

Strong Leader Decision

Title:

Merstham Library Site – Pre-Emption Option

Background:

Summary of the Report considered by the Leader of the Council

This report seeks to secure a decision not to utilise the pre-emption option of a historic conveyance to purchase the former Merstham Library site.

The recommendation of this report will allow the sale of the site by Surrey County to Raven Housing Trust, which will allow Raven Housing Trust to develop the site for affordable housing.

A conveyance regarding the site was made in 1961, between The County Council of the Administrative County of Surrey, and The London County Council. The statutory successors to these bodies, with regard to this case, are Surrey County Council (SCC) and Reigate and Banstead Borough Council (RBBC) respectively. This conveyance is attached as Annex 1.

This conveyance included a requirement that the site should not be used for any purpose other than a library, without first giving The London County Council (now RBBC for this purpose), the option to pre-emptively purchase the land.

SCC has now ceased to use the site as a library, and a new library has been created nearby, on Portland Drive in Merstham. As such, SCC now intends to sell the site to Raven Housing Trust, to develop into affordable housing. Raven Housing Trust (RHT) is a not-for-profit registered social housing provider, which manages much of the social housing stock previously owned by RBBC.

The housing development is expected to be entirely composed of affordable housing, and is considered to be a good use of the site by the RBBC, which will support RBBC's 5-Year Corporate Plan objectives around affordable housing.

RBBC does not currently have any of its own plans for the development of the site, and does not have an identified feasible proposal whereby the site would be put to better use than the proposed affordable housing.

As such, allowing the site to be acquired by RHT for this purpose is considered to be the best current option to benefit the borough, and there is therefore not considered to be any significant value for RBBC in exercising the right to pre-emption.

This will support the Council's current 5-Year Corporate Plan aim to deliver affordable housing, and the emerging Corporate Plan's objectives to work with partner organisations (including Surrey County Council) and developers (including Raven Housing Trust) to deliver homes that be afforded by local people and local workers.

It is therefore recommended that the pre-emption option be declined.

Consultation:

Surrey County Council and Raven Housing Trust have been consulted regarding their proposed use of the site.

The Council's Housing team has been consulted regarding the proposed and potential use of the site.

Decision(s):

That the pre-emption option to purchase the Merstham Library site (Former Merstham Library, Weldon Way Merstham), as per the Conveyance between The London County Council and The County Council of the Administrative Council of Surrey of 25 October 1961, be declined.

Reason(s) for decision:

The decision supports the Council's Corporate Plan objectives around affordable housing, and does not expose the Council to risks associated with acquiring a site for which it does not have a plan in place to use or develop, and is consistent with the Council's objectives to cooperate with local partner agencies for the benefit of the borough.

Alternative option(s):

To request that work be undertaken to conduct due diligence with the aim of exercising the pre-emption option to purchase the site. This was not the recommended option as it would not have supported the Council's Corporate Plan objectives, would have incurred significant cost to the Council without a plan to generate associated benefit to the borough, and would have hindered future cooperation with SCC and RHT.

Statutory Powers:

Under section 1 of the Localism Act 2011 local authorities have a general power that enables them to do anything that a private individual is entitled to do, as long as it is not expressly prohibited by other legislation.

The Leader of the Council has responsibility for Executive functions. In practice the Leader has delegated these matters to the Executive to manage. However the framework also recognises that the Leader can, as required, retain these powers as Strong Leader.

Declarations of interest:

Please refer to the [Code of Conduct](#) for guidance on interests.

Authorised by Councillor M.A. Brunt, Leader of the Council

Signature.....Date.....