

4th June 2018

Jo Friend
Clerk to Theale Parish Council
Theale Parish Council
Parish Office
The Pavilion
Englefield Road
Theale
Berkshire
RG7 5AS

Chief Executive

West Berkshire District Council
Council Offices
Market Street Newbury
Berkshire RG14 5LD

Our Ref: nc/rae

Your Ref:

Please ask for: Nick Carter

Direct Line: 01635 519101

e-mail: nick.carter@westberks.gov.uk

Dear Ms Friend

Theale Primary School

Thank you for your letter dated 24th May 2018. It is regrettable Theale Parish Council feel that West Berkshire Council is seeking to impose terms on this transaction. The point I was trying to make was that time is now running out and that if Theale Parish Council does want to support the construction of a new primary school in the village then there is a need to move quickly to finalise the land sale between the Englefield Estate and WBC, without which West Berkshire Council cannot enter into a construction contract to build the new school. To facilitate that process, the surrender of the Parish Council's existing lease and the creation of new leases on new and retained land between the Parish Council and the Englefield Estate has also to be processed with urgency.

In terms of the specific questions you ask in your letter I have sought to provide answers below;

1. As stated in my letters dated 11th Jan and 5th February and as discussed at some length at the meeting held with the Parish Council on the 23rd January, West Berkshire Council is not prepared to add anything further to proposals that have now been with the Parish Council since July 2017. In summary the benefits to the community of Theale in terms of what West Berkshire Council (WBC) and Englefield Estate (Estate) are proposing are as follows;
 - a new 1.5 form entry Primary School, with the ability to extend to 2 form entry, will be built at an estimated cost of £8.2m;
 - WBC will provide 2.2 acres of replacement playing field, including the same quantum of plastic-crete grass reinforcement present now. The latter can be located either at the site of the new playing field or within the remaining 8 acres of the North Street Playing Field (NSPF). The electricity pole will be removed as part of these works;
 - the Englefield Estate will grant new longer 25 years leases on both the new 2.2 acre playing field and on all remaining land to be retained by the Parish Council on lease from the Englefield Estate;
 - the pitches on the NSPF will be remarked;
 - new pedestrian infrastructure will be delivered as per the original planning permission for

the new school, and in addition further highway pedestrian measures will be implemented (as published previously), which represent a specification beyond that required by the Highway Authority, but agreed by WBC to give extra comfort to the Parish Council;

- a £6,500 contribution to upgrade existing flood lighting.

2. I can confirm that we have already agreed with Englefield Estate that we will purchase their land for the new school on a freehold basis. This principle was agreed with the Estate back in 2015. The Estate has agreed to hold the commercial price negotiated in 2016 between independent agents acting for both the Estate and West Berkshire Council. If the sale proceeds, the cost will be published on the Land Registry. However, we will not be able to finalise the documentation relating to the transfer of the freehold until we have confirmation from Theale Parish Council that they are agreeable to extinguishing their lease on the required land.
3. WBC is committed to building the new School. Our Capital Programme for 2018/19 has been approved by the Council and this includes the construction of the School. As you are aware, we have procured a contractor and once the freehold is transferred we will be entering into a construction contract with the contractor. On the basis that the Council has already and publicly committed substantial sums I hope this gives Theale Parish Council further assurances that we are serious about proceeding with the School. Further, if in the unlikely event the school construction does not proceed WBC will lease the land to Theale Parish Council on the same terms as its current lease with the Estate.
4. As clarified with the Parish Council in early 2017, neither the Council nor Englefield Estate have drafted legal documents. This work will only be undertaken once Theale Parish Council have confirmed they are willing to proceed. This Council will meet Theale Parish Council's reasonable legal costs in connection with the surrender and exchange, as previously agreed.

I hope this provides the clarification you are seeking. To summarise what is now required in answer to your question 'How can we make progress on this?'

1. The critical date is the 31st July 2018. This date is driven by the need to achieve certainty on admission arrangements for September 2019 in order to afford time for parents to make appropriate arrangements and to enable an informed choice based on available places. Therefore the three parties (Theale Parish Council, Englefield Estates and West Berkshire Council) must have signed by the 31st July 2018 an overarching heads of terms agreement covering;
 - (a) surrender of lease by Theale Parish Council of the new school land;
 - (b) grant of lease by the Estate on the replacement land;
 - (c) grant of lease extensions by the Estate on the retained lands;
 - (d) transfer of land by the Estate to WBC in order to construct the new school
2. We need urgent written confirmation from Theale Parish Council, on or before 22nd June 2018, that it wishes to proceed on the above basis;

3. Once we have received that written confirmation from Theale Parish Council we will facilitate the drafting of the heads of terms between WBC, Theale Parish Council, Estate and their solicitors.

I hope this answers your question, however if you would like to meet to clarify any of the matters arising we will be happy to organise this. We will also ask the Estate representatives to be present.

As with all previous correspondence you will see that I have shared our response with other interested parties and will make this letter available more widely.

Yours sincerely



Nick Carter
Chief Executive

cc. Cllr Graham Jones
Cllr Lynne Doherty
Cllr Alan Macro
Cllr Mollie Lock
Alok Sharma MP
Headteacher, Theale Church of England Primary School
Chair of Governors, Theale Church of England Primary School
Ian Pearson, WBC