



## LEAD MEMBER FOR RESOURCES

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

**TUESDAY, 26 MARCH 2019 AT 2.00 PM**

**COMMITTEE ROOM - COUNTY HALL, LEWES**

### **AGENDA**

- 1 Decisions made by the Lead Cabinet Member on 22 January 2019 (*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 10 Harrison Road, Seaford (*Pages 5 - 8*)  
Report by the Chief Operating Officer
- 5 Lower Willingdon Pre-School Lease (*Pages 9 - 12*)  
Report by the Chief Operating Officer
- 6 Any other non-exempt items previously notified under agenda item 3
- 7 Exclusion of public and press  
To consider excluding the public and press from the meeting for the remaining agenda item 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 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).
- 8 Write-off of Debts (*Pages 13 - 24*)  
Report by the Chief Operating Officer
- 9 Any urgent exempt items previously notified under agenda item 3

PHILIP BAKER  
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18 March 2019

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## LEAD MEMBER FOR RESOURCES

DECISIONS made by the Lead Member for Resources, Councillor David Elkin, on 22 January 2019 at Committee Room - County Hall, Lewes

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Councillor Glazier spoke on items 4, 5, 6 and 7 (see minutes 36, 37, 38 and 39)

### 34 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 8 JANUARY 2019

34.1 The Lead Member confirmed as a correct record the minutes of the meeting held on 8 January 2019.

### 35 REPORTS

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

### 36 8 MALLING HILL, LEWES - DISPOSAL

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

#### DECISIONS

36.2 The Lead Member RESOLVED to: (1) declare the property known as 8 Malling Hill, Lewes, surplus to the County Council's operational requirements; and

(2) delegate authority to the Chief Operating Officer to secure best value terms for a disposal in accordance with s. 123 of the Local Government Act 1972.

#### Reasons

36.3 The property offers no future operational use for the County Council and, whilst vacant, would continue to incur costs for security and maintenance. The Council is not in a position to lease this type of property, without incurring security of tenure and right to buy issues. The property would also require moderate level of refurbishment.

### 37 14 WESTFIELD LANE, HASTINGS

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

#### DECISIONS

37.2 The Lead Member RESOLVED to: (1) Revise a previous surplus declaration decision made on 28 November 2011 and to now approve the disposal of the property, which will include settlement of a charge held over the asset by NHS England; and

(2) delegate authority to the Chief Operating Officer to ensure best value is reasonably obtainable, subject to the terms of the Capital Grant Agreement noted.

## Reasons

37.3 Earlier decisions to secure the asset for specialist care use have been amended following subsequent reviews of service provision. The property has no future operational use for the Council and whilst it is vacant the property will have ongoing costs for security and maintenance.

## 38 LANDS SOUTH OF GREENACRES ROAD, WESTFIELD

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

## DECISIONS

38.2 The Lead Member RESOLVED to: (1) declare lands off Greenacres Road, Westfield, surplus to the County Council's operational requirements; and

(2) delegate authority to the Chief Operating Officer to secure best value terms for a disposal in accordance with S.123 of the Local Government Act 1972.

## Reasons

38.3 The property offers no future operational use for the County Council and if retained could continue to incur security and maintenance costs. Part of the land has been previously licenced to adjacent house owners, who may be interested in a purchase.

## 39 REVISED DECISION FOR LAND AT MOORHURST, MAIN ROAD, WESTFIELD

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

## DECISIONS

39.2 The Lead Member RESOLVED to: (1) Revise a Surplus Declaration decision made on 28 February 2011, to enable wider and open marketing of the site; and

(2) delegate authority to the Chief Operating Officer to secure best value in accordance with S123 of the Local Government Act 1972.

## Reasons

39.3 The property has no future operational use for the Council and whilst the site is vacant the property will have ongoing costs for security and site /tree maintenance.

