

# APPENDIX H

## WAVERLEY BOROUGH COUNCIL

EXECUTIVE – 1 NOVEMBER 2011

---

**Title:**

**PROPERTY MATTERS**

**[Portfolio Holder: Cllr Mike Band]**

**[Wards Affected: All]**

---

**Note pursuant to Section 100B(5) of the Local Government Act 1972**

Annexes to this report contain exempt information by virtue of which the public is likely to be excluded during the items to which the report relates, as specified in Paragraph 3 of the revised Part I of Schedule 12A to the Local Government Act 1972, namely:-

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

---

**Summary and purpose:**

To consider a number of property-related issues in the borough.

---

**How this report relates to the Council's Corporate Priorities:**

The proposals contained within this report will contribute towards a number of the Council's corporate priorities:-

Value for Money:

The sale of the piece of land at Long Road, Farnham will provide value for money as it will give Waverley a capital sum and also remove a potential risk.

The granting of a licence to the Primary Care Trust for use of part of the Village Way Car Park, Cranleigh during the redevelopment of the Health Centre site will include provision for the loss of income during the period of the building works and a charge for the access and use of Waverley land.

**Equality and Diversity Implications:**

There are no equality and diversity implications.

**Environment and Climate Change Implications:**

There are no environment and climate change implications.

### **Resource/Value for Money Implications:**

Resource implications are set out in the (Exempt) Annexes to this report. The Council may receive a small capital sum for the sale of land in Farnham and income from the granting of a licence to enable building works for the redevelopment of the Health Centre site adjacent to Village Way Car Park, Cranleigh.

### **Legal Implications:**

Applicants will be responsible for paying the Council's legal costs, which may be included as part of any capital sum received in the event of a sale of an asset.

---

### **Background**

1. Authorisation is sought for the property-related issues detailed individually below.

### **Sale of Land – Cornerways, The Long Road, Farnham**

2. This strip of land (and a similar strip of the adjoining property), as shown at Annexe 1 was transferred by the then owners of the property to Farnham UDC (then the highways authority) on 13 July 1969 for highways purposes. They received no payment from Farnham UDC. The plan to the conveyance shows that the 16 feet was for road widening of the Long Road and the building line was to be 10 feet back from that.
3. The owners of Cornerways are anxious to proceed with the sale of their property and need to regularise the legal ownership of this strip of land before they can proceed.
4. The road widening scheme has never been carried out and Surrey County Council have confirmed that there are no plans for such a scheme and indeed the owners of the adjoining property bought back the strip adjoining their property (also bounded by the same wall) for £2,300 from Surrey County Council in 2004.
5. On local government reorganisation (1 April 1974) title to land held for highways purposes was vested in the county. The adjoining strip of land was registered at the Land Registry in the name of the county, but the strip adjoining Cornerways was registered in the name of Waverley Borough Council and therefore is owned by Waverley.
6. The small strip of land has no development potential for the Council and it is therefore proposed that the land be sold to the owners of Cornerways. The proposed terms and conditions of the sale are set out in (Exempt) Annexe 2 attached.

## **Licence for Village Way Car Park, Cranleigh – Health Centre site redevelopment**

7. The plan at Annexe 3 shows the development site hatched and Village Way Car Park shown outlined.
8. The developer has requested the use of some car parking spaces in Village Way Car Park during the redevelopment of the adjoining Health Centre site. The number of spaces will vary throughout the construction period, depending on the need of the construction team, and this can be achieved through moveable hoardings.
9. The work does seem to be well planned and for much of the time retained within the grounds of the site. The Car Park Manager does not have any major concerns with the proposals: although there is use of a crane during one phase, this would be within a hoarded area of the site.
10. Waverley has an agreement with CWS Limited (Co-operative) to ensure that there are 185 spaces on the car park at all times available for the general public to use. The number of spaces that will be required during the majority of the works is 19 (this takes account and includes the area of the bring site). However, during one phase, the maximum number of spaces will be 31. The total number of bays at Village Way is 321, with 113 spaces being used on Thursdays for the market. The remaining bays (including disabled bays) of 209 more than meet the covenant requirement of 185. However, Waverley would need to ensure that the different working areas required by the developer do not overlap and that parking spaces are returned to use as soon as they are no longer required.
11. In order to manage the traffic levels on market days, the licence will contain a clause that major construction traffic to the development site should not use Village Way between 8 am and 12 noon on Thursdays. The developer has indicated that he is happy to abide by this.
12. The Car Park Manager recommends that the use of the car park is divided into two licences: one for the works, which will largely relate to the left side of the car park, and one for the drainage, which will relate to the car park entrance. This second licence is more problematic than the first. The Health Centre will have a statutory right to connect across the car park entrance but has agreed to modify the route so as not to block the car park entrance. However, given the close proximity of these works to the entrance, there will need to be close liaison between the developer and the Car Park Manager to manage traffic flows.
13. Proposed terms and conditions for the licence are set out in (Exempt) Annexe 4.

## **Recommendation**

It is recommended that

1. Land in the ownership of the Council at Cornerways, The Long Road Farnham on the plan at Annexe 1 be sold to the owners of Cornerways;
2. In respect of Village Way Car Park that approval be given to
  - i) a licence to cover use of the car park for the duration of the building works;
  - ii) a licence for the works that will involve Waverley's land in connection with the laying of the Health Centre's surface water sewer; and
  - iii) an easement for the sewer once it is laid, be issued.

Items i) and ii) will be with the developer and iii) with the PCT. They are to be subject to the proposed terms and conditions for the licences set out in the (Exempt) Annexe, other terms and conditions to be negotiated by the Estates and Valuation Manager.

---

### Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

---

### **CONTACT OFFICER:**

**Name:** Ailsa Woodruff      **Telephone:** 01483 523459  
**E-mail:** ailsa.woodruff@waverley.gov.uk

Committees\executive\2011-12\011111\006 property matters