

Agricultural Land at Tenant's Hill, Worthing

Report by the Executive Head of Technical Services

1.0 Summary

- 1.1 This report advises the Cabinet Member as to a formal approach received from the proprietor of Hill Barn Golf Course to purchase part of the above agricultural land as part of an extension of the golfing facilities at Hill Barn to include a new Par 3 course.

2.0 Background

- 2.1 The agricultural land at Tenant's Hill has an area of approximately 137 acres, and is shown edged black on the attached plan. The land is subject to a temporary grazing agreement, details of which are contained in the confidential appendix to this report.
- 2.2 In 2009 the council marketed for sale another area of agricultural land comprising approximately 57 acres at nearby Mount Carvey with a view to subsequently marketing the freehold of the land at Tenants Hill, but the land was formally withdrawn from sale by the Cabinet in December 2009 following concern expressed by the public.
- 2.3 Following the withdrawal of the land at Mount Carvey from sale, the council, in partnership with the National Trust, the South Downs Joint Committee, Natural England and Worthing Downlanders, have been putting together proposals for the marketing of both this land and the land at Tenant's Hill to let under a farm business tenancy agreement (or agreements) incorporating proposed statutory public access to both areas.

3.0 Proposals

- 3.1 An enquiry has now been received from the proprietor of Hill Barn Golf Course for the possible purchase of the southernmost field at Tenant's Hill, which comprises an area of approximately 27 acres and is shown hatched black on the attached plan. If the Club was successful in acquiring this land, it would build two new holes for the main course on the Tenant's Hill land and use the two existing holes of the main course to build the proposed Par 3 course.

- 3.2 The Club feels that the construction of the Par 3 course will help keep Hill Barn Golf Club as a viable business, create new jobs at the golf club, provide an additional sporting venue in the borough, raise a capital receipt for the borough, as well as produce other economic benefits for the town.
- 3.3 The Club have advised that they would be happy to provide public access down the sides of the new golf holes as well as extending the wild flower areas they have on their existing site. The Club has also proposed that consideration could be given to using its storage barn as a visitor centre for the South Downs National Park.
- 3.4 Further information relating to the Club's enquiry is contained in the copy letters attached to the confidential appendix to this report.

4.0 Legal

- 4.1 The council is under no legal obligation to dispose of the land, but if a sale were to be agreed this would have to be for the best consideration reasonably obtainable in accordance with the council's statutory liability under Section 123 of the Local Government Act 1972.

5.0 Financial implications

- 5.1 A sale would of course produce a capital receipt, which could be used to improve local amenities. The council would need to obtain independent verification, if the land was not marketed, that the receipt represented market value.

6.0 Conclusions

- 6.1 At the request of the Cabinet Member for Resources, this enquiry was considered by the partnership members referred to in paragraph 2.3 who raised a number of objections to a possible sale for golf course use, principally:
- a) If used for golf, public access would be restricted to the edges of the land and would give rise to safety issues and potential conflict with golfers. Under the current proposals, the land is proposed to be let for grazing purposes with proposed statutory public access.
 - b) It is currently proposed that the farmland will be restored to a herb and wildlife rich downland pasture habitat once let. Although wild flower areas will be incorporated in the golf Club's proposal, this would have limited impact in comparison.
 - c) The viability of the farmland could be prejudiced if this field were lost having regard to the overall size of the holding, the proposals for statutory public access and the inclusion of non-productive land in the proposed tenancy.

- d) The farmland would be even further removed from the farm buildings in Charmandean Chalkpit.
 - e) The traditional downland landscape view would be adversely affected.
- 6.2 In addition to the foregoing, the partnership raised questions about the suitability and viability of converting the barn to a visitor centre.
- 6.3 At its meeting on 3 December 2009, which was addressed by a number of members of the public, the Council's Cabinet decided to withdraw the land from sale.

7.0 Recommendation

The Cabinet Member for Resources is recommended not to approve a possible sale of the agricultural land at Tenant's Hill.

Local Government Act 1972

Background Papers:

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Schedule of other matters

1.0 Council Priority

1.1 Matter considered and no issues identified.

2.0 Specific Action Plans

2.1 (A) Matter considered and no issues identified.

(B) Matter considered and no issues identified.

3.0 Sustainability Issues

3.1 Matter considered and no issues identified.

4.0 Equality Issues

4.1 Matter considered and no issues identified.

5.0 Community Safety issues (Section 17)

5.1 Matter considered and no issues identified.

6.0 Human Rights Issues

6.1 Matter considered and no issues identified.

7.0 Reputation

7.1 The Council has recently decided to withdraw the land from sale. To now approve a sale could have an adverse affect on the Council's reputation.

8.0 Consultations

8.1 (A) Consultations have been undertaken, inter alia, with the Council's Executive Head of Legal and Democratic Services as well the National Trust, the South Downs Joint Committee, Natural England and Worthing Downlanders.

8.2 (B) Feedback from the consultation in this proposal has been included in the conclusions to the report and taken account of in arriving at the recommendation.

9.0 Risk assessment

9.1 Matter considered and no issues identified.

10.0 Health & Safety Issues

10.1 See paragraph 6.1a).

11.0 Procurement Strategy

11.1 Matter considered and no issues identified.

12.0 Partnership working

12.1 The existing objective for this land, as set out in paragraph 2.3 above, has stemmed from extensive liaison with and input by the National Trust, the South Downs Joint Committee, Natural England and Worthing Downlanders.