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**LEWES  
TOWN  
COUNCIL**

**To: Cllrs Catlin; O Henman; Dr G Mayhew; R O’Keeffe; S Sains and K Wood**

A Meeting of the Working party formed to assess proposals for a land exchange at The Pells will be held on **Tuesday 25<sup>th</sup> February 2020** in the **Council Chamber, Town Hall, Lewes** at **11:00am** which you are requested to attend. *NB: this Working Party will sit in the capacity of the Town Brook Trust.*

S Brigden, Town Clerk  
20<sup>th</sup> February 2020

## **AGENDA**

### 1. ELECTION of CHAIRMAN

To elect a Chairman for the Working Party for the 2019/20 year

### 2. QUESTION TIME

To receive any questions regarding items on the agenda for this meeting.

### 3. APOLOGIES FOR ABSENCE:

To receive apologies from members of the working-party who are unable to attend.

### 4. MEMBER’S DECLARATIONS OF INTEREST:

To note declarations of any personal or prejudicial interests in matters on this agenda.

### 5. MINUTES:

To agree Minutes of the meeting held on 24<sup>th</sup> April 2019

*(attached, page 3)*

### 6. REMIT of the WORKING PARTY

To note the remit of the Working Party as defined by Council on 21<sup>st</sup> June 2018 *(overleaf)*

### 7. BUSINESS of the MEETING:

To further consider the proposal by Lewes District Council (LDC) for exchange of land at The Pells.

*Working documents attached. An oral report will be presented at the meeting.*

This agenda and supporting papers can be downloaded from [www.lewes-tc.gov.uk](http://www.lewes-tc.gov.uk) Copies are available from the Town Hall  
***For further information about items on this agenda please contact the Town Clerk at the above address.***

**PUBLIC ATTENDANCE:** Members of the public have the right, and are welcome, to attend meetings of the Council – questions regarding items on this agenda may be heard at the start of each meeting with the Chairman’s consent, and subject to time available. Questions or requests to address the Council should, whenever possible, be submitted in writing to the Town Clerk at least 24 hours in advance. **PLEASE NOTE:** As space is limited we would appreciate advanced warning if you plan to attend in a group; perhaps with neighbours, or to bring a party of student observers. We may be able to arrange for the meeting to be held in an alternative room. General questions can be raised at our offices between 9am-5pm Mons- Thurs; 9am-4pm on Fridays – our staff will be pleased to assist.

**Distribution:** Cllrs Catlin; O Henman; Dr G Mayhew; R O’Keeffe; S Sains and K Wood

*Copies for information:*

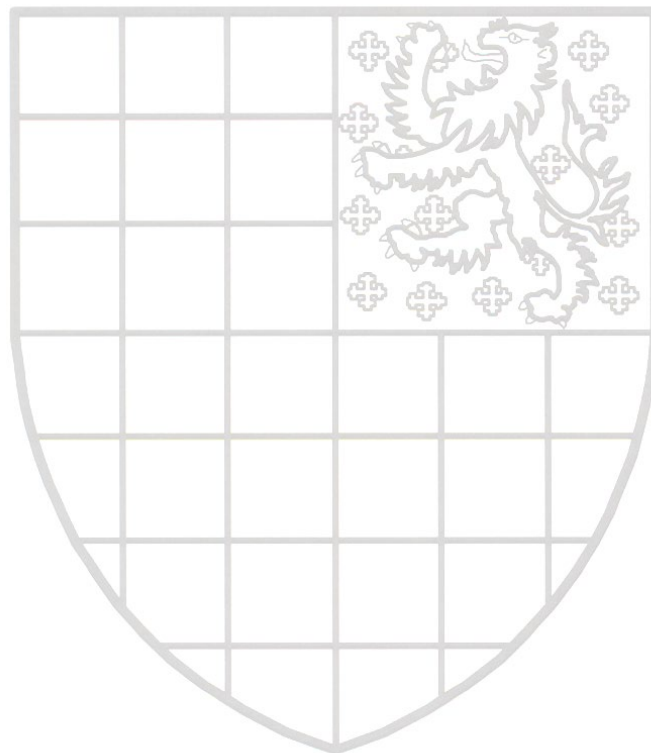
All councillors; T/hall; website; Lewes Library, Sx. Express, E.Argus, Sx. Police, M Caulfield MP, LDC, ESCC, Fr’ds of Lewes

