



LEAD MEMBER FOR RESOURCES

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

TUESDAY, 26 JANUARY 2021 AT 3.00 PM

COMMITTEE ROOM, 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 20 October 2020 (*Pages 3 - 6*)
- 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 Free School Lease - Ropemaker Academy, Hailsham (*Pages 7 - 10*)
Report by the Chief Operating Officer
- 5 Land at Former St Leonards Academy, Darwell Close, Hastings (*Pages 11 - 14*)
Report by Chief Operating Officer
- 6 Any non-exempt urgent 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 Land at Former St Leonards Academy, Darwell Close, Hastings - Exempt information (*Pages 15 - 24*)
Report by the Chief Operating Officer
- 9 Any other exempt items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
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18 January 2021

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LEAD MEMBER FOR RESOURCES

DECISIONS made by the Lead Member for Resources, Councillor Nick Bennett, on 20 October 2020 at County Hall, Lewes

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

Councillor Roy Galley spoke on item 4 (see minute 8)

Councillor Philip Daniel spoke on items 6, 7, 8 and 12 (see minutes 10, 11, 12 and 15)

6 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 17 JULY 2020

6.1 The Lead Member approved as a correct record the minutes of the meeting held on 17 July 2020.

7 REPORTS

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

8 FORMER FOREST ROW HOUSEHOLD WASTE RECYCLING SITE - SURPLUS DECLARATION

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

DECISIONS

8.2 The Lead Member RESOLVED to agree the site be formally declared a surplus property asset.

Reasons

8.3 The site is of little benefit to East Sussex County Council services. The declaration will allow the Council to engage fully with potentially interested parties and identify a future user/owner of the site.

9 FORMER WADHURST HOUSEHOLD WASTE RECYCLING SITE

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

DECISIONS

9.2 The Lead Member RESOLVED to (1) agree for Wadhurst Household Waste Recycling Centre 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.

Reasons

9.3 All options have been considered and evaluated with the freehold sale being assessed as the best option to bring greatest value to the Council.

10 SACKVILLE HOUSE, LEWES - FIRST AND PART OF SECOND FLOORS

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

DECISIONS

10.2 The Lead Member RESOLVED to (1) agree the implementation of two new 10-year leases to the NHS – East Sussex Clinical Commissioning Group and any legal documentation associated with enabling this rental (agreement for lease and licence for alterations); and

(2) agree to delegate authority to the Chief Operating Officer to approve the details of the new leases and associated legal documentation.

Reasons

10.3 Following vacation of County Council personnel from Sackville House the Council has sought suitable tenants to take on parts of the vacant premises. The NHS East Sussex Clinical Commissioning Group have agreed to invest in the property to modernise the premises in order to replace their former rented offices in Lewes.

11 SACKVILLE HOUSE, LEWES - GROUND AND PART OF SECOND FLOORS

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

DECISIONS

11.2 The Lead Member RESOLVED to (1) agree to 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.

Reasons

11.3 Following vacation of County Council personnel from Sackville House the Council has sought suitable tenants to take on parts of the vacant premises. The Sussex Partnership NHS Trust have agreed to invest in the property to modernise the premises in order to replace their former rented offices in Lewes.

12 WARWICK HOUSE, SEAFORD

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

DECISIONS

12.2 The Lead Member RESOLVED to The Lead Member RESOLVED to (1) agree to the implementation of a 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 lease and works licence.

Reasons

12.3 Following vacation of County Council personnel from Warwick House the Council has sought suitable tenants to take on parts of the vacant premises.

13 LEASAM FIELD, LOVE LANE, RYE - SURPLUS DECLARATION

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

DECISIONS

13.2 The Lead Member RESOLVED 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 s123 of the Local Government Act 1972.

Reasons

13.3 The property offers no future operational use for the County Council, nor has it generated any income since 2010.

14 EXCLUSION OF PUBLIC AND PRESS

14.1 It was RESOLVED to exclude the public and press 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 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).

15 SACKVILLE HOUSE, LEWES AND WARWICK HOUSE, SEAFORD - ADDITIONAL INFORMATION

15.1 The Lead Member considered a report by the Chief Operating Officer which contained exempt information in support of earlier agenda items.

DECISION

15.2 The Lead Member RESOLVED to note the information.

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Report to: Lead Member for Resources

Date of meeting: 26 January 2021

By: Chief Operating Officer

Title: The Ropemakers' Academy 125-year Free school Lease

Purpose: To authorise ESCC to enter a 125-year Free school Lease for premises known as The Ropemakers' Academy, Hailsham.

