

THE CABINET
23RD MAY 2013

Present:	Councillors:	
	Ray Dawe	Leader
	Helena Croft	Deputy Leader and Communication, Horsham Town & Special Projects
	Andrew Baldwin	The Environment
	Jonathan Chowen	Arts, Heritage & Leisure
	Gordon Lindsay	Resources
	Roger Paterson	The Local Economy
	Sue Rogers	A Safer & Healthier District
	Claire Vickers	Living & Working Communities

Also present: Councillors: John Bailey, George Cockman, Duncan England, Frances Haigh, Christian Mitchell

EX/1 **RECORD OF THE MEETING OF 21ST MARCH 2013**

The record of the meeting of the Cabinet held on 21st March 2013 was approved as correct and signed by the Leader.

EX/2 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

EX/3 **ANNOUNCEMENTS**

There were no announcements.

EX/4 **PUBLIC QUESTIONS**

There were no public questions.

REPORT BY THE CABINET MEMBER FOR LIVING & WORKING COMMUNITIES

EX/5 **Pulborough Parish Design Statement – Supplementary Planning Document and Shipley Parish Design Statement – Supplementary Planning Document**

The Cabinet Member for Living & Working Communities reported that Design Statements provided a detailed description of the existing character of a town, parish or village and set out guidelines on how to encourage new development that enhanced and complemented what already existed. They were created and written by the local community with advice and input from the relevant planning authority, which oversaw the process and eventual adoption of the statements as Supplementary Planning Documents.

The intention of a Design Statement was to ensure that new development fitted its

EX/5 Pulborough Parish Design Statement – Supplementary Planning Document and Shipley Parish Design Statement – Supplementary Planning Document (cont.)

surroundings and was in keeping with local character. Local communities had a unique appreciation and understanding of their own place and a Town, Parish or Village Design Statement was based on this knowledge. The statements were produced by the local community, not by Horsham District Council.

Design Statements described the qualities and characteristics that people valued and included guidance on how development should be carried out, so that it was in harmony with its setting and contributed to the conservation and enhancement of the town, parish or village.

The proposed Pulborough and Shipley Parish Design Statements set out a vision for the future and provided guidelines to assist developers, planners, architects and members of the public wishing to build or renovate properties. The aim was to encourage high quality design, whether for a small house extension or a large housing or commercial development.

Parish Design Statements could form a useful basis for Neighbourhood Plans, a provision contained within the Localism Act 2011 which offered communities the ability to shape the places in which they lived, in planning terms.

The Design Statements had undergone extensive periods of local public consultation in accordance with the Planning and Compulsory Purchase Act 2004 and revisions had been made to take into account comments received. The Design Statements had now been signed off by the relevant Parish Councils and were submitted for Cabinet to approve their publication and adoption as Supplementary Planning Documents.

RESOLVED

- (i) That the content of the Pulborough and the Shipley Parish Design Statements be agreed.
- (ii) That the Pulborough and Shipley Parish Design Statements be adopted and published as Supplementary Planning Documents in accordance with criteria set out in the Planning and Compulsory Purchase Act 2004, The Town and Country Planning (Local Development) (England) Regulations 2004, and The Town and Country Planning (Local Development) (England) (Amendment) Regulations.

REASONS

- (i) To form part of the Council's Local Development

EX/5 Pulborough Parish Design Statement – Supplementary Planning Document and Shipley Parish Design Statement – Supplementary Planning Document (cont.)

Framework and supplement existing planning policies at a more local level.

- (ii) The SPDs comply with the National Planning Policy Framework guidance on producing Supplementary Planning Documents (SPD).
- (iii) The Localism Act 2011 refers to the production of Neighbourhood Plans. Whilst the Parish Design statements are not Neighbourhood Plans, the SPD's will provide a valuable evidence base for any future Neighbourhood Plan produced in these Parishes

REPORT BY THE CABINET MEMBER FOR ARTS, HERITAGE & LEISURE

EX/6 **Warnham Mill Pond Reservoir – Selection of a New Preferred Option**

The Cabinet Member for Arts, Heritage & Leisure reported that Warnham Mill Pond formed part of the Warnham Local Nature Reserve, off Warnham Road, Horsham. Due to its capacity, the Mill Pond was classified as a “large reservoir” under the Reservoirs Act 1975.