**Report to:** Lead Member for Resources

**Date of meeting:** 26 March 2019

**By:** Chief Operating Officer

**Title:** 10 Harison Road, Seaford

**Purpose:** To secure an updated Lead Member approval to declare the asset surplus to operational requirements and to delegate authority to the Chief Operating Officer to secure best value in accordance with S123 of the Local Government Act 1972

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**RECOMMENDATIONS:** The Lead Member is recommended to:

- 1) Declare the asset surplus to operational requirements; and**
  - 2) to delegate authority to the Chief Operating Officer to secure best value through disposal in accordance with S123 of the Local Government Act 1972**
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## **1 Background**

- 1.1 10 Harrison Road is a large single dwelling, acquired in 1987, and until recently used as a residential care home for four adults with learning difficulties.
- 1.2 The house is typical of the first wave of community care units, which comprised extended residential homes for between 3 to 5 individuals. The building was originally managed by Southdown Housing Association until residents were relocated to a larger care home in Seaford.
- 1.3 The lease provided for early termination, in the event of changes in service provision, and Southdown Housing served notice to quit effective from April 2015.
- 1.4 A short term arrangement was subsequently set up in 2016 with Avenues Trust to enable occupation and delivery of services at both this and 103 Steyne Road Seaford, but only Steyne Road is now used and required by the Trust. The Harison Road premises were fully vacated in February 2019.

## **2. Supporting information**

- 2.1 The property cannot be adapted further to meet the changing physical needs of residents, particularly as people age. The quality of accommodation is neither large enough or modern enough to meet needs and aspirations.
- 2.2 Major improvement to the property is not financially viable and the footprint, space available and limitations of the configuration of the existing building make redevelopment of the current layout for supported housing use unviable.
- 2.3 The Local Member has been consulted and has no objections.

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

- 3.1 The property has no future operational use for the County Council and whilst it is vacant the property will incur ongoing costs for security, empty charges and maintenance.
- 3.2 It is recommended that this property be finally declared surplus to County Council operational requirements and terms for its disposal delegated to the Chief Operating Officer to secure best value in accordance with the requirements of Section 123 of the Local Government Act 1972.

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

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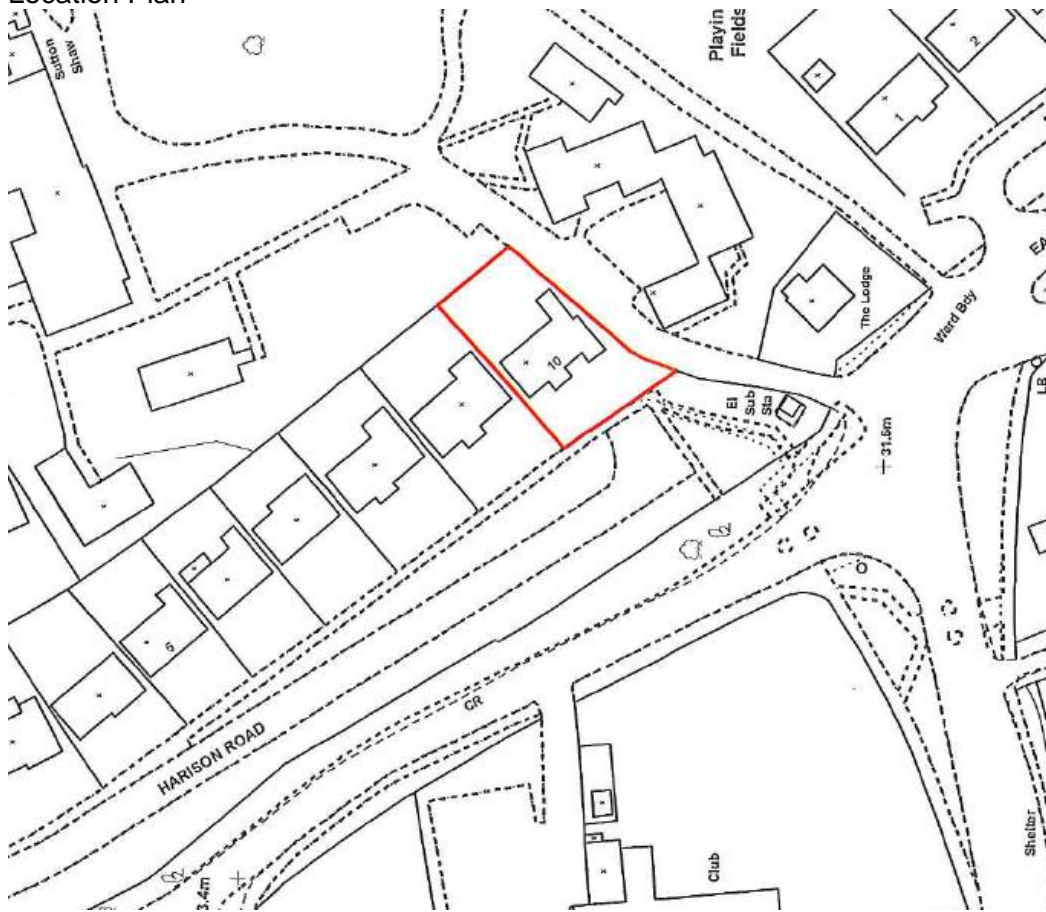
#### **LOCAL MEMBER**

