



## LEAD MEMBER FOR RESOURCES AND CLIMATE CHANGE

**DECISIONS** to be made by the Lead Member for Resources and Climate Change,  
Councillor Nick Bennett

**TUESDAY, 14 JANUARY 2025 AT 2.00 PM**

**REMOTE MEETING VIA MICROSOFT TEAMS**

### **AGENDA**

1. Decisions made by the Lead Cabinet Member on 19 November 2024 (*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. Site 6, Eastbourne - Disposal of Long Leasehold Interest (*Pages 7 - 12*)  
Report by the Chief Operating Officer
5. Any non-exempt items previously notified under agenda item 3
6. Exclusion of the 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 Schedule 12A to 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).
7. Site 6, Eastbourne - Disposal of Long Leasehold Interest - Exempt Information (*Pages 13 - 18*)  
Report by the Chief Operating Officer
8. Property Strategy for Pacific House, Eastbourne (*Pages 19 - 30*)  
Report by the Chief Operating Officer
9. Any other exempt urgent items previously notified under agenda item 3

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

6 January 2025

Contact Sophie Webb, Senior Governance and Democracy Officer,  
01273 337495  
Email: [sophie.webb@eastsussex.gov.uk](mailto:sophie.webb@eastsussex.gov.uk)

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. The live broadcast is accessible at:*

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## LEAD MEMBER FOR RESOURCES AND CLIMATE CHANGE

DECISIONS made by the Lead Member for Resources and Climate Change, Councillor Nick Bennett, on 19 November 2024 at Remote Meeting via Microsoft Teams

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### 49. DECISIONS MADE BY THE LEAD CABINET MEMBER ON 1 NOVEMBER 2024

49.1 The Lead Member approved as a correct record the minutes of the meeting held on 1 November 2024.

### 50. DISCLOSURE OF INTERESTS

50.1 There were none.

### 51. URGENT ITEMS

51.1 There were none.

### 52. REPORTS

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

### 53. FORMER BROAD OAK PRIMARY SCHOOL, BROAD OAK - DISPOSAL OF FREEHOLD

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

## DECISIONS

53.2 The Lead Member RESOLVED to:

- 1) Declare the former Broad Oak Community Primary School (the Property) to be surplus to the requirements of the Council;
- 2) Approve the disposal of the Property in accordance with s123 of the Local Government Act 1972;
- 3) Delegate authority to the Chief Operating Officer to agree the terms of the sale to achieve best value for the Property in accordance with s123 of the Local Government Act 1972, including proceeding with the next best offer(s) in the event of the transaction(s) not completing within the expected timelines; and
- 4) Delegate authority to the Chief Operating Officer to take all actions necessary to give effect to the recommendations in this report.

## REASONS

53.3 The Council has no ongoing operational use for the Property. It was on this basis that consent was granted by the Secretary of State for Education to dispose of the Property. The Property is surplus to the Council's requirements and the disposal of it will reduce revenue liabilities relating to the management and holding costs of this surplus asset, as well as providing the Council with a capital receipt to invest in the improvement of the County's sporting and education facilities.

53.4 Delegation to the Chief Operating Officer authority to agree the terms of the sale to achieve the best consideration for the Property in accordance with s123 of the Local Government Act 1972, including authority to proceed with the next best offer(s) in the event of the transaction(s) not completing within the expected timelines and to take all actions necessary to give effect to the recommendations in the report will facilitate the effective disposal of the Property.

## 54. EXCLUSION OF THE PUBLIC AND PRESS

54.1 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 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).

55. FORMER BROAD OAK PRIMARY SCHOOL, BROAD OAK - DISPOSAL OF FREEHOLD - EXEMPT INFORMATION

55.1 The Lead Member considered a report by the Chief Operating Officer which provided exempt information in support of an earlier item on the agenda.

DECISIONS

55.2 The Lead Member RESOLVED to note the exempt information in support of an earlier agenda item.

REASONS

55.3 The report contained exempt information in relation to an earlier item on the agenda.

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**Report to:** Lead Member for Resources and Climate Change

**Date of meeting:** 14 January 2025

**By:** Chief Operating Officer

**Title:** Site 6, Eastbourne – Disposal of Long Leasehold Interest

**Purpose:** To declare Site 6, Eastbourne to be surplus to the operational requirements of the Council and to agree to dispose of the asset in accordance with s123 of the Local Government Act 1972

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## **RECOMMENDATIONS**

The Lead Member for Resources and Climate Change is recommended to:

- 1) **Declare Site 6, Eastbourne shown in Appendix 1 (“the Site”) to be surplus to the requirements of the Council;**
- 2) **Approve the disposal of the Site in accordance with s123 of the Local Government Act 1972;**
- 3) **Approve that East Sussex County Council enters into a Memorandum of Understanding with Eastbourne Borough Council (EBC) whilst the ownership of the Site is held jointly and to delegate authority to the Chief Operating Officer to agree the terms of it;**
- 4) **Delegate authority to the Chief Operating Officer to agree the terms of the sale, jointly with Eastbourne Borough Council, to achieve best value for the Site in accordance with s123 of the Local Government Act 1972, including proceeding with the next best offer(s) in the event of the transaction(s) not completing within the expected timelines; and**
- 5) **Delegate authority to the Chief Operating Officer to take all actions necessary to give effect to the recommendations in this report.**

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## **1 Background**

1.1 The Site comprises a former boat yard, with a community centre to the south-western side of the Site which leads to Sovereign Harbour Retail Park. It is adjacent to an office building known as Pacific House, which is to the western boundary of the site. The extent of the Site is shown in Appendix 1.

