



Seaford Town Council

To the Members of the Full Council

A special meeting of the of the **Full Council** will be held at **Seaford Baptist Church, Belgrave Road, Seaford, BN25 2EE** on **Wednesday 19th August 2015** at **7.00pm** which you are summoned to attend.

Councillor Dave Argent
Mayor of Seaford
12th August 2015

AGENDA

1. Apologies for Absence

2. Disclosure of Interests

To deal with any disclosure by Members of any discloseable pecuniary interests and interests other than pecuniary interests, as defined under the Seaford Town Council Code of Conduct and the Localism Act 2011, in relation to matters on the agenda.

3. Public Participation

To deal with any questions, or brief representations, from members of the public in accordance with Standing Order 3 and Seaford Town Council Policy.

4. Consideration of Lewes District Council's New Homes Proposals

To consider report 55/15 regarding Lewes District Council's New Homes proposals and to determine what action if any Seaford Town Council wishes to take.

5. Seaford Community Rights to Bid

To consider report 59/15 regarding Community Assets applications under the Community Rights to Bid Scheme.

For further information about items appearing on this Agenda please contact:

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Circulation: All Councillors, Young Mayor and Deputy Young Mayor.



Seaford Town Council

Report 55/15

Agenda Item No:	4
Committee:	Council
Date:	19 August 2015
Title:	Consideration of Lewes District Council's New Homes Proposals.
By:	James Corrigan, Town Clerk
Purpose of Report:	To summarise the current position, report back on the findings of the Town Council Working Party, survey results, comments from the public and to determine what action if any to take.

Recommendations

You are recommended:

- 1. To make a Position statement on the proposed sale of land in Seaford by Lewes District Council.**
 - 2. To put forward a scheme of recompense for Seaford if Lewes District Council decides to progress the sale of land in Seaford.**
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1. Background

Lewes District Council (LDC) is in the process of developing a programme to deliver 415 new homes of which 165 will be affordable homes and the remainder will be private sale properties within the District. As part of this process LDC is proposing to dispose of some land it owns to developers for private housing to fund some of the building of the affordable housing. More detail on this proposal is included in section 2.

Since this scheme first became public knowledge Seaford Town Council and Seaford Councillors have been inundated with enquiries about the proposals to such an extent that Town Council services have been affected.

It was agreed at a Town Council Working Party on the 29th July 2015 that a special meeting would be convened on the 19th August to consider Seaford Town Council's position and what representation it should make to Lewes District Council.

2. The Proposals

LDC has entered into a development agreement with Karis Developments Limited, and Southern Housing Group to develop 31 sites across Lewes District. The proposals in summary are to sell off LDC owned land that is marketable for private housing at the market value to Southern Housing Group who will then develop the individual sites. The capital receipts from these sales will then be used to construct affordable homes within the District.

However none of these affordable homes will be in Seaford within the current plans. LDC has indicated that it is reviewing its land ownership within Seaford to see if affordable homes can be located on alternative sites in the Town.

The proposal is to build 165 affordable homes within the District in total. This will enable LDC to achieve one of its strategic objectives of supplying affordable homes in the District. However it appears that these proposals pay no cognisance to another LDC strategic objective namely to regenerate the seafront of Seaford and increase the tourism economy for local businesses. STC has proposals to achieve both objectives subject to a slight reduction, approximately three, in the number of affordable homes achieved by this scheme.

It should be noted that LDC has stated it has not obtained a valuation for the land that is for private housing at this stage. So whilst LDC would wish to maximise income to build all 165 affordable homes it may well be the case that the total income received is more than enough to achieve this target, or it could be well short of the amount required. This is an unknown quantity. But if it were able to sell the land for more than the budget figure STC's proposals below would have no impact on the number of affordable homes delivered.

Appendix C details the "frequently asked questions from LDC's New Homes section of its website in addition the proposals as summarised by Lewes District Council are set out below;

"Housing Need in Lewes District.

We need more homes! We want you to help design new homes

NATIONALLY

We have not built enough new homes for a generation.

- *a quarter of young adults are still living with their parents;*
- *millions are on the waiting list for social housing;*
- *we are building less than half the affordable homes we need and 93,000 children are homeless.*

LOCALLY

House prices and rents are unaffordable to many in Lewes District.

- *the average house now costs £297,000.*
- *the average monthly rent is now £1,080pm.*
- *there are 1,955 households on the housing register.*

HOW MANY NEW HOMES NEED TO BE BUILT?

- *How many homes do we need by 2030? 10,400 (including 4,215 affordable)*
- *How many homes do we think will be built by 2030? 6,900 (including 1,070 affordable)*
- *What might be the shortfall? 3,500 (3,145 affordable)*

WE WANT TO BUILD around 415 new homes across the District, including around 165 affordable homes.

- *Our priorities are providing affordable homes, sustainability and high quality design, as well as bringing more money into our town centres.*
- *Our partners, selected under the European Union tender process, are Karis Developments, Southern Housing Group and Conran and Partners.*
- *We will raise money by selling sites for market housing at maximum value to plough into funding affordable Council-owned homes for local people.*
- *We will ensure the new developments are accompanied by infrastructure improvements and that where existing facilities are lost, alternatives are provided.*

WHAT EACH OF THE PARTNERS IS RESPONSIBLE FOR

- *Lewes District Council is providing the sites that the homes will be built on. Some sites will remain owned by the Council and some will be sold to Southern Housing Group and developers.*
- *Karis Developments will project manage the developments. It has extensive experience with regeneration projects and building high quality affordable and market homes.*
- *Southern Housing Group is one of the south-east's largest housing associations. It will purchase and develop some of the larger sites.*
- *Conran and Partners is an internationally-renowned architects firm with a strong understanding of the local landscape and design heritage. It will bring expertise in designing beautiful, sustainable homes to both the market and affordable housing as part of this project.*

HOW ARE WE TACKLING THE HOUSING CRISIS?

