



## LEAD MEMBER FOR RESOURCES

**DECISIONS** to be made by the Lead Member for Resources,  
Councillor David Elkin

**THURSDAY, 15 SEPTEMBER 2016 AT 12.00 PM**

**COMMITTEE ROOM, COUNTY HALL, LEWES**

### **AGENDA**

- 1 Decisions made by the Lead Cabinet Member on 20 May 2016 (*Pages 3 - 4*)
- 2 Disclosure of Interests  
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct
- 3 Urgent items  
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
- 4 Notice of Motion: Make fair transitional state pension arrangements for 1950s women (*Pages 5 - 10*)  
Report by the Chief Operating Officer
- 5 Future use and development of the former St Anne's School site, Lewes (*Pages 11 - 16*)  
Report by the Chief Operating Officer
- 6 Former Beaconsfield College land, Crowborough (*Pages 17 - 20*)  
Report by the Chief Operating Officer
- 7 Disposal of part of Hye House Farm, Crowhurst (*Pages 21 - 24*)  
Report by the Chief Operating Officer
- 8 Any urgent items previously notified under agenda item 3

PHILIP BAKER  
Assistant Chief Executive  
County Hall, St Anne's Crescent  
LEWES BN7 1UE

7 September 2016

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## LEAD MEMBER FOR RESOURCES

DECISIONS made by the Lead Member for Resources, Councillor David Elkin, on 20 May 2016 at County Hall, Lewes

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Councillors Keeley and Pursglove spoke on items 4 and 7 (see minutes 3 and 5)

### 1 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 22 DECEMBER 2015

1.1 Councillor Elkin approved as a correct record the minutes of the meeting held on 22 December 2015.

### 2 REPORTS

2.1 Reports referred to in the minutes below are contained in the minute book.

### 3 UK MUNICIPAL BONDS AGENCY PLC

3.1 The Lead Member considered a report by the Chief Operating Officer.

#### DECISIONS

3.2 RESOLVED to (1) agree the Council becoming a shareholder and committing funding to an investment of £40,000 to the UK Municipal Bond Agency PLC; and

(2) agree that further Members' approval will be required to sign the Framework Agreement and its accompanying schedules including the joint and several guarantee.

#### Reasons

3.3 There is no immediate plan or need to borrow through the UK MBA PLC, but as a shareholder the Council would be able to access preferential rates.

### 4 EXCLUSION OF PUBLIC AND PRESS

4.1 RESOLVED to exclude the public and press from the meeting for the remaining agenda items on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

### 5 ANNUAL WRITE-OFF OF DEBTS 2015/16

5.1 The Lead Member considered a report by the Chief Operating Officer.

#### DECISIONS

5.2 RESOLVED to (1) authorise the writing off of 17 debts amounting to £148,147.93 in the Council's 2015/16 accounts;

(2) note that provision is made for bad and doubtful debts; and

(3) note the positive steps being put in place to make improvements going forward.

#### Reasons

5.3 There is no prospect of recovering the 17 outstanding debts. Work continues to review and streamline the debt recovery process, to learn the lessons and to ensure we have robust systems and processes in place within Accounts Receivable to recover debt promptly.

# Agenda Item 4

Report to: **Lead Cabinet Member for Resources**

Date: **15 September 2016**

By: **Chief Operating Officer**

Title of report: **Notice of Motion: Make Fair Transitional Pension Arrangements for 1950's Women**

Purpose of report: **To consider the Notice of Motion by Councillor Shing and Councillor Glazier regarding the proposal that the Council calls upon the Government to reconsider transitional arrangements for women born on or after 6 April 1951**

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**RECOMMENDATION: The Lead Member is recommended to recommend that the County Council:**

- i) notes this report;**
- ii) agrees the motion as written, and**
- iii) agrees that a letter supporting this motion is sent to the Government, signed by Councillor Glazier and Councillor Shing.**

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## **1 Background Information**

- 1.1 The following Notice of Motion has been submitted by Councillor Shing and Councillor Glazier:
- “The Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6 April 1951, who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification.
- Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no/personal notification of the changes. 33,000 women in East Sussex could potentially have been affected by these changes. Some women had only two years notice of a six-year increase to their state pension age.
- Many women born in the 1950's are living in hardship. Retirement plans have been disrupted with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.
- The Council calls upon the Government to reconsider transitional arrangements for women born on or after 6 April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.”
- 1.2 In line with the Council's practice the matter has been referred by the Chairman to the Lead Cabinet Member for Resources for consideration to assist and provide information to the County Council and help inform the debate. The Lead Member's decision will be reported to the County Council at its next meeting on 18 October 2016.
- 1.3 This issue has been debated on several occasions in both the House of Commons and the House of Lords.

## **2. Supporting Information**

### Increases in Pension Age

- 2.1 The age at which women qualify for the state pension is due to rise to 65 in November 2018 and 66 by October 2020, in order to bring it into line with men's and take account of increased life expectancy rates. This aim was first outlined in The Pensions Act 1995 which set out plans for women's state pension age (SPA) to gradually increase to 65 between April 2015 and April 2020. In 2007, the Government

announced that both men and women would see their retirement age go up to 66 between 2024 and 2026. However, the Pensions Act 2011 brought forward the timing of both changes to 2018 and 2020 respectively, meaning that women's SPA will increase more quickly than originally envisaged.

