



LEAD MEMBER FOR RESOURCES

DECISIONS to be made by the Lead Member for Resources,
Councillor Nick Bennett

TUESDAY, 20 OCTOBER 2020 AT 1.00 PM

CC2, COUNTY HALL, LEWES

++Please note, the Lead Member will not be present in person, but will be taking the decisions remotely++

AGENDA

- 1 Decisions made by the Lead Cabinet Member on 17 July 2020 *(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 Forest Row Household Waste Recycling Site - surplus declaration *(Pages 5 - 8)*
Report by the Chief Operating Officer
- 5 Former Wadhurst Household Waste Recycling Site *(Pages 9 - 12)*
Report by the Chief Operating Officer
- 6 Sackville House, Lewes - First and part of Second Floors *(Pages 13 - 18)*
Report by the Chief Operating Officer
- 7 Sackville House, Lewes - Ground and part of Second Floors *(Pages 19 - 24)*
Report by the Chief Operating Officer
- 8 Warwick House, Seaford *(Pages 25 - 26)*
Report by the Chief Operating Officer
- 9 Leasam Field, Love Lane, Rye - Surplus declaration *(Pages 27 - 30)*
Report by the Chief Operating Officer
- 10 Any other non-exempt items previously notified under agenda item 3
- 11 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).
- 12 Sackville House, Lewes and Warwick House, Seaford - additional information *(Pages*

31 - 32)
Report by the Chief Operating Officer

13 Any exempt urgent items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
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12 October 2020

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NOTE: *As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website is accessible at:*
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LEAD MEMBER FOR RESOURCES

DECISIONS made by the Lead Member for Resources, Councillor Nick Bennett, on 14 July 2020 at County Hall, Lewes

++ The Lead Member was not present in person, but took the decisions remotely ++

Councillor Carl Maynard spoke on items 4 and 7 (see minutes 3 and 5)
Councillor Peter Pragnell spoke on item 4 (see minute 3)

1 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 21 APRIL 2020

1.1 The Lead Member approved as a correct record the minutes of the meeting held on 21 April 2020.

2 REPORTS

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

3 14 WESTFIELD LANE, HASTINGS

3.1 The Lead Member considered a report by the Chief Operating Officer, together with exempt material contained in a later agenda item.

DECISIONS

3.2 RESOLVED to reverse for administrative purposes the previous surplus declaration decision made on 22 January 2019, to enable use and occupation by Children Services.

Reasons

3.3 Earlier decisions not to secure the asset for specialist care use have been further reviewed and amended by Services. Following further reviews, a business proposal was put to Members via the Capital and Strategic Asset Board which approved the refurbishment of the building for use as a home for looked after children, to add provision for care and safeguarding of this vulnerable client base.

4 EXCLUSION OF PUBLIC AND PRESS

4.1 RESOLVED to exclude the public and press for the remaining agenda items on the grounds that if they remained present there would be disclosure to them of exempt information as specified in Paragraph 3 of Part 1 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 14 WESTFIELD LANE, HASTINGS - EXEMPT MATERIAL

5.1 The Lead Member considered a report by the Chief Operating Officer, which contained exempt information in support of an earlier agenda item.

DECISIONS

5.2 RESOLVED to note the information.

Reasons

5.3 The report provided information in support of an earlier agenda item.

Report to: Lead Member for Resources
Date of meeting: 20 October 2020
By: Chief Operating Officer
Title: Forest Row Former HWRC, Forest Row
Purpose: To seek Lead Member approval formally declare the asset surplus

RECOMMENDATIONS

The Lead Member for Resources is recommended to:

- 1) Agree the site be formally declared a surplus property asset
-

1 Background

1.1 The June 2018 Cabinet approved alterations to the ESCC Waste Service and agreed to the closure of Forest Row Household Waste Recycling site. Subsequent work to decommission the site and surrender both the Environment Agency approved waste licence and service / occupational arrangements has been concluded. An internal review of the asset has taken place and community engagement has identified several interested parties.

1.2 The decision required will be to now formally declare the asset surplus. A plan of the site is at Appendix 1.

2 Supporting information

2.1 The decision required relates to whether East Sussex County Council (ESCC) may now declare the Former Household Waste Recycle Centre, Station Road, Forest Row surplus.

2.2 The Property has since been listed as an Asset of Community Value by the District Council and approaches have been made to the County Council by a number of parties.

2.3 Due to its previous use the property has limited appeal for any existing ESCC service and therefore should be declared vacant.

The decision required will be to now formally declare the asset surplus.

3. Conclusion and reasons for recommendations

3.1 It is recommended that the Lead Member agrees for the County Council to formally declare this a surplus property asset as it is of little benefit to ESCC services. It will then allow us to engage fully with potentially interest parties and identify a future user / owner of the site.