Under this Act, Horsham District Council, the Environment Agency and a local landowner were named as “Reservoir Undertakers” with statutory responsibilities relating to the safe operation and maintenance of the reservoir. In particular, the reservoir had to be capable of withstanding an extreme flood event, categorised as a 1 in 10,000 year event which was very low probability, but a very high impact event. The last routine inspection had identified that engineering works were required in the interests of safety.

approval had been given to preferred Option 4a (wetland option), costing at the time in the region of £2,000,000, which involved the de-classification of the reservoir with Council funding of £500,000 in 2012/13 and £500,000 in 2013/14 and the remaining funds being provided by other reservoir undertakers (Minute No. EX46 (26.1.12) refers). Approval had also been given to progress to the next stages of the project involving outline design, detailed modelling, cost estimates and the preparation of a business case.

During further research, consultation and investigation carried out by the Environment Agency as part of the planning stage of the business case, it had become apparent that the previously agreed option would need to be changed. The proposed change had been driven by an increased understanding of the environmental risks, escalating cost forecasts, uncertainty in outcome and remaining liability for Undertakers. A new Option was therefore now proposed

EX/6 Warnham Mill Pond Reservoir – Selection of a New Preferred Option (cont.)

(Option 1a), which would retain the Mill Pond in its current state and involved a significantly lesser degree of works on site in order to comply with the Reservoirs Act 1975. The Environment Agency Regional Project Assurance Board had recently approved funding to implement this option (Option 1a).

A supplementary report was also submitted regarding information recently received concerning the condition of the existing face dam wall. A site inspection completed within the last week, following the removal of heavy vegetation, had revealed that the condition of the existing brick/masonry wall (which formed the current upstream face of the dam) needed significant repair for it to meet dam safety legislation. Therefore, it was proposed to integrate this work into the original works as detailed in the main report, at an additional estimated cost of £200,000, of which the Council would be required to pay half (i.e. £100,000). The revised total budget for the scheme, which was currently shared between the Council and the Environment Agency, would now be £1,300,000 and it was planned that the works would commence on site in Autumn 2013.

It was also proposed to further develop a business case for additional improvements at Warnham Nature Reserve as an income generating major visitor attraction for the Horsham District.

Cabinet Members supported the proposed amended option and congratulated officers on achieving a satisfactory solution to a challenging situation. In response to Members' queries, an explanation of the shared responsibilities of the Council and the Environment Agency in respect of the reservoir and of the close working relationship between the two bodies in coming to a solution was given. Members were also advised that the works were needed as a result of the requirements of the Reservoirs Act 1975 and not as a result of the more recent legislation under the Flood and Water Management Act 2010.

RECOMMENDED TO COUNCIL

That the original allocated capital funding of £1,000,000 to deliver this project be reduced to a total budget of £650,000 and re-profiled to £634,000 in 2013/14 and £16,000 2014/15.

RESOLVED

- (i) That Option 1a (the new preferred option), involving reinforcement of the dam and extension to auxiliary spillway to allow water to safely pass in an extreme flooding event be approved and the previously approved Option 4a (wetland option) be discounted.

EX/6 Warnham Mill Pond Reservoir – Selection of a New Preferred Option (cont.)

- (ii) That subject to the recommendation to Council and (i) above, to proceed to the next stages of the project where the Environment Agency will engage WS Atkins consultants to progress to a detailed design stage with a view to starting works on site in Autumn 2013.
- (iii) that the Director of Community Services enter into a Collaborative Agreement with the Environment Agency in order to safeguard project funding and implementation.
- (iv) That the development of a business case to promote the Nature Reserve as a high profile, income generating visitor attraction (in line with the proposals detailed in the report) be approved and the outcomes reported to Cabinet once viable plans have been fully developed.

REASONS

- (i) Option 1a makes the reservoir compliant with current legislation (The Reservoirs Act 1975), is the most cost effective solution and minimises the environmental impact on the local nature reserve and surrounding area. It also delivers 'Measures in the Interest of Safety' by the end of 2013/14 financial year.
- (ii) A Collaborative Agreement will protect the interests of all parties (the Council, Environment Agency and local landowner) involved in this project and provide clarity with regard to funding arrangements, overseeing of the project, access to undertake to works and administrative responsibilities.
- (iii) To maximise the visitor experience and thereby develop income generation opportunities for Warnham Nature Reserve.

EX/7 **SCRUTINY & OVERVIEW COMMITTEE – MATTERS REFERRED TO CABINET**

There were no matters currently outstanding for consideration.

The meeting closed at 6.28pm having commenced at 5.30 pm.

LEADER