- *NORTH STREET QUARTER* We are working with private developer Santon to build 415 homes in Lewes, including 165 affordable homes, as well as commercial space and extra care facilities for the elderly.
- *STEEL-FRAMED HOMES* We have worked with an international construction company to build two steel-framed homes in Lewes which can be put up in 6 weeks and rented out for £95 due to low construction costs.
- *OLD GARAGE SITES* We will use £2.3m we have borrowed from the Government, in addition to £1.5m of our own Council funds to build 30 affordable homes across a number of old garage sites.
- *NEW HOMES PROJECT* We have joined forces with a private consortium to build 415 new homes on Council-owned sites across the District, with at least 40 per cent of these homes being affordable of this project.”

3. Seaford Town Council survey

Seaford Town Council through some Town Councillor volunteers delivered approximately 4500 leaflets promoting the LDC drop in at the Downs Leisure Centre on Tuesday the 28th July. This appeared to be successful as there was a significant turn out at this event, many with the Town Council leaflet in hand. On the rear of the leaflet there were four questions. In total 602 leaflets have been completed and returned.

The questions and results of this survey are set out below;

	Yes	No
1 Do you agree with Lewes District Council's proposal to Sell off the Buckle Car Park?	38 (6%)	564 (94%)
2 Do you think Seaford needs some affordable housing?	431 (73%)	158 (27%)
3 Do you think it's a good idea for the affordable housing available to Seafordians to be located in Newhaven?	159 (27%)	424 (73%)
4 Do you think it is fair that all the money from land sales in Seaford is to be spent in Newhaven?	24 (4%)	571 (96%)

LDC officers have contacted STC to advise that the final question was inaccurate and that the funds for Seaford are not to be allocated to Newhaven. Recent correspondence with LDC indicates that the funds raised in Seaford will be spent across the District on affordable housing except for the development at Robinson Road in Newhaven. It is clear however that within the current plans none of the funds raised from land sales are due to be spent in Seaford.

4. The Buckle site

It is noted on Appendix A that the proposals do not appear to cover the whole of this site, namely excluding the Environment Agency section. Clarification received from LDC advises this is because the remainder of the site is leased to The Environment Agency and that negotiations are ongoing with the EA to vacate the site. The boundaries on the maps on the LDC website are not definitive at this stage.

Clarification has been sought on what plans there are to relocate the EA service and whether the EA are in agreement with these proposals. LDC has advised that their understanding is that service delivery by the EA will not be affected by relocation.

The proposal is to build approximately 76 executive apartments on this site. This will result in the loss of the only car park to the west end of Town. It will also result in the loss of the only public conveniences to the west of the Town, including disabled toilets, as well as a recycling collection point. There is also the question of parking for the residents of the new development which is a planning matter but there must be adequate parking within the development for residents and visitors.

LDC, Karis Developments Limited and Southern Housing Group (SHG) are currently developing a planning application for the Buckle Site. If this is approved LDC will then sell the site to SHG for its market value with planning permission. Much work has commenced already and LDC

expects the planning application to be submitted at the end of the year. Then, subject to approval by Committee, the sale to follow soon thereafter. SHG will develop the site.

The proposal is for 100% private apartments which at today's prices (and taking into account this building is to be an "Iconic design" so increasing value) will retail at on average between £350,000 to £450,000 per unit. This, on the basis of 76 apartments being built would result in a land sale income of approximately £8.9 million to £11.4 million.

The proposal does not include any affordable housing so as to maximise the income from the sale. If it were to have its quota of affordable homes this would be 40% so equating to 30 affordable units.

As the proposal stands there is no means of redressing these losses to Seaford.

5. Alfriston Road Site

It would appear from the plan, Appendix B, that only the Northern edge of the site is intended to be used for housing, the remainder is not proposed to be developed. Clarification has been sought from LDC on this point and what the intention is for the remainder of the site. The intention to retain some of this site for a Cemetery extension in the future has been raised as the reason for this but not verified. However LDC's Local Plan indicates the land has been allocated for Leisure use.

The proposal appears to be for approximately 20 detached properties, all private with no affordable housing, this would equate to an approximate land value of £3.5 million. Ordinarily there would be 8 affordable homes on the site at current ratios of 40%.

This land is within the National Park so has an additional planning complication.

6. Affordable homes for Seaford

A prevalent point made by people contacting the Council and at the LDC consultative event is the lack of Affordable Housing within the proposals for Seafordians. As the draft plans of LDC stand there will be no Affordable Housing within Seaford.

Currently the Council housing waiting list for LDC has approximately 1955 households on it awaiting an affordable home. Of these approximately 370 have expressed a preference for Seaford and approximately 500 have expressed a preference for "urban" areas which includes Peacehaven, Newhaven, Seaford and Lewes.

It is proposed within LDC's plans that Seafordians will be able to apply for properties in Newhaven.

7. Seaford Town Council Working Party meetings on the New Homes project

Seaford Town Council has met on two occasions as a Working Party to discuss the New Homes proposals. On the first occasion District Councillor Rob Blackman was present to answer questions and to give more clarity to the proposals.

There have been some suggestions from the public that Seaford Town Council should challenge the process followed by LDC to get to the point it is at now regarding proposed sale of land. This would be pursued through the Courts as a Judicial Review of the processes followed by LDC. However the consensus is that the chances of a successful challenge are remote and even if there was a successful challenge, at an estimated cost of £100,000 to STC, immediately thereafter LDC would be free to start the process again. This would overcome any impediments highlighted in the challenge so at best a delay would be secured. In the event of an unsuccessful challenge LDC has advised it would be duty bound to claim all costs which could result in a total cost to Seaford Town Council of approximately £250,000. This would require a one off increase in the Council tax of 50%. A loan would not be possible for such an expenditure.

It was therefore considered more appropriate for STC to look to negotiate with LDC to secure the best deal for Seaford if LDC refuses to withdraw the Buckle Car Park from its proposals. This is taking into account that Government Policy requires that there will be approximately 10,400 new homes in the LDC area before 2030, including 4215 affordable homes, and recognising that there is a shortage of affordable housing in the area which LDC housing needs to look to address.

