

AGENDA

Meeting: **CABINET CAPITAL ASSETS COMMITTEE**
Place: **The Kennet Room - County Hall, Trowbridge BA14 8JN**
Date: **Tuesday 17 January 2017**
Time: **10.00am or on the rising of Cabinet, whichever is the later**

Please direct any enquiries on this Agenda to Will Oulton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713935 or email william.oulton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Baroness Scott of Bybrook OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance

Substitutes:

Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Cllr Jerry Wickham	Cabinet Member for Health (including Public Health) and Adult Social Care

RECORDING AND BROADCASTING NOTIFICATION

Wiltshire Council may record this meeting for live and/or subsequent broadcast on the Council's website at <http://www.wiltshire.public-i.tv> At the start of the meeting, the Chairman will confirm if all or part of the meeting is being recorded. The images and sound recordings may also be used for training purposes within the Council.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and/or training purposes.

The meeting may also be recorded by the press or members of the public.

Any person or organisation choosing to film, record or broadcast any meeting of the Council, its Cabinet or committees is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.


Details of the Council's Guidance on the Recording and Webcasting of Meetings is available on the Council's website along with this agenda and available on request.

If you have any queries please contact Democratic Services using the contact details above.

AGENDA

Part I

Items to be considered while the meeting is open to the public

Key Decisions: Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

1 **Apologies and Substitutions**

2 **Minutes of the previous meeting** (*Pages 7 - 12*)

To confirm and sign as a correct record the minutes of the Cabinet (Capital Assets) Committee meeting held on 15 November 2016.

3 **Leader's Announcements**

4 **Declarations of interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

5 **Public Participation and Questions from Councillors**

The Council welcomes contributions from members of the public. This meeting is open to the public, who may ask a question or make a statement. Questions can also be asked by members of the Council. Written notice of questions or statements should be given to Will Oulton of Democratic Services by 12.00 noon on Thursday 12th January 2017. Anyone wishing to ask a question or make a statement should contact the officer named above.

6 **Schools Capital Infrastructure Update Report 2016 - 2019** (*Pages 13 - 32*)

 Report by Carolyn Godfrey, Corporate Director.

7 **Declaration of Sedgehill Estate as Surplus so that it can be sold on the open market** (*Pages 33 - 44*)

 Report by Dr Carlton Brand, Corporate Director.

8 **Assets to be declared surplus** (*Pages 45 - 48*)

 Report by Dr Carlton Brand, Corporate Director.

9 **Urgent items**

Any other items of business that the Leader agrees to consider as a matter of urgency.

10 **Exclusion of the Press and Public**

This is to give further notice in accordance with paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to take the following item in private.

To consider passing the following resolution:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Items Number 11, 12 and 13 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 and 5 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking item in private:

Paragraph 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).

Paragraph 5 - information subject to legal privilege

Part II

Items during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

11 **Declaration of rural estate property near Sedgehill as Surplus so that it can be sold on the open market** *(Pages 49 - 50)*

12 **Assets to be declared surplus - Part ii** *(Pages 51 - 58)*

13 **Castledown Business Centre - Innovation Suite** *(Pages 59 - 66)*


Report by Dr Carlton Brand, Corporate Director.

Our vision is to create stronger and more resilient communities. Our priorities are: To protect those who are most vulnerable; to boost the local economy - creating and safeguarding jobs; and to support and empower communities to do more themselves.

CABINET CAPITAL ASSETS COMMITTEE

DRAFT MINUTES of a MEETING held in THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 15 November 2016.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance
Also in Attendance:	Cllr Philip Whitehead Cllr Jerry Wickham Cllr Bob Jones MBE Cllr Stephen Oldrieve Cllr Bridget Wayman

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

53 **Apologies and Substitutions**

Apologies were received from Cllr Baroness Scott of Bybrook OBE who was substituted by Cllr Stuart Wheeler.

54 **Minutes of the previous meeting**

The minutes of the meeting held on 13 September 2016 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 13 September 2016.

55 **Leader's Announcements**

There were no leaders announcements.

56 **Declarations of interest**

Upon receipt of advice from the Monitoring Officer, Councillor Thomson confirmed that being the division member for the Sherston area did not

constitute a personal interest and therefore he confirmed he had no disclosable interest in the Sherston land proposals.

57 **Public Participation and Questions from Councillors**

It was noted that no requests for public participation had been received. The Deputy Leader did however explain that, as usual at meetings of Cabinet and its committees, he would be more than happy to hear from any member of the public present on any of the items on the agenda.

58 **Sherston: Land North of Sopworth Road**

🗝 Councillor Fleur de Rhé-Philippe presented the report which sought an agreement that, in the event that the Sherston Neighbourhood Plan, support be given to the allocation of development of the land north of Sopworth Road, Sherston, and to seek authority to enter into and complete a land transaction with the owner, a condition of which will be the provision of land for a replacement GP Surgery.

Issues highlighted in the course of the presentation and discussion included: the desire to support local parish and community in acquiring land for health facilities; and that the decision would give flexibility if other conditions are met.

Resolved

That in the event that the Neighbourhood Plan is made and it allocates land north of Sopworth Road, Sherston for development to:

- 1. Enter into and complete a land transaction with the owner to enable development to take place in accordance with the Neighbourhood Plan on terms to be agreed, subject to consultation with the Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property.**
- 2. Include in the transaction an area of land sufficient to provide a GP Surgery.**

In the further event that the CCG confirms long-term funding provision for the GP Surgery in Sherston to:

- 3. Sell the land for the replacement GP Surgery to a developer, the doctors themselves, or some other third party, with the sale agreement providing for the construction of the facility.**
- 4. Review the decision in 5 years' time in the event that the construction of the replacement GP Surgery has not been secured.**

Reason for Decision:

To support the ambitions of the Sherston community in the preparation of its Neighbourhood Plan and, in the event that the 'made' Neighbourhood Plan includes the development of the land north of Sopworth Road Sherston, to facilitate its delivery.

59 **East Wing Redevelopment Proposal**

Councillor Fleur de Rhé-Philippe presented the report which provided an update to the Committee on the options being explored for future redevelopment of the East Wing site and sought approval for the proposed approach for further work.

Issues highlighted in the course of the presentation and discussion included: what options had been explored on the sites; that Wiltshire Council was aware of the community's wishes; the implications of the one public estate programme; and that further approvals may be required further into the project.

At the invitation of the Deputy Leader, the Rev Dearlove spoke about the desire of Breakthrough project in developing facilities in Rothermere House. He expressed concern that any proposals may lead to the demolition of the building.

In response, Councillor de Rhé-Philippe clarified that the impetus for purchasing the site was to secure the control of access for the wider site, and that there were no current plans to demolish the older part of the Rothermere House. She also instructed officers to liaise with Rev Dearlove to seek further information about his proposals and to keep him updated.

Councillor Steve Oldrieve emphasised the concerns of the Trowbridge Area Board expressed at its meeting on 10 November that it had not been appraised of the contents of the paper and that this had been communicated in a letter from Cllr Graham Payne, Chairman of the Area Board.

In response, the Deputy Leader explained that he had appraised the Area Board of the project proposals and progress when he attended the Area Board meeting in July. Furthermore, he considered that he had heeded the view from the Area Board, expressed to him at that time, to expedite the project without delay. Councillor Fleur de Rhé-Philippe reminded the Committee that of course the report presented for this item was accessible by all members of the Council.

Dr Carlton Brand, Corporate Director clarified that he had offered to meet with Cllr Payne to brief him on the proposals and this offer was declined.

In response to further questions, Councillor Fleur de Rhé-Philippe stated that she did not think that any of the options, included in more detail in the part ii paper, were in conflict with the Trowbridge Masterplan which had been the subject of extensive proposals.

