



SUBMISSION TO THE EXAMINER IN RESPECT OF ATTEMPTS BY THE WESTCOTT VILLAGE FORUM (WVF) TO ENGAGE WITH THE OWNER OF RIVERBANK SURGERY

The Consultation documents sent to the Examiner are missing the following information which demonstrates the WVF's attempts to engage with the owner of the Riverbank Surgery.

It is important that these are available to counter the assertion by the Owner and his representatives that we have made no attempts to resolve their issues with the wording of WNDP 7.

List of Individuals mentioned in this paper:

Tim Way	Chairman, WVF
James Leaver	Planning Policy Lead, WVF
Paul Goddard	Secretary & Planning Lead, Westcott Village Association
██████████	Communication Lead, WVF
██████████	Committee Member, Westcott Village Association
Mark Eshelby	MD, Nova Latchmere – advising Tom Guilder
Dr Tom Guilder	Former Village GP and owner of Riverbank Surgery
Ewan Guilder	Dr Tom Guilder's son
Neil Guilder	Dr Tom Guilder's son
Steve Carnaby	Intelligent Plans (On behalf of the Examiner)

Please note that correspondence included is verbatim and is in black. All other added narrative in this document is written in colour.

1. Our first attempt was to meet to resolve the issues raised by Mark Eshelby (ME) in emails dated from 15th April 2026

On 15 Apr 2026, at 15:03, ME wrote the email below to planning@westcott.village.com – a WVA email address - after first sending a formal representation on behalf of Dr. Guilder to MVDC earlier in the day and copying a non existent Westcott parish council email address.

Dear Mr Goddard,

I hope you are well.

I have today submitted a formal representation to Mole Valley District Council on behalf of Tom Guilder who is the owner of Riverbank Surgery, in respect of the emerging Westcott Neighbourhood Development Plan.

Given the role of the Village Forum in preparing the Plan, I thought it appropriate to send you a copy directly so that you are aware of the points being raised, particularly in relation to the absence of any direct engagement with him or his family to date and the way in which the surgery has been treated under Policies WNDP6 and WNDP7.

Tom, who was the GP for Westcott for over 30 years, is entirely supportive of both the village and the continued provision of local healthcare facilities, but the current policy approach raises a number of matters which we consider would benefit from careful reflection as the Plan progresses.

I would of course be very happy to discuss this with you if helpful, and to engage constructively as matters evolve.

Regards Mark as MD of Nova Latchmere, Dorking

On Monday, 20 April 2026 at 09:30 Paul Goddard (PG) replied:

From: Paul Goddard

To: Mark Eshelby [REDACTED]anguilder[REDACTED] ; Subject: Re: Westcott NDP – Representation: Riverbank Surgery

Mark,

Apologies for not acknowledging your email & attachment earlier. I have already forwarded them to the Chairman of the Village Forum for information, and a response. Please note it is specifically the Forum that is responsible for the current update process not the WVA, though I acknowledge the WVA does have a significant interest.

Rgds....Paul

On Monday, 20 April 2026 at 09:38 ME replied:

Dear Mr Goddard,

Thank you for your note and for passing this on.

That is helpful to understand and I would be grateful if you could keep me updated as matters progress, or let me know if it would be more appropriate for me to liaise directly with the Forum at this stage.

I would of course be very happy to engage constructively if helpful.

Regards Mark

On Wednesday 22nd April in the morning PG called ME. PG left a voice message in explanation for the call requesting ME to call him back to arrange to meet him with Tim Way and discuss the matters raised in his letter - that is to constructively engage.

PG made this request given his assumption that – given the scope of the representation he had submitted to MVDC and his position - ME was representing Dr Guilder.

On 22 Apr 2026, at 17:47, ME emailed PG

Afternoon Paul,

Thank you for your email and your message earlier, and apologies for missing your call.

I note your comments regarding the Village Forum and the position more generally.

As you will appreciate, Tom and his family are now taking advice in relation to the current circumstances and are considering matters more broadly. In those circumstances, it is important that they are given the space to do so and take stock properly. I will revert in due course once I have had an opportunity to discuss matters with them.

Regards, Mark

On Wednesday, 22 April 2026 at 22:24, PG replied by email

From: Paul Goddard

To: Mark Eshelby Cc: Tim Way Subject: Re: Westcott NDP – Representation: Riverbank Surgery

Mark

Thank you for your email.

I called you to try to arrange to meet and discuss the content of the email you sent last week.

I had discussed the matter generally this morning with Tim Way, Chairman of the Westcott Village Forum - copied in this email.

We concluded that meeting you to discuss the points and comments you make relating to the Draft WNDP and Riverbank Surgery would be the best way forward.

We didn't envisage involving the Guilder family directly in that discussion.