2.2 From the 1940s until April 2010, the SPA was 60 for women and 65 for men. Following the changes under the 1995 and 2011 Acts, the SPA for women born between 6 April 1950 and 5 October 1954 will increase as follows:

- women born between 6 April 1950 and 5 April 1953 have an SPA of between 60 and 63. They will reach SPA by March 2016;
- women born between 6 April 1953 and 5 December 1953 have an SPA of between 63 and 65. They will reach SPA by November 2018, and
- men and women born between 6 December 1953 and 5 October 1954 have an SPA of between 65 and 66. They will reach SPA by September 2020.

2.3 As a consequence of these changes the age at which women born during this period can draw their pension is rising by up to six years from when they had expected to retire. Attached at Appendix 1 is a copy of the 'State Pension Age Timetables'.

#### Notification of the SPA Increase

2.4 Of particular concern is the way in which the women affected by these changes were notified. The Department for Work and Pensions (DWP) has confirmed that letters were not issued until April 2009, nearly 14 years after the law was passed in 1995. Responding to a Freedom of Information request, the DWP stated that some women did not find out until they were 59 that their SPA of 60 had been delayed. As a consequence, some women received one year's notice of up to a six-year increase in their state pension age. Further, some women didn't receive any notification as letters were sent 'using the address details recorded by HMRC at the time'.

2.5 The Government's latest plan for renewing and increasing state pension age was published in December 2013. It set out the principle that people should spend no more than a third of their adult life (measured from age 20) on the state pension. A review would be held once every five years to work out what the state pension age should be. It also promised "The review will seek to give individuals affected by changes to their SPA at least 10 years notice".

### **3. Conclusion and Reasons for Recommendations**

3.1 It is clear that as a consequence of the 1995 and 2011 Pensions Acts, women born in the 1950s will have to wait longer to draw their state pension. The age at which they can draw their pension is rising by up to six years from when they had expected to retire. Furthermore, many did not receive letters notifying them of these changes and in any event, even those that did received very little notice. Accordingly, the women affected report that this has had a significant impact on their financial plans for retirement.

3.2 The Government has responded that it will not be revisiting the SPA arrangements for women affected by the 1995 and/or 2011 Acts. It notes that the policy decision to increase women's SPA is designed to remove the inequality between men and women and that the cost of prolonging this inequality would be several billions of pounds. Parliament extensively debated the issues and the decision was approved by Parliament in 2011.

3.3 Set against this background, the Lead Member is recommended to recommend to the County Council that it:

- i) notes this report;
- ii) agrees the motion as written, and
- iii) agrees that a letter supporting this motion is sent to the Government, signed by Councillor Glazier and Councillor Shing.

KEVIN FOSTER  
Chief Operating Officer

Contact Officer: Sarah Mainwaring, Head of HR/OD, Tel No. 01273 482060  
Local Members: All

## State Pension age timetables

The following tables show how the legislated increases in State Pension age will be phased in. A [State Pension age calculator](#) is provided on the Gov.uk website. This calculator tells people when they will reach their State Pension age, under current legislation, based on their gender and date of birth.

The Pensions Act 2014 provides for a regular review of the State Pension age, at least once every five years. The Government is not planning to revise the existing timetables for the equalisation of State Pension age to 65 or the rise in the State Pension age to 66 or 67. However the timetable for the increase in the State Pension age from 67 to 68 could change as a result of a future review. Before any future changes could become law Parliament would need to approve the plans.

There is more information about claiming the State Pension, and how to get a State Pension Statement, available [here](#).

**Table 1: Women's State Pension age under the Pensions Act 1995**

Date of birth	Date State Pension age reached
6 April 1950 – 5 May 1950	6 May 2010
6 May 1950 – 5 June 1950	6 July 2010
6 June 1950 – 5 July 1950	6 September 2010
6 July 1950 – 5 August 1950	6 November 2010
6 August 1950 – 5 September 1950	6 January 2011
6 September 1950 – 5 October 1950	6 March 2011
6 October 1950 – 5 November 1950	6 May 2011
6 November 1950 – 5 December 1950	6 July 2011
6 December 1950 – 5 January 1951	6 September 2011
6 January 1951 – 5 February 1951	6 November 2011
6 February 1951 – 5 March 1951	6 January 2012
6 March 1951 – 5 April 1951	6 March 2012
6 April 1951 – 5 May 1951	6 May 2012
6 May 1951 – 5 June 1951	6 July 2012
6 June 1951 – 5 July 1951	6 September 2012
6 July 1951 – 5 August 1951	6 November 2012
6 August 1951 – 5 September 1951	6 January 2013
6 September 1951 – 5 October 1951	6 March 2013
6 October 1951 – 5 November 1951	6 May 2013
6 November 1951 – 5 December 1951	6 July 2013
6 December 1951 – 5 January 1952	6 September 2013
6 January 1952 – 5 February 1952	6 November 2013
6 February 1952 – 5 March 1952	6 January 2014
6 March 1952 – 5 April 1952	6 March 2014
6 April 1952 – 5 May 1952	6 May 2014
6 May 1952 – 5 June 1952	6 July 2014
6 June 1952 – 5 July 1952	6 September 2014
6 July 1952 – 5 August 1952	6 November 2014
6 August 1952 – 5 September 1952	6 January 2015
6 September 1952 – 5 October 1952	6 March 2015

