

Report to: Lead Member for Resources and Climate Change

Date of meeting: 20 September 2022

By: Chief Operating Officer

Title: A grant of a new lease to Forest Row Sports Ground Association

Purpose: To approve East Sussex County Council, (as trustee for the Ashdown Forest Trust), to grant a 21-year lease for land forming part of Ashdown Forest to be used as a sports ground.

RECOMMENDATIONS

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

- 1) Review and consider the surveyor`s report (Appendix 1) made under section 119 of the Charities Act 2011 in relation to the proposed lease as trustee of the Ashdown Forest Trust (the Charity).
- 2) Approve the granting of a 21-year lease to Forest Row Sports Ground Association for land forming part of Ashdown Forest on the basis that, having considered the Surveyors Report, the Council is satisfied that the terms of the proposed lease are the best that can reasonably be made for the Charity.
- 3) Delegate authority to the Chief Operating Officer to determine the detailed terms of the lease and take any other actions considered appropriate to give effect to the decision.

1. Background

- 1.1 East Sussex is freehold owner of land forming part of Ashdown Forest but holds the land as trustee for the Ashdown Forest Trust. Decisions in relation to Ashdown Forest are made by the Council in its capacity as trustee acting solely in the best interests of the Charity.
- 1.2 The current occupancy agreements between The Forest Row Sports Ground Association (the Association), Forest Row Parish Council and the Conservators of Ashdown Forest which expire in January 2023 need to be revised. They currently prevent the Association from improving and investing in the facilities. The Conservators support the continued provision of sports facilities by the Association.
- 1.3 The site comprises some 6.5 acres of open land with playing fields and tennis courts. There is a cricket pavilion within the site that is in the ownership of the Association. The site is shown at Appendix 2.

2 Supporting information

- 2.1 The proposed 21-year lease will be between ESCC as landlord (acting as trustee of the Charity) and the Association as tenant and will support the tenant in attracting grant funding to maintain and improve the facilities for the community.

- 2.2 In accordance with the requirements of section 119 of the Charities Act 2011, the Council has obtained an independent surveyor's report on the proposed terms of the lease and this is to be considered before reaching any decision. See Appendix 1.
- 2.3 The lease will be at a peppercorn rental and subject to restrictions imposed by the Ashdown Forest Act and subject to the Association continuing to pursue charitable objectives. The Parish Council have agreed that there is no requirement for their continued involvement in the site and have no objection to the granting of a lease direct to the Association.
- 2.4 The Association is a registered charity; its objectives are the provision of facilities for recreation and leisure time for the benefit of inhabitants of Forest Row and surrounding areas.
- 2.5 The County Council, on behalf of the Trust, advertised in a local newspaper, the Sussex Express, seeking any comments on the proposed letting. The closing date was 8 August 2022 and no comments were received.

3. Conclusion and reasons for recommendations

- 3.1 It is recommended that the Lead Member for Resources and Climate Change considers the surveyor's report in Appendix 1 and approves the granting of a 21-year lease for land forming part of Ashdown Forest between East Sussex County Council as Trustee of Ashdown Forest and the Forest Row Sports Ground Association.
- 3.2 It is recommended that the Lead Member for Resources and Climate Change agrees to delegate authority to the Chief Operating Officer to approve the detailed terms of the lease and take any other actions considered appropriate to give effect to the decision.

ROS PARKER Chief Operating Officer

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LOCAL MEMBER
Councillor Georgia Taylor