Can we meet please? If so, Tim and I are both free on Friday afternoon this week as a starter.

Rgds..Paul

NB: the comment by PG above about not involving the Guilder Family was simply based on
1) the comments from ME that explained they '.....are given space....' and therefore weren't to be disturbed and

2) to enable a meeting to be set up and very soon to make progress and that

3) ME appeared to be fully aware of all the issues given his apparent close contact with the Guilder Family

On 23 April from ME

From: Mark Eshelby [REDACTED]

Subject: Re: Re: Westcott NDP – Representation: Riverbank Surgery Date: 23 Apr 2026 at 12:21

To: Paul Goddard [REDACTED]

Cc: Tim Way [REDACTED]

Afternoon Paul,

Thank you for your email.

I note your suggestion of a meeting with yourself and Tim.

I am currently helping Tom and his family as they consider the position and take matters forward, and given further advice is being sought, I think it is sensible to allow that process to run its course before arranging any meeting.

Any meeting would need to take place with their knowledge and agreement, and once they have had the opportunity to consider that advice.

Once I have had an opportunity to revert to them and take a steer, I will come back to you.

Regards, Mark Mark Eshelby BSc (Hons) MRICS Managing Director

NOTE: No further response was received from ME regarding a face to face meeting. The VF Steering Group decided that a formal response was required to ME's representation of 15th April so the following was sent on 5th May 2026 as an email attachment

Subject: Westcott NDP – Representation Riverbank Surgery

To: Mr Mark Eshelby, Nova Latchmere Ltd. cc WNDP Forum

Dear Mr Eshelby,

Given that you have felt unable to meet me (representing Westcott Village Forum) and Paul Goddard (representing the WVA), to discuss the points and comments you have raised in your response to MVDC about the emerging WNDP - for which you have confirmed your reasons - I have decided to address these points and comments in writing for clarity, and for the record. Please note that your Representation is now available on the WVA website where all documentation relating to the update of the WNDP is hosted. This follows the instruction from MVDC

to place it there to ensure full transparency.

I acknowledge the points you make by way of factual background, and I am very pleased that your client recognises the importance of local healthcare provision and does not object in principle to the appropriate safeguarding of valued community facilities.

However, I must respond to a number of other points you make in relation to the Submission Draft WNDP Plan being examined by the Inspector

1. Riverbank Surgery is only listed in Policy 7 of the Draft Plan. It is already listed in Policy 7 in the current WNDP 2017-2026. In both plans, Policy 7 relates to the enhancement of community facilities. As for the Draft Plan, continuing to include Riverbank Surgery reflects the wishes of the community, underscored by the value attached to the provision of a surgery in Resident responses to survey questionnaires conducted in 2025. The suggestion that the Village Forum has been unduly influenced by the current occupier is categorically not correct. DMP did not make any representation to the Draft Plan, however Rushmon Homes did.

2. As part of the WNDP consultation process, Westcott Village Forum (WVF) wrote to a considerable number of consultees including significant landowners in the Village. We were unable to send a specific letter to the registered owner of Riverbank Surgery – Standard Life – as no address is provided on the Land Registry record. Riverbank Surgery was used however, as one of three key village locations at which all relevant consultation documents were available on display and for residents to take away. We can also point to a fully documented, extensive communication and consultation process which is available in the Consultation Statements on the WNDP website and was submitted to MVDC to be part of the Inspector's examination.

3. The Draft Plan does not rely on speculative future provision. We believe the most recent plans were shared by Rushmon Homes with many others, including the residents of Rokefield, MVDC and the WVA. These Plans include the provision of a new surgery but the plans are with Rushmon Homes only and have not been commented on formally by either the Village Forum or the WVA, or been relied upon in any way. We understand that earlier versions of these plans were shared and discussed with Tom Guilder.

To conclude with your requested modifications, my comments are

- 1) Riverbank Surgery is only subject to safeguarding under Policy 7 – as it is in the current plan - and has been designed to safeguard the future provision of medical services in the village.
- 2) We contend that this policy is being fairly and consistently applied.
- 3) The matter of a lease is entirely between the current occupier, Standard Life, and the beneficiary/ies of the Pension plan. The WVA and Village Forum have no say or influence whatsoever in the matter.
- 4) The policy does not rely on speculative future provision. It stands as it is written. Please note that we will be putting a copy of this correspondence on the WVA website.

Yours sincerely, T E Way Chairman, Westcott Village Forum

No further correspondence took place between the two parties.

2. Westcott Village Forum proposal for an alternative wording to attempt to cut through the impasse with the Guilder family and their representatives.