However in principle there was a consensus that the Council could not be in favour of development of the Buckle Car Park. This reflects the overwhelming public opinion in the town on this proposed sale of a Town asset. Almost without exception every correspondence STC has received on this matter is objecting to the sale and subsequent development of the Buckle Car Park. This objection includes a letter from the local MP attached as Appendix D.

There are also concerns about the impact of the development at Alfriston Road but these were largely planning issues which should properly be addressed if the proposed development gets to the planning application stage.

8. Additional points raised by public

Concerns expressed about the Alfriston Road site include the mature trees on the site and wildlife which will be lost and also the retention of the tree boundary on Alfriston Road.

STC has received correspondence from a representative of Seaford Sailing Club indicating that they could not contemplate entering into an arrangement to allow the public to use their car park as it is needed for their own activities.

Another comment received states that the Buckle car park should be sold for social housing only.

There has also been concern expressed that relocating the Environment Agency out of Seaford will reduce the level of attention the fragile beach at Seaford receives.

9. Proposals

The Council Working Group has indicated that the Council should have a position statement of objecting to the sale of the Buckle Car Park. This is a view shared by 94% of the people who completed the Town Councils survey and is supported by the recent submission of a 2000 plus signature petition to LDC. It is understood there has been significant additional objection letters / emails submitted to LDC also. Almost all of the correspondence received by STC is in objection to this proposal.

However STC recognises that ultimately the decision as to whether or not the Buckle Car Park is sold and developed on lies solely with LDC and that it appears to be essential for LDC to deliver its affordable homes project.

It is noted that LDC has a strategic policy to increase Tourism in the Seaford area, the replacement of the public toilets is therefore essential but STC's proposals below go further; they include the construction of one building with public toilets, a café concession, and two business units to sell and or hire appropriate items for the seafront and tourism. STC has been approached several times to provide such business units in this area and to develop the Bonningstedt end of the seafront. This development would be used as a catalyst for further development by STC including the much requested introduction of additional beach huts. LDC has stated that it is "open to ideas" as to replacing the Public Toilets. This scheme would also help LDC achieve its objective of increasing tourism in the area.

STC would prefer to retain a dedicated car park on the seafront but if LDC choose to remove this it is essential that alternative free long stay parking is available for the survival of the Bishopstone Rail station and to provide tourists with somewhere to park at this end of the promenade. Many use this, particularly on a weekend to start their walk. They then use the local facilities in Seaford.

The removal of the recycling centre on this site is regrettable but LDC has the opportunity to rectify this to some extent. LDC and STC are currently looking at a scheme to install recycling bins along the seafront; this could be implemented immediately with support from the recycling team at LDC. Similarly, as compensation for this loss, the opening hours of the Seaford Recycling Centre at Cradle Hill could be increased by one day. It is recognised however that in the medium term there will be an improved door collection recycling system which will reduce the need for recycling points for most items.

It is of considerable concern to the Town Council that the proposals as they stand do not provide for any affordable housing in Seaford at all. The Town Councils survey indicated that 73% of residents would prefer to have affordable housing in Seaford. The current waiting list of Seaford Residents for affordable homes is 370 out of 1955 in the District. LDC has indicated that the current rules would be changed to allow Seaford Residents to apply for homes elsewhere in the District. STC believes this should be taken further and that the proportion of affordable homes that would have been built in Seaford on the basis of 40% of all new units built in Seaford should be reserved specifically for Seaford Residents elsewhere in the District. On current estimates this would be 38 units.

STC Working Party has therefore concluded that if LDC decides to progress with the sale of The Buckle that the following concessions as a minimum should be given to Seaford.

- Approximately £500,000 from the sale of the Buckle proceeds to be given to STC (immediately upon the sale being completed to enable the new toilets to be in situ prior to the old ones being demolished) to develop new toilets, café and small business units to operate businesses such as kite surfing hire at Bonningstedt Parade. Seaford Town Council would take on the financial management of these facilities.
- LDC to fund the design of the toilet / business block at Bonningstedt utilising Conran and Partners so the design is complementary to that used on the Buckle Car Park.
- LDC to fund the moving of the cycle lane near the Buckle Car Park to other side of the seafront wall creating new car parking bays down the side of the seafront wall.

- LDC to fund the introduction (immediately) of 10 double recycling bins along the seafront and collect from these using the existing domestic kerbside collection team.
- LDC / ESCC to increase the opening hours of the Seaford Recycling Centre by one day per week.
- LDC to ensure legally that the proportional number of affordable homes not provided in Seaford as a result of selling the two parcels of land for 100% private homes are reserved specifically for Seaford residents elsewhere in the District. These 38 affordable homes to be as near as possible to Seaford.

All of this is in addition to the allocation of S 106 / CIL funds which would be used for other projects such as further improvements to the Salts.