Resolved

- (i) To notes the work completed to date on exploring the redevelopment opportunities for the East Wing site.
- (ii) To approve the recommended approach for taking the work forward as set out in Table 1 and in the Next Steps section of this report (from paragraph 30).
- (iii) To delegate authority to the Associate Director People and Business in consultation with the Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, the Associate Director Economic Development and Associate Director Finance, to complete negotiations for the acquisition of Rothermere House in line with the approach set out in Appendix B of the part ii paper, and subject to acceptable financial terms.
- (iv) To delegate authority to the Associate Director Economic Development and Planning, in consultation with the Associate Director Finance and Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, to progress the project as detailed; to be brought back to Cabinet for key updates and decisions, as required.

Reason for Decision:

To provide an update on progress and seek Cabinet's support for the recommended approach to progress work in relation to the redevelopment of the East Wing site.

60 Urgent items

There were no urgent items.

61 Exclusion of the Press and Public

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations have been received as to why this item should not be held in private.

62 East Wing Redevelopment Proposal

The meeting noted the content of the report.

(Duration of meeting: 10.30 - 11.09 am)

<p>These decisions were published on the 16 November 2016 and will come into force on 24 November 2016.</p>

The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line 01225 713935 or e-mail william.oulton@wiltshire.gov.uk
Press enquiries to Communications, direct line (01225) 713114/713115

This page is intentionally left blank

Wiltshire Council

Cabinet Capital Assets Committee

17 January 2017

**Subject: Schools Capital Investment Programme 2016 – 2019
Update Report**

Cabinet member: Councillor Laura Mayes - Children's Services

Key Decision: Yes

Executive Summary

The Council has a statutory duty to provide sufficient school places to meet the demand arising across Wiltshire, whether from demographic or population change, strategic housing development growth and the planned Army Re-Basing programme.

The Cabinet approved the Wiltshire School Places Strategy 2015-2020 in November 2015 and the current programme of work is based on the basic need Priorities for capital investment in the short, medium and longer term.

The Council also has landlord responsibilities for the effective management and ongoing maintenance of the schools estate (community, voluntary controlled and Foundation schools only).

The Council receives annual capital funding allocations from the Department for Education (DfE) to meet basic need (new places) and condition (capital maintenance works) only. Day to day revenue maintenance is funded from school budgets.

In line with the Wiltshire School Places Strategy 2015-2020, this report provides an update on the current three year programme of work and seeks approval to additional priority basic need and condition related works.

The Wiltshire School Places Strategy will be reviewed and updated later in 2017 and will continue to inform future years programmes to ensure our schools provide sufficient places where they are needed.

Proposals

1. To note the status of March 2014 approved school capital schemes as shown at Appendix A (all complete).
2. To note the updated (previously approved) School Capital Programme as shown at Appendix B.

3. To consider and approve the proposed new Basic Need schemes subject to planning approval and completed S106 negotiations as at Appendix C.
4. To approve the Schools Planned Maintenance Programme totalling £2.5M for 2017/18 as outlined at Appendix D and to agree that a further £2.0M be held pending identified priorities for 2018/19.
5. To approve the Condition (Improvements) and Mobile Classroom Replacement Programme for 2017/18 as outlined at Appendix E.
6. To authorise the Corporate Director for Children Services to invite and evaluate tenders for the projects described in this report, and, following consultation with the cabinet member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.

Reason for Proposal

The Council has a statutory duty to provide sufficient school places to meet the demand arising across Wiltshire, whether from demographic or population change, strategic housing development growth and the Army Re-Basing programme. The approved Wiltshire School Places Strategy 2015-2020 and its Implementation Plan identifies the priority basic need schemes requiring capital investment in the short, medium and longer term and this updated proposed Schools Capital Investment Programme will enable the priority works to be progressed. The Council also has Landlord responsibilities for the effective management and maintenance of the schools (for which the Council is responsible) estate and the investment programme will enable urgent and priority repairs and maintenance projects to proceed.

Carolyn Godfrey
Director Children's Services

Wiltshire Council

Cabinet Capital Assets Committee

17th January 2017

**Subject: Schools Capital Investment Programme 2016-2019
Update Report**

Cabinet member: Councillor Laura Mayes – Children’s Services

Key Decision: Yes

Purpose of Report

1. To agree the Schools Capital Investment Programme for 2017- 2020

Relevance to the Council’s Business Plan

2. The Council has a statutory duty to provide sufficient school places to meet the demand arising across Wiltshire, whether from demographic or population change, strategic housing development growth and the planned Army Re-Basing programme. This programme is informed by the approved Wiltshire School Places Strategy 2015-2020 and Implementation Plan which clearly identifies the priorities for capital investment in the short, medium and longer term. The Council also has landlord responsibilities for the effective management and maintenance of the schools estate.

Main Considerations for the Council

3. The Council receives annual capital funding allocations from the Department for Education (DfE) to meet basic need (new places) and condition (capital maintenance). Capital maintenance relates to urgent and essential structural works e.g. roofs, walling, windows, drainage etc in addition to plant (electrical and mechanical works (heating/lighting etc) over £10k). All other day to day maintenance works and low level cost works are the schools responsibility funded from their delegated or devolved funds. The formula allocations in the table below are based on annual SCAP returns to the DfE which provide details of school capacity, pupil projections and the number of new school places provided annually.

The capital maintenance allocations are adjusted to take account of schools converting to academy status, as academies then receive funding direct from the Education Funding Agency (EFA). Therefore the capital funding allocated to the Council for maintenance works is reducing annually as the number of schools converting to academy status increases.

Table 1

Description	2016/17 £M	2017/18 £M	2018/19 £M	Total £M
Basic Need (Sufficiency)	5,701,233	15,970,778	15,674,385	37,346,396
Maintenance *	3,474,513	3,474,513	3,474,513	10,423,539
Total £M	9,617,387	19,445,291	19,148,898	47,769,935

*expected to decrease in future years as more schools convert to academy status

The Council also secures wherever possible, S106 developer contributions and will seek CIL planning obligations for essential school infrastructure in areas of new housing development which are usually project or school specific.

Background

4. Wiltshire Council considered and approved a Schools Capital Investment Programme Report on 10 November 2015. All of the major projects identified in that report will be funded by schools capital allocations and/or S106 contributions and a progress report can be seen at Appendix B.

The School Places Strategy (SPS) identifies the demand for additional school places predominantly at primary phase but now starting to move into the secondary phase across Wiltshire. The SPS provides a 'snapshot' in time and pupil projections need to be reviewed on a regular basis. To that end the SPS is to be updated later in 2017 and will provide the latest information to inform future years' programmes of work.

Basic Need (Mainstream)

Demand for school places can be influenced by a number of factors including changes in the birth rate, migration (inward and outward), housing development, the economic situation, parental preference etc and in Wiltshire specifically, the Army Re-Basing Programme has a significant impact.

Many of the projects identified in the programme of work approved in November 2015 are now underway to ensure the Council meets its obligation to provide sufficient school places and to ensure where at all possible that parents get a place at a preferred school, as identified at Appendix B.

There are a small number of new projects that have been identified as a priority in the last 12 months that now require approval and inclusion within the programme. These can be found at Appendices C and E.

Capital Basic Need Programme Costs in 2016-2019 (see Appendix B)

Schools Basic Need (BN) Programme of Works £92.8million

Total S106 Secured for BN Schemes	<u>£58.5million</u>
Balance required to fund programme	£34.3million
Basic Need funding allocation 2016- 2019	<u>£37.3million</u>
Balance held for contingency/inflation costs	£ 3.0million

The total sum secured for Basic Need schemes relates to signed S106 agreements. In some cases the funding has already been received, but in others, where the Council is 'pooling' contributions it may be that we have to wait to secure additional sums before projects can be started. New school builds are not started until planning approval has been given for the development and the developers have commenced on site. The first trigger payment for additional school places is usually required on commencement of development so the Council receives 50% of the funding up front and 50% part way through the development.

