

Notice of Meeting

Cabinet Member for Property, Waste and Infrastructure Decisions



Date and Time

Tuesday, 26
November 2024
11.00 am

Place

Woodhatch Place, 11
Cockshot Hill,
Reigate, Surrey ,RH2
8EF

Contact

Joss Butler
joss.butler@surreycc.gov.uk

Web:

[Council and
democracy
Surreycc.gov.uk](#)

Twitter:

@SCCdemocracy



Cabinet Member:
Natalie Bramhall

If you would like a copy of this agenda or the attached papers in another format, e.g. large print or braille, or another language, please email Joss Butler on joss.butler@surreycc.gov.uk.

This meeting will be held in public at the venue mentioned above and may be webcast live. Generally the public seating areas are not filmed. However, by entering the meeting room and using the public seating area or attending online, you are consenting to being filmed and recorded, and to the possible use of those images and sound recordings for webcasting and/or training purposes. If webcast, a recording will be available on the Council's website post-meeting. The live webcast and recording can be accessed via the Council's website:

<https://surreycc.public-i.tv/core/portal/home>

If you would like to attend and you have any special requirements, please email Joss Butler on joss.butler@surreycc.gov.uk. Please note that public seating is limited and will be allocated on a first come first served basis.

AGENDA

1 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- i. Any disclosable pecuniary interests and / or
- ii. Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

2 PROCEDURAL MATTERS

a MEMBERS' QUESTIONS

The deadline for Members' questions is 12pm four working days before the meeting (*20 November 2024*).

b PUBLIC QUESTIONS

The deadline for public questions is seven days before the meeting (*19 November 2024*).

c PETITIONS

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

3 APPROPRIATION OF SCC LAND TO ADOPTED HIGHWAY, LAND AT LAKESIDE NURSERY & PRIMARY ACADEMY SCHOOL, MINDENHURST ROAD, DEEPCUT, SURREY

(Pages
7 - 42)

This report seeks approval for the appropriation of Council owned land held for education purposes and forming part of the new Lakeside Nursery & Primary Academy School in Deepcut, to become part of the adopted highway.

- 4 APPROPRIATION OF SCC LAND TO ADOPTED HIGHWAY, LAND ALONG MARLBOROUGH HILL, DORKING AT DENE STREET LEARNING CENTRE** (Pages 43 - 52)

This report seeks approval for the appropriation of Council owned land held by the Dene Street Learning Centre, Dorking to become part of the adopted highway.

- 5 LAND AND CLUBHOUSE AT MERSTHAM FC, WELDON WAY, MERSTHAM** (Pages 53 - 60)

This report seeks Cabinet Member approval to declare land at the former Merstham Library (also known as Merstham Football Club) formally surplus to operational requirements and to facilitate its disposal to Reigate and Banstead Borough Council (RBBC).

- 6 DISPOSAL OF LAND AT 110A VICARAGE ROAD, SUNBURY** (Pages 61 - 66)

This report seeks approval of the Cabinet Member for Property, Waste and Infrastructure for a surplus declaration and disposal terms for a small parcel of land (0.046 acres) at 110a Vicarage Road, Sunbury, to the party and on the terms noted in the part 2 report.

- 7 DISPOSAL OF 28 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ** (Pages 67 - 76)

This report seeks approval of the Cabinet Member for Property, Waste, and Infrastructure in relation to the freehold disposal of 28 Telegraph Track, Carshalton, SM5 4AZ following an open market campaign. The asset is offered with full vacant possession with Surrey County Council (The Council) accepting, as part of the transaction, a part surrender of the current headlease held over the asset by Halsey Garton Residential Ltd (HGR).

- 8 DISPOSAL OF 38 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ** (Pages 77 - 86)

This report seeks approval of the Cabinet Member for Property, Waste, and Infrastructure in relation to the freehold disposal of 38 Telegraph Track, Carshalton, SM5 4AZ following an open market campaign. The asset is offered with full vacant possession with Surrey County Council (The Council) accepting, as part of the transaction, a part surrender of the current headlease held over the asset by Halsey Garton Residential Ltd (HGR).

- 9 DISPOSAL OF 53 WESTFIELD ROAD, CAMBERLEY, GU15 2SA** (Pages 87 - 96)

This report seeks approval of the Cabinet Member for Property, Waste, and Infrastructure in relation to the freehold disposal of 53 Westfield Road, Camberley, GU15 2SA, following an open market campaign. The asset is offered with full vacant possession with Surrey County Council (The Council) accepting, as part of the transaction, a part surrender of the current headlease held over the asset by Halsey Garton Residential Ltd (HGR).

10 EXCLUSION OF THE PUBLIC

RECOMMENDED: That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

11 **LAND AND CLUBHOUSE AT MERSTHAM FC WELDON WAY MERSTHAM** (Pages 97 - 100)

This part 2 report contains information which is exempt from Access to Information requirements by virtue of paragraph 3, "Information relating to the financial or business affairs of any particular person (including the authority holding that information").

12 **DISPOSAL OF LAND AT 110A VICARAGE ROAD SUNBURY** (Pages 101 - 108)

This part 2 report contains information which is exempt from Access to Information Requirements by virtue of Schedule 12A Local Government Act 1972, paragraph 3, "Information relating the financial or business affairs of any particular person (including the authority holding that information").

13 **DISPOSAL OF 28 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ** (Pages 109 - 114)

This part 2 report contains information which is exempt from Access to Information Requirements by virtue of Schedule 12A Local Government Act 1972, paragraph 3, "Information relating the financial or business affairs of any particular person (including the authority holding that information").

14 **DISPOSAL OF 38 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ** (Pages 115 - 120)

This part 2 report contains information which is exempt from Access to Information requirements by virtue of paragraph 3, "Information relating to the financial or business affairs of any particular person (including the authority holding that information)."

15 **DISPOSAL OF 53 WESTFIELD ROAD, CAMBERLEY, GU15 2SA** (Pages 121 - 126)

This part 2 report contains information which is exempt from Access to Information requirements by virtue of paragraph 3, "Information relating to the financial or business affairs of any particular person (including the authority holding that information).

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Members of the public and the press may use social media or mobile devices in silent mode during meetings. Public Wi-Fi is available; please ask the committee manager for details.

Anyone is permitted to film, record or take photographs at Council meetings. Please liaise with the committee manager prior to the start of the meeting so that the meeting can be made aware of any filming taking place.

The use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to any Council equipment or any general disturbance to proceedings. The Chairman may ask for mobile devices to be switched off in these circumstances.

Thank you for your co-operation.

QUESTIONS AND PETITIONS

Cabinet and most committees will consider questions by elected Surrey County Council Members and questions and petitions from members of the public who are electors in the Surrey County Council area.

Please note the following regarding questions from the public:

1. Members of the public can submit one written question to a meeting by the deadline stated in the agenda. Questions should relate to general policy and not to detail. Questions are asked and answered in public and cannot relate to “confidential” or “exempt” matters (for example, personal or financial details of an individual); for further advice please contact the committee manager listed on the front page of an agenda.
2. The number of public questions which can be asked at a meeting may not exceed six. Questions which are received after the first six will be held over to the following meeting or dealt with in writing at the Chairman’s discretion.
3. Questions will be taken in the order in which they are received.
4. Questions will be asked and answered without discussion. The Chairman or Cabinet members may decline to answer a question, provide a written reply or nominate another Member to answer the question.
5. Following the initial reply, one supplementary question may be asked by the questioner. The Chairman or Cabinet members may decline to answer a supplementary question.

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SURREY COUNTY COUNCIL

CABINET MEMBER FOR PROPERTY & WASTE

DATE: 26 November 2024

**LEAD OFFICER: OWEN JENKINS EXECUTIVE DIRECTOR,
HIGHWAYS, INFRASTRUCTURE & PLANNING**



**SUBJECT: APPROPRIATION OF SCC LAND TO ADOPTED HIGHWAY, LAND AT
LAKESIDE NURSERY & PRIMARY ACADEMY SCHOOL, MINDENHURST ROAD,
DEEPCUT, SURREY.**

ORGANISATION STRATEGY PRIORITY AREA: ENABLING A GREENER FUTURE

Summary Of Issue:

This report seeks approval for the appropriation of Council owned land held for education purposes and forming part of the new Lakeside Nursery & Primary Academy School in Deepcut, to become part of the adopted highway.

The land in question was transferred to the Council as part of the new school site and in order to provide a suitable access arrangement. In June 2023 a small area of land was approved by the Cabinet Member for Property & Waste for appropriation of a similarly sized piece of land on the eastern side of the school access to accommodate a change in the design of the access, this is shown hatched in red on the plan at Annexe A.

A further need has emerged through the drafting of the roads adoption Agreement to appropriate a further small part of land to the west of the access to become part of the highway. This is shown in purple on the plan at Annexe A. The land is already surfaced as part of the footway outside the school fence line and is not necessary to be retained as part of the operational school site.

The Council's Organisation Strategy sets out the council's contribution to achieving the aims and ambitions set out in the Community Vision 2030 (the 2030 Vision). This report seeks to facilitate the construction of an enhanced junction access to the new school, creating a safe access for pedestrians and cyclists, and giving them priority over motorised traffic, consistent with other approved junction types along the new loop road serving the school. The new access arrangement will promote active travel particularly when accessing the new school. This will help deliver one of the Council's priority objectives of enabling a greener future.

Recommendation:

It is recommended that the Cabinet Member:

Agrees to appropriation of the SCC owned land as illustrated in purple at Annexe A from land held for education purposes to public highway upon the adoption of Bracken Hill.

Reason For Recommendation:

The new Lakeside Nursery & Primary Academy School was built by Skanska Construction on behalf of the Defence Infrastructure Organisation (DIO). The building of the school and the transfer of the school site was required by a s106 Town and Country Planning Act 1990 planning agreement to support the new Mindenhurst development. However, since the construction of the school, the Council are now entering into a legal agreement under section 38 of the Highways Act 1980 to secure the adoption of the road which provides access to the school, known as Bracken Hill. In drafting this agreement, it has emerged that an additional part of the school land needs to be appropriated for highway purposes.

In order to bring about the appropriation, the Council needs to exercise its powers under s122 of the Local Govt Act 1972 in relation to appropriation of land where land is no longer required for the purpose for which it is currently held.

Details:

The Mindenhurst development comprises the redevelopment of the former Princess Royal Barracks in Deepcut, to provide 1200 dwellings and associated infrastructure. One such piece of infrastructure is the new Primary School constructed by the developer for SCC, which was opened in September 2023, following the relocation of staff and pupils from Lakeside Nursery & Primary Academy School.

The school and associated land has been transferred to SCC. The approximate extent of land conveyed to SCC is shown at Annexe D. The land in question sits outside the boundary fencing of the school. No works are required within the school fence line. The area in question is already constructed as part of the footway works.

Transport Development Planning (TDP) have agreed the design of the new Bracken Hill, which provides vehicular and pedestrian access to the school and connects with Mindenhurst Road.

The drafting of the roads adoption Agreement has revealed that part of the land to become highway is no longer in the ownership of DIO and instead, was transferred to SCC as part of the new school transfer.

The appropriation of the land in question is to ensure continuous adopted highway to the vehicular and pedestrian entrance to the school from Mindenhurst Road.

The land in question is pictured in Annexe C.

The land in question will become land maintained as adopted highway. The Council will remain the registered freeholder.

Consultation:

The proposed design change has been agreed by DIO and the works have received full technical approval.

Transport Development Planning have engaged with:

- Education Team
- Land & Property
- Principal Highways & Planning Solicitor
- Director of Planning and Placemaking
- Divisional Member Paul Deach
- Senior Finance Business Partner

All of whom raise no objections. Copies of correspondence are available Annexe D

Financial and value for money implications:

The works are funded entirely by the developer on behalf of the Defence Infrastructure Organisation (DIO) and have been completed . All costs incurred by the Council in adopting Bracken Hill are being borne by DIO. Therefore, there are no financial implications for the Council.

Section 151 Officer commentary:

Consultation has been undertaken with Jonathan Wilson, Senior Business Partner (Environment) who has commented as follows:

The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. Surrey County Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost of service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.

In addition to these immediate challenges, the medium-term financial outlook beyond 2024/25 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, in order to ensure the stable provision of services in the medium term.

As such, the Section 151 Officer supports the proposed appropriation of Council owned land to become part of the adopted highway.

Legal implications:

The 1972 Local Government Act provides that a non-metropolitan county council may (subject to certain notification requirements where land is held as public open space - not applicable in this case) appropriate for any purpose for which the council are authorised to acquire land by agreement any land which belongs to the council and is no longer required for the purpose for which it is held immediately before the appropriation

The land is currently owned by the Council but will not be appropriated as adopted highway until Bracken Hill has been adopted under the terms of a s38 Highways Act 1980 agreement to be entered into by DIO.

The developer has completed the footway works on the land in question. The formal appropriation will take place once Bracken Hill becomes adopted highway.

Equalities and Diversity:

The works enabled by the appropriation provide a continuous/blended footway which allows pedestrians and cyclists to navigate across the school access at grade, with priority over vehicles, in a safe manner. The works remove any changes in ground levels when travelling along the footway, and consequently is better able to meet the needs of vulnerable users and those with reduced mobility.

TDP are managing the delivery of these developer funded highway works under the terms of a highways adoption (s38) Agreement. In approving the construction details TDP have consulted with the Council's Road Safety team and have approved the works in compliance with the Council's standard technical details for the construction of highway works.

TDP completed an Equality Impact Assessment (EIA) in 2009, dealing with the range of functions undertaken by TDP, including its role in managing developers' construction of development related highway works.

Development related highways works are undertaken by a developer, usually by way of Section 38 adoption agreements, or section 278 agreements for works on existing highway. Both are assessed against documents such as Surrey's Standard Details, Surrey's new design guide 'Healthy Streets,' the Department for Transport's Manual for Roads and Bridges, technical advisory and design notes produced by the DFT, and publications produced by professional institutions such as the Institute of Highways & Transportation. All of these documents require all highways works to be inclusive in their design requiring safe access and movement for all users. The County Council's Road Safety team carries out three separate Safety Audits at feasibility, design, and post construction stages to ensure that works are safe for all users. Assessment is judged against the impact on all road users (including pedestrians and cyclists) as the worst-case scenario.

Age	All works on existing highway or works which will become highway are the subject of technical assessment which includes the need to ensure safe access for all road users, including all equality strands. Where it is practical and feasible to do so any new works are required to be compliant with the Disability Discriminations Act (replaced by the Equality Act) and therefore any impacts are positive, rather than negative.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand
Disability	New development often results in the need for new vehicle crossovers, junctions, or other works to the existing highway to facilitate the new traffic brought about by the development. Any new highway infrastructure would have a positive impact on this strand. There would be no negative impacts providing appropriate care is taken to ensure the safe movement and access for all users through the detailed design.
Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, whereas for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips, the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. Similarly encouraging sustainable forms of travel would have a greater impact on men for business or commuting trips. Notwithstanding it is not expected that these differential impacts will have a negative impact.

A copy of TDP's EIA is attached an Annexe E

Other implications:

The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report.
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report.
Environmental sustainability	No significant implications arising from this report.
Public Health	No significant implications arising from this report.