On 05 May 2026 15:37

From: James Leaver [REDACTED]

To: Steve Carnaby [REDACTED] 'Tim Way'

[REDACTED] 'Clarke, Duncan'

Cc: 'Jo Astor Westcott' [REDACTED]; 'Paul Goddard' [REDACTED]

Subject: Re: Updated Westcott Neighbourhood Plan - Fact Check Report

Dear Mr Carnaby

MVDC shared their table of very minor changes with us and we were ok with it. WVF's additional comments on the Examiner's report are as follows:-

1. Para 1.5 of his report - bullets 5 and 6 need a semi-colon at the end of each point
2. Para 4.12 of his report - it is incorrect to say that there were "Representations from the Dorking Medical Practice". There was a representation made by Matplan which states it was on behalf of Dorking Medical Practice (DMP) and Rushmon Homes. We have clarified with DMP who confirm that the representation was written for Rushmon and that DMP were neither consulted on the draft, nor do they regard themselves as clients of Matplan.
3. PM1 - there is a typographical error in his amendment "In 2039... (not 2029).
4. PM2 - in para ii) we suggest inserting the words "as at September 2025" to be consistent with para iii)
5. PM6 - we are concerned by the Examiner's proposal to delete Riverbank Surgery from the list of community assets in WNDP7 as the result of a late representation from Mark Eshelby, on behalf of "TG", as it contains inaccuracies in relation to ownership and the status of the lease. For completeness we attach a letter which we have sent to Mark Eshelby and the Examiner might find this helpful. We believe WVF should have had the opportunity to provide further clarification to the Examiner in relation to this matter before progressing to the fact check stage. To be clear it is not WVF's objective to safeguard the building in which Riverbank Surgery currently operates for community use for the long term, it is to safeguard the continual provision of medical services in Westcott that we seek. This objective is supported by the findings of the community survey. We acknowledge that, unlike the other community assets listed in WNDP7 which were purpose built, Riverbank Surgery is a converted residential property and there is a case for it to revert to this use when the medical service has been successfully relocated within Westcott. Members of the WVF have worked closely with TG, Rushmon and DMP for a number of years to help realise the re-location of DMP into more appropriate new premises within Westcott which would enable TG to "unlock" his property and all parties to achieve their objectives. We are concerned that a removal of Riverbank Surgery from the list of community assets would remove the current impetus which is more likely to result in the opposite outcome where all parties lose.

We would therefore like to propose keeping Riverbank Surgery in the list of community assets and the following additions to the third and fourth final bullet points in WNDP7 as drafted:-

third bullet - "...or will be re-provided nearby or the use or service will be provided in a different way serving the same community; and"

final bullet - "With the exception of Riverbank Surgery which should revert to its original residential use, the property has been marketed" "

Best wishes James Leaver
for Westcott Village Forum

3. Westcott Village Forum's next attempt to arrange a meeting with Mr Guilder and his representatives.

Following a WVA Committee meeting on 28th May 2026 - relevant minutes included below - at which Tim Way, Chairman of the Westcott Village Forum, was asked to attend in part just for WNDP status discussions, it was agreed that notwithstanding the first offer to meet having been declined, we would make an approach to Tom Guilder's son who lives in the village and had made approaches to a member of the WVA committee on the subject of the WNDP and Riverbank Surgery. The correspondence includes a proposed amendment to Policy 7.

For completeness, the relevant WVA minute for 28th May reads:

- TW gave an update on the WNDP status and the ongoing discussions relating to the status of Riverbank Surgery
- JC offered to speak to relevant parties with the revised Policy 7 wording for safeguarding the services as opposed to the building. TW to send him that wording and anything else of relevance. **Action TW/JC**

Later that evening on May 28th, 2026 at 8:28 PM

Tim Way [REDACTED] e:

James,

As promised I attach the section of correspondence dealing with Riverbank evidencing where we are coming from together with the proposed rewording of the Westcott NDP which we put to the Examiner as an alternative to removing any mention of the Riverbank Surgery as a Community Asset, but which he rejected.

Email from James Leaver to MVDC

However, as discussed with you last week, we cannot agree to PM6 and the proposed removal of Riverbank Surgery from WNDP7. I said that I would like to run my suggested wording to the Examiner past you before sending to him and this is as follows:-

5. PM6 - we are concerned by the Examiner's proposal to delete Riverbank Surgery from the list of community assets as the result of a late representation from Mark Eshelby, on behalf of "TG" as it contains inaccuracies in relation to ownership and the status of the lease. For completeness we attach a letter which we have sent to Mark Eshelby and the Examiner might find this helpful. We believe WVF should have had the opportunity to provide further clarification to the Examiner in relation to this matter before progressing to the fact check stage. To be clear it is not WVF's objective to safeguard the building in which Riverbank Surgery currently operates for community use for the long term, it is to safeguard the continual provision of

medical services in Westcott that we seek. This objective is supported by the findings of the community survey. We acknowledge that, unlike the other community assets listed in WNDP7 which were purpose built, Riverbank Surgery is a converted residential property and there is a case for it to revert to this use when the medical service has been successfully relocated within Westcott. Members of the WVF have worked closely with TG, Rushmon and DMP for a number of years to help realise the re-location of DMP into more appropriate new premises within Westcott which would enable TG to "unlock" his property and all parties to achieve their objectives. We are concerned that a removal of Riverbank Surgery from the list of community assets would remove the current impetus which is more likely to result in the opposite outcome where all parties lose.

