

Your Guide To School Land Disposals

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Barker Associates



Building Futures Together

For many decades, Barker has been helping education providers create inspiring, sustainable environments where people work, learn, and play.

As a multi-disciplinary property consultancy, the company's strength lies in its deep understanding of how education organisations are governed, financed, and operated. Its fully integrated team delivers solutions at every stage of the development and delivery process, working collaboratively with everyone involved.

This guide presents key land development information for school leadership teams while drawing upon sector-specific insights from a business with nearly 40 years of experience in supporting organisations in the education space.

Exploring Development Opportunities

The education estate is among the most valuable and complex in the public sector. It also represents one of the largest land holdings in the country.

There are around 22,000 schools and colleges across England, with a floor area of over 80 million m² set across approximately 70,000 buildings and a total estimated land holding of around 50,000 hectares.

The Barker view, as echoed in the DfE's Education Estates Strategy, is that land and buildings are not just necessities; they form the link between operational assets and pupil outcomes. A good estate strategy should consider ways to unlock land opportunities for long-term investment.

This guide outlines a structured, informed approach to developing school land. It's designed for those ready to explore opportunities to release value from underused areas, reinvesting proceeds in future-facing improvements.



Important Considerations

Responsible bodies and school landowners are always encouraged to research their statutory and contractual obligations when it comes to disposing of or redeveloping school assets and seek professional guidance as a matter of course.

Additionally, land disposal should always sit alongside a wider strategic management plan. This should be developed in line with the government's new 10-year Education Estates Strategy, a national renewal plan for England backed by a £38 billion capital investment.



Understanding Your Estate

Ownership structures within school estates vary significantly, with land held across local authorities, academy trusts, diocesan bodies, trustees, and other organisations. Individual sites also differ widely; some operate at capacity, while others contain underutilised or surplus land.

This variation makes effective estate management increasingly important. A well-managed estate is not simply about maintaining buildings. It's about ensuring land and assets are aligned with educational priorities, financial sustainability, and long-term strategic goals. When approached proactively, the latent value in school land holdings can become a catalyst for enabling investment, improving facilities, and supporting a sustainable growth strategy that enables schools to improve educational outcomes for children and maximise community engagement.

It's also important to recognise that responsibility for managing a school does not always sit alongside ownership of the land itself. Many schools occupy sites held by third parties (often local authorities), meaning that any proposed changes require early engagement with freeholders and other interested parties. Understanding these relationships and any associated legal or charitable constraints is essential to shaping viable proposals.

This guide does not encourage the disposal of school land as a default approach. Instead, it supports leadership teams in making informed decisions about their estates, ensuring that all options are considered carefully and that any development aligns with the long-term needs of the school and its community.

Under the right circumstances, significant potential can be unlocked through the sale of land, and this capital release can be reinvested in capital projects which improve the learning environment for children, as demonstrated in the [DfE's Bramcote College case study](#).



Project Governance & Management

Before any project begins, it is essential to assess the organisation's internal capabilities. Development projects require leadership, coordination, and specialist knowledge across multiple disciplines.

Key early considerations include:

- Appointing a dedicated project lead
- Establishing clear governance structures or a project board
- Defining decision-making processes and approvals
- Reviewing funding mechanisms and financial oversight, including ensuring a sufficient budget can be set aside to unlock the project

Where in-house expertise is limited, engaging an experienced multidisciplinary team ensures the project is properly structured from the outset and reduces risk as complexity increases.

At the end of each stage of the land disposal process, it is recommended to take the opportunity to review the progress made to date and formally consider whether the project remains viable.



The School Land Development Process

While every estate is different, successful projects consistently follow a clear process, with suitable decision-making gateways at each stage. The key stages are understanding the site, engaging stakeholders, testing feasibility, and delivering outcomes effectively.

A comprehensive understanding of the estate is the foundation of any successful development project. This should align with the broader **construction project lifecycle**, from early strategic definition through to design, delivery, and long-term use, because every decision made now will impact project outcomes later.



Stage 1: Understanding The Site

Identifying Underutilised Land

Start by reviewing how the site is currently used and how it may be used in future. Consider:

- Areas that are underutilised or no longer essential
- Net Capacity Assessments (NCAs) to determine maximum capacity
- Changing pupil numbers and long-term capacity needs (supported by pupil place planning and SCAP data)
- Shared or community use of facilities

Benchmarking against DfE area guidelines and design standards can provide an initial indication of surplus land, but this must be balanced with operational realities.