RECOMMENDATIONS

It is recommended for the Lead Member for Resources to:

1) authorise the Chief Operating Officer to agree and enter into a DfE standard 125-year Free School Lease for premises at Reef Way, Hailsham known as The Ropemakers' Academy, Hailsham; and

2) authorise Property Services to agree terms in line with the standard Department for Education 125-year Free School lease at a peppercorn rent.

1 Background

- 1.1 East Sussex County Council (ESCC) purchased land at Reef Way, Hailsham on 8 January 2019 following approval given by the Lead Member for Resources on 23 March 2018. The land was acquired as there was a requirement for constructing a new school for pupils with special educational needs.
- 1.2 As a local authority, ESCC has powers to plan new provision and provide capacity and this was required for pupils in the Hailsham area. The school will support ESCC's strategy to increase the number of special school places, and will help to meet the needs of increased numbers of pupils with an for Education Health and Care Plan (EHCP), as well as with Social, Emotional and Mental Health (SEMH) needs at primary level. The school will provide 80 places across the primary and secondary phases.
- 1.3 The Council has funded the construction of the new build school as part of the Schools Capital Programme 2020-2021, and it will be operated by the Beckmead Trust. The planned completion date is January 2021.
- 1.4 The newly created school will become a Free School, as outlined in the Education Act 2011 and section 6A Education and Inspection Act 2006. All new schools since February 2012 will be opened as a Free School based on this legislation. The Council will therefore be required to grant a standard Department for Education 125-year Free School lease at peppercorn rent. A plan showing the land to be demised (outlined in red) is attached at Appendix 1.

2 Supporting information

- 2.1 Under the Academies Act 2010 (as amended), there is provision for existing maintained schools to transfer to Academy status. There has been a long-standing authority granted on 16 November 2010 by the Lead Member for Learning and School Effectiveness. The delegated authority allows for the transfer of schools to Academy Trusts using these delegations.

2.2 However, this delegated authority doesn't cover Free Schools and the associated grant of a long 125-year Free School lease. A standard 125-year lease issued by DfE for a Free School lease is slightly different to that for an existing school converting under an Academy conversion process. Therefore, Lead Member approval is requested for this Free School lease to the Beckmead Trust.

2.3 It is intended to review the Scheme of Delegations for property transactions to include Free School 125-year leases going forward.

3. Conclusion and reasons for recommendations

3.1 The Ropemakers' Academy is being constructed and will be operated as a Free School by the Beckmead Trust.

3.2 It is recommended for the Lead Member for Resources to authorise the Chief Operating Officer to agree and enter into a DfE standard 125-year Free School Lease at a peppercorn rent to the Beckmead Trust for the premises known as The Ropemakers' Academy, Hailsham.

