

ANNEXE 8

Summary of Representations

Objections		Comment
1	Castle Street Residents' Association (Max Lyons)	
1.1	Brightwell Gardens was gifted to the local community for their use in the 1920's.	<p>Brightwell Gardens was not gifted to the local community. The Gardens came about following the acquisition by Farnham UDC of Brightwell House in 1920. The Council then appropriated the gardens of that house for public use as a pleasure garden, tennis courts and bowling club.</p> <p>The Council is entitled to appropriate the Gardens for another purpose subject to the requirements of Section 122 of the Local Government Act 1972. The development for which the appropriation is required will provide an enhanced open space at Brightwell Gardens for public enjoyment.</p>
2	David Wylde	
2.1	The land was left to the public in 1922 for recreation purposes including tennis and bowling.	See 1.1 above.
2.2	The eventual space will be privatised and there will be no guaranteed rights of assembly.	<p>It is correct that the East Street open space land will be included in the lease to Crest Nicholson and Sainsbury (CNS). However, the requirements of the planning permission, the S106 agreement and the Development Agreement with CNS will mean that the public use of this land will be maintained, and the Council, as freeholder, will retain tight controls to ensure this.</p> <p>Providing land for the public to use for recreation means that peaceful and proportionate assembly is consistent with that use. The controls to make this land available for public use will mean that reasonable rights of assembly will be maintained.</p>

	Objections	Comment
3	Martin Angel, Farnham	
3.1	<p>Details of the plans are poor and why has the appropriation been advertised at this time of the year with limited time for consultation?</p>	<p>Counsel has confirmed that the plans satisfactorily meet the statutory requirements for advertisement.</p> <p>The advertised plans for East Street show (hatched) those areas of only open space that are to be appropriated. The coloured areas were intended to be illustrative indicating:-</p> <p>(a) those areas of public realm that will remain (green);</p> <p>(b) those areas of public realm that will be built upon (yellow);</p> <p>(c) those built areas that will become public realm (blue).</p> <p>These areas are superimposed upon a plan of the existing layout. The time of advertising was determined as the earliest opportunity for publishing after the decision of the Executive to do so in order to give the public as much time as possible to comment both before and after the Christmas break.</p>
3.2	<p>It is not for Waverley to give away land (grant a lease for 150 years) that belongs in part to the people of Farnham.</p>	<p>See 1.1 above. Waverley, as the successor body to Farnham UDC, is the legal owner of Brightwell Gardens.</p>
3.3	<p>What safeguards will there be for the people of Farnham?</p>	<p>This is a very important point. The requirements of the planning permission and the Development Agreement with CNS will mean that the public use of this land will be maintained, and Waverley as freeholder will retain controls.</p>
4	Christopher Reeks	
4.1	<p>The loss of public open space will be one more nail in the coffin of the quality of life in Farnham. We have lost the bowling club, public conveniences, the removal of benches and now the gardens. It is time to start again.</p>	<p>The development will result in an increased amount of open space being available at Brightwell Gardens – up from 0.25ha to 0.32ha, as well as the new, improved tennis facility, better public access to Borelli Walk and access to informal open space at Riverside.</p>

Objections		Comment
5	Richard Sandars	
5.1	The people of Farnham will lose green space for the town and the East Street area.	The development seeks to maintain and enhance existing areas of land available for use by the public, together with the provision of new landscaped areas. See 4.1 above for details.
5.2	The leasing of the area to CNS will limit the freedom of the general public who will need to obtain permission for the exercise of the normal rights of assembly. Private management will also have a stultifying effect.	See 2.1 above.
6	Celia Sandars	
6.1	Brightwell Garden was given to the public in the 1920's for public leisure and recreation.	See 1.1 above.
6.2	I believe there is an obligation in planning law to replace sports and recreation land?	There is no requirement in planning law to replace open space or recreation space. However, the Council's Local Plan sets out policies relating to open space, and the East Street planning application was assessed against these. The development results in an increase in the amount of open space at Brightwell Gardens, the tennis courts are being replaced at Riverside and public access to Borelli Walk is being improved.
6.3	The Brightwells site will be handed to a private developer who will control the rights to assembly, freedom of speech and movement on the site.	See 2.1 above.
7	Iain Lynch, Town Clerk on behalf of Farnham Town Council	
7.1	The plans were released just before Christmas leaving the public very little time to inspect and comment. No copy of the notice plans or accompanying documentation was made available to Farnham Town	The procedure for advertising the appropriation requires two weekly consecutive notices with a reasonable period for response. Two working weeks were allocated and Counsel has advised that the period allowed for objection is reasonable. This was subsequently