Care must also be taken to:

- Fully understand the condition of your buildings. This enables the more effective prioritisation of repairs and upgrades before considering further ways to maximise the use of the space
- Identify any potential areas for investment, such improved sports facilities or new teaching blocks, and how current land resources can support these goals



Legal and Ownership Clarity

Understanding who owns the land and what restrictions apply to its usage is critical. An early legal review should confirm:

- Freehold ownership and any third-party interests
- Restrictions such as covenants or lease limitations
- Any existing financial charges or obligations

A thorough approach at this stage is essential, because any gaps in due diligence may lead to significant project delays. We recommend the early appointment of a specialist legal team to provide a detailed legal review of the proposals.

Planning Context

Development viability depends heavily on planning policy.

The team should review:

- The Local Plan and any planning designations relating to the site
- Previous applications and precedents
- Environmental or heritage constraints

If the site is in Green Belt/Metropolitan Open Land (MOL) or has other significant planning constraints, a planning strategy will need to assess whether a “Very Special Circumstances” argument could apply.

Technical Constraints

Early technical insight into the below areas helps to define what is realistically achievable:

- Site access and infrastructure
- Ground conditions and utilities capacity
- Environmental considerations (e.g. ecology, flood risk)

Identifying constraints early allows for mitigation strategies to be built into the scheme from day one. This is where specialist advice is invaluable.

Completion of this stage is an important milestone in the project lifecycle and it is essential to gather the all the information into a single place to enable a gateway decision to be made on whether to progress to the next stage.



Interpreting Condition and Energy Data

Gathering condition and energy data in one place enables school leaders to make informed decisions about the future development of their sites.

Condition data highlights issues with buildings and infrastructure, helping schools identify maintenance priorities, safety concerns, and areas requiring refurbishment or replacement. Energy data shows how efficiently school buildings operate by identifying patterns in electricity, heating, and water usage.

Together, these allow leaders to plan spending more effectively, reducing running costs and improving sustainability.

Stage 2: Feasibility and Option Testing

At this stage, schools translate initial ideas into informed decisions.

The focus is on assessing whether development proposals are practical, viable, and aligned with long-term estate priorities.

This typically involves input from planning, design, cost, and development specialists, supported by targeted surveys to test site-specific constraints.

The outcome is a clear evidence base that enables leadership teams to decide whether to proceed, refine proposals, or halt the project, ensuring any next steps are grounded in both strategic need and deliverability.

A structured feasibility process provides further detail on:

- The scale and type of development that could realistically be delivered
- Planning constraints, technical risks, and site limitations
- Potential value and financial returns
- How proposals support wider estate improvements





Surveys and Technical Investigations

Site-specific surveys inform risk and design. Many different types of surveys may be required, but the most common ones include:

- Topographic and environmental assessments
- Transport, highways, and access studies
- Utilities and infrastructure reviews
- Heritage assessments
- Condition surveys for existing facilities
- Net capacity surveys

Many responsible bodies will already hold this information as part of the compliance obligations.

Development and Viability Appraisals

At this stage, the focus is on answering key questions:

- What type of development is appropriate?
- Is the scheme financially viable and what level of capital receipt is achievable?
- What delivery route offers the best balance of risk and return?
- How does this align with the proposal capital project and budget?

A well-developed development appraisal provides the confidence needed to progress, or the clarity to reconsider.

Project teams should also establish the best route to market for the proposed scheme, taking account of the key development factors.



In addition to a development appraisal, a Red Book Valuation, undertaken by a suitably qualified RICS Registered Valuer, will be required. Whilst not necessarily needed at the feasibility stage, it will be required to support any DfE Land Transaction application and to meet any legal and financial reporting requirements.

Planning Appraisals

An early understanding of the likelihood of securing planning permission for the scheme is essential.

Planning advice should inform the masterplan and development and viability appraisal, taking into account the local plan and other local and national planning policies.

A planning strategy should also provide an assessment of risk, and any potential developer contributions required.

A pre-application submission (pre-app) is often recommended at this stage to obtain early feedback from the local planning authority (LPA).

Finally, the planning strategy should provide a proposed route from preparation and submission of the planning application, through to progressing the application and negotiation of any planning agreements to obtain the decision notice.



Masterplanning

The proposed development masterplan should be shaped by the opportunities and constraints identified through planning appraisals, stakeholder consultation, site surveys, and analysis of the local area and property market.

Masterplanning is usually an iterative process that evolves through ongoing engagement with stakeholders, including the local planning authority.

The level of detail required will depend on the complexity of the project and the intended development or disposal strategy, with larger or more complex schemes generally requiring more comprehensive planning and assessment.

Cost Consultancy

The viability of the scheme requires a thorough understanding of the development and construction costs.

Working closely with a cost consultant through the development of the masterplan will ensure that the proposal maximises the value of the land identified for disposal, and that the works to the retained school site can be delivered within the allocated budget.



Once the feasibility stage is complete, the project team should be able to determine whether the project is deliverable, the likely land receipt and have a costed plan for reinvesting the proceeds.