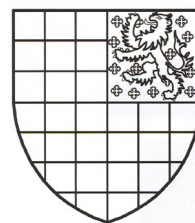
Lewes Town Council meeting 21<sup>st</sup> June 2018 - Minute extract

*Minute FC2018/28 refers:*

a) A land-swap proposal had been made by Lewes District Council in respect of land held by the Town Brook Trust, to better-align boundaries with the proposed North Street Quarter development. It was proposed that a Working Party be set up to consider the matter in detail, and **it was resolved that:**

**FC2018/28.1** A Working Party be formed, comprising Cllrs Chartier; Catlin; Murray (R); Murray (S); O’Keeffe and Renton to consider proposals made by Lewes District Council in respect of land held by the Town Brook Trust, and to bring recommendations to Council in due course.





## **MINUTES**

of the meeting of the **Working Party** formed to assess proposals for an exchange of land at The Pells held on **Wednesday 24<sup>th</sup> April 2019** in the **Yarrow Room, Town Hall, Lewes** at **3:00pm**

**PRESENT** Cllrs Catlin; Chartier; R Murray; S Murray .

**In attendance:** S Brigden (*Town Clerk [TC]*)

**PellsXchWP2018/09 QUESTIONS:** There were none.

**PellsXchWP2018/10 APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr O’Keeffe who was working; no message had been received from Cllr Renton.

**PellsXchWP2018/11 DECLARATIONS OF INTEREST:** There were none  
*TC advised on the principles of Members sitting as Trustees of the Town Brook Trust.*

**PellsXchWP2018/12 REMIT of the WORKING PARTY:** Members noted the remit of the Working Party, set by Council at its meeting on 21<sup>st</sup> June 2018 (*Minute FC2018/28 refers*):

- a) A land-swap proposal had been made by Lewes District Council in respect of land held by the Town Brook Trust, to better-align boundaries with the proposed North Street Quarter development. It was proposed that a Working Party be set up to consider the matter in detail, and **it was resolved that:**

**FC2018/28.1** A Working Party be formed, comprising Cllrs Chartier; Catlin; Murray (R); Murray (S); O’Keeffe and Renton to consider proposals made by Lewes District Council in respect of land held by the Town Brook Trust, and to bring recommendations to Council in due course.

**PellsXchWP2018/13 BUSINESS OF THE MEETING:**

1 The meeting reconsidered several background documents (*copies in Minute book*) first reviewed at the previous meeting.

2 As Trust land, the Town Council is constrained by the disposal restrictions in s36 Charities Act 1993. The Charity Commission had been approached to assess their inclination to allow a disposal (*eg sale/lease/exchange*), and the response had been to simply refer Trustees to the requirements to ensure that:

i) the benefit must accrue to the Trust for use in line with its objects, which are (*1922 Commissioners’ Scheme*):

- a) the provision and maintenance of an open air swimming pool; and  
b) the provision and maintenance of a recreation ground;

both for the benefit of beneficiaries, without distinction of political, religious or other opinions, in the interests of social welfare and with the aim of improving the conditions of life of the beneficiaries.

and;

ii) that values of land to be exchanged were appropriately valued to the satisfaction of Trustees, and no detriment would accrue to the Trust

3 Council had previously acknowledged that (with reference to the suggested exchange areas A; B and C) the area designated ‘A’ (170sq m) would be of benefit as it would allow improvements to changing rooms and other facilities of the swimming pool, and provide an ideal location for the installation of solar panels – a long-held aspiration of both the Town Council and the Pells Pool Community Association. The area designated ‘B’ was understood to include the vestigial Town Brook watercourse and a question had been raised as to the prudence of incorporating a potential water hazard within the recreation ground. This was a

valid point, although the ditch had been almost dry for many years and it was thought that this risk could be minimized by culverting, or a similar engineering solution. The area shown as 'C' was seen as simply a 'tidying-up' of eventual boundary demarcation, which offered no other particular benefit. It was noted that there would need to be agreement on responsibilities for the necessary removal of residual footings/service connections, and other structures at this location and a general agreement on legal costs and costs of final boundary structures (eg fencing).

