

Report to: **Board of Conservators, Ashdown Forest**

Date: **1 February 2016**

By: **Gregg Shemwell, Senior Estates Surveyor, ESCC on behalf of the Clerk of the Ashdown Forest Conservators**

Title of report: **Exchange of land at Yew Tree Cottage, Hartfield, Colemans Hatch, TN7 4HL**

Purpose of report: **To seek approval from the Board of Conservators to exchange part of the Ashdown Forest for that owned by a neighbouring landowner.**

RECOMMENDATIONS

The Board of Conservators is recommended to:

- 1) To declare surplus the land hatched in red and to approve the exchange of ownership of the land shown on the attached plan 'Yew Tree Cottage – Land exchange' as permitted by the Declaration of Trust dated 11th November 1988; and**
 - 2) to delegate powers to the Chief Operating Officer to negotiate and agree appropriate terms for this transaction.**
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1 Background

1.1 Approving this report will enable East Sussex County Council's Estates Team to submit a report to the Chief Operating Officer. This report will reiterate the contents of this report and will enable the Council's solicitors to be instructed to carry out the recommended exchange.

1.2 The exchange of these areas of land will result in an increase in overall woodland owned by the trust and regularise the current usage of the land to reflect that as it exists.

1.3 The land owned by the Ashdown Forest Trust is currently used as a vehicle turning point; this is marked in red hatching on the attached plan.

1.4 The boundaries of the two areas owned by Yew Tree Cottage and subject to the exchange are shown hatched blue on the attached plan. Boundaries for both of these areas are indistinguishable on the ground. The smaller is believed to represent the location of a former cart shed of which no traces remain. The larger is believed to have been a fruit garden which has become overgrown and shows no signs of recent use. To assist with this transaction the corners of the larger area have been marked out on site with orange tipped metal posts.

2 Supporting information

2.1 In addition to the attached plan, photographs have also been taken to further illustrate the land which is to be exchanged.

2.2 A habitat and ecology survey has been undertaken, the results of which are attached as supporting information.

2.3 Any exchange of land at this site will be subject to achieving best value in accordance with s.123 of the Local Government Act 1972 in addition to requirements contained within the Declaration of Trust dated 11th November 1988 and the Ashdown Forest Act 1974.

2.4 The Local Member has been notified of our recommendations and has raised no objections.

3. Conclusion and reasons for recommendations

3.1 This exchange would benefit The Ashdown Forest Trust by increasing its area of ownership of woodland and regularising the current usage of the land.

3.2 It is recommended that this property be declared surplus to the Ashdown Forest Trust's requirements and delegated authority be given to the Chief Operating Officer to negotiate and agree terms for a land exchange, to enable the Council to obtain best value in line with s. 123 of the Local Government Act 1972.

KIRSTY DIRS CLERK – ASHDOWN FOREST CONSERVATORS

Contact Officer: Gregg Shemwell MRICS

Tel. No. 01273 336 968

[Email: gregg.shemwell@eastsussex.gov.uk](mailto:gregg.shemwell@eastsussex.gov.uk)

LOCAL MEMBERS

Councillor Francis Whetstone

BACKGROUND DOCUMENTS

Plan 'Yew Tree Cottage – Land exchange'

Photographs

Ecology and Habitat report