<b>Date of birth</b>	<b>Date State Pension age reached</b>
6 October 1952 – 5 November 1952	6 May 2015
6 November 1952 – 5 December 1952	6 July 2015
6 December 1952 – 5 January 1953	6 September 2015
6 January 1953 – 5 February 1953	6 November 2015
6 February 1953 – 5 March 1953	6 January 2016
6 March 1953 – 5 April 1953	6 March 2016

## **Changes under the Pensions Act 2011**

Under the Pensions Act 2011, women's State Pension age will increase more quickly to 65 between April 2016 and November 2018. From December 2018 the State Pension age for both men and women will start to increase to reach 66 by October 2020.

**Table 2: Women's State Pension age under the Pensions Act 2011**

<b>Date of birth</b>	<b>Date State Pension age reached</b>
6 April 1953 – 5 May 1953	6 July 2016
6 May 1953 – 5 June 1953	6 November 2016
6 June 1953 – 5 July 1953	6 March 2017
6 July 1953 – 5 August 1953	6 July 2017
6 August 1953 – 5 September 1953	6 November 2017
6 September 1953 – 5 October 1953	6 March 2018
6 October 1953 – 5 November 1953	6 July 2018
6 November 1953 – 5 December 1953	6 November 2018

**Table 3: Increase in State Pension age from 65 to 66, men and women**

<b>Date of birth</b>	<b>Date State Pension age reached</b>
6 December 1953 – 5 January 1954	6 March 2019
6 January 1954 – 5 February 1954	6 May 2019
6 February 1954 – 5 March 1954	6 July 2019
6 March 1954 – 5 April 1954	6 September 2019
6 April 1954 – 5 May 1954	6 November 2019
6 May 1954 – 5 June 1954	6 January 2020
6 June 1954 – 5 July 1954	6 March 2020
6 July 1954 – 5 August 1954	6 May 2020
6 August 1954 – 5 September 1954	6 July 2020
6 September 1954 – 5 October 1954	6 September 2020
6 October 1954 – 5 April 1960	66th birthday



## Increase in State Pension age from 66 to 67 under the Pensions Act 2014

The Pensions Act 2014 brought the increase in the State Pension age from 66 to 67 forward by eight years. The State Pension age for men and women will now increase to 67 between 2026 and 2028. The Government also changed the way in which the increase in State Pension age is phased so that rather than reaching State Pension age on a specific date, people born between 6 April 1960 and 5 March 1961 will reach their State Pension age at 66 years and the specified number of months.

**Table 4: Increase in State Pension age from 66 to 67, men and women**

Date of birth	Date State Pension age reached
6 April 1960 – 5 May 1960	66 years and 1 month
6 May 1960 – 5 June 1960	66 years and 2 months
6 June 1960 – 5 July 1960	66 years and 3 months
6 July 1960 – 5 August 1960	66 years and 4 months (1)
6 August 1960 – 5 September 1960	66 years and 5 months
6 September 1960 – 5 October 1960	66 years and 6 months
6 October 1960 – 5 November 1960	66 years and 7 months
6 November 1960 – 5 December 1960	66 years and 8 months
6 December 1960 – 5 January 1961	66 years and 9 months (2)
6 January 1961 – 5 February 1961	66 years and 10 months (3)
6 February 1961 – 5 March 1961	66 years and 11 months
6 March 1961 – 5 April 1977*	67

*\*For people born after 5 April 1969 but before 6 April 1977, under the Pensions Act 2007, State Pension age was already 67.*

### Notes

For the purposes of calculating an individual's State Pension age the following applies:

1. A person born on 31st July 1960 is considered to reach the age of 66 years and 4 months on 30th November 2026.
2. A person born on 31st December 1960 is considered to reach the age of 66 years and 9 months on 30th September 2027.
3. A person born on 31st January 1961 is considered to reach the age of 66 years and 10 months on 30th November 2027.

## Increase in State Pension age from 67 to 68 under the Pensions Act 2007

Under the Pensions Act 2007 the State Pension age for men and women will increase from 67 to 68 between 2044 and 2046.

The Pensions Act 2014 provides for a regular review of the State Pension age, at least once every five years. The review will be based around the idea that people should be able to spend a certain proportion of their adult life drawing a State Pension. The first review must be completed by May 2017. As well as life expectancy, it will take into account a range of factors relevant to setting the pension age. After the review has reported, the Government may then choose to bring forward changes to the State Pension age. Any proposals to do so would, like now, have to go through Parliament before becoming law.

The Government is not planning to revise the existing timetables for the equalisation of State Pension age to 65 or the rise in the State Pension age to 66 or 67. However the timetable for the increase in the State Pension age from 67 to 68 could change as a result of the review.

In the Autumn Statement on 5 December 2013, the Chancellor announced that this Government believes that future generations should spend up to a third of their adult life in retirement. This principle implies that SPa should rise to 68 by the mid-2030s, and 69 by the late 2040s. However, the Government is **not** currently legislating for this change – these dates are indicative only, showing a general direction of travel for future SPa changes.