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	Council. The adequacy of the plans and supporting information provided for public inspection is also criticised	extended by a further three weeks. The plans and accompanying documents were made available in the Farnham Locality office as the notices made clear. Counsel has confirmed that he considers the plans made available for inspection satisfactorily enable the public to identify the open space that is to be appropriated and disposed of by way of lease and therefore meet the requirements of the legislation.
7.2	To ensure that rights to open space south of the River Wey and along Borelli Walk are maintained.	The land south of the River Wey, i.e. Borelli Walk, is being appropriated to allow the construction of the temporary bridge across the River Wey. Public access to Borelli Walk will be maintained during the development subject to the diversion of the public footpath. The Public Footpath Diversion Order has been made and approved.
7.3	Waverley's intent to appropriate land which was acquired for pleasure purposes does not meet the criteria in that the land in question must be no longer required for the purpose for which it was held immediately prior to appropriation. It is clear that the purpose of the land is as valid today as when it was acquired and it cannot be claimed that it is no longer required for the purpose it is held. Also the Disposal of Land notice was incorrect as text refers to Section 123 of the Town & Country Planning Act rather than Local Government Act.	The Council believes that the land in question may be appropriated because a) there is sufficient alternative public open space available in close proximity to the site for the public to use during the construction period when Brightwell Gardens is out of use, and b) the development will result in an increase in the open space provision. It is agreed that there was this mistake in the text. However, Counsel has advised that this is not material and with the correct reference in the heading to the notice and all the statutory requirements for publication having been satisfied no-one could have been prejudiced by this 'technical' error.
7.4	The resultant open space proposed upon completion of the development is of concern as some of the new areas of open space are movement corridors within the development and therefore inadequate substitutes.	See 4.1 above.
7.5	Actual rights of public access are to be replaced by a permissive	See 2.1 above.

Objections		Comment
	right under the control of a private developer.	
7.6	It is essential that public open space and the riverside walk is maintained and of concern that the leased land extends to the riverbank and across public rights of way with no indication of the effect on these routes.	The paths and green areas to the north side of the River Wey are to be refurbished and re-landscaped as part of the development. Hence its inclusion in the appropriation zone. The temporary construction route from the A31 spans the area of Borelli Walk to the south side of the Wey. The path along the walk will be maintained during construction works. Both sides of the River Wey will be restored to green open space for public access upon completion of the project.
8	David Beaman, Farnham Town Councillor (personal capacity)	
8.1	The publication and period of time for the objections was published as 9 December until 9 January at variance to the dates in the Executive agenda of 29 November indicating 23 December until 20 January. WBC should extend to the period of time available for objections to be submitted.	The procedure for advertising the appropriation requires two weekly consecutive notices with a reasonable period for response. This was subsequently extended by a further three weeks until 31 January. Counsel has confirmed that this was reasonable and met the statutory requirements.
8.2	Waverley's intent to appropriate land which was acquired for pleasure purposes does not meet the criteria in that the land in question must be no longer required for the purpose. It is clear that the purpose of the land is as valid today as when it was acquired.	See 7.3 above.
9	David and Anne Cooper	
9.1	Brightwell Estate was purchased by Farnham UDC for public use; the current proposal for this area reduces the amount of open space at Brightwell Gardens.	See 1.1 above. The amount of open space at Brightwell Gardens will increase from 0.25ha to 0.32ha.
9.2	It is a concern that the public tennis court will be lost and that Brightwell tennis club has an uncertain future.	Brightwell tennis club will be relocated to a new and enhanced facility at Riverside with an additional court.

Objections		Comment
9.3	The public will lose rights of assembly on open space to protest peacefully, hold static demonstrations, to leaflet and make charity collections. The open spaces will be privatised and managed by a private company. The wishes of the residential and retail tenants will supersede those of the public.	See 2.1 above.
10	Mike Hyman, Farnham	
10.1	The Gardens at Brightwell were acquired by Farnham UDC in 1920 and set aside as a public garden. This appropriation will mean a significant area of Brightwell Gardens will be lost.	See 1.1 above.
11	Mike Langdon	
11.1	The Gardens at Brightwell were acquired by Farnham UDC specifically for use as a public garden and pleasure ground and should remain so.	See 1.1 above
12	Jane Georghiou	
12.1	The Gardens at Brightwell were acquired by Farnham UDC in 1920 and set aside as a public garden. Areas of the Gardens will be lost.	See 1.1 above.
13	R Hutton	
13.1	Brightwell Garden is a public garden and must remain open for public use.	See 1.1 above.
14	Mrs Jacqueline Crammond	
14.1	Brightwell Garden was acquired to be used as a public garden and pleasure ground. This proposal	See 1.1 and 2.1 above.