10. Financial Appraisal

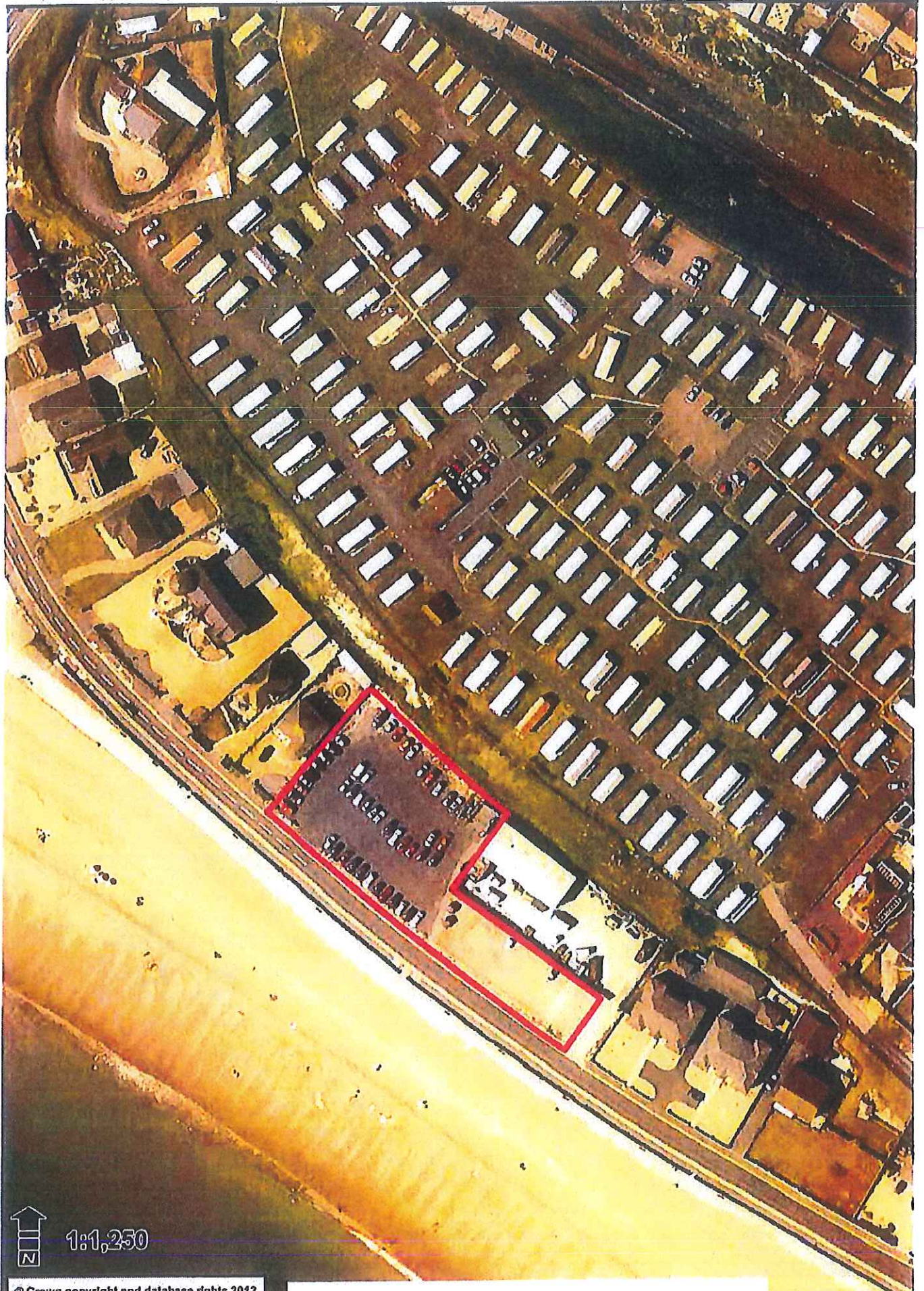
There are no financial implications as a result of this report.

11. Contact Officer

The Contact Officer for this report is James Corrigan, Town Clerk.

Town Clerk

A handwritten signature in black ink, appearing to read 'James Corrigan', is written over a horizontal line. The signature is stylized and cursive.



1:1,250

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Ordnance Survey 100019275.
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1:2,500

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Meters
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Lewes District Council Frequently asked questions taken from website

How many homes will be built and how many will be affordable?

The proposals will see around 415 new homes built across Lewes District of which around 165 will be affordable. The number of affordable homes will meet our target of 40% on all new developments as outlined in our Core Strategy (our planning guidelines). We are also hoping to provide some workspace and commercial space within the Robinson Road development.

Are the sites owned by the Council and what has it been doing with them?

All of the sites are currently owned by the Council and have been identified as being suitable for development. Most of these sites have been empty for a long time, and some have been under-utilised. The site maps which are included on the website do not indicate the boundaries of the developments, but rather the general boundaries of the sites. We will provide more information about the plans for the sites on our website as they are developed, and full information will be available to the public once planning applications are made.

We will be moving our Robinson Road waste and recycling depot to a new site in Newhaven in 2016 before construction commences. Staff who might be affected by the depot move have already been informed.

Why aren't there 49 sites on the list you have published?

There was indeed an early draft working document that was leaked and gave rise to the 49 sites strapline, but it has been reviewed and revised to ensure it delivers the best possible solution to the housing shortage in Lewes District. We now have an agreed list to start the consultation process, which is the list we have published.

What happens next?

We will begin consulting with groups on our early ideas, and all consultation events will be on our website as they are organised.

What happens once we have consulted and plans have been drawn up?

The first set of planning applications will be submitted to Lewes District Council by the end of 2015, followed by a second phase of planning applications going before the South Downs National Park Authority in early 2016. We hope to begin construction on the Robinson Road, which will be part of the first phase of applications, in 2016.

How many homes will be built on each site?

Appendix C

The exact number of homes that will be built on each of the sites has not been decided at this early stage in the development process and will form part of the consultation with local communities and other stakeholders.

The largest developments will be at Robinson Road in Newhaven, which will be approximately 96 Council-owned homes, and at the Buckle car-park in Seaford, which will be mainly private housing. There will be other small to medium-sized developments of both affordable and private housing across the district including in Peacehaven, Lewes and rural areas.

Who will own the homes?

Some homes will be privately owned homes sold to the open market, which will be sold via Southern Housing. The money from these sites will fund the construction of Council homes. Where there are affordable homes built, most will remain under Council ownership, but we are exploring some being sold as shared ownership properties.

Who will get to live in the Council homes?

The new Council homes will be allocated to people on our waiting list using our existing allocation policies and procedures.

Are the Tenants of Lewes District (TOLD) involved?

Yes. TOLD have been involved with the development plans, for Robinson Road in particular, from an early stage and we are working together on the project as a whole.

How was the preferred developer selected?

The preferred developer was selected in accordance with the European Union procurement process.

In May 2012, the Cabinet of Lewes District Council approved a report seeking authority to enter into a partnership arrangement with a private sector development partner to bring forward a range of Council-owned sites for development.