The information in the table below is based on the **current** law.

**Table 5: Increase in State Pension age from 67 to 68, men and women**

Date of birth	Date State Pension age reached
6 April 1977 – 5 May 1977	6 May 2044
6 May 1977 – 5 June 1977	6 July 2044
6 June 1977 – 5 July 1977	6 September 2044
6 July 1977 – 5 August 1977	6 November 2044
6 August 1977 – 5 September 1977	6 January 2045
6 September 1977 – 5 October 1977	6 March 2045
6 October 1977 – 5 November 1977	6 May 2045
6 November 1977 – 5 December 1977	6 July 2045
6 December 1977 – 5 January 1978	6 September 2045
6 January 1978 – 5 February 1978	6 November 2045
6 February 1978 – 5 March 1978	6 January 2046
6 March 1978 – 5 April 1978	6 March 2046
6 April 1978 onwards	68th birthday

**Report to:** Lead Member for Resources

**Date of meeting:** 15 September 2016

**By:** Chief Operating Officer

**Title:** Future use and development of the former St Anne's school site, Lewes

**Purpose:** To seek delegated authority to the Chief Operating Officer to develop options for the future use and development of the former St Anne's school site, and to report back to Lead Member for Resources with a business case on the options explored.

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## **RECOMMENDATIONS**

*The Lead Member for Resources is recommended to:*

- 1) Delegate authority to the Chief Operating Officer to develop options for the future use and development of the former St Anne's school site (site as outlined in Appendix 1); and**
  - 2) Request that the Chief Operating Officer report back to Lead Member for Resources with a business case on the options explored for the site.**
- 

## **1 Background**

1.1 St Anne's is a former school for children with special needs that was closed by the County Council in 2005 following a change in policy that sought to integrate the education of these children within main stream schools. The site was declared surplus to the requirements of Education and Libraries in 2005.

1.2 It was later proposed that the Council should no longer retain this property for further strategic purposes and to declare this property surplus to all operational requirements. Following consultation with the community, the following recommendations were agreed at the Lead Member for Resources meeting on 23 October 2012:

- (1) Declare the former St Anne's School surplus to the County Council's requirements; and
- (2) Authorise the marketing of the property for community uses in order to achieve best value for this purpose.

1.3 In line with the authorisation given to market the property for community uses, the Council ran a two stage bidding process. The following recommendations were agreed at the Lead Member for Resources meeting on 29 October 2013:

- (1) Approve the disposal of the former St Anne's School site at an undervalue to the preferred bidder SUBUD, to secure the promotion or improvement of the economic, onmental well-being of its area, in accordance with the General Disposal Consent (England) 2003 (Circular 06/03), subject to any necessary consent being given by the Secretary of State under section 77 of the School Standards and Framework Act 1998 ('s77 consent'), and in accordance with schedule 1 of the Academies Act 2010 ('schedule 1 consent');
- (2) Delegate authority to the Chief Operating Officer to negotiate and agree terms for the sale of the site to the Council's preferred bidder SUBUD;

(3) Delegate authority to the Chief Operating Officer to take all necessary steps and actions in connection with applying to the Secretary of State for any necessary s77 consent and schedule 1 consent to dispose of the former St Anne's School site; and

(4) Delegate authority to the Chief Operating Officer to approve the use of the sale proceeds from the disposal of school playing fields forming part of the site, having regard to the criteria set out in 'Advice on the protection of School Playing Fields and Public Land' published by the Department for Education (November 2012).

1.4 Negotiations to transfer the site as a community asset to a preferred bidder were ended in April 2016, as announced in a joint statement from the Council and SUBUD Britain. It was always recognised that the community asset transfer was an ambitious and complex project and that complications could emerge during the process. Both parties came to the conclusion that was not possible to transfer the site for community use in a way that meets the original aims and aspirations of both parties and is both viable and sustainable. The Council is currently considering options for the future use and development of the former St Anne's school site.

1.5 The Council is aware of the local priorities for the Lewes area and is liaising with Lewes District Council and Town Council officers in respect of the demands for housing and community facilities. This will inform the considerations about future use of the site.

1.6 In January 2015 the County Council's Audit, Best Value and Community Services Scrutiny Committee (ABVCSSC) completed a scrutiny review of the process involved in selecting the preferred bidder. More information including the conclusions and recommendations of the review can be found on the Council's website:

<https://www.eastsussex.gov.uk/yourcouncil/about/improving/measuringperformance/scrutiny/reviews/2014>

1.7 On 15 July 2016, ABVCSSC considered the outstanding issues arising from the scrutiny review and looked at whether any further scrutiny was required. The Committee's conclusions and recommendations can be found on item 11 of the 15 July ABVCSSC on the Council's website.

## **2 Supporting information**

2.1 The site is situated just to the south of the main County Hall campus, with its main access point from Rotten Row. The site comprises 1.8 hectares (4.45 acres) sloping down from north to south with embankments dividing the site into a number of level areas. The former school buildings remain on the site but are dilapidated with the remainder of the grounds being largely overgrown. At the north east corner of the site is a former hard play area which is currently used as a car park and compound with construction access to the north through to St Anne's Crescent. A map of the site is attached at Appendix 1.