1.2 Eastbourne Borough Council’s (EBC) Core Strategy Local Plan and the Employment Land Local Plan identifies the Site as being allocated as employment land, capable of delivering offices, research and development space, and/or light industrial units. A total allocation of 20,000 sqm is identified as being deliverable across Sovereign Harbour, with the bulk of this to be shared between ‘Site 6’ and a neighbouring site, ‘Site 7’ - [Eastbourne Core Strategy - Lewes and Eastbourne Councils](#).

1.3 East Sussex County Council (ESCC) owns the long leasehold interest in Site 6, along with EBC as tenants in common. The ownership split is ESCC 48.485% and EBC 51.515%. The long leasehold interest is for a term of 999 years from April 2014. The 999-year lease restricts the permitted development of ‘Site 6’ to a use within Use Class B1 (a) (b) or (c) of the Town and Country Planning (Use Classes) Order 1987 as at the date the lease is

granted. This therefore follows the site allocation in the Local Plan, being offices, research and development space, and/or light industrial units.

1.4 A draft Memorandum of Understanding has been drawn up to document the roles and expectations of both Councils whilst the ownership of the Site is held jointly. It also sets out the approach for joint decision-making and the escalation process for a dispute. This is outlined within an exempt item later in the agenda.

## **2 Supporting information**

2.1 Five options for the Site have been considered. These options are:

- 1) Retain for a Council service;
- 2) Dispose of the long leasehold interest via a Community Asset Transfer or market sale;
- 3) Sell the ESCC proportion to EBC;
- 4) Rent to an ESCC or EBC partner;
- 5) Rent to an external tenant.

2.2 Option 1 (Retain for a Council service): ESCC and EBC Directorates have confirmed that there is no operational service need for the Site by either party.

2.3 Option 2 (Dispose of the Long Leasehold): as the Site is formed of open land, it is not considered suitable for a community asset transfer. The Site is likely to be considered as a development site with potential for employment use (subject to relevant consents being obtained), which supports economic development goals. Disposal through a market sale is therefore considered a viable option.

2.4 Option 3 (Sell the ESCC proportion to EBC): this will allow EBC to have greater control over the asset. However EBC officers have stated that it does not wish to explore this option.

2.5 Option 4 (Rent to a Council partner): Whilst there is demand for open storage land in the local market, it is favourable for the site to be level, secure and surfaced. A level of investment would need to be made in the Site to bring it to this standard and this is considered to be impractical, particularly given its development potential.

2.6 Option 5 (Rent to an external tenant): for the reasons given for Option 4, Option 5 is also considered impractical in commercial terms.

2.7 The Site is not classified as open space land, as defined by Section 336 (1) of the Town and Country Planning Act 1990. Therefore, there is no requirement for the County Council to advertise its intention to dispose of the land for two consecutive weeks prior to a decision being made.

2.8 The disposal of this Site will result in a capital receipt that will be shared proportionately by both Councils. ESCC seeks to maximise the levels of these resources which will be available to support the Council's capital plans and reduce the need to borrow in accordance with the Council's Capital Strategy and also supports the Council's Asset Management Plan 2020-2025.

2.9 Option 2 is therefore considered to be the most appropriate approach for the Site. The Site will be jointly marketed with EBC. Offers are to be considered by both ESCC and EBC in line with each authority's delegated powers.

2.10 The Local East Sussex County Council Member has been consulted on the sale of the Site.



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

3.1 ESCC has no ongoing operational use for the Site. It is therefore surplus to the Council's requirements. The disposal of the Site will reduce revenue liabilities relating to the management and holding costs of this surplus asset, as well as providing the Council with a capital receipt.

3.2 The Lead Member for Resources and Climate Change is recommended to declare the Site to be surplus to ESCC's requirements and approve disposal of the Site in accordance with s.123 of the Local Government Act 1972.

3.3 A Memorandum of Understanding is to be agreed between both Councils, settling out the joint management strategy whilst the Site remains in joint ownership. It is recommended that the Lead Member delegates approval of the terms of this Memorandum of Understanding to the Chief Operating Officer, to ensure that the Site can be efficiently managed.