Specialist Provision

There are no plans for any further SEN Specialist Resources Bases at this time.

Maintenance

In addition to basic need (growth related) capital projects, there is a significant backlog of priority capital repair and maintenance schemes in those schools for which the Council remains responsible. The list of priority maintenance work in community, controlled and foundation schools continues to grow against a falling budget. Property Services provide a list of priority works across all schools that the LA remains responsible for and in light of the limited resources available only the highest priority maintenance works are included. This does mean that not all priority works can be funded in any year. The proposed list of planned maintenance schemes can be found at Appendix D.

At the current time none of the schools on the list are planning to convert to Academy status. However, in the event that a decision is taken by a school to convert to Academy status, prior to commencement of any approved maintenance work, and before a contract is committed, then the work will be reviewed and where appropriate, removed from the list. As there continues to be a number of schools converting to Academy status, building maintenance responsibility for those academies transfers to the academy itself and the Council's capital funding allocation correspondingly reduces. That funding is transferred to the EFA who funds academies direct.

The planned maintenance schemes recommended for inclusion in the 2017/18 programme of work total an estimated £2.5million. A further £2.0million is proposed to be held pending confirmation of priority schemes for 2018/19. These schemes will be included in a report next year. As shown in the table at Para 3 above, there will be an uncommitted balance of maintenance funding remaining, it is proposed that this be added to that unspent funding carried forward from the previous year to fund the schemes proposed at Appendix E.

There are a small number of urgent, replacement and/or refurbishment schemes where either permanent school accommodation is of such poor quality or no longer fit for purpose and is in need of refurbishment/replacement or that there are old temporary classrooms that require removal from a site or require replacement with permanent accommodation. These proposed schemes are identified at Appendix E and currently estimated at £3.85million.

Condition Works and Mobile Replacement Programme for 2017/18

<u>Available funding</u>	£
Carried forward from 2015/16	1,869,590
Maximum Condition Allocation (3 years)	<u>10,423,539</u>
Total	12,293,129
 <u>Use of Funding</u>	
Schools Planned Maintenance (3 Years)	7,000,000
Refurbishment/Replacement projects	<u>5,293,129</u> (max*)
Total	12,293,129

*Appendix E total estimated at £3.85million as condition allocations for 2017 onwards expected to be reduced due to academy conversions.

Safeguarding Implications

5. All school projects are designed to ensure that schools provide safe and secure places for children and young people in the immediate community. If a decision was taken not to extend a school to meet demand in a local area then there is a risk that young people would be transported to schools a long distance from their locality leaving them more vulnerable due to the distance they are from home.

Public Health Implications

6. The development of quality school buildings and site infrastructure will provide a range of sports facilities for pupils, students, staff and the local community including dedicated sports halls, primary activity halls, hard games courts and grass football/hockey pitches. The investment in school sites provides the opportunity for young people in the community to participate in sports and thereby promote healthy behaviours and practices in the population.

Corporate Procurement Implications

7. Responsibility for commissioning approved capital building projects rests with the Council's Property Services Team. Responsibility for approving related procurement activity rests with the Corporate Procurement and Commissioning Board (the Board). This report is about a series of procurements of works contracts to deliver school places capacity. The service will adhere to corporate governance by providing the forward plan

to the Board, identifying options for their procurement and seeking approval of the recommended route(s) to market.

The range of routes to market has three real options: one-off tender exercises managed and advertised entirely within Wiltshire Council; use of by call down of pre-existing framework contracts for building services, these frameworks having being already put in place by Property Services/SPH; use of existing frameworks that have been put in place by external organisations such as the Eastern Shires Purchasing Organisation, or the Yorkshire Purchasing Organisation. The choice depends on the nature and extent of the works required. Whichever approach is chosen it will be compliant with European and domestic procurement legislation.

Equalities Impact of the Proposal

8. Through detailed planning and effective design, officers continue to ensure that all accommodation improvements promote and deliver equality of opportunity and access to facilities.

The Equalities Act 2010 states that reasonable adjustments must be taken into consideration in design. By adopting compliant design principles, and ensuring all schemes meet Building Regulations it should be possible to eradicate disability access difficulties and discrimination in new school buildings. This will be a fundamental objective of any rationalisation and/or expansion works carried out at existing school properties.

The Local Authority has a duty and responsibility to provide sufficient school places both in terms of mainstream and specialist provision to meet demand arising from all areas of the community including in response to inward migration. The programme of work has also taken into account the needs arising from the Army Re-Basing programme.

Environmental and Climate Change Considerations

9. In all education related capital investment schemes, officers continue to work with establishments to develop and enhance the learning environment taking account of sustainability and environmental impact, including the move towards reducing carbon emissions from schools for the benefit of pupils, staff and the community.

All new build schemes are designed to meet BREEAM 'Good' and the design process provides opportunities for improved energy efficiency and minimising the associated lifetime carbon emissions. Additionally, schools are no longer subject to the Carbon Reduction Commitment (carbon tax payable by large energy consumers), but with ever increasing energy prices, every effort will be made through the design process to reduce lifetime running costs of the buildings.

Risks that may arise if the proposed decision and related work is not taken

10. The Cabinet has approved the School Places Strategy 2015-2020 which identifies the need for additional school places across Wiltshire. If this ongoing capital investment programme is not approved then there is a legal risk that the Council will not be able to meet its statutory obligations to provide sufficient school places for children resident in Wiltshire.

Capital funding has been allocated by the Department for Education (DfE) based on the annual SCAP return data which identifies current school capacity and projected future numbers of pupils, for the purpose of delivering additional school places (basic need). The Council must report annually on how this funding is being spent. If this funding is not allocated to deliver school basic need schemes there is a financial risk that this funding will not be made available to the Council in the future. The same applies to funding allocated for school maintenance and condition works.

The Council, in its capacity as Landlord, has a responsibility for managing its sites and building assets efficiently and to ensure all school buildings under its control (community, voluntary controlled and foundation) are maintained appropriately. If these assets are not maintained then there is an increasing risk to health and safety of users as buildings fall into disrepair and increasing costs when more extensive work is required to make sure buildings remain operational.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

11. It is important that the Council meets its statutory duty to provide sufficient school places and this ongoing programme of work will ensure that places are provided in appropriate locations and delivered in a timely way. There is a financial risk however that costs could increase and exceed the funding envelope agreed. To mitigate this, project briefs and specifications will be in line with policy and the project management and design teams will ensure that where possible, value engineering exercises are undertaken to reduce costs and keep within budget.

There is a risk that projects could be delayed due to unforeseen circumstances. Project managed timelines will be closely monitored to avoid slippage where at all possible.

There is a risk that a school project, predominantly funded by S106 contributions, is procured and subsequently the developer goes into liquidation. It should be noted however that Council policy to secure up to 50% of the funding at commencement of the housing development and the remainder at the half-way point of the development.

Many schools have now converted or are in the process of converting to Academy status. There is a risk that an academy may not want to expand its places to meet additional demand in an area. The Council will work in partnership with all providers to ensure that expansion projects to provide

additional places can be delivered in a timely way to support all communities.

Financial Implications

12. The funding allocations for basic need and maintenance works in schools are shown in the table at para 3 above. There is an expectation that future years maintenance allocations will be reduced if more schools convert to academy status and the relevant funding is withdrawn from the Council to be transferred to the EFA. In the event of this happening the maintenance programme would be scaled back appropriately.

