

General Consent for disposal of school playing fields by restriction

In the exercise of his powers under section 77(5) of the School Standards and Framework Act 1998, the Secretary of State for Education gives the following consent.

This consent may be cited as the General Consent of Disposal of Playing Fields by Restriction 2011 and comes into force on 22 August 2011.

In this consent:

- “the Act” means the School Standards and Framework Act 1998
- “person” includes a body of person corporate or unincorporated
- “restriction” means Restriction in the Register of Title kept by the Chief Land Registrar in accordance with the Land Registration Act 2002

Consent is given in relation to the disposal of any playing fields to which section 77(1) of the Act applies, where the disposal consists only of a person entering a Restriction in relation to the playing fields (to apply to any subsequent disposal of them), in circumstances where that person has awarded a grant for purpose of upgrading the playing fields (or facilities thereon).

This consent is given subject to the following conditions.

1. Prior to the disposal, the body (or trustees) disposing of the playing fields provides the Secretary of State with:

- a) the name and address of the school and the address of the playing fields to be disposed of (if different);
- b) a plan of the site on which the playing fields are situated;
- c) the proposed date of the disposal; d) the reason for the disposal; e) the wording of the proposed Restriction;
- f) a copy of the undertaking referred to below

2. Prior to the disposal, the person entering the Restriction provides the body (or trustees) disposing of the playing fields with a written undertaking that they will not withhold consent to a subsequent disposal of the playing fields to another maintained school or an academy, where the governing body (or trustees) of that maintained school or the proprietor of that academy agree in writing:

- a) that the playing fields will continue to be used by that maintained school or academy as playing fields in accordance with the conditions of the grant, failing which they will repay the grant; and
- b) to the entering of a Restriction, in the same terms as the original Restriction, to apply to any subsequent disposal of the playing fields.

Signed:  JANE CUNLIFFE
Deputy Director, Central Capital Unit

Department for Education

Date: 22nd August 2011