We advertised for a development partner in the Official Journal of the European Union under the Public Contracts Regulations 2006. Two bidders were invited to submit an outline proposal. The proposals were evaluated and one bidder was selected to work up its proposal in negotiation with the Council and to submit its best and final offer.

The selection process has been overseen by external legal and commercial advisers.

Cabinet report - May 2012

Cabinet report - September 2014

Why has it taken so long to publish the list of sites?

Complex commercial projects often require a period of private negotiation. Once a preferred bidder was selected, public disclosure before negotiations had been completed might have inhibited free and frank discussions around key parts of the contract, to the detriment of the Council, the preferred bidder, and the public interest. During the bidding and negotiation process, we were also obliged to ensure that each bidder's concept and business model remained confidential. If we had released information early, we would have run the risk of being in breach of confidence. The appropriate time for disclosure was when we were confident that we had secured the best possible outcome for the District and the development agreement had been signed.

How will the planning process work?

The planning applications will fall under two planning authorities: Lewes District Council and South Downs National Park Authority. The first set of applications will be submitted to the District Council by the end of 2015, followed by a second set of applications going to the SDNPA. The applications will be subject to the usual rigorous planning process and public consultation.

What are the land values for the sites?

Some of the sites, in particular those with developments consisting mainly of affordable homes, will remain under the Council's ownership. Where sites are sold, the Council cannot sell for less than the price that it could hope to achieve on the open market. Sites will be sold with planning permission, which will increase the land value and therefore achieve a higher return for the Council in addition to enabling us to ensure that quality homes are built across the District. Whilst we cannot speculate on what these future land values might be, the higher the value the more funds the Council will have to invest in Council homes.

Why are some sites mainly affordable housing, others private housing?

The planned developments on some of the sites, such as Robinson Road in Newhaven, will be made up of mainly Council-owned homes. Others, such as that at the Buckle site in Seaford, will consist mainly of homes sold at market prices. Because the planning applications for the developments are being submitted in bundles, the target of 40% affordable homes will be met across a package of sites rather than on individual sites. We are looking to generate a maximum return on the sale of the most valuable sites so that we can build as many high-quality Council and affordable homes.

What will happen to the groups that use the St Mary's Social Centre, Christie Road, Lewes?

St. Mary's Social Centre is a much-loved community centre in Lewes and the proposed development includes a new and enhanced community centre that will be co-designed with the users, alongside affordable Council-owned homes. This site will provide both great community facilities but also much needed new homes in the middle of Lewes. We are not proposing to sell the site.

Appendix C

In 2012 we were approached by the groups that use the centre who wished to understand any plans we might have for the area. We confirmed that the social centre was on a list of sites with potential for development, and we agreed that were any development of the site to be brought forward, we would consult with users and the supporters club. We also agreed that if housing were to be constructed on the site that we would plan the development to cause a minimum of interruption to the activities that take place. We will be engaging with the local groups about what they want from the proposed new, enhanced community centre, which will form a central part of the planned development of affordable homes on the site, and about how provision can be made for them whilst construction takes place.

Why was the public not consulted when the sites for development were being determined?

The aim of the regeneration portfolio is to involve the private sector and world class architects in designing and imagining innovative developments – we couldn't speak to the public about their ideas before they had been developed as the consortium didn't want to set plans "in stone" until they had spoken to local people to hear their ideas.

As soon as the commercial deal is concluded we start the consultation and ideas generation process. All the normal checks and balances are in place through planning process to record and consider public views. This can only be done once everyone knows what the proposals for each site are.

How will you make sure that the affordable housing is built?

The Council is in control of the construction of the affordable housing to be built using funds generated from the sale of land for market housing.

How can I get involved?

We will be holding regular design workshops with local residents on the major sites to discuss the plans and hear your ideas. Dates, times and locations for these will be added to the website on the "Have Your Say" section as they are organised. You can also tweet us @LDCnewhomes, email newhomes@lewes.gov.uk or call 01273 471 600.

Some of the sites in Peacehaven and Telscombe are car parks. Do you know how much and why these car parks are used?

Lewes District Council asked an external consultant to review the six Peacehaven car parks that the Council owns, namely:

Car Park	Number of Spaces
Fairlight Avenue, Telscombe Cliffs	74 spaces
Roderick Avenue North, Peacehaven	32 spaces
Roderick Avenue South, Peacehaven	40 spaces
Steyning Avenue, Peacehaven	55 spaces
Bastion Steps, Peacehaven	8 spaces
Piddinghoe Avenue, Peacehaven	32 spaces

Appendix C

The Council does not charge for these car parks, but does require cars to be moved after 12 hours of continuous parking (and not return for 2 hours). Including both the Councils parking facilities and the Meridian centre, there are currently 5 free car parks within a 10-minute walk of the commercial centre of Peacehaven along the A259 road.

The Council commissioned the review in November 2014, and the surveys were completed in November/December 2014. The report also made use of informal surveys of the car parks undertaken by the Council in summer 2014, which only assessed the car parks on weekdays, not the weekends. What the survey was not able to do was find out why people are using these car parks - as residents, as shoppers, as visitors, or as an informal park-and-ride system for Brighton.

What did the surveys find?

The Council wanted to know when and whether the car parks are full, and whether there is any additional capacity in these car parks. The results for the capacity of the car parks at peak and average demand are as follows:

Average Demand on Car Parks as Percentage of Site Capacity

Site	Saturday Survey (12/14)	Wednesday Survey (12/14)	Summer Surveys (2014)	Overall Average
Fairlight Avenue	14%	8%	5%	9%
Roderick Avenue North	59%	63%	65%	62%
Roderick Avenue South	10%	7%	N/A	8.5%
Steyning Avenue	64%	62%	55%	65%
Bastion Steps	5%	34%	N/A	46%
Piddinghoe Avenue	15%	25%	10%	16%

The data shows that the Roderick Avenue North and Steyning Avenue sites have a relatively high average use, whereas the other sites have a relatively low average use.

The Council also asked the consultant to identify where and when there was peak demand on the car parks, and what the level of capacity was when the car parks were being used most. The table below shows that at peak capacity the Roderick Ave. North and Steyning Ave car parks are full or very nearly full.