WHAT HAPPENS NEXT:

- The completion of the roads adoption (s38) Agreement will enable Bracken Hill to become an adopted highway.
- Once Bracken Hill becomes an adopted highway the formal appropriation will take effect.

Contact Officer: Andy Stokes

TDP Team Leader (South), Transport Development Planning,
Environment, Infrastructure & Growth (EIG)
07968 832597 – andy.stokes@surreycc.gov.uk

Consulted:

Transport Development Planning have engaged with colleagues in the Council's Education Team and those in Land & Property, both of whom raise no objections to the appropriation.

Annexes:

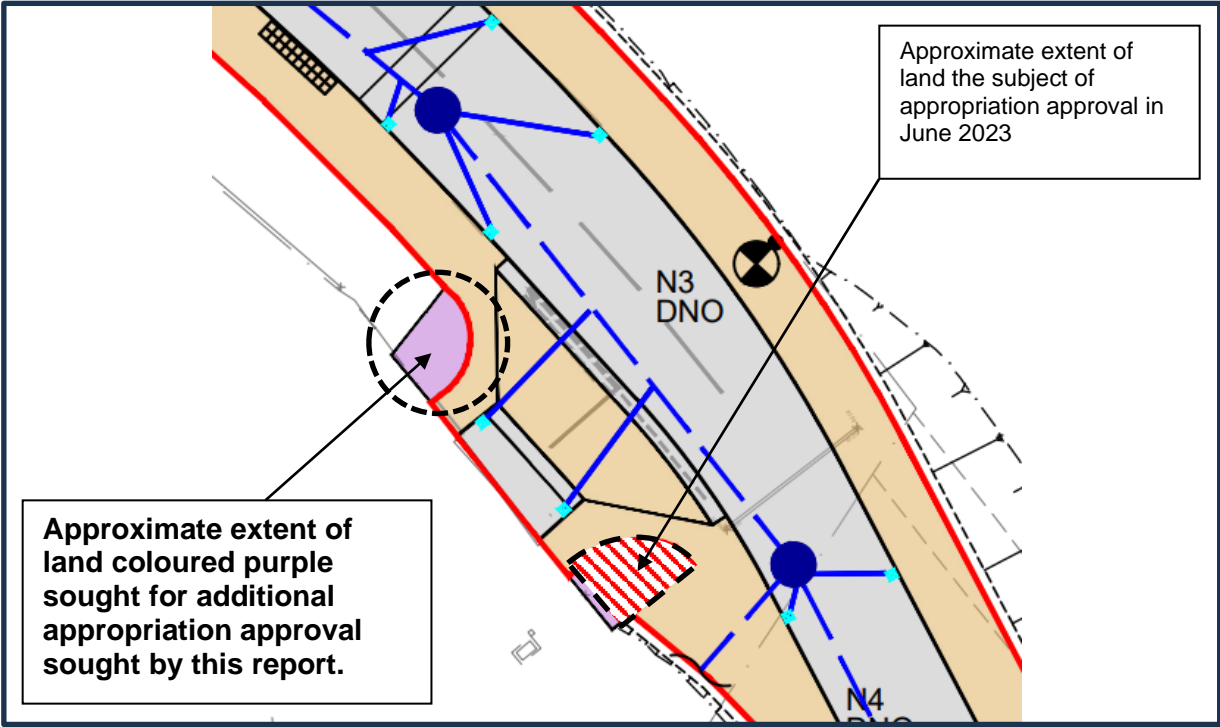
- A - EXTENT OF LAND TO BE APPROPRIATED**
- B - PHOTOS OF CONSTRUCTED WORKS**
- C - EXTENT OF SCC OWNED LAND**
- D - CONSULATION CORRESPONDENCE**
- E - TDP EQUALITY IMPACT ASSESSMENT**

Sources/background papers:

None

ANNEXE A

EXTENT OF LAND TO BE APPROPRIATED



Not to Scale. Purple coloured land shows approximate extent of land to be appropriated by this report.

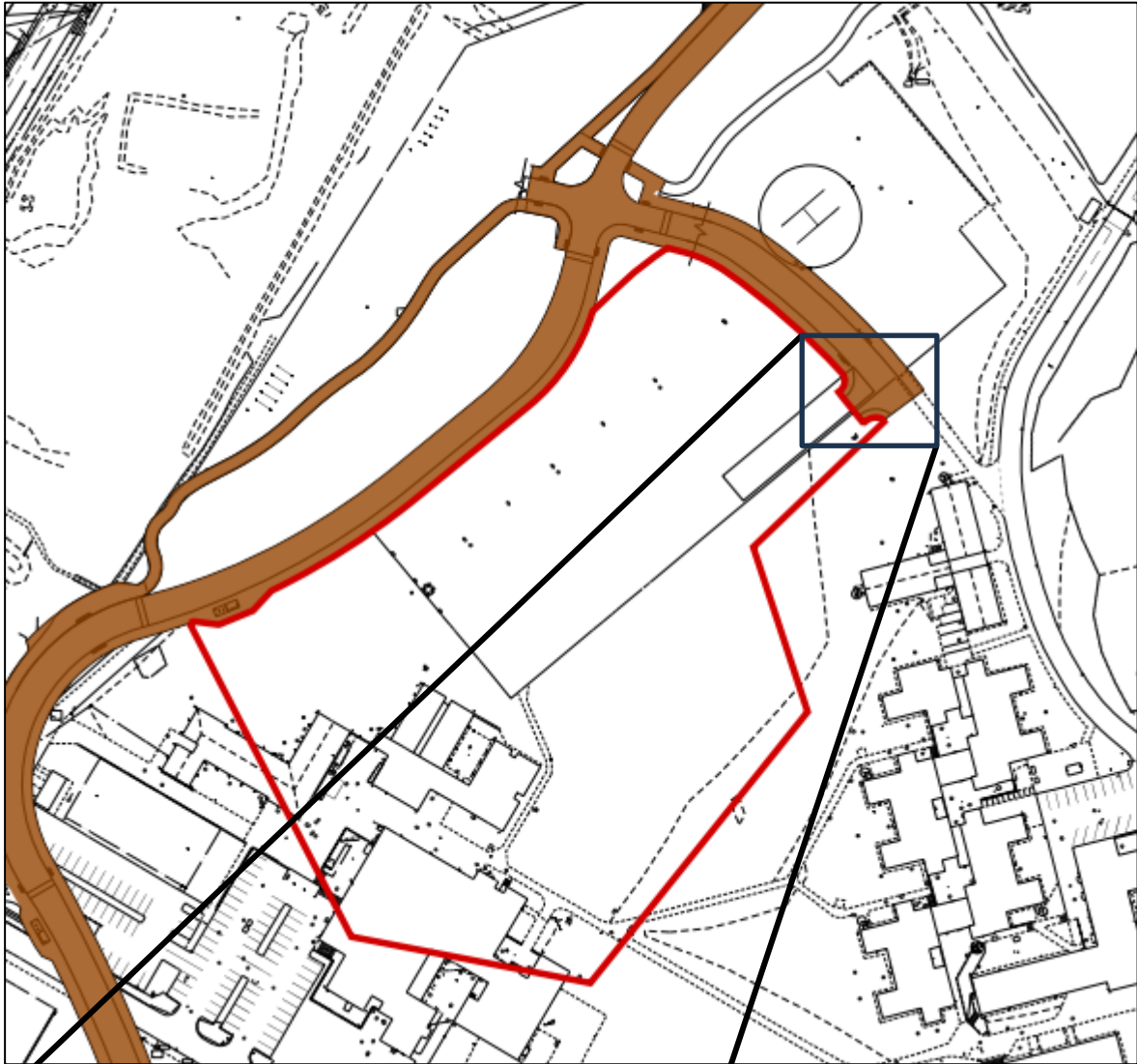
ANNEXE B

PHOTOS OF CONSTRUCTED WORKS

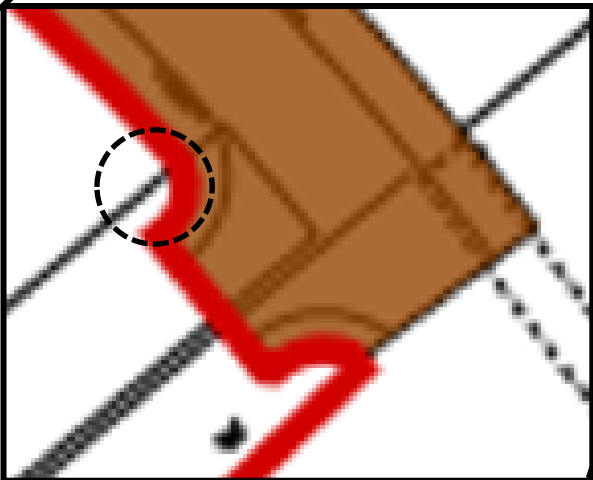


ANNEXE C

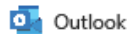
EXTENT OF SCC OWNED LAND



NOTE: NOT TO SCALE



ANNEXE D – COPIES OF CORRESPONDENCE



RE: Proposed Land Appropriation at Lakeside Nursery & Primary Academy School, Mindenhurst, Deepcut.

From Lee Fifer <lee.fifer@surreycc.gov.uk>

Date Fri 2024-10-04 9:50 AM

To Andy Stokes <andy.stokes@surreycc.gov.uk>; Nancy El-Shatoury <nancy.el-shatoury@surreycc.gov.uk>; Jonathan Wilson <jonathan.wilson@surreycc.gov.uk>; Owen Jenkins <owen.jenkins@surreycc.gov.uk>; Huma Younis <huma.younis@surreycc.gov.uk>; Lauren Comer <lauren.comer@surreycc.gov.uk>; Mike Singleton <Mike.Singleton@surreycc.gov.uk>

Cc Caroline Smith <carolinedrinkwater@surreycc.gov.uk>; Joss Butler <joss.butler@surreycc.gov.uk>; Pasqualina Puglisi <Pasqualina.Puglisi@surreycc.gov.uk>

2 attachments (581 KB)

Cabinet Member Report - Mindenhurst appropriation 04 10 2024.docx; Cabinet Forward Plan Checklist Appropriation of Land as Highway at Mindenhurst, Deepcut 04 10 2024.doc;

Good morning Andy

Thanks for this. No comments from me, other than perhaps the need to include the point that the school is leased to Kite Academy Trust on a 125 Academy Lease, i.e. the school site is not SCCs responsibility to maintain. On this point, has there been any correspondence with Estates over a review of the lease boundaries to ensure the proposed extent of land to be appropriated will be excluded from their lease, or has already been excluded? Whilst still SCC Freehold, it's worth checking with Estates on the red line boundary.

[@Lauren Comer](#) [@Mike Singleton](#) any further comments/inclusions from Education?

Kind regards,

Lee

**Lee Fifer MAPM AssocRICS | Principal Project Manager | Capital Projects
Land & Property | Environment, Property & Growth | Surrey County Council**
Mob: 07971 662912
Email: lee.fifer@surreycc.gov.uk



Please note: I tend to keep regular working hours, but will often read and send emails outside of office hours for my own convenience. Unless explicitly stated otherwise, there is no expectation on anyone to respond outside of normal office hours

From: Andy Stokes <andy.stokes@surreycc.gov.uk>

Sent: Friday, October 4, 2024 8:44 AM

To: Lee Fifer <lee.fifer@surreycc.gov.uk>; Nancy El-Shatoury <nancy.el-shatoury@surreycc.gov.uk>; Jonathan Wilson <jonathan.wilson@surreycc.gov.uk>; Owen Jenkins <owen.jenkins@surreycc.gov.uk>; Huma Younis <huma.younis@surreycc.gov.uk>

RE: Proposed Land Appropriation at Lakeside Nursery & Primary Academy School, Mindenhurst, Deepcut.

From Lee Fifer <lee.fifer@surreycc.gov.uk>

Date Fri 2024-10-04 2:48 PM

To Andy Stokes <andy.stokes@surreycc.gov.uk>; Nancy El-Shatoury <nancy.el-shatoury@surreycc.gov.uk>; Jonathan Wilson <jonathan.wilson@surreycc.gov.uk>; Owen Jenkins <owen.jenkins@surreycc.gov.uk>; Huma Younis <huma.younis@surreycc.gov.uk>; Lauren Comer <lauren.comer@surreycc.gov.uk>; Mike Singleton <Mike.Singleton@surreycc.gov.uk>

Cc Caroline Smith <carolinedrinkwater@surreycc.gov.uk>; Joss Butler <joss.butler@surreycc.gov.uk>; Pasqualina Puglisi <Pasqualina.Puglisi@surreycc.gov.uk>

1 attachments (230 KB)

Lakeside Academy Lease Plan As Agreed.pdf

Andy

I spoke with Danielle Caiulo this morning and the land is excluded, as per the attached lease plan.

Kind regards,

Lee

Lee Fifer MAPM AssocRICS | Principal Project Manager | Capital Projects
Land & Property | Environment, Property & Growth | Surrey County Council
Mob: 07971 662912
Email: lee.fifer@surreycc.gov.uk



Please note: I tend to keep regular working hours, but will often read and send emails outside of office hours for my own convenience. Unless explicitly stated otherwise, there is no expectation on anyone to respond outside of normal office hours

From: Andy Stokes <andy.stokes@surreycc.gov.uk>

Sent: Friday, October 4, 2024 2:20 PM

To: Lee Fifer <lee.fifer@surreycc.gov.uk>; Nancy El-Shatoury <nancy.el-shatoury@surreycc.gov.uk>; Jonathan Wilson <jonathan.wilson@surreycc.gov.uk>; Owen Jenkins <owen.jenkins@surreycc.gov.uk>; Huma Younis <huma.younis@surreycc.gov.uk>; Lauren Comer <lauren.comer@surreycc.gov.uk>; Mike Singleton <Mike.Singleton@surreycc.gov.uk>


Cc: Caroline Smith <carolinedrinkwater@surreycc.gov.uk>; Joss Butler <joss.butler@surreycc.gov.uk>;

Pasqualina Puglisi <Pasqualina.Puglisi@surreycc.gov.uk>

Subject: Re: Proposed Land Appropriation at Lakeside Nursery & Primary Academy School, Mindenhurst, Deepcut.

Mindenhurst appropriation

From Nancy El-Shatoury <nancy.el-shatoury@surreycc.gov.uk>
Date Thu 2024-10-24 2:58 PM
To Andy Stokes <andy.stokes@surreycc.gov.uk>

 1 attachments (5 MB)
Cabinet Member Report - Mindenhurst appropriation 23 10 2024 v2.docx

Hi Andy

My suggested minor changes

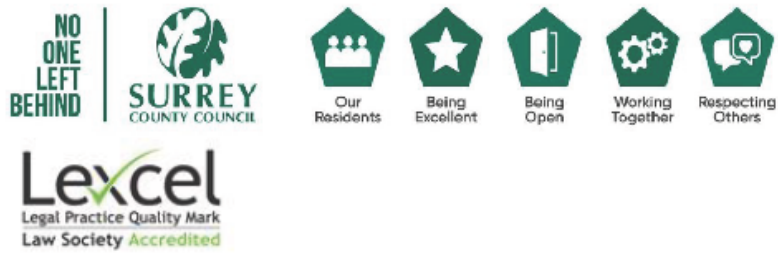
regards


Nancy El-Shatoury
Principal Solicitor
Legal & Democratic Services
Finance & Corporate Services Directorate
[Surrey County Council \(surreycc.gov.uk\)](http://surreycc.gov.uk)

Legal Reception Line: 0208 541 9088

Correspondence Address: Legal Services, 1st Floor, Dakota, De Havilland Dr, Weybridge, KT13 0YP

Civic Heart: Woodhatch Place, 11 Cockshot Hill, Woodhatch, Reigate, RH2 8EF



 Outlook

RE: Proposed Land Appropriation at Lakeside Nursery & Primary Academy School, Mindenhurst, Deepcut.