4 Overall, the Working Party confirmed its view regarding the overall potential increase in land area; the inherent benefits of some of the land, and the opportunity to tidy boundary lines. There were, however, residual concerns over aspects such as the vestigial watercourse and questions to be answered regarding costs and responsibilities.

5 Members could see no reason to refuse the proposed exchange, and recognized the aforementioned potential benefits. Consequently it was agreed to recommend that the proposal be agreed, provided there was no cost to the Council (Trust); no technical reasons were discovered regarding the vestigial Brook, and valuations adequate to satisfy the Charities Act regulations supported the exchange.

PellsXchWP2018/14

#### **CONCLUSIONS/RECOMMENDATIONS:**

It is recommended that Council (as Town Brook Trust) agree to exchange the land areas proposed, subject to agreement with Lewes District Council that:

- > All associated costs of valuation; technical assessment; legal transfer, and boundary relocation (enclosure) costs shall be met by Lewes District Council, and no cost shall fall to the Town Council
- > Independent valuation of the land areas concerned is undertaken by an independent authority such as the District Valuer Service (DVS) - the specialist property arm of the Valuation Office Agency (VOA);
- > Engineering assessment of the potential need to culverting the vestigial watercourse of the historic Town Brook is carried out by an independent professional authority;

The Working Party would meet again as required, when more information was available.

PellsXchWP2018/15

The Chairman thanked everyone for attending and declared the meeting closed.

*The meeting closed at 3:40pm*

Signed: .....

Date: .....



*boundary redrawn with new means of enclosure as part of NSQ development*

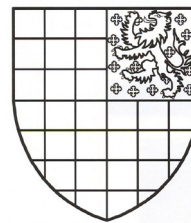
**POTENTIAL AMENDMENT TO PARK BOUNDARY**

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**LEWES  
TOWN  
COUNCIL**

Mr R Cottrill  
Chief Executive, Lewes District Council  
Southover House  
Southover Road  
**LEWES**  
East Sussex  
**BN7 1AB**

24<sup>th</sup> July 2019

Dear Rob

**Former Rifle Club Land/North Street Quarter regeneration, Lewes**

Further to your suggestion of a land exchange in respect of the former Rifle Club land off Brook Street, Lewes.

The Town Council's Working Party, after careful consideration of detail, confirmed its view regarding the overall potential increase in land area; the inherent benefits of some of the land, and the opportunity to tidy boundary lines. There were, however, residual concerns over aspects such as the vestigial watercourse and questions to be answered regarding costs and responsibilities. Consequently they recommended agreement, provided there was no cost to the Council (as Town Brook Trust); no technical reasons were discovered regarding the vestigial Brook, and valuations adequate to satisfy the Charities Act regulations supported the exchange.

After some debate, however, these were not all accepted by Council; who finally resolved:

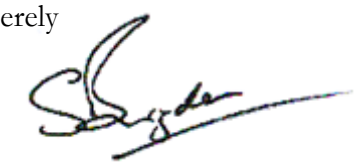
**FC2019/21.1** That Lewes Town Council (as Town Brook Trust) agree to swap the land requested in exchange for areas designated 'A' & 'C' (but NOT area 'B') on the appended plan, subject to agreement with Lewes District Council that:

- a) All associated costs of valuation; technical assessment; legal transfer, and boundary relocation (fencing/railings/walls or other enclosure) and costs of any other engineering which may be required shall be met by Lewes District Council, and no cost shall fall to Lewes Town Council.
- b) Independent valuation of the land areas concerned is undertaken by an independent authority such as the District Valuer Service (DVS) – the specialist property arm of the Valuation Office (VOA).
- c) Engineering assessment of the potential need to culverting the vestigial watercourse of the historic Town Book is carried out by an independent professional authority.

The Working Party is asked to meet again, in due course, as required to confirm details and bring final recommendations to Council.

I trust you find this workable, and look forward to your response. If you feel a meeting would be helpful, please let me know.

