

# Executive

## Schedule of decisions

18 May 2017

Date of Publication: **23 May 2017**

Final date for Call-in under Overview & Scrutiny Procedure Rule 15:  
**31 May 2017**

Contact Officer: Chris Phelan – Democratic Services

Tel: 01737 276114 or e-mail: [chris.phelan@reigate-banstead.gov.uk](mailto:chris.phelan@reigate-banstead.gov.uk)

ITEM	RESPONSIBLE OFFICER
1. <b>MINUTES</b>	-
<b>RESOLVED</b> that the minutes of the meeting held on 20 April 2017 be approved as a correct record and signed.	
2. <b>APOLOGIES FOR ABSENCE</b>	-
<b>Executive Members:</b> Councillors E. Humphreys, Mrs R. Mill and Mrs R. Turner	
<b>Non-Executive Member:</b> Councillors D. Pay and B. Stead.	
3. <b>DECLARATIONS OF INTEREST</b>	-
None.	
4. <b>USE OF COMPULSORY PURCHASE POWERS TO ENABLE DEVELOPMENT OF LAND AT MARKETFIELD WAY, REDHILL</b>	HEAD OF PROPERTY
<b>RESOLVED</b> that:	
(i) a Compulsory Purchase Order be made under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and the Acquisition of Land Act 1981 and other relevant powers to secure the compulsory acquisition of the land shown edged red on the plan at <b>Annex 1</b> of the report presented to the Executive to acquire all outstanding interests in the land [and to acquire and create new rights] which would facilitate and enable viable and deliverable development in connection with the creation of a mixed use development in order to improve the Borough's environmental, economic and social wellbeing;	
(ii) the Head of Property be authorised, in consultation with the Executive Member for Property, to make, if necessary, minor	

or technical amendments to the Compulsory Purchase Order including the alteration and removal of plots if deemed appropriate;

- (iii) the Head of Property be authorised, in consultation with the Executive Member for Property, to modify and settle the draft Statement of Reasons, the Order Map and Order schedule as necessary to finalise before submission to the Secretary of State;
- (iv) the Head of Legal Services be authorised, in consultation with the Head of Property and the Executive Member for Property, to seal the Orders and to take all the ancillary or necessary steps, including the publication and service of all statutory notices and presentation of the Council's case at any Public Inquiry, to secure the confirmation of the Compulsory Purchase Order by the Secretary of State and the vesting of the land in the Council;
- (v) the Head of Property be authorised, in consultation with the Executive Member for Property, to request confirmation of the CPO with or without modifications;
- (vi) the Head of Legal Services be authorised, in consultation with the Head of Property and the Executive Member for Property, to approve agreements with landowners setting out the terms for withdrawal of objections to the CPOs, including where appropriate seeking exclusion of land from the CPO;
- (vii) the Head of Property be authorised, in consultation with the Executive Member for Property, to confirm the order, in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Order and that he is satisfied that it is appropriate to do so;
- (viii) upon acquisition, the land acquired under the Order be held for planning purposes and vested in the Property Department;
- (ix) that compensation for those with a compensatable interest will be paid in accordance with the law on compulsory purchase (or payments as are deemed reasonable in the circumstances) and the provision of property or services in lieu of compensation, in contemplation of the Order being made;
- (x) the Head of Property be authorised, in consultation with the Executive Member for Property, to take any further necessary actions to secure the making, confirmation and implementation of the CPO including:
  - Authorisation to approve any agreements with owners of interests in the CPO land in order to secure the withdrawal of their objection
  - Authorisation to confirm the CPO, should no objections be received, and the Secretary of State confirms that

the Council may do so

- Agreeing to promote any modifications should this be expedient
- Agreeing confirmation of the CPO with modifications if it appears expedient to do so
- If the question of compensation is referred to the Upper Tribunal, to take all necessary steps in relation thereto

(xi) the Head of Property be authorised, in consultation with the Executive Member for Property, to take all necessary steps to implement the above resolutions.

### **Reasons for decision:**

The site at Marketfield Way had been identified as the most suitable site in Redhill town centre for the provision of a mixed use development and planning permission had been secured for a scheme.

The development site was in multiple occupation and ownership, however, and the proposed scheme could be frustrated if it was not possible to acquire all necessary interests in the site.

Both the Council's Corporate Plan and adopted Core Strategy recognise the importance of promoting the Borough as a place to do business and providing commercially attractive premises and business infrastructure to deliver economic benefits for the Borough and its residents, through increased investment and the provision of jobs. In particular, the Core Strategy highlighted that Redhill town centre was a priority location for growth and regeneration.

The use of CPO would mean that land ownership does not act as a barrier for development of a scheme in the economic, environmental and social interests of the Borough.

### **Alternative options:**

To do nothing and to allow market forces to determine whether the development proceeds.

5.

### **MARKETFIELD WAY – APPROPRIATION OF LAND**

HEAD OF  
PROPERTY

**RESOLVED** to appropriate, with immediate effect, land at the site known as Marketfield Way and held by the Borough Council for income purposes and as a Public Car Park to Planning Purposes (mixed use retail, cinema and residential development), under Section 122 of the Local Government Act 1972, in connection with the proposed development and regeneration of Redhill.

### **Reasons for decision:**

Redhill is one of the principal regeneration areas in the Borough and the delivery of the Marketfield Way site is a catalyst for regeneration.

The site subject of this report is in the freehold ownership of Reigate & Banstead Borough Council and is considered to be the most suitable opportunity in the town for the delivery of a mixed use retail and leisure scheme, which would help to meet identified growth needs and contribute

positively to the regeneration of the town.

Appropriation overrides third party interests in land and converts them to a compensatable sum but only if the development carried out is in accordance with the planning permission for which the appropriation or acquisition for planning purposes specifically relates.

**Alternative options:**

Not to appropriate the land.

6. **REVENUES & BENEFITS BUSINESS OPPORTUNITY**

HEAD OF PEOPLE  
AND COMMUNITIES

**Note:** This item was withdrawn by the Chief Executive ahead of the meeting.

7. **STATEMENTS**

Councillor V. Broad, Leader announced that he would be presenting the membership of the Executive for 2017-18 shortly.

As this was the last meeting of the municipal year, he took the opportunity to thank current members who would be leaving the Executive; Councillor Brunt to continue as the Chairman of the Planning Committee; Councillor Mrs Turner to become a Champion of Health, and Councillor Durrant to concentrate on his professional career.

Councillor Broad went on to thank all members of the Executive for their sterling work throughout the year..

8. **ANY OTHER URGENT BUSINESS**

None.

9. **EXEMPT BUSINESS**

**RESOLVED** that members of the Press and public be excluded from the meeting for the following items of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

(i) it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; and

(ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

10. **USE OF COMPULSORY PURCHASE POWERS TO ENABLE DEVELOPMENT OF LAND AT MARKETFIELD WAY, REDHILL**

HEAD OF  
PROPERTY

**RESOLVED** that the exempt information set out in the report be noted.

11. **MARKETFIELD WAY – APPROPRIATION OF LAND**

HEAD OF  
PROPERTY

**RESOLVED** that the exempt information set out in the report be noted.

12. **REVENUES & BENEFITS BUSINESS OPPORTUNITY**

HEAD OF PEOPLE  
AND COMMUNITIES

**Note:** This item was withdrawn by the Chief Executive ahead of the meeting

**Meeting closed at 7.44 pm**

**Distribution (Electronically):**

All Councillors (eMembers Room), Management Team including the Chief Executive, S151 Officer, Monitoring Officer and Head of Customers, Communications & Change.