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Direct line: 01403 215465

Cabinet

Thursday, 24th May, 2018 at 5.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:	Ray Dawe	Leader
	Jonathan Chowen	Deputy Leader and Leisure and Culture
	Philip Circus	Waste, Recycling and Cleansing
	Brian Donnelly	Finance and Assets
	Gordon Lindsay	Local Economy
	Claire Vickers	Planning and Development
	Tricia Youtan	Community and Wellbeing

You are summoned to the meeting to transact the following business

Glen Chipp
Chief Executive

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	3 - 10
To approve as correct the minutes of the meeting held on 22 nd March 2018 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</i>	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Cabinet	
4. Announcements	
To receive any announcements from the Leader, Cabinet Members or the Chief Executive	
5. Public Questions	
To receive questions from and provide answers to the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting	
6. S106 Commuted Sum funding for affordable homes at Broadbridge Heath	11 - 14
Report of the Cabinet Member for Community and Wellbeing	

7. **Overview & Scrutiny Committee**

To consider any matters referred to Cabinet by the Overview & Scrutiny Committee – there are no matters outstanding

8. **Forward Plan**

15 - 18

To note the Forward Plan

9. **To consider matters of special urgency**

Cabinet
22 MARCH 2018

Present: Councillors: Ray Dawe (Leader) (Leader), Philip Circus (Waste, Recycling and Cleansing), Brian Donnelly (Finance and Assets), Gordon Lindsay (Local Economy), Kate Rowbottom (Housing and Public Protection) and Claire Vickers (Planning and Development)

Apologies: Councillors: Jonathan Chowen and Tricia Youtan

Also Present: Councillors: John Bailey, John Blackall, Karen Burgess, Peter Burgess, John Chidlow, David Coldwell, Leonard Crosbie, Nigel Jupp, Paul Marshall, Mike Morgan, Godfrey Newman, Jim Sanson, David Skipp and Michael Willett

EX/81 **MINUTES**

The minutes of the meeting of the Cabinet held on 25th January 2018 were approved as a correct record and signed by the Leader.

EX/82 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

EX/83 **ANNOUNCEMENTS**

There were no announcements.

EX/84 **PUBLIC QUESTIONS**

No questions had been received.

EX/85 **LOCAL PLAN REVIEW - ISSUES AND OPTIONS CONSULTATION DRAFT: EMPLOYMENT, TOURISM AND SUSTAINABLE RURAL DEVELOPMENT**

The Cabinet Member for Planning and Development submitted a report seeking approval for the publication of the first stage in the Local Plan Review Issues and Options Consultation Draft – Employment, Tourism and Sustainable Rural Development for a seven week period of consultation. A Sustainability Appraisal would also be prepared alongside the Local Plan Review.

In November 2015, Council had adopted the Horsham District Planning Framework (HDPF), which set out the Council's planning strategy to 2031 for the delivery of sustainable development whilst balancing the social, economic and environmental needs of the plan area.

The adopted HDPF provided a sound basis for managing change and development in the District (excluding the South Downs National Park (SDNP)) in the short to medium term. However, it was a requirement that Local Plans were monitored and reviewed regularly to ensure that they were kept up-to-date. In addition, the Inspector who had undertaken the independent examination of the HDPF concluded that more work would be needed by the Council to ensure that sufficient land was made available to meet the needs of businesses and to support economic growth and indicated that a review of the Plan should commence within three years.

This first part of the Local Plan Review therefore considered both the locational strategy for economic growth, setting out a number of sites that might have the potential for allocation as employment sites, and considered some of the existing policies set out in the Economic Development chapter of the HDPF.

Consideration was also given to how the Council could achieve sustainable development in the more rural parts of the District (excluding the SDNP) with particular reference to development outside existing defined built-up area boundaries, which had been identified as an issue that needed to be addressed through the neighbourhood planning process.

In addition to the topics covered in this first Issues and Options consultation document, a wide range of other issues would need to be considered when reviewing the plan and rolling it forward to 2036, including the development strategy for housing development. The Government was currently revising its guidance on this issue and further evidence would need to be prepared. It was therefore anticipated that the next stage in the Local Plan review, which would be subject to further consultation, would be published in 2019.