Yours sincerely



Steve Brigden  
Town Clerk

# North Street Quarter Lewes Pells Rec/Rifle Range Land Transfer - Parcel B Boundary Options

1088-2-536-A

October 2019



# POTENTIAL LAND TRANSFER TO LEWES TOWN COUNCIL



*boundary redrawn with new means of enclosure as part of NSQ development*

## POTENTIAL AMENDMENT TO PARK BOUNDARY

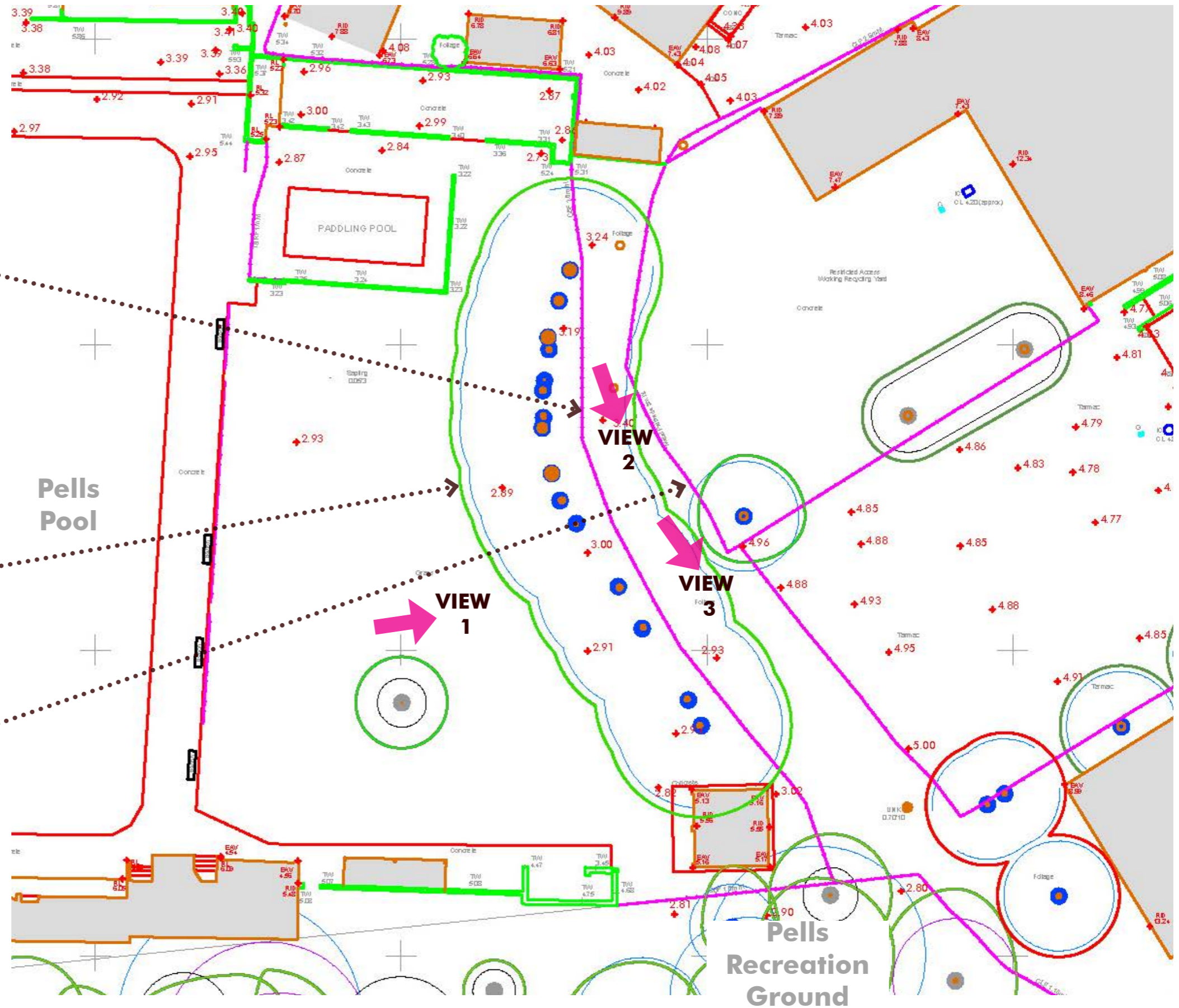


# PARCEL B - EXISTING SITUATION

Existing closed board fence to Pells Pool boundary

Belt of existing mature Hornbeam trees

Existing steel palisade fence to service yard boundary



EXISTING SITUATION - VIEW 1