In addition to formula allocations, the proposed School Capital Investment Programme is supported by S106 developer contributions allocated to location specific schemes and where appropriate CiL funding secured from major developments.

The School Capital Investment Programme is funded in full by grant and S106/CiL with no WC capital borrowing. The programme is managed within its allocation and actions taken where necessary to ensure it remains within budget.

Legal Implications

13. Wiltshire Council in the exercise of statutory duties and obligations is required to undergo a continuous programme of monitoring and review in accordance with the Wiltshire School Places Strategy 2015 -2020 and Implementation Plan.

The School Capital Investment Programme 2017 – 2020 report does not present immediate legal issues over and above the implementation, monitoring and due diligence obligations associated with the exercise of statutory powers.

Where it is proposed the Council will carry out construction works to foundation, academy or voluntary controlled school site the Council will need to ensure that legal arrangements are in place to secure access to the site for the construction team before the Council enters into any contracts for the works

Depending on the land ownership and the status of the school site the Council may be required to transfer school land to the governing body pursuant to the provisions of the School Standards and Framework Act 1998.

Any proposed construction works will be subject to Legal Services working with the Strategic Assets and Facilities Management team to carry out a full due diligence exercise of the site to identify any site constraints which would have an impact on the proposed works, for example, any rights of way across the site or covenants restricting use of the land.

Recommendations

14. The schemes identified in this Schools Capital Investment Programme Report are required to ensure the Council can provide sufficient school places and that school buildings are maintained to a good standard of accommodation. It is recommended that the work identified in Appendices C, D and E be approved.

Conclusions

15. The Council has a statutory duty to provide and maintain sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has approved the Wiltshire School Places Strategy 2015-2020 and its Implementation Plan which clearly identifies the priorities for capital investment in the short, medium and longer term and this proposed Schools Capital Investment Programme will enable the priority works to be progressed.

Proposal

16.
 - i. To note the status of March 2014 approved school capital schemes as shown at Appendix A (all complete).
 - ii. To note the updated (previously approved) School Capital Programme as shown at Appendix B.
 - iii. To consider and approve the proposed new Basic Need schemes subject to planning approvals and completed S106 negotiations as at Appendix C.
 - iv. To approve the Schools Capital Maintenance Work totalling £2.5M for 2017/18 as outlined at Appendix D and to agree that a further £2.0M be held pending priorities for 2018/19.
 - v. To approve the Condition (Improvements) and Mobile Classroom Replacement Programme for 2017/18 as outlined at Appendix E.
 - vi. To authorise the Corporate Director for Children Services to invite and evaluate tenders for the projects described in this report, and, following consultation with the cabinet member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.

Reason for Proposal

17. The Council has a statutory duty to provide sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, strategic housing development growth and the planned Army Re-Basing programme. The approved the Wiltshire School Places Strategy 2015-2020 and its Implementation Plan which is kept under review, clearly identifies the priorities for capital investment in the short, medium and longer term and directly informs this updated Schools Capital Investment Programme. The Council also has landlord responsibilities for the effective management and maintenance of the schools estate (schools for which it remains responsible) and the investment programme will enable urgent and priority repairs and maintenance projects to proceed.

Carolyn Godfrey
Corporate Director – Children’s Services

Report Author: Clare Medland, Head of School Place Commissioning
Clare.medland@wiltshire.gov.uk
Tel: 01225 313966 Ext 13966

17 January 2017

Background Papers

The following documents have been relied on in the preparation of this report:

Wiltshire School Places Strategy 2015-2020

Schools Capital Investment Programme 2016-2019 Report – Nov 2015

Appendices

Appendix A - Position Statement on March 2014 Approved Schemes

Appendix B - Schools Basic Need Investment Programme 2017-2020 Update

Appendix C – Proposed New Schemes subject to completing S106 Negotiations

Appendix D – Proposed Schools Planned Maintenance Programme 2017/18

Appendix E – Proposed Condition (Improvements) and Mobile Classroom Replacement Programme 2017/18

Position Statement on March 2014 Approved Schemes – all Complete

School	Project	Status
Wellington Primary, Tidworth	New 2FE (420 place) primary school	Complete
Castlemead Primary, Trowbridge	New 1FE (210 place) primary school – phase 1	Complete
Forest & Sandridge Primary	Expanded and rebuilt 2FE (420 places) primary school on new site	Complete
Amesbury Primary	Expansion of school from 1FE to 2FE (to 420 places)	Complete
Wellington Academy	Provision of 180 additional secondary places	Complete
Holt Primary	Expansion to 180 places	Complete
Stratford Sub Castle	Replacement of old mobile	Complete
Pembroke Park Primary	Expansion to 2FE (420 places)	Complete
Amesbury Christ the King	Expansion to 1.5 FE (315 places)	Complete
Bulford Kiwi Primary	Expansion to 2FE (420 places)	Complete
Bulford St Leonard's Primary	Expansion to 1.5FE (315 places)	Complete
Greentrees Primary	Expansion to 2FE (420 places)	Complete
Chirton Primary	Mobile classroom to add 30 places	Complete
Minster Primary	New teaching block to replace old Pratten	Complete

Schools Basic Need Investment Programme 2017 – 2020 Update

School	Project	Status	Estimated Cost £	Expected S106 £
Primary				
Bitham Brook Primary Westbury	Provision of 60 additional places and ancillary accommodation	Awaiting planning approval and start on site	950k	905k
Castle Primary Ludgershall	Provision of 60 additional places and ancillary accommodation	In progress	950k	700k
Castle Mead Primary Trowbridge	Expansion by 1FE (210 places) plus an 18 place SEN Res Base	In progress	3.5m	225k
Christchurch CE Primary BoA	Provision of 90 additional places	School managed project Awaiting planning approval	550k	550k
Corsham Broadwood Pry Corsham	Expansion by 0.5FE (120 places)	Feasibility and master-planning underway	2m	2m
Fugglestone Red (NEW) Wilton	New 1.5 FE (315 place) Primary School	Developer building school to open Sept 2018	400k	0
Ivy Lane Primary Chippenham	Additional 30 places	Complete	200k	200k
Longhedge (NEW) Salisbury	New 1FE (210 place) Primary School	Free School v Presumption route under consideration	3.6m	2.5m
Malmesbury Primary expansion	Expansion by 0.5FE (120 places)	Discussions on options ongoing with schools	2m	1.2m
Old Sarum Primary Salisbury	Expansion by 1FE (210 places)	In progress	3.2m	270k
Priestley Primary Calne	Expansion by 0.5FE (120 places)	Feasibility underway – may need to expand by 1FE due to increased housing	Up to 3.6m	2.7m
Wilton & Barford Primary	Provision of 30 additional places	Awaiting planning approval	600k	520k

	and hall extension	School managed project		
Royal Wootton Bassett (NEW)	New 2FE (420 place) Primary School	Free School bid submitted to RSC	3.6m (1FE only)	73k
Downton Primary Downton	Provision of 60 additional primary places, hall extension and new playground	In progress	1.4m	535k
Princecroft Primary Warminster	Expansion by 60 places	S106 yet to be agreed	1m	630k
Amesbury Kings Gate (NEW)	New 2FE (420 place) Primary School	S106 yet to be agreed	7.1m	2.5m
Chippenham North (NEW)	New 1FE (210 place) Primary School	Housing development yet to get underway – S106 agreed	3.6m	2.6m
Chippenham Rawlings Farm (NEW)	New 1.5FE (315 place) Primary School with expansion to 2FE to follow	S106 yet to be agreed	5.3m	3m
Chippenham Rowden Park (NEW)	New 1.5FE (315 place) Primary School with expansion to 2FE to follow	S106 yet to be agreed	5.3m	4.8m
Secondary				
Stonehenge	Expansion by 300 places	Design work underway – due to open in Sept 2018	6.5m	2.4m
Malmesbury	Expansion by 120 places	Feasibility complete – PFI School expect school managed project	750k	750k
Royal Wootton Bassett	Expansion by 180 places	Feasibility complete – PFI School expect school managed project	1.5m	200k
St Joseph's Salisbury	Expansion by 120 places	In progress, school managed	1.8m	1.8m
Corsham Secondary	Expansion of Secondary School	Initial discussions underway,	1.5m	1.5m