Councillor P Boorman

#### **BACKGROUND DOCUMENTS**

Appendix I – Site Plan (not to scale)

Appendix 1  
Location Plan



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**Report to:** Lead Member for Resources

**Date of meeting:** 26 March 2019

**By:** Chief Operating Officer

**Title:** Lower Willingdon Pre-School Lease

**Purpose:** To seek Lead Member approval to grant a new 30 year lease to the Pre-School.

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## RECOMMENDATIONS

The Lead Member for Resources is recommended to:

- 1) Agree the implementation of a new 30 year lease to replace the existing agreement for the pre-school provision at the Willingdon Primary School; and
  - 2) Agree to delegate authority to the Chief Operating Officer to approve the details of the new lease.
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### 1 Background

1.1 In 2006, Lower Willingdon Pre-School (the Pre-school) was granted a 30 year lease by East Sussex County Council (ESCC) for pre-school provision at the Willingdon Primary School. Construction of the building was funded by the Pre-school and in recognition of this the 30 year lease was granted with no break and a small ground rent.

1.2 The Pre-school approached ESCC last year requesting permission to carry out works to their external play area. Subsequent legal work highlighted issues with the existing lease; the plan is inaccurate and does not include the external play area used by the Pre-school.

1.3 ESCC is currently unable to grant the pre-school the Licence for Alterations they require in order to carry out works.

### 2 Supporting information

2.1 After liaising with the Pre-school and colleagues in Children's Services, a proposal has been developed. This would involve surrendering the existing lease and issuing a new lease with an accurately drawn plan to include the external play area (Appendix 1).

2.2 The new lease is to be back-dated from 2006 rather than the current date to ensure that maintenance and repairing responsibility for the condition of the property when the Pre-school took occupation remains with them. This follows advice provided by Orbis Legal Services.

2.3 The Local Member, Councillor Stephen Shing, was contacted on 22<sup>nd</sup> February 2019 and fully briefed on the situation and plan. He has not raised any concerns or objections to the proposal to surrender the existing agreement and grant a new lease.

### 3. Conclusion and reasons for recommendations

3.1 It is recommended that the Lead Member agrees for East Sussex County Council to surrender the existing lease and grant a new 30 year lease from 2006 to Lower Willingdon Pre-school in order that the outside space can be included.