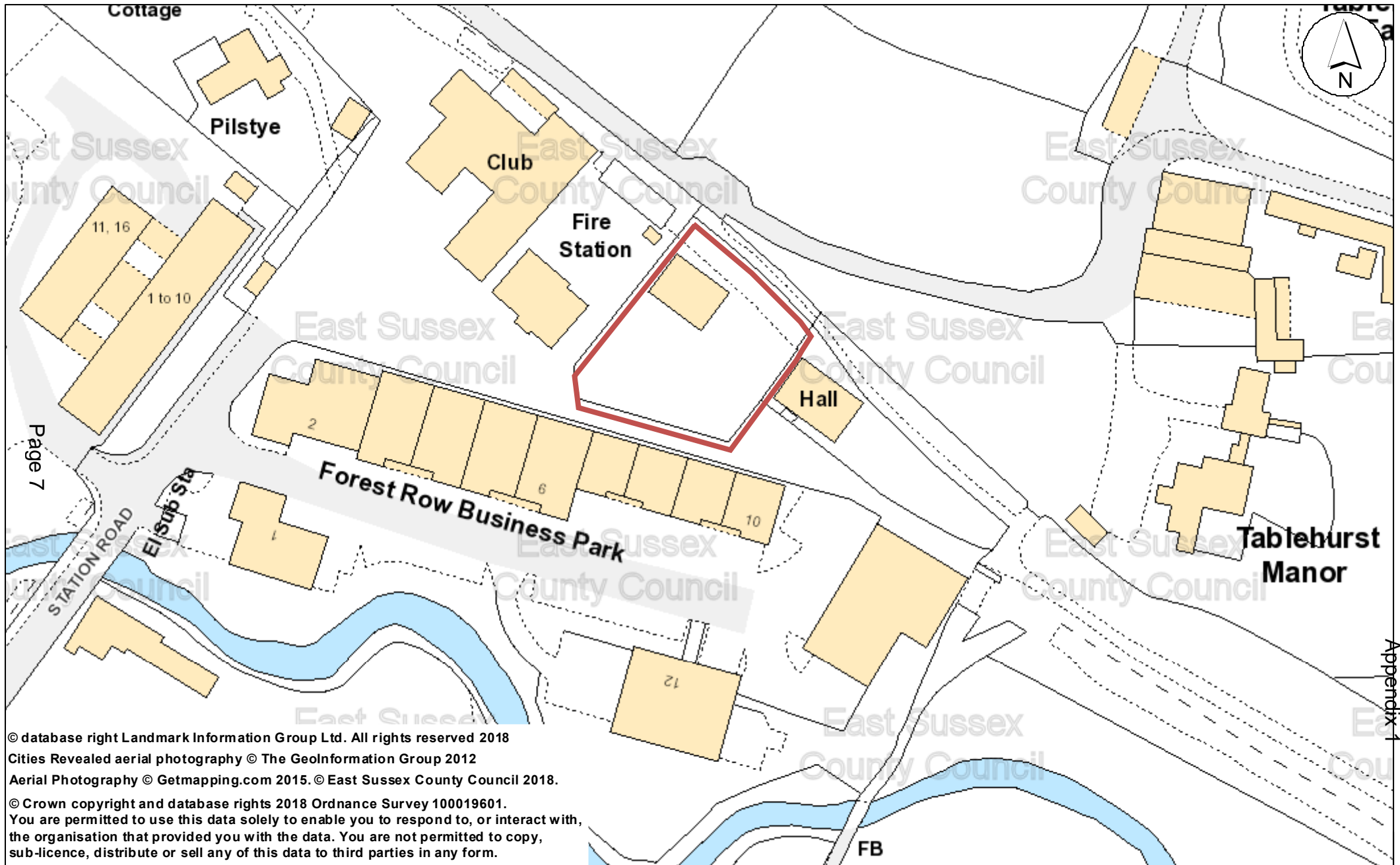
Kevin Foster
Chief Operating Officer

Contact Officer: Peter Smith
Tel. No. 01273 337647
Email: peter.smith@eastsussex.gov.uk

LOCAL MEMBER: Councillor Francis Whetstone

BACKGROUND DOCUMENTS: None

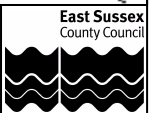
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Map
 Author:

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 Date: 02/07/2018



Appendix 1

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Report to: Lead Member for Resources

Date of meeting: 20 October 2020

By: Chief Operating Officer

Title: Former Wadhurst Household Waste Recycling Centre, Wadhurst

Purpose: To seek Lead Member approval formally declare the asset surplus and delegate authority to the Chief Operating Officer to secure best value upon Disposal.

RECOMMENDATIONS

The Lead Member for Resources is recommended to:

- 1) Agree for Wadhurst Household Waste Recycling Centre to be formally declared a surplus property asset; and
 - 2) Agree to delegate authority to the Chief Operating Officer to approve the details of the formal disposal of the site
-

1 Background

1.1 The Cabinet approved alterations to the East Sussex County Council (ESCC) Waste Service on 26 June 2018 and agreed to the closure of Wadhurst Household Waste Recycling Centre. Subsequent work to decommission the site, and surrender both the Environment Agency approved waste licence and service / occupational arrangements has been concluded. An internal review of the asset and market testing has identified a number of interested parties.

1.2 A prospective purchaser has been identified following a full eight week marketing period whereby multiple parties were identified. The property was marketed on the basis of either leasehold or freehold interest. The vast majority of the interest appeared as applicants looking to acquire the freehold.

1.3 As a means of offering complete transparency and due to the popularity of the site, it was seen as the most appropriate method to seek best and final offers to obtain the true market value.

1.4 A chosen purchaser was then selected on the basis of their proposal (i.e. likelihood / ease of obtaining planning for their proposal) as well as the strength of their financial offer.

1.5 The decision required will be to now formally declare the asset surplus and to delegate authority to the Chief Operating Officer to secure best value.

2 Supporting information

2.1 The decision required relates to whether ESCC may now sell the freehold of Former Household Waste Recycle Centre, Faircrouch Lane, Wadhurst.

2.2 The proposed sale is sold as seen subject to contract and ESCC approval.

2.3 A private property firm were commissioned to offer high-level development options including residential, commercial and industrial and how potential units might fit on the site. Despite the original requirement to consider residential options for this site, following the advice provided by the planning consultant, it was agreed that residential options would not be pursued.

However, four options for other uses were considered. Options for light industrial, light industrial with office space, light industrial with warehouse/storage space, and office space with a yard were explored.

2.4 The proposed options provided a range of units from six small business units to one small office unit with 'yard' space. Sufficient car parking to suit the requirements of East Sussex County Council's 'Guidance for Parking at Non-Residential Development' was also provided.

2.5 The options considered were as follows:

Option A - six light industrial/business units

Option B - three light industrial/business units and one large storage/warehouse facility. Use as storage or a warehouse facility would be subject to transport considerations and reasonable access.

Option C - three light industrial/business units and one large office unit

Option D - one small office unit with 'yard' space. This option would be considered under the 'Sui Generis' use class and would be subject to transport considerations and reasonable access (as Option B).

2.6 All housing and commercial development options have been considered and evaluated, with the freehold sale being assessed as the best option to bring greatest value to the Council.

3. Conclusion and reasons for recommendations

3.1 It is therefore recommended that the Lead Member agrees for Wadhurst Household Recycling Centre to be declared a surplus property asset.