2.2 Following the decision to end community asset transfer negotiations, the Council is seeking delegated authority to the Chief Operating Officer to develop options for the future use and development of the former St Anne's school site. It is proposed that the Council would lead this activity, and liaise with local partners about local priorities (including demands for housing and community facilities) where appropriate, and report back to Lead Member for Resources with a business case on the options explored.

2.3 Procurement of a consultancy to support work on developing proposals has begun with the remaining process subject to the recommended delegation being approved by Lead Member for Resources.

2.4 The Consultant sought will be tasked to deliver an initial report (Stage 1) which will include an assessment of the site, development options (including indicative layouts, massing, density, cost and valuation summaries) all based on a detailed desk top and study of the site and surrounding

area/wider context. This report will be used as the early decision making tool to aid the Council in selecting a preferred option before confirming progress to a second stage which would comprise the detailed design and appraisal of the preferred option(s). The initial Report will thus consider:

- i. Constraints and Opportunities of the site and its surroundings, including sustainability, environmental and physical constraints.
- ii. The Planning Context: setting out a comprehensive review and appraisal of the planning policy issues; pre application discussions with Lewes District Council and the South Downs National Park Authority to ascertain the principle of redevelopment; permissible land uses; on site requirements (e.g. access points, sustainability measures); any off site requirements (e.g. highway works and Section 106 Contributions/Community Infrastructure Levy implications.
- iii. Context of local economy and growth; local provision; market demand; and overview of local market.
- iv. A number of site development options with a summary of their cost and value implications.
- v. Need for specialist instruction on technical issues. At this initial stage there is no expectation of comprehensive on site surveys or specialist investigations being undertaken as it is anticipated that such detail and site specific surveys would be carried out as a Stage 2, after a review of the Options report has been undertaken. This will need to remain under review as the project evolves as some issues may be time or season bound such as ecology surveys, or specific site issues identified where greater clarity required to support recommendations.
- vi. A summary of the costs anticipated and needed at 'Stage 2' to take any preferred scheme forward to planning submission stage, to include local stakeholder consultation processes.

2.5 Whilst the costs of a detailed and full planning application for any preferred option could run to and be above £100,000, the Stage 1 report is anticipated to be between £20,000 and £30,000. The bids for Stage 1 (received by the 31 August deadline) are now subject to evaluation.

### **3. Conclusion and reasons for recommendations**

3.1 It is recommended that approval be given to develop options for the future use of the site on the bases noted in this report