Phil Hall Chief Operating Officer

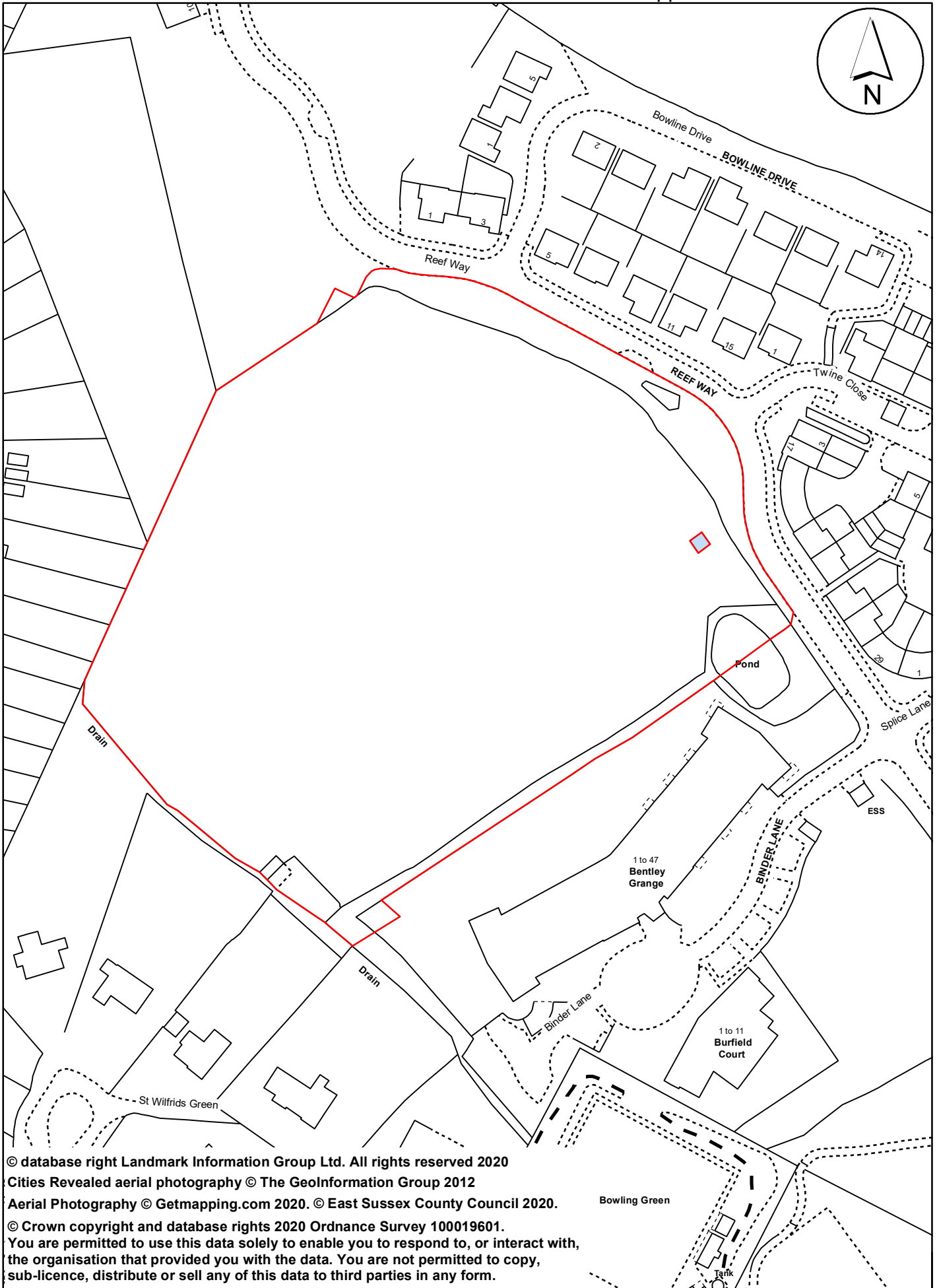
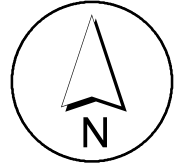
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LOCAL MEMBERS

Councillor Bob Bowdler

BACKGROUND DOCUMENTS

None



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Report to: Lead Member for Resources

Date of meeting: 26 January 2021

By: Chief Operating Officer

Title: Land at The Grove, Former St Leonards Academy, Darwell Close, Hastings

Purpose: To agree to the disposal of a declared surplus asset following completion of marketing of the site.

RECOMMENDATIONS

The Lead Member is recommended to:

- 1) agree to the disposal of the site following the marketing of the site and an analysis of the offers contained in Exempt report at a later agenda item; and
- 2) Delegate authority to the Chief Operating Officer to secure best value in accordance with S123 of the Local Government Act 1972.

1 Background

- 1.1 At the Lead Member for Resources meeting in June 2013, authority was agreed to declare the former Grove School property in Hastings surplus to County Council requirements and to authorise disposal of the site. The Lead Member decision required the Chief Operating Officer to take all necessary steps and actions in connection with securing Secretary of State consent to dispose of the site in accordance with 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').
- 1.2 Following a consultation and formal detailed application, East Sussex County Council (ESCC) secured s77 consent from Secretary of State in November 2020 to sell the site of this former school.
- 1.3 ESCC subsequently undertook competitive formal marketing of the site through an experienced property agent for residential re-development sites. ESCC received four robust formal offers, an analysis of which is included in a later agenda item containing Exempt information.

2 Supporting information

- 2.1 The site known as The Grove, Former St Leonards Academy is shown in the plan at Appendix 1.
- 2.2 ESCC appointed specialist planning consultants to secure planning permission for residential homes in accordance with local plan planning policies. Hastings Borough Council, as the planning authority, granted outline planning permission for 210 homes in a decision dated 21 June 2018. The matter will require the submission of a Reserved Matters application prior to 21 June 2021.
- 2.3 The Local Member has been consulted on the sale of the land.
- 2.4 The ESCC property team are confident best value has been secured following formal marketing of the site in accordance with Section 123 of the Local Government Act 1972.