3.2 It is further recommended that the Lead Member agrees for the dispose of the freehold as detailed above.

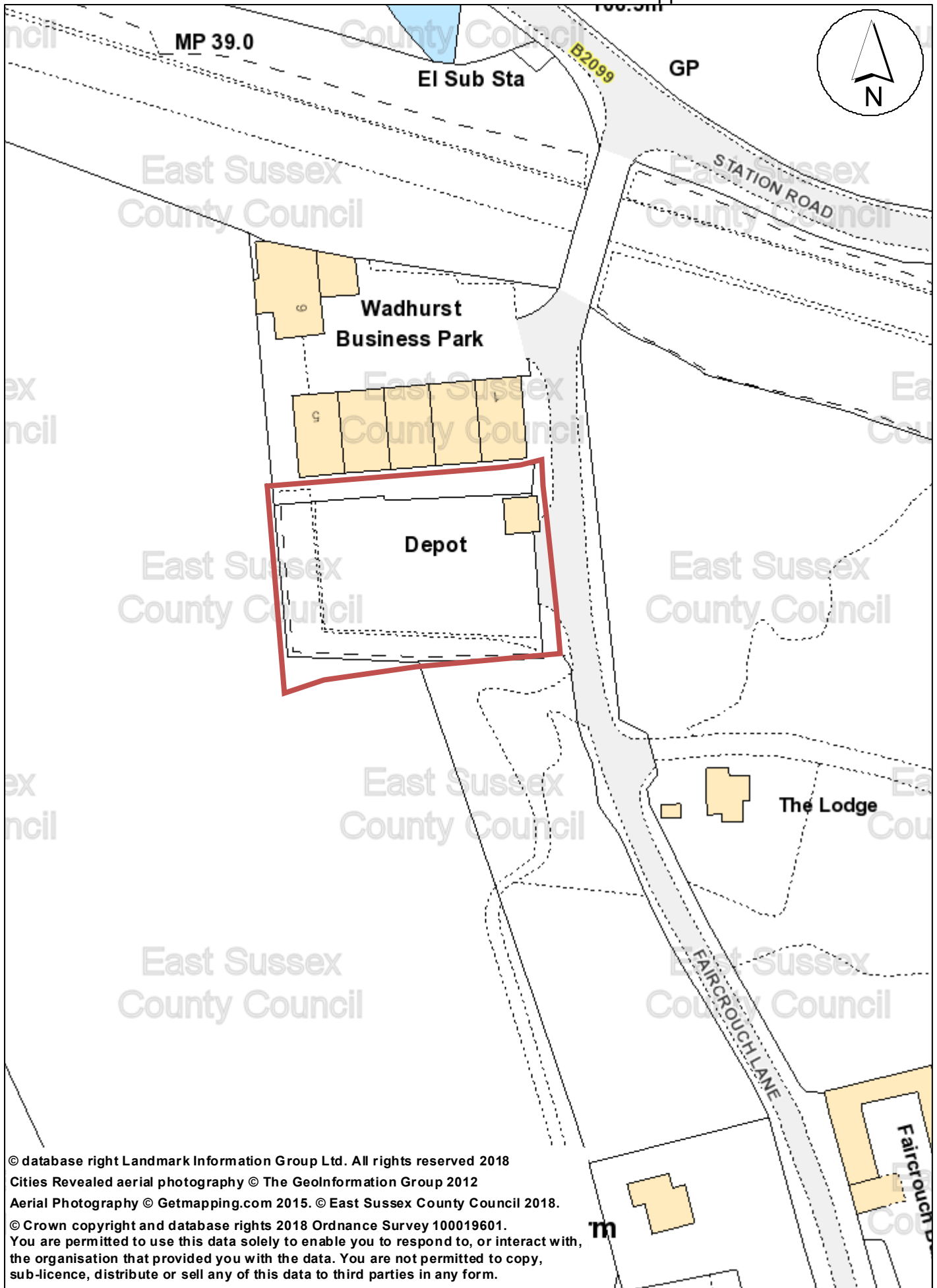
3.3 It is recommended that the Lead Member agrees to delegate authority to the Chief Operating Officer to approve the details of the disposal.

Kevin Foster
Chief Operating Officer


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LOCAL MEMBER: Councillor Bob Standley

BACKGROUND DOCUMENTS: None



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Author:	Page 11	Date: 02/07/2018

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Report to: Lead Member for Resources

Date of meeting: 20 October 2020

By: Chief Operating Officer

Title: Sackville House, Lewes – First and part of Second Floors

Purpose: To seek Lead Member approval to grant two new 10-year leases to the NHS – East Sussex Clinical Commissioning Groups

RECOMMENDATIONS

The Lead Member for Resources is recommended to:

- 1) Agree the implementation of two new 10-year leases to the NHS – East Sussex Clinical Commissioning Groups and any legal documentation associated with enabling this rental (agreement for lease and licence for alterations).
 - 2) Agree to delegate authority to the Chief Operating Officer to approve the details of the new leases and associated legal documentation.
-

1 Background

1.1 Following the vacation of East Sussex County Council (ESCC) personnel from Sackville House in Lewes, ESCC has sought a suitable tenant to take on the parts of the vacant premise. While ESCC have identified new tenants who have taken various leases for parts of the property, we have been actively marketing the South West section of the First Floor and the North part of the Second Floor following the vacation of a previous tenant.

1.2 With the First Floor unrented space requiring investment to bring up to date, the NHS East Sussex Clinical Commissioning Groups have agreed to invest in the property to modernise the demised premises in order to replace their former rented offices in Lewes. Both the First and Second Floor space will be updated for the NHS's back-office provision.

1.3 The NHS East Sussex Clinical Commissioning Groups are proposing to take two separate leases of the two different floors within the building. This will afford them the opportunity to activate the proposed five-year break clause option on one section without vacating their whole interest if required. Both proposed leases are for a term of 10 years with a (break option at year 5).

1.4 The leases are required to be approved as a delegated authority may only be used to approve agreements where the annual rental does not exceed £25,000 per annum. The larger of the leases exceeds that amount by over £100,000 therefore the permission for both is sought from this Lead Member for Resources report.