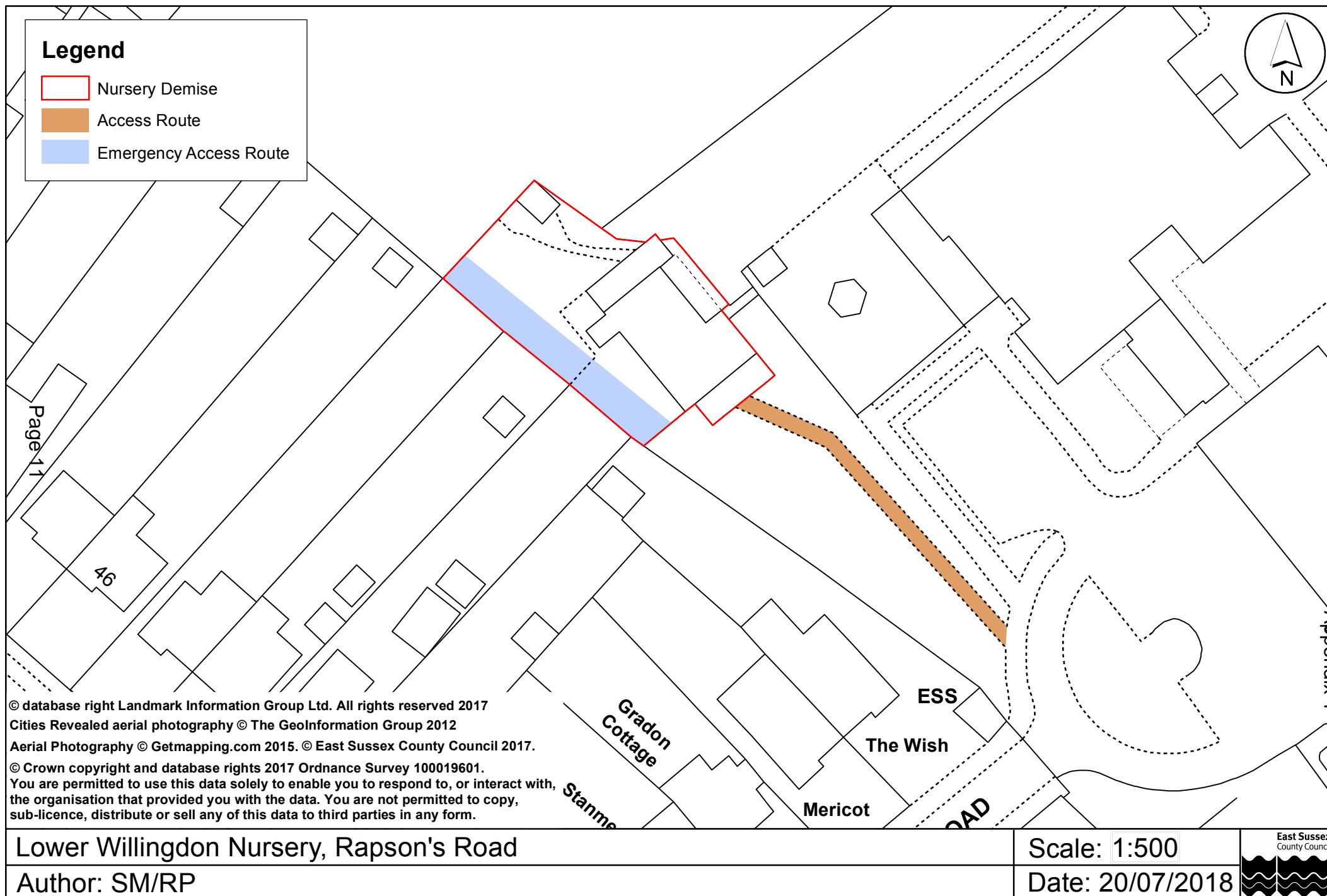
3.2 It is recommended to grant the same 30 year term as the previous lease in recognition of the fact that the construction of the setting was funded by the Pre-school.

3.3 It is further recommended that the Lead Member agrees to delegate authority to the Chief Operating Officer to approve the details of the new lease

**Kevin Foster**  
**Chief Operating Officer**

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of the Local Government Act 1972.

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