Objections		Comment
	will deprive the Farnham public of its use without permission from the leaseholder.	
15	David Urbani	
15.1	Brightwell Gardens is land set aside as a public garden and pleasure ground by the people of Farnham and is an essential part of the character of the town. The erosion of this open space is unacceptable.	See 1.1 above
16	Bob Milton	
16.1	The notice for appropriation refers to open space which is legally incorrect as the lands are public open space under the Open Spaces Act 1906 (S 9/10) and the Public Health Act 1875 (S 164).	The legislation refers to open space, not public open space. The definition for open space for appropriation under Section 122 and intent to dispose under Section 123 is very wide and includes other open space areas and not just areas such as Brightwell Gardens which is required as public open space. So the reference to open space rather than public open space is legally correct.
16.2	It is implicit in the Act (S 122(1) LGA 1972) to show that not only is the land no longer required for public recreation and open space but also that the land is no longer required in the Borough. An Access Impact Assessment is required to provide mitigation.	The consideration of the Planning application included an assessment of the open space provided. A separate access impact assessment to provide mitigation for loss of public open space is not required under the appropriation and disposal provisions of Sections 122 and 123 of the Local Government Act.
16.3	WBC does not have a policy that states that Farnham has an excess of public spaces that are no longer needed and can be disposed of without equivalent replacement. The implication of S122 is that if the land is no longer needed for the purpose for which it is held, there has to be a policy which supports the complete loss of existing public open space without replacement.	Waverley has conducted an assessment of the open space provision, under Planning Policy Guidance 17. This assessment concluded that of open space there is no shortfall in parks and gardens identified in Farnham. Overall open space will be increased (see response 4.1). In addition, Gostrey Meadow is within 15 minutes walking distance from most residential areas of the town centre, and both Farnham Park and Victoria Gardens are also available.

Objections		Comment
16.4	This land is being leased for private benefit with no public rights of access as originally stated in the 1910 minutes of the Farnham UDC Brightwell Cttee minutes.	See 2.1 above. Public access to the open space will be maintained and safeguarded by the Council as freeholder.
16.5	It is the Council's responsibility to show that the land required to facilitate the East Street Project has a value which is commensurate with the commercial and open market price for the development.	The development agreement requires for a Minimum Land Value to be received by Waverley. This satisfies the legal requirement for 'best consideration'.
17	Christopher Moorey	
17.1	The land concerned was acquired with forethought by the Farnham UDC in the 1920's for the benefit of Farnham ratepayers. It is not for Waverley to allow this land to be built on without due consideration. Waverley has already brought about the demise of the Farnham Bowls Club and the public tennis courts.	See 1.1 above.
18	Anne Moorey	
18.1	The land concerned was acquired with forethought by the Farnham UDC in the 1920's for the benefit of Farnham ratepayers. It is not for Waverley to allow this land to be built on.	See 1.1 above.
20	Gillian Bushell	
20	I object to the intent to appropriate and lease land currently used as a wonderful public open space. I ask you not to change its use – not even part of it.	The development will increase the amount of open space at Brightwell Gardens and improve its landscaping and amenity quality.
21	Noel Moss	
21.1	The process was floated over the Christmas and New Year period with very little time to respond and	See 3.1 above

Objections		Comment
	consider in detail.	
21.2	Most of the land belongs to the town. There is no justification for stealing it and handing it to a commercial organisation on a very long lease.	See 1.1 and 2.1 above.
21.3	The proposal shows not only one bank of the River Wey being leased out but also an area on the opposite bank being appropriated. As WBC own Borelli Walk, there is no justification for this.	This is to facilitate the construction of a temporary road access to the site for construction traffic. This will be replaced by a permanent pedestrian bridge across the River Wey joining Borelli Walk to the new open space. The south bank of the River Wey will not be subsequently leased to Crest Nicholson.
22	Amanda Sergison-Main	
22.1	Brightwell Gardens was set aside as a public garden and pleasure ground and should not be lost or reduced in size for the people and children of historic Farnham. With poor air quality, having green space is very important.	See 1.1 above. The issues of air quality were considered as part of the planning assessment process.
23	Andrew Jones	
23.1	Brightwell Gardens belong to the people of Farnham and should not be lost as public open space. They are not simply ownerless chattels that the Council can treat as it wishes.	See 1.1 above.
24	Ann Thurston	
24.1	When Brightwell House was purchased by Farnham UDC in 1920, it was for public use as public pleasure grounds, gardens, tennis courts and bowling green. Now the public open space along the SW and NE boundaries of the Gardens will be lost as will the area designated as an entrance to the private underground car park.	Although there is a limited section of the current layout of Brightwell Gardens that will be developed, the new Gardens will include the former bowling club land and newly landscaped areas stretching down to the River Wey, increasing the open space from 0.25ha to 0.32ha.

