

Hooe Parish Council

Parish Land Committee Agenda

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Date: 30th November 2023

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I hereby give notice that all Councillors are summoned to attend a Parish Land Committee meeting on Wednesday 6th December at 7pm at the village hall when it is proposed to transact the business stated below.

Signed: Jane Warrener – Clerk (Proper Officer) to Hooe Parish Council

Public Attendance

The meeting will be conducted in accordance with Standing Orders and any person attending the meeting must abide by these rules. The Parish Council may choose to exclude a person under section 1(8) of the Public Bodies (Admission to Meetings) Act 1960 if a person fails to meet the standards and comply with the Chairman's requests.

Public Questions

Public participation on matters on the agenda are at the Chairman's discretion. In accordance with Standing Orders 3(e-k), the session will last for no longer than 10 minutes with a person speaking for no longer than 2 minutes.

Any other question should be put in writing to the Clerk in advance of the next meeting. Any questions raised for items listed on the agenda that cannot be answered at the Council meeting will be brought forward to the next Council meeting for response.

End of public participation

Business To Be Transacted

1. **To receive apologies and reasons for absence** in accordance with the Local Government Act 1972 S85 (3)
2. **Disclosure of Interests**
Interests in accordance with the Localism Act 2011 and the Parish Council code of conduct.
To receive councillors' declarations of interest regarding matters on the agenda and consider any written requests or dispensation as a result. Any changes to register of interests should be notified to the clerk.
3. **Minutes of the Previous Meetings** to be agreed and signed as a true record.
To approve and sign the minutes of the Parish Land Committee meeting held on 23rd August 2023 as a true record.
4. **To exclude the public attendance for agenda item 6 the following resolution must be passed.**
That in accordance with section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960, and as extended by Schedule 12A of the Local Government Act 1972, that the public including the press be excluded from the meeting for the consideration of agenda item 6 as individual contractual land matters are to be discussed, and this would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

Matters For Consideration and Resolution

5. To consider a request from the tenant of the Cleavers land to purchase the land from the Parish Council.
6. To receive an update on the parish land contractual arrangements and agree any actions required.

In accordance with The Data Protection Act 2018 all attendees of the meeting are hereby notified that the meeting will be recorded as an aide memoire for the clerk when compiling the minutes. The recordings are held securely and are deleted after the resolution that the minutes are a true and correct record. Members of the public should be aware that being present at a meeting of the Council or one of its committees or sub-committees will be deemed as the person having given consent to being recorded (photograph, film or audio recording) at the meeting, by any person present. A person or persons recording the parish meeting are reminded that the "Public Session" period may not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make **any recording during that period**.

HOOE PARISH COUNCIL
PARISH LAND COMMITTEE MEETING
WEDNESDAY 6TH DECEMBER 2023

Supporting Information for Councillors

For the Parish Council to consider the information set out below as part of the Parish Land Committee meeting:

Agenda Item 1

The tenant renting the parcel of land known as the Cleavers, approx. third of an acre, located in Mill Lane, has approached the Parish Council to purchase the land and has given permission to discuss certain details in public from a point of openness and transparency. The land is located next to the tenant's own property located in Mill Lane and the intended use is stated "for a small flock of Quessant sheep, not for development".

In 2021 the Parish Council considered the sale to be a viable option as set out in the resolutions made at the Full Council meeting held on the 11th January 2021 and on the 8th March 2021. The matter was brought forward to the Parish Land Committee meeting on the 23rd August 2022 as the matter was unresolved. The Parish Council decided against the sale of the land as there was no specific reason to sell i.e., no immediate capital projects were foreseen, and the Clerk was undertaking a review of the Council's land assets and legal obligations.

Since that decision was made the Parish Council's financial position has become clearer, and the Council may wish to consider such factors as set out in this document to inform the decision-making process.

The income generated from this parcel of land is minimal having not been reviewed in accordance with the market rate for many years as required under the Local Government Act 1972. Councillors are aware of the annual charge for this parcel of land, but this amount cannot be legally reported in the public domain unless permission is given by the tenant.

The price of agricultural land has gone up in value considerably and the land agent has estimated the land to be currently valued in the region of £50,000 and may have development potential in the future. Any land sold by a Council must be based on 'best consideration' (market rate) as set out in the Local Government Act 1972, so the optimum value must be achieved. The land agent has recommended that a restrictive covenant is placed on the land to prevent any development without the Parish Council's express permission.

In the short term to hold such a sum of money or similar amount in a savings account for capital projects would generate a considerable amount of interest (circa £1375pa instant access to £2500pa fixed term), and such an amount would exceed the income that could be generated by letting the land.

A recent review of the Parish Council's land assets was costly (land agent fees and solicitor's fees) to bring the Parish Council's land assets back on to a legal footing and to avoid the loss of any land assets from the Parish Council.

A substantial amount of General Reserve funds has been spent to bring the village hall, sports pavilion and other areas back into public use, so ensuring that the appropriate insurance cover can be put in place and to avoid legal proceedings. Therefore, it might be in the Parish Council's interest to increase the General Reserves held by the sale of this land.

Hooe Parish Council (unlike other local Parish Councils such as Ninfield and Catsfield) has little access to planning money (CIL), Hooe has and foresees virtually no development taking place and has no access to alternative funds. The Parish Council has potential capital projects under consideration and most grant

applications a 20% plus contribution is normally required before any grant application is considered, so such a capital receipt would likely improve the opportunities for grants going forward.

For the Parish Council to sell any land asset there are strict legal processes to be followed, and the current market rate must be obtained for the sale of the land, and such advice received must be paid for by the Parish Council and received in writing by a qualified land agent nominated by the Parish Council.

Our solicitor has advised that the Parish Council have the authority to approve such a sale subject to the contents of the above paragraph being applied. The solicitor considers that due to the proximity of the land to the tenant's property and that the person is an existing tenant that the Parish Council has legitimate grounds to sell the land to the current tenant and does not need to undertake a general public sale.

The prospective buyer may wish to address the Parish Land Committee to add further points.

The Parish Council has a duty to manage the assets of the Parish Council in the best interests of the community to which they serve, and to ensure they maximise the income they receive to offset against the annual precept.

Jane Warrener

Clerk (Proper Officer) to Hooe Parish Council