1.5 Further exempt information is contained in a later agenda item and should be considered alongside this report.

2 Supporting information

2.1 The decision required relates to whether ESCC may rent the vacant sections on the First and Second Floor to the NHS Clinical Commissioning Groups. Not only will the group pay rent but also make a service charge contribution between the two leases. The NHS will also be responsible for all outgoings relating to non-domestic rates for the parking spaces and occupied premise. Both leases will be excluded from s.24 – 28 of the Landlord and Tenant Act.

2.2 The approval would seek to delegate authority to the Chief Operating Officer to sign off the final agreements.

2.3 Lease Summary:

NHS – East Sussex Clinical Commissioning Groups Tenancy at Sackville House, Lewes Lease 1: Space on the first floor - The demised space totals at 789.29 m2 (8,496 sq. ft.).

The lease includes the use of 32 parking spaces which are rated separately.

NHS – East Sussex Clinical Commissioning Groups Tenancy at Sackville House, Lewes –Lease 2: Space on the second floor- The demised space totals at 138.48 m2 (1,490.59 sq. ft.).

The lease includes the use of 6 parking spaces.

2.4 Both leases will require the tenant to make contribution to the service charge.

3. Conclusion and reasons for recommendations

3.1 It is recommended that the Lead Member agrees for ESCC to approve the proposed leases and associated legal documentation to secure the two new 10-year leases proposed to commence in October / November 2020 in order that the NHS may be charged a commercial rent and associated service charge percentage.

3.2 It is recommended that the Lead Member agrees to delegate authority to the Chief Operating Officer to approve the details of the two new 10-year leases and, if required, any associated legal documentation (including an agreement for lease and licence for alterations).

Kevin Foster
Chief Operating Officer

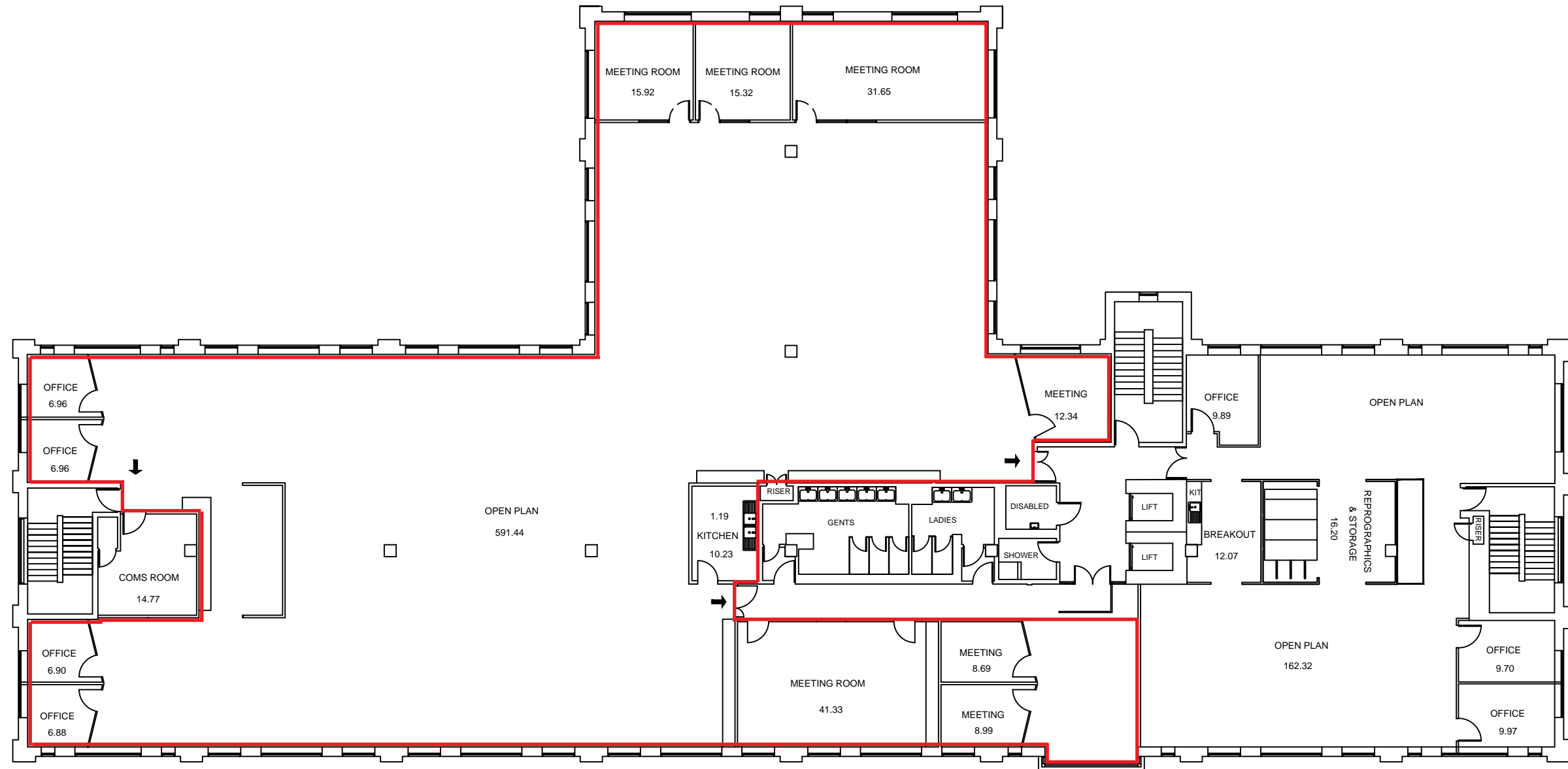
Contact Officer: Peter Smith
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LOCAL MEMBER: Councillor Philip Daniel

BACKGROUND DOCUMENTS: None

Suite 1B

Total NIA: 704.60 m2 (7584.3 Sq Ft)



