



**Surrey Heath Borough Council**  
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Cllr Shaun Macdonald  
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Ms A Fard



Mytchett



6<sup>th</sup> March 2025

Open letter by email

Dear Ms Fard,

Thank you for your letter dated 22<sup>nd</sup> February 2025. The points made in your letter are all noted. I welcome the opportunity to inform you and other residents of how the Council processes work and reassure all that no unlawful or erroneous decision has been made.

The Council established an Economic Development Working Group which comprises Officers and Members. The Working Group supported a decision to undertake a marketing exercise to gauge the value of the land if sold. A decision to undertake a marketing exercise is not contrary to the Council's Constitution. The Local Government and the Localism Act provides Local Authorities with wide powers to dispose of land within its ownership, therefore the ability to market sites to ascertain interest is incidental to those wide powers.

In response to your request that consultation take place regarding the possible sale of these sites, the Council will take a view on this, on a site by site basis, after it has received feedback from the marketing exercises. However, I should advise you that there is no statutory requirement to undertake public consultation for the sale of any of the sites mentioned.

There is already information in the public domain from relevant Executive meeting papers, which Working Groups exist, their focus and their memberships. Part 4 Section D, paragraph 29 of the Constitution provides that the wider proceedings of the Working Groups are to remain confidential until they have been authorised. Councillors have already been made aware not to go beyond what has formally been placed in public domain by the Council's Monitoring Officer.

In terms of the Council's governance arrangements for the sale of land, I confirm that decisions regarding the acquisitions or disposals of land or property with a value of more than £25,000 are reserved to the Council's Executive.

Decisions likely to result in expenditure or savings of at least £100,000 or will significantly impact people or organisations in two or more wards within the Borough are classified as

'Key Decisions' which means the decision must be published. It will only be referred to Council if the decision is contrary to the Council's budget and policy framework.

The only decision that has been made so far is to market the sites, no decision to sell has been made, if or when, a decision to sell is made, it will be for the Council's Executive to determine.

The St Barbara car park in Deepcut, is not a Council purchase, currently it is proposed that this will be transferred to the Council, pursuant to a Section 106 Agreement which is part of the Mindenhurst Development, which will be at no cost to the Council. The Council intends to make this larger car park, adjacent to the new play area and almost exactly the same distance away from current amenities, available to the community in a similar way to the existing Woodend Road facility as a replacement when completed.

Taking the last six bullet points in your letter together, the Council is not going to reverse the decision to market the sites. Whether a Public consultation is appropriate will be considered once the interest in the sites has been ascertained. In accordance with the Constitution the Executive will determine whether the sites are sold following the marketing exercise, at times taking a holistic best value perspective on behalf of Surrey Heath residents.

I hope I have now clarified this matter for you, please let me know if I can be of further assistance.

Yours sincerely



**Cllr Shaun Macdonald - Leader of the Council**