



LEAD MEMBER FOR RESOURCES

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

TUESDAY, 17 OCTOBER 2017 AT 2.00 PM

COMMITTEE ROOM, COUNTY HALL, LEWES

AGENDA

- 1 Decisions made by the Lead Cabinet Member on 25 July 2017 (*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 Former Pells School playing fields, Lewes (*Pages 5 - 8*)
Report by the Chief Operating Officer
- 5 Ninfield Primary School new lease (*Pages 9 - 12*)
Report by the Chief Operating Officer
- 6 Any urgent items previously notified under agenda item 3

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

9 October 2017

Contact Simon Bailey, Democratic Services Officer,
01273 481935
Email: simon.bailey@eastsussex.gov.uk

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LEAD MEMBER FOR RESOURCES

MINUTES of a meeting of the Lead Member for Resources held at County Hall, Lewes on 25 July 2017.

1 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 25 APRIL 2017

1.1 RESOLVED to approve as a correct record the minutes of the meeting held on 25 April 2017.

2 REPORTS

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

3 12 CLAREMONT, HASTINGS

3.1 The Lead Member considered a report by the Chief Operating Officer. The local member, Councillor Godfrey Daniel, had provided written comments in support of the proposal, and with a request to be involved in the Community Asset Transfer process.

DECISIONS

3.2 RESOLVED to (1) declare 12 Claremont, Hastings, surplus to the County Council's requirements;

(2) authorise the marketing of the property under the County Council's Community Asset Transfer Policy; and

(3) delegate authority to the Chief Operating Officer to dispose of the property through a Community Asset Transfer process.

Reasons

3.3 The Council has no further operational use for the land and buildings. The Council has undertaken soft market engagement with the community organisations that have cited interest in occupying the site.

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Committee: **Lead Member for Resources**
Date: **17 October 2017**
Title of Report: **Former Pells School playing fields, Lewes**
By: **Chief Operating Officer**
Purpose of Report: **Following the approved closure of the school by the County Council to seek Lead Member approval to now formally declare the site surplus to operational requirements in order to enable its disposal.**

Recommendation:

The Lead Member for Resources is recommended to:-

- 1) Declare the County Council's interest in the former Pells School site as surplus to County Council operational requirements; and**
 - 2) delegate authority to the Chief Operating Officer to negotiate and agree terms for the disposal of this property, to enable the Council to obtain best value in line with s. 123 of the Local Government Act 1972.**
-

1. Background

1.1 On 11 October 2016 Cabinet approved closure of Pells Church of England Primary School, to take effect from 31 August 2017.

1.2 The County Council ownership extends only to the playing fields of the school, with the remainder of the site and all buildings owned by the Diocese of Chichester, who wish to sell their interest. The County Council's freehold interest is approximately 0.36 ha (0.9 acres) out of a total site of 0.845ha (2.1 acres).

1.3 The whole site was fully vacated by the end of July 2017, with some site activity in August to remove a portacabin in compliance with a historic planning obligation. The County Council controlled the buildings until 31 August 2017 when they were handed back officially to the Diocese. Security of the site is being arranged to minimize risks.

1.4 The intent is for the whole site to be marketed jointly with the Diocese, given the nature of the site interests and to ensure best value.

2. Supporting Information

2.1 The Council has consulted with its partners through SPACES to ascertain any short or long term usage for the buildings or site. There has been no requirement for the whole or a significant part of the site identified. It is not feasible, and could impact on values, for any smaller element of the site to be excluded from the wider site disposal at this stage.

2.2 The disposal of the site will be subject to the consent of the Secretary of State for Education in accordance with Section 77 of the School Standards and Framework Act 1998 and Schedule 1 to the Academies Act 2010. Both the Diocese and County Council are required to pursue appropriate consultation as part of the application and this is being progressed.

2.3 The County Council's interest in the site is shown on the attached plan (Appendix 1).

2.4 We have undertaken all standard internal consultations which have confirmed there is no operational requirement for the County Council's land.

2.5 The Local Member has been notified of our recommendation. A request for excluding a very small pocket park on the site from any disposal has been considered, but this area would be anticipated to form part of wider provision, improvement and funding of facilities provided by any future development of the wider site.

3. Conclusion and Reason for Recommendations

3.1 Pells School has closed, and the playing fields are surplus to the requirements of the County Council.

3.2 Early consultation with the South Down National Park, Lewes District Council planners and the evolving Neighbourhood Plan process has identified some support for development, but that needs to be fully tested through the formal planning process as the site is not allocated for non-school use, and we are aware of adjacencies to landfill. The site nevertheless could come forward for development and thus generate a capital receipt to the County Council. In order to ensure the potential of the site is maximized it is proposed that marketing of the site be pursued jointly with the Diocese team. The title of the site has been checked to confirm that there is no obligation to offer the site back to an original vendor or make a payment in lieu.