From Tim Crawshaw <Tim.Crawshaw@surreycc.gov.uk>
Date Thu 2024-10-10 4:26 PM
To Andy Stokes <andy.stokes@surreycc.gov.uk>; Celia Miranda <celia.miranda@surreycc.gov.uk>

Happy to sign this off.

Best regards,

Tim

Timothy David Crawshaw MIED MRTPI FRSA
Director of Planning and Placemaking
Highways Infrastructure and Planning
Surrey County Council
Quadrant Court, 35 Guildford Road, Woking, GU22 7QQ
Mob: 07579003555



From: Andy Stokes <andy.stokes@surreycc.gov.uk>
Sent: Thursday, October 10, 2024 3:31 PM
To: Celia Miranda <celia.miranda@surreycc.gov.uk>; Tim Crawshaw <Tim.Crawshaw@surreycc.gov.uk>
Subject: Re: Proposed Land Appropriation at Lakeside Nursery & Primary Academy School, Mindenhurst, Deepcut.

Thanks Celia, I hadn't shared with [@Tim Crawshaw](#), but Tim if you could please provide your authority, that'd be great, thank you.

I've not yet had a reply from legal or finance, so I'll give them both a nudge.

Many thanks,

Andy

(Pronouns: he/his)

TDP South Area Team Leader
Transport Development Planning

RE: Proposed Land Appropriation at Lakeside Nursery & Primary Academy School, Mindenhurst, Deepcut.

From Jonathan Wilson <jonathan.wilson@surreycc.gov.uk>
Date Mon 2024-10-21 9:35 AM
To Andy Stokes <andy.stokes@surreycc.gov.uk>

Hi Andy,

Can you confirm that there are no additional maintenance liabilities as a result of this appropriation, I assume highways colleagues have been consulted on any implications, should there be any and, if there are they can manage these within existing budgets. Assuming this is the case see draft S151 commentary below.

The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. Surrey County Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost of service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.

In addition to these immediate challenges, the medium-term financial outlook beyond 2024/25 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, in order to ensure the stable provision of services in the medium term.

As such, the Section 151 Officer supports the proposed appropriation of Council owned land to become part of the adopted highway.

Thanks

Jonathan Wilson
Senior Finance Business Partner – EIG
Finance “Successful Together”
Resources Directorate
surreycc.gov.uk

ANNEXE E - TDP EQUALITY IMPACT ASSESSMENT

Surrey County Council Equality Impact Assessment – Transportation Development Control



CONTEXT OF THE SERVICE OR POLICY

Service or Policy being assessed: **Transportation Development Control**

Assessor: **Andy Stokes**

Date: **February 2009**

What are the aims of the service or policy? If this assessment is part of a project it is important to focus on the service or policy the project aims to review/improve.

Transportation Development Control (TDC) advises Surrey's planning authorities on the transport considerations of all planning matters in Surrey. It also advises applicants, prior to submission of a planning application, on the likely transportation requirements of their proposals.

Having assessed new development proposals where necessary Transportation Development Control will enter into planning and highway legal Agreements with developers to secure transport mitigation in the form of financial contributions, works on the highway and/or development related travel plans. TDC also ensures that new adoptable roads are built to acceptable standards.

Vehicle Operator Licenses, which are granted by the Traffic Commissioner, allow individuals and companies to operate heavy goods vehicles from their premises. Transportation Development Control can make objections to such applications on highway safety and environmental grounds.

Who are the beneficiaries /users of this service or policy?

The residents of Surrey are all ultimately affected by TDC, but our main customers are:

- The 11 Local Planning Authorities and the County Planning Service on highway and transport related planning matters;
- Planning and Transport Consultants on behalf of developers and house builders in relation to

transport planning and implementation; ○ Residents wishing to seek advice on smaller scale planning issues ○ Traffic Commissioner's Office and Vehicle Goods Vehicle Operators

The major barriers to TDC providing its services or functions are:

- the financial viability of a development,
- the need for local planning authorities to balance competing interest, and ○ the need to "retro-fit" current standards into existing situations/layouts.

What is the existing situation in relation to minority, disadvantaged and excluded groups in which this service/policy operates? (including age, belief/faith, disability, Gender/transgender, sexual orientation, race and other general equality strands or issues that might make people vulnerable. NB this will require declaring what information is currently captured with respect to equality & diversity monitoring) of this service or policy. It is also important to show the relevance of capturing this data.

TDC's main functions are:

1. Providing highway and transport advice on transport planning matters.
2. Entering into legal agreements for the provision and implementation of development related highway works.
3. Providing advice on the highway and environmental impacts of Vehicle Operator Licences.
4. Securing development related Travel Plans through the planning process.

TRANSPORT PLANNING MATTERS

The highways advice given in respect of planning matters relates to the technical suitability of a development or to its sustainability credentials such as its location. In respect of the technical issues, development is assessed primarily against 'Surrey Design' produced on behalf on the Surrey Local Government Association comprising all 11 districts in Surrey and the County Council. Its production was a collaborative effort with the House Builders federation, the Royal Institute of British Architects, the Landscape Institute , the Surrey Access Forum and Surrey Police. The guidance draws upon national and regional planning guidance and guides the implementation of SCC's Structure Plan. Surrey Design's supporting document, the Surrey Design Technical Appendix contains technical guidance for a wide range of highway design standards, again drawing upon national and regional technical guidance. Development is also assessed against 'Manual for Streets' produced by the Department for Transport.

The advice offered affects all users of surreys transport infrastructure and all of the equality strands, but primarily affects the mobility impaired and elderly. In terms of technical suitability, it is common for a proposal to affect existing or require new

transport infrastructure and in these instances, developers are required to adhere to current highway design standard. For example a development that requires a new access may be required to provide a pedestrian crossing point together with tactile paving to promote pedestrian movement and assisting the partially sighted. Where development is assessed in terms of its location, access to local services and reducing the need to travel, such assessments are based upon the proximity of the likely end user to local facilities.

DEVELOPMENT RELATED HIGHWAY WORKS

Development related highways works are undertaken by a developer, usually by way of Section 38 adoption Agreements, or a Section 278 Agreements for works on existing highway. Both are assessed against documents such as the Surrey Design Technical Appendix, the Department for Transport's Manual for Roads and Bridges, technical advisory and design notes produced by the DFT and publications produced by professional institutions such as the Institute of Highways & Transportation. All of these documents require all highways works to be inclusive in their design requiring safe access and movement for all users. In respect of S278 Agreements, the County Council's Road Safety team carries out 3 separate Safety Audits at feasibility, design and post construction stages to ensure that works are safe for all users. Assessment is always judged against the impact on all road users (including pedestrians and cyclists) as the worse case scenario.

VEHICLE OPERATOR LICENCES

VOLs are assessed primarily against visibility standards as set out in the Department for Transport's Manual for Roads and Bridges to ensure the safe ingress and egress of HGVs. Assessment also includes the need to ensure that any vehicle being operated is able to enter and leave the site without the need to reverse onto or from the adjoining highway. Any negative safety issues will impact all road users especially the disabled or mobility impaired, children and the elderly. Assessment is always judged against the impact on all road users, but particularly on these groups as the worse case scenario. Environmental considerations are also key to the assessment of any application, and a typical example might be the environmental impact on Common Land, or on land that carries specific designation, such as Sites of Special Scientific Interest and Special Protection Areas. Where there are applications in rural areas, there are often conflicts with bridleway and public footpath users.

SECURING TRAVEL PLANS

The County Council has produced guidance on the production of Travel Plans called 'Travel Plans Good Practice Guide'. Revised in January 2009, it provides guidance on the required content of a Plan and how it should aim to reduce reliance on single occupancy car use. The guidance applies to all equality strands in equal measure.

2. Given what you already know, what is the potential for this service/policy to have a negative or differential impact on minority, disadvantaged, vulnerable and excluded groups or on race relations and community cohesion?

TRANSPORT PLANNING MATTERS

Age	There is very little negative impact from any advice given in relation to this strand. There may be instances where a development impacts upon children or the elderly, if say for example the proposed development is located next to or close proximity to nurseries, schools, care homes or sheltered housing. TDC would object to any development that is considered unsafe, but where a development is considered acceptable, the application must provide safe movement for all road users where it is practical and feasible to do so. This will not create a negative impact.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand
Disability	New development often results in the need for new vehicle crossovers, junctions or other works to the existing highway to facilitate the new traffic brought about by a development. TDC would object to any development that is considered unsafe, but where a development is considered acceptable, the application must provide safe movement for all road users where it is practical and feasible to do so. This will not create a negative impact.
Gender	A key aim of new development is to promote sustainability and therefore encourage walking, cycling and the use of public transport. The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. Similarly encouraging sustainable forms of travel would have a greater impact on men for business or commuting trips. Notwithstanding it is not expected that these differential impacts will have a negative impact.

Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.
Race	None. There are no issues relating to highways and transport considerations that affect this strand.
Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

DEVELOPMENT RELATED HIGHWAY WORKS

Age	All works on existing highway or works which will become highway are the subject of technical assessment which includes the need to ensure safe access for all road users, including all equality strands. Where it is practical and feasible to do so any new works are required to be compliant with the Disable Discriminations Act and therefore any impacts are positive, rather than negative.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand
Disability	New development often results in the need for new vehicle crossovers, junctions or other works to the existing highway to facilitate the new traffic brought about by the development. Any new highway infrastructure would have a positive impact on this strand. There would be no negative impacts providing appropriate care is taken to ensure the safe movement and access for all users through the detailed design.
Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. Similarly encouraging sustainable forms of travel would have a greater impact on men for business or commuting trips. Notwithstanding it is not expected that these differential impacts will have a negative impact.

Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.
Race	None. There are no issues relating to highways and transport considerations that affect this strand.
Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

VEHICLE OPERATOR LICENCES

Age	The permission sought to increase the number of HGVs being operated would impact all users of the highway. In particular it would negatively impact this strand.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand
Disability	An increase in vehicular traffic of any type (cars, m/c's, vans, buses, HGVs) could impact on disabled users, particularly pedestrians. However, an increase in HGV movement could have an added negative impact for disabled users, particularly the partially sighted or deaf.
Gender	None. There are no issues relating to highways and transport considerations that affect this strand.
Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.
Race	None. There are no issues relating to highways and transport considerations that affect this strand.

Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

TRAVEL PLANS

Age	Travel Plans are produced in their final form once the end user of a development is known. The aim of a travel plan is to reduce the need to travel and to reduce single occupancy car journeys. The Plan would be tailored specifically to the nature of the occupant and therefore there is unlikely to be any negative impact. For example a Travel Plan for a school, care home, or sheltered housing would contain different initiatives and targets to each other than it would for say a Travel Plan for an office building.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand.
Disability	Please see commentary under 'Age' strand.
Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. Similarly encouraging sustainable forms of travel would have a greater impact on men for business or commuting trips. Notwithstanding it is not expected that these differential impacts will have a negative impact.
Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.

Race	None. There are no issues relating to highways and transport considerations that affect this strand.
Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

- 3. Given what you already know, what is the potential for this service/policy to have a positive impact, such as tackling discrimination, promoting equality of opportunity and / or promoting good community relations, for minority, disadvantaged and excluded groups?**

TRANSPORT PLANNING MATTERS

Age	A positive impact may result from this strand. For example any impact from an intensified land use may require new or upgraded highway infrastructure leading to a benefit not only to this strand, but for all equality strands and users.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand
Disability	New development often results in the need for new vehicle crossovers, junctions or other works to the existing highway to facilitate the new traffic brought about by the development. Any new highway infrastructure would positively impact on this strand because the detailed design would ensure, the safe movement and access for all road users, (including pedestrians and cyclists) as far as practically possible.

Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. Similarly encouraging sustainable forms of travel would have a greater impact on men for business or commuting trips. Promoting development in easily accessible locations with good access to local services will have a positive impact on both sexes as well as all of the other equality strands.
Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.
Race	None. There are no issues relating to highways and transport considerations that affect this strand.
Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

DEVELOPMENT RELATED HIGHWAY WORKS

Age	All works on existing highway or works which will become highway are the subject of technical assessment which includes the need to ensure safe access for all road users, including all equality strands. Where there are works next to or in close proximity to nurseries, schools, care homes or sheltered housing, there might be impacts to this strand, that are not being amplified elsewhere. Notwithstanding all works must provide modern well-equipped facilities for all users wherever practically possible, leading to a positive impact for all equality strands.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand.

Disability	New development often results in the need for new vehicle crossovers, junctions or other works to the existing highway to facilitate the new traffic brought about by the development. Any new highway infrastructure would have a positive impact on this strand because the detailed design would ensure, the safe movement and access for all road users, (including pedestrians and cyclists) as far as practically possible.
Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. In implementing development works, they are required as far as is reasonably practical to provide for the safe movement of all road users, including pedestrians and cyclists, thereby positively impacting all equality strands.
Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.
Race	None. There are no issues relating to highways and transport considerations that affect this strand.
Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

VEHICLE OPERATOR LICENCES

Age	The permission sought to increase the number of HGVs being operated could turn a negative impact into a positive impact if the proposal leads to conditions upon the use of the site, or improved highway infrastructure. If a negative impact is being created, it is likely that TDC would object to an application.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand.

Disability	The permission sought to increase the number of HGVs being operated could turn a negative impact into a positive impact if the proposal leads to conditions upon the use of the site, or improved highway infrastructure. If a negative impact is being created, it is likely that TDC would object to an application.
Gender	None. There are no issues relating to highways and transport considerations that affect this strand.
Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.
Race	None. There are no issues relating to highways and transport considerations that affect this strand.
Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

TRAVEL PLANS

Age	Travel Plans are produced in their final form once the end user of a development is known. The aim of a travel plan is to reduce the need to travel and to reduce single occupancy car journeys. The Plan would be tailored specifically to the nature of the occupant. A Travel Plan for a school, care home, or sheltered housing would contain different initiatives and targets to each other than it would say, for a Travel Plan for an office building. It is highly likely that any proposed travel plan measure would equally benefit other equality strands, resulting in a positive impact.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand.

Disability	Please see commentary under 'Age' strand.
Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. In developing Travel Plans, they are required as far as is reasonably practical encourage sustainable travel, thereby positively impacting all equality strands.
Sexual Orientation	None. There are no issues relating to highways and transport considerations that affect this strand.
Race	None. There are no issues relating to highways and transport considerations that affect this strand.
Trans Gender/ Sexual	None. There are no issues relating to highways and transport considerations that affect this strand.
HR issues only:	None. There are no issues relating to highways and transport considerations that affect this strand.

