

Development Department

MS ANNA CRONIN
Director of Development

Lee S Robertshaw
Wm Morrison Supermarkets plc
Hilmore House
Gain Lane
Bradford
BD3 7DL

Our Ref: BDS/MDH/91/11610/F

Your Ref:

Date: 12 August 2009

Dear Mr Robertshaw

RE: MORRISONS STORE, BELL STREET, REIGATE

Further to our meeting held 17 July, also attended by the Leader of the Council, Councillor Mrs J M A Spiers, and Councillor S N Farrer, Reigate Central Ward Councillor, I am writing to confirm the Council's views on various aspects of the management of the car park at this store.

As you know, clause 4.1.4 of the legal agreement under section 106 of the Town and Country Planning Act 1990, dated 9 November 1992, between the Council, Rowanspon Ltd. and Safeway Stores Plc - to which your company is a successor in title - requires the car park to be managed as a short-term shoppers car park and that its management and control are discussed with the Council.

The introduction of penalty charges for use of the car park beyond the store's normal trading hours ("night-time charging") was a change in management that should have been discussed with the Council in advance and had that been done, I am sure we would have advised of the direct breach with clause 4.1.3 of the agreement, which clearly states:

"The proposed car park to be constructed as part of the development will be made available for public use at no charge outside the developer's usual trading hours."

From what you said at the meeting and from an earlier telephone conversation with your colleague Robert Darrington, I understand that the contractor may have made this change without specific instruction, but it still illustrates the problems

that can arise if you do not communicate with the Council. The comments you and your colleagues made in the meeting indicated that Morrisons had learnt from this experience so it would not be appropriate for the Council to take any action over the breach of the legal agreement in this instance. Instead, we would like to focus on how the car park may be managed in the best interest of the town. The public anger over the night-time charging fuelled a campaign to seek changes in other aspects of the car park's management and understandably the Council wishes to respond to that.

The principal change requested is to alter the charging regime so that car park users arriving after 18:00 Monday to Saturday do not have to pay. In the seventeen years since the legal agreement was negotiated, the evening economy has become more important to the overall vitality of Reigate town centre and the Council is keen to support the local economy by helping people to visit in the evenings. Our town centre car parks are free after 18:00 and it would help local people if the same applied to the store's car park. I and others have noticed that the store car park becomes empty in the early evening, so there does appear to be capacity to do this. In the meeting you expressed concern that your customers could have difficulty finding parking spaces if this change were made so it would be helpful to see any statistical evidence you have on this matter.

The other car park management issues we raised were as follows:

- Users reported that the signage wording was confusing to the public and conveyed the wrong message, i.e. it did not indicate that users would have to leave the premises and re-enter after 19:00;
- Whether the store could publish that it allows a period of grace before imposing any penalty charges (i.e. 2½ hours instead of the published 2 hours); and
- Users would like a clock in the car park to indicate the time according to Parking Eye.

Clause 4.1.4 not only requires your company to consult the Council on proposed changes to the management of the car park, but also to consider any reasonable requirement put forward by the Council and therefore I look forward to your considered response to the above points.

Yours sincerely

Mark Harbottle
Head of Building and Development Services

cc. Councillor Mrs J M A Spiers
Councillor S N Farrer