The Planning and Development Policy Development Advisory Group had considered and supported the proposed approach to publish the Local Plan Review Issues and Options - Employment, Tourism and Sustainable Rural Development document for consultation.

RESOLVED

- (i) That the draft Local Plan Review Issues and Options – Employment, Tourism and Sustainable Rural Development be published for a seven week period of consultation from 6th April to 25th May 2018.
- (ii) That the Cabinet Member for Planning and Development be authorised to agree the Sustainability Appraisal Scoping Report and any necessary minor editorial changes to the Local Plan Review Issues and Options document.

REASONS

- (i) It is both necessary and appropriate to invite public and stakeholder participation in the preparation of a new planning document for the district.
- (ii) In order to ensure that the consultation documentation is accurately prepared. Any significant changes to the draft document would need to be reported back to Cabinet for approval before publication for consultation.

EX/86 **PIRIES PLACE CAR PARK REDEVELOPMENT PROPOSAL AND APPROVAL OF THE APPOINTMENT OF A BUILDING CONTRACTOR**

The Cabinet Member for Finance and Assets reminded Cabinet that, on 21st September 2017, they had approved a proposal to demolish and redevelop Piries Place Car Park subject to satisfactory funding and satisfactory planning permission being granted and to delegate authority to the Director of Planning, Economic Development and Property to enter into a construction contract with a nominated contractor for a new facility (Minute EX/33 refers).

At that time two schemes were proposed, one comprising ground floor plus three upper floors and a larger scheme of ground floor plus four upper floors. The budget for the smaller scheme was estimated at £6,250,000 and for the larger scheme £7,250,000. Council on 18th October 2017 had approved a supplementary budget of up to £7,250,000 (Minute CO/41 refers).

Since the Cabinet decision, the proposals had been progressed with planning permission being obtained for the demolition of the existing car park and the construction in respect of both schemes. During the consultation process Cabinet and Members had expressed a preference for the larger scheme.

In addition, design details had progressed and a contract sum marginally under £7,100,000 had been agreed with the contractor. The contract sum was higher than had been anticipated when the initial budget was prepared and, as a result, the approved budget was inadequate. A supplementary capital budget would therefore be required for the project to proceed.

The shortcomings of the existing car park and the case for its demolition and a new facility had not changed since the original report. However the effect on project viability of the increase in costs was reported.

A suggestion was made to consider the introduction of overnight charges at the new car park, especially as it was anticipated that the facility would be used by the occupants of the hotel. The Cabinet Member for Local Economy responded to explain that at the point of setting the charges for the car park, this suggestion would be given consideration.

A joint meeting of the two Cabinet Members' Policy Development Advisory Groups in September 2017 had considered and supported the redevelopment

proposal, expressing a preference for the larger scheme. The Finance and Assets Policy and Development Advisory Group had now also been consulted regarding the budgetary position and support the recommendation before Cabinet.

RESOLVED

That, subject to Council's approval of the additional supplementary capital budget, the Director of Planning, Economic Development and Property be authorised to enter into the contract for the construction of the facility within the proposed new budget figure of £8,000,000.

RECOMMENDED

That a supplementary capital budget of up to £750,000 be approved in addition to the figure of £7,250,000 previously approved on 18th October 2017, thus increasing the total budget to £8,000,000.

REASON

To allow the Council to proceed with the demolition of the existing multi storey car park and replacement with a new larger facility, which will meet modern standards and customer expectations.

EX/87 **APPROPRIATION OF LAND FOR PIRIES PLACE CAR PARK**

The Cabinet Member for Finance and Assets reported that a planning application for a new 516 space car park at Piries Place, consisting of a ground plus four upper floors had been approved by Planning Committee (North) on 6th February 2018. The Planning Committee considered officers' comments that the proposal would adversely impact the rights of adjoining building owners but that it was in the public interest.