4. Give details of involvement, consultation and or research undertaken for each relevant equality and diversity grouping, upon which this policy/service has had an impact either internally or externally.

What is the research telling you in relation to age, belief/faith, disability, race gender/transgender, sexual orientation and other equality issues?

TRANSPORT PLANNING MATTERS

Age	TDC uses SCC’s own technical guidance, as well as local, regional and national guidance in the assessment of Planning
Belief / Faith	Applications. All of this guidance has been prepared taking into account the needs and safety of all roads users, particularly the disabled, the young and the elderly.
Disability	In working on the Horley project TDC, has engaged with the local access for the disabled group. This has resulted in improving the subway by taking out the barriers so that disabled users can get through. A disabled access ramp has also been provided to the elderly persons flats in. The new public realm works in the Town Centre include many of the suggestions that the access for the disabled group has put forward.
Gender	In Camberley TDC has managed the off site highway works as part of The Atrium development. The works have been implemented by a developer, and consist of the removal of a subway to aid pedestrian movement and improve the perception of safety, a positive impact for the Age and Disability Strands, whilst also to the benefit of all strands. TDC has also been engaged with local residents and businesses in the implementation of the works accommodating their suggestions where possible. The developer has also engaged with the local disabled access group in order to address their concerns.
Sexual Orientation	
Race	TDC meets with local Engineers and SCC colleagues on a regular basis in order to take on board local issues when responding to planning applications. These issues stem from concerns and matters raised by local residents and often from disabled access user groups and resident societies. On larger projects such as Horley and
Trans Gender/ Sexual	Camberley, TDC will refer to any existing town centre accessibility studies, incorporating recommendations from these studies wherever possible into the development proposals. These examples go to show that engagement with local residents and in particular disabled user groups helps to achieve a final design solution that better accommodates the needs of all road users, particularly in areas of high footfall or town centres.

HR issues only:	The Office of National Statistics has been interrogated to understand whether any particular journey type is more or less common to men or women. Figures have indicated that Women carry out more shopping and school run type trip than men and visa versa for business and commuting trips. This data indicates that for shopping and school run type trips, particular care may need to be taken to address the movement of pedestrians with buggies (in the case of residential development or school and nurseries). In respect of trips that involve the use of sustainable modes of travel late at night, particular attention to the safety or perception of safety of vulnerable users may be required. Such vulnerable users may be any 6 of the equality strands.
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DEVELOPMENT RELATED HIGHWAY WORKS

Age	TDC uses SCC's own technical guidance, as well as local, regional and national guidance in the assessment of development related highway works. All of this guidance has been prepared taking into account the needs and safety of all roads users, particularly the disabled, the young and the elderly.
Belief / Faith	In working on the Horley project TDC, has engaged with the local access for the disabled group. This has resulted in improving the subway by taking out the barriers so that disabled users can get through. A disabled access ramp has also been provided to elderly persons flats. The new public realm works in the Town Centre include many of the suggestions that the access for the disabled group has put forward.
Disability	
Gender	In Camberley TDC has managed the off site highway works as part of The Atrium development. The works have been implemented by a developer, and consist of the removal of a subway to aid pedestrian movement and improve the perception of safety, a positive impact for the Age and Disability strands, whilst also to the benefit of all stands. TDC has also been engaged with local residents and businesses in the implementation of the works
Sexual Orientation	accommodating their suggestions where possible. The developer has also engaged with the local disabled access group in order to address their concerns.
Race	These examples go to show that engagement with local residents and in particular disabled user groups helps to achieve a final design solution that better accommodates the needs of all road users, particularly in areas of high footfall or town centres.
Trans Gender/ Sexual	

HR issues only:

The Office of National Statistics has been interrogated to understand whether any particular journey type is more or less common to men or women. Figures have indicated that Women carry out more shopping and school run type trip than men and visa versa for business and commuting trips.

VEHICLE OPERATOR LICENCES

Age	<p>There has not been any involvement, consultation or research undertaken. TDC uses SCC's own technical guidance, as well as local, regional and national guidance in the assessment of Planning Applications. All of this guidance has been prepared taking into account the needs and safety of all roads users, particularly the disabled, the young and the elderly.</p>
Belief / Faith	
Disability	
Gender	
Sexual Orientation	
Race	
Trans Gender/ Sexual	
HR issues only:	

TRAVEL PLANS

Age	<p>The Office of National Statistics has been interrogated to understand whether any particular journey type is more or less common to men or women. Figures have indicated that Women carry out more shopping and school run type trip than men and visa versa for business and commuting trips. This data indicates that for shopping and school, run type trips, particular car may need to be taken to address the movement of pedestrians with buggies (in the case of residential development or school and nurseries). In respect oftrips that involve the use of sustainable modes of travel late at night, particular attention to the safety or perception of safety of vulnerable users may be required. Such vulnerable users may be any 6 of the equality strands.</p>
Belief / Faith	
Disability	
Gender	
Sexual Orientation	
Race	
Trans Gender/ Sexual	
HR issues only:	

5. Given your answers to the previous questions, how will your service or policy be revised to mitigate, reduce or eliminate negative impacts and enhance positive impacts for the relevant equality groups?

Age	<p>Transport Planning Matters: Existing local and national guidance (which recommends measures to provide safe access for all road users, including pedestrians and cyclists), will continue to be used to ensure that planning applications are assessed to provide safe solutions wherever practically possible. When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p> <p>Development Related Highway Works: All works will continue to require a full technical assessment against local and national highway design guidance. Whilst Safety Auditing is carried out on S278 works to existing areas of public highway, SCC does not carry out Safety Auditing for the adoption of new highway constructed under S38 Agreements. Such works require a full technical assessment but because the works are new construction they can be constructed to meet full design standards without the need to accommodate existing constraints. As a result Safety Auditing is not considered necessary.</p> <p>Vehicle Operator Licences: Applications will continue to be assessed using the same criteria as that currently used, but where applications are known to be in close proximity to elderly housing or education establishments, particular additional care will be taken to ensure the needs of this equality strand are taken into consideration.</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>
Belief / Faith	<p>Transport Planning Matters: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p> <p>Development Related Highway Works: No action required</p> <p>Vehicle Operator Licences: No action required</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>

<p>Disability</p>	<p>Transport Planning Matters: Existing local and national guidance (which recommends measures to provide safe access for all road users, including pedestrians and cyclists), will continue to be used to ensure that planning applications are assessed to provide safe solutions wherever practically possible. When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p> <p>Development Related Highway Works: All works will continue to require a full technical assessment against local and national highway design guidance. Whilst Safety Auditing is carried out on S278 works to existing areas of public highway, SCC does not carry out Safety Auditing for the adoption of new highway constructed under S38 Agreements. Such works require a full technical assessment but because the works are new construction, they can be constructed to meet full design standard without the need to accommodate existing constraints. As a result Safety Auditing is not considered necessary. In areas of high footfall such as village centres, local centres or town centres, TDC will ensure that local disability user groups are consulted on proposals. In town centres care will also be taken to ensure that the proposals are in accordance with any Town Centre Accessibility Study.</p> <p>Vehicle Operator Licences: Applications will continue to be assessed using the same criteria as that currently used, but where applications are known to be in close proximity to a high concentration of disabled road users, particular additional care will be taken to ensure the needs of this equality strand are taken into consideration.</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>
<p>Gender</p>	<p>Transport Planning Matters: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p> <p>Development Related Highway Works: No action required</p> <p>Vehicle Operator Licences: No action required</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>
<p>Sexual Orientation</p>	<p>Transport Planning Matters: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p> <p>Development Related Highway Works: No action required</p> <p>Vehicle Operator Licences: No action required</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>

Race	<p>Transport Planning Matters: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p> <p>Development Related Highway Works: No action required</p> <p>Vehicle Operator Licences: No action required</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>
Trans Gender/ Sexual	<p>Transport Planning Matters: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p> <p>Development Related Highway Works: No action required</p> <p>Vehicle Operator Licences: No action required</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>
HR issues only:	<p>Transport Planning Matters: No action required</p> <p>Development Related Highway Works: No action required</p> <p>Vehicle Operator Licences: No action required</p> <p>Travel Plans: When promoting sustainable travel modes TDC will need to consider the safety or perception of safety of all equality strands for development that involves trips during the hours of darkness.</p>

6. Actions needed to implement the EIA recommendations:

ACTION PLAN

No.	Issue	Action	Expected outcome	Who	Deadline for action
1	Use of local and national design guidance when providing advice on Planning applications	Continue to use the most up to date design guidance	Continued application	All of TDC	Ongoing

2	Use of local and national design guidance when progressing development related highway works	Continue to use the most up to date design guidance	Continued application	All of TDC	Ongoing
3	Proximity of licensed Vehicle Operator centres to education establishments or elderly housing	Ensure that particular care is taken to consider the needs of the young and the elderly when assessing applications.	TDC to be notified of requirement.	All of TDC	Ongoing
	Proximity of licensed Vehicle Operator centres to a high concentration of disabled road users	Ensure that particular care is taken to consider the needs of disabled users when assessing applications.	TDC to be notified of requirement.	All of TDC	Ongoing
4	Consultation with Local Disability User Groups	<p>1. To use existing liaison with local Engineers to obtain contact details for Disability User Groups within each Surrey District.</p> <p>2. Consult with Disability User Groups in relation to development related highway works in areas of high footfall, village centres, local centres and town centres.</p>	<p>Each TDC Officer to obtain the contact details of any disability groups for the districts in which they operate.</p> <p>Consult with or request that users groups be consulted.</p>	<p>TDC lead officers for each borough.</p> <p>All of TDC/Damian Hulse & John Petit. (Surrey Highways)</p>	<p>?</p> <p>Ongoing</p>

5	Promotion of Sustainable modes of Travel for developments giving rise to night time activity.	In the assessment of any Planning application, the implementation of development related highway works or the formulation of a Travel Plan, ensure that the needs of vulnerable users (eg all equality strands) are considered.	TDC officers to be made aware of the need to consider and be aware of the safety of vulnerable users during the hours of darkness.	All (note; to be included within TDC Good Practice Guide)	Ongoing
6	TDC Good Practice Guide	As part of the annual review of the TDC Good Practice Guide, ensure that equality and diversity issues are covered satisfactorily.	Inclusion of Equality & Diversity considerations in the Good Practice Guide.	Dominic Forbes	30 th June 2009

7. If no actions are to be taken with respect to the recommendations please give reasons below:

New infrastructure built and adopted under the terms of a S38 Agreement are constructed from scratch and thus the works can be constructed to meet full design standards without the need to accommodate existing constraints. As a result Safety Auditing is not considered necessary.

Action plan review date: April 2010

Name of person responsible for review: Andy Stokes

Name of person who carried out assessment: Andy Stokes

Name Head of Service: Roger Hargreaves **Signed:** Signed paper copy filed by E&R Business Support Team

DATE COMPLETED: 17 MARCH 2009

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SURREY COUNTY COUNCIL

CABINET MEMBER FOR PROPERTY & WASTE

DATE: 26 November 2024

**LEAD OFFICER: OWEN JENKINS, EXECUTIVE
DIRECTOR HIGHWAYS, INFRASTRUCTURE & PLANNING**



**SUBJECT: APPROPRIATION OF SCC LAND TO ADOPTED HIGHWAY, LAND
ALONG MARLBOROUGH HILL, DORKING AT DENE STREET LEARNING
CENTRE**

ORGANISATION STRATEGY PRIORITY AREA: ENABLING A GREENER FUTURE

Summary Of Issue:

This report seeks approval for the appropriation of Council owned land held by the Dene Street Learning Centre, Dorking to become part of the adopted highway.

It is the requirement of the new development at this site under Condition 25 of the granted planning permission 2022/0085 to construct a new footway along the site frontage onto Marlborough Hill. This will facilitate the proposed accesses to the new Children's Home and 'No Wrong Doors' Facility currently being built in the south of the site.

The Organisation Strategy sets out the council's contribution to achieving the aims and ambitions set out in the Community Vision 2030 (the 2030 Vision). This report seeks to facilitate the construction of a new footway to facilitate a safer and more comfortable route for pedestrians. The new access arrangement will promote active travel particularly when accessing the new facilities. This will help deliver one of the Council's priority objectives of enabling a greener future.

Recommendation:

It is recommended that the Cabinet Member:

Agrees to the Appropriation of the SCC owned land as illustrated in Annexe A as public highway upon completion of the works and prior to first occupation of the development.

Reason For Recommendation:

It is the requirement of the new development at this site under Conditions 24 & 25 of the granted planning permission 2022/0085 to construct a new footway along the site frontage onto Marlborough Hill. This will facilitate the proposed accesses to the new Children's Home and 'No Wrong Doors' Facility currently being built in the south of the site.

To bring about the appropriation, the Council needs to exercise its powers under s122 of the Local Govt Act 1972 in relation to appropriation of land where County land is no longer required for the purpose for which it is currently held.

Details:

Planning permission was granted at this site on 14th April 2023 under SCC planning reference 2022/0085 for the development of the conversion of the former learning centre building and the erection of a new building to provide residential accommodation falling within Class C2 (Residential Institutions) and Class C3 (Dwellinghouses) with associated parking, access and landscaping.

Conditions 25 of the said planning permission requires the construction of a new footway along the site frontage onto Marlborough Hill.

The Technical Approval of this proposed footway has been issued by SCC Transport Development Planning (TDP) as would be the case for any development works that are to become adoptable highway. The approved scheme is shown in Annexe B. The footway width varies between 1.5m and 1.8m for the length of land to be appropriated.

The new footway land is recommended to be appropriated as public highway to ensure it will be maintained by SCC Highways to maintain a safe and comfortable route for pedestrians.

Consultation:

Transport Development Planning have engaged with the Council's Land & Property team throughout the project and have consulted the Highway Information team and the Environment Legal team too.

Financial and value for money implications:

The works are part of the approved planning permission for the development of the site under SCC planning application 2022/0085. There are no adverse financial implications for the Council.

Section 151 Officer commentary:

The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. Surrey County Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost of service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.

In addition to these immediate challenges, the medium-term financial outlook beyond 2024/25 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, in order to ensure the stable provision of services in the medium term.

As such, the Section 151 Officer supports the proposed appropriation of Council owned land to become part of the adopted highway.

Legal implications:

The 1972 Local Government Act provides that a non-metropolitan county council may (subject to certain notification requirements where land is held as public open space - not applicable in this case) appropriate for any purpose for which the council are authorised to acquire land by agreement any land which belongs to the council and is no longer required for the purpose for which it is held immediately before the appropriation

The developer must undertake works on the land prior to its appropriation as highway. This will be facilitated by way of approval from the council’s Land & Property team. The formal appropriation will thereafter take place prior to the occupation of the development as per the planning permission.

Equalities and Diversity:

The works enabled by the appropriation provide a new footway which connects the existing footways south of the site and at the junction of the Dene Street. The footway width will vary between 1.5m and 1.8m which meets the council’s standards for inclusive mobility.