EXISTING SITUATION - VIEW 2



EXISTING SITUATION - VIEW 3

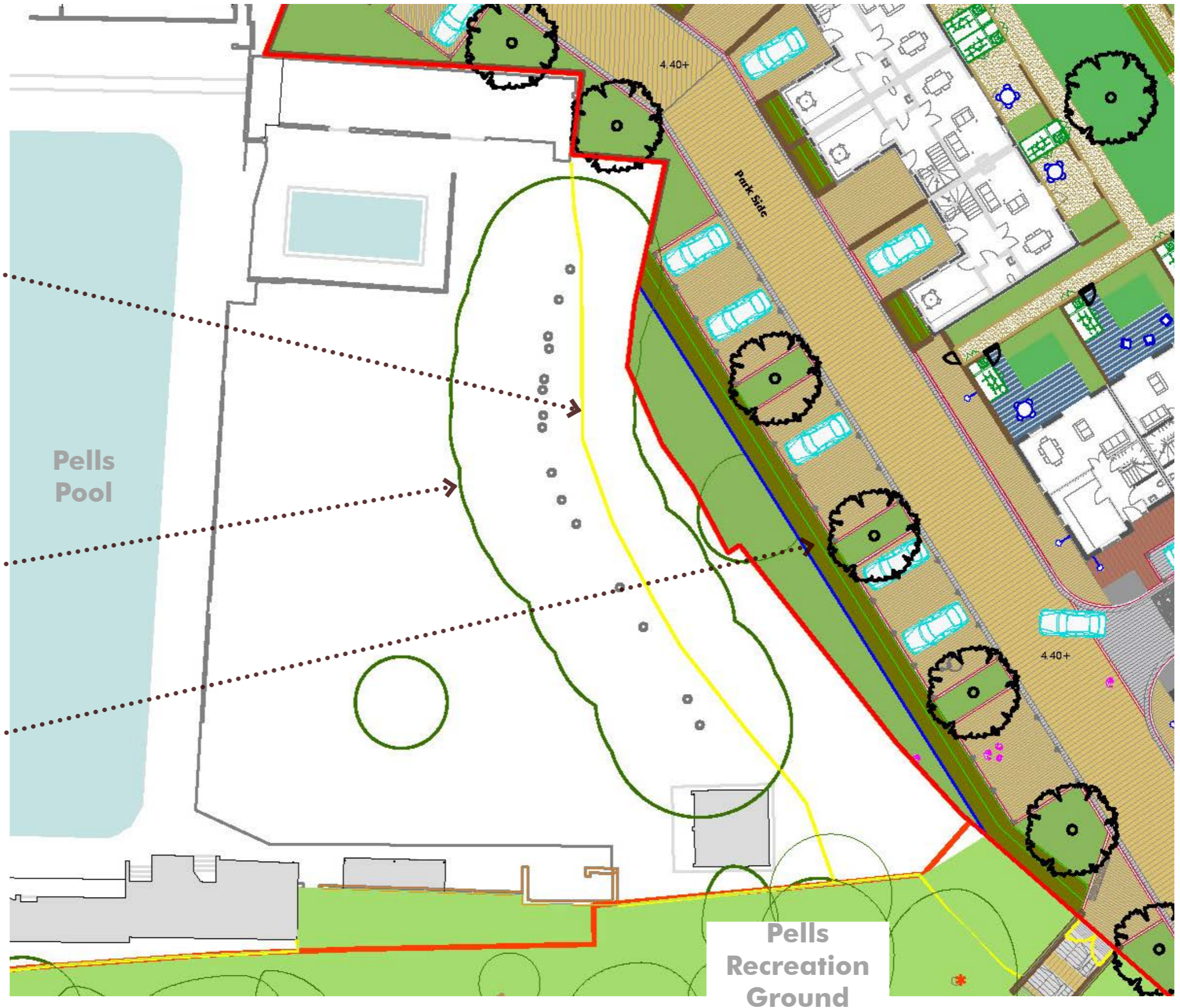


# PARCEL B - APPROVED NSQ PROPOSALS

Existing closed board fence to Pells Pool boundary

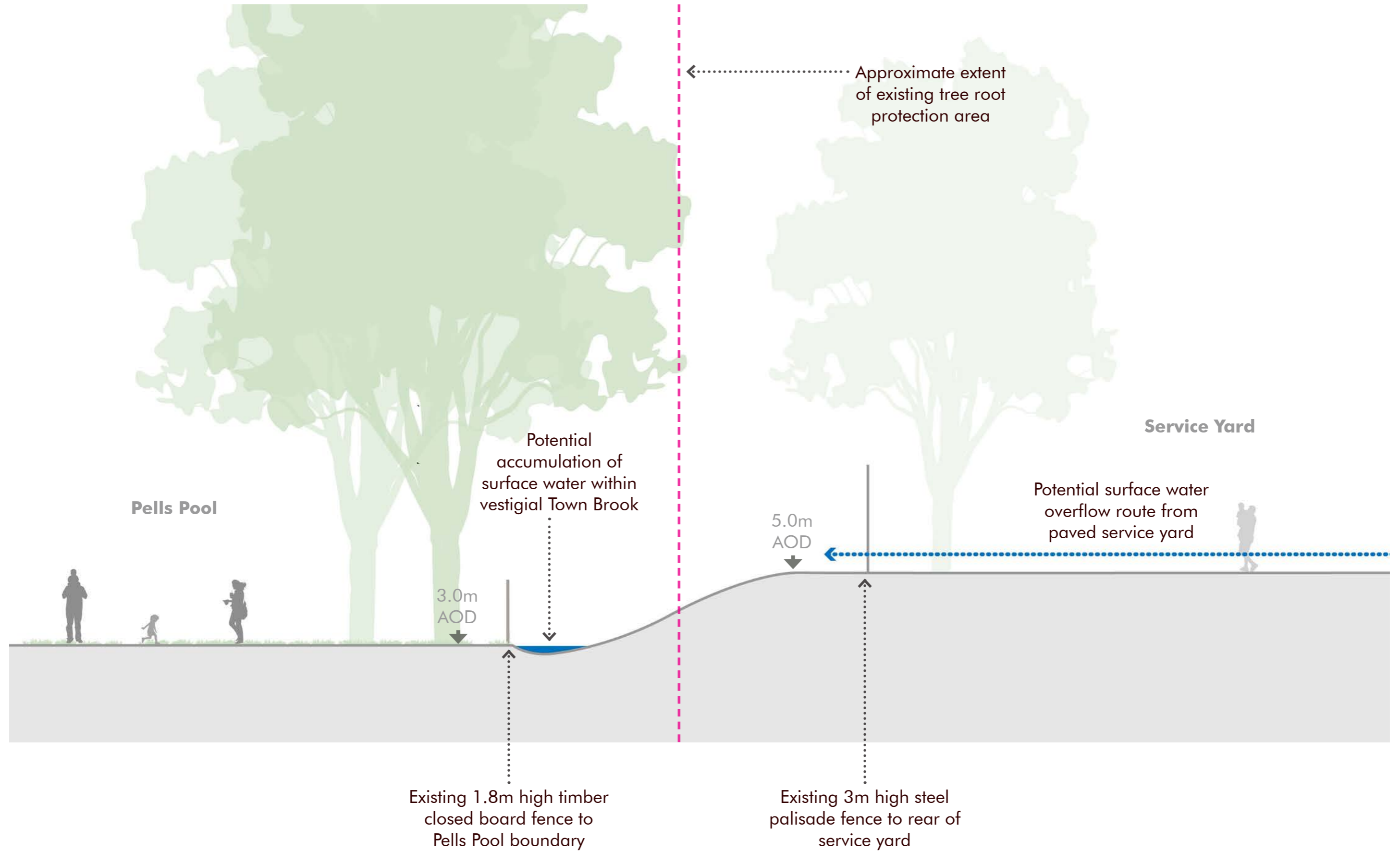
Belt of existing mature Hornbeam trees retained

