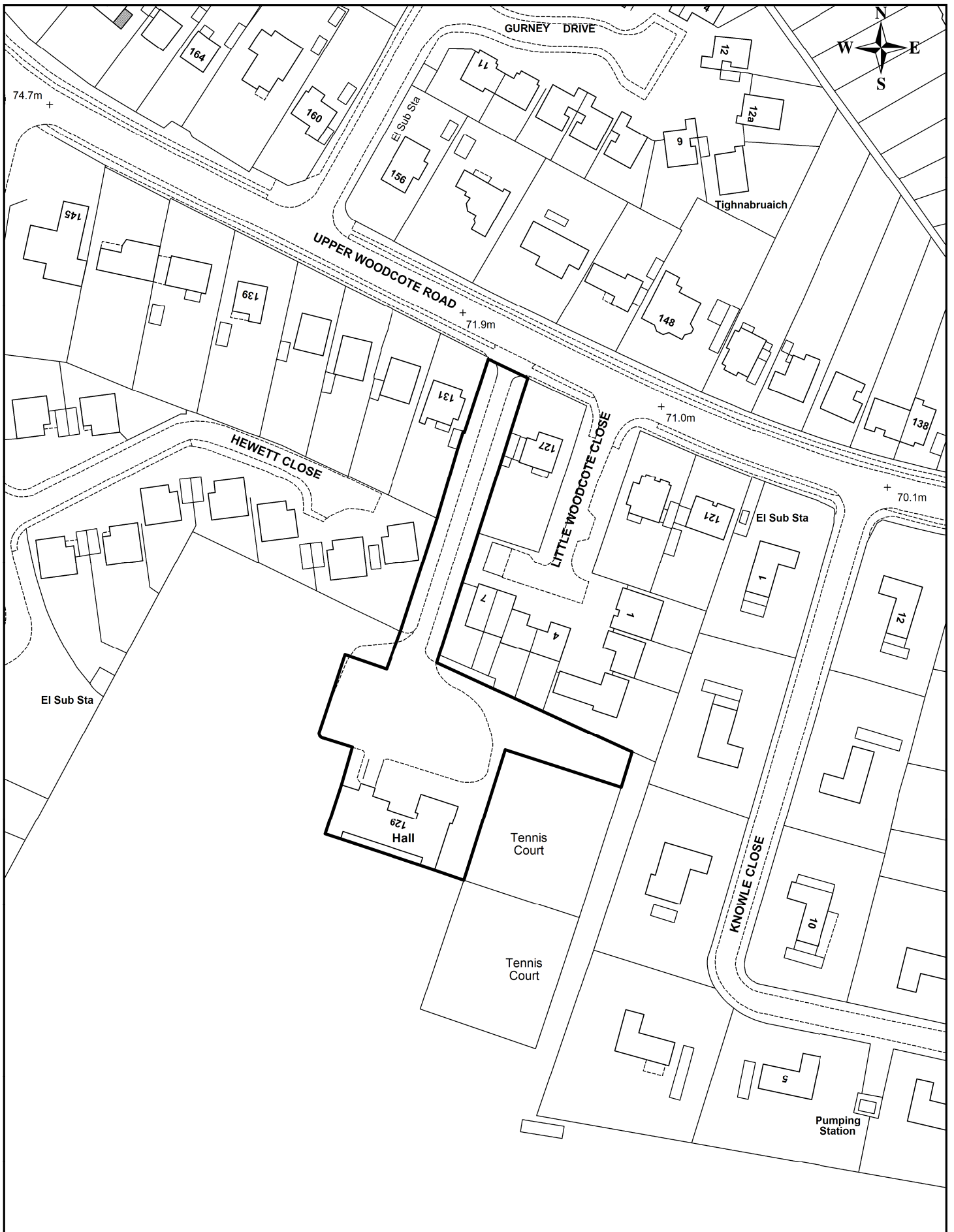


STATISTICAL SUMMARY OF THE HEIGHTS SURVEY
30th March - 1st May 2015

All Respondents	Counts									Percentages								
	All Data 4376	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
Highridge	1157	2383	836	665	1364	1014	755	578	26%	54%	19%	15%	31%	23%	17%	13%		
Mapledurham Playing Field	3042	1063	271	2684	514	343	413	422	70%	24%	6%	61%	12%	8%	9%	10%		
Albert Road Recreation Ground	377	3589	410	99	375	984	1303	1615	9%	82%	9%	2%	9%	22%	30%	37%		
Bugs Bottom	1010	2739	627	479	906	865	899	1227	23%	63%	14%	11%	21%	20%	21%	28%		
Dyson's Farm	1075	2213	1088	452	1213	1164	1001	546	25%	51%	25%	10%	28%	27%	23%	12%		
All respondents who fully completed the survey online or on paper and provided a unique name and address.																		
Subsets based on Geographic areas, calculated from the given postcodes	Heights Catchment 2935									Percentages								
	Heights Catchment 2935	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
	Highridge	689	1750	496	375	838	667	569	486	23%	60%	17%	13%	29%	23%	19%	17%	
	Mapledurham Playing Field	1985	778	172	1772	299	205	307	352	68%	27%	6%	60%	10%	7%	10%	12%	
	Albert Road Recreation Ground	244	2435	256	67	214	606	883	1165	8%	83%	9%	2%	7%	21%	30%	40%	
	Bugs Bottom	819	1666	450	390	709	622	556	658	28%	57%	15%	13%	24%	21%	19%	22%	
	Dyson's Farm	800	1409	726	333	872	830	615	285	27%	48%	25%	11%	30%	28%	21%	10%	
	Subset of all respondents who fully completed the survey online or on paper and provided a unique name and address within The Heights catchment area.																	
	Caversham School Catchment 3684									Percentages								
	Caversham School Catchment 3684	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
	Highridge	957	2068	659	555	1095	842	668	524	26%	56%	18%	15%	30%	23%	18%	14%	
	Mapledurham Playing Field	2531	930	223	2234	429	289	359	373	69%	25%	6%	61%	12%	8%	10%	10%	
	Albert Road Recreation Ground	307	3042	335	79	283	795	1124	1403	8%	83%	9%	2%	8%	22%	31%	38%	
	Bugs Bottom	876	2295	513	418	791	710	703	1062	24%	62%	14%	11%	21%	19%	19%	29%	
	Dyson's Farm	955	1791	938	401	1082	1042	825	334	26%	49%	25%	11%	29%	28%	22%	9%	
Subset of all respondents who fully completed the survey online or on paper and provided a unique name and address within the catchment area of any school located in Caversham.																		
Reading and Mapledurham 3977									Percentages									
Reading and Mapledurham 3977	Support Use			Preference					Support Use			Preference						
	Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th		
Highridge	1046	2216	715	600	1198	919	706	554	26%	56%	18%	15%	30%	23%	18%	14%		
Mapledurham Playing Field	2744	998	235	2422	460	308	386	401	69%	25%	6%	61%	12%	8%	10%	10%		