Objections		Comment
24.2	The land is still required for the purposes for which it was originally intended. The preservation of Brightwell Gardens is vitally important for the wellbeing of the town and wider locality.	See 4.1 above.
24.3	Objection to the leasing to a developer of the Gardens and the public open space along and across the river. There is no guarantee of access to this land.	See 2.1 and 20.3 above.
25	G Wills	
25.1	I am dismayed by parts of Brightwell Gardens being put under concrete.	A limited part of Brightwell Gardens is being acquired for built development but it is proposed that the rest of Brightwell Gardens and an additional area which was the disused Bowling Club land will come into the public realm, as part of the scheme.
26	Jerry Hyman	
26.1	Appropriation under S122 cannot be for unlawful purposes, it must be required for the purpose of a particular development and the land must no longer be required for its existing purposes. In regulatory terms, being an uncompleted EIA development, no lawfully implementable (planning) consent exists. Furthermore, the main development consent expired when the developer failed to meet a deadline within a crucial planning pre-condition.	It is accepted that an appropriation must be for a lawful purpose. However, it is not correct to say the planning consent is unlawful and / or that it has expired. This is a misunderstanding and misinterpretation of the planning process.
26.2	Disposal under S123 is unlawful unless the Council can demonstrate that the best reasonable consideration is to be obtained. It appears unlikely that a reasonable consideration is to	The land at Riverside will remain in the freehold ownership of Waverley Borough Council. The area to be developed for the new tennis facilities will be leased to the tennis club on terms to be agreed.

Objections		Comment
	be received because the value of the Riverside land appears to be gifted to Crest. The Council has refused to make public financial information to enable scrutiny.	
26.3	The Council appears to have no policy demonstrating that the Public Open Space is not required. Indeed the Council's Thames Basin Heaths mitigation strategy depends upon the opposite – an increase in the Council's provision of public open space.	The Council's Local Plan set out policies relating to Open Space, which were used to assess the East Street application. It is an error to confuse open space with SANG, which is used in mitigation for potential harm to protected wildlife areas caused by development. Farnham Park provides SANG in this area.
26.4	The areas identified for disposal and / or appropriation in the drawings do not accord with the areas of proposed development	As the report shows, there is to be appropriation and disposal of open space land and also an appropriation of the remaining land in the development. It is only the open space land appropriation and disposal that requires public notice consultation. That explains the difference between the plans relating to the open space land that the objector has seen as part of the consultation and the total land to be appropriated.
26.5	The Council has previously assured Farnham that some of the areas now identified for appropriation would be retained as public open space at Borelli Walk, Riverside and by the Leisure Centre.	Once the development is completed, Borelli Walk will be available for open space use, although part of it needs to be appropriated for planning purposes to enable the construction of the temporary bridge. At Riverside, the footpath / cycleway across the site will remain open during the majority of the work. Health and safety provision may require a permission to close the path temporarily during the laying of HT electricity cables. The area by the Leisure Centre is not to be part of the appropriation.
26.6	The extant definitive WBC TBHSPA Avoidance Strategy states the need for more public open space in Farnham; therefore it would appear that the proposed appropriation is unjustifiable in policy terms and contrary to S122 of the TCPA 90.	The Avoidance Strategy provides for suitable alternative natural green space (SANG) to avoid further recreational pressure on the SPA generated by new development. SANG is not the same thing as public open space: indeed none of the open space in Farnham, except for Farnham