3. Conclusion and reasons for recommendations

- 3.1 It is recommended to proceed with the disposal of the asset to the preferred purchaser as outlined in the later agenda Item. The preferred purchaser is aware of the section 77 consent.
- 3.2 It is also recommended for the Lead Member of Resources to delegate authority to the Chief Operating Officer to dispose of this property and secure best value in accordance with S123 of the Local Government Act 1972.

PHIL HALL

Chief Operating Officer

Contact Officer: Sean Kaufmann

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Assistant Director – Property: Nigel Brown

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LOCAL MEMBERS

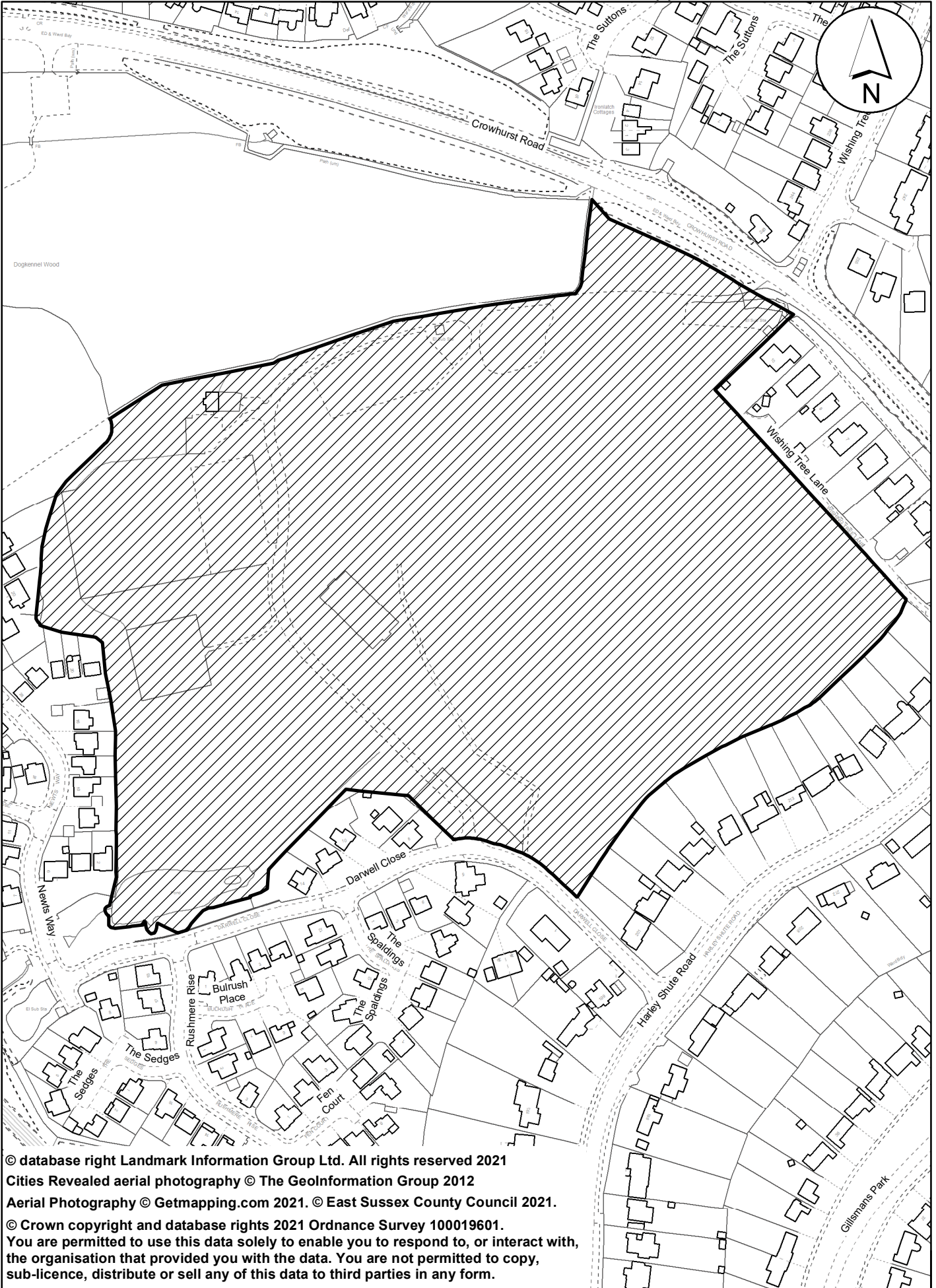
Councillor Matthew Beaver – Hastings Maze Hill and West St Leonards

BACKGROUND DOCUMENTS

None

APPENDICES

Appendix 1 – Site Plan (not to scale)



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