Albert Road Recreation Ground	331	3288	358	89	314	876	1197	1501	8%	83%	9%	2%	8%	22%	30%	38%		
Bugs Bottom	942	2492	543	445	844	765	773	1150	24%	63%	14%	11%	21%	19%	19%	29%		
Dyson's Farm	1018	1941	1018	424	1157	1103	910	383	26%	49%	26%	11%	29%	28%	23%	10%		
Subset of all respondents who fully completed the survey online or on paper and provided a unique name and address within the Reading Borough Council area or within the Parish of Mapledurham.																		
Bugs Bottom 436									Percentages									
Bugs Bottom 436	Support Use			Preference					Support Use			Preference						
	Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th		
Highridge	175	161	100	80	237	74	30	15	40%	37%	23%	18%	54%	17%	7%	3%		
Mapledurham Playing Field	403	13	20	341	66	19	6	4	92%	3%	5%	78%	15%	4%	1%	1%		
Albert Road Recreation Ground	57	313	66	4	48	177	170	37	13%	72%	15%	1%	11%	41%	39%	8%		
Bugs Bottom	5	422	9	3	5	18	57	353	1%	97%	2%	1%	1%	4%	13%	81%		
Dyson's Farm	59	265	112	8	79	148	174	27	14%	61%	26%	2%	18%	34%	40%	6%		
Subset of all respondents who fully completed the survey online or on paper and provided a unique name and address within the development of Hemdean Bottom.																		
Parish of Kidmore End 131									Percentages									
Parish of Kidmore End 131	Support Use			Preference					Support Use			Preference						
	Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th		
Highridge	48	51	32	29	63	28	11	0	37%	39%	24%	22%	48%	21%	8%	0%		
Mapledurham Playing Field	104	15	12	91	21	13	5	1	79%	11%	9%	69%	16%	10%	4%	1%		
Albert Road Recreation Ground	21	90	20	2	26	45	51	7	16%	69%	15%	2%	20%	34%	39%	5%		
Bugs Bottom	20	81	30	8	19	45	55	4	15%	62%	23%	6%	15%	34%	42%	3%		
Dyson's Farm	2	128	1	1	2	0	9	119	2%	98%	1%	1%	2%	0%	7%	91%		
Subset of all respondents who fully completed the survey online or on paper and provided a unique name and address within the Parish of Kidmore End, based on postcodes provided by the Parish Council.																		
Outside of area 268									Percentages									
Outside of area 268	Support Use			Preference					Support Use			Preference						
	Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th		
Highridge	63	116	89	36	103	67	38	24	24%	43%	33%	13%	38%	25%	14%	9%		
Mapledurham Playing Field	194	50	24	171	33	22	22	20	72%	19%	9%	64%	12%	8%	8%	7%		
Albert Road Recreation Ground	25	211	32	8	35	63	55	107	9%	79%	12%	3%	13%	24%	21%	40%		
Bugs Bottom	48	166	54	26	43	55	71	73	18%	62%	20%	10%	16%	21%	26%	27%		
Dyson's Farm	55	144	69	27	54	61	82	44	21%	54%	26%	10%	20%	23%	31%	16%		
Subset of all respondents who fully completed the survey online or on paper and provided a unique name and address which is not included in any other area subset above.																		