1:200

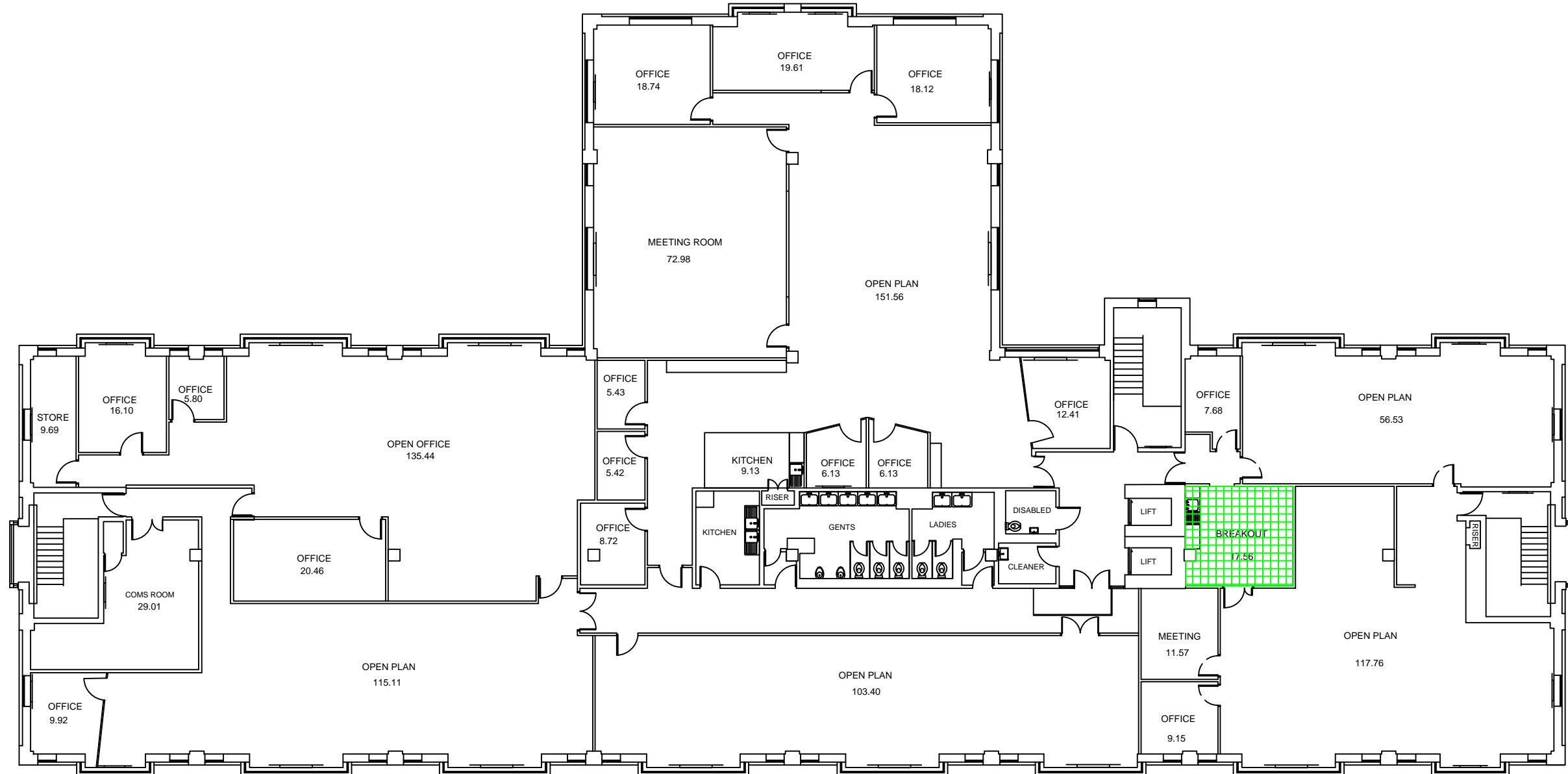


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client	East Sussex County Council	job no.	327325
date		drawing no.	006
drawn by	CB	rev	-
checked by	RB	scale	1:200@A3

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Suite 2D

Total NIA: 138.48 m2 (1490.6 Sq Ft)



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Report to: Lead Member for Resources

Date of meeting: 20 October 2020

By: Chief Operating Officer

Title: Sackville House, Lewes – Ground and part of Second Floor

Purpose: To seek Lead Member approval to grant two new 10-year leases to the NHS Sussex Partnership NHS Foundation Trust

RECOMMENDATIONS

The Lead Member for Resources is recommended to:

- 1) Agree the implementation of two new 10-year leases to the Sussex Partnership NHS Foundation Trust and any legal documentation associated with enabling this rental; and
 - 2) Agree to delegate authority to the Chief Operating Officer to approve the details of the new leases and Licence for Alterations
-

1 Background

1.1 Following the vacation of East Sussex County Council (ESCC) personnel from Sackville House in Lewes, ESCC has sought a suitable tenant to take on the parts of the vacant premise. While ESCC have identified new tenants who have taken various leases for parts of the property, we have been actively marketing the South section of the Ground Floor and the South part of the Second Floor following the vacation of a previous tenant.

1.2 With the Ground Floor unrented space requiring significant investment to bring up to date, the Sussex Partnership NHS Foundation Trust have agreed to invest heavily in the property to modernise the demised premises in order to replace their former rented offices in Lewes. Both the Ground and Second Floor space will be updated for the NHS's back-office provision.

1.3 The Sussex Partnership NHS Foundation Trust are proposing to take two separate leases of the two different floors within the building. This will afford them the opportunity to activate the proposed five-year break clause option on one section without vacating their whole interest if required. Both proposed leases are for a term of 10 years with a (break option at year 5).

1.4 The leases are required to be approved as a delegated authority may only be used to approve agreements where the annual rental does not exceed £25,000 per annum. Both the leases exceed that amount and therefore the permission for both is sought from this Lead Member for Resources report.

1.5 Further exempt information is contained in a later agenda item which should be considered alongside this report.

2 Supporting information

2.1 The decision required relates to whether ESCC may rent the vacant sections on the Ground and Second Floor for to the Sussex Partnership NHS Foundation Trust. Not only will the group pay rent but also make a service charge contribution between the two leases. The NHS will also be responsible for all outgoings relating to non-domestic rates for the parking spaces and occupied premise. Both leases will be included s.24 – 28 of the Landlord and Tenant Act and as such the tenant will have a statutory right to renew each lease at the end of the term. ESCC would only be able to oppose the renewal lease on any of the grounds set out in section 30(1) of

the Landlord and Tenant Act 1954. This includes where the tenant persistently fails to pay the rent or fails to keep the property in repair or where the landlord proposes to demolish and reconstruct the property or occupy the property themselves. This is proposed to be acceptable due to the level of expenditure that the group will be committing to the property.