3.3 It is recommended that this property be declared surplus to County Council operational requirements and that authority be delegated to the Chief Operating Officer to negotiate and agree terms for this property, to enable the County Council to obtain best value in line with s.123 of the Local Government Act 1972.

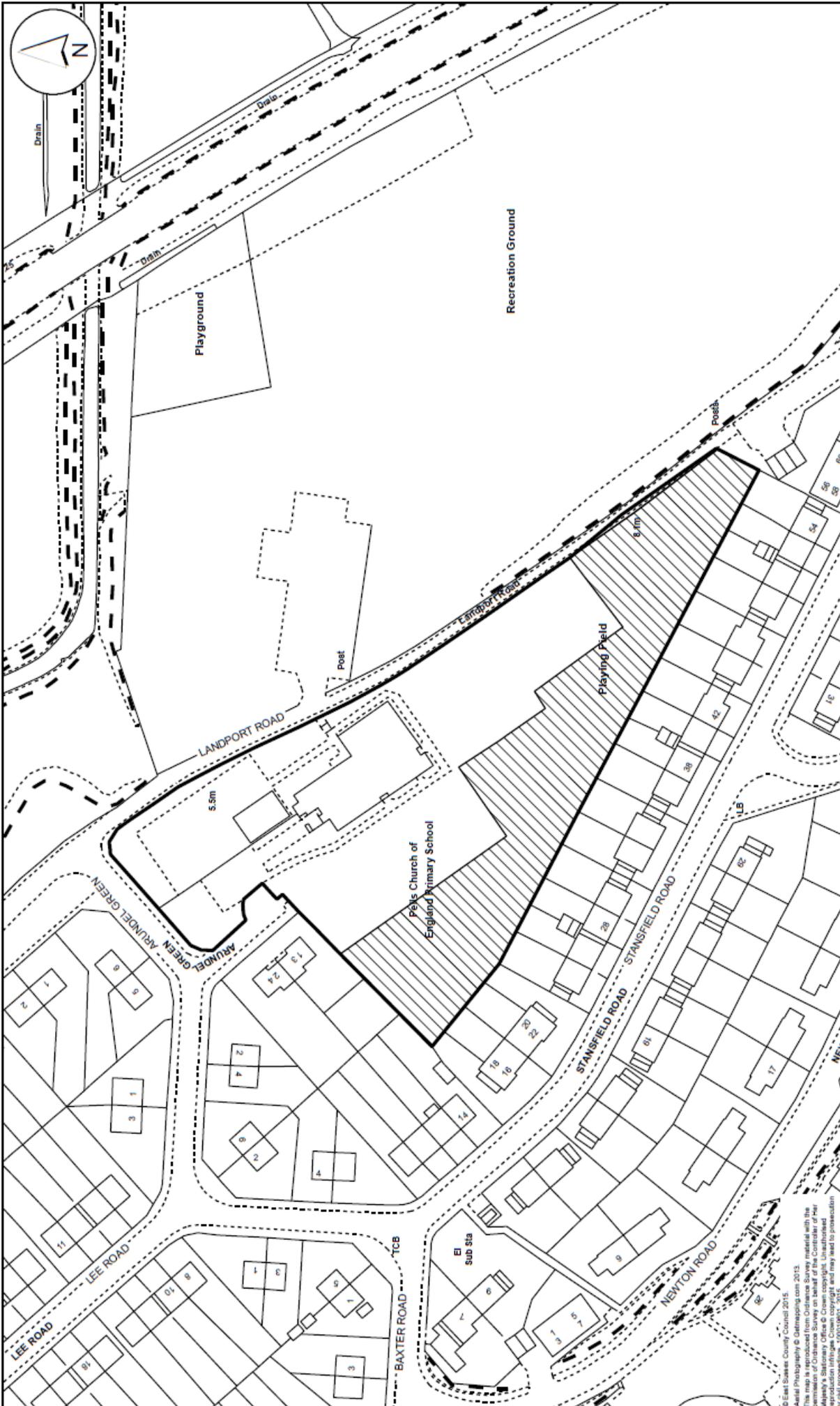
KEVIN FOSTER
Chief Operating Officer

Contact Officer: Kate Nicholson
Tel. No. 01273 336 487
Email: kate.nicholson@eastsussex.gov.uk

LOCAL MEMBERS

Councillor O'Keeffe

BACKGROUND DOCUMENTS



	
Map Title: Pells CEPS	Map No: 1
Date: 22 May 2017	Author: GG/RP
Scale: 1:1,250	

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Report to: **Lead Member for Resources**

