

Report to: Cabinet

Date of Meeting: 7 October 2019

Report Title: Acquisition of Land in Ore Valley

Report By: Peter Grace
Assistant Director Financial Services & Revenues
(Chief Finance Officer)

Purpose of Report

To seek approval for Hastings Borough Council to take ownership of areas of green space in the Ore Valley.

Recommendation(s)

- 1. To purchase the freehold of the land**
- 2. To fund the initial repairs and maintenance costs from the Council's reserves (Ore Valley Reserve), estimated at some £57,000 (excluding VAT).**
- 3. The Director of Operational Services considers options for the long term management and maintenance arrangements of this area of land and brings forward a further report if necessary.**
- 4. The Ore Valley reserve is used to fund the ongoing maintenance and inspection costs of the land transferred until the long term arrangements are in place.**

Reasons for Recommendations

To enable the social and economic regeneration of Ore Valley and the surrounding area.

There are significant responsibilities in owning land, and the initial costs of making the land accessible can be funded from a reserve set aside for this particular purpose.

The potential transfer of responsibilities for the land to a "conservation group" could help to enhance and protect the biodiversity of the area, particularly given the very limited resources that the Council has and expects to have in the future.

Until such time as the long term future of the site is secured there will be regular inspection and maintenance costs incurred e.g. trees, paths, drainage, signage, and particularly fences.

Introduction

1. In July 2017 Cabinet resolved to take ownership of the Former Power Station site and green space in the Ore Valley from Hastings & Bexhill Renaissance Ltd (HBRL) subject to the outcome of due diligence.
2. HBRL are now marketing the Former Power Station Site inviting offers.

Proposal

3. The due diligence has been undertaken and both the Council and HBRL wish to proceed with the transfer of the green space land as it is intended that HBRL is wound up.
4. The land comprises 2 parcels of land east and west of Broomgrove Road as shown edged red on the attached plan and measuring approximately 3.66 hectares and 1.27 hectares.
5. The land to the west of Broomgrove Road contains a deep pond and will need to be fenced off to prevent public access.
6. The land to the east of Broomgrove Road is openly accessible and forms mainly a woodland area with some maintained and cut back paths and some informal paths.

Economic/Financial Implications

7. The Council holds an earmarked reserve for Ore Valley in the sum of £250,000.
8. Heads of Terms have been agreed in principle subject to Cabinet and HBRL Board approval:
 - a. Sale price £1 (one Pound); and
 - b. The Council to meet HBRL's legal costs up to £4,000 plus VAT.
9. Costs have been obtained for the fence (metal palisade) required for the western parcel (£23,455). The eastern parcel also requires work for which costs have, in the main, been obtained. One area, which incorporates a steep set of old steps needs to be redesigned, and will require drawings before the work can be costed. Works on this parcel are estimated at some £34,000 (some £57,000 in total).
10. Future maintenance costs are expected to be minimal and the intention is to fund this from the reserve but look to work with any willing local community groups (the eastern parcel is currently maintained by volunteer/s) to ensure future sustainability. It is recommended that the Director of Operational Services, or his representative work to identify alternative longer term arrangements for the management and maintenance of the land.

11. The Council's Ore Valley reserve stands at £250,000. The initial legal fees for HBRL are estimated to be up to £4,000. The Council's costs are expected to be much lower, but could involve land registry fees etc. – say £1,000. Initial maintenance costs are estimated at £57,000. Total initial costs of acquisition and maintenance are estimated at £62,000 leaving a net balance on the reserve of some £188,000.
12. Given the financial position of the Council it is recommended that the reserve be used to fund the ongoing inspection and repair costs of the land parcels until the future management and maintenance arrangements are determined.

Conclusion

13. If Cabinet and the HBRL Board approve the transfer then respective solicitors will be instructed to proceed with the acquisition as soon as practically possible.

Timetable of Next Steps

14. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Instruct Legal Services to proceed with the acquisition	Cabinet 7 October 2019 HBRL Board approval	After Cabinet and subject to HBRL Board approval (date tbd)	Estates Manager
Acquisition completes		Estimated 2 months after approvals	Legal Services
Future Management Arrangements & Initial & Ongoing maintenance and Inspection	Following Acquisition	Following Acquisition	Director of Operational services

Wards Affected

Baird

Implications

Relevant project tools applied? Yes/No

Have you checked this report for plain English and readability? Yes/No

Climate change implications considered? Yes/No

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No
Anti-Poverty	No

Additional Information

Appendix 1 - plan.
Report to Cabinet 17 July 2017.

Officer to Contact

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