

# SALISBURY CITY COUNCIL

## Report

**Subject** : Land off Rawlence Road  
**Committee** : Full Council  
**Date** : 17 January 2022  
**Author** : Annie Child, City Clerk

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### 1. Report Summary:

1.1. The report considers the future use of a strip of land off Rawlence Road.

### 2. Background:

- 2.1. Since 2009 Salisbury City Council (SCC) has owned the land known as The Folly, part of which is near Rawlence Road.
- 2.2. Wiltshire Council (WC) owns a block of garages which is accessed from Rawlence Road via a single width access road. These garages are no longer in use.
- 2.3. A map at Annex A shows a map of The Folly, the land owned by SCC, and the garages owned by WC.
- 2.4. WC is seeking to develop the land on which the garages sit to provide six 2 bed affordable houses.
- 2.5. The land was previously owned by WC and transfer into SCC ownership on in 2009 when the City Council was formed.
- 2.6. The strip of land WC wish to acquire is shown on the map at Annex B as a green rectangle (not to scale). The acquisition of this strip of land will improve the access to the site which will allow refuse vehicles and other vehicular access to take place safely.
- 2.7. The Environmental Services Manager will oversee the release of this land if agreed.

### 3. SCC/WC Service Level Agreement:

- 3.1. The 2009 WC/SCC transfer documents shows that:
  - 3.1.1. SCC paid £1 for the land.
  - 3.1.2. If the City Council's community use of the land ceases, then the City Council must offer the land back to Wiltshire Council for the sum of £1.
  - 3.1.3. WC can then use the land for an 'Alternative Community Use'. Affordable housing comes within the definition of that term.
  - 3.1.4. If the subsequent use by WC for affordable housing ceases, unless there is another alternative community use, the land must be sold on the open market and half of the net proceeds of sale passed to SCC.

#### 3.2. Disposal of Land:

- 3.3. SCC's [Standing Orders](#) (Para 33.2.1) shows that the approval of purchase, acquisition by other means, lease, sale or **disposal** of land and property is a matter reserved for Full Council.
- 3.4. SCC's [Land and Property Disposal Policy](#) shows that:
  - 3.4.1. *SCC will dispose of land and property when agreed by the Council to support its strategic aims (Para 2.2).*
  - 3.4.2. *All external requests to purchase SCC land or property will be considered on a case by case basis and any potential purchaser would need to make a compelling argument why such a disposal would be beneficial to the City of Salisbury and its residents. (Para 2.3).*
  - 3.4.3. *Before SCC determines to dispose of any of its land to any potential purchaser it must first address the following questions:*
    - 3.4.4. *Is the land surplus to requirements?*
    - 3.4.5. *Is its disposal likely to promote or improve the economic, social or environmental well-being for all or any residents near it? (Para 4).*
- 3.5. The land can be considered surplus to requirements – it forms an insignificantly small part of the larger area of land which will be unaffected by its sale.
- 3.6. The well-being of Salisbury residents will be improved by the provision of social housing.

#### 4. Potential Future Use of the Land:

- 4.1. Wiltshire Council (WC) has obtained funding from [Brownfield Land Release Fund](#) (BLRF) Funds to support its development of this site.
- 4.2. Due to the small, constrained nature of this garage site and the limited number of homes that the site can accommodate the cost of the development was not viable without this funding.
- 4.3. WC's grant application form which is attached to this report give further details of the project. *This document is sensitive and for councillors' review only. **It must not be further circulated.*** WC plans to re-engage with the neighbouring community as the project progresses and the information shown in this document will be more widely shared at that time.
- 4.4. WC has agreed to pay any reasonable legal fees SCC incurs from this transaction.

#### 5. Recommendation:

It is recommended that the Council:

- 5.1. Declare that SCC's community use of the land in the green rectangle on the map at Annex B has ceased. This is to allow WC to acquire the land for £1 to allow its use for affordable housing.
- 5.2. Note the WC will pay SCC's reasonable legal fees relating to this transaction.

#### 6. Wards Affected: Bemerton Heath.

#### 7. Background papers:

- 7.1. SCC's [Standing Orders](#).

- 7.2. SCC's [Land and Property Disposal Policy](#).
- 7.3. Map at Annex A (Doc 84840).
- 7.4. Map at Annex B (Doc 84841).
- 7.5. WC's BLRF grant application form (Doc 84839) – not for further circulation.

## **8. Implications:**

- 8.1. **Financial:** As shown in this report.
- 8.2. **Legal:** As shown in the report.
- 8.3. **Personnel:** None in relation to this report.
- 8.4. **Environmental Impact:** None in relation to this report.