Site Highest Observed Level as % of Capacity

Fairlight Avenue	25%
Roderick Avenue North	100%
Roderick Avenue South	17%
Steyning Avenue	96%
Bastion Steps	100%
Piddinghoe Avenue	53%

Appendix C

The pattern of parking at both Roderick Avenue North and Steyning Avenue demonstrates that usage is highest in the morning and tails off in the afternoon. The data shows that there is capacity for more people to park at the Fairlight Avenue and Piddinghoe Avenue car parks.

Dear Town Clerk

I am writing regarding the proposals from Lewes District Council to build houses on the site of the Buckle Road Car Park in Seaford.

I have raised my concerns with the Council and have publicly urged them to think again regarding the future of this site.

Whilst new housing is much needed across the District, it is important that it is in the right locations and that the needs and wishes of existing residents are also carefully considered.

That is why I am calling on Lewes District Council to rethink the Buckle Road Site. The car park provides valuable parking spaces in this part of Seaford, particularly for those visiting the Tidemills area or the nearby café, as well as those wishing to use Bishopstone station. I know that disabled visitors find the car park especially useful for accessing the beach.

The Buckle Road site is one of a number earmarked by the District Council to provide 415 new homes across the District.

I am always happy to make representations on behalf of constituents to ensure that their voice is heard by the Council. I believe there are genuine concerns about the Buckle Road site and that is why I am writing to the Council to urge them to rethink these sites when considering where to build additional homes.

Having attended a number of the consultation events being run by the District Council I have found them very disappointing and there was a lack of information available to the many concerned residents who attended. It is vitally important that the council is genuinely consulting local people on this important issue.

Kind regards

Maria

Maria Caulfield MP

Member of Parliament for Lewes



Seaford Town Council

Report 59/15

Agenda Item No:	5
Committee:	Town Council
Date:	19 August 2015
Title:	Seaford Community Rights to Bid.
By:	James Corrigan, Town Clerk, and Len Fisher, Temporary Projects Officer
Purpose of Report:	To inform the Committee of Lewes District Council decisions on three applications submitted to be registered as Community Assets under the Community Rights to Bid Scheme. To further determine whether the original sites agreed should be re-evaluated. To consider if any additional sites should be added to the selected sites.

Recommendations

You are recommended:

- 1. To note the decisions from Lewes District Councils Community Assets Panel as detailed within 1.3 of this report.**
- 2. To determine whether the original list as detailed within 1.4 of this report needs to be re-evaluated and make resolution as to which sites should be retained.**
- 3. To determine if any additional sites should be added to the list of potential Community Assets**

1. Information

- 1.1** At the Planning & Highways Committee meeting held on the 22nd November 2012 Members considered Report No 115/12 (Appendix A attached) concerning the new Community Right to Bid scheme which, in general terms, meant that certain building/open spaces in the town might be considered as Assets of Community Value which, whilst not protecting the building/land from future sale, does ensure that the Town Council would be given an early opportunity to bid to purchase on behalf of the town.
- 1.2** A copy of the Committee's resolution is reproduced within section 1.4 below and members are asked to revisit this list now that three applications from that list have been submitted to Lewes District Council for consideration. As the applications are quite time consuming it was decided to take three from the list and apply to Lewes District Council; those were Seaford Post Office, Seaford Police Station and The Downs Leisure Centre, Seaford.

- 1.3 Members will note that two of those applications were successful, Police Station and The Downs Leisure Centre with the Post Office being refused under Section 263 of the Town & Country Planning Act 1990
- 1.4 ***P&H 057 Community Right to Bid (minutes of the meeting held 22nd November 2012)***

Seaford Day Hospital Now sold to Horder Healthcare
The Old School Surgery
St Leonards Church
Land at Valley Dip
~~*All Post Offices and Sub Post Offices*~~ Refused by Lewes District Council
All Pubs in Seaford
Railway Stations
Barn Theatre
Little Theatre
Cradle Hill Industrial Units
Homefield House
~~*Police Station*~~ Approved by Lewes District Council 2nd April 2015
Tide Mills
Chyngton Way Field
~~*Downs Leisure Centre*~~ Approved by Lewes District Council 2nd April 2015
Seaford Head Swimming Pool
Portacabins at The Peveralls
The Constitutional Club
The Union Club
The British Legion Club
Clinton Place Hall

Resolution 57.2 It was ***AGREED*** to ***DELEGATE*** authority the Town Clerk to consider any future nominations.

- 1.5 Officers from this Council have spoken at length with the Community Value Team at Lewes District Council and have been given some useful guidance when applying to them for nominations. As a rule STC cannot apply for all pubs in Seaford to be nominated, you need to consider each one on its community merit, i.e. if one pub closed down then the users are likely to transfer to another one. Pubs should really only be considered by their strategic location, i.e. the only one in a village etc. equally the Cradle Hill units en-bloc would be a difficult application to support.
- 1.6 With that in mind Members might like to revisit the above list and add/remove any sites they feel appropriate.
- 1.7 Appendix B attached is an extract of the DCLG guidance on Community Right to bid. It is noted that having a property registered does not in itself prevent a sale only defer it for a maximum of six months, for which compensation can be claimed. The Community Group registering the interest to bid if the owner decides to sell has the opportunity during a six month moratorium period to negotiate a purchase from the vendor. If this is not successful the vendor is free to sell the property on the open market after six months and claim compensation.

- 1.8** It has been suggested that Seaford Town council should consider registering all of the public car parks in Seaford as Community Assets. If the decision is taken to register the car parks LDC will follow statutory procedures to determine if its assets should be registered.


2. Financial Appraisal

There are no financial implications to the Council as a result of this report.

3. Contact Officer

The Contact Officer for this report is James Corrigan, Town Clerk.

Town Clerk

A handwritten signature in black ink, appearing to read 'James Corrigan', is written over a horizontal line. The signature is stylized and cursive.



