

Report to: Lead Member for Resources and Climate Change

Date of meeting: 11 July 2023

By: Chief Operating Officer

Title: Former Hindsland Playing Fields, Eastbourne Road, Polegate – Disposal of Freehold

Purpose: To re-declare the property to be surplus to the operational requirements of the Council and to agree to dispose of the asset following completion of marketing of the site.

RECOMMENDATIONS

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

- 1) re-declare the Former Hindsland Playing Fields, Polegate 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) delegate authority to the Chief Operating Officer to agree the terms of the sale to achieve best value for the Site in accordance with s.123 of the Local Government Act 1972, including but not limited to, (i) determining whether to sell the Site as a single plot or two separate plots (being Parcel A and Parcel B) and (ii) proceeding with the next best offer(s) in the event of the sale(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.

1 Background

- 1.1 The site encompasses two parcels of land, as shown in Appendix 1 (the “Site”).
- 1.2 Parcel A is approximately 1.788 ha (4.42 acres). The western boundary has a frontage to the Eastbourne Road (A2270) with a mature and young tree belt. The eastern boundary abuts Courtland Road which is an established residential development. Adjacent to the northwest boundary is a petrol station, with vehicular access from Eastbourne Road. To the southeast is a mixed-use development site that was granted planning permission at appeal in October 2022 for the erection of 180 dwellings together with a medical centre, parking, servicing and onsite open space.
- 1.3 Parcel B is approximately 1.15 ha (2.85 acres) and is bounded by mature trees, most of which appear to be under a Tree Preservation Order (TPO). Parcel B is landlocked for vehicular access. Mornings Mill Farm abuts the eastern and north-eastern boundaries. There was an outline application submitted in respect of Mornings Mill Farm in 2021 for a comprehensive mixed-use development, which included 700 dwellings, employment and community uses and open amenity space. Permission was granted by appeal in September 2022.
- 1.4 The Site is currently allocated as ‘private land’ and is not a designated area of public open space. It has historical use as a playing field for private organised sporting fixtures, not open to the public, but has not been used for this purpose since at least 2012.

- 1.5 The site was declared to be surplus and approval given to sell it at a Policy and Resources Committee, Property Sub-Committee meeting held on 28 March 1989. Following that decision, the Site was actively promoted for development. Given the passage of time since the original decision to declare surplus, the Lead Member is recommended to affirm that decision by re-declaring the Site as surplus to requirements. It currently forms part of the wider strategic development area in the adopted Wealden Core Strategy 2013.
- 1.6 The Site is within the Council's capital receipts programme, which funds the Council's Capital Programme in accordance with the Council's Capital Strategy.
- 1.7 The Site was part of the allocation included in the Wealden Strategic Sites Local Plan before being withdrawn. More recently, Parcel A was considered as part of the Wealden District Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) (January 2019). Parcel A was assessed as being both suitable for housing and employment, with a suggested yield of 73 dwellings. However, it was not retained as a development area in the Submission Wealden Local Plan January 2019, which has subsequently been withdrawn.

2 Supporting information

- 2.1 We have made enquiries with the Department for Education to ascertain whether or not consent to dispose of the land would be required under Section 77 of the School Standards Framework Act 1998 and Part I Schedule 1 Academies Act 2010. They have confirmed that consent is not required in this instance.
- 2.2 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 Council to advertise its intention to dispose of the land for two consecutive weeks prior to a decision being made.
- 2.3 The Council commissioned a detailed planning brief in 2022, prior to marketing the site, supported by an ecology appraisal. Both of these documents were made freely available to view via the Council's appointed marketing agent's website, and as part of the sales pack provided to all parties that expressed an interest in the site.
- 2.4 The Council marketed the site through an experienced property agent for development sites. The marketing was conducted on the open market via a competitive, transparent, non-discriminatory bidding process designed to establish the best consideration for the site. The Council is confident that, through this process, best value will be secured in accordance with Section 123 of the Local Government Act 1972.
- 2.5 An informal tender process was adopted, with offers invited in writing by noon on 9 May 2023. Twelve (12) offers were received. Best bids were then invited from the highest four (4) by 31 May 2023. An analysis of the offers is included in an exempt report later on the agenda.
- 2.6 The disposal of this site will result in a capital receipt. Capital receipts are an important source of funding, and the Council 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.
- 2.7 The Local East Sussex County Council Member has been consulted on the sale of the land.

3 Conclusion and reasons for recommendations

- 3.1 For the reasons set out in the above report, in particular within paragraph 2.6, the Lead Member for Resources and Climate Change is recommended to:

- 1) re-declare the Former Hindsland Playing Fields, Polegate 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) delegate authority to the Chief Operating Officer to agree the terms of the sale to achieve best value for the Site in accordance with s.123 of the Local Government Act 1972, including but not limited to, (i) determining whether to sell the Site as a single plot or two separate plots (being Parcel A and Parcel B) and (ii) proceeding with the next best offer(s) in the event of the sale(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.

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LOCAL MEMBERS

Councillor Daniel Shing – Polegate and Watermill

APPENDICES

Appendix 1 – Site Plan