Date: **17 October 2017**

By: **Chief Operating Officer**

Title of report: **Ninfield CE Primary School New Lease**

Purpose of report: **To seek Lead Member approval to delegate authority to the Chief Operating Officer to grant a new Lease of land adjacent to Ninfield CE Primary School**

RECOMMENDATION

The Lead Member for Resources is recommended to delegate authority to the Chief Operating Officer to grant a new Lease of land adjacent to Ninfield CE Primary School

1 Background

1.1 Ninfield CE Primary School was completed in 1853 under auspices of the National Society for Promoting Religious Education. The school was subsequently extended in 1881 to accommodate infants. Through the Education Act 1944, the school provision became the responsibility of the Local Education Authority in conjunction with the Diocese of Chichester.

1.2 The school was extended again in 1963 following the closure of the nearby Hooe Primary School. A timber classroom was constructed in 1987 to provide additional teaching accommodation, which was replaced in 1995 by a mobile classroom.

1.3 To accommodate the mobile classroom, a lease of the adjoining land was granted by Ninfield Parish Council. The lease was renewed in 2005 for ten years, but having now expired, the term rolls on an annual basis, until negotiations for a new agreement conclude.

1.4 In seeking planning permission to retain the mobile classroom, ESCC Planning Committee indicated that consent would likely be withheld unless progress was made towards replacing the mobile classroom with a masonry building. Furthermore the useful life of the mobile classroom has also expired, and the Parish Council are unwilling to extend the existing lease.

1.5 Children's Services have therefore instructed the Capital Projects team to construct modern classroom accommodation, for which a new lease will be required of the adjoining recreation ground to accommodate the extended playground.

2 Supporting information

2.1 Extension of the school site is constrained by a lack of available land in the vicinity. Furthermore the Parish Council has deemed it inappropriate to transfer any adjoining land by way of a freehold sale to the County Council.

2.2 The Parish Council are willing to extend the area currently let by the County Council for a period of 50 years at £3,275 per annum. The annual rent would increase to £3,925 per annum after five years, with rent reviews every five years thereon to fall in-line with inflation. ESCC would need to meet the Parish Council's

legal fees in preparation of the Lease. There will be flexibility for ESCC to break the agreement upon closure of the school, or assign the lease upon conversion to an academy.

2.3 The site to be leased is shown edged black on the attached plan at Appendix 1, comprising 0.47 acres (0.19 ha) and will contain the classroom extension and a Multi-Use Games Area. The area demised in the existing lease is hatched black.

2.4 Construction of the classroom extension and a Multi-Use Games Area for the school will cost approximately £1.2 million and is funded from an allocation in the current (2018 – 2023) Capital Programme.

2.5 A formal consultation was held with the Parish Council and the village of Ninfield. The Lead Member for Education and Inclusion, Special Education Needs and Disability have been informed and have raised no objections.

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

3 Conclusion and reasons for recommendations

3.1 The Council requires this land in order to extend the School.

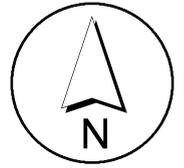
3.2 It is recommended that this property is acquired by the County Council by way of a long Lease and negotiation for the Lease delegated to the Chief Operating Officer.

KEVIN FOSTER Chief Operating Officer

Contact Officer: Nathan Whittington
Telephone: 01273 336842
Email: nathan.whittington@eastsussex.gov.uk

LOCAL MEMBERS

Councillor Bill Bentley

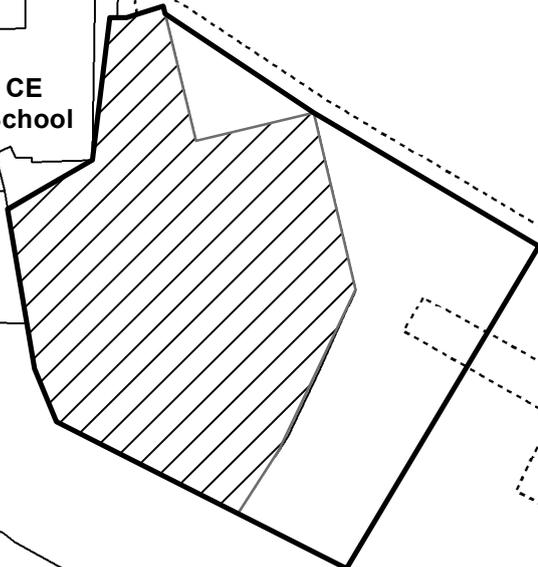


Recreation Ground

DOWNSVIEW

CHURCH LANE

Ninfield CE Primary School



Legend

-  Existing lease area
-  Area to be leased

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