

From: Rebecca Spore, Director of Infrastructure

To: Brian Collins, Deputy Leader

Subject: Freehold Disposal of Land at Former Spires Academy, Bredlands Lane, Westbere, Canterbury, CT2 0HD

Decision no: 25/00113

Key Decision: Yes, the decision involves expenditure or savings of minimum £1m

Classification: *Unrestricted report with exempt appendix A, not for publication under the Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 refers - information relating to the financial or business affairs of any particular person (including the authority holding that information).*

Future Pathway of report: Cabinet Member Decision

Electoral Division: Herne Village and Sturry – Local Member Mark Mulvihill (Reform UK)

Is the decision eligible for call-in? Yes

Summary: This report considers the proposed disposal of Land at Former Spires Academy, Bredlands Lane, Westbere, Canterbury, CT2 0HD.

Recommendation(s):

The Deputy Leader is asked to consider and endorse or make recommendations on the proposed decision to agree to:

1. the disposal of Land at Former Spires Academy, Bredlands Lane, Westbere, Canterbury, CT2 0HD; and
 2. to delegate authority to The Director of Infrastructure, in consultation with the Deputy Leader, to finalise the terms of the disposal and execution of all necessary or desirable documentation required to implement the above.
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1. Introduction

- 1.1 This report addresses the Council's intention to sell land at Former Spires Academy, Canterbury.
- 1.2 The site is currently vacant and situated in Westbere, Canterbury. The site is rectangular in shape and covers approximately 1.36 hectares.
- 1.3 In terms of the surrounding area, to the north of the site is a coach depot, comprising a hard standing and a small office building accessed via Bredlands Lane. Adjacent to the south of the site is a modern housing development by Matthew Homes, primarily made up of two-storey detached and semi-detached dwellings. To the southeast, on the opposite side of Bredlands Lane is the

relocated Spires Academy, playing fields and associated car park. Adjoining the site to the north and west is an area of heavy mature tree coverage.

- 1.4 An aerial photograph below identifies the full extent of the site with the red line boundary setting out those areas that are proposed to be subject to the disposal:



- 1.5 Exempt Appendix A includes a full analysis of options with financials included. This information is commercially sensitive.
- 1.6 A site plan is attached in Appendix B.

2. Background

- 2.1 The site was previously used as playing fields for the former Spires Academy which was situated immediately to the south of the site. The school site was sold to Matthew Homes Limited in 2017 and redeveloped to provide 80 dwellings. A new school was built as a replacement, on the opposite side of Bredlands Lane and benefits from enhanced playing field provision. The subject site has been vacant since the school's closure and relocation in 2013.
- 2.2 KCC have instructed external consultants and obtained pre-application advice in December 2024 with a favourable response from Canterbury City Council for residential development.
- 2.3 The site has been submitted to Canterbury City Council in the "call for sites" and has been allocated in the Draft Canterbury District Local Plan under Policy N33 for 37 dwellings.

3. Options considered and associated risk

- 3.1 **Reuse the site:** KCC has no current operational requirement for the site.
- 3.2 **Continue to hold the site vacant in case of a future requirement:** Continuing to hold the site will leave the Council with significant ongoing costs for securing it against unauthorised access and potential claims for injuries arising from any trespassing. There is no identified alternative use to justify holding it.
- 3.3 **Disposal of the asset:** A freehold disposal will allow a capital receipt to be generated for reinvestment back into the Council's stated capital priorities and support the delivery of the Council's statutory obligations and reduce holding costs associated with the property.
- 3.4 **Letting the property as part of the Tenanted Estate to generate an income:** There are no structures or buildings on the site, and the property currently generates no income. The prospect of securing an agricultural tenancy or licence agreement could be pursued although this is unlikely to secure a significant income and is considered unviable. KCC would also forgo any capital receipt whilst this option was pursued.
- 3.5 A freehold disposal is proposed option to be taken forward for the site, seeking offers on an 'all enquiries' basis to ensure all potential interest is explored in line with the Council's statutory duties and to deliver a capital receipt.