The approval would look to delegate authority to the Chief Operating Officer to sign off the final agreements.

Lease Summary:

The Sussex Partnership NHS Foundation Trust Tenancy at Sackville House, Lewes –Lease 1:
Space on the Ground floor - The demised space totals at 337.9 m² (3,638 sq.ft).

The lease includes the use of 13 parking spaces which are rated separately.

The Sussex Partnership NHS Foundation Trust Tenancy at Sackville House, Lewes –Lease 2:
Space on the second floor- The demised space totals at 187.49 sq. m (2,018 sq. ft.)

The lease includes the use of 7 parking spaces.

Both leases will require the tenant to make contribution to the service charge.

3. Conclusion and reasons for recommendations

3.1 It is recommended that the Lead Member agrees for ESCC to approve the proposed leases and associated legal documentation to secure the two new 10-year leases in order that the NHS may be charged a commercial rent and associated service charge percentage.

3.2 It is recommended that the Lead Member agrees to delegate authority to the Chief Operating Officer to approve the details of the two new 10-year leases and associated legal documentation.

Kevin Foster
Chief Operating Officer

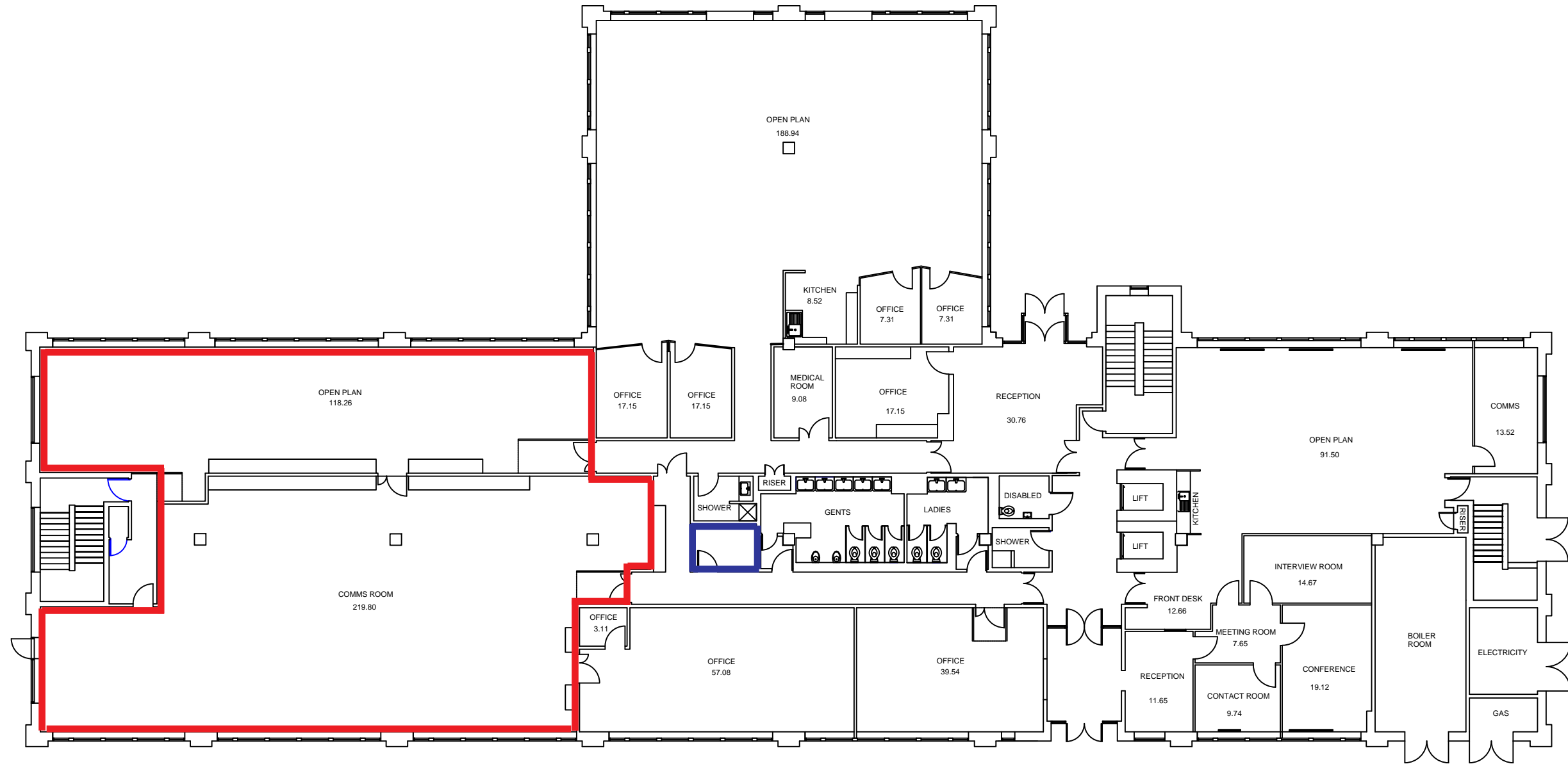
Contact Officer: Peter Smith
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LOCAL MEMBER: Councillor Philip Daniel

BACKGROUND DOCUMENTS: None

Suite A

Total NIA: 180.51 m2 (1943 Sq Ft)