Age	All works on existing highway or works which will become highway are the subject of technical assessment which includes the need to ensure safe access for all road users, including all equality strands. Where it is practical and feasible to do so any new works are required to be compliant with the Disability Discriminations Act (replaced by the Equality Act) and therefore any impacts are positive, rather than negative.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand
Disability	New development often results in the need for new vehicle crossovers, junctions, or other works to the existing highway to facilitate the new traffic brought about by the development. Any new highway infrastructure would have a positive impact on this strand. There would be no negative impacts providing appropriate care is taken to ensure the safe movement and access for all users through the detailed design.

Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips, the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. Similarly encouraging sustainable forms of travel would have a greater impact on men for business or commuting trips. Notwithstanding it is not expected that these differential impacts will have a negative impact.
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Other implications:

The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report.
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report.
Environmental sustainability	No significant implications arising from this report.
Public Health	No significant implications arising from this report.

WHAT HAPPENS NEXT:

- The developer will enter into a license to undertake the works on County owned land, as part of their road construction for the loop road.
- Following the construction of the works to an adoptable standard the footway will become an adopted highway through this appropriation.

Contact Officer: Ralph Harvey-Kelly

Senior Development Engineer, Transport Development Planning, Infrastructure, Planning and Major Projects 07814078193– ralph.harveykelly@surreycc.gov.uk

Consulted:

Transport Development Planning have engaged with colleagues in the Council’s Land & Property team.

Annexes:

- A - EXTENT OF LAND TO BE APPROPRIATED**
- B – APPROVED CONSTRUCTION LAYOUT**

Sources/background papers:
None

ANNEXE A

EXTENT OF LAND TO BE APPROPRIATED

Note: Not to Scale. Red area shows approximate extent of land to be appropriated.
Yellow area shows existing public highway.



ANNEXE B

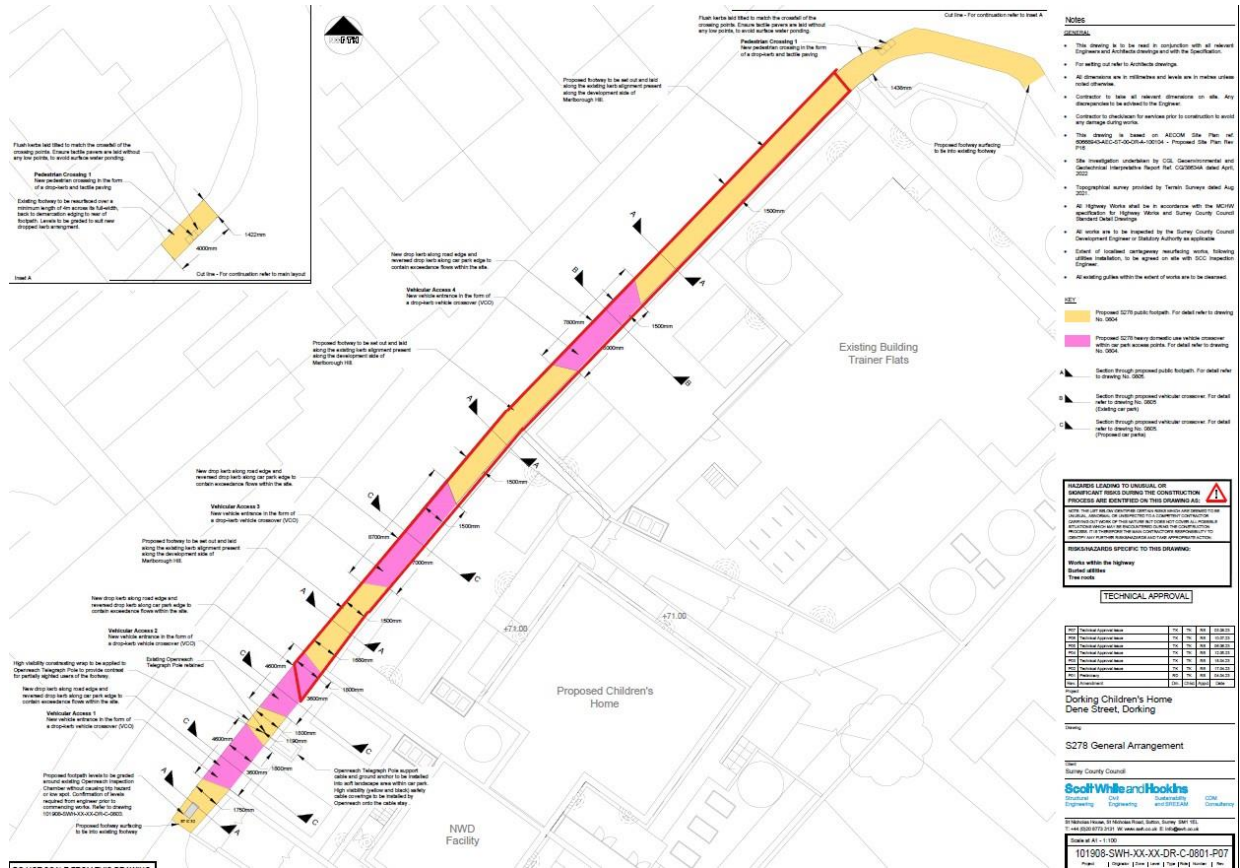
Approved Construction Layout

Note: Not to Scale.

Figure 1: Approved layout

Figure 2: Construction layout with area to be appropriated

Land to be appropriated shown in red.



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SURREY COUNTY COUNCIL**CABINET MEMBER
DECISION**

DATE:	26 NOVEMBER 2024
REPORT OF CABINET MEMBER:	NATALIE BRAMHALL, CABINET MEMBER FOR PROPERTY, WASTE AND INFRASTRUCTURE
LEAD OFFICER:	DIANE WILDING, DIRECTOR OF LAND AND PROPERTY
SUBJECT:	LAND AND CLUBHOUSE AT MERSTHAM FC, WELDON WAY, MERSTHAM
ORGANISATION STRATEGY PRIORITY AREA:	GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/ TACKLING HEALTH INEQUALITY/ ENABLING A GREENER FUTURE/ EMPOWERING COMMUNITIES

Purpose of the Report:

This report seeks Cabinet Member approval to declare land at the former Merstham Library (also known as Merstham Football Club) formally surplus to operational requirements and to facilitate its disposal to Reigate and Banstead Borough Council (RBBC).

A separate part 2 report contains information which is exempt from Access to Information Requirements by virtue of Schedule 12A Local Government Act 1972, paragraph 3, "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

Recommendations:

It is recommended that the Cabinet Member:

1. Formally declares the asset surplus to operational requirements in consultation with the Leader and Deputy Leader.
2. Approves the proposed transfer of Surrey County Council's (the Council) legal interest in the asset to RBBC on the terms outlined in the part 2 report.
3. Delegates authority to the Director of Land and Property, in consultation with the Executive Director for Environment, Property and Growth to finalise the transaction and conclude all associated legal agreements.

Reason for Recommendations:

- Cabinet has previously endorsed rationalisation of the surplus estate.
- When the Council sold some land at its former Merstham Library site in 2021, a legal title issue was identified relating to the adjacent Football club pavilion, which was constructed across separate titles one owned by the Council and the other by RBBC.

- This report seeks to rectify the Title matter through a formal transfer of the Council's freehold title to RBBC.

Executive Summary:

1. The Council sold the former library site (edged red on the Plan attached as Appendix 1 in 2021 to Raven Housing Trust at which time the Council retained lands edged blue (the clubhouse) together with rights over the access way (shown brown).
2. Merstham FC occupy the clubhouse which was built (inadvertently) astride both the Council's and RBBC freehold lands.
3. A lease was originally entered into on 12 December 1988 with the Football club trustees (Fred Setters and Frank Fox). This lease expired but has been "held over" for many years since, due to the conveyancing issue around a single clubhouse sitting across 2 separate land ownership titles.
4. Sorting this out led to the proposal for the Council to transfer its residual freehold to RBBC so that RBBC can fully control the clubhouse and ensure formal leasing put in place for the club and community uses.
5. Agreements to transfer have taken the past 3 years to finalise on the following simple bases.
 - RBBC to pay a consideration to the Council for their residual freehold (the land edged blue with rights of access).
 - Conditions: Club house and community use only.
 - No dilapidation responsibilities for the Council.

Conclusions

6. The Council and RBBC have been working together to resolve and rectify a legacy title constraint.
7. Subject to concluding final documents, RBBC will be able to formalise arrangement for the use of the pavilion.
8. To initiate and facilitate the process a formal surplus declaration is also required.

Risk Management and Implications:

	Risk Description	Mitigation
1	Funding	RBBC are fully responsible for funding the purchase and ongoing responsibility for the asset.
2.	Borough Council withdraws	Unlikely given its impact on delivering services and enabling use of the pavilion by the community and football club.
3	Building	RBBC will take on full responsibility subject to any subsequent leasing to its community partners.

4	Net Zero Carbon targets	RBBC will be responsible for delivery of any design and net zero carbon standards, as may arise from its own adopted policies.
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Financial and Value for Money Implications:

9. The proposal arises from collaborative discussions between the Council and RBBC to enable a rectification of the title, and which enables full control and management of the pavilion to be transferred to the RBBC with its community partners.
10. All building and land maintenance matters will pass officially to RBBC.
11. There is no impact on revenue as the asset was not income producing given its legal constraints.
12. Legal Services will be instructed to conclude all associated legal papers and to ensure the Council comply with their legal and statutory obligations, going forward.

Section 151 Officer Commentary:

13. The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. Surrey County Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost-of-service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.
14. In addition to these immediate challenges, the medium-term financial outlook beyond 2024/5 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for most of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, to ensure the stable provision of services in the medium term.
15. The proposal in this report supports the wider strategy for asset rationalisations and the capital receipt supports the funding of the capital programme, as assumed in the MTFS. There is no revenue impact. As such, the Section 151 Officer supports the recommendation.

Legal Implications – Monitoring Officer:

16. This paper seeks Cabinet Member approval to declare land known as the former Merstham Library, Weldon Way, Merstham, Surrey RH1 3QB (the property) surplus to operational requirements and to transfer the land to RBBC to rectify a historic title issue.
17. Under Section 123 of the Local Government Act 1972 (LGA 1972), local authorities have the power to dispose of land in any manner they wish, subject to the disposal being for the best consideration reasonably obtainable. In pursuing any options to

dispose, the Council should ensure that the price for any such disposal is ‘market value’ to comply with Section 123 LGA 1972.

18. The Cabinet Member has been asked to formally declare this asset as surplus to operational requirements at recommendation 1. For any such declaration, the Council’s internal processes and any relevant guidance and statutory requirements must be followed.
19. Due regard to the Council’s fiduciary duties to residents in respect of utilising public monies should be considered, and the Cabinet Member will want to satisfy themselves that the recommendations set out in this report represents an appropriate use of the Council’s resources.
20. All relevant steps and necessary checks as to the source of funds should be carried out during the transaction in accordance with the Council’s Anti-Money Laundering procedures.
21. Legal advice should be sought to ensure the Council meets its obligations throughout all stages of the transaction.

Equalities and Diversity:

22. A full Equality Impact Assessment is not needed as this proposed disposal does not impact adversely on any specific parties, but a disposal and rectification of title is seen as a benefit for the wider community given it relates to a community pavilion.

Other Implications:

23. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/ Looked After Children	None arising from this report.
Safeguarding responsibilities for vulnerable children and adults	None arising from this report.
Environmental sustainability	None arising from this report.
Compliance against net-zero emissions target and future climate compatibility/resilience	A property disposal has no specific implications. Net Zero Carbon policy frameworks of RBBC are otherwise supported by the Council.
Public Health	None arising from this report.

What Happens Next:

24. Lawyers are instructed to finalise legal papers associated with this matter, subject to approval of this report.

Report Author: Graham Glenn, Head of Acquisitions and Disposals
Tel: 07890 561245

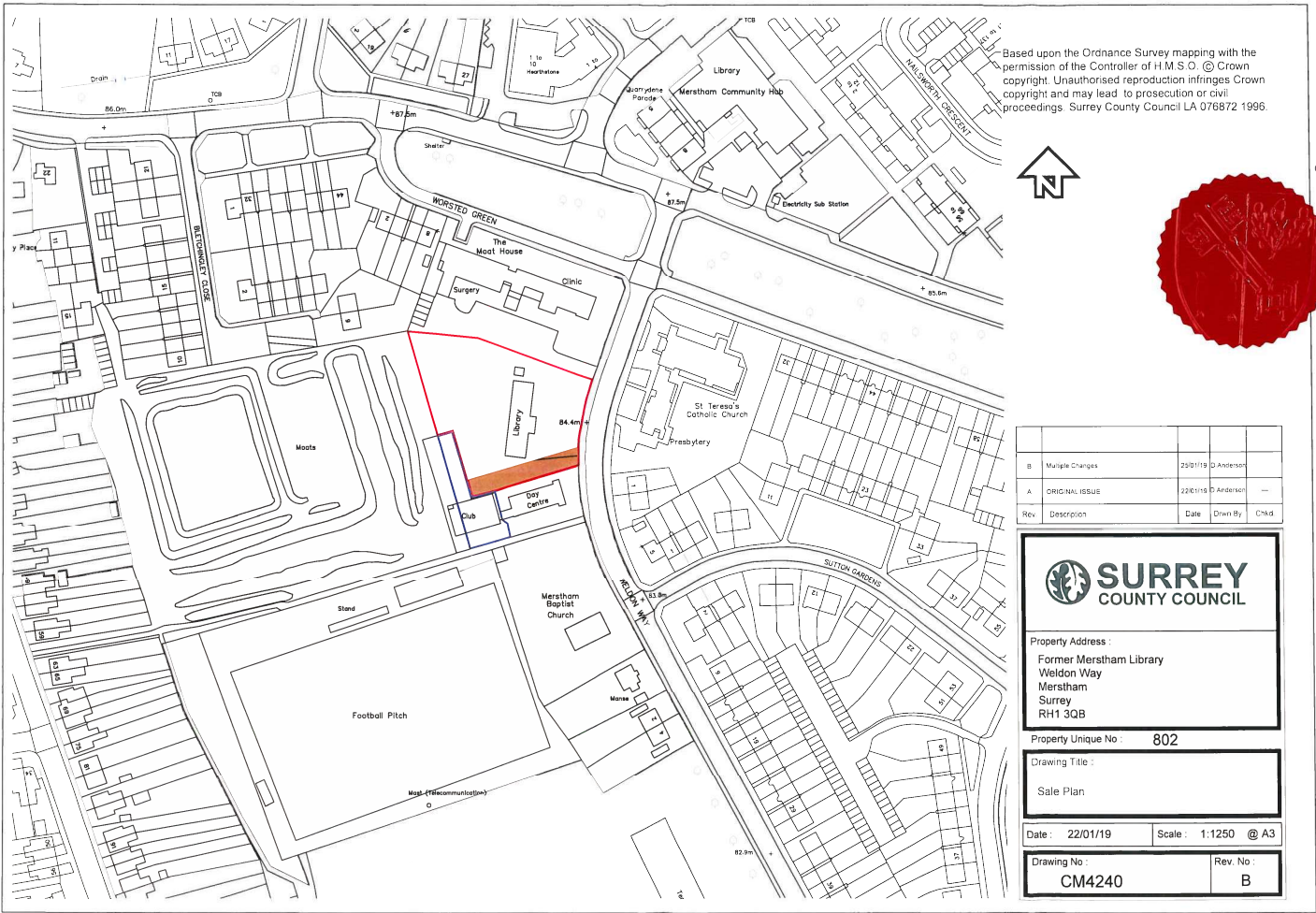
Consulted:

- Natalie Bramhall, Cabinet Member for Property, Waste and Infrastructure
- Simon Crowther, Executive Director, Environment, Property and Growth
- Diane Wilding, Interim Director, Land and Property
- Colin Galletly, Assistant Director, Estates
- Local Member
- Property Panel and Capital Programme Panel members
- Legal teams (Kara Burnett, Property Legal team)
- Finance team (Louise Lawson and Rachel Wigley)

Sources/background papers:

Appendix 1 - Site Plan


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Rev.	Description	Date	Drawn By	Checked
B	Multiple Changes	23/01/19	D Anderson	
A	ORIGINAL ISSUE	22/01/19	D Anderson	



SURREY COUNTY COUNCIL

Property Address :
 Former Merstham Library
 Weldon Way
 Merstham
 Surrey
 RH1 3QB

Property Unique No : **802**

Drawing Title :
 Sale Plan

Date : 22/01/19 Scale : 1:1250 @ A3

Drawing No : **CM4240** Rev. No : **B**

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SURREY COUNTY COUNCIL**CABINET MEMBER DECISION**

DATE: 26 NOVEMBER 2024

REPORT OF CABINET MEMBER: NATALIE BRAMHALL, CABINET MEMBER FOR PROPERTY, WASTE AND INFRASTRUCTURE

LEAD OFFICER: DIANE WILDING, DIRECTOR OF LAND AND PROPERTY

SUBJECT: DISPOSAL OF LAND AT 110A VICARAGE ROAD, SUNBURY.