Objections		Comment
		Park, is SANG.
26.7	The drawings provided identify some areas as new public realm despite the proposed use as roadways, refuse collection areas and other space which will be accessible only by permission. The development proposes no new gain of compensatory public open space. Crest's East Street development contains no open space.	This is incorrect. The development will result in a net increase in public open space at Brightwell Gardens.
26.8	The public consultation period has been hampered by both accidental and deliberate non-availability of information necessary to confirm the lawfulness of the Council's proposals. The public consultation period was started in advance of the Council's approval to do so and spanned the Christmas period when the Council Offices were closed. The consultation was not featured on the Council's website.	See 8.1 above.
26.9	The four drawings provided were not correct in scale.	The plans are intended for identification purposes and were not required or intended to be scaled drawings.
26.10	The boundaries of the land identified for appropriation and disposal are incorrect because the drawings are based on superseded development plans.	The areas identified for appropriation and subsequent leasing are based on the development area identified in the Planning Permission and the freehold boundaries of WBC land.
26.11	The development requires that the Council grants Crest Nicholson rights over approximately 6 acres of public land at Brightwells, 6 acres of public open space at Riverside, approximately half an acre at Borelli Memorial Park and 85 ha of public open space at Farnham Park (for mitigation purposes). However, the Council	<p>The Council has not granted Crest Nicholson any rights over Farnham Park, and none of the land in question is to be "gifted" to the developer.</p> <p>There has been no attempt to withhold information other than that information that is commercially confidential.</p>

Objections		Comment
	is withholding the financial data necessary to ascertain whether the proposed financial agreement and Minimum Land Value are reasonable and to what extent the use of the land is to be gifted to Crest.	
26.12	The issue is Formal Open Space. Other than public footpaths, the right of public access to the scheme's claimed 'new open spaces' would be permissive only (permission by lease).	See 2.1 above.
26.13	Objection to the appropriation of the riverbank mound on the old Council yard site. Because the proposal is for it to remain open space, it might infringe upon the rights of some Home Park residents to step outside their French doors.	There will be no encroachment on Home Park residents. Their current situation will remain unchanged: Waverley's ownership and the open space boundary of the land extend up to the wall of Home Park Close.
26.14	Objection to the appropriation of land at Borelli Walk, because its proposed use for development is not only temporary but is also an impractical but longstanding error which, when corrected, will not need appropriation.	This piece of land needs to be appropriated in order to allow for the construction of a new public footbridge to Borelli Walk, which will enhance public use and enjoyment of this open space.
26.15	The Council is refusing to allow scrutiny of 'exempt' financial documents which are expected to confirm that, after allowing for considerable expenses already incurred, the minimum land value which the Council claim they will receive will not reflect the true value of town centre building and such that the requirement that reasonable compensation will not be met and the Secretary of State's consent will be required.	Recent viability assessments have shown that market conditions are improving. The Council is confident that the development will meet the viability tests involved in the granting of a CPO order, and that the minimum land value will be achieved.
26.16	The public cannot compare the	All the approved plans are available for

Objections		Comment
	appropriation and leased drawings with the planning application drawings that WBC claim to have approved as the Decision Notice for the main scheme (WA/2008/0279) fails to identify the approved drawings.	inspection in the Planning Register. The drawings accurately reflect the extant consent.
26.17	The development to which the Council proposals for appropriation and disposal apply depends upon achieving satisfactory Orders and Consents which cannot reasonably be presumed upon. The available evidence indicates that the required CPO, financial compensation, Road and Traffic Orders and Planning Consents cannot reasonably be considered to be possible within the applicable legal and practical constraints.	This point is not accepted. The Council is confident that an application for compulsory purchase of the land not currently within its ownership will be successful.
26.18	The appropriation plan indicates 1.87 ha of space which includes 0.2 ha of Borelli Walk on the south side of the river. There is no need to appropriate this (Borelli) land.	The area of Borelli Walk still needs appropriation for the duration of the construction works.
26.19	The drawing depicts loss and gain of public realm and misleads the public into assuming that a small amount of public open space will be lost and a small amount gained. The Council seeks to extinguish public rights over the entire hatched area and there would be no gain of public open space whatsoever. The Council's decision to combine the land to be appropriated with a totally irrelevant depiction of public realm appears to be a totally inappropriate attempt to skew the public consultation.	See 3.1 above for details of the areas of open space retained, gained and lost under the proposals. These are an accurate depiction of the proposed land uses, designed to assist public understanding.
26.20	The development boundary at Riverside and the area shown on the appropriation drawing does	The appropriation is required to cover that area as it will be part of the construction programme.