3.4 To facilitate the effective disposal of the Site, the Lead Member is also recommended to delegate to the Chief Operating Officer authority to agree the terms of the sale, jointly with EBC, to achieve the best consideration for the Site in accordance with s.123 of the Local Government Act 1972, including authority to proceed with the next best offer(s) in the event of the transaction(s) not completing within the expected timelines and to take all actions necessary to give effect to the recommendations in this report.

**ROS PARKER**  
**Chief Operating Officer**

Contact Officers:  
Nigel Brown, Assistant Director of Property  
[nigel.brown@eastsussex.gov.uk](mailto:nigel.brown@eastsussex.gov.uk)  
07394 410630

Rebecca Lewis, Head of Estate Management and Disposal  
[Rebecca.lewis@eastsussex.gov.uk](mailto:Rebecca.lewis@eastsussex.gov.uk)  
07955 312371

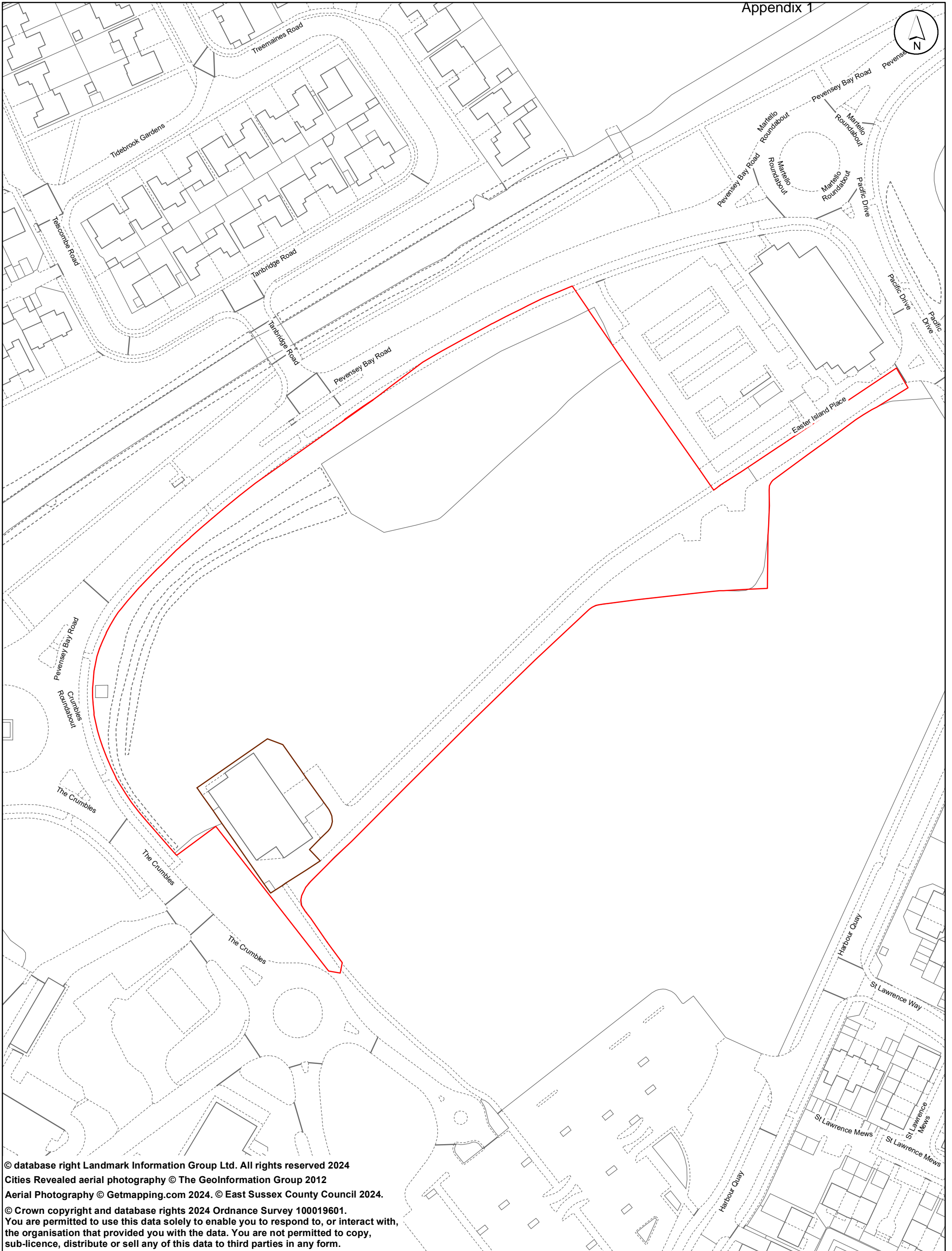
#### LOCAL MEMBERS

Councillor Penny di Cara


#### BACKGROUND DOCUMENTS

None

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Map Title: Site 6, Sovereign Harbour, Eastbourne		East Sussex County Council County Hall St Annes Crescent Lewes 	
Date: 12/04/2024	Map No: 2		
Scale: 1:1,250	Page 11 Author: DNS		

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