ORGANISATION STRATEGY PRIORITY AREA: GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/ TACKLING HEALTH INEQUALITY/ ENABLING A GREENER FUTURE/ EMPOWERING COMMUNITIES

Summary of Issue:

This report seeks approval of the Cabinet Member for Property, Waste and Infrastructure for a surplus declaration and disposal terms for a small parcel of land (0.046 acres) at 110a Vicarage Road, Sunbury, to the party and on the terms noted in the part 2 report.

The separate part 2 report contains information which is exempt from Access to Information Requirements by virtue of Schedule 12A Local Government Act 1972, paragraph 3, "Information relating the financial or business affairs of any particular person (including the authority holding that information)".

Recommendations:

It is recommended that the Cabinet Member:

1. Declares the parcel of land known as 110a Vicarage Road, Sunbury surplus to operational requirements in conjunction with the Leader and Deputy Leader.
2. Approves the sale of the parcel of land to the party and on the terms and conditions noted in the part 2 report.
3. Delegates authority to the Executive Director for, Environment, Property and Growth and Director of Land and Property to finalise the transaction and enter into all associated legal agreements.

Reason for Recommendations:

- Following a history of complaints around anti-social behaviour attached to a small parcel of part overgrown non highway land adjacent to 110a Vicarage Road, terms have subsequently been agreed to dispose of the parcel.
- Formal declaration of the asset as surplus to operational requirements is required under Surrey County Councils (the Council) constitution, in consultation with the Leader and Deputy Leader, to enable its disposal.
- The property is not required for operational nor highway purposes.

Executive Summary:

4. The parcel of land comprises of a roughly triangular, flat, site on the corner of Vicarage Road and Wychwood Close, Sunbury totalling approximately 2000 sq. ft (0.046 acres) as outlined on the plan attached as Appendix 1.
5. The land forms a residual holding from a former school that was sold and redeveloped with housing in the 1980s and that now forms Wychwood Close.
6. Opposite the land parcel on the north side of Wychwood Close, the Council is marketing 108 Vicarage Road but the parcel at 110a is not deemed to add value to the 108 land holding.
7. The parcel has been subject to numerous complaints from neighbours on anti-social behaviour (rubbish, loitering, unkept land etc).
8. Options considered as part of marketing and negotiating process included:
9. An assessment whether the parcel would add any specific value to the land holding opposite at 108 Vicarage Road. There is no clear added value benefit, and even a suggestion of the provision of 2 car spaces (if possible subject to planning), would not reduce the anti-social behaviour issue.
 - i) A disposal unconditional on planning to include a covenant to fence and maintain. See part 2 report.
 - ii) Retained ownership by the Council and a request for it to be added to the adopted highway for their management. This would not immediately address ongoing management of complaints and localised anti-social behaviour.

Option (ii) is the recommended way forward and the parties have since agreed the key principles of a valued disposal.

Risk Management and Implications:

10. Risks identified at this stage, and mitigating actions are set out below:

	Risk description	Mitigation
1	Market	The purchaser will be fully responsible for funding the purchase.

	Risk description	Mitigation
2	Purchaser withdraws from the purchase	The Council has ability to hold the site but would have to manage ongoing costs and resources to resolve behaviour issues and complaints.
3	Finance costs	All funding, future fencing costs and maintenance remain with the purchaser.
5	Net Zero Carbon targets	N/A
6	Survey	The parcel is adjacent to an adopted pavement upon which is some telecom furniture and for which access will remain fully protected.

Financial and Value for Money Implications:

11. The transaction arises from a direct approach from a party who in this instance can be regarded as a special purchaser, being a party able to secure and manage the land.
12. The sale price as outlined in the part 2 report is recommended as best value by the Councils' agents, from whom advice and evidence had been sought - see Heads of Terms in Appendix 2, part 2 report.
13. There is no specific impact on core revenue as the asset is non income producing but there have been resource costs incurred on resolving complaints or seeking additional informal maintenance routines through highway maintenance.

Section 151 Officer Commentary:
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14. The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. Surrey County Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost-of-service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.
15. In addition to these immediate challenges, the medium-term financial outlook beyond 2024/5 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for most of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, to ensure the stable provision of services in the medium term.
16. The proposal in this report supports the wider strategy for asset rationalisations and the capital receipt supports the funding of the capital programme, as assumed in the MTFs. There is no revenue impact. As such, the Section 151 Officer supports the recommendation.

Legal implications – Monitoring Officer:

17. This paper seeks approval to dispose of the Council's freehold interest of land at 110a Vicarage Road Sunbury TW16 7QX to the party and on the terms as conditions outlined in the part 2 report.
18. The Council has powers under legislation to pursue the proposals set out in this paper. Under Section 123 of the Local Government Act 1972 (LGA 1972), local authorities have the power to dispose of property in any manner they wish subject to the disposal being for the best consideration reasonably obtainable. The Council should ensure that the price for any disposal is "market value" to comply with Section 123 of the Act.
19. Due regard to the Council's fiduciary duties to residents in respect of utilising public monies should be considered and the Cabinet Member should be satisfied that the recommendations and any associated expenditure set out in this report represent an appropriate use of the Council's resources.
20. All relevant steps and necessary checks as to the source of funds should be carried out during the transaction in accordance with the Council's Anti- Money laundering procedures.
21. Legal advice should be sought at all relevant stages to ensure the Council meets its obligations.

Equalities and Diversity:

22. A full EIA is not needed as this proposed disposal does not impact adversely on any specific parties, but a sale is seen as a benefit for the wider community given it will be brought back into full use by a locally based resident.
23. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/ Looked After Children	None arising from this report.
Safeguarding responsibilities for vulnerable children and adults	None arising from this report.
Environmental sustainability	None other than removal of anti-social behaviour and rubbish dumping.
Compliance against net-zero emissions target and future climate compatibility/resilience	A property disposal has no specific implications.
Public Health	None other than removal of anti-social behaviour and rubbish dumping

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SURREY COUNTY COUNCIL



DATE: 26 NOVEMBER 2024

REPORT OF CABINET MEMBER: NATALIE BRAMHALL, CABINET MEMBER FOR PROPERTY, WASTE AND INFRASTRUCTURE.

LEAD OFFICER: DIANE WILDING, DIRECTOR OF LAND AND PROPERTY

SUBJECT: DISPOSAL OF 28 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ.

ORGANISATION STRATEGY PRIORITY AREA: GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/ EMPOWERING COMMUNITIES

Summary of Issue:

This report seeks approval of the Cabinet Member for Property, Waste, and Infrastructure in relation to the freehold disposal of 28 Telegraph Track, Carshalton, SM5 4AZ following an open market campaign. The asset is offered with full vacant possession with Surrey County Council (The Council) accepting, as part of the transaction, a part surrender of the current headlease held over the asset by Halsey Garton Residential Ltd (HGR).

A separate part 2 report contains information which is exempt from Access to Information Requirements by virtue of Schedule 12A Local Government Act 1972, paragraph 3, "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

Recommendations:

It is recommended that the Cabinet Member:

1. Formally declares the asset surplus to operational requirements in consultation with The Leader and Deputy Leader.
2. Approves the sale of 28 Telegraph Track, Carshalton, SM5 4AZ, to the party, at the price and subject to the conditions, noted in the part 2 report. The sale is conditional upon the simultaneous surrender of the headlease held over the asset by HGR which has been agreed by the HGR Board.
3. Approves the HGR premium for the surrender of its interest from the gross receipt and notes there is debt aligned to this asset, with both parties bearing their own costs and appointments of their own professional team.

4. Delegates authority to the Executive Director for Environment, Property and Growth in consultation with the Director of Land and Property to finalise the transaction and enter into all associated legal agreements.

Reasons for Recommendations:

- Following an open marketing campaign of the vacant property known as 28 Telegraph Track, Carshalton, SM5 4AZ, terms have been agreed to sell the freehold interest to the party, and at the price, noted in the part 2 report.
- The asset was part of an early tranche of residential properties transferred by the Council to HGR in February 2021. The HGR Board has requested it be handed back to the Council and sold.
- The Cabinet Member is asked to formally declare the asset surplus to operational requirement under the Council's constitution.
- The property is not required for any operational purposes.

Executive Summary:

1. The property consists of a 3-bedroom cottage that was transferred to HGR by the Council under a forty-year lease in February 2021. At the time of transfer, the property was tenanted and in a state of disrepair. The property became vacant as of 19 March 2024.
2. The property has been openly marketed by the Council's marketing agents, Hamptons on a freehold and vacant possession basis subject to contract and survey. Following the marketing campaign, which included fifteen viewings over a period of 4 weeks, offers received for the asset are as noted in the part 2 report.
3. The Council's marketing agents, Hamptons recommended an offer based on financial status and ability to proceed.
4. HGR holds a forty-year lease at a peppercorn rent (expiring February 2061). A premium will be paid to HGR from the gross capital receipt of sale to reflect its surrender value.
5. Given the property's (i) rural location (ii) overall condition as well as (iii) further investment needed, it is not deemed appropriate to be retained by the Council.

RISK MANAGEMENT AND IMPLICATIONS:
--

6. Risks identified at this stage and mitigating actions are set out below:

Risk description	Mitigation
Purchaser withdraws from the purchase	The Council has ability to remarket the asset.
Void costs	HGR continue to manage the asset until its formal sale. See part 2 report.
Mortgage-ability and funding	See part 2 report.

	Risk description	Mitigation
	Net Zero Carbon targets	Improvements to the asset that may be funded and delivered by the purchaser will remain subject to policies of the District Council, which otherwise reflect on County level policies
	Survey	See part 2 report.

Financial and value for money implications:
--

7. The Shareholder and Investment Panel and Surrey Investment Board supported HGR's strategy to dispose of certain residential properties.
8. The transaction arises from an open marketing campaign.
9. The recommended bid was confirmed as best value by the marketing agents with the part 2 report outlining the detail. It is recommended that a variance (see part 2 report) be approved to cover any subsequent renegotiation of the reported bid price arising from any unforeseen Title or Survey issues during the final conveyance process. If this offer is withdrawn, the asset would be remarketed.
10. The disposal will be subject to costs of sale including legal and agency fees which will be approximately 2% of the sale value.
11. The leasehold arrangements between the Council and HGR will be surrendered simultaneous with completion.
12. There is minimum revenue implication to the Council as the asset was leased at a peppercorn rental.

Section 151 Officer commentary:
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13. The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. The Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost-of-service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.
14. In addition to these immediate challenges, the medium-term financial outlook beyond 2024/5 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for most of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, to ensure the stable provision of services in the medium term.
15. The proposal in this report supports the wider strategy for asset rationalisation and the capital receipt supports the funding of the capital programme, as assumed in the MTFs. There is minimum revenue impact. As such, the Section 151 Officer supports the recommendation.

Legal implications – Monitoring Officer:

16. This paper seeks approval to dispose of the freehold interest in relation to a Council-owned property asset, known as 28 Telegraph Track, Carshalton SM5 4AZ. The property is currently held by HGR by way of a leasehold interest which will need to be surrendered.
17. The Council has powers under legislation to pursue the proposals set out in this paper. Under Section 123 of the Local Government Act 1972, local authorities have the power to dispose of property in any manner they wish subject to the disposal being for the best consideration reasonably obtainable. The Council should ensure that the price for any disposal is “market value” to comply with Section 123 of the Act.
18. As this disposal is conditional upon the simultaneous surrender of the HGR leasehold interest over the asset, authority will also be required for the acquisition by the Council of the leasehold interest prior to the disposal.
19. The Cabinet Member has been asked to formally declare the asset as surplus to operational requirements at recommendation 1. For any such declaration, any relevant guidance and the Council’s internal processes must be followed.
20. Due regard to the Council’s fiduciary duties to residents in respect of utilising public monies should be considered and the Cabinet Member will want to be satisfied that the recommendations set out in this report represent an appropriate use of the Council’s resources.
21. All relevant steps and necessary checks as to the source of funds should be carried out during the transaction in accordance with the Council’s Anti-Money Laundering procedures.
22. Legal advice should be sought at all relevant stages to ensure the Council meets its obligations.

Equalities and Diversity:

23. A full Equality Impact Assessment is not needed as this proposed disposal does not impact adversely on any specific parties, but a sale is seen as a benefit for the wider community given it will be brought back into full use by a locally based resident.
24. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/ Looked After Children	None arising from this report.
Safeguarding responsibilities for vulnerable children and adults	None arising from this report.
Environmental sustainability	None arising from this report.

Area assessed:	Direct Implications:
Compliance against net-zero emissions target and future climate compatibility/resilience	A property disposal has no specific implications.
Public Health	None arising from this report.

What Happens Next:

25. Lawyers are already instructed subject to Cabinet Member approval to the proposal in this report. They will be instructed to proceed with the freehold sale to include a simultaneous surrender of the HGR headlease interest once all delegated approvals and signatories have been secured.

Contact Officer:

Name, Graham Glenn, Head of Acquisitions and Disposals, Land & Property
Tel: 07890 561245

Consulted:

Natalie Bramhall, County Cabinet Member, Property, Waste & Infrastructure, SCC.
Simon Crowther, Executive Director, Environment, Property and Growth, SCC.
Diane Wilding, Director, Land & Property, SCC
HGR Board.
Shareholder & Investment Panel.
Strategic Investment Board
Property Panel
Finance Team, SCC (Louise Lawson, Rachel Wigley)
Property Legal Team, SCC (Judith Shephard)

Appendices:

Appendix 1 - Marketing Brochure
Appendix 2 - Refer to part 2 report.