In the private sector, negotiations to deal with owners' rights, such as Rights to Light and other easements, were dealt with by commercial negotiation depending on the bargaining position of the parties and settlements could include a share of development gain. In the public sector, local authorities could appropriate land, which enabled the interference with property rights with payment of fair compensation. Appropriation of land could take place if the local authority owned the land and proposed to develop it to promote or improve the economic, social or environmental well-being of their area and/or if the future use provided different facilities to the current use. The car park at Piries Place satisfied these requirements and therefore could be appropriated by the Council. Full details of the Council's powers in this respect were reported.

RESOLVED

That the land edged red on the plan attached as Appendix 1 to the report be appropriated for planning purposes under Section 122(1) of the Local Government Act 1972.

REASONS

- (i) The appropriation of the car park is necessary and in the public interest to secure the benefits of redevelopment of the site to provide a new car park with improved facilities.
- (ii) Appropriation of the site will enable the development to proceed without the risk of an injunction from adjoining landowners.
- (iii) Appropriation will limit the level of compensation payments to the value of the diminution in value of affected properties.

EX/88 **PEARY CLOSE, HORSHAM AND ROWAN DRIVE, BILLINGSHURST - APPROVAL OF THE APPOINTMENT OF A CONTRACTOR TO DEVELOP 17 FLATS**

The Cabinet Member for Housing and Public Protection reported that the Council had a requirement for additional temporary accommodation to support families in housing need and to reduce the Council's use of bed and breakfast accommodation.

To this end, the development of two of the Council's surplus parcels of land to create 17 residential units, eight at Peary Close, Horsham and nine at Rowan Drive, Billingshurst, was proposed. Residential schemes had been prepared for both parcels and planning applications submitted.

Subject to the granting of planning permission, the completed developments would deliver an income return to the Council of approximately £118,000 per annum, after management and void costs. The overall approved budget for the developments was £3,000,000; funded through commuted sums.

Details of the procurement process for the appointment of the building contractor were reported and approval was sought to proceed with the appointment for the contract sum reported, subject to the approval of the planning applications.

RESOLVED

That the Director of Planning, Economic Development and Property be authorised to enter into a contract with the recommended contractor, PMC Construction Limited, for the development of a total of 17 residential units for temporary residential accommodation, for the sum reported, subject to satisfactory planning consent being obtained.

REASON

To enable the Council to provide additional temporary accommodation for eligible families in housing need.

EX/89 **OVERVIEW & SCRUTINY COMMITTEE**

Traffic around Primary Schools

Cabinet received and supported the recommendations of the Overview and Scrutiny Committee in respect of issues relating to traffic around primary schools.

RESOLVED

That the following responses to the recommendations from the Overview and Scrutiny Committee be approved

- (i) Recommendation from Overview and Scrutiny Committee:
That West Sussex County Council be requested to implement Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations.

Response from Cabinet: This work is already underway and WSCC are in the process of adopting Regulation 10. It has been agreed that we will work with WSCC and then implement Regulation 10 across the district. The start date for the use of Regulation 10 will be confirmed as soon as it is agreed.

- (ii) Recommendation from Overview and Scrutiny Committee:
That enforcement officer presence be increased during peak times around schools, with a target of visiting each school once per each half term and the strength of the enforcement team be examined to ensure that it is adequately resourced.

Response from Cabinet: Officers will examine our ability to increase the enforcement presence during peak times at schools. Steps have already been taken to increase the amount of officer time available for enforcement. The council has recruited three new parking attendants. These posts will ensure more enforcement capacity.

- (iii) Recommendation from Overview and Scrutiny Committee:
That the Waste, Street Scene and Fleet team keep road markings around schools clear and visible, especially schools in rural areas.

Response from Cabinet: The council already ensures that road markings are swept. This includes around schools. Officers will revisit the schedule for the sweeping of road markings to ensure that they continue to be fit for purpose.

- (iv) Recommendation from Overview and Scrutiny Committee:
That the Communications team draft a press release/article for use across all media to increase awareness/educate those who drop off and pick up students.

Response from Cabinet: We will ask WSCC and schools to participate in this education and awareness campaign.

- (v) Recommendation from Overview and Scrutiny Committee:
That the possibility of neighbourhood wardens being empowered to enforce traffic regulations be investigated.