	Phase 1	S106 partly secured – expected to be an academy managed project		
St Laurence School	Expansion by 40 places	Initial discussions underway	630k	630k
Melksham Oak	Expansion of Secondary School – Phase 1	Initial discussions underway	3.3m	3.2m
Army Basing				
St Michael's (Figheldean) Larkhill (NEW)	Expansion and relocation to new 2FE (420 place) Primary School and 60 place Nursery	Detailed design work underway, due to open Sept 2018	8.1m	22.1m
Ludgershall Corunna Barracks (NEW)	New 2FE (420 place) Primary School and 30 place Nursery	Free School v Presumption route under consideration – to open Sept 2019	7.6m	
Avon Valley College	Expansion by 270 places	Detailed design work underway , due to open Sept 2019	5.8m	
Wellington Academy	Expansion by 105 places for Service families and up to a further 250 places for civilian housing	Feasibility underway – to open in Sept 2019.	6.5m	
Total			92.8m	58.5m

Basic Need funding therefore required to fund the above:	£92.8m-£58.5m = £34.3m
Basic Need allocation 2016/17 to 2018/19:	£37.3m
Leaves balance for inflation, new projects and emergency places :	£3.0m

Future Schemes Pending Housing Development Planning Consent and subject to S106 Contributions

Planning Area	School	Places to be Provided	Work Proposed	Cost Estimate £
Melksham	NEW - Primary	Up to 420	New primary school up to 2FE (phased approached)	E
Trowbridge	NEW – Primary (2+)	945	Two/three new primary schools to meet demand from strategic housing development	F
Trowbridge	NEW – Secondary	650*	New secondary provision (*size to be confirmed) to meet demand from strategic housing development – may be an all-through option	F
Trowbridge	Walwayne Court	120	Feasibility to provide additional places to take the school to 2FE	C
Westbury	Westbury Infants and Juniors	30 + 30	Expand both the Infant and Juniors by one class to 3FE and bring PAN up to 90	B
Warminster	NEW – Primary provision	420	Initiate feasibility study to determine options for providing up to 2FE primary places arising from new WWUE housing development	E
Warminster	Kingdown Secondary	325	Initiate feasibility study to determine options for expansion of secondary places arising from new WWUE housing development	F

Negotiations currently ongoing to secure S106/CIL contributions to deliver essential school infrastructure

Priority School Planned Maintenance Projects 2017-18

School	Type of Maintenance Works	Est Cost £
Matravers School	Curtain wall windows unsafe, roof beyond repair, boiler obsolete.	1,000,000
Wootton Bassett Infants	Damp proofing	20,000
St Barnabas Primary	Damp proofing	25,000
Woodlands Primary	Damp proofing	20,000
Langley Fitsurse Primary	Damp proofing	10,000
Langley Fitsurse Primary	Damp proofing	55,000
Neston Primary	Damp proofing	10,000
The Minster Primary	Damp proofing	15,000
Winterbourne Earls CE Primary	Renew fire exit doors to classrooms	10,000
St Barnabas Primary	Replace internal doors (at end of life)	30,000
Dinton CE Primary	Upgrade 9 fire doors not legally compliant	10,000
Woodlands Primary	Drainage - renew soakaways to school hall	20,000
Durrington Juniors	Drainage works to front and rear playgrounds	10,000
Newton Tony Primary	Replacement of old chain link fencing	40,000
Schools General	Legionella - Post risk assessments tank works	100,000
Aloeric Primary	Caretakers bungalow – renew boiler	8,000
Hilperton	Boiler room and pipe work upgrade and FCU's	200,000
Tisbury St John CE Primary	Rewire, lighting and fire alarm, renew fan heaters	80,000
Holbrook Primary	Partial rewire, lights, fire alarm/smoke detectors upgrade	50,000
Winterbourne Earls CE Primary	Rewire to block 1 and 70, renew fire alarms	100,000
Amesbury Archer Primary	Fire alarm upgrade required.	10,000
New Close Primary	Replace cast iron heating system and pumps	40,000
Frogwell Primary	Renew light fittings	33,000
St Nicholas School	Block1 rewire, renew lighting and fan coil heater	160,000
Aloeric Primary	Renew heating system and radiators	100,000
Woodlands Primary	Boiler room upgrade - replace heating pipe work/radiators	100,000

Westbury CE Juniors	Replace water heater in plant room & fan heaters	45,000
St Sampson's Primary	Replace hot and cold water pipe work distribution	35,000
Colerne Primary School	Replace water tank or go for mains fed.	10,000
Noremarsh Juniors,	Rewire Caretaker Bungalow wiring over 25yrs old.	10,000
Emergency Contingency		144,000
Total		2,500,000

Costs include direct fees and charges associated with work planned.

School Condition (Improvements) and Mobile Classroom Replacement 2017-2018

Key to Capital Project Cost Estimates

Project Cost Estimate	Reference
Under £500k	A
£500k to £1m	B
£1m to £3m	C
£3m to £5m	D
£5m to £7m	E
More than £7million	F

Page 30

School	Work Proposed	Cost Estimate £
Harnham Infants	Replacement of poor quality temporary accommodation	B
Princecroft Primary	Internal refurbishment and reconfiguration to improve poor facilities – joint project with basic need expansion.	C
Preshute Primary	Works to improve existing accommodation	A
Wootton Bassett Infants	Replacement of poor quality temporary accommodation	C
Stonehenge Secondary	Feasibility for Phase 2 improvement works	A
Harnham Juniors	Feasibility to identify options for replacement of poor quality temps	A
Total	Total Estimated Project Cost	3.85million

Wiltshire Council

Cabinet Capital Assets Committee

17 January 2017

Subject: Declaration of rural estate property in Sedgehill area as Surplus so that it can be sold on the open market

Cabinet member: Councillor Toby Sturgis – Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Key Decision: No

Executive Summary

The property is in a location which is isolated and has no significant strategic development potential. It comprises three small scale dairy farms with limited and outdated fixed equipment and would require significant investment prior to re-letting. Two of the farms have Grade II listed residential dwellings, one of which has structural defects and is uninhabitable.

Each of the farms have ranges of traditional farm buildings which are unsuited to modern agriculture but ideal for conversion to other uses. Their value is best realised by disposing of them rather than via re-letting.

Due to the individual circumstances of the three Tenants of the property, there is now a realistic opportunity to obtain vacant possession of the three farms on terms which are beneficial to both the Council and the Tenants and reflective of both parties respective interests. The Council's desire to sell the property was first established by the Rural Estate Management Plan 2004-2014 but further CCAC approval now is required.

Proposals

1. Declaration of rural estate property in Sedgehill area as Surplus so that it can be sold on the open market.
2. To further delegate specific decisions on the lotting of the property, method of sale, negotiations with outgoing tenants and interim management arrangements to the Associate Director for People and Business and Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Reason for Proposal

To enable the sale of the Council's rural estate property in the Sedgehill area as Surplus in order to generate capital receipts which will contribute to the Council's Capital programme and Treasury Management Plan and to divest the Council of assets which have a high cost repairing liability in relation to their revenue potential.