3.2 It is recommended that the Chief Operating Officer be asked to report back with the outcome of the Option appraisal

**Kevin Foster**

**Chief Operating Officer**

Contact Officer: Graham Glenn

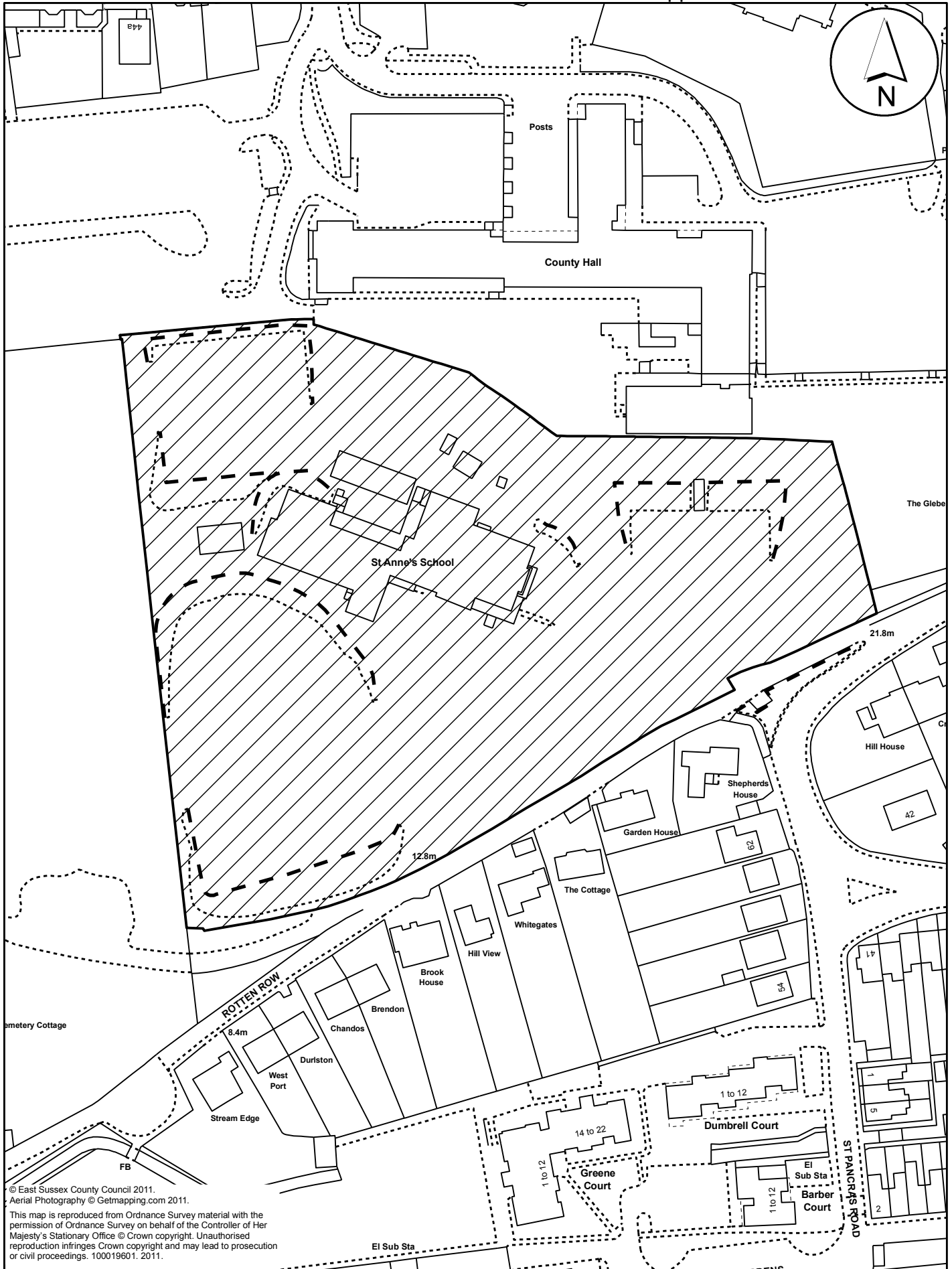
Tel. No. 01273 336237

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LOCAL MEMBERS

Councillor Ruth O'Keefe

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Map Title: APPENDIX 5 - Plan of FORMER St Annes School, Lewes		East Sussex County Council County Hall St Annes Crescent Lewes 
Date: 28 June 2013	Map No: 1	
Scale: 1:1,250	Author: Page 15 CR/RP	

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Report to: **Lead Member for Resources**

Date: **15 September 2016**

By: **Chief Operating Officer**

Title of report: **Former Beaconsfield College Land, Crowborough**

Purpose of report: **To dispose of a site, previously declared surplus, on a long lease arrangement to Crowborough Town Council.**

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**RECOMMENDATION: The Lead Member for Resources is recommended to:**

- (1) Enter into a long lease (exceeding 14 years) with Crowborough Town Council at a peppercorn rental; and**
  - (2) Delegate authority to the Chief Operating Officer to agree the final terms of the lease.**
- 

## **1. Background Information**

1.1 Beacon Academy Crowborough was opened in 2012 at which stage the land parcel was not included in the Transfer, as it was not required for educational purposes.

1.2 The land, formerly tennis courts, has been unused since 1992 and now comprises an area of light woodland area, extending to 1.4 hectares (3.44 acres). The whole was declared surplus to operational requirements under a Lead Member report dated 22 May 2012 at which stage the Chief Operating Officer was given authority to dispose of the land at best price reasonably attainable.

1.3 Alternative uses for the site have been considered, including possible residential development, but these have not proved feasible. The land is heavily landscaped with access largely only via a wide footpath off a private road to the west. The land abuts a residential street, Williams Way, to the north east but land levels are much higher and supported by a structural bank, which would require very significant earth works to remove, and redesign to accommodate. A public right of way passes through the site.

1.4 An approach from Crowborough Town Council (CTC) to secure the site for recreation and community uses can be facilitated by a long lease arrangement with the permitted use limited to a "Pocket park and Nature Reserve for quiet enjoyment and educational purposes".

## **2. Financial Appraisal**

2.1 The nature of the land (ecology, levels, lack of vehicular access) means that the Council is unlikely to realise a substantive capital receipt or generate income.

2.2 The land presents an ongoing liability to the Council, since we retain responsibility for fences, site maintenance and Health and Safety issues at the site.

2.3 In order to relinquish financial liability ESCC would expect that CTC would take responsibility for any costs associated with the land.

### **3. Supporting information**

3.1 The site is shown cross-hatched black on the attached plan at Appendix 1. The site comprises 3.44 acres or 1.4 hectares.

3.2 This site was declared surplus to ESCC requirements by Lead Member on 22 May 2012.

3.3 The Local Members have been informed and have no objections regarding the proposal to enter a long lease with CTC.

### **4. Conclusion and reasons for recommendations**

4.1 The property has not been in beneficial use since 1992, and is not subject to S77 consents required from the Secretary of State for Education.

4.2 CTC have approved an outline proposal to adopt the site in order to turn the site into an “exciting new community engagement project which will lead to the creation of a new ‘Pocket Park Nature Reserve’ for the enjoyment and education of residents and visitors to Crowborough”.

4.3 It is recommended that the negotiation for the terms of the lease be delegated to the Chief Operating Officer to conclude the proposed transfer under long lease community asset transfer arrangement. The length of lease is yet to be formally agreed but anticipated to be in substantially in excess of 14 years (above delegated officer level authority), and is not a “sale” as had been indicated in the earlier decision papers.

4.4 It is recommended that the terms and conditions of the lease include CTC taking responsibility for any costs associated with the land, otherwise the proposal is not financially viable.

