

**SURREY COUNTY COUNCIL****CABINET MEMBER FOR PROPERTY, WASTE AND  
INFRASTRUCTURE**

**DATE:** 28 JANUARY 2025

**LEAD OFFICER:** DIANE WILDING, DIRECTOR OF LAND AND PROPERTY

**SUBJECT:** FORMER PLAYING FIELD, SURREY HILLS, ALL SAINTS  
C OF E PRIMARY SCHOOL, ABINGER LANE, ABINGER  
COMMON, DORKING, RH5 6HZ

**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 to the freehold disposal of Former playing field, Surrey Hills, All Saints C of E Primary School, Abinger Lane, Abinger Common, Dorking, RH5 6HZ. following an open market campaign.

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 Former playing field, Surrey Hills. All Saints C of E Primary School, Abinger Lane, Abinger Common, Dorking, RH5 6HZ to the party, at the price and subject to the conditions, noted 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 enter into all associated legal agreements.

**Reasons for recommendations:**

- Following an open marketing campaign of the former playing field, Surrey Hills, All Saints C of E Primary School, Abinger Lane, Abinger Common, Dorking, RH5 6HZ terms have been agreed to sell Surrey County Council's

(the Council) interest in the former attached playing fields and woodland to the party, and at the price, noted in the part 2 report.

- The playing field is surplus to requirements and approval for this disposal has been secured under Section 77 of the School and Standards Framework Act 1998 from the Secretary of State for Education.
- The Cabinet Member is asked to formally declare the asset surplus to operational requirement under the Council's constitution.

**Executive Summary:**

1. The Council owns a former small playing field (0.12 ha) and adjacent woodland (0.17 ha) as outlined on the plan attached as Appendix 1. The land is adjacent to a former primary school which was closed by the Guildford Diocesan Board of Finance in April 2022, when it relocated students to its school at Wescott, leaving the Abinger building and the Council owned playing fields fully vacant.
2. The school and playing fields were openly marketed by the Guildford Diocesan Board of Finance Diocese and a preferred bid received from the party outlined in the part 2 report, who propose to re-use the whole site for education purposes supporting delivery of a special education needs school.
3. The Council land is effectively landlocked and has no formal legal rights of access through the Diocese owned land, other than an adjoining Public Footpath.
4. Given the property's (i) 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:**

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

	<b>Risk description</b>	<b>Mitigation</b>
1	Purchaser withdraws from the purchase	The Council has ability to remarket the asset alongside the Diocesan Board
2	Land maintenance costs	Early transfer of legal interest, or enable limited grazing rights or plant out to support wider Net zero carbon targets
3	Disposal of playing fields	Secretary of State approval has been received

**Financial and value for money implications:**

6. The transaction arises from joint working with the Guildford Diocesan Board of Finance and relates to the Council transferring its freehold interest in former playing fields to enable delivery of a special education needs school, linked to restrictive covenants protecting that use.
7. The transaction follows approval received from the Secretary of State in relation to the disposal of playing fields under Section 77 School and Standards Framework Act 1988.

8. The transaction is supported by an RICS Red Book valuation.

<b>Section 151 Officer commentary:</b>
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9. 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.
10. 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.
11. The proposal in this report supports the wider strategy for asset rationalisation and the capital receipt supports the funding of the capital programme. There is minimum revenue impact. As such the recommendations support the delivery of the capital receipts target assumed in the MTFS.

<b>Legal implications – Monitoring Officer:</b>
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12. This paper seeks approval to dispose of the freehold interest in relation to a Council-owned property asset, known as Former playing field, Surrey Hills All Saints C of E Primary School, Abinger Lane, Abinger Common, Dorking, RH5 6HZ.
13. 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.
14. The disposal is conditional upon the simultaneous disposal of adjoining Diocese land and consent from the Secretary of State under S77 School and Standards Framework Act 1998 has been obtained for the disposal.
15. 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 guidance and the Council's internal processes must be followed.
16. Due regard to the Council's fiduciary duties to residents in respect of utilising public monies should be considered and the recommendations set out in this report should represent an appropriate use of the Council's resources.

17. 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.
18. Legal advice should be sought to ensure the Council meets its obligations throughout all stages of the transaction.

**Equalities and diversity:**

19. 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.
20. 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.

<b>Area assessed:</b>	<b>Direct Implications:</b>
Corporate Parenting/ Looked After Children	None arising from this report other than highlighting the retained use of the asset for a special education needs provision.
Safeguarding responsibilities for vulnerable children and adults	None arising from this report other than highlighting the retained use of the asset for a special education needs provision which will be subject to Ofsted and Care Quality Commission controls.
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.  Future refurbishment or development if pursued falls within Mole Valley DC planning and Net Zero Carbon policy frameworks otherwise supported by the Council
Public Health	None arising from this report.

**What Happens Next:**

21. 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.

**Contact Officer:**

Name, Rob McDonald, Acquisition and Disposal Manager

**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  
Property Panel  
Finance Team, SCC (Louise Lawson, Rachel Wigley)  
Property Legal Team, SCC (Kara Burnett)

**Appendices:**

Appendix 1 – Plan

**Sources/background papers:** n/a

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