

## **Annex 1**

### **Cabinet Member Decisions**

#### **CABINET MEMBER FOR PROPERTY, WASTE AND INFRASTRUCTURE DECISIONS – 26 NOVEMBER 2024**

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

###### **(i) Resolved:**

The Cabinet Member agreed 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.

###### **(ii) Reasons for decision**

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.

##### **2. APPROPRIATION OF SCC LAND TO ADOPTED HIGHWAY, LAND ALONG MARLBOROUGH HILL, DORKING AT DENE STREET LEARNING CENTRE**

###### **(i) Resolved:**

The Cabinet Member agreed 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.

###### **(ii) Reasons for decision**

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.

##### **3. LAND AND CLUBHOUSE AT MERSTHAM FC, WELDON WAY, MERSTHAM**

**(i) Resolved:**

The Cabinet Member:

1. Formally declared the asset surplus to operational requirements in consultation with the Leader and Deputy Leader.
2. Approved the proposed transfer of Surrey County Council's (the Council) legal interest in the asset to Reigate and Banstead Borough Council (RBBC) on the terms outlined in the part 2 report.
3. Delegated 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.

**(ii) Reasons for decision**

- 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.

**4. DISPOSAL OF LAND AT 110A VICARAGE ROAD, SUNBURY****(i) Resolved:**

The Cabinet Member:

Declared the parcel of land known as 110a Vicarage Road, Sunbury surplus to operational requirements in conjunction with the Leader and Deputy Leader.

Approved the sale of the parcel of land to the party and on the terms and conditions noted in the part 2 report.

Delegated 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.

**(ii) Reasons for decision**

- 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.

## **5. DISPOSAL OF 28 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ**

### **(i) Resolved:**

The Cabinet Member:

1. Formally declared the asset surplus to operational requirements in consultation with The Leader and Deputy Leader.
2. Approved 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 Halsey Garton Residential Ltd (HGR) which has been agreed by the HGR Board.
3. Approved 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.

### **(ii) Reasons for decision**

- 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.

## **6. DISPOSAL OF 38 TELEGRAPH TRACK, CARSHALTON, SM5 4AZ**

### **(i) Resolved:**

The Cabinet Member:

1. Formally declared the asset surplus to operational requirements in consultation with The Leader and Deputy Leader.
2. Approved 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 Halsey Garton Residential Ltd (HGR) which has been agreed by the HGR Board.
3. Approved 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. Delegated 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.

**(ii) Reasons for decision**

- 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.

**7. DISPOSAL OF 53 WESTFIELD ROAD, CAMBERLEY, GU15 2SA**

**(i) Resolved:**

The Cabinet Member:

1. Formally declared the asset surplus to operational requirements in consultation with The Leader and Deputy Leader.
2. Approved 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 Halsey Garton Residential Ltd (HGR) which has been agreed by the HGR Board.
3. Approved 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. Delegated 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.

**(ii) Reasons for decision**

- 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.

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