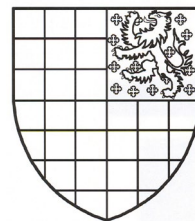


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**LEWES
TOWN
COUNCIL**

MINUTES

of the meeting of the **Working Party** formed to assess proposals for an exchange of land at The Pells held on **Thursday 23rd September 2021** online via Zoom meetings at **3:00pm**.

PRESENT Cllrs Catlin (*Chair*); Dr Mayhew; O’Keeffe and Sains.

In attendance: S Brigden (*Town Clerk [TC]*); Ms L Chrysostomou (*TC Designate*); B Courage (*Town Ranger*)

PellsXchWP2021/06 ELECTION of CHAIRMAN: Cllr Catlin was elected as Chair of the Working Party for the 2021/22 year

PellsXchWP2021/07 QUESTIONS: There were none.

PellsXchWP2021/08 APOLOGIES FOR ABSENCE: Apologies had been received from Cllr Henman, who was working, and Cllr Wood who was unwell.

PellsXchWP2021/09 DECLARATIONS: There were none..

PellsXchWP2021/10 MINUTES: the previous meeting had been declared inquorate, but previous Minutes from 27th February 2020 were received and agreed as an accurate record..

PellsXchWP2021/11 REMIT of the WORKING PARTY: Members noted the remit of the Working Party, set by Council at its meeting on 21st June 2018 (Minute FC2018/28 refers):

A land-swap proposal had been made by Lewes District Council (LDC) in respect of land held by the Town Brook Trust, to better-align boundaries with the proposed North Street Quarter development, and the Working Party was set up to consider the matter in detail, and to bring recommendations to Council in due course.

PellsXchWP2021/12 EXCLUSION of the PRESS & PUBLIC:

At this point the Chair moved, and **it was resolved that::**

PellsXchWP2021/12.1 “In view of the confidential nature of the business to be transacted during the remainder of the meeting, pursuant to the Public Bodies (Admission to Meetings) Act 1960 etc. any members of the press or public present be excluded and instructed to withdraw. The nature of that business is to consider commercially-sensitive detail related to proposed contracts.”

PellsXchWP2021/13 BUSINESS of the MEETING:

1. The background to this matter was that a land-swap proposal had been made in early 2018 by Lewes District Council (LDC) in respect of land held by the Town Brook Trust – The Pells swimming pool and recreation ground - to better-align boundaries with the proposed North Street Quarter development. A plan is appended to illustrate this. The Working Party was set up to consider the matter in detail and after careful consideration of detail, confirmed its view regarding the overall potential increase in land area; the inherent benefits of some of the land, and the opportunity to tidy boundary lines.

2. A conditional agreement was recommended, provided there was no cost to the Council (as Town Brook Trust); no technical reasons were discovered regarding the vestigial Brook, and valuations adequate to satisfy the Charities Act regulations supported the exchange.

3. Agenda and Minutes of these meetings (18/9/2018; 24/4/2019 and 25/2/2020) are published on the Council’s website and show all relevant reports, plans *etc.* Final recommendations were agreed by Council on 27th February 2020, and the relevant Minute extract (FC2019/109.7) reads:

“The Council (as Town Brook Trust) agrees to the three land areas

proposed at the Pells (*plans in Minute book*), subject to agreement with Lewes District Council that:

> All associated costs of valuation; technical assessment; legal transfer, and boundary relocation (enclosure) costs shall be met by Lewes District Council, and no cost shall fall to the Town Council

> Independent specialist valuation of the land areas concerned is undertaken.

> ‘Area B’, containing the historic Town Brook, shall be cleared of existing industrial debris and general detritus and the profile of the vestigial watercourse retained, with fencing to both boundaries retained (as now) including reinstatement when development adjacent to the area’s Eastern boundary is completed.”

4. That position was relayed to LDC immediately and the matter had remained with them since then.
5. LDC had recently submitted proposals (*plans appended*) including draft Heads of Terms for exchange and an independent valuation report. Details were considered subject to business confidentiality although there were general aspects to which Council’s attention had been drawn by TC:
 - o LDC had discovered, in carrying-out detailed work on the title boundaries, that one of the parcels of freehold land which LDC had proposed to swap (Area B) takes in part of the Lease demise of another property holding. It was therefore not possible to include this land parcel in the exchange and the Heads of Terms related to the LDC owned parcels A and C only.
 - o The area of land owned by the Town Council which would be transferred (Area D) is less than the original area valued
 - o There is a proposed ‘balancing payment’ payable by LDC to the Town Council as part of the exchange, in addition to LDC’s two land parcels, to account for the difference in area. This is a modest but useful sum.
 - o The valuation report noted the date of valuations as October 2019, and it was not immediately clear if the subsequent sale of the North Street development land (and attendant change in development prospects) had material implications for either value or the proposals in general terms, and this should be established.
6. The working party considered the valuation report and Heads of Terms, and debated the points raised. There were questions as to the desirability of asking for a revised valuation on the grounds of updated values and/or certain assumptions underlying the assessment (*eg* current planning position and the costs used as a basis for the likelihood of development and sale of homes on the transferred land).
7. TC suggested that LDC might be asked to revisit these aspects, rather than commission a full revaluation, but after lengthy consideration of all relevant factors and benefits to the Trust, Members agreed to recommend that the transfer should be accepted, while the offer remained open.

