

Clerk & Chief Executive

MRS HEATHER KERSWELL, M.A., M.Phil., M.R.T.P.I., F.R.S.A.

Head of Communications and Member Services

MRS ANGELA GRIFFITHS, BA., A.C.I.S.

To all Members of the Council

MEETING OF THE COUNCIL

Your attendance is requested at a Meeting of the Council to be held in the Council Chamber, Pippbrook, Dorking on **TUESDAY, 29th JULY, 2003 at 7.00pm** for the transaction of the business set out in the following Agenda.



Clerk and Chief Executive
21st July 2003

AGENDA

1. MINUTES

To approve as a correct record the Minutes of the meeting of the Council held on 20th May 2003.

2. APOLOGIES FOR ABSENCE

To receive apologies for absence.

3. DECLARATIONS OF INTEREST

4. CHAIRMAN'S ANNOUNCEMENTS

5. STATEMENT BY THE LEADER OF THE COUNCIL

The Leader of the Council has the opportunity to make a statement which will last no longer than five minutes.

6. QUESTIONS TO THE LEADER

Members of the Council may ask questions of the Leader (a maximum of five questions or 10 minutes, whichever is the shorter).

7. NOTICES OF MOTION

Motion 2/2003

The following motion, was proposed by Councillor Stephen Cooksey at the Council meeting on 3rd March 2003 and referred to the Environment Committee for consideration and report:

"This Council:

- 1) Undertake a detailed review of the overall structure and balance of off street car parking facilities and charges in the District with the objective of rationalising these and of achieving an appropriate balance between the requirements of users and the needs of the trading community.
- 2) Included in the review should be consideration of:
 - a) measures to improve the safety, security and general appearance of the Council's public car parking facilities; and
 - b) the re-introduction of a low cost 30 minute charging period."

The Environment Committee considered the motion at its meeting on 24th June and agreed to advise the Council to amend the motion to read:

"This Council:

Following an evaluation of the impact of Decriminalisation of Parking Enforcement in the District as well as changes to parking behaviour and demands that may arise from current and proposed re-developments in Dorking and Leatherhead:

- (i) undertakes a detailed review of the overall structure and balance of off-street parking facilities and charges in the District with the objective of rationalising these and achieving an appropriate balance between the requirements of users and the needs of the trading community.
- (ii) considers:
 - a) Measures to improve the safety, security and general appearance of the Council's car parking facilities, and
 - b) The reintroduction of a low-cost 30-minute charging period.
- (iii) makes provision in the 2004/05 and 2005/06 Revenue Budgets for the resources required to undertake this study."

The Council is asked to decide if it wishes to accept the advice of the Environment Committee.

Under Section 2 (v) of the Scrutiny Committee guidelines and procedure rules the Chairman of the Scrutiny Committee also asked that the motion be included on the agenda of the Scrutiny Committee for its meeting on 15th July. The Scrutiny Committee considered the motion and decided:

"To advise the Council that this Committee wishes to see the issue of car parking looked at in early autumn with potential changes in budget provision implemented in next year's budget cycle."

Motion 5/2003

Abolition of Council Tax

The following motion was proposed by Councillor Stephen Cooksey at the Councillor meeting on 22nd April 2003 and referred to the Resources Committee for consideration and report:

"This Council notes:

1. That Council Tax was introduced as a rushed replacement for the Poll Tax;
2. That current Council Tax bands are based on property values from 1991;
3. That the Council Tax takes no account of a person's circumstances or ability to pay;
4. That the relationship between Council Tax and local Council services is not widely or clearly recognised;
5. That a review of Council Tax bands will take place in the next few years.

This Council supports:

The abolition of the Council Tax and its replacement with a fairer alternative such as a local income tax which would take account of a person's ability to pay.

This Council resolves:

To call on the Office of the Deputy Prime Minister to consider a changed local taxation system.

The Resources Committee considered the motion at its meeting on 17th June 2003 and decided to advise the Council to REJECT the motion.

The Council is asked to decide if it wishes to accept the advice of the Resources Committee.

Motion 8/2003

The following motion was proposed by Councillor Maurice Homewood at the Council meeting on 22nd April 2003 and referred to the Scrutiny Committee for consideration and report:

"This Council wishes to express its concern at the threat to the viability of local pharmacies which could arise if the Government were to accept the recommendations from the Office of Fair Trading to scrap the rules for regulating where NHS prescriptions can be dispensed.

It considers that local pharmacies provide an important service to the communities in which they are situated and urges the Government not to pursue any proposals which could jeopardise their economic future."