Objections		Comment
	not accord with the site area of the development consent.	
26.21	WBC's policy is that public open space is required to mitigate against residential development in Farnham with the logical implication that the removal of public open space should be reflected in an appropriate reduction of the amount of housing development in the town.	The amount of housing development that takes place within Farnham is guided by the Council's planning policies. The draft Local Development Framework will shortly be put out to public consultation. However, the respondent again confuses open space and SANG (which is required for mitigation).
26.22	Paragraph 20:8 of the September 2011 WBC Car Parking Review states that the Riverside 2 car park already provides sufficient capacity for the East Street scheme so the 200 space extension that is subject to the Appropriation Notice is not required. The appropriation is unjustified.	The provision of parking at Riverside is a needed to compensate for loss of parking at Dogflud during the construction stage of the East Street development.
27	David Georghiou	
27.1	The Farnham UDC acquired this land in 1920 for use as a 'public garden and pleasure ground' and therefore should not be appropriated by Waverley Borough Council for the East Street development but remain in use for its original purpose for the people in Farnham.	See 1.1 above.
28	Michael Thurston	
28.1	WBC refused to make available documents and data necessary for the public to make full scrutiny of the details.	This point is not accepted. The land to be appropriated has been advertised publicly, and all the planning information is in the public domain.
28.2	The purchase of Brightwell House in 1920 by Farnham UDC was clearly for public pleasure grounds, gardens, tennis courts and a bowling green.	See 1.1 above.

Objections		Comment
28.3	WBC has made no case to show that the public open space is no longer required.	See 7.3 above.
28.4	In the plans, gains of public realm are inflated and losses diminished.	The plans available to the public show by coloured legend: (i) open space that will remain open space; (ii) the open space that will be developed; and (iii) the areas currently developed that will become open space.
28.5	A strip of land up to 10 metres wide will be lost along the SW boundary of the gardens and areas of loss along the NE boundary. No account is taken of sitting out areas for cafés and restaurants, the patios of ground floor flats and the proposed service road.	See 23.1 above. The layout of the development site was determined by the Planning Consent. Open space, as defined in the Section 106 Agreement, includes both soft and hard landscaping.
28.6	The whole of the area will be leased to Crest Nicholson for 150 years. There would consequently be no public open space only permissive access.	See 2.1 above.
29	The Farnham Society	
29.1	The time chosen and allowed for public consultation on this complex issue is inappropriate and inadequate.	The procedure for advertising the appropriation requires two weekly consecutive notices with a reasonable period for response. Two working weeks were allocated and Counsel has advised that the period allowed for objection is reasonable. This was subsequently extended by a further three weeks.
29.2	Specifically the Society wishes to agree and strongly support the objections put forward by the Town Clerk on behalf of Farnham Town Council.	See responses to the points made by Farnham's Town Clerk in 7 above.

Objections		Comment
30	The Open Spaces Society	
30.1	Objection to the changing of public open space to private open space where the public rights will only be permissive. Even though the land will be managed according to specifications drawn up by the Council, it will be leased to a private company who may have other priorities.	See 2.1 above.
30.2	Objection that a private tennis club is to occupy some of the Riverside open space.	This land at Riverside currently has limited public access. The development will provide both tennis courts and landscaped open space. The tennis club currently occupies land at East Street. The actual operating terms of the tennis club is a matter for the club itself.
31	Stephen Cochrane	
31.1	Brightwell Gardens will be lost, and part of it will be built on. There will be a loss of public space.	See 4.1 above
31.2	The appropriated land was largely gifted to the town's people. These grounds are Public Pleasure Grounds designated for public use.	See 1.1 above.
31.3	Granting a 150 year lease is privatisation of land in public ownership, resulting in the loss of some public freedoms.	See 2.1 above.
31.4	The drawings provided are incorrect.	The plans are licensed from the Ordnance Survey and the open space areas identified are within the boundary identified in the planning approval and within the Council's freehold ownership.
31.5	This Appropriation Notice should have been issued months or even years ago rather than being rushed through.	The Appropriation Notice was issued after WBC Executive approval only after it was satisfied that a positive step could be taken in preparation for a potential CPO.

Objections		Comment
32	CPRE Frensham	
32.1	There appears no document setting out the Council's proposals or justification for the proposed appropriation and leasing of public open space.	The notices published in the newspapers and displayed on site set out the legal basis for the proposed appropriation and leasing under Sections 122 and 123 of the 1972 Local Government Act.
32.2	It has long been held as an important principle that property and land bought by the people of Farnham should be managed locally for the benefit of the community of Farnham. It would be more appropriate for the Council to transfer open space on the sites for appropriation and leasing to Farnham Town Council.	The respondent's view is noted; however, it is Waverley's policy to regenerate the East Street area, bringing improvements to the town through a new cinema, shops and restaurants, and new market and social housing.