Proposed metalwork railing and 1.8m high hedge to NSQ boundary



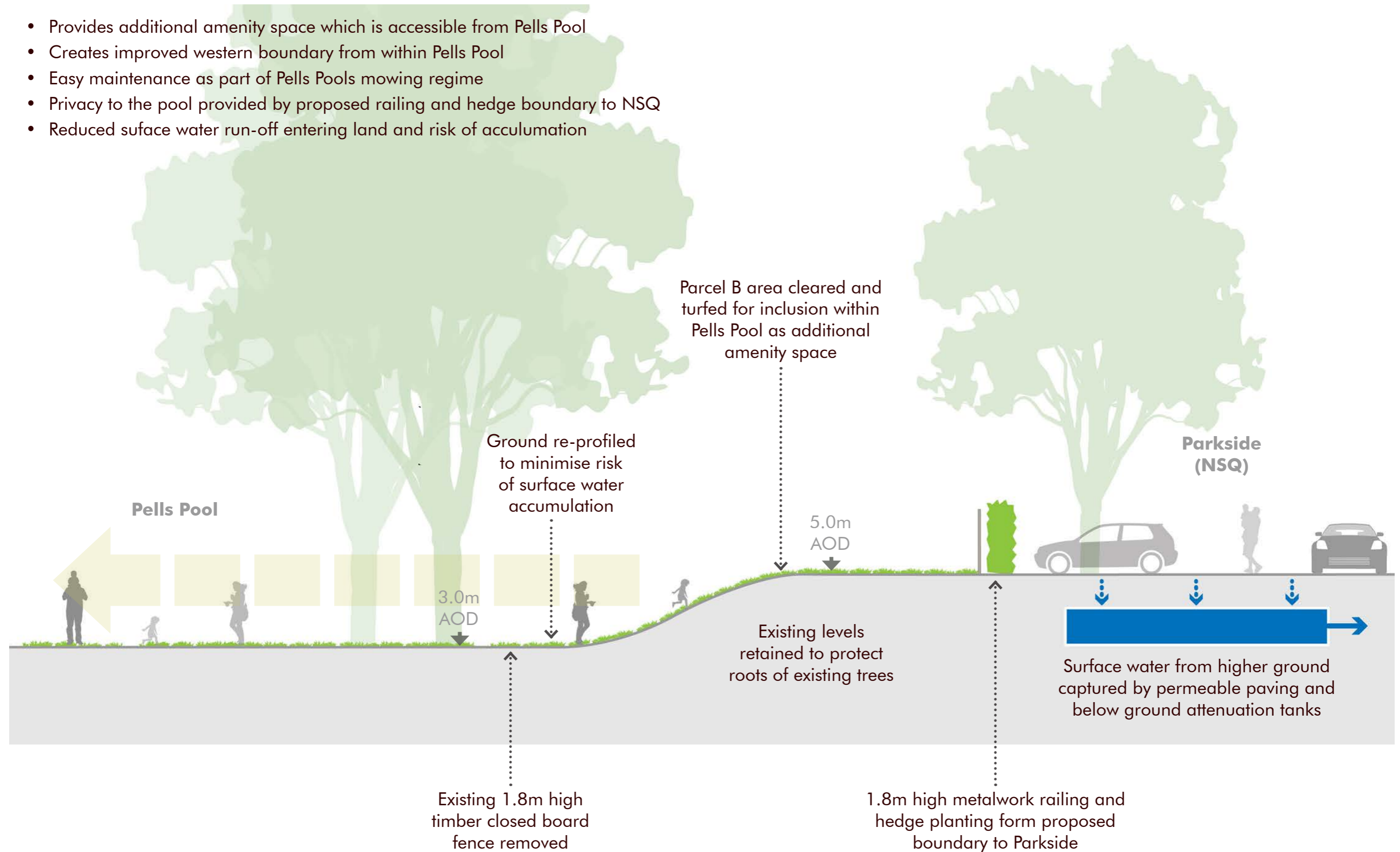
**Pells  
Recreation  
Ground**

# EXISTING SITUATION



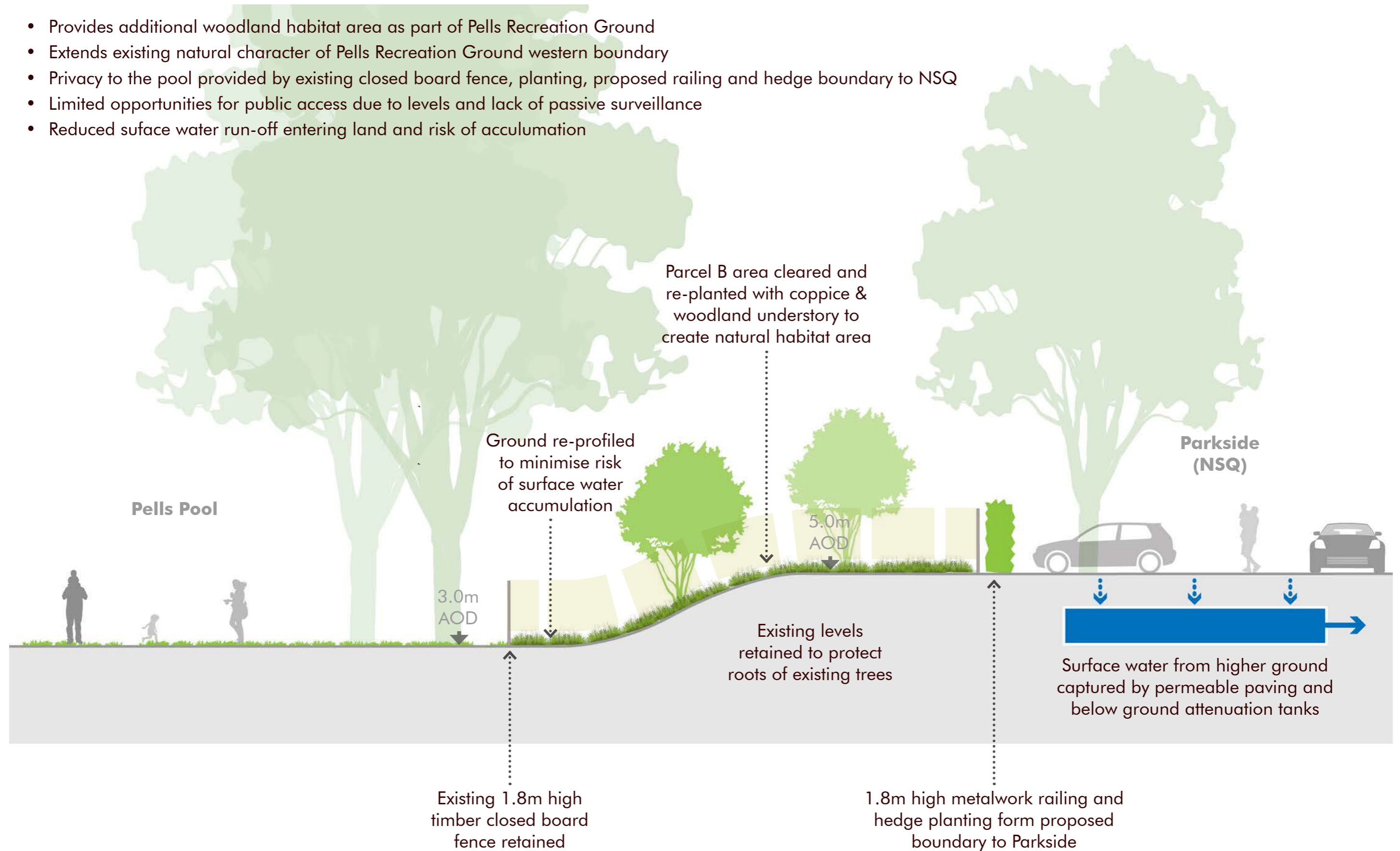
## OPTION A - LAND GIFTED TO PELL'S POOL

- Provides additional amenity space which is accessible from Pells Pool
- Creates improved western boundary from within Pells Pool
- Easy maintenance as part of Pells Pools mowing regime
- Privacy to the pool provided by proposed railing and hedge boundary to NSQ
- Reduced surface water run-off entering land and risk of accumulation



## OPTION B - NATURAL WOODLAND UNDERSTORY

- Provides additional woodland habitat area as part of Pells Recreation Ground
- Extends existing natural character of Pells Recreation Ground western boundary
- Privacy to the pool provided by existing closed board fence, planting, proposed railing and hedge boundary to NSQ
- Limited opportunities for public access due to levels and lack of passive surveillance
- Reduced surface water run-off entering land and risk of accumulation





**Macgregor · Smith**  
Landscape Architecture



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