

141 DEVOLUTION

From: Stuart Callaghan <Stuart.Callaghan@rother.gov.uk>
Sent: 11 February 2026 10:48
To: Town Hall <townhall@ryetowncouncil.gov.uk>; Richard Farhall <richard.farhall@ryetowncouncil.gov.uk>
Cc: Devolution <Devolution@rother.gov.uk>
Subject: Devolution Update - MAYBE to YES Assets

Dear Richard,

Devolution Update

You will recall as part of its statutory duties, RDC recently undertook a planning assessment of numerous assets to establish potential development value prior to reconsidering whether any of those assets may be devolved.

I am pleased to report that following assessment, RDC's Property Services Investment and Disposals Panel (Panel) has now initially approved the following (previously classed as MAYBE) assets as being inside scope for devolution and in which you have expressed an interest.

Assets inside scope for Devolution

Nr	Reference	Asset	Income £ pa	Cost £ +50% pa
1	RYECADB271	Cadborough Marsh	0	1,500
2	RYETILL305	Mill Salts, Tillingham Avenue	0	4,820

Business Case(s)

The next step, if you remain interested in having the freehold of any of these assets transferred to you, is to provide a Business Case showing how you aim to meet operational and capital costs for each asset.

You can do this by completing the Town and Parish Councils online form found on RDC's Devolution microsite at [T&PC Business Plan Form – Asset Devolution](#)

Note: you will need the dedicated Asset Reference Number for each asset as shown in the table above.

All Business Cases **must be submitted by 2nd March 2026**. These will then be assessed and put before the Panel to consider which assets should be passed to Cabinet for a final decision prior to commencing the legal process.

Whilst RDC is content to meet its own legal costs to devolve freeholds, its strict statutory duty to achieve best consideration means it cannot provide any financial contribution or incentive whatsoever in respect of any assets being devolved.

Also, all freehold transfers will be subject to restrictive covenants such that the land / assets must permanently continue to be used as they are now, generally for public access and community benefit. Any change that substantially increases value or diminishes public access, for example redevelopment or introducing paid parking, would put RDC at risk of not meeting its legal duty to achieve best consideration. Consequently, any business case relying on such change will fall outside the scope of devolution.

In the table above we have indicated the current annual Income being generated by each asset and the estimated annual (spread) management and maintenance costs per asset. Unfortunately, RDC is unable to provide a more detailed breakdown of costs due to the Council's accounting system being portfolio wide, not single asset focussed. To assist, we have added 50% to annual costs to arrive at a more realistic guide figure.

Nevertheless, because any asset approved for devolution will be 'Transferred as seen', it is necessary for you to conduct your own due diligence and carry out your own assessment of all costs associated with assuming full responsibility following Transfer, ensuring you have the means to meet the costs required to properly manage, maintain, insure and, if appropriate, improve the asset.

To help, some or all the following cost items, in addition to others, may be relevant - *Maintenance, Utilities, Cleaning, Services, Machinery, Plant & Equipment, Insurance, Health & Safety, Risk Assessments, Regulatory fees and charges, Business Rates, Ecological and Green Stewardship, Management, Staffing & resources, Employee and other compensation, Admin, Repairs, Sinking Fund, Improvements, Refurbishment, Third Party Obligations, Statutory Obligations, Contractual Liabilities (novated or otherwise), Pest Control, Legal, Title Obligations and Liabilities, Existing and pending Lease management and liabilities, Accounting and bookkeeping, Tax, Surveying, IT, Community and Residents Engagement, Borrowing Costs etc.*

Once you have assessed all anticipated operational and capital costs, your business plan(s) should then provide sufficient detail on how you intend to fund these, giving the Panel confidence you can assume full responsibility for each freehold asset.

It is also worth noting that RDC may seek to discuss whether you wish to adopt any existing commercial service contract(s) relating to an asset and (in addition to all freehold titles being subject to any existing leases and other interests), whether you will assume any outstanding third-party lease negotiations.

Other Assets

We will contact you shortly to detail next steps in respect of any assets for which you have already submitted Business Case(s).

And we will contact you separately to explain the reason(s) why other asset in which you have Expressed an Interest either remain under review or are considered not within scope for devolution and will be retained by RDC.

Many thanks and kind regards,

Stuart

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