Response from Cabinet: It should be noted that neighbourhood wardens already play an active role in resolving local traffic issues. Experience from existing warden schemes like the one in Pulborough suggests that wardens can achieve significant results through education and awareness raising. The possibility of empowering neighbourhood wardens to enforce traffic regulations will be investigated.

EX/90 **FORWARD PLAN**

The Forward Plan was noted.

EX/91 **TO CONSIDER MATTERS OF SPECIAL URGENCY**

There were no matters of special urgency to be considered.

The meeting closed at 6.16 pm having commenced at 5.30 pm

CHAIRMAN

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Report to Cabinet

24th May 2018

By the Cabinet Member for Community and Wellbeing



DECISION REQUIRED

Allocation of Section 106 Commuted Sum funding of Countryside development at Broadbridge Heath

Executive Summary

Working in partnership Countryside and Clarion Housing Group, with support from Horsham District Council, is providing new affordable homes on land South of Broadbridge Heath, Old Wickhurst Lane, Broadbridge Heath, West Sussex.

Planning consent was granted for the scheme in July 2017 (DC/17/0388), and the development will provide twenty four affordable homes.

As detailed within the Planning committee report, Horsham District Council proposed to recycle S106 commuted sum funding collected in respect of the wider Wickhurst Green development to uplift the number of affordable units considered to be viable from six to the twenty four now being delivered by Clarion Housing Group.

The payment of commuted sum will enable the Council to secure the provision of ten affordable rented homes that will meet an identified and acute housing need. In addition, the site will also provide fourteen shared ownership homes.

The Council will retain 100% initial nomination rights of tenants and 75% subsequent nomination rights of tenants to the scheme.

Recommendations

Cabinet is asked to:

- i. Approve the grant of £509,000 which is funded from Section 106 receipts secured for new affordable housing, to enable the development of ten new affordable rented homes on land South of Broadbridge Heath, Old Wickhurst Lane, Broadbridge Heath, West Sussex.

Reasons for Recommendations

- i) To assist the Council in achieving its target of delivering 240 affordable homes a year.
- ii) To assist Countryside in partnership with Clarion Housing Group to deliver much needed affordable accommodation for persons in housing need.

Background Papers

Planning applications: DC/17/0388

Wards affected: Broadbridge Heath

Contact: Rob Jarvis, Head of Housing Services 01403 215449

Background Information

1 Introduction and Background

- 1.1 The purpose of this report is to seek the Cabinet's approval to grant fund the development of ten new affordable rented homes by Countryside on land South of Broadbridge Heath, Old Wickhurst Lane, Broadbridge Heath, West Sussex.
- 1.2 These affordable rented units will directly reduce the number of households on Horsham Housing Register with a housing need.

2 Relevant Council policy

- 2.1 District Plan - *Provide access to appropriate and affordable housing*

The Council's Housing Strategy 2013-15 states that in order to meet current and projected housing need in the District, 240 affordable homes a year should be delivered. This scheme contributes to that target provision.

3 Details

- 3.1 The scheme was granted planning consent July 2017 under HDC ref DC/17/0388.
- 3.2 The site will deliver ten affordable rented homes in addition to fourteen Shared Ownership units.

4 Next Steps

- 4.1 Countryside are developing the homes which will then be disposed of to Clarion Housing Group. Horsham District Council will receive 100% nomination rights to the initial lets and 75% of the resulting vacancies.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 Local members have been consulted on this proposal.
- 5.2 The Housing and Public Protection PDAG were consulted 30th April 2018 and supported the recommendations.

6 Other Courses of Action Considered but Rejected

- 6.1 The funding has been offered through the planning committee decision to deliver a significant increase in affordable units. Not confirming the grant allocation is an option however we hold S106 funds for this very purpose. The proposed units will deliver units of the size and in an area in which high demand can be demonstrated.

7 Resource Consequences

- 7.1 The Council has a budget (KT 03001) for Housing Enabling Grants. This is funded from Section 106 receipts which have been secured through the planning system

and the money is used exclusively for the provision of affordable housing in the District. It is proposed that the grant of £509,000 for this new affordable housing development is paid from this budget. Currently sufficient funding has been received by the Council via Section 106 agreements.

- 7.2 The Director of Corporate Resources has been consulted and supports the use of funds to deliver affordable rented units confirming sufficient funds are available.