Sources/background papers: n/a

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28 Telegraph Track, Carshalton, SM5 4AZ

Hamptons
THE HOME EXPERTS

THE PARTICULARS

Telegraph Track, Carshalton, SM5

Guide Price £625,000

Tenure: Freehold

 Bedrooms: 2

 Bathrooms: 1

 Receptions: 2

Features

Launch Days Wednesday 17th and Saturday 20th, 2 Bedrooms, Sitting Room, Dining Room Kitchen, Bathroom, Utility Area,, Garage, Front and Rear Garden, Parking, Semi-Rural Location

Council Tax

Council Tax Band E

Hamptons

145, High Street

Epsom

KT19 8EH

epsom@hamptons.co.uk

01372 734950

hamptons.co.uk

A semi-detached 2 bedroom house on the Little Woodcote Estate

The Property

This semi-detached house is surrounded by fields and farms in a semi-rural location in Carshalton's Little Woodcote Estate, yet offers easy access to London via nearby Wallington station. Measuring over 1200sq feet including the garage, it has a sitting room, dining room and a separate kitchen two good-sized bedrooms and a spacious bathroom with a bath and shower on the upper floor, superb front and rear gardens and plenty of parking. Whilst the house would benefit from some cosmetic uplift, it would make an ideal home or pied-a-terre for anyone wanting some peace and tranquility.

Location

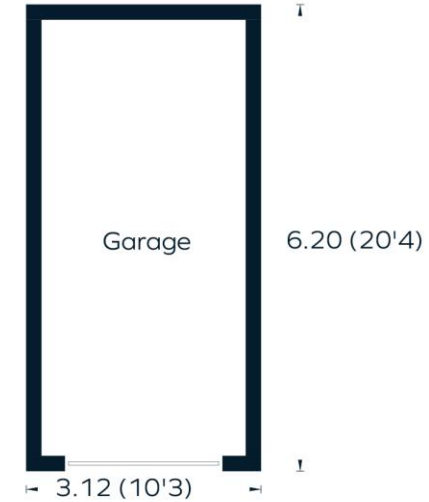
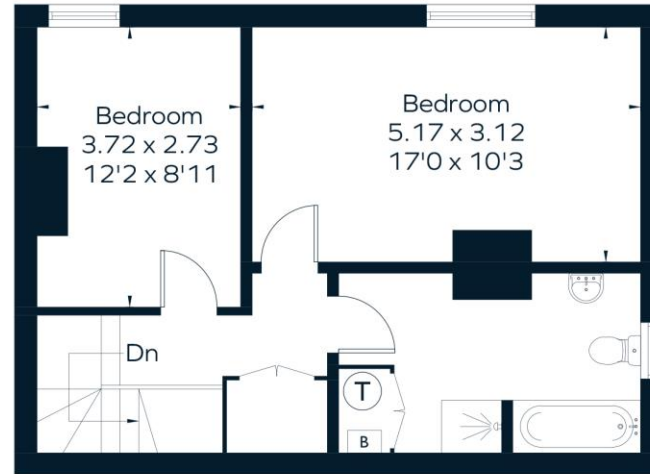
Telegraph Track runs north from Woodmansterne Lane and joins Boundary Road in Carshalton, in which there's a wide range of shops, restaurants and schooling, as well as Wallington and its train station which offers direct services into both London Bridge (26 minutes) and Victoria (42 minutes).



Approximate Floor Area = 96.9 sq m / 1043 sq ft
Garage = 15.8 sq m / 170 sq ft
Total = 112.7 sq m / 1213 sq ft



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(Not Shown In Actual Location / Orientation)

For Clarification

We wish to inform prospective purchasers that we have prepared these sales particulars as a general guide. We have not carried out a detailed survey, nor tested the services, appliances and specific fittings. Room sizes are approximate and rounded: they are taken between internal wall surfaces and therefore include cupboards/shelves, etc.

Accordingly, they should not be relied upon for carpets and furnishings. Formal notice is also given that all fixtures and fittings, carpeting, curtains/blinds and kitchen equipment, whether fitted or not, are deemed removable by the vendor unless specifically itemised within these particulars.



SURREY COUNTY COUNCIL



DATE: 26 NOVEMBER 2024

REPORT OF CABINET MEMBER: NATALIE BRAMHALL, CABINET MEMBER FOR PROPERTY, WASTE AND INFRASTRUCTURE.

LEAD OFFICER: DIANE WILDING, DIRECTOR OF LAND AND PROPERTY

SUBJECT: DISPOSAL OF 38 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ.

ORGANISATION STRATEGY PRIORITY AREA: GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/ EMPOWERING COMMUNITIES

Summary of Issue:

This report seeks approval of the Cabinet Member for Property, Waste, and Infrastructure in relation to the freehold disposal of 38 Telegraph Track, Carshalton, SM5 4AZ following an open market campaign. The asset is offered with full vacant possession with Surrey County Council (The Council) accepting, as part of the transaction, a part surrender of the current headlease held over the asset by Halsey Garton Residential Ltd (HGR).

A separate part 2 report contains information which is exempt from Access to Information Requirements by virtue of Schedule 12A Local Government Act 1972, paragraph 3, "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

Recommendations

It is recommended that the Cabinet Member:

1. Formally declares the asset surplus to operational requirements in consultation with The Leader and Deputy Leader.
2. Approves the sale in conjunction with the Leader of 38 Telegraph Track, Carshalton, SM5 4AZ. to the party, at the price and subject to the conditions, noted in the part 2 report. The sale is conditional upon the simultaneous surrender of the headlease held over the asset by HGR which has been agreed by the HGR Board.
3. Approves in consultation with the Leader the acquisition of the leasehold interest held by HGR over the property at the premium noted in the part 2 report. The premium for the surrender of HGR's interest is payable by the Council from the gross receipt and it is noted as a debt aligned to this asset, with both parties bearing their own costs and appointments of their own professional team.

4. Delegates authority to the Executive Director for Environment, Property, and Growth in consultation with the Director of Land and Property to finalise the transaction and enter into all associated legal agreements.

Reasons for Recommendations:

- Following an open marketing campaign of the vacant property known as 38 Telegraph Track, Carshalton, SM5 4AZ, terms have been agreed to sell the freehold interest to the party, and at the price, noted in the part 2 report.
- The asset was part of an early tranche of residential properties transferred by the Council to HGR in February 2021, with a premium paid by HGR to the Council for a head-leasehold interest. HGR Board has requested that it be handed back to the Council and sold.
- The Cabinet Member is asked to formally declare the asset surplus to operational requirement under the Council’s constitution.
- The property is not required for any operational purposes.

Executive Summary:

1. The property consists of a 3-bedroom semi-detached house that was transferred to HGR by the Council under a forty-year lease in February 2021. At the time of transfer, the property was tenanted and in a state of disrepair. The property became vacant as of 29 February 2024.
2. The property has been openly marketed by the Council’s marketing agents, Hamptons, on a freehold and vacant possession basis subject to contract and survey. Following the marketing campaign, which included fifteen viewings over a period of 4 weeks, bids are as noted in the part 2 report.
3. The Council’s marketing agents, Hamptons, recommended an offer, also based on status and financial terms of the bidder as outlined in the part 2 report.
4. HGR holds a forty-year lease at a peppercorn rent (expiring February 2061) over this asset. A premium will be paid to HGR from the gross capital receipt of sale to reflect its surrender value.
5. Given the property’s (i) rural location (ii) overall condition as well as (iii) further investment needed, it is not deemed appropriate to be retained by the Council.

RISK MANAGEMENT AND IMPLICATIONS:

6. Risks identified at this stage and mitigating actions are set out below:

	Risk description	Mitigation
1	Purchaser withdraws from the purchase	The Council has ability to remarket the asset.
2	Void costs	HGR continue to manage the asset until its formal sale. See part 2 report.
3	Mortgage-ability and funding	See part 2 report.

	Risk description	Mitigation
4	Net Zero Carbon targets	See part 2 report.
5	Survey	See part 2 report.

Financial and value for money implications:
--

7. The Shareholder and Investment Panel and Surrey Investment Board supported HGR's strategy to dispose of certain residential properties.
8. The transaction arises from an open marketing campaign.
9. The bid was confirmed as best value by the Council's marketing agents, Hamptons, please see the part 2 report. It is recommended that a variance (see part 2 report) be approved to cover any subsequent renegotiation of the reported bid price arising from any unforeseen Title or Survey issues during the final conveyance process. If this offer is withdrawn, the asset subsequently remarketed to secure a bid at the minimum acceptable level, outlined in the part 2 report.
10. The disposal will be subject to costs of sale including legal and agency fees which will be approximately 1.5% of the sale value.
11. The leasehold arrangements between the Council and HGR will be surrendered simultaneous with completion.
12. There is minimal revenue implication to the Council as the asset was leased at a peppercorn rental.

Section 151 Officer commentary:
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13. The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. The Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost-of-service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.
14. In addition to these immediate challenges, the medium-term financial outlook beyond 2024/5 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for most of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, to ensure the stable provision of services in the medium term.
15. The proposal in this report supports the wider strategy for asset rationalisation and the capital receipt supports the funding of the capital programme, as assumed in the MTFs. There is minimum revenue impact. As such, the Section 151 Officer supports the recommendation.

Legal implications – Monitoring Officer:

16. This paper seeks approval to dispose of the freehold interest in a Council owned property asset, 38 Telegraph Track, Carshalton, SM5 4AZ. As the property is subject to a lease to HGR to be surrendered simultaneously on completion, approval is also sought for the acquisition of HGR's leasehold interest.
17. The Council has powers under legislation to pursue the proposals set out in this paper. Under Section 123 of the Local Government Act 1972 ("the Act"), local authorities have the power to dispose of property in any manner they wish subject to the disposal being for the best consideration reasonably obtainable. The Council should ensure that the price for any disposal is "market value" to comply with Section 123 of the Act.
18. Due regard to the Council's fiduciary duties to residents in respect of utilising public monies should be considered and the Cabinet Member should be satisfied that the recommendations and any associated expenditure set out in this report represent an appropriate use of the Council's resources.
19. The Cabinet Member has been asked to formally declare this asset as surplus to operational requirements at recommendation 1. For any such declaration, all relevant government guidance and the Council's internal processes must be followed.
20. Legal advice should be sought at all relevant stages to ensure the Council meets its objectives.

Equalities and diversity:

21. A full Equality Impact Assessment is not needed as this proposed disposal does not impact adversely on any specific parties, but a sale is seen as a benefit for the wider community given it will be brought back into full use by a locally based resident.
22. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/ Looked After Children	None arising from this report.
Safeguarding responsibilities for vulnerable children and adults	None arising from this report.
Environmental sustainability	None arising from this report.
Compliance against net-zero emissions target and future climate compatibility/resilience	A property disposal has no specific implications.
Public Health	None arising from this report.

What Happens Next:

23. Lawyers are already instructed subject to Cabinet Member approval to the proposal in this report. They will be instructed to proceed with the freehold sale to include a

simultaneous surrender of the HGR headlease interest once all delegated approvals and signatories have been secured.

Contact Officer:

Name, Graham Glenn, Head of Acquisitions and Disposals, Land & Property.
Tel: 07890 561245

Consulted:

Natalie Bramhall, County Cabinet Member, Property, Waste & Infrastructure, SCC.
Simon Crowther, Executive Director, Environment, Property and Growth, SCC.
Diane Wilding, Director, Land & Property, SCC
HGR Board.
Shareholder & Investment Panel.
Strategic Investment Board
Property Panel
Finance Team, SCC (Louise Lawson, Rachel Wigley)
Property Legal Team, SCC (Judith Shephard)

Appendices:

Appendix 1 - Marketing Brochure
Appendix 2 - Refer to part 2 report

Sources/background papers: n/a

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38 Telegraph Track, Carshalton, SM5 4AZ

Hamptons

THE HOME EXPERTS

THE PARTICULARS

Telegraph Track, Carshalton, SM5

£600,000

Tenure: Freehold

 Bedrooms: 3

 Bathrooms: 1

 Receptions: 2

Features

Launch Days Wednesday 17th and Saturday 20th, 3 Bedrooms, Sitting Room, Dining Room Kitchen, Bathroom, Porch, Utility Area, Front and Rear Garden, Parking, Semi-Rural Location

Council Tax

Council Tax Band

Hamptons

145, High Street

Epsom

KT19 8EH

epsom@hamptons.co.uk

01372 734950

hamptons.co.uk

A semi-detached 3 bedroom house on the Little Woodcote Estate

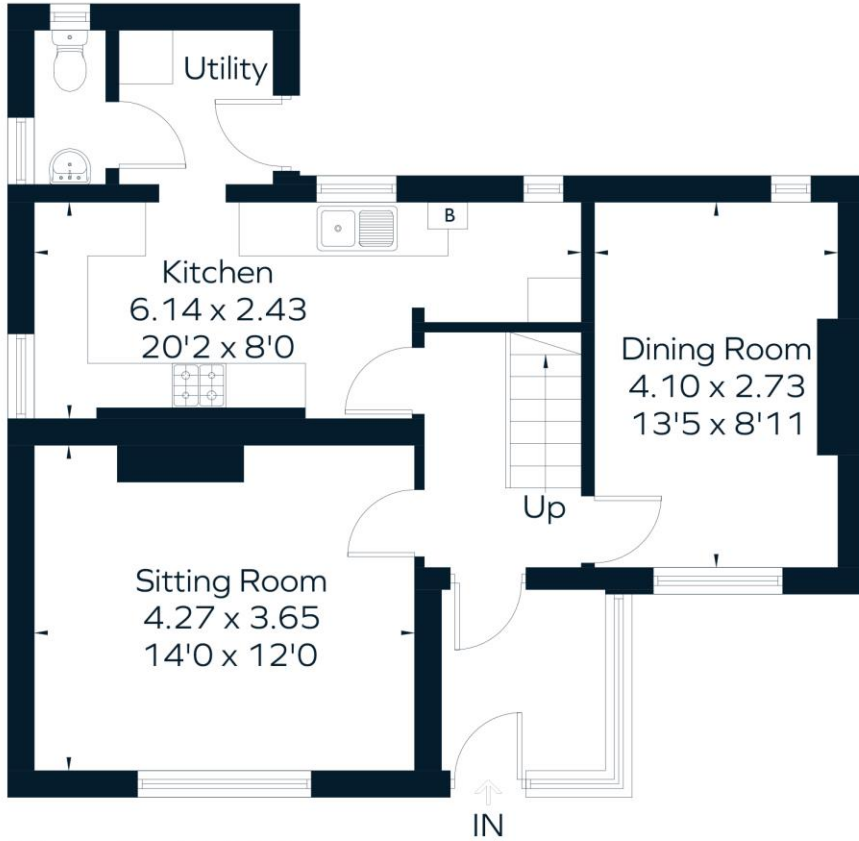
The Property

This semi-detached house is surrounded by fields and farms in a semi-rural location in Carshalton's Little Woodcote Estate, yet offers easy access to London via nearby Wallington station. Measuring over 1100sq feet, it has a sitting room, dining room and a smart kitchen, three bedrooms and a contemporary bathroom on the upper floor, a lawned front garden and a partly paved and part shingle rear garden, and plenty of parking. The house is light and airy and it would make an ideal home or pied-a-terre for anyone wanting some peace and tranquility.