Report 59/15-
APPENDIX A

Seaford Town Council

Report 115/12

Agenda Item No: 7
Committee: Planning & Highways
Date: 22 November 2012.
Title: Community Right to Bid
By: Simon Cooper, Corporate Services Manager
Wards Affected: All Seaford Wards
Purpose of Report: To inform the Committee of a new power to help communities save local assets of community value.

Recommendations

You are recommended:

1. That buildings meeting the criteria be identified by Councillors for inclusion on a list of assets of community value.
 2. To delegate authority to the Town Clerk to consider future nominations.
-

1. Information

- 1.1 The Parliamentary Under Secretary for State at the Department of Communities and Local Government has recently launched a new power to help communities save local assets of community value.
- 1.2 A building or land is of community value if, in the Council's opinion:
 - (a) The actual main use of the building or land furthers the social interests or social wellbeing of the local community and it is realistic to think that within five years the building or land could be brought back into a use that would further the social interests or social wellbeing of the local community (although not necessarily in the same way as before). or
 - (b) In the recent past, the main use of the building or land furthered the social interests or social wellbeing of the local community and it is realistic to think that within five years the building or land could be brought back into a use that would further the social interests or social wellbeing of the local community (although not necessarily in the same way as before).
 - (c) In this context social interests include cultural, recreational and sporting interests.

- 1.3 The Community Right to Bid allows communities to place a moratorium on the sale of valuable local assets and amenities like post offices, village shops or community pubs, giving communities time to put in a bid to take over the asset and protect it for the wider community benefit.
- 1.4 The new Right gives voluntary, community organisations and parish councils the opportunity to nominate an asset to be included on a list of assets of community value. This will pause the sale of a successfully listed asset for up to six months, giving communities the time to prepare a bid and get a business plan together.
- 1.5 In order to list an asset a short nomination should be submitted to the local authority dealing with planning (LDC) explaining what the asset is, why the asset boosts the social wellbeing of the community and details of the group making the submission. The authority then considers the request and decides whether to put the asset on a list of local 'assets of community value'. If it decides not to list it, it should say why. If the asset is listed and the owner disagrees, the owner could ask the authority to review its decision. If the authority sticks to its decision to list it, the owner could then appeal to a tribunal.
- 1.6 If an asset is listed and the owner decides to sell the asset the authority will inform interested groups who then have six weeks to indicate their intention to make a bid for the asset, up to six months from being informed to prepare and submit a bid. The owner will consider which bid to accept. There is no obligation on the owner to accept any bid.
- 1.7 A copy of the nomination form and associated guidance notes are attached as Appendix A


2. Financial Appraisal

There are no direct financial implications arising from this report.

3. Contact Officer

The Contact Officer for this report is Simon Cooper, Corporate Services Manager.

Corporate Services Manager



Town Clerk



Section 2

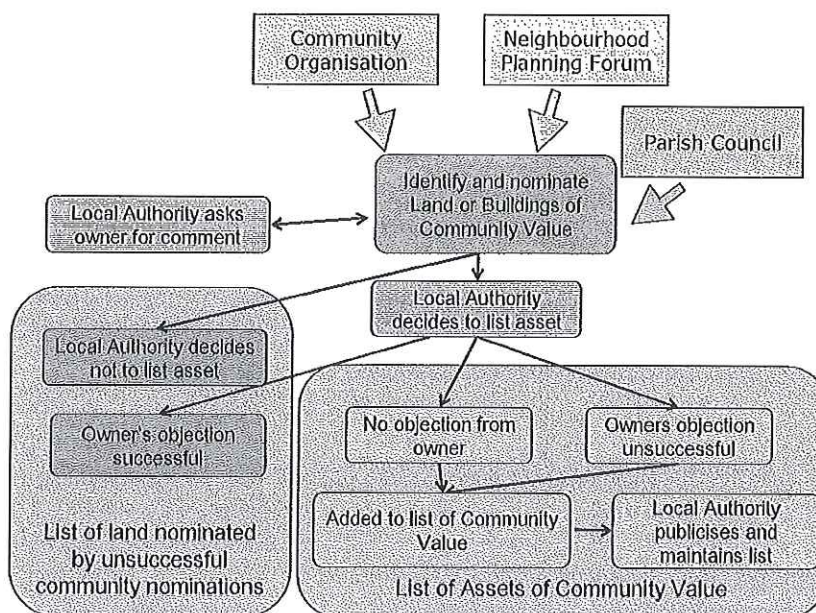
Outline of how the scheme works

- 2.1 The provisions give local groups a right to nominate a building or other land for listing by the local authority as an asset of community value. It can be listed if a principal ("non-ancillary") use of the asset furthers (or has recently furthered) their community's social well-being or social interests (which include cultural, sporting or recreational interests) and is likely to do so in the future. When a listed asset is to be sold, local community groups will in many cases have a fairer chance to make a bid to buy it on the open market.
- 2.2 The Assets of Community Value legislation places requirements on the following local authorities in England:
- (a) a district council,
 - (b) a county council for an area for which there are no district councils,
 - (c) a London borough council,
 - (d) the Common Council of the City of London, or
 - (e) the Council of the Isles of Scilly.
- 2.3 The scheme has two main parts: nominating and listing assets and the moratorium.

Nominating an asset

- 2.4 It is open to parishes and community organisations, including neighbourhood forums (as constituted under section 61F of the Town and Country Planning Act 1990, added to that Act by the Localism Act) to nominate local assets to their local authority, to be included on the list of assets of community value. Nominated assets may be owned by anybody, including the local authority and the Crown.
- 2.5 A neighbouring parish council can nominate an asset. Where the land is in a parish area, this means a parish which shares a border with it; or if an asset is in an unparished local authority area, so that there is no immediately adjoining parish council within the same local authority area, a parish council that borders the local authority could nominate an asset.