We would therefore like to propose the following additions to the third and fourth final bullet points in WNDP7 as drafted:-

"...or will be re-provided nearby or the use **or service** will be provided in a different way serving the same community; and"

"**With the exception of Riverbank Surgery which should revert to its original residential use**, the property has been marketed."

For reference this is the wording put forward to the Inspector

Also attached is the letter from South Street Medical Services which counters the arguments used in the late representation from TG and which gave rise to the current situation.

Let me know if anything is not clear before you talk to Tom's son.

As I said tonight, no-one in the village is ganging up against Tom and actively stopping him realising the asset which sits in his pension plan. Sadly we have all concluded that he was badly advised in the actions he took when South Street took over the practice. It was never going to be easy to simply release the property from the pension fund or find an alternative provision for the service in the village. He is a victim of circumstance not of deliberate obstruction.

Regards Tim

On 30 May 2026, at 11:15,

██████████ e:

Thanks Tim. I'm hoping to speak to him shortly.

If I remove your email address, are you otherwise ok for me to forward your email to him?

Regards, James

On Mon, Jun 1, 2026 at 10:54 AM

Tim Way ██████████ e:

James,

Have you had the discussion and any reaction? Tim

Sent from Tim's iPad

He says, "Our family have never been consulted about this, except an attempt to reach out to Mark Eshelby after our representation. So that is very odd. I have nothing to say on DMPs representation. Our representations by Ryan Snow and Mark Eshelby fully reflect the family's views and beliefs. We are meeting together on Friday and we can get back to them (Tim) after that as to whether to meet up or not."

NOTE: Nothing further was received as a result of this approach.

On 29th July at 15.06, Tim Way sent the following Text message to Tom Guilder

It would help everyone if you could explain what you want and how the NDP prevents you from achieving this. I fear that all the paperwork is now with a new examiner who will make the decision on the NDP without reference to any further representation. Tim”

From: Ewan Guildler [REDACTED]
To: timway. [REDACTED]
Cc: Neil Guildler [REDACTED]
Subject: Riverbank Surgery

Thank you for reaching out to Dad.

You mentioned that attempts had previously been made to speak with Dad and the family. However, I have attached the email sent to Mark in April, which expressly stated that you and Paul did not envisage involving Dad or the family directly in the proposed discussion. It is therefore difficult to regard that as an offer to sit down and talk with us. **Note 1 below**

I understand that a further approach was made indirectly through [REDACTED] in June. However, Dad did not receive any direct communication from you until your message today.

More importantly, neither Dad nor his family was contacted during the original Neighbourhood Plan consultation about the proposal to safeguard Riverbank Surgery, despite the obvious potential implications for his property.

Nor, when the subsequent focused consultation took place, was Dad approached by the Village Association, invited to explain his position at the village meeting, or otherwise given the opportunity to discuss directly the proposals affecting his property and pension.

The approaches you refer to therefore came only after Dad had discovered what had happened and raised his concerns. That distinction is important.

In answer to your question about what Dad wants, this is set out clearly in the personal letter and representations submitted to the Council. **In summary, he wants to ensure that the Neighbourhood Plan does not unnecessarily restrict the reasonable future use or value of his property, particularly given the uncertainty surrounding its long term occupation as a surgery.**

As you say, the representations are now before the new Examiner. At this stage, we think it is appropriate to allow the formal process to take its course rather than attempt to revisit these matters through an informal discussion.

We would, however, **respectfully ask that Dad's letter is published on the Westcott Village Forum website so that residents are able to read his position directly** I have attached a suitably redacted version for publication. **Note 2 below**

Regards Ewan

Note 1: Please refer to the explanation from PG on page 4 in relation to this exchange with ME. The comment above is a mis-representation of that exchange

Note 2: Request pre-empted by posting MVDC Consultation Documents including Dr Guilder's letter

On 30th July at 10.27

From Tim Way

To Ewan Guilder, Neil Guilder

Ewan,

Thank you for your email, the contents of which are noted.

The Westcott Village Association website ([Westcott Neighbourhood Development Plan – Westcott Village Association](#)) contains the notification from MVDC that all representations on the subject of the WNDP have been sent to the Examiner and this includes your father's letter.

We will await the Examiner's decision.

Regards Tim Way Chairman, Westcott Village Forum