PellsXchWP2021/14

CONCLUSIONS/RECOMMENDATIONS :

It is recommended that the Town Clerk be asked to conclude the transfer of land as proposed in the Heads of Terms provided by Lewes District Council and considered at this meeting.

PellsXchWP2021/15

The Chair thanked everyone for their contribution and declared the meeting closed.

The meeting closed at 3:55pm

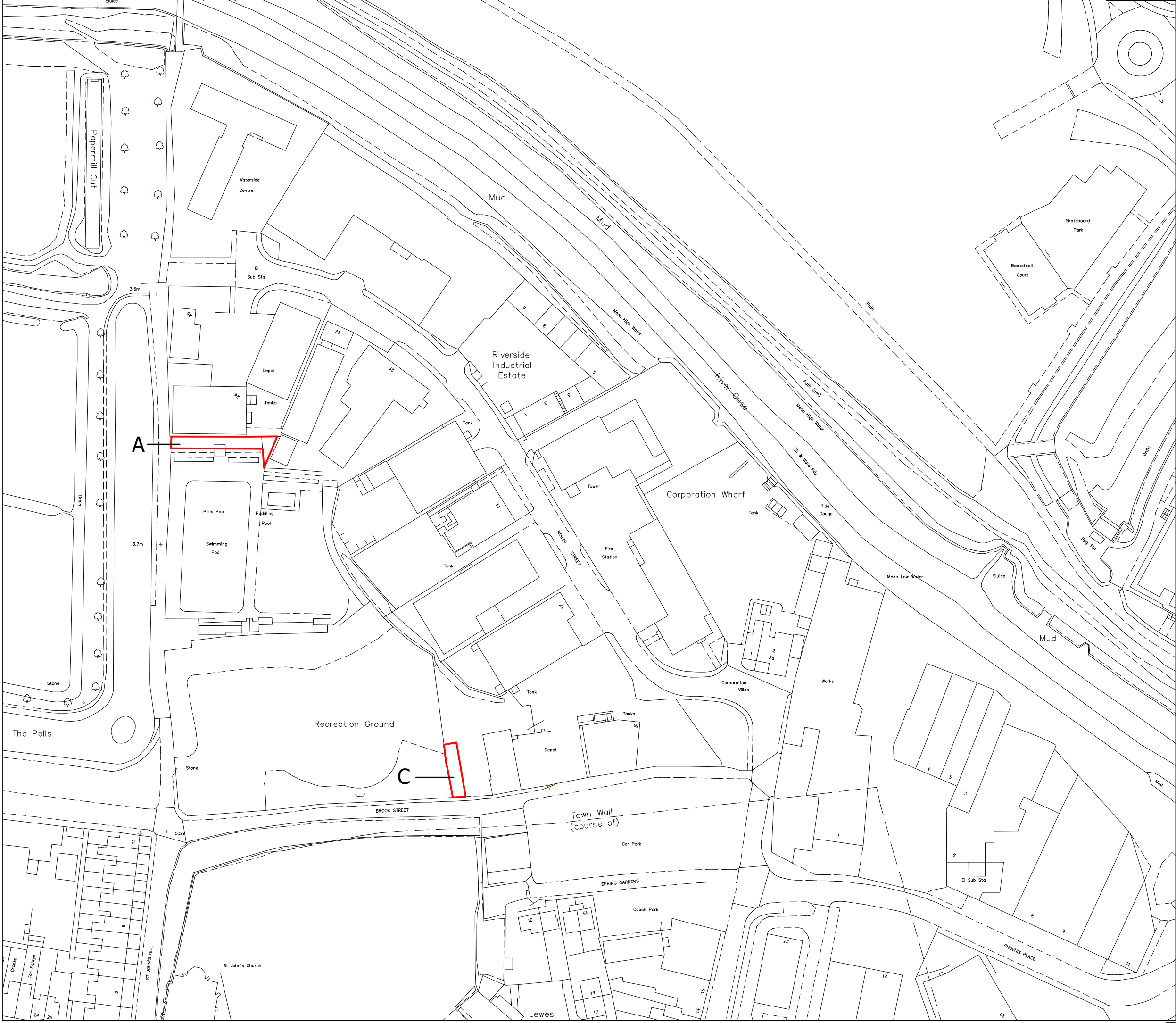
Signed:

Date:



boundary redrawn with new means of enclosure as part of NSQ development

POTENTIAL AMENDMENT TO PARK BOUNDARY



PLAN 1

Project:
 LDC/LTC PLANS
 NORTH STREET QUARTER
 LEWES
 EAST SUSSEX

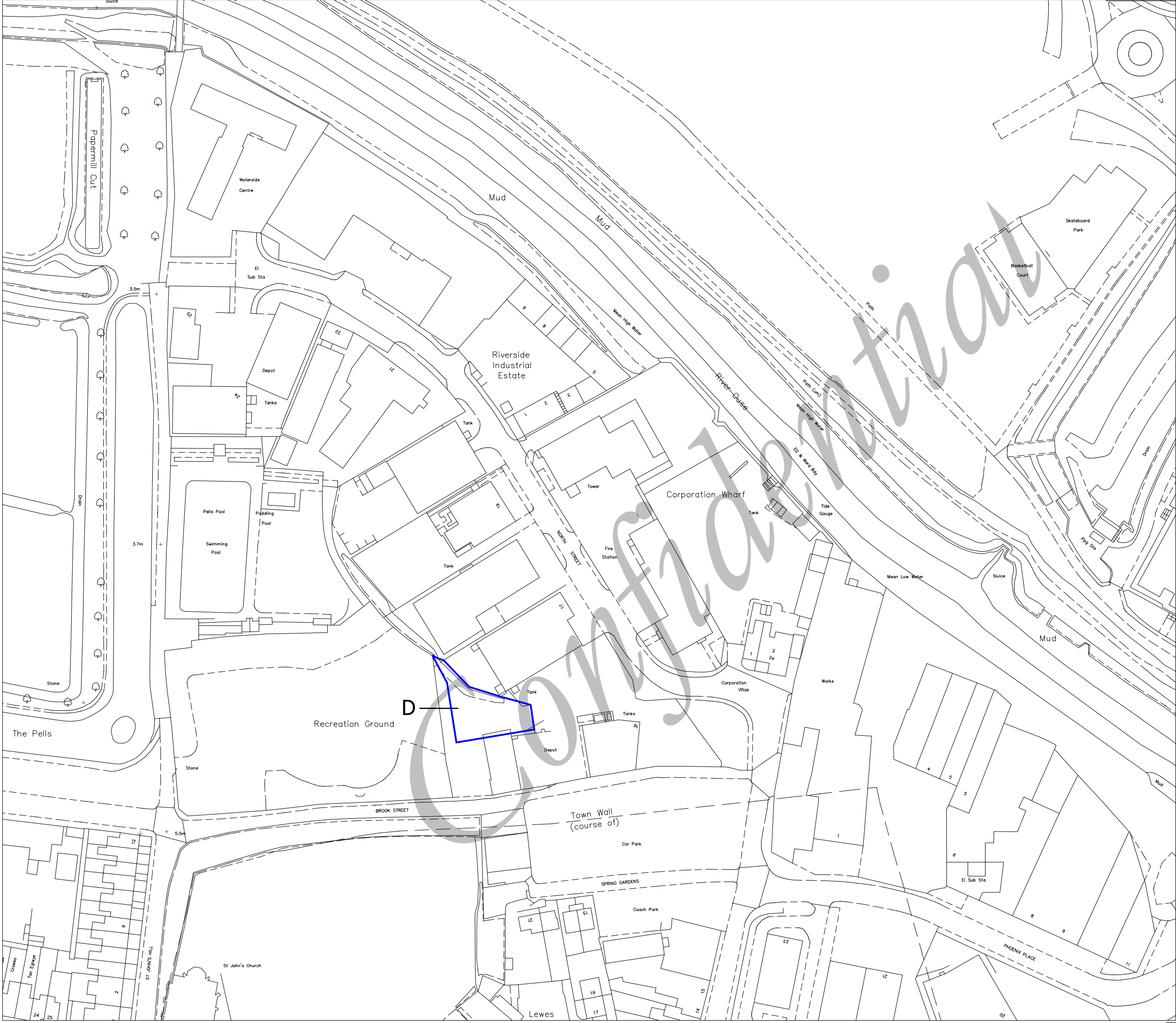
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Revision: 000
Drawn on: 27/04/2021
Drawn by: AW

Client:
 LEWES DISTRICT COUNCIL

Scale: @A3
Site Plan 1:1250

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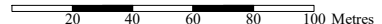


PLAN 2

Project:
 LDC/LTC PLANS
 NORTH STREET QUARTER
 LEWES
 EAST SUSSEX

Job no.: 46042
 Revision: 000
 Drawn on: 27/04/2021
 Drawn by: AW

Client:
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Scale: @A3
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