

To all Members of the Council

## **MEETING OF THE COUNCIL**

Your attendance is requested at a Meeting of Mole Valley District Council to be held in the Council Chamber, Pippbrook, Dorking on **TUESDAY 11<sup>th</sup> JULY 2017 at 7.00pm** or at the conclusion of the Special Executive meeting, whichever is the later, for the transaction of the business set out in the following Agenda.

Jack Straw  
Interim Chief Executive  
Monday 3<sup>rd</sup> July 2017

**The Chairman would like to remind Members that they have the opportunity to ask Officers questions, in respect of issues concerning matters of detail or for further clarification, prior to the meeting.**

## **AGENDA**

### **1. MINUTES**

To approve as a correct record the minutes of the meeting of the Council held on 23<sup>rd</sup> May 2017.

### **2. APOLOGIES FOR ABSENCE**

To receive apologies for absence.

### **3. DISCLOSURE OF INTERESTS**

To receive any disclosures of interests from Members (either disclosable pecuniary interests or non-pecuniary interests) in relation to any items included on the agenda for this meeting in accordance with the Council's Code of Conduct.

### **4. CHAIRMAN'S ANNOUNCEMENTS**

**5. APPOINTMENT OF CHIEF EXECUTIVE/HEAD OF PAID SERVICE AND ELECTORAL REGISTRATION OFFICER/RETURNING OFFICER**

To receive the report as set out at pages 7 to 10 of the agenda.

**Recommendation**

**The Council is requested to endorse the appointment of Karen Brimacombe as Chief Executive/Head of the Paid Service and Electoral Registration Officer/Returning Officer with effect from a date to be agreed with the outgoing employer.**

**6. COMMUNITY GOVERNANCE REVIEW - BOOKHAM**

To receive the report as set out at pages 11 to 18 of the agenda.

As noted in the report, during the Community Governance Review a petition was received against the proposition to set up a parish council for Bookham. Under the Council's Constitution the petitioner is entitled to address the Council during the consideration of this item.

**Recommendation**

**That following the outcome of the Local Advisory Poll, with 83% of votes cast against the proposition, the Council resolves that a Parish Council not be established for Bookham.**

**7. THE SWAN CENTRE – DEVELOPMENT & ASSET MANAGEMENT INITIATIVES**

The Executive at its meeting on 27<sup>th</sup> June 2017 considered the Swan Centre – Development & Asset Management Initiatives report. A copy of the report considered by the Executive is set out at pages 19 to 28 and following consideration has recommended to Council an addition to the Capital Programme for 2017/18.

**Recommendation to Council:**

**That the Council approves the addition of a £1.215 scheme to the capital programme for some short-term asset management initiatives to improve the Swan Centre.**

**8. APPOINTMENTS TO COMMITTEES**

The Leader of the Liberal Democrat Group, Councillor Stephen Cooksey, has asked to amend his group's membership of the Development Control Committee. It is proposed that Councillor Tim Loretto will swap with Councillor Stephen Cooksey to become a full member of the Committee and Councillor Cooksey a substitute member.

**Recommendation**

**The Council is asked to approve the proposal of the Liberal Democrat Group Leader in respect of the Liberal Democrat Members sitting on the Development Control Committee.**

**9. LEADER'S STATEMENT**

The Leader will speak to the Council for up to 5 minutes.

**10. QUARTERLY REPORT ON DECISIONS TAKEN UNDER SPECIAL URGENCY ARRANGEMENTS – 1<sup>ST</sup> APRIL TO 30<sup>TH</sup> JUNE 2017**

The Constitution provides for reports to be made to the Council on a quarterly basis with details of decisions taken under the special urgency arrangements set out in paragraph 14 of the Access to Information Procedure Rules in the Council's Constitution.

There has been one such decision during the last quarter as follows:

## **Property Acquisition**

### *Decision*

Subject to the relevant decisions and resolutions being made by Mova Property Limited and Mova Holdings Limited (as set out in the 21 April Board Meeting Minutes and written resolutions for both companies):