STATISTICAL SUMMARY OF THE HEIGHTS SURVEY
30th March - 1st May 2015

Subsets defined on self-declared patterns of use.	Use Mapledurham PF	2468	Support Use			Preference					Support Use			Preference				
			Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th
	Highridge		574	1487	407	362	613	605	460	428	23%	60%	16%	15%	25%	25%	19%	17%
	Mapledurham Playing Field		1455	864	149	1303	235	218	328	384	59%	35%	6%	53%	10%	9%	13%	16%
	Albert Road Recreation Ground		180	2096	192	61	187	480	815	925	7%	85%	8%	2%	8%	19%	33%	37%
	Bugs Bottom		778	1321	369	399	632	528	442	467	32%	54%	15%	16%	26%	21%	18%	19%
	Dyson's Farm		757	1144	567	345	799	632	418	274	31%	46%	23%	14%	32%	26%	17%	11%
	Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address, and ticked the box to indicate they were a user of Mapledurham Playing Field.																	
	Use Albert Road RG	2988	Support Use			Preference					Support Use			Preference				
			Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th
	Highridge		730	1664	594	410	929	749	577	323	24%	56%	20%	14%	31%	25%	19%	11%
	Mapledurham Playing Field		2146	677	165	1914	318	217	285	254	72%	23%	6%	64%	11%	7%	10%	9%
	Albert Road Recreation Ground		136	2712	140	41	161	450	880	1456	5%	91%	5%	1%	5%	15%	29%	49%
	Bugs Bottom		715	1785	488	322	694	670	660	642	24%	60%	16%	11%	23%	22%	22%	21%
	Dyson's Farm		727	1501	760	305	882	899	583	319	24%	50%	25%	10%	30%	30%	20%	11%
	Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address, and ticked the box to indicate they were a user of Albert Road Recreation Ground.																	
Use Bugs Bottom	2568	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
Highridge		845	1214	509	507	970	544	343	204	33%	47%	20%	20%	38%	21%	13%	8%	
Mapledurham Playing Field		1907	492	169	1672	346	235	181	134	74%	19%	7%	65%	13%	9%	7%	5%	
Albert Road Recreation Ground		204	2114	250	51	219	629	812	857	8%	82%	10%	2%	9%	24%	32%	33%	
Bugs Bottom		322	2003	243	123	382	414	566	1083	13%	78%	9%	5%	15%	16%	22%	42%	
Dyson's Farm		514	1435	619	216	648	743	666	295	20%	56%	24%	8%	25%	29%	26%	11%	
Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address, and ticked the box to indicate they were a user of the green space at Bugs Bottom.																		
Attends The Heights	107	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
Highridge		19	56	32	5	35	36	19	12	18%	52%	30%	5%	33%	34%	18%	11%	
Mapledurham Playing Field		100	5	2	95	5	2	2	3	93%	5%	2%	89%	5%	2%	2%	3%	
Albert Road Recreation Ground		19	70	18	3	18	20	17	49	18%	65%	17%	3%	17%	19%	16%	46%	
Bugs Bottom		16	69	22	3	17	25	45	17	15%	64%	21%	3%	16%	23%	42%	16%	
Dyson's Farm		16	65	26	1	32	24	24	26	15%	61%	24%	1%	30%	22%	22%	24%	
Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address, and ticked the box to indicate they have at least one child attending The Heights school.																		