8 Legal Consequences

- 8.1 No Legal consequences. Grant is being allocated in accordance with the criteria in which it has been received, "For the delivery of affordable housing".

9 Risk Assessment

- 9.1 There are no direct risks associated with this report.

10 Other Considerations

- 10.1 Access to housing is vitally important to preventing people from turning to crime
- 10.2 The Council is obliged (a) to give positive effect to the Convention rights and (b) not to infringe those rights as scheduled in the Human Rights Act 1998. Of particular relevance to the proposal are Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to property). Clarion Housing will have primary responsibility – however, the Council will be deemed to have met its statutory duty under the 1998 Act.

As said, the Council is required to consider not only the detrimental effects on citizens' Convention rights but also positively to enhance those rights. Providing affordable housing through the scheme highlighted in this report will enable those in need to have a home of their own.

- 10.3 The scheme will contribute to meeting the housing need of persons in the District.
- 10.4 Delivering affordable housing and preventing homelessness are fundamental to establishing and maintaining sustainable communities.

**Parkside, Chart Way, Horsham,
West Sussex RH12 1RL**

FORWARD PLAN

This notice sets out details of key decisions that the Cabinet or a Cabinet Member intend to make, and gives 28 days' notice of the decision under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The notice may also include details of other decisions the Council intends to make.

The reports and any background documents that have been used to inform the decisions will be available on the Council's website (www.horsham.gov.uk) or by contacting Committee Services at the Council Offices.

Whilst the majority of the Council's business will be open to the public, there will be occasions when the business to be considered contains confidential, commercially sensitive or personal information. This is formal notice under the 2012 Regulations that part or all of the reports on the decisions referred to in the schedule may be private because they contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and the public interest in withholding the information outweighs the public interest in disclosing it.

If you wish to make representations about why part or all of the papers should be open to the public, please contact Committee Services at least 10 working days before the date on which the decision is to be taken.

If you wish to make representations to the Cabinet or Cabinet Member about the proposed decisions, please contact Committee Services to make your request.

Please note that the decision date given in this notice may be subject to change.

To contact Committee Services:

E-mail: : committeeservices@horsham.gov.uk

Tel: 01403 215123

Published on 01 May 2018 (updated 04 May 2018)

What is a Key Decision?

A key decision is an executive decision which, is likely –

(i) to involve expenditure or savings of £250,000 or more as well as otherwise being significant having regard to the Council's budget for the service or function to which the decision relates; or

(ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

	Subject/Decision	Decision Taker	Date(s) of decision	Is all or part of this item likely to be dealt with in private	Contact Officer Cabinet Member (NB include name, title and email address)
1	Funding strategy for the Forum maintenance Policy Development Advisory Group 9 July 2018	Cabinet Council	19 Jul 2018 5 Sep 2018	Fully exempt	Chris Lyons, Director of Planning, Economic Development and Property chris.lyons@horsham.gov.uk Cabinet Member for Finance and Assets (Councillor Brian Donnelly)
Page 17	Visitor Economy Partnership/ Strategy Policy Development Advisory Group 1 November 2017	Cabinet	19 Jul 2018	Open	Clare Mangan, Head of Economic Development clare.mangan@horsham.gov.uk Cabinet Member for Local Economy (Councillor Gordon Lindsay)
3	Heath Common Village Design Statement Supplementary Planning Document - agreement to adopt Policy Development Advisory Group 5 July 2018	Cabinet	19 Jul 2018	Open	Barbara Childs, Head of Strategic Planning and Sustainability barbara.childs@horsham.gov.uk Cabinet Member for Planning and Development (Councillor Claire Vickers)

	Subject/Decision	Decision Taker	Date(s) of decision	Is all or part of this item likely to be dealt with in private	Contact Officer Cabinet Member (NB include name, title and email address)
4	Transformation fund - top up from the 2017/18 budget surplus Policy Development Advisory Group 9 July 2018	Cabinet	19 Jul 2018	Open	Jane Eaton, Director of Corporate Resources jane.eaton@horsham.gov.uk Cabinet Member for Finance and Assets (Councillor Brian Donnelly)