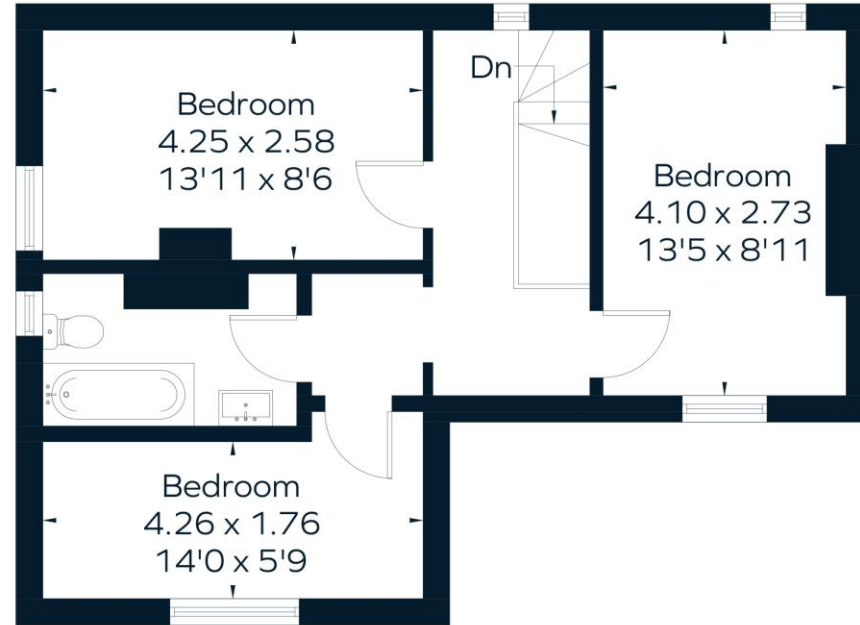
Location

The house is near the junction of Oak Track and Telegraph Track which runs north from Woodmansterne Lane and joins Boundary Road in Carshalton, in which there's a wide range of shops, restaurants and schooling, as well as Wallington and its train station which offers direct services into both London Bridge (26 minutes) and Victoria (42 minutes).





Ground Floor



First Floor

For Clarification

We wish to inform prospective purchasers that we have prepared these sales particulars as a general guide. We have not carried out a detailed survey, nor tested the services, appliances and specific fittings. Room sizes are approximate and rounded: they are taken between internal wall surfaces and therefore include cupboards/shelves, etc.

Accordingly, they should not be relied upon for carpets and furnishings. Formal notice is also given that all fixtures and fittings, carpeting, curtains/blinds and kitchen equipment, whether fitted or not, are deemed removable by the vendor unless specifically itemised within these particulars.



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SURREY COUNTY COUNCIL



DATE: 26 NOVEMBER 2024

REPORT OF CABINET MEMBER: NATALIE BRAMHALL, CABINET MEMBER FOR PROPERTY, WASTE AND INFRASTRUCTURE.

LEAD OFFICER: DIANE WILDING, DIRECTOR OF LAND AND PROPERTY

SUBJECT: DISPOSAL OF 53 WESTFIELD ROAD, CAMBERLEY, GU15 2SA

ORGANISATION STRATEGY PRIORITY AREA: GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/ EMPOWERING COMMUNITIES

Summary of Issue:

This report seeks approval of the Cabinet Member for Property, Waste, and Infrastructure in relation to the freehold disposal of 53 Westfield Road, Camberley, GU15 2SA, following an open market campaign. The asset is offered with full vacant possession with Surrey County Council (The Council) accepting, as part of the transaction, a part surrender of the current headlease held over the asset by Halsey Garton Residential Ltd (HGR).

A separate part 2 report contains information which is exempt from Access to Information Requirements by virtue of Schedule 12A Local Government Act 1972, paragraph 3, "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

Recommendations:

It is recommended that the Cabinet Member:

1. Formally declares the asset surplus to operational requirements in consultation with The Leader and Deputy Leader.
2. Approves the sale of 53 Westfield Road, Camberley, GU15 2SA, to the party, at the price and subject to the conditions, noted in the part 2 report. The sale is conditional upon the simultaneous surrender of the headlease held over the asset by HGR which has been agreed by the HGR Board.
3. Approves the HGR premium for the surrender of its interest from the gross receipt and notes there is debt aligned to this asset, with both parties bearing their own costs and appointments of their own professional team.

4. Delegates authority to the Executive Director for Environment Property and Growth in consultation with the Director of Land and Property to finalise the transaction and enter into all associated legal agreements.

Reasons for Recommendations:

- Following an open marketing campaign of the vacant property known as 53 Westfield Road, Camberley, GU15 2SA, terms have been agreed to sell the freehold interest to the party, and at the price, noted in the part 2 report.
- The asset was part of an early tranche of residential properties transferred by the Council to HGR in February 2021, with a premium paid by HGR to the Council for a head-leasehold interest. HGR Board has requested that it be handed back to the Council and sold.
- The Cabinet Member is asked to formally declare the asset surplus to operational requirement under the Council's constitution.
- The property is not required for any operational purposes.

Executive Summary:

1. The property consists of a 3bedroom semi-detached house that was transferred to HGR by the Council under a forty-year lease in February 2021. At the time of transfer, the property was tenanted. The property became vacant as of 12 August 2024.
2. The property has been openly marketed by the Council's marketing agents, Curchods, on a freehold and vacant possession basis subject to contract and survey. Following the marketing campaign over a period of 4 weeks, bids are as noted in the part 2 report.
3. The Council's marketing agents, Curchods, recommended the offer, also based on status and financial terms of the bidder as outlined in the part 2 report.
4. HGR holds a forty-year lease at a peppercorn rent (expiring February 2061) over this asset. A premium will be paid to HGR from the gross capital receipt of sale to reflect its surrender value.

Risk Management and Implications:
--

5. Risks identified at this stage and mitigating actions are set out below:

	Risk description	Mitigation
1	Purchaser withdraws from the purchase	The Council has ability to remarket the asset.
2	Void costs	HGR continue to manage the asset until its formal sale. See part 2 report.
3	Mortgage-ability and funding	See part 2 report.
4	Net Zero Carbon targets	See part 2

	Risk description	Mitigation
5	Survey	See part 2 report.

Financial and value for money implications:

6. The Shareholder and Investment Panel and Surrey Investment Board supported HGR's strategy to dispose of certain residential properties.
7. The transaction arises from an open marketing campaign.
8. The bid was confirmed as best value by the marketing agents as outlined within the part 2 report. It is recommended that a variance (see part 2 report) be approved to cover any subsequent renegotiation of the reported bid price arising from any unforeseen Title or Survey issues during the final conveyance process. If this offer is withdrawn, the asset subsequently remarketed to secure a bid at the minimum acceptable level, outlined in the part 2 report.
9. The disposal will be subject to costs of sale including legal and agency fees which will be approximately 2% of the sale value.
10. The leasehold arrangements between the Council and HGR will be surrendered simultaneous with completion.
11. There is minimum revenue implication to the Council as the asset was leased at a peppercorn rental.

Section 151 Officer commentary:

12. The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. The Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost-of-service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.
13. In addition to these immediate challenges, the medium-term financial outlook beyond 2024/5 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for most of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, to ensure the stable provision of services in the medium term.
14. The proposal in this report supports the wider strategy for asset rationalisation and the capital receipt supports the funding of the capital programme, as assumed in the MTFs. There is minimum revenue impact. As such, the Section 151 Officer supports the recommendation.

Legal implications – Monitoring Officer:

16. This paper seeks approval to dispose of the freehold interest in relation to a Council-owned property asset, known as 38 Little Woodcote Estate, Wallington,

SM6 4AZ. The property is currently held by HGR by way of a leasehold interest which will need to be surrendered.

17. The Council has powers under legislation to pursue the proposals set out in this paper. Under Section 123 of the Local Government Act 1972, local authorities have the power to dispose of property in any manner they wish subject to the disposal being for the best consideration reasonably obtainable. The Council should ensure that the price for any disposal is “market value” to comply with Section 123 of the Act.
18. As this disposal is conditional upon the simultaneous surrender of the HGR leasehold interest over the asset, authority will also be required for the acquisition by the Council of the leasehold interest prior to the disposal.
19. Due regard to the Council’s fiduciary duties to residents in respect of utilising public monies should be considered and the Cabinet Member will want to be satisfied that the recommendations set out in this report represent an appropriate use of the Council’s resources.
20. All relevant steps and necessary checks as to the source of funds should be carried out during the transaction in accordance with the Council’s Anti-Money Laundering procedures.
21. Legal advice should be sought to ensure the Council meets its obligations throughout all stages of the transaction.

Equalities and diversity:

22. A full Equality Impact Assessment is not needed as this proposed disposal does not impact adversely on any specific parties, but a sale is seen as a benefit for the wider community given it will be brought back into full use by a locally based resident.
23. The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/ Looked After Children	None arising from this report.
Safeguarding responsibilities for vulnerable children and adults	None arising from this report.
Environmental sustainability	None arising from this report.
Compliance against net-zero emissions target and future climate compatibility/resilience	A property disposal has no specific implications.
Public Health	None arising from this report.

What Happens Next:

24. Lawyers are already instructed subject to Cabinet Member approval to the proposal in this report. They will be instructed to proceed with the freehold sale to

include a simultaneous surrender of the HGR headlease interest once all delegated approvals and signatories have been secured.

Contact Officer:

Name, Graham Glenn, Head of Acquisitions and Disposals, Land & Property.

Tel: 07890 561245

Consulted:

Natalie Bramhall, County Cabinet Member, Property, Waste & Infrastructure, SCC.

Simon Crowther, Executive Director, Environment, Property and Growth, SCC.

Diane Wilding, Director, Land & Property, SCC

HGR Board.

Shareholder & Investment Panel.

Strategic Investment Board

Property Panel

Finance Team, SCC (Louise Lawson, Rachel Wigley)

Property Legal Team, SCC (Judith Shephard)

Appendices:

Appendices:

Appendix 1 – Marketing Brochure

Appendix 2 - Refer to part 2 report

Sources/background papers: n/a

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53 Westfield Road

Camberley, Surrey, GU15 2SA

3 Bedrooms | 1 Bathroom | 1 Reception Room

Asking Price £435,000

Freehold
Page 93



Offered to the market with no onward chain this 3 bedroom semi-detached house offers an incoming buyer the opportunity to add their own stamp on it. The property is located walking distance to the Frimley Road parade of shops and offers easy access to Camberley Town centre. Frimley park hospital is located close by as is the M3 for commuters. Internal viewing highly recommended



EPC D | Council Tax Band D

Charges (if applicable):

Key Features

- NO ONWARD CHAIN!
- 3 bedroom semi detached house
- Excellent opportunity to modernise and add value
- front to back dual aspect Living/dining
- Kitchen with some integrated appliances and access to the garden
- Off road parking and good size enclosed rear garden
- Close proximity to local amenities, schools and Frimley park hospital
- Easy access to the M3 for commuter

Location

There is ease of access to the M3, and excellent rail links from Camberley/Frimley stations. You are walking distance to Frimley Road parade of shops as well as still being well located for easy access into Camberley Town Centre. Excellent local schooling includes South Camberley Primary School and Kings International College are also on your doorstep.

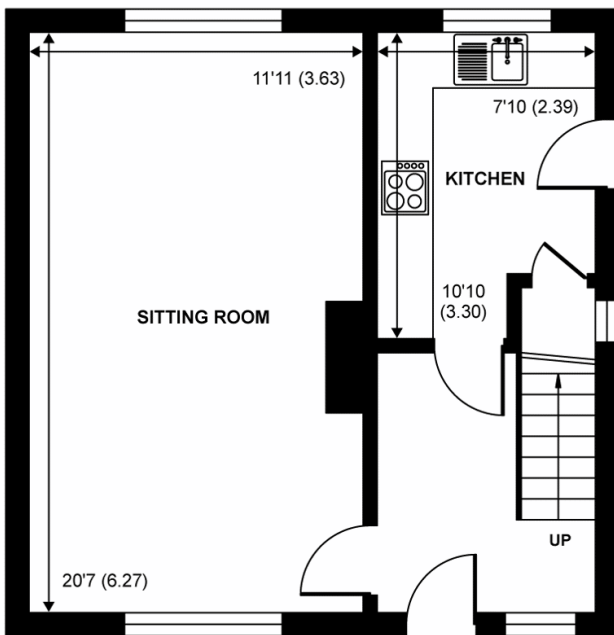
Additional Information

Our client has informed us the property is connected to main gas, electric and drainage

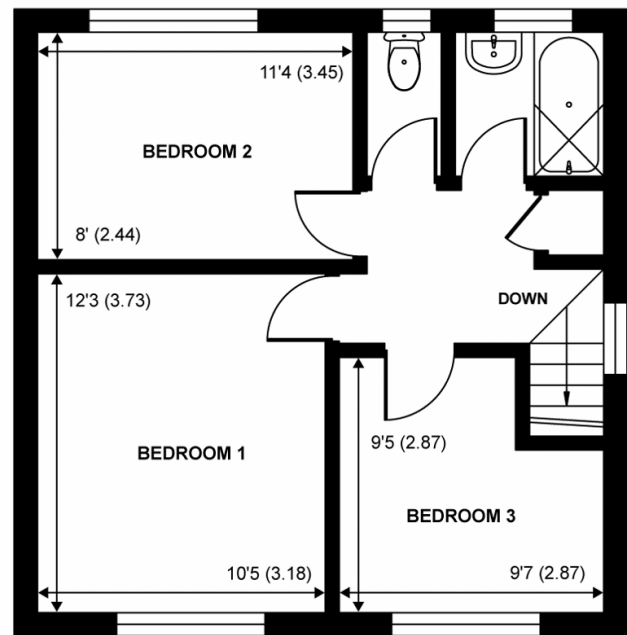


Approximate Area = 848 sq ft / 78.7 sq m

For identification only - Not to scale



GROUND FLOOR



FIRST FLOOR



Floor plan produced in accordance with RICS Property Measurement Standards incorporating International Property Measurement Standards (IPMS2 Residential). © nichecom 2024. Produced for Simpsons Estate Agents ta Burns & Webber. REF: 1179340

01252 713868 | farnham@curchods.com
45 Downing Street, Farnham, Surrey, GU9 7PH

IMPORTANT NOTICE TO PURCHASERS: We endeavour to make our sales particulars accurate and reliable, however, they do not constitute or form part of an offer or any contract and none is to be relied upon as statements of representation or fact. The services, systems and appliances listed in this specification have not been tested by us and no guarantees as to their operating ability or efficiency are given. All measurements have been taken as a guide to prospective buyers only, and are not precise. If you require clarification or further information on any points, please contact us, especially if you are traveling some distance to view.



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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