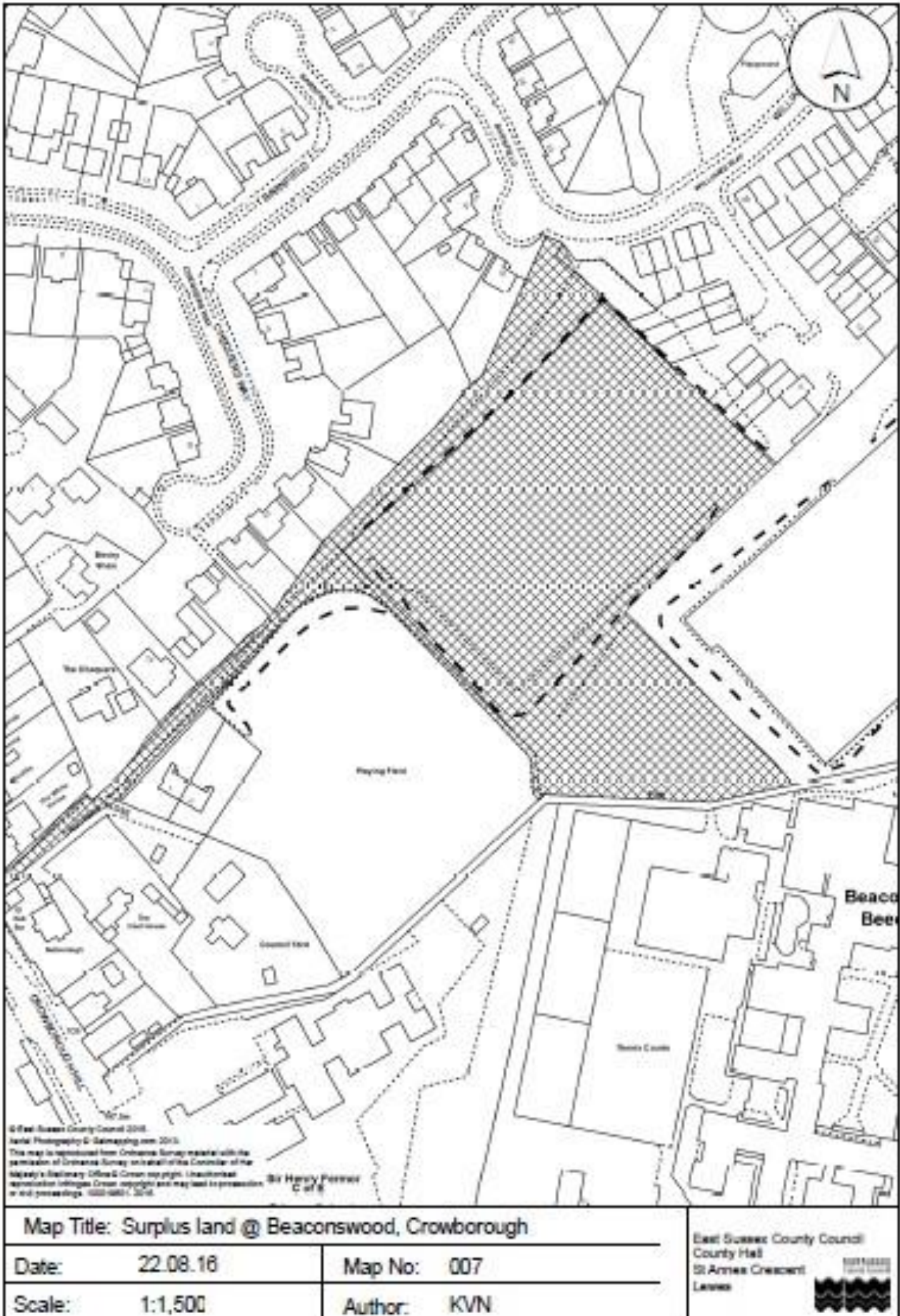
**KEVIN FOSTER**  
**Chief Operating Officer**

Contact Officer: Kate V Nicholson  
Tel. No. 01273 336 487  
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Contact Officer: Kate Nicholson, Assistant Estates Surveyor, 01273 336 487,  
Local Members: Councillor Tidy & Councillor Stogdon

Appendix 1

Plan of Surplus Land at Beacon Academy, Crowborough.



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Report to: **Lead Member for Resources**

Date: **15 September 2016**

By: **Chief Operating Officer**

Title of report: **Disposal of part of Hye House Farm, Crowhurst**

Purpose of report: **To seek Lead Member approval to declare this property surplus to County Council requirements**

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## **RECOMMENDATIONS**

**The Lead Member for Resources is recommended to:**

- 1) declare the land and buildings comprising the part of Hye House Farm surplus to the County Council requirements; and**
  - 2) delegate authority to the Chief Operating Officer to negotiate and agree terms for the sale of the property, to enable the Council to obtain best value in line with s. 123 of the Local Government Act 1972.**
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## **1 Background**

1.1 Hye House Farm was acquired by the Council on 8 October 1920 under the Small Holdings and Allotments Act 1908–1919. As it is agricultural land purchased before 1935 Critehel Down rules do not apply.

1.2 The current Tenant occupied the farm from 1991 under an Agricultural Holdings Act (1986) Tenancy. This was surrendered in exchange for the freehold of a farm cottage and a Farm Business Tenancy due to end 17 September 2020.

1.3 The Sussex Barn, shown black on the plan, is not required for operational purposes. In order to dispose of the Sussex Barn it was excluded from the Farm Business Tenancy.

