

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

**Date of meeting:** 27 June 2023

**By:** Chief Operating Officer

**Title:** Disposal of land, Hye House Farm, Crowhurst

**Purpose:** To formally declare Hye House Farm, Crowhurst to be surplus and to approve the disposal of it

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## **RECOMMENDATIONS**

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

- 1) declare Hye House Farm, Crowhurst (“the site”) to be surplus to the requirements of the Council;**
- 2) approve the disposal of Hye House Farm, Crowhurst (“the site”) in accordance with s.123 of the Local Government Act 1972;**
- 3) delegate authority to Chief Operating Officer to take all actions necessary to secure the disposal of the site at best value in accordance with s.123 of the Local Government Act 1972, and to agree the terms of the disposal and other documentation required; and**
- 4) delegate authority to the Chief Operating Officer to proceed with the next best offer(s) in the event of the sale of any of the individual lots not completing within the expected timelines.**

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## **1 Background**

- 1.1 Hye House Farm was acquired by the Council in October 1920 under the Small Holdings and Allotments Act 1908–1919. As it is agricultural land purchased before 1935, Crichel Down rules do not apply.
- 1.2 The Crichel Down Rules apply to the sale of sites previously acquired by, or under the threat of, compulsory purchase. The Rules require public bodies, under certain circumstances, to offer back surplus land to the former owner, the former owner’s successors, or to sitting tenants, at the current market value.
- 1.3 The site comprises two distinct plots, as shown in Appendix 1. ‘Plot 1’ comprises a small agricultural land holding of approximately 18 acres. There is a dilapidated semi-detached farm cottage and three barns, two of basic construction and another Sussex style timber barn. A track also forms part of this Plot. This is proposed to be disposed of at the same time as the remainder of the site. ‘Plot 2’ comprises additional farmland of approximately 8 acres.
- 1.4 ‘Plot 1’ has been leased since 25 October 2010 on a ten (10) year Farm Business Tenancy. The tenant has served notice to end the tenancy and is due to vacate on 28 September 2023.
- 1.5 The site was formerly part of a larger farm. Surrounding land was sold previously and the balance of land at the site is now no longer required.
- 1.6 The Council have asked national and regional Land Agents to consider the site and provide their view on marketability and anticipated demand. Discussions with local Land Agents indicate that there is likely to be little demand from a letting perspective so the Council would not consider re-letting Plot 1. This is due to changes in farming practices, funding and general demand for this type of opportunity. However, the Land Agents

indicated that there is likely to be good demand from a sales perspective, and that this is likely to come from local purchasers.

- 1.7 It is the Council's view that the best price can be achieved by splitting the Plots into four distinct lots. This is due to the nature of the site and ensures that the site appeals to the widest possible audience. The lots are summarised below and illustrated in Appendix 2. This view is supported by Land Agents.

1.8 Lot 1 - No. 2 Hye House Cottages

The semi-detached cottage is in a poor condition and purchasers are unlikely to be able to secure a mortgage against it in its present state. However, it has the potential to be further extended (subject to relevant consents being secured). It is in a rural, yet accessible, location with commanding views over open countryside which may appeal to small-scale and self-build developers.

Lot 2 – Hye House Barn

This part of the site was previously declared as surplus for disposal in September 2016. There is a lapsed planning consent relating to this part of the site allowing this to be converted to a single dwelling. If this planning consent could be granted again, it could allow for a spacious character property with a large garden. It is intended to allow a purchaser to re-secure planning permission.

Lot 3 – Hye House Farm

This lot is separated from lots 1 and 2 by a lane. Whilst it could be appended to either (most likely the cottage), it would just as likely be of interest as a standalone entity to the smallholder, equestrian, lifestyle and speculative markets. The land is in good condition, of a manageable size and again provides wonderful views over the surrounding countryside.

Lot 4 – Landlocked 8 acres

This is landlocked and decoupled from the main holding. It is only accessed via a documented pedestrian right of way as per the blue dotted line shown in Appendix 1. On that basis, it is likely to only be of interest to the purchaser of Lot 3 as described above, or an established adjoining owner.

- 1.9 There is no ongoing Council operational use for this asset.
- 1.10 The site is listed within the Council's disposal programme and once sold, a capital receipt will be secured.

## **2 Supporting information**

- 2.1 The sale(s) will be in line with s.123 of the Local Government Act 1972, and East Sussex County Council (ESCC) will ensure that the best consideration that can reasonably be obtained is achieved.
- 2.2 It is recommended that the site be sold by private treaty on the open market, advertised by a local, experienced Land Agent. This will ensure a competitive, transparent, non-discriminatory bidding process designed to establish the best consideration for the site.

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

- 3.1 The Council 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.
- 3.2 The Lead Member for Resources and Climate Change is recommended to:
- i.* declare Hye House Farm, Crowhurst ("the site") to be surplus to the requirements of the Council;**
  - ii.* approve the disposal of Hye House Farm, Crowhurst ("the site") in accordance with s.123 of the Local Government Act 1972;**
  - iii.* delegate authority to Chief Operating Officer to take all actions necessary to secure the disposal of the site at best value in accordance with s.123 of the Local Government Act 1972, and to agree the terms of the disposal and other documentation required; and**
  - iv.* delegate authority to the Chief Operating Officer to proceed with the next best offer(s) in the event of the sale of any of the individual lots not completing within the expected timelines.**

**Ros Parker**  
**Chief Operating Officer**

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#### LOCAL MEMBERS

Councillor Kathryn Field – Battle and Crowhurst