4. Marketing

- 4.1 Subject to the necessary approvals being forthcoming, KCC will appoint a suitably qualified agent to openly market the site in Q1/2 2026 on an 'all enquiries' basis to allow any interested parties to submit a bid for the site.
- 4.2 A marketing campaign to advertise the site through various media channels will be undertaken to ensure a wide audience is reached; appropriate due diligence will be undertaken on any bidders.
- 4.3 Bids will be appraised in line with the Council's legislative and fiduciary duties, and in compliance with KCC Freehold Asset Disposal Policy and any other relevant Council policies.
- 4.4 Following the formal submission of bids, these will be assessed considering:
- Ability for the purchaser to complete within the proposed timescales
 - Overall price, any pricing caveats or exclusions
 - Any conditionality on the proposals and the deliverability of those
 - Compliance with the Local Plan affordable housing requirements, if appropriate
 - Deliverability of the proposals submitted, if they are reliant on the planning process.
 - Funding security
 - Any cost benefit that may be relevant in the delivery of KCC statutory services.

5. Financial implications

- 5.1 The sale of the property will result in a capital receipt which will be reinvested back into the Council's Capital Programme and will offset the previous investment by KCC in the new primary school.
- 5.2 The disposal will remove holding costs associated with the site, easing pressure on revenue budgets.
- 5.3 Further financial information is set out in the Exempt Appendix A.

6. Legal implications

- 6.1 The Council has an overarching duty under s123 of the Local Government Act 1972 to obtain not less than best consideration in the disposal of property assets. It also has a fiduciary duty to the residents of Kent.
- 6.2 External legal advisors will be appointed in consultation with KCC legal services.

7. Equalities implications

- 7.1 The Key Decision to be taken by the Cabinet Member does not relate to a service delivery or change.
- 7.2 Separately, an EqIA has been undertaken and has not resulted in any implications which might impact upon a disposal of the Council's interest. See Appendix D.

8. Data Protection implications

- 8.1 As part of this approval process and in the handling of marketing/conveyancing of the site Data Protection regulations will be observed.
- 8.2 A Data Protection Implication Assessment (DPIA) screening has confirmed that there are no DPIA implications and that a further DPIA assessment is not required in respect of this decision.
- 8.3 The site has been inspected, and no sensitive material remains on site.

9. Other corporate implications

- 9.1 None - This decision will not have any impact on other areas of the Council's work.

10. Governance

- 10.1 A Key Decision is being sought in line with the Constitution and the Council's governance processes. It is expected that the level of receipt will be in excess of the delegated threshold and therefore a Key Decision is required.
- 10.2 In accordance with the property management protocol the views of the local Member, Mr Mulvilhill, have been sought and will be reported to the Cabinet Member taking the decision. To date no views or comments have been received.
- 10.3 Delegated authority is to be given to the Director of Infrastructure, in consultation with the Deputy Leader, to finalise the terms of any disposal and execution of all necessary or desirable documentation required to implement a decision to affect a disposal.
- 10.4 The Government has announced plans for Local Government Reorganisation (LGR), aiming to abolish two-tier government by 2028. At present, KCC has not received specific guidance from Central Government about how LGR will be implemented in Kent and Medway; further details are expected between May and August 2026. Until directed otherwise, KCC remains responsible for making decisions in the best interests of Kent taxpayers and disposing of assets it no longer requires.
- 10.5 When the exchange of contracts is approaching, the Director of Infrastructure will consider all relevant factors including financial considerations, any pending LGR decisions, and applicable legislation before finalising any contract agreements.
- 10.6 If at any point prior to the exchange of contracts a KCC service requirement becomes apparent, the Director of Infrastructure has the authority to withdraw the disposal from the sale and reallocate the asset to a KCC service user.

11. Next Steps and Conclusions

- 11.1 An indicative timetable for the planned disposal is set out below:

Policy and Resources Cabinet Committee	January 2026
Commence Marketing	February 2026
Exchange of Contracts	September 2026
Completion of Contracts	Q2 2028

- 11.2 The site has been declared surplus to the Council's operational requirements.
- 11.3 In accordance with the Council's strategy of recycling assets to produce capital receipts for reinvestment into capital project priorities, it is recommended that this site is progressed for disposal.

11.4 Subject to the necessary approvals being forthcoming, KCC will instruct Solicitors and Surveyors to prepare and execute a disposal strategy to affect a disposal in accordance with adopted KCC Freehold Property Asset Disposal Policy and its statutory and fiduciary obligations.

Recommendation(s):

The Deputy Leader is asked to consider and endorse or make recommendations on the proposed decision to agree to:

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 2. to delegate authority to The Director of Infrastructure, in consultation with the Deputy Leader, to finalise the terms of the disposal and execution of all necessary or desirable documentation required to implement the above.
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12. Appendices

Appendix A – Exempt Appendix A

Appendix B – Site Plan

Appendix C – Proposed Record of Decision

Appendix D – Equalities Impact Assessment

13. Contact details

Lead Officer:	Relevant Director:
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