

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

**Date of meeting:** 23 May 2023

**By:** Chief Operating Officer

**Title:** Approval for a surrender and regrant of the Uckfield Rugby Football Club lease.

**Purpose:** Approval for a surrender and regrant of the Uckfield Rugby Football Club lease. This is required due to a requested increase in the area covered by the current lease.

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## **RECOMMENDATIONS**

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

- 1) Approve the surrender and regrant of the Uckfield Rugby Football Club lease.**
  - 2) Delegate authority to the Chief Operating Officer to determine the detailed terms of the new lease, to approve the final lease negotiations and the signing of the lease by the Council and take any other actions considered appropriate to give effect to the above recommendation.**
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### **1 Background**

1.1 Uckfield Rugby Football Club Limited ('the Club') currently occupy the property known as 'Part of' Hempstead Mill Playing Fields on the basis of a 99 year lease dated from 15 March 1989. There are therefore approximately 65 years remaining of the current lease.

1.2 The Club are proposing to erect a single storey, detached building which will be used for storage and/or ancillary uses that will allow The Club to continue to offer community team sports for local people. Therefore, a slightly larger area will be included within the proposed lease. Currently, The Club lease approximately 0.389 acres of land and propose to lease an additional 0.083 acres. This is an increase of approximately 21%.

1.3 Planning permission was granted on 9 September 2021 for the proposed new premises by Wealden District Council, as the local Planning Authority (Planning Reference WD/2021/1452/F).

1.4 When granting a lease, a local authority must comply with the duty to secure the best consideration reasonably obtainable imposed by s123 Local Government Act 1972 unless consent of the Secretary of State is obtained. The General Disposal Consent 2003 permits disposals at an undervalue without specific consent, where the authority considers that the disposal will help it to secure the promotion or improvement of the economic, social or environmental wellbeing of its area. The new facilities will support the wider social wellbeing of the area.

### **2 Supporting information**

2.1 Uckfield Rugby Football Club was established approximately 55 years ago and honours all age levels. It is supported by volunteers, coaches, players and staff.

2.2 Any increase in size to the area of land originally leased to the club will be deemed a surrender and regrant. For the avoidance of doubt, the Council will therefore need to

surrender the current lease and grant a new lease for the extended site. It is intended that the new lease will be granted on broadly the same terms as the existing, including the peppercorn rent (save for the additional parcel of land required for the proposed development and any reasonable updating of the terms as deemed appropriate). The expiry date is to be the same as the existing lease (14 March 2088).

2.3 A plan showing the general area to be demised is included as Appendix 1. The red outline shows the approximate current area demised under the current lease, as well as the access. The red shaded area shows the proposed additional area to be leased.

2.4 The three options explored are set out below:

- a) Refuse the request from the club and retain the current lease.
- b) Agree the request for the additional area to be leased but charge the club a premium and/or additional rent to reflect the additional area.
- c) Agree the request for the additional area to be leased but retain the current level of peppercorn rent.

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

3.1 It is recommended that the Lead Member for Resources and Climate Change approves option c) and resolves to:

- (i) surrender and regrant of the Uckfield Rugby Football Club Limited lease with the aim to promote the social well-being of the area and;
- (ii) delegate authority to the Chief Operating Officer to approve the detailed terms of the new lease and take any other actions considered appropriate to give effect to these decisions.

3.2 Reasons for these recommendations include: The increase in the land contained under the current lease needs to be legally documented and it is preferable that this is documented under one lease. The alternative would be to keep the existing lease in place and grant an additional lease on the additional space, which might cause confusion.

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

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#### LOCAL MEMBERS

Councillor Claire Dowling  
Councillor Chris Dowling

#### BACKGROUND DOCUMENTS

None