Dr Carlton Brand
Director

17 January 2017

Subject: Declaration of rural estate property in Sedgemoor area as Surplus so that it can be sold on the open market

Cabinet member: Councillor Toby Sturgis – Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Key Decision: No

Purpose of Report

1. To seek approval for officers to add the rural estate property in the Sedgemoor area to the list of properties scheduled for disposal on the open market.

Relevance to the Council's Business Plan

2. The proposal will support the Council's Business Plan Principle no.2 to '*ensure that we are efficient and provide good value for money for our residents.*' It will also enable a capital receipt to be produced which will provide the Council with the opportunity to further its wider Business Plan objectives.

Background

3. The Council is a smallholding authority and holds a portfolio of approximately 5,000 acres of land including 33 equipped holdings across the County. The objectives of the Portfolio are as follows:
 1. *To provide opportunities for existing tenants to advance their farming businesses and enhance their opportunity to either purchase their own farm or to move from the estate into the private sector. This mobility will provide opportunities for new entrants.*
 2. *To promote the Development Estate and to continue to dispose of the Surplus Estate to provide capital receipts to assist with the funding of investment in the Core Agricultural Estate and contribute funds towards other corporate needs.*
 3. *To maintain the rural fabric through the ownership and letting of farms together with the provision of strategic advice on rural matters.*
 4. *To promote sustainability, biodiversity and climate change resilience across the Estate by encouraging and supporting, as appropriate, a full range of innovative measures and activities.*

5. *To support tenants wishing to use their farms for education purposes.*
6. *To promote and manage the use of the Estate to support the Council's wider Business Plan objectives wherever possible.*

The Council's rural estate property in Sedgehill, near Shaftesbury comprises 300 acres of land subdivided and let as 3 agricultural holdings being Church Farm No.1, Church Farm No.3 plus added bare land known as Butterstakes and Berrybrook Farm (see plan at Appendix 1). The property was designated as 'surplus' within the Rural Estate Asset Management Plan 20014-2014 which was adopted by Cabinet Committee in 2004 in order to support objective 3 of that plan:

2. To promote the Development Estate and to continue to dispose of the Surplus Estate to provide capital receipts to assist with the funding of investment in the Core Agricultural Estate and contribute funds towards other corporate needs.'

As such the rural estate property at Sedgehill has been managed view to its sale at a point in the future when best value can be achieved. It is expected that best value will be achievable when the farms can be sold with vacant possession rather than subject to the existing agricultural tenancies.

There is now an opportunity to obtain vacant possession through negotiation so that the farms can be sold on the open market.

Main Considerations for the Council

4. The Asset Management Plan under which the property at Sedgehill was originally designated as 'surplus' covered the period to 2014 and is in the process of being reviewed however the same arguments for disposing of this property still apply:
 - The property is in a location which is isolated from the remainder of the Council's Rural Estate.
 - The property has no significant strategic development potential (see planning policy statement attached at Appendix 2) although there are likely to be opportunities for small scale redevelopment of some of the agricultural buildings to alternative uses.
 - The property comprises three small scale dairy farms with limited and outdated fixed equipment and buildings. None have adequate provision for slurry storage and would require significant investment from the Council if they were to be re-let.
 - Two of the farms have residential dwellings, both of which are Grade II listed. The farmhouse at Church Farm number 3 has structural defects and has been uninhabitable for over a year. It is in urgent need of investment and a pre-measure in the sum of circa £100,000 has been received from the Council's contractors Kier to bring it into safe repair to enable it to be renovated. The total level of investment required is likely to be in excess of this.

- Each of the three farms, but particularly Berrybrook Farm, have ranges of traditional farm buildings which are unsuited to modern agriculture but ideal for conversion to other uses. The value of these buildings cannot easily be borne out by letting the farms, and they would remain as a repairing liability to the Landlord so their value is best realised by disposing of them on the open market.
- Due to the individual circumstances of the three Tenants of the property, there is now a realistic opportunity to obtain vacant possession of the three farms on terms which are beneficial to both the Council and the Tenants and reflective of both parties respective interests.
- Declaring the property as surplus and available for sale on the open market will enable the Council to negotiate more effectively with the Tenants because land will be available to sell to them in lieu of providing a surrender premium (if appropriate and subject to satisfying the requirements of s.123 of the Local Government Act). It will also allow the Council to lot and dispose of parts of the property over time in order to achieve the optimum price.

Safeguarding Considerations

5. There are no safeguarding issues to be considered.

Public Health Implications

6. There are no public health implications to be considered.

Corporate Procurement Implications

7. The decision to declare the property as surplus does not give rise to any procurement implications. However, a procurement exercise will be undertaken prior to appointing an agent to market any part of the property for sale.

Equalities Impact of the Proposal

8. This proposal does not give rise to any adverse or positive equality impacts

Environmental and Climate Change Considerations

9. Where livestock is farmed there can be a risk of unacceptable high levels of nitrates entering watercourses and such incidents can result in pollution incidents and prosecution by the Environment Agency. At present the three farms at the Sedgehill have outdated fixed equipment and slurry handling facilities and under the terms of the tenancy agreements of Church Farms no.1 and no.3 it is the responsibility of the Council to provide compliant facilities, whilst at Berrybrook Farm the responsibility lies with the tenant. Disposal of the property will absolve the Council of these potential liabilities.

The disposal of Church Farm No. 3 from the Council's property portfolio will have the consequential impact of removing the carbon emission from the Council's carbon footprint. The Council is paying directly pays the energy bill for this property because it is void as it's condition makes it uninhabitable. For the remainder of the property there will be no impact on the Council's carbon footprint.

Risk Assessment

10. Regular reports on progress of property disposals are provided to the Committee within the Capital Monitoring Report. These reports are based on a review of risks on disposals, and will enable future forecasts on the out-turn position on receipts to be tracked during the course of the year.

As vacant possession is provided in respect of each farm, the holding will be assessed to quantify risk in respect of being a void property and appropriate action will be taken to mitigate these risks.

Risks that may arise if the proposed decision and related work is not taken

11. a) There is a risk that the condition of the Grade II listed farmhouse at Church Farm No.3 will deteriorate further requiring increasingly expensive intervention to preserve the structure. This is also represents a reputational risk because the Council as planning authority has the relevant enforcement powers to serve a repairs notice requiring the repair of a listed building in order to safeguard it and ultimately also has compulsory purchase powers for the same reason.
- b) There is a risk that costly repairs will be required to further buildings on the holdings including the Grade II listed house at Berrybrook Farm.
- c) There is a risk of a pollution incident due to inadequate fixed equipment at Church Farms 1 and 3.
- d) There is a risk that if the existing tenants remain in occupation they will farm on a very low intensity basis and investment in the holding by the tenant will be difficult to justify.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

12. Risk	Management of Risk
a)The Council may be criticised for electing to dispose of the property as it forms part of the Council's smallholding estate and will therefore be contrary to the Council's other objective to provide opportunities to farm.	a) The property was first designated as 'surplus' in the rural AMP adopted in 2004 so it is a well established intention. I can be demonstrated that the property would require significant investment in order to provide a viable opportunity for new tenants to farm.
b) Declaring the property surplus will result in the local land market being flooded.	b) The property will be lotted appropriately and sales timed to avoid this.

Financial Implications

13. Due to ongoing negotiations with the tenants, this section of the report is considered to be commercially sensitive and is therefore enclosed as a Part 2 exemption at Appendix 3.

Legal Implications

14. The provisions of the existing tenancy agreements need to be taken into consideration and the current negotiations with existing tenants will need to be concluded prior to the land being disposed of on the open market. It may be necessary to put temporary occupational agreements into place in order to optimise the timing of sales of various lots.