Attends Caversham School	978	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
Highridge		256	510	212	136	336	249	183	74	26%	52%	22%	14%	34%	25%	19%	8%	
Mapledurham Playing Field		764	165	49	685	101	63	73	56	78%	17%	5%	70%	10%	6%	7%	6%	
Albert Road Recreation Ground		47	870	61	12	43	147	294	482	5%	89%	6%	1%	4%	15%	30%	49%	
Bugs Bottom		175	657	146	80	176	188	233	301	18%	67%	15%	8%	18%	19%	24%	31%	
Dyson's Farm		220	473	285	66	321	329	194	68	22%	48%	29%	7%	33%	34%	20%	7%	
Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address, and ticked the box to indicate they have at least one child attending a Caversham primary school.																		
Preschool children nr Heights	391	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
Highridge		91	213	87	29	133	84	84	61	23%	54%	22%	7%	34%	21%	21%	16%	
Mapledurham Playing Field		356	24	11	331	25	7	20	8	91%	6%	3%	85%	6%	2%	5%	2%	
Albert Road Recreation Ground		40	316	35	4	34	66	86	201	10%	81%	9%	1%	9%	17%	22%	51%	
Bugs Bottom		62	253	76	13	74	101	125	78	16%	65%	19%	3%	19%	26%	32%	20%	
Dyson's Farm		79	193	119	14	126	132	76	43	20%	49%	30%	4%	32%	34%	19%	11%	
Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address within The Heights catchment area, and ticked the box to indicate they have at least one preschool age child.																		
Preschool children in Caversham	451	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
Highridge		119	218	114	50	173	85	96	47	26%	48%	25%	11%	38%	19%	21%	10%	
Mapledurham Playing Field		399	34	18	358	41	18	22	12	88%	8%	4%	79%	9%	4%	5%	3%	
Albert Road Recreation Ground		34	383	34	5	31	80	114	221	8%	85%	8%	1%	7%	18%	25%	49%	
Bugs Bottom		62	320	69	17	80	98	134	122	14%	71%	15%	4%	18%	22%	30%	27%	
Dyson's Farm		96	230	125	21	127	169	85	49	21%	51%	28%	5%	28%	37%	19%	11%	
Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address within a catchment area of a primary school in Caversham, and ticked the box to indicate they have at least one preschool age child.																		
Employed by The Heights	20	Support Use			Preference					Support Use			Preference					
		Yes	No	Unsure	1st	2nd	3rd	4th	5th	Yes	No	Unsure	1st	2nd	3rd	4th	5th	
Highridge		7	6	7	1	10	4	4	1	35%	30%	35%	5%	50%	20%	20%	5%	
Mapledurham Playing Field		20	0	0	18	1	0	0	1	100%	0%	0%	90%	5%	0%	0%	5%	
Albert Road Recreation Ground		2	17	1	0	1	7	4	8	10%	85%	5%	0%	5%	35%	20%	40%	
Bugs Bottom		1	15	4	0	5	5	8	2	5%	75%	20%	0%	25%	25%	40%	10%	
Dyson's Farm		1	15	4	1	3	4	4	8	5%	75%	20%	5%	15%	20%	20%	40%	
Subset of all respondents who fully completed the survey online or on paper, provided a unique name and address, and ticked the box to indicate they are part of The Heights school.																		



Title: Mapledurham Pavillion, Car Park and Access Road

File:
Produced by Valuation Section

Date: 28/06/2016 Scale at A4: 1:1250
Ref: 54008\S:\JeanJea\Mapinfo2\597a1.wor