Stage 3: Stakeholder Engagement

Development projects in the education sector involve a wide range of stakeholders. Engaging with them early and meaningfully is important to build support for proposals and avoid project delays.

This engagement should be carefully timed. Communications need to happen early enough in the process to shape proposals, but only once there is a clear and credible vision.

A range of groups will need to be consulted, including:



Governors &
Trustees



Staff, Pupils &
Parents



Local Authorities &
Planning
Bodies



Community
Organisations &
Sports Groups



Landowners,
Dioceses or Trust
Bodies



“

Planning your development is one thing but handling the process transparently and sensitively with pupils, local residents, and the wider community is crucial.

Your project management team must clearly articulate why the project is being proposed. They need to tell the story for maximum engagement and explain how better use of the land will benefit everybody in the years to come.

WILL ATTLEE, PARTNER AT BARKER

Involving the Secretary of State

It is usually necessary to involve the Secretary of State in the land transaction. There are requirements under legislation, and for academy trusts in the funding agreement and Academy Trust Handbook, to obtain the Secretary of State's prior consent for certain land transactions and to give notice to the Secretary of State of other land transactions.

Different rules apply depending on who holds the land, the type of transaction being proposed, and whether the land includes playing fields.

Transactions that are likely to require prior approval from the Secretary of State include:

- Selling school land or buildings
- Granting leases or easements
- Changing the use of playing field land
- Disposing of former school sites
- Entering into development agreements
- Transferring freehold or leasehold interests

The DfE has a policy presumption against the loss of school land, which is particularly strong in the case of playing field land. It is necessary to demonstrate the transaction is justified, and any loss of land should be mitigated by other improvements/benefits for the school or other schools in the area. A consultation is required if the transaction involves the disposal of playing field land.

Applications should be submitted as early as possible and are managed by the DfE's Land Transactions Team.

➤ **Find more information on involving the Secretary of State in school land transactions.**





Involving Sport England

Sport England is a statutory consultee in the planning process for school developments involving playing field land or land used for sport, meaning local planning authorities are required to seek its views before determining an application.

This typically applies where a school is proposing to:

- Build on or dispose of existing playing fields
- Change the use of sports pitches or outdoor sports areas
- Redevelop land used for formal sport or recreation
- Reduce the quantity or quality of sports provision
- Relocate sports facilities as part of a wider site redevelopment

Sport England's role is to help protect access to sport and physical activity facilities and ensure that any loss is justified or adequately mitigated. This is particularly important because a significant proportion of playing fields are located on school sites.

Schools and trusts should consider consulting Sport England early in the planning stage to avoid delays and ensure proposals align with planning policy and sports provision requirements.

➤ **Get further advice on the protection of school playing fields and public land.**

Once the initial stakeholder engagement stage is complete, feedback has been considered, and any required approvals have been obtained, the project is ready to progress.

Stage 4: Disposal

This is where the strategy comes to life. This stage should be approached with a clear plan for both releasing value from the estate and, if applicable, reinvesting it effectively.

Land Disposal: Releasing Value

Selecting the right disposal strategy is critical to achieving value while managing risk. Options may include a sale via private treaty, public auction, informal tender or formal tender.

The disposal structure will also depend on the complexity of the project, the state of the market, financial requirements and timings, and the appetite for risk vs price certainty.

Common structures include an unconditional sale, a conditional sale, or a development agreement (the latter of which involves a contract with a partner in the private sector). Parties must agree the heads of terms and negotiate the legal contracts before the sale can complete.

Once the necessary funds have been released via the sale process, delivery of your capital project can begin.

At this stage, coordination becomes especially important. Leadership teams often rely on specialist partners to liaise with land agents and development partners, manage communications between stakeholders, act as an intermediary for school staff who may not have development expertise, and oversee programme delivery on behalf of the school.

► **Further reading: Effective Project Management for Project Outcomes**



Key Principles For Success

Across all stages, successful projects share common characteristics:



Early Clarity

Understanding constraints and opportunities from the outset



Strong Governance

Clear roles, responsibilities, and decision-making



Integrated Expertise

Coordinated input across



Stakeholder Alignment

Proactive communication and



Long-Term Thinking

Focusing on outcomes, not just

For leadership teams willing to explore these opportunities, the right structure, advice, and delivery support can turn underused space into a catalyst for lasting improvements at any school site.



Developing school land is a complex but potentially transformative process. When approached strategically, it can unlock significant value, both financially and educationally.