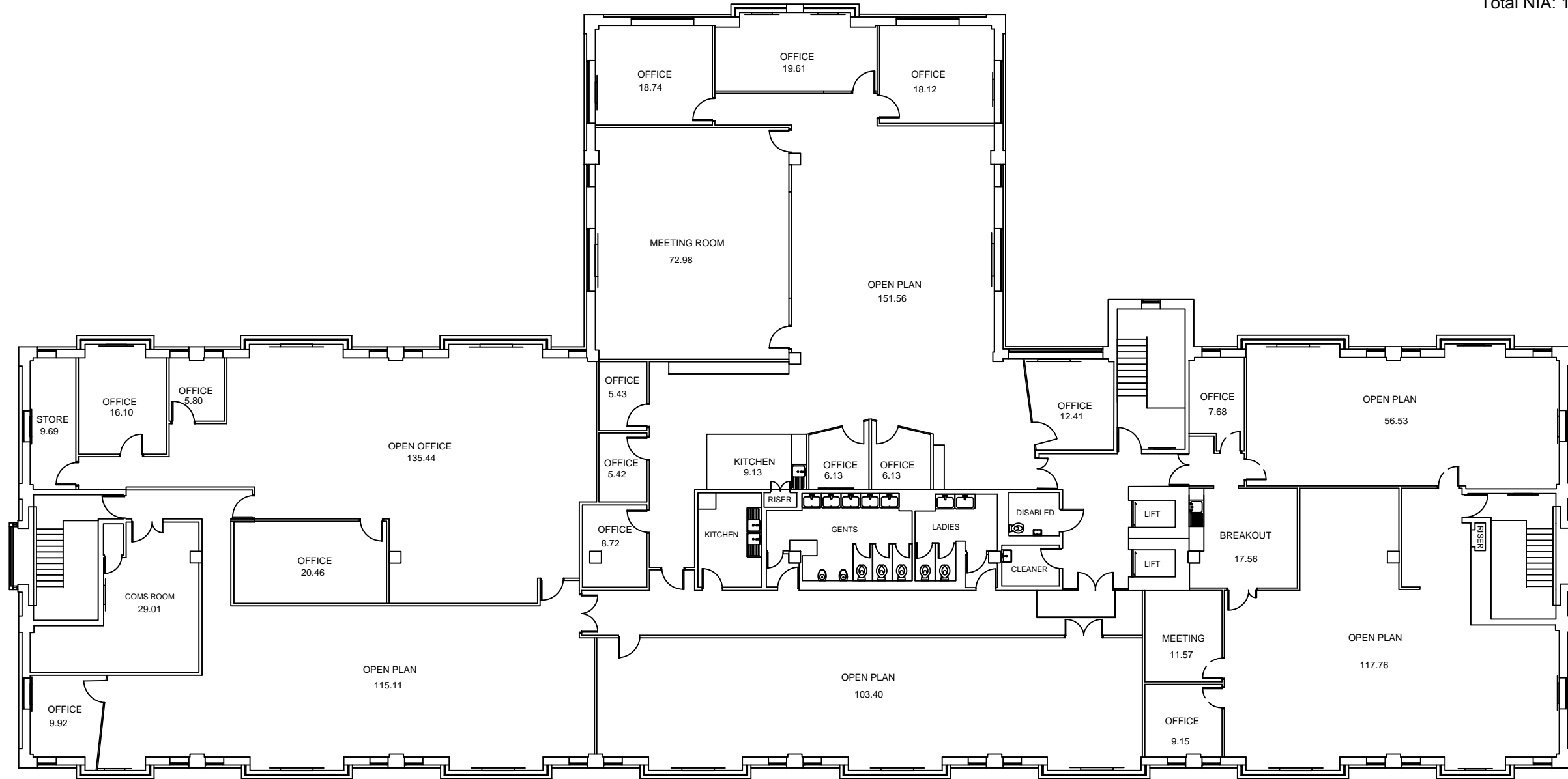


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Suite 2G

Total NIA: 187.49 m2 (2014.5 Sq Ft)



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Report to: Lead Member for Resources

Date of meeting: 20 October 2020

By: Chief Operating Officer

Title: Warwick House, Seaford

Purpose: To seek Lead Member approval to grant two new 10-year leases to the Sussex Partnership NHS Foundation Trust

RECOMMENDATIONS

The Lead Member for Resources is recommended to:

- 1) Agree the implementation of two new 10-year leases to the Sussex Partnership NHS Foundation Trust and any legal documentation (Works Licence) associated with enabling this rental.
 - 2) Agree to delegate authority to the Chief Operating Officer to approve the details of the new leases and works licence
-

1 Background

1.1 Following the vacation of the Adult Social Care Service from Warwick House in Seaford, East Sussex County Council (ESCC) has sought a suitable tenant to take on the parts of the vacant premise. While ESCC have had conversations with several potential tenants the overlapping nature of the property and shared services may limit the appeal of the property and the nature of who we may let to. There is a need for an appreciation that the library service will remain an integral element of the premise and will require access to parts of the property to ensure they are able to carry out their own operation. This is understood and acknowledged by the NHS.

1.2 The Ground and Second Floor space are already in a suitable condition for the NHS occupation with established clinic space limiting the need for investment and alterations. The Sussex Partnership NHS Foundation Trust have stated that they wish to make some minor alterations but the demised premises is likely to remain in roughly the same state as it will lend itself well to the function required by the group.

1.3 The Sussex Partnership NHS Foundation Trust are proposing to take one single lease for the whole building. The proposed lease is for a term of 10 years with a (break option at year 5).

1.4 The lease is required to be approved as a delegated authority may only be used to approve agreements where the annual rental does not exceed £25,000 per annum. The lease exceeds that amount and therefore the permission is sought from this Lead Member for Resources report.

1.5 Further exempt information is contained in an item later on the agenda which should be considered alongside this report.

2 Supporting information

2.1 The decision required relates to whether ESCC may rent the vacant sections on the Ground and Second Floor to the Sussex Partnership NHS Foundation Trust. Not only will the group pay rent but also make a service charge contribution. The NHS will also be responsible for their share of the charges relating to non-domestic rates for occupied premise. The leases will be

excluded s.24 – 28 of the Landlord and Tenant Act and as such the tenant will have no right to renew.

The approval would look to delegate authority to the Chief Operating Officer to sign off the final agreements.

Lease Summary:

The Sussex Partnership NHS Foundation Trust Tenancy at Warwick House – vacant sections on the Ground and Second Floor including part of the roof terrace (formally used by ESCC ASC) 315.19 sq. m (3,392.7 sq. ft.) with 171.97 sq. m roof terrace (1,851 sq. ft.).