1.4 The Sussex Barn requires a curtilage to enable the sale of the property. The curtilage land currently forms part of the Farm Business Tenancy.

1.5 In order to create the curtilage, land needs to be removed from the Farm Business Tenancy. The Tenant has agreed in principle to the surrender of 0.77 acres land in exchange for a rent-free period in their Tenancy, terms to be negotiated by Chief Operating Officer.

## **2 Supporting information**

2.1 The site for disposal is shown hatched black on the attached plan at Appendix A and comprises 0.84 acres and has an estimated market value of c£250,000.

2.2 All County Council departments have been consulted and have confirmed that they have no requirement for the building or the site.

2.3 The Local Member has been informed and has raised no objections.

## **3 Conclusion and reasons for recommendations**

3.1 The Council has no further use for the land and buildings.

3.2 It is recommended that this property be declared surplus to County Council requirements and the negotiation for the disposal delegated to the Chief Operating

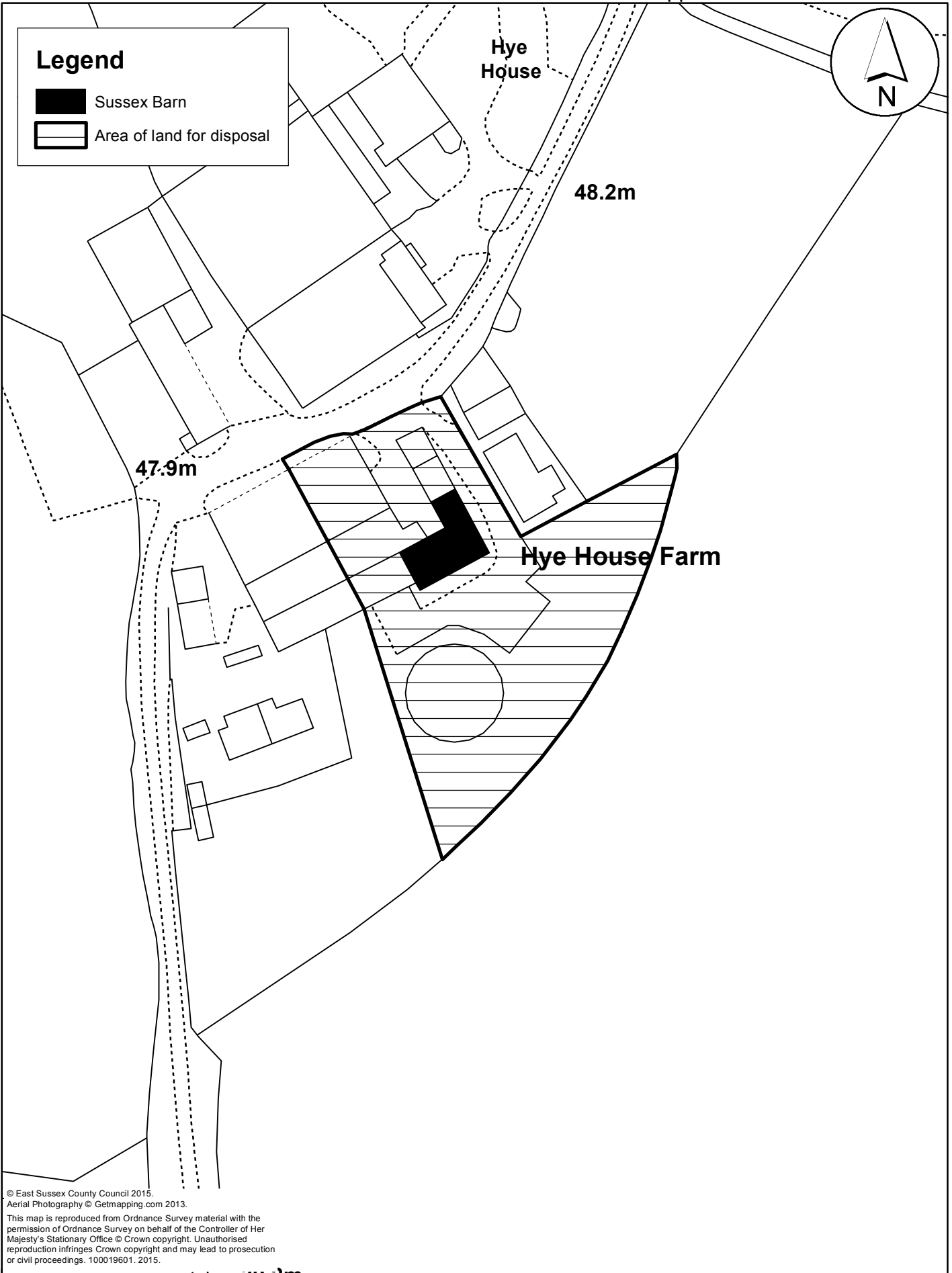
Officer in accordance with the requirements of Section 123 of the Local Government Act 1972.

**KEVIN FOSTER**  
**Chief Operating Officer**


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LOCAL MEMBERS

Councillor Kathryn Field



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Map Title: Disposal at Hye House Farm, Crowhurst		East Sussex County Council County Hall St Annes Crescent Lewes 
Date: 30 August 2016	Map No: 1	
Scale: 1:1,000	Author: ZTRP	

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