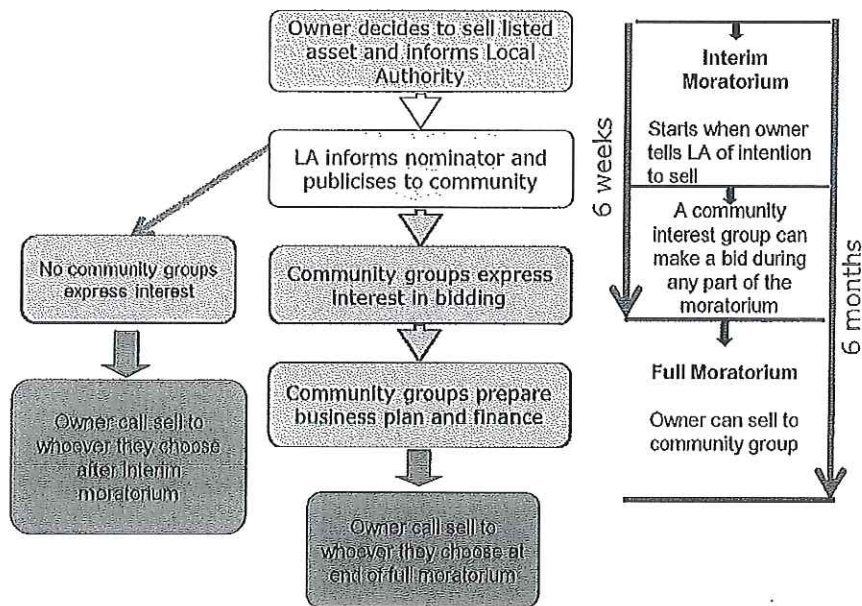
- 2.6 The local authority will then have 8 weeks to make a judgement about whether the asset meets the definition set out in section 88 of the Act or whether it falls into one of the excluded categories, including residential property, set out in Schedule 1 to the Regulations.
- 2.7 If the nominated asset is properly nominated, is in the local authority's area, meets the definition, and is not excluded, the local authority must list it and inform all specified parties (including the parish council). They must also place the asset on the local land charges register and, if the land is registered, apply for a restriction on the Land Register in Form QQ (for details see below under Enforcement).
- 2.8 If the owner objects to their property being placed on the List, they will have a right to an internal review by the council of the decision to list. The details of this process are set out below. If the owner remains in disagreement with the listing after the internal review they have a right of appeal to an independent Tribunal.
- 2.9 If the local authority do not agree that the asset nominated meets the section 88 definition, or it is in one of the excluded categories, they must place it on a list of assets nominated but not listed. If an owner is successful in their appeal against listing at internal review or Tribunal stage then the asset must also be moved to the list of unsuccessful nominations. It is for the local authority to decide how long they hold unsuccessful nominations on this list. The intention of this is to ensure transparency and to avoid multiple nomination of an asset that does not meet the definition.



Moratorium

- 2.10 Once an asset has been listed nothing further will happen unless and until the owner decides to dispose of it, either through a freehold sale, or the grant or assignment of a qualifying lease (i.e. originally granted for at least twenty-five years).
- 2.11 Unless an exemption applies, the owner will only be able to dispose of the asset after a specified window has expired.
- 2.12 The first part of this window is a 6 week interim period, which will apply in all cases, from the point the owner notifies the local authority. This will allow community interest groups to make a written request to be treated as a potential bidder. If none do so in this period, the owner is free to sell their asset at the end of the 6 weeks.
- 2.13 If a community interest group as defined in regulation 12 of the Regulations (referring to the bodies in paragraph (1) (d) to (g) of regulation 5) does make a request during this interim period, then the full 6 month moratorium (again from the point the owner notifies the local authority) will operate. During this period the owner may continue to market and negotiate sales, but may not exchange contracts (or enter into a binding contract to do so later). There is one exception. The owner may sell to a community interest group during the moratorium period.
- 2.14 After the moratorium period – either the 6 weeks if there has been no community interest, or the full 6 months – the owner is free to sell to **whomever they choose and at whatever price**, and no further moratorium will apply for the remainder of a protected period lasting 18 months (running from the same start date of when the owner notified the local authority of wishing to sell). The process and lengths of the moratorium periods are contained in section 95 of the Act².

² <http://www.legislation.gov.uk/ukpga/2011/20/section/95/enacted>



2.15 Not all proposed sales have to be notified to the local authority however. A range of disposals will be exempted from the provisions. A number are set out in section 95(5) of the Act, and others are in the Regulations. The full list of exemptions is given in Annex A.

Compensation

2.16 The scheme recognises that these provisions may have some financial impact on owners and provides a compensation scheme for private property owners. This will not be available to public bodies. The local authority will be responsible for administering the compensation scheme, including assessing and determining compensation awards. Owners and former owners will have rights of review and appeal regarding the authority's compensation decisions (see Section 10).

Enforcement

2.17 The scheme provides for various mechanisms to encourage compliance by requiring local authorities to:

- Inform owners and other interested parties that an asset has been listed
- enter on the local land charges register the fact that an asset has been listed; and

- in the case of registered land, apply for a restriction on the Land register.

2.18 Additionally, to give a strong incentive to owners to comply with the scheme, non-compliant sales will be void (ineffective), meaning that the change of ownership has not taken place (regardless of whether it has erroneously been registered on the Land Register - which would have to be rectified once the fact that the sale was void was discovered). However this penalty will not apply if the owner was unaware through no fault of their own that the land was listed when it was sold.

What the provisions do not do

2.19 These provisions do **not** restrict in any way who the owner of a listed asset can sell their property to, or at what price. They also do **not** confer a right of first refusal to community interest groups (unlike the Scottish scheme).³

2.20 The provisions do not place any restriction on what an owner can do with their property, once listed, so long as it remains in their ownership. This is because it is planning policy that determines permitted uses for particular sites. However the fact that the site is listed may affect planning decisions - it is open to the Local Planning Authority to decide whether listing as an asset of community value is a material consideration if an application for change of use is submitted, considering all the circumstances of the case.

³ <http://www.scotland.gov.uk/Topics/farmingrural/Rural/rural-land/right-to-buy/Community>