Options Considered

15. Status quo – the Farmhouse at Church Farm no.3 cannot be left in its current condition indefinitely and could not be sold in isolation due to its proximity to the farm buildings at Church Farm no.s 1 and 3. The current financial challenges facing the farm tenants and their own specific circumstances make this an ideal time to negotiate with them to achieve vacant possession.

Apply for only part of the property to be declared available for sale – this would limit opportunities to optimise lotting and there is no part of the property (in terms of residential and farm buildings) which does not convey a significant repairing liability on the Council.

Conclusions

16. The future capital receipts generated from the sale of the property at Sedgehill will contribute to either investment into the Council's remaining agricultural holdings or wider capital programme and Treasury Management Plan. In addition, the disposal of the property over time will divest the Council of assets which have a high cost repairing liability in relation to their revenue potential.

Dr Carlton Brand
Corporate Director

Report Author: Barry Pirie - Associate Director – People and Business Service
5th December 2016

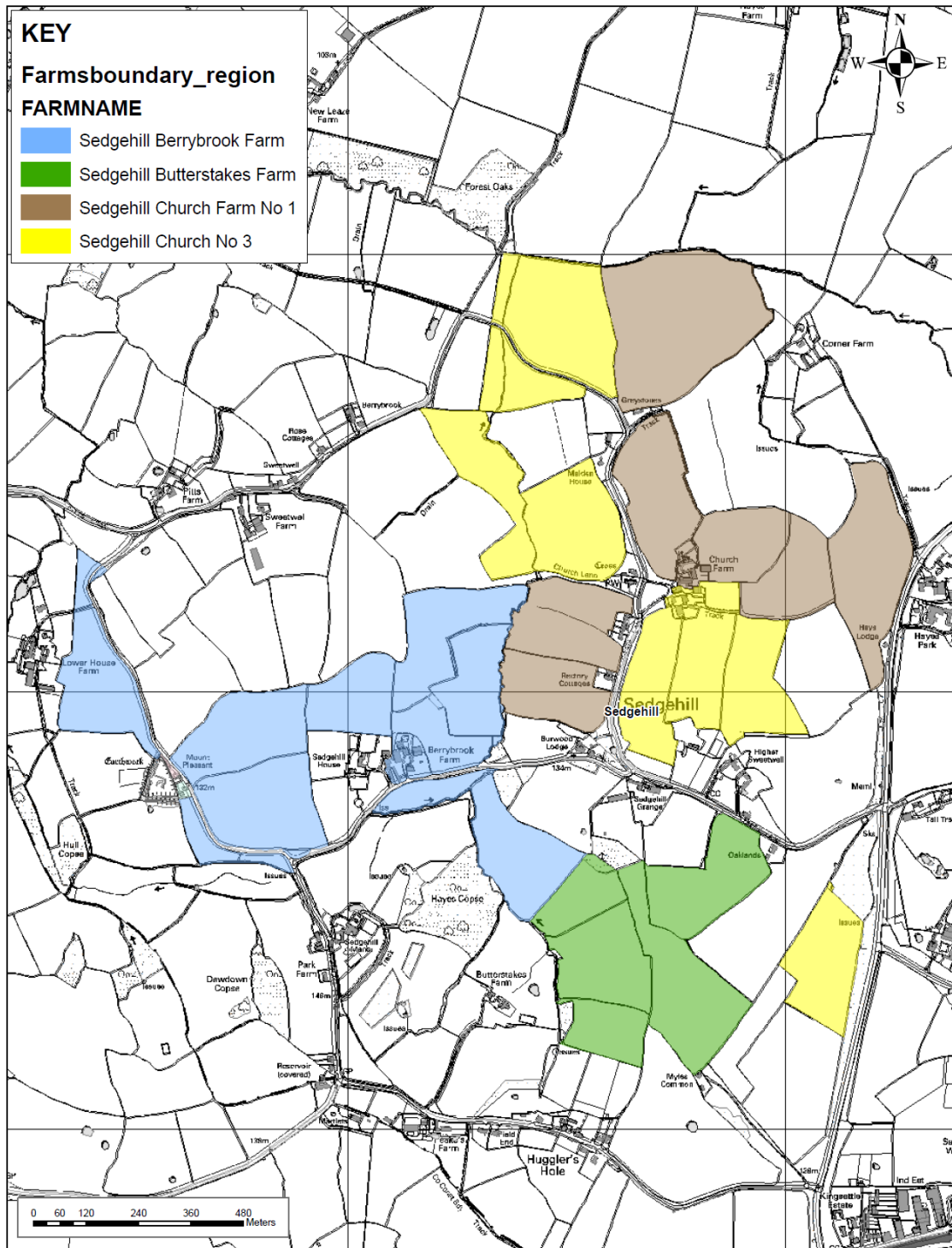
Background Papers - None


Appendices

Appendix 1 – Site Plan

Appendix 2 – Planning Policy Summary

Appendix 3 – Information Exempted from Main Report

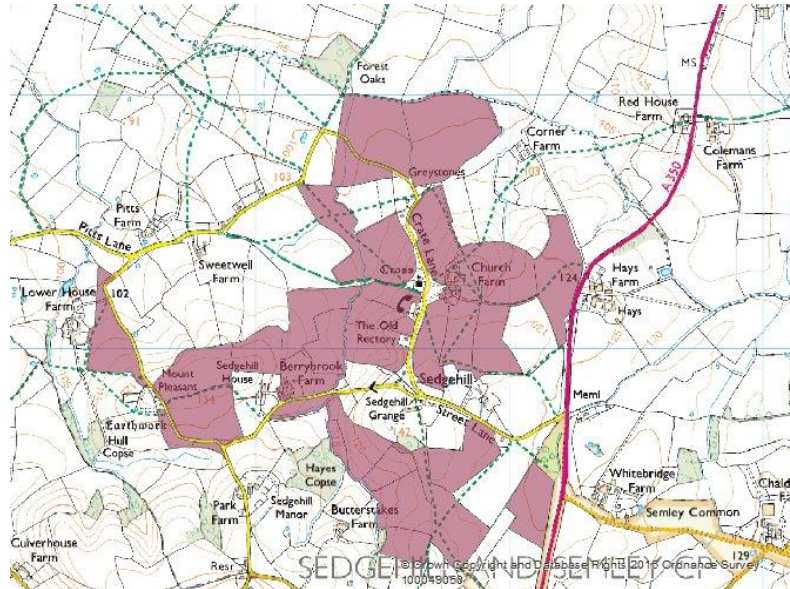


Title: Sedgemoor Farm Estates		Dr Carlton Brand BA MSc EngD Corporate Director Telephone 0300 456 0100	 <p>Where everybody matters</p>
Date:	January 2012		
Scale:	N.T.S	Crown copyright and database rights 2012 Ordnance Survey 100049050	
-	--		

PLANNING POLICY SUMMARY

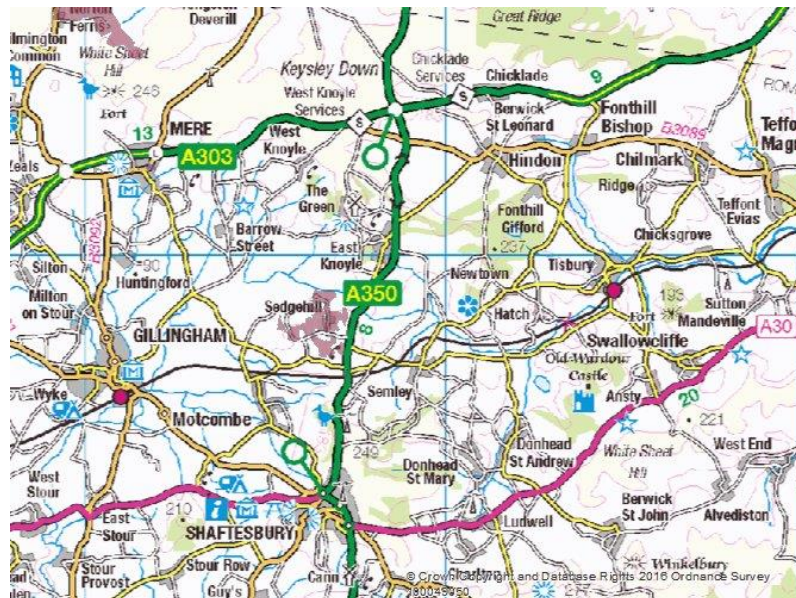
The Council's land holding comprises 298 acres situated around the rural hamlet of Sedgemoor as illustrated by Map 1 below:

Map 1.