3. Conclusion and reasons for recommendations

3.1 It is recommended that the Lead Member agrees for East Sussex County Council to approve the proposed lease and associated legal documentation (Works Licence) to secure a 10-year lease in order that the NHS may be charged a commercial rent and associated service charge percentage.

3.2 It is recommended that the Lead Member agrees to delegate authority to the Chief Operating Officer to approve the details of the new 10-year lease.

Kevin Foster
Chief Operating Officer

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LOCAL MEMBER: Councillor Carolyn Lambert

BACKGROUND DOCUMENTS: None

Committee: **Lead Member for Resources**

Date: **20 October 2020**

Title of Report: **Land at Leasam Field, Love Lane, Rye – Surplus declaration**

By: **Chief Operating Officer**

Purpose of Report: **To seek Lead Member approval to (1) declare the property surplus to the County Council’s requirements and to (2) to secure best value through a disposal on the open market**

RECOMMENDATION: The Lead Member is recommended to:

- (1) declare the property known as Leasam Field, Love Lane, Rye surplus to the County Council’s 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.**
-

1. Background information

- 1.1 The parcel of land, outlined in black on the attached plan, comprises approx. 12.5 acres (five hectares) and was originally part of the campus of the former Leasam School that was disposed of by the County Council in 1993. The parcel is effectively land-locked by Rolvendene Farm and has been held under a Farm Business tenancy at a nominal peppercorn rent since 2011. With the pending expiry of the lease in June 2021, an opportunity has now arisen to formally declare the land surplus and enable an agreement to be reached with the owner of Rolvendene Farm on its sale.

2. Supporting Information

- 2.1 The Property comprises an agricultural field, accessed via Rolvendene Farm, and had been retained partly to enable some local drainage ditches to be constructed
- 2.2 The land has been outside of education use for many years and is not subject to any Ministerial restrictions on sale
- 2.3 A plan of the property (edged black) is attached in Appendix 1.
- 2.4 Internal consultation with Children Services has confirmed that there is no further service requirement for this property.
- 2.5 The Local Member has been consulted on this matter and raised no objection to the proposal.

3 Conclusion and Reason for Recommendations

- 3.1 The property offers no future operational use for the County Council, nor has it generated any income since 2010. The farm business tenancy expires in Summer 2021 and options to sell to the owner at fair value arise. As an alternative a further

Farm business tenancy could be explored but the rental return would only offer a very low yield against its likely capital value.

- 3.2 It is recommended that this property be declared surplus to the County Council's requirements and terms for its disposal delegated to the Chief Operating Officer in accordance with the requirements of Section 123 of the Local Government Act 1972
- 3.3 The capital receipt from the disposal will contribute to the funding for the Capital Programme.

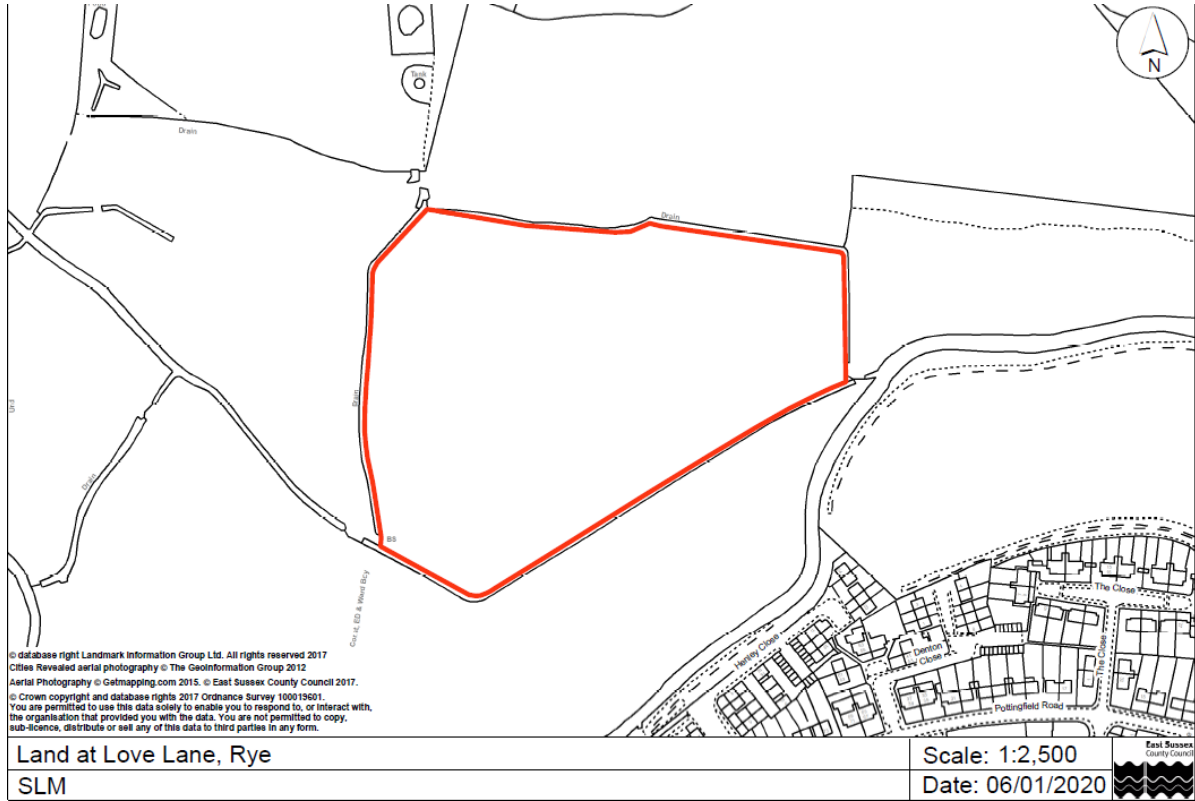
KEVIN FOSTER
Chief Operating Officer

Contact Officer: Sophie Mantle
Tel. No. 01273 336 843
Email: Sophie.Mantle@eastsussex.gov.uk

LOCAL MEMBER: Councillor Keith Glazier

BACKGROUND DOCUMENTS: None

Appendix 1 Site Plan



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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