Further Reading

- Read the **policy paper pertaining to the Education Estates Strategy**, the government's 10-year plan to improve the education estate in England.
- Guidance such as the **Department for Education's Good Estate Management for Schools (GEMS)** reinforces the need for a structured, strategic approach. Development should be considered within this broader context, not as an isolated activity, but as part of a long-term plan for the whole estate.
- Review the School **Estates Management Standards (SEMS)** for DfE's recommended practices and processes for effectively managing the school estate.
- Review the **Estate Management Competency Framework** for more guidance on the functions, skills, knowledge and training needed to manage the school estate.
- **Find out when to involve the Secretary of State in school land transactions.**



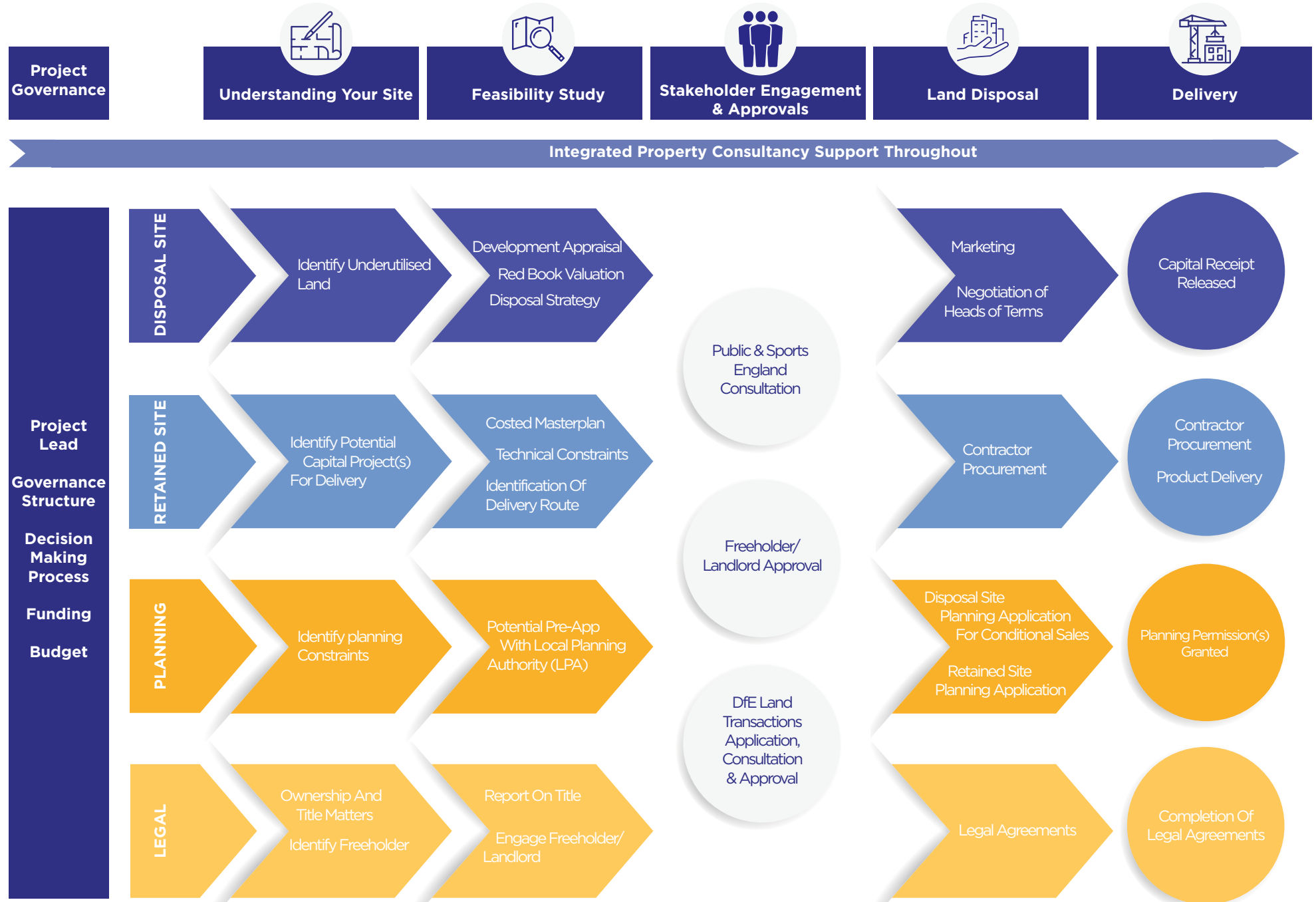
Barker

Barker acts as a trusted guiding hand throughout the sale and redevelopment of school land.

The team's multidisciplinary experience within education allows projects to be managed cohesively and its consultants bridge the gap between strategy, technical delivery, and stakeholder needs while ensuring minimal disruption to day-to-day school operations.

➤ **Contact Barker now for further information and fully tailored support.**

School Land Disposals - Process Overview



The Barker logo consists of a dark blue square with a white diagonal line running from the top-left corner to the bottom-right corner. The word "Barker" is written in white, sans-serif font, positioned below the diagonal line.

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