

**Wiltshire Council**

**Cabinet Capital Assets Committee**

**14 September 2011**

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**Subject: Sarum Academy, Salisbury**

**Cabinet member: Councillor Lionel Grundy – Children's Services**

**Key Decision: No**

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### **Executive Summary**

The Council has secured Government funding for the redevelopment of Sarum Academy in Salisbury. The procurement process for design and build contract is underway and construction is scheduled to be completed by mid 2014.

It is anticipated that this will not meet the demand for secondary school places arising from the proposed housing numbers in the Core Strategy and therefore additional land will be required in the future.

The Wilton Estate, in conjunction with its preferred housing developer Persimmon Homes, owns land adjoining Sarum Academy and is prepared to grant the Council an Option to acquire additional land in return for access rights over some of the existing school land. In addition, the Council will be permitted to use the adjoining land during the construction period for recreational, parking and other educational purposes.

### **Proposal**

That the Council acquires an Option to purchase the 2.5 hectares (6.2 Acres) of land adjoining Sarum Academy, Salisbury on terms to be agreed by the Director of Transformation and Resources and the Solicitor to the Council.

### **Reason for Proposal**

The Option Agreement will safeguard the need for land to provide further secondary school places, together with the benefit of providing flexibility and mitigating health and safety risks during the proposed construction at Sarum Academy.

### **Carlton Brand**

Director of Transformation and Resources

### **Carolyn Godfrey**

Director for Children and Education

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**Purpose of Report**

1. To seek approval to enter an Option Agreement to acquire land adjoining Sarum Academy to safeguard land for additional secondary school provision in Salisbury, together with the benefit of providing additional land during the construction of the Academy.

**Background**

2. The existing buildings at Sarum Academy, Salisbury are in a very poor condition.
3. The Council has been awarded a substantial government grant to rebuild the majority of the premises.
4. The procurement of a design and build contract is well advanced with a commencement on site scheduled for next year and completion of the construction work towards the middle of 2014.
5. There is concern that during the construction period there will be a need to provide temporary facilities and to keep construction traffic away from the school as far as this is possible for health and safety reasons.
6. Accordingly, officers approached the Wilton Estate which owns the adjoining land to ascertain whether it would be prepared to grant the Council the right to use its land for such purposes.
7. The adjoining land, known as Fugglestone Red, is being promoted for a substantial residential development with associated facilities through the emerging Core Strategy by Persimmon Homes, Wilton Estate's preferred partner.
8. The area immediately adjoining Sarum Academy has been identified for secondary school development in Persimmon Home's proposed masterplan.
9. The Estate and Persimmon Homes are prepared to grant the Council the temporary rights that it has requested, but has also offered the Council an Option to acquire the adjoining land for educational purposes.

10. In return the Council would permit the existing access to the Academy to be used as a pedestrian and bus link between the Bemerton Heath residential estate and the proposed Fugglestone Red development.

### **Main Considerations for the Council**

11. Whilst there is no immediate need to acquire the adjoining land for secondary school provision, it is anticipated that there will be a demand arising from the amount of new housing identified for the Salisbury area in the Core Strategy.
12. Therefore the offer of an Option is in the Council's interests as it provides certainty and enables the Council to control the timing of any future secondary school development.
13. By entering into an Option Agreement at the same time as the securing temporary rights, it will save both parties duplication of professional fees in the future.
14. The link between the existing Bemerton Heath housing estate and the proposed Fugglestone Red development is seen by officers to be of benefit to the community.

### **Environmental and climate change considerations**

15. There are no direct environmental or climate change considerations arising from the proposal, but development at Sarum Academy and Fugglestone Red will have implications which will be dealt with at the planning application stage for both schemes.

### **Equalities Impact of the Proposal**

16. There are no equality impacts from the proposal.

### **Risk Assessment**

17. There is a risk that the adjoining land will not be required for future secondary school provision. However, the Option Agreement does not oblige the Council to acquire the land if it is not needed.
18. The procurement process for the development of Sarum Academy has not reached the stage of detailed assessment of the impact of the construction works on the operation of the school in terms of maintaining the provision of facilities and mitigating Health and Safety.
19. However officers are firmly of the view that there is a severe risk that both of these aspects will be compromised if additional land is not acquired for the duration of the construction programme.

### **Financial Implications**

20. The Council will be responsible for the Estate's reasonable legal costs and reinstating the land once the temporary use ceases.

21. The Estate will not charge the Council for the temporary use of the land, but if it exercises the Option at some point in the future then the Estate will be paid the value of the land for education purposes.

### **Legal Implications**

22. The Government has set rules for property ownership in relation to Academies and therefore the Sarum Academy Trust will need to be party to the Option Agreement. A report will be submitted to the Trust Board for approval.

### **Options Considered**

23. The Council could reject the proposal but there would be a significant risk to its ability to maintain provision of education facilities during the construction period, as well as health and safety implications.
24. This could also undermine the Council's ability to secure land for future secondary school provision in the Salisbury area in the future.
25. The Council could request the Estate to permit the temporary use of the adjoining land without entering an Option Agreement. However the Estate prefers to save the potential duplication in professional fees, as well as the benefit to its proposed Fugglestone Red development arising from the transport link with Bemerton Heath.

### **Conclusions**

26. It is in the interests of both parties to enter the proposed Option agreement.

### **Carlton Brand**

Director of Transformation and Resources

### **Carolyn Godfrey**

Director for Children and Education

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### **Background Papers**

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

None

### **Appendices**

Plan of the site