



ADUR & WORTHING  
COUNCILS

Executive Members for Resources  
9 February 2021

Decision to be taken on or after  
17 February 2021

Key Decision: Yes

## **Surrender of land at Shepherd's Mead/Long Meadow & Disposal of land at Cote Street**

### **Report by the Director for the Economy**

#### **Executive Summary**

##### **1. Purpose**

This report sets out the details of a property transaction which has been negotiated subject to contract and Executive Member approval.

##### **2. Recommendations**

2.1 The Executive Members for Resources are recommended to approve:

- a. A surrender premium of £83,000 payable to the farm tenant of the land east of Shepherds Mead, Worthing to obtain vacant possession of the land.
- b. The acquisition of the Basic Payment Scheme entitlements from the tenant for £3,500 (excluding VAT)
- c. The freehold sale of the land at Cote Street to the former tenant of Shepherds Mead for £63,000 conditional upon the surrender of their existing lease.
- d. The amendment of the Worthing Borough capital budget by £86,500 funded by the capital receipt from the sale of the land and a revenue contribution to capital from Council's Major Projects budget of £23,500.

### 3. Context

- 3.1 The land at Shepherds Mead is an area of approximately 100 acres of arable land which has been farmed under the current tenancy since 1976. The agricultural use is limited due to the significant use of the land by walkers, it is therefore only periodically topped for silage/hay and not for grazing of livestock. This site is also positioned just within the South Downs National Park and is within close proximity to Cissbury Ring, a National Trust held Iron Age Hill Fort that is a Scheduled monument and has SSSI status.
- 3.2 The land at Cote Street is approximately 12.3 acres of arable farmland and is already tenanted by the intended purchaser who owns the other half of the field which our ownership forms part of.
- 3.3 Appended to this report are plans showing the land at Shepherds Mead, the land at Cote Street, and a plan showing the adjacent land which is also within AWC ownership.
- 3.4 At this stage further work is required to identify a best approach to deliver on our intended purposes for the site. There are various opportunities including planting and habitat restoration that may be appropriate. Greater understanding of the existing ecology networks, soil structure, accessibility, landscape and planning issues are required to inform a preferred approach. Engagement with local stakeholders is also essential to achieve broad support and buy in for a preferred approach.
- 3.5 The recommendation to proceed with this transaction is linked to the AWC policy document, *Platforms for Our Places: Going Further*, in which Worthing Borough Council committed to delivering more woodland, help recover natural environments, boost biodiversity and enable community led sustainability initiatives. The Council have been actively working on implementing its Climate Change strategy through a number of energy, waste reduction and biodiversity initiatives, and are working towards its ambition of being a Carbon Neutral organisation by 2030.
- 3.6 Obtaining vacant possession of this land contributes towards achieving the objective of conserving and enhancing the natural environment, enhancing biodiversity, and contributing to the ambition of being Carbon Neutral by 2030 enables the Council to deliver on a central platform commitment within *Platforms for our Places: Going Further*. The Council also intends to develop a “natural capital” approach to this and other acquired sites for natural restoration, with the aim of developing sustainable income streams from biodiversity net gain payments, carbon sequestration and other ecosystem services.

#### **4. Issues for consideration**

- 4.1 As part of this transaction alternative options have been considered including continuing as-is with the farmer in occupation. As the land being surrendered is used heavily by hikers and dog walkers the farmer's use is hampered and has created minor instances of conflict. Therefore, terminating the lease will enable wider use of this land by members of the public and enable WBC to plan improvements of the land.
- 4.2 Our rental income from Shepherds Mead and Cote Street is currently only £4,800 p.a. and £580 p.a. respectively.
- 4.3 The potential of putting this land a use which contributes towards the objectives set out in our policy documents is therefore considered to outweigh the income currently attainable under the current agricultural uses of the site. There is also limited availability on the open market of land located close to an important historical site and within close proximity to a significant number of local users.
- 4.4 There is the potential opportunity to develop an income stream from this site through provision of basic catering facilities within the onsite car park subject to gaining the necessary approvals.

#### **5. Engagement and Communication**

Prior to proceeding with the proposed decision the following parties will have been consulted: Paul Brewer (Director of Digital, Sustainability and Resources) Philippa Reece (Parks & Foreshore Team), Councillor Daniel Humphries (Leader of the Council and also Local Member).

#### **6. Financial Implications**

- 6.1 Under the Council's financial regulations

'The prior approval of the Executive Member for Resources is to be sought for the disposal of any individual asset with a current value of more than £50,000 in the Asset Register'.

This report meets these requirements.

- 6.2 The cost of acquiring the freehold interest in Shepherd's Mead is £86,500. This does not currently feature in the capital programme and

so the Executive Member is asked to approve an amendment to the capital programme which is to be funded as follows:

- Capital receipt of £63,000
- A revenue contribution of £23,500 from the Major Project budget.

6.3 The terms negotiated included input from external valuers with specialist knowledge in rural property transactions. This was to ensure that the terms agreed were at the best consideration.

## **7. Legal Implications**

7.1 Under Section 111 of the Local Government Act 1972, the Council has the power to do anything to facilitate or which is conducive or incidental to the discharge of any of their functions.

7.2 Section 1 of the Localism Act 2011 empowers the Council to do anything an individual can do apart from that which is specifically prohibited by pre-existing legislation.

7.3 Section 1 of the Local Government (Contracts) Act 1997 allows the Council to enter into a contract in relation to any of its functions.

7.4 Legal Services, having reviewed background materials and discussed with the operating department all details of the proposed deal, are satisfied with the position being achieved and have prepared conveyancing documentation which will on execution give effect to the three linked transactions described in paragraphs a., b. and c. of section 2.1 of this Report.

## **Background Papers**

- Platforms for Our Places: Going Further
- Sustainable AW
- Property Asset Management Plan
- Medium Term Financial Strategy

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## **Sustainability & Risk Assessment**

### **1. Economic**

Although there will be a loss of rental income as a result of this transaction there is the potential opportunity to develop an income stream from this site through provision of basic catering facilities within the onsite car park subject to gaining the necessary approvals.

### **2. Social**

#### **2.1 Social Value**

- The completion of this transaction has social value in that it will enable improvement of the land at Shepherds Mead which is seen as open space enjoyed by the public.

#### **2.2 Equality Issues**

- Matter considered and no issues identified

#### **2.3 Community Safety Issues (Section 17)**

- Matter considered and no issues identified

#### **2.4 Human Rights Issues**

- Matter considered and no issues identified

### **3. Environmental**

- This transaction brings 100 acres of greenspace back under the Councils' control and will enable the land to be enhanced and preserved.

### **4. Governance**

- The purpose of this transaction aligns with the Councils' policies as covered earlier within this report. It will also enhance the Council's reputation and opportunity to partnership with the community.