- (i) To authorise the acquisition of the freehold land and buildings at Asda Superstore, Glanyrafon, Godrergraig, Swansea SA9 2DE ("the Property") through MVDC's wholly owned company Mova Property Limited for the sum of £10,760,738.45,
- (ii) To authorise both the grant of a loan of £6,456,444 on the terms set out in the Senior Term Loan Facility Agreement, and the legal charge over the Property in favour of MVDC, both to be entered into between MVDC (1), and Mova Property Limited (2),
- (iii) To authorise the grant of a loan of £1,076,074 on the terms set out in the Junior Term Loan Facility Agreement to be entered into between MVDC (1), and Mova Property Limited (2),
- (iv) To authorise the provision of an equity injection in respect of banking and other facilities in the sum of £4,052,073 to Mova Holdings Limited and to (a) enter into the Guarantee and Indemnity (between Mova Holdings Limited (1), and MVDC (2)), and (b) for MVDC to receive the allotted 4,052,073 shares in Mova Holdings Limited
- (v) To authorise any ancillary matters deemed by MVDC's Principal Surveyor or Legal Services Manager to be reasonably incidental to the above

The decision was taken by the Deputy Chief Executive on 21<sup>st</sup> April 2017 in accordance with paragraph 11 of the Scheme of Delegation to Officers (power to deal with any urgent matter arising in between ordinary meetings of the Council, Executive or Committees, in consultation with the Leader, or appropriate Committee Chairman) and paragraph 14 of the Access to Information Procedure Rules.

The decision was urgent as the deadline for completion of the transaction was Monday 24 April.

## **11. REPORTS OF EXECUTIVE MEMBERS**

To receive reports from Executive Members

## **12. QUESTIONS TO MEMBERS OF THE EXECUTIVE**

A period of up to 30 minutes is set aside for questions to Members of the Executive. Questions are to be received by the Corporate Head with responsibility for Democratic Services by no later than 10am on the third working day immediately prior to the meeting.

## **13. MOTIONS**

### **Motion 1/2017**

The following motion has been submitted by Councillor Stephen Cooksey.

"This Council:

1. recognises that the reduction in opening hours and the imposition of charges at Community Recycling Centres have proved inconvenient and unpopular with residents and have encouraged an increase in fly tipping;

2. notes that the County Council is currently undertaking a consultation with a view to closing the Dorking Recycling Centre along with 3 others in the County, ending the free allowance of non-household waste, closing the remaining CRC's on two week days and restricting the use of vans and trailers at those that remain open;
3. opposes all of these measures but in particular strongly opposes the proposed closure of the Ranmore Road Tip and will take all possible action to persuade the County Council not to take this action;
4. resolves, as a matter of urgency, to bring forward proposals for Mole Valley Council to take over responsibility for running the facility in the event of the County Council proceeding with the closure."

### **Motion 2/2017**

The following motion has been submitted by Councillor Bridget Kendrick.

"This Council welcomes the fact that the commitment in the 2017 Conservative Manifesto to legislate to give permitted development rights to non-fracking shale drilling applications does not appear in the Queens Speech. However this remains a Conservative manifesto commitment which could be implemented in the future.

Therefore, this Council resolves to inform the government that it strongly opposes any attempt to remove the right of Mole Valley Council to be consulted on applications for drilling for oil and gas in our communities and would support moves to strengthen local decision making powers with regard to such applications."

### **14. URGENT ITEMS**

To consider any items which the Chairman considers to be urgent.

### **15. EXCLUSION OF PRESS AND PUBLIC**

The Council may exclude the press and public for the following item of business and to do so it must pass a resolution in the following terms:

**RECOMMENDED** that members of the Press and public be excluded from the meeting for the following item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **16. ACQUISITION OF PROPERTY INVESTMENT**

To receive the report as set out at pages 29 to 34 of the agenda.

**The Council is asked to add the acquisition of the property lease to the Council's Capital Programme for 2017/18.**

If you require a copy of this agenda, any of the reports within it or a large print version of the agenda, please telephone Simon Trevaskis on 010306 879384 or e-mail [simon.trevaskis@molevalley.gov.uk](mailto:simon.trevaskis@molevalley.gov.uk)

**NOTE:** This meeting will be webcast for live or subsequent broadcast via the Council's internet site ([www.molevalley.gov.uk](http://www.molevalley.gov.uk)). The whole of the meeting will be filmed except where there are confidential or exempt items. Generally the public seating areas are not filmed. However, by entering the meeting room and using the public seating area, you are consenting to being filmed.

Members of the press/public may film or record proceedings, blog or tweet proceedings and take photographs providing they do not disturb the conduct of the meeting. The Chairman of the meeting has the discretion to terminate or suspend filming/recording if in his/her opinion continuing to do so would prejudice the proceedings of the meeting or, on advice, considers that continued filming/recording might infringe the rights of any individual.