The Scrutiny Committee considered the motion at its meeting on 15th July 2003 and decided to advise the Council that it would consider the matter at its meeting in October 2003.

The Council is asked to note that the Scrutiny Committee will be considering the matter at its meeting In October 2003.

Motion 9/2003

The following motion was proposed by Councillor Valerie Homewood at the meeting of the Council on 22nd April 2003 and referred to the Environment Committee for consideration and report:

"This Council **DEPLORES** the inclusion of Gatwick Airport in the consultation process for expanding runway capacity in the South East;

SUPPORTS the legal agreement of 1979 that no further runways at Gatwick shall be built before 2019;

IS CONCERNED that in the case of further runways being constructed there would be a major impact on the whole of Mole Valley in terms of loss of Green Belt land, housing pressures, traffic congestion, pollution, noise and flooding risks, and therefore –

URGES the Chairman of this Council to write at once to Alistair Darling, Secretary of State for Transport, opposing any new runway and requesting that an exhibition be mounted within Mole Valley so that those likely to be affected may be made aware of the issues and properly informed to take part in the consultation process now taking place."

The Environment Committee considered the motion, at its meeting on 24th June and decided to advise the Council to amend the motion to read as follows:

"This Council deplores the inclusion of Gatwick Airport in the consultation process for expanding runway capacity in the South East;
supports the legal agreement of 1979 that no further runways at Gatwick shall be built before 2019;
is concerned that in the case of further runways being constructed there would be a major impact on the whole of Mole Valley in terms of loss of Green Belt land, housing pressures, traffic congestion, pollution, noise and flooding risks;
and therefore supports the decision taken by the Environment Committee on 24th June to oppose any new runway development at Gatwick Airport."

The Council is asked to decide if it wishes to accept the advice of the Environment Committee.

Motion 11/2003

Notice of the following motion has been given by Councillor Neil Maltby:

"This Council deplores the action of Cllr Michael Watson in writing to Sport England, without indicating his association with this Council, asking 'why was such a large grant given to Mole Valley District Council for the sports centre' and 'can you please

justify the level of grant to be given to Mole Valley District Council and why it should not be reduced' and demands an apology from Cllr Watson."

Motion 12/2003

Notice of the following motion has been given by Councillor Tim Hall:

"This Council:

(1) Welcomes the initiative by Chris Grayling MP in promoting a new hospital at Epsom.

(2) Invites the Secretary of State for Health to visit health facilities in East Elmbridge and Mid Surrey and meet Members of the Council."

Motion 13/2003

Notice of the following motion has been given by Councillor Caroline Salmon:

"This Council moves that Mole Valley should appoint an honorary Cryer for the district. The Cryer will be responsible for a coat, hat and bell provided by the Council, or by a yet to be decided sponsor and attend events as directed by the Council across the District."

8. ST MARTINS WALK REDEVELOPMENT

To consider the report set out on pages 7 to 13.

9. RECOMMENDATIONS OF COMMITTEES

To consider the following recommendations of Committees of the Council:

Resources Committee – 17th June 2003

89. Replacement of IT Servers

The Committee considered a report, set out on pages 23 to 25 of the agenda, which sought approval for the acquisition of a new server to replace three existing servers which had reached the end of their useful life.

RECOMMENDED: That an exception from Contract Standing Order 4.2 be made under Contract Standing Order 2.1.1, so that this contract is not required to be awarded under open competitive tender or to a tenderer selected following advertisement for an ad hoc or standing approved list.

RESOLVED: (1) That subject to the approval by Council of the above recommendation, the Head of IT be given delegated authority to select from 4 to 6 tenderers for the replacement server from among suppliers from G-Cat (the pre-tendered Government IT Catalogue) and existing suppliers to the Council.

(2) That the contract be awarded to the tender which is the most economically advantageous to the Council.

(3) That services be acquired from the existing application software suppliers to assist in the migration of the databases to the new equipment by way of extension of

their contract under Contract Standing Order 2.1.6.

95. Possible Development Agreement (Paragraphs 7 & 9)

The Committee agreed that this item should be taken at this stage of the meeting and considered the latest heads of terms and financial implications. Mr Robin Attack, consultant, attended to advise on this item.

The Committee noted the consultant's view that a satisfactory agreement on car park operating policy could be reached. It was further noted that a further report would in any event be brought for Members' consideration when the terms of the development agreement had been firmed up.

RECOMMENDED: (1) That the Heads of Terms be agreed in principle, subject to a satisfactory financial package being achieved.

(2) That consideration be given to the outcome of any further negotiations with Thornfield Properties plc.

(NB: Counted vote on decision of the Committee – 10 for, 0 against. Councillor Hunt declared a prejudicial interest in this item and withdrew from the meeting for the discussion and voting thereon).

10. URGENT ITEMS

To consider any items of business, other than those shown on this agenda and which, by reason of special circumstances to be stated at the meeting, in the opinion of the Chairman, should be considered at the meeting as a matter of urgency.

If you require a copy of this agenda, any of the reports within it or a large print version of the agenda, please telephone Angela Griffiths on 01306 879133 or e-mail: angela.griffiths@mole-valley.gov.uk

8. ST MARTINS WALK REDEVELOPMENT

Purpose of Report

- 1.1 To enable the Council to consider the views of tenants living in Church Gardens and Mill Lane, Dorking following a consultation exercise on the possible demolition and redevelopment scheme at the rear of St Martins Walk

Suggested Action

- 2.1 The Council is requested to consider the tenants' views, as expressed in the appendix to the Community Committee report, before deciding whether to approve the recommendation of the Resources Committee in Minute No 95
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Supporting Information

- 3.1 The Community Committee at its meeting on 10 June received a report from the Head of Housing concerning a consultation exercise carried out by the Council with tenants relating to this proposed development scheme. A copy of the report is appended.
- 3.2 Section 105 of the Housing Act 1985 requires a local housing authority to inform its secure tenants of any housing management proposals which are likely to substantially affect them to enable tenants to make their views known. The demolition of dwellings let by the Council under secure tenancies is such a housing management proposal. The proposed scheme to extend the shopping centre at St Martins Walk Dorking will involve the demolition of 24 flats in Church Gardens and 1 house in Mill Lane. The tenants have been consulted and their views are expressed in the appendix to the Community Committee report.
- 3.3 The Community Committee noted the tenants' views and agreed that these views be taken into account at the Council meeting when draft heads of terms for the proposed scheme are next considered. The Resources Committee at its meeting on 17 June recommended that the heads of terms be agreed in principle, subject to a satisfactory financial package being achieved, and that recommendation is due to be considered by the Council later in the agenda.
- 3.4 Under the legislation referred to above, the Council is required, before making any decision on the proposed demolition of the dwellings concerned, to consider the representations made to it by the tenants affected. Because demolition of the Church Gardens flats and the Council house in Mill Lane is an integral part of the redevelopment scheme, the Council is requested to consider the tenants' views, as expressed in the appendix to the Community Committee report, before deciding whether to approve the recommendation of the Resources Committee referred to in section 3.3 of this report.

Financial, Sustainable Development, Crime and Disorder and Equality Implications

- 4.1 See Community Committee report

Time Constraints

5.1 See Community Committee report

Background Papers: None other than those which disclose exempt information
Robert Burn – 01306 878124

14. ST MARTINS WALK REDEVELOPMENT

Purpose of Report

- 1.1 To consider the views of Council tenants living in Church Gardens and Mill Lane in Dorking who have been consulted on the possible demolition and redevelopment scheme proposed by developers.

Suggested Action

- 2.1 (i) That the Committee notes the tenants' views on the possible demolition and redevelopment scheme.
- (ii) That the views of the tenants be taken into account at the Council meeting when draft heads of terms for the proposed scheme are next considered.

Supporting Information

- 3.1 The Council is considering proposals from Thornfield Developments to extend the shopping centre at St Martins Walk, Dorking. The scheme will involve the demolition of Council owned properties at Church Gardens, Dorking and one house in Mill Lane. There are 24 flats at Church Gardens, one of which has been sold on a leasehold basis.
- 3.2 Under housing legislation the Council is obliged to consult tenants and take their views into account when considering matters such as development schemes. Following the Council's decision on 10th December 2002 to enter into negotiations with the developer, the housing department has carried out a formal tenant consultation exercise.
- 3.3 The consultation took the form of personal visits by officers from the housing management and housing needs sections. Tenants were invited to have a friend or family member present if they wished. The visits were carried out during March 2003.
- 3.4 Following the visits the tenants were written to individually and given a further opportunity to reflect on the proposals and provide their written comments. The appendix sets out the views expressed by the tenants both in person and in writing.
- 3.5 In summary, the majority of tenants oppose the development. However if it should proceed, a significant number have expressed a wish to return to live on the site in replacement housing that will be provided by the developer. It should be noted that some would prefer to remain tenants of the Council rather than a Registered Social Landlord (Housing Association).

Financial Implications

- 4.1 None directly as a consequence of this report. If the Council agrees to continue negotiations, the cost of the replacement housing would form part of any redevelopment agreement. The tenants would be entitled to compensation including home loss payments, removal and other expenses.

Sustainable Development Implications

- 5.1 None directly as a consequence of the report.

Crime and Disorder & Equality Implications

- 6.1 Some tenants have referred to local vandalism as being a reason for wishing to move.

Time Constraints

- 7.1 Tenants views have to be taken into account prior to the Council making a decision whether to enter into a legal agreement with the developer to proceed with the scheme.
- 7.2 It is clear from the consultation that the uncertainty regarding the development has caused some anxiety for many of the tenants. They have indicated that they would welcome a clear decision either way.

Contact Officer:	Nigel Wood – Head of Housing
Telephone Number:	01306-879207
Background papers:	None other than those, which disclose exempt information

CHURCH GARDENS / MILL LANE TENANT CONSULTATION

No	Support development Yes/No	Views Expressed on Development	Housing Preferences
A	No	Does not want development to happen. Thought she was housed for life and wants to remain as long as possible	Same area – not sheltered
B	-	Does not want to move	Central Dorking
C	-	Prefer to stay in current accommodation. If new development wants MVDC to manage it and not Housing Association	Central Dorking
D	-	Wants to remain LA tenant	New development
E	-	None expressed. Already applied for transfer and wants to move.	Chapel Court
F	Yes	Provide lift and parking but prefer present accommodation. Current car park security risk through vandalism. No longer wish to live in current environment as frightening at night. New development will increase security and bring people to Dorking increasing prosperity.	Church Gardens – ground floor
G	No	Prefer to have a tenancy with MVDC. Lived here 40 years, now aged 90 and doesn't want upheaval of moving. If development of superstore proceeds traffic will increase.	New development
H	No	Prefer shower. Strongly opposed to leaving well modernised, centrally heated, double glazed flat. 80 years old and does not want stress and inconvenience of moving. Dorking will be unable to absorb increase in traffic.	St Martins Walk
I	-	None expressed. Wish to move.	Central Dorking – Chapel Court
J	Yes	None expressed.	St Martins Walk
K	No	Would like to remain in Church Gardens for as long as possible. Does not wish to move as in her seventies, enjoys living at C Gardens and flat is lovely. Concerns over increased traffic.	New development
L	Yes	MVDC to manage. Concerns for car parking – provisions for close parking. Redevelopment may stop vandalism.	New development
M	No	Would like to remain in Church Gardens for as long as possible.	New development

N	No	Opposed to the development. Would prefer to remain in the existing community. Many specific requests if rehousing is necessary. Concerned Dorking would become 'another Leatherhead'	Dorking Town
O	No	Dorking doesn't need a bigger Sainsburys. Proposals would spoil Dorking and doesn't wish to lose home. Concerns over traffic.	Dorking centre
P	-	Prefer to stay in current accommodation.	Dorking
Q	-	Wants to be kept informed. Prepared to move but may need 2 bed property	New development or Dorking, Bookham, Leatherhead
R	No	Prefer to stay in current accommodation. If have to move expect to be rehoused and well compensated for trauma and anxiety. Would like to be near friends and neighbours in the flats. Concerns over traffic. Would spoil character of Dorking.	Central Dorking
S	No	Disabled pensioner and would prefer to stay in current accommodation. Would be v.unhappy to move. Council & Sainsburys should build estate of bungalows for similar people with free car parking per bungalow, garaging for electric chair/scooter with power. Could be near swimming centre. MVDC will do what they want to anyway.	Central Dorking
T	No	Moved to C Gardens without any knowledge of redevelopment. Have only just finished unpacking. Ridiculous to demolish v.nice, well maintained flats which will cause distress and anxiety especially to elder tenants. Assume profit on the sale is what it's about.	None stated
U	No	Enjoys living at C Gardens. Convenient for all amenities and at 70 years of age this very important.	Central Dorking
V	Yes	Feels larger Sainsburys needed. Would be good thing for town, draw people to area and help economy, and encourage other outlets to come to Dorking. Shop out of town at present because so limited. Prepared to move – bungalow preferred.	Dorking and surrounding areas – Sth Holmwood, Ashted, Chart Gdns
W	-	Prefer to remain with MVDC. Would like a good view	Central Dorking
X	-	None expressed	New development or Westcott

Y	No	Prefer to stay in current flat. Does not want to move under any circumstances. Disagree with upheaval and destruction to the town.	Central Dorking
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Note added since the matter was discussed by the Community Committee:

"The comments made by tenant T have been investigated. The tenant was notified of the possibility of redevelopment when the tenancy was accepted. However, since the timing of the consultation was shortly after the tenant took up occupation and the direct question about views on demolition was asked they assumed that the development was imminent when that is not the case."

