

Report to: Lead Member for Resources and Climate Change

Date of meeting: 22 April 2025

By: Chief Operating Officer

Title: Rye Bay Project Office, Rye – Disposal of Freehold

Purpose: To seek a declaration that the property is surplus to the operational requirements of the Council and to seek agreement to dispose of the asset in accordance with s123 of the Local Government Act 1972

RECOMMENDATIONS

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

- 1) Declare Rye Bay Project Office, Rye (the Property) to be surplus to the requirements of the Council;
- 2) Approve the disposal of the Property 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 Property in accordance with s123 of the Local Government Act 1972, including proceeding with the next best offer(s) in the event of the transaction(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 On 26 March 2008, the Lead Member for Corporate Resources agreed that a previous decision to declare the Property (then known as 'Rangers Store Adjoining the Freda Gardham Community School') to be surplus to requirements, was to be rescinded. The Property was to be appropriated for use by the Transport and Environment Department.
- 1.2 The Property has most recently been used as a workshop/store and is surrounded by external landscaping. The building was previously used as a changing room/plant room for an outdoor swimming pool in connection with the adjacent Freda Gardham School, before the school closed in 2008. The outdoor swimming pool remains and has not been filled in. Access to the site is by way of a privately-owned track, over which there is an agreement that the Council may access the Property.
- 1.3 The adjacent former Freda Gardham School site and associated former playing fields are owned by the Council. This building is also known as Rye Creative Centre.
- 1.4 Mains services are shared by the Property and the adjacent former school site.
- 1.5 The Property is identified in Appendix 1 to this report.
- 1.6 The Property is allocated for housing in the Rye Neighbourhood Plan, which can be viewed here; [Current Rye Neighbourhood Plan](#). It has been allocated as one site, along with the former Freda Gardham School and is considered to have the potential to deliver 30 dwellings, subject to a number of conditions outlined in the Neighbourhood Plan.

- 1.7 The Rye Neighbourhood Plan has recently been reviewed. Rother District Council held the final public consultation, known as the Regulation 16 Consultation, from 24 January to 7 March 2025 and is now collating the representations for the examination, which will begin in April. More information can be found here; [Rye Neighbourhood Plan – Rother District Council](#)

2 Supporting information

- 2.1 The following options have been identified for the Property:
1. Retain for a Council service;
 2. Rent to an East Sussex County Council (ESCC) partner or external tenant; or
 3. Dispose of the freehold.
- 2.2 Option 1 (Retain for a Council service): all Council Directorates have confirmed that there is no ongoing operational service need for the Property.
- 2.3 Option 2 (Rent to an ESCC partner or external tenant): the Property will require significant refurbishment if it were to be let. The necessary work needed to put the Property in good condition would either need to be undertaken by the Council at its expense, or by way of a lengthy rent free or incentive period via a tenant.
- 2.4 Option 3 (Dispose of the Freehold): the Property is likely to be considered as a small development site, subject to any necessary planning consents and access rights. If offers are made by community or voluntary organisations, they will be considered alongside companies or developers submitting commercial bids.
- 2.5 The disposal of the Property may result in a capital receipt. Capital receipts are an important source of funding, and the Council seeks to maximise the levels of these resources. The funds will be used to reduce the need to borrow in accordance with the Council's Capital Strategy and also supports the Council's Strategic Asset Plan 2020-2025.
- 2.6 The disposal of the Property (Option 3) is therefore considered to be the most appropriate strategy.
- 2.7 The Property is not listed as an Asset of Community Value under the Localism Act 2011.
- 2.8 In the event that an offer was accepted, and that transaction did not progress as expected, the Council would reserve the right to proceed with the next best offer, or to re-market the property if appropriate. The timeframe for a transaction varies depending on a number of reasons. For example, the offer may be made on a conditional or unconditional basis, subject to planning approval, or subject to finance being obtained. Target timescales will be recorded at the memorandum of sale stage and will form part of the sale contract.
- 2.9 The Local Member has been consulted on the proposed sale of the Property and had no objection to the proposal.

3 Conclusion and reasons for recommendations

- 3.1 The Council has no ongoing operational use for the Property. The Property is surplus to the Council's requirements and the disposal of it will reduce revenue liabilities relating to the management and holding costs of this surplus asset, as well as providing the Council with a capital receipt.

- 3.2 The Lead Member for Resources and Climate Change is recommended to declare the Property to be surplus to the Council's requirements and approve the disposal of it in accordance with s.123 of the Local Government Act 1972.
- 3.3 To facilitate the effective disposal of the Property, the Lead Member is also recommended to delegate to the Chief Operating Officer authority to agree the terms of the sale to achieve the best consideration for the Property in accordance with s123 of the Local Government Act 1972, including authority to proceed with the next best offer(s) in the event of the transaction(s) not completing within the expected timelines and to take all actions necessary to give effect to the recommendations in this report.

ROS PARKER
Chief Operating Officer

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LOCAL MEMBERS

Councillor Keith Glazier

BACKGROUND DOCUMENTS

None