Geographically it lies approximately 3.3 miles to the north of Shaftesbury, 4.2 miles to the south east of Mere, 4.9 miles to west of Tisbury and 3.7 miles to the east of Gillingham as illustrated by Map 2 below:

Map 2.



It falls within the Mere Community Area and is not well related to any defined settlements in the Wiltshire Core Strategy, as such for planning policy purposes it is located in the open countryside.

The nearest settlements within the County of Wiltshire are the small villages (Core Policy 1) of Semley/Semley Station which lies 1.8 miles to the east and East Knoyle which lies 1.6 miles to the north.

Within the Core Strategy the hamlet and surrounding area is covered by a Special Landscape Area designation (Policy C6, saved from the Salisbury District Local Plan). The Council's landholding also lies 0.4 miles from the edge of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

The hamlet lies 0.4 miles to the west of the A350 which is identified within the Core Strategy as a Strategic Lorry Route and the Council's land holding is served from this by a network of single track lanes.

The county border with Dorset (North Dorset District) lies less than 1 mile to the west. The nearest settlement in Dorset is Motcombe which lies 2 miles to the south west and has a settlement boundary but is not designated within the North Dorset Local Plan as being a town centre, centre with major influence or other centre with minor influence. The larger settlement of Gillingham lies 3.5 miles to the west and is designated for further growth to the south and east with specific sites having been allocated.

The Council's land holding comprises two residential farmsteads and 298 acres of bare land. The Residential farmsteads each comprise a Grade II listed dwelling together with a range of traditional farm buildings together with a range of agricultural structures such as silage clamps and slurry lagoons.

Based on the summary provided above it is considered:

1. Wiltshire Council's landholding at Sedgehill is unlikely to be capable of being brought forward for significant large scale development within the short or medium term future.
2. It may be possible for some small scale development to take place within the farmsteads but this is likely to be limited to further agricultural development and the conversion of farm buildings to appropriate alternative uses consistent with planning policy.

This page is intentionally left blank

Wiltshire Council

Cabinet Capital Assets Committee

17 January 2017

Subject: Assets to be declared surplus

Cabinet members: Toby Sturgis - Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Key Decision: No

Executive Summary

The council continually reviews and rationalises its asset portfolio in order to identify surplus assets for sale. A total of 7 assets are considered to be surplus to the council's requirements and it is recommended they be added to the assets held for sale disposals list and progressed to sale at or above market value in support of the council's wider capital programme.

Proposal(s)

1. That members declare 7 assets listed in the report as assets held for sale.
2. Authorise the Associate Director for People and Business to dispose of the assets at or above market value.

Reason for Proposal

To declare assets surplus so that they can be sold in order to generate capital receipts in support of the council's capital programme.

**Carlton Brand
Corporate Director**

17 January 2017

Subject: Assets to be declared surplus

**Cabinet members: Toby Sturgis
Cabinet Member for Strategic Planning, Development
Management, Strategic Housing, Operational Property
and Waste**

Key Decision: No

Purpose of Report

1. The purpose of this report is to declare 7 assets surplus and authorise their sale at or above market value.

Relevance to the Council's Business Plan

2. The disposal of assets raises capital to assist and support the council's medium term financial plan (MTFP) which subsequently supports the Council's Business Plan and its aims and targets.

Main Considerations for the Council

3. Since its inception in 2009 the council has sold assets in excess of £61m. There are a number of other surplus assets in the programme which are currently scheduled to be marketed and sold between now and the end of 2018/19 and it is anticipated that they will realise in the region of £30m.
4. In addition, the 7 assets listed in Appendix I are recommended to be declared surplus for disposal which will be sold over the next 4 years.

Background

5. The receipt of capital from the sale of assets is used to support the capital programme of investment in the communities of Wiltshire. Examples of the types of investment made and programmed to be made are provided in the Council's Budget but they range from investment in better roads, waste collection and recycling, care homes, health and wellbeing centres and initiatives to provide better and more efficient customer access to Council services.
6. Running, managing and holding assets is expensive but with careful investment as described above, services can be transformed and delivered in a way that improves customer satisfaction and relies less on needing a building/asset for service delivery.

7. Assets then become surplus to the core requirements of the Council and once sold, the capital realised can then be used to support further investment.

Safeguarding Implications

8. There are no safeguarding implications with this proposal.

Public Health Implications

9. There are no public health implications with this proposal.

Procurement Implications

10. The decision to declare assets surplus does not have any direct procurement implications. However, when the appointment of agents to market the assets or when pre-marketing surveys are required, their procurement is carried out in accordance with the council's procurement rules and policies.

Equalities Impact of the Proposal

11. None

Environmental and Climate Change Considerations

12. Where a sale envisages potential development, any environmental and/or climate change issues are best considered through the planning application process.

Risk Assessment

13. Regular reports on progress of property disposals are provided to this Committee within the Capital Monitoring Report. These reports are based on a review of risks of each disposal that takes into account legal issues and 3rd party interests over the asset, planning, market conditions and other factors to review and adjust future receipt out turn forecasts.

Risks that may arise if the proposed decision and related work is not taken

14. The MTFP for the council is, in part, dependent on the success of the disposal of property and assets. Failure to declare new assets surplus or to sell those that are currently declared will impact on the council's ability to achieve its business plan.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

15. A risk that may arise is that due to legislative or other changes a service need arises for an asset after it has been sold and the Council then has to look to acquire or rent in an asset. However, the list of assets has been

considered by the Corporate and Associate Directors and no service has identified a need that could be fulfilled by any of the properties on the list in Appendix I.

Financial Implications

16. As explained above, the realisation of capital from the sale of assets is used to support the MTFP and Council Business Plan. Reducing sales and the delivery of capital receipts will reduce the amount that the Council can invest in its communities and/or be used to reduce borrowings and thus free up revenue for delivering services. The disposal of surplus assets is not only integral to the council's medium term financial planning but often makes good asset management sense too.

Legal Implications

17. There are no legal implications with the paper other than it will result in legal work to formalise them. Each asset is to be sold at or above market value, thus ensuring that the best price properly payable will be received thus satisfying the requirements of S123 of the Local Government Act 1972. Market value will be determined by either open marketing of the sites or through an external valuation being procured to reflect any special circumstances. The assets will also be categorised as strategic assets due to their strategic importance to contribute to the MTFP and will not be available for Community Asset Transfer unless this Committee subsequently decides otherwise.

Options Considered

18. The alternative options would be to transfer the properties in another way or to not dispose of them at all, both of these have been discounted for the reasons set out in this report.

Conclusions

19. Declaring additional assets surplus to the requirements of the Council will provide additional funds for the Medium Term Financial Plan and Council's Business Plan.

Dr Carlton Brand
Corporate Director

Report Authors: Mark Hunnybun - Strategic Project and Development Manager,
and Mike Dawson - Asset Manager (Estates & Asset Use)

Background Papers

None

Appendices

Appendix I: Asset List

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3,5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank