

Council
7 SEPTEMBER 2022

Present: Councillors: Kate Rowbottom (Chairman), Ian Stannard (Vice-Chairman), Matthew Allen, Andrew Baldwin, Martin Boffey, Toni Bradnum, Chris Brown, Karen Burgess, Philip Circus, Paul Clarke, Michael Croker, Ray Dawe, Ruth Fletcher, Joan Grech, Billy Greening, Tony Hogben (Deputy Leader), Nigel Jupp, Liz Kitchen, Lynn Lambert, Richard Landeryou, Tim Lloyd, John Milne, Colin Minto, Christian Mitchell, Roger Noel, Jon Olson, Bob Platt, Louise Potter, Sam Raby, Stuart Ritchie, Jack Saheid, David Skipp, Clive Trott, Diana van der Klugt, Claire Vickers, Belinda Walters, Tricia Youtan and James Wright

Apologies: Councillors: Tony Bevis, John Blackall, Alan Britten, Peter Burgess, Jonathan Chowen, Christine Costin, Brian Donnelly, Gordon Lindsay, Mike Morgan and Josh Potts

Councillor Kate Rowbottom, Chairman of the Council, led a minute's silence to honour the memory of two past-Councillors who had recently passed away:

John Charles (Denne Ward 1995 – 2003)
June Smith (Trafalgar Ward 1987 – 1995)

CO/24 **MINUTES**

The minutes of the meeting of the Council held on 22 June were approved as a correct record and signed by the Chairman.

CO/25 **DECLARATIONS OF MEMBERS' INTERESTS**

Item 9(b) Notice of Motion: Councillor Belinda Walters declared a personal interest because two family members lived in housing association properties.

CO/26 **ANNOUNCEMENTS**

The Chairman of the Council announced that last week she had attended the Springboard Project's 30th anniversary celebration and had also been given a tour of their premises. She praised this worthwhile organisation, which was her chosen Chairman's Charity.

Councillor Tony Hogben, Deputy Leader and Cabinet Member for Finance & Parking, made two announcements on behalf of Jonathan Chowen, Leader and Cabinet Member for the Local Economy:

- Horsham District Council was one of only two Councils in Sussex to secure funding from Rural England's Prosperity Fund, which had announced major investment in rural communities. HDC had been allocated £871,000 over the next two financial years to spend on capital projects that support small businesses and community infrastructure. Submissions on our priorities to secure the funding would be made by 30 November.
- A monthly Members' bulletin had been launched to give Members one convenient place for Council information and news. Members were invited to give their feedback to inform future editions.

Councillor Hogben made two announcements:

- Nationally, there had been some negative press regarding delays by local authorities in paying the Tax Band A – D £150 rebate. This was not the case in Horsham; the Cabinet Member gave details of the measures the Council had taken to ensure that as many as possible have been paid in a timely manner.
- The Cabinet Member had issued a press release yesterday regarding the financial impact of the cost of living crisis. He stated that the Council's use of this year's Council Tax increase as a fund to help with the cost of living crisis had been copied by other local authorities across West Sussex, and that HDC was widely seen as the lead authority on this matter.

Councillor Christian Mitchell, Cabinet Member for Horsham Town, made three announcements:

- Public realm improvements were taking place following consultation with the Neighbourhood Councils, Horsham Society and Local Members. Works would be carried out in three stages – Forum Walk, West Walk and then Blackhorse Way crossover – and were scheduled to be completed in early November.
- The Horsham Blue Print, Neighbourhood Plan for the unparished area of Horsham Town, had passed examination and a referendum on the plan was scheduled for 20 October.
- Public consultation on the proposed Horsham Conservation Area (Norfolk Road, Norfolk Terrace, Wellington Road, Chichester Terrace, Barttelot Road, Park Terrace, Park Street and East Street) was currently underway until 6 October.

Councillor James Wright, Cabinet Member for Environment & Rural Affairs, announced that Wilder Horsham District (WHD), the Council's partnership with Sussex Wildlife Trust, had helped 27 farmers on the River Adur catchment apply for a landscape level recovery grant. The application had been

successful and the project praised for being farmer-led. This significant nature recovery project would help support WHD's goals.

CO/27 **QUESTIONS FROM THE PUBLIC**

No questions relevant to the business of the meeting had been received.

CO/28 **RECOMMENDATIONS FROM CABINET**

(a) **Burton Court Bin Store – approval of capital budget**

Councillor Tony Hogben, Cabinet Member for Finance & Parking, stated that the proposed budget would enable the issue of the bin store for Burton Court to be finally resolved. Before the Piries Place redevelopment, it had been within the carpark and a more suitable location had not been finalised when the car park was rebuilt. The budget would provide for a permanent high-quality bin store as a solution to the ongoing issues with the interim arrangements. It was noted that the car park redevelopment had been completed under-budget. The Motion was seconded by Councillor Christian Mitchell.

The Cabinet Member emphasised that Council was being asked to agree to the budget only and a planning application would be determined by a future Planning Committee.

RESOLVED

- (i) To approve a £100,000 capital budget for the Burton Court Bin Store in the 2022/23 capital programme.

REASON

- (i) To deliver a solution that is satisfactory for the stakeholder groups and meets the needs of the residents.

(b) **Extension of Parking Charge Increases to Additional Car Parks**

A number of increases to parking charges in Horsham District had been approved as part of the budget in February 2022. The Councillor Hogben stated that the proposed increases would ensure tariffs were consistent and proportionate, and corrected minor anomalies within the parking charges approved in February. The Cabinet Member advised that carpark use had recovered well since the Pandemic. The Motion was seconded by Christian Mitchell.

The Cabinet Member agreed to ask the Head of Service to look at parking charging models with more flexible payment rates, but stated that parking

revenue was a significant revenue for the Council and there was no evidence that current tariffs were deterring people from parking.

RESOLVED

- (i) To extend the 12.5% increase to the new 4-hour tariff in North Street Car Park.
- (ii) To extend the charge increases agreed for Southwater Country Park summer tariffs to the winter weekend tariffs.
- (iii) To extend the 10% increase on season tickets to the day passes available in the Forum, Swan Walk & Piries Place.
- (iv) To approve an increase in income of £22,500 to the Parking 2022/23 revenue budget.

REASON

These additional charges will ensure that consistency is maintained between car park tariffs and pricing structures. It will also ensure a smooth customer journey and simplicity where pricing structures vary based on the day or team of year. Only Full Council can approve budget changes.

CO/29 **STEYNING NEIGHBOURHOOD DEVELOPMENT PLAN**

Councillor Lynn Lambert, Cabinet Member for Planning & Development reported that, following extensive preparations and Examination the Steyning Neighbourhood Plan had been subject to a Referendum on 14 July 2022, where the majority (88%) of those who voted were in favour of the plan.

She thanked the Parish Council and local residents for the effort they had put into the preparation of the Plan, which had been delayed and reworked in light of Natural England's statement on water neutrality. The Local Members also paid tribute to the work of the Parish Councils and local residents and supported the Cabinet Member's recommendation.

Council's approval was therefore sought to make the Steyning Neighbourhood Plan part of the statutory Development Plan as required by the Town and Country Planning Act 1990 and the Localism Act 2011. This would mean that the Plan would be used in the determination of planning applications within the Parish area, in addition to the Horsham District Planning Framework.

RESOLVED

To formally "make" the following Neighbourhood Plan as part of the statutory Development Plan for Horsham District and apply the policies

within the plan for the purpose of determining planning applications within the relevant parish area:

1. Steyning Neighbourhood Development Plan 2011-2031

REASON

To meet the requirements of the Town and Country Planning Act 1990 (as amended), the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).

CO/30 **REPORTS OF REPRESENTATIVES**

Councillor van der Klugt, HDC representative on South Downs National Park Authority, gave a brief update on the Shoreham Cement Works' issues and options consultation, which had finished on 2 August. There had been 226 responses from individuals and organisations, including HDC. The SDNP were analysing the responses with a view to consulting on a preferred option next year.

CO/31 **NOTICE OF MOTIONS**

Three motions had been received, as set out in the agenda.

- (a) Motion Proposed by Councillor Sam Raby and seconded by Councillor Clive Trott

'This Council notes that:

- *On the 1 April 2022, Ofgem increased the energy price cap by 54 per cent and this is predicted to rise again in October.*
- *In light of the increased energy price cap, the average standard tariff energy bill is rising by £693 per year the average pre-pay meter energy bill is increasing by £780 per year. This is expected to rise again in October.*
- *The Consumer price index (CPI) shows twelve-month Inflation is now at 10.1% up to July 2022. Inflation is predicted to rise further next year.*
- *Evidence shows that food bank use has increased dramatically in Horsham. In July 2021, the Horsham Matters food bank fed 213 people, of whom 84 were children. This year those figures have already more than doubled – in July 2022, 483 people were fed of whom 187 were children.*

'Council therefore resolves to:

- *Declare a 'Cost of Living Emergency'*
- *Organise a Horsham Cost of Living Emergency Summit in the autumn, inviting a wide range of stakeholders such as Horsham Matters, Age UK, Citizens Advice Bureau and the Red Cross, to plan and co-ordinate support*

for Horsham residents, especially those in the most vulnerable households. Local MPs will also be invited to attend.'

The proposer and seconder spoke in support of the Motion.

Councillor Liz Kitchen, Cabinet Member for Community Matters, proposed an amendment to the Motion, which was to ADD the following before 'Council therefore resolves to:'

'This Council recognises the enormous pressure and unprecedented situation of the costs of living crisis, the rising energy costs caused by the ongoing effects of the COVID-10 pandemic and the war in Ukraine which are affecting residents in our district but especially those who are most in need.

This Council records that earlier this year the Council announced a package to help those most in need which included:

- *£90,000 for Housing Payments support helping those on benefits;*
- *£35,000 Hardship Fund to help people with debt;*
- *£15,000 grant to Horsham Matters so they can expand their fuel crisis support.*
- *£60,000 funding for two additional full-time posts at Citizens Advice to meet increased demand;*
- *£80,000 a mentoring scheme for young people in partnership with West Sussex County Council; and*
- *£15,000 increase in young people intervention training courses to better understand teenage behaviour.'*

And to DELETE the resolution of the Motion and REPLACE it with:

'The Council, in recognising the cost of living crisis facing this Country, resolves to continue to deliver support to those most in need and to continue to work with partner authorities and with third sector organisations to support all those in our community.'

The amendment was seconded by Councillor Billy Greening.

The Monitoring Officer advised that the amendment did not negate the motion and was valid under the rules set out in 4a.16 (f) of the Constitution.

After debate, the amendment to the Motion was put to the vote and was CARRIED.

(b) Motion Proposed by Councillor Martin Boffey and seconded by Councillor John Milne

'This Council notes that:

- *The Government has re-announced plans to introduce a right-to-buy scheme for housing association tenants;*
- *As the Council no longer operates a Housing Revenue account, we rely heavily on housing associations for the provision of homes to residents on our housing waiting list.*

This Council believes that:

- *Any further extension of right to buy to housing association properties will further deplete the number of properties available to those on our housing waiting list;*
- *This policy will have an extremely detrimental impact on our affordable housing strategy;*
- *The Government should instead fund local authorities and housing associations to deliver a step change in the delivery of new social rented and affordable homes, rather than force them to sell off their existing housing stock;*
- *The assurances given thus far that all properties sold will be replaced on a one-for-one basis are both unfunded and unachievable, as the government has no direct power over how housing associations build and replace properties.*

Therefore, this Council resolves to:

- *Write to the government minister expressing our opposition to these plans and ask for them to be halted immediately;*
- *Make a public statement against the policy change and in support of more funding for social rented and affordable rented homes from the Government;*
- *Write to our local MPs asking them to oppose the extension of right-to-buy and to give public support to this council's efforts to protect our district's affordable housing stock.'*

The proposer and seconder spoke in support of the Motion.

Councillor Tricia Youtan, Cabinet Member for Housing & Public Protection, agreed that any extension to the current right to buy arrangements would have a detrimental impact on affordable housing stock in Horsham District. She confirmed that, should further advances be made in rolling out right to buy legislation, she would contact local MPs and relevant government ministers to make the Council's views on this clear.

She therefore proposed to REFER the Motion to the Housing & Public Protection Policy Development Advisory Group for consideration, without further debate (under rule 4a.16(f) of the Constitution). The proposal was seconded by Councillor Claire Vickers.

The proposal to refer the Motion was put to the vote and was CARRIED.

- (c) Motion Proposed by Councillor Billy Greening and seconded by Councillor Karen Burgess

Councillor Greening agreed to withdraw the Motion, and Members consented without discussion.

CO/32 **MEMBERS' QUESTIONS ON NOTICE**

Three questions had been received.

- (a) Councillor Clive Trott asked Tricia Youtan, Cabinet Member for Housing & Public Protection, the following question:

“According to my postbag, Horsham town residents are increasingly concerned with the problems caused by the growing populations of urban wildlife. This includes urban foxes, roosting feral pigeons and the mess and noise associated with the increasing seagull population. Can the Council assure residents that this issue is being looked at, and measures are in hand, either through education or direct action, to mitigate the nuisance?”

The Cabinet Member replied:

‘In line with other local authorities across the country, we as a Council do not generally control birds or other wild animals and this is because animals in the wild, animals and birds, including their nests and eggs, are protected by law in the UK under the Wildlife and Countryside Act 1981. Any offences against this legislation can lead to an unlimited fine and prosecution of the parties involved. Accordingly professional pest control methods that deter the animals but do not harm them should be used wherever possible. Only animals listed in the relevant general licence can be removed by the authorised qualified person..... The best way to get rid of nuisance animals including pigeons from an area is to remove their food source and nest/den building opportunities and most importantly don’t feed them.’

She outlined the advice from the Council’s Environmental Health Team for landowners to make premises less attractive to nuisance animals, which included:

- Limiting food sources and access to anything they can use to build nests/dens;
- Removal of old and redundant nests/dens and building material from previous seasons (after checking it is not currently used);
- Wherever practical, entry points should be proofed to deny animals and birds access. Where doors must remain open for extended periods they should have strip curtains or similar fittings.

The Cabinet Member concluded by saying:

'As a Council we can and we will do what we've done in the past ... we are yet again going to produce an 'educational' for residents to put on our website and we will probably write to our local papers.'

In reply, Councillor Trott responded by thanking the Cabinet Member for her reply and emphasised the importance of discouraging people from feeding nuisance animals, in particular urban foxes, which should not be encouraged.

- (b) Councillor Mike Croker asked Councillor Lambert, Cabinet Member for Planning & Development, the following question:

'It is now close to one year since Natural England issued their position statement regarding the effect that abstraction within the Sussex North Water Supply Zone is having on the environmentally sensitive Arun Valley sites.

Whilst I welcome the extensive guidance available on our website for potential developers, would the Cabinet Member please update Council on the current state of agreement, or not, between Natural England, Southern Water and this Council on what constitutes a Water Neutral development?'

The Cabinet Member replied:

'There is now a common understanding of what a water neutral development is. It is one that does not result in an increase in water-use at the site compared to existing demand. Legally, it is a matter for Horsham District Council as the competent authority, in consultation with Natural England, to conclude whether or not a development is water neutral. As a result, applicants for development for new homes or employment units must prove to our satisfaction that this can be achieved. This is a very high bar, given that new development will inevitably use water. In general terms this can be achieved by ensuring that the development is as water efficient as possible, then offsetting remaining water demand. Offsetting can be achieved in different ways but could include retrofitting to make existing developments more water efficient.'

Councillor Croker asked a supplementary question:

'I am pleased you mentioned efficiency in use of water, I think that one of the things we will see is rainwater harvesting being used more often. I note that in our current draft Regulation 19 Policy 38, regarding sustainable design and construction, it is required that new residential development achieves water

efficiency of 100 litres per person per day, but any development above 200 homes is expected to achieve 80 litres per person per day. Given the environmental stress caused by increasing global temperatures is there not an argument for requiring the lower limit to apply to all new development?'

The Cabinet Member replied:

'We would like all new developments, large or small, to be 85 litres per person per day. Larger developments have the ability to pay. It's a lot more expensive to bring it down to 85 than it is to leave it at 100. Therefore the smaller developments cannot afford it, bearing in mind we want biodiversity net gain, we want affordable homes. They cannot afford to put the money in to bring it down to 85 whereas the larger developments can...'

Councillor Croker responded by saying that *'in the end it's the environment that pays.'*

- (c) Councillor Andrew Baldwin asked Councillor Toni Bradnum, Cabinet Member for Recycling & Waste, the following question:

'I hope that the new Secretary of State for Environment, Food and Rural Affairs has the courage and conviction to take real effective action, not just tough talking, to dealing with the growing problem in this country of litter, fly tipping and allowing water companies to pump vast amounts of raw sewage into Britain's seas and rivers. Compared to most other European countries we are a national disgrace when it comes to these issues.'

Whenever you ask residents what local issues are important to them I guarantee litter and clean streets and grass verges always comes out near the top of the priorities. Despite the hard work of our dedicated officers in clearing up other people's litter, it is never ending and is made worse because the fine is too small to act as a real deterrent.'

Campaigners at Clean Britain said the level of littering was "shameful" and that enforcement of fines by councils should be made compulsory. They also said that the maximum on-the-spot fine of £150 was "derisory" and should be increased to £1,000 which I totally agree with.'

Since last November this council has only issued 28 Fixed Penalty Notices for littering and the fine is only £75 which is reduced to £50 if paid quickly. Some councils, like for example Brighton & Hove, charge the maximum on the spot fine of £150 which can be reduced to £110 if paid quickly.'

I am asking the Cabinet member for Recycling and Waste whether or not Horsham District Council has any plans to increase the fine we charge to £150 and if not why not?'

The Cabinet Member thanked Councillor Baldwin for highlighting the problem and his engagement with this matter. She stated that officers worked hard to

clear fly tipping, and also investigated its source. She stated that the number of Fixed Penalty Notices (FPNs) issued had greatly improved with a new Environmental Enforcement Officer in post.

The Cabinet Member stated that the Neighbourhood Wardens prefer to engage with an offender and educate rather than issue fines. She also confirmed that charges levied by neighbouring local authorities were not dissimilar to those issued by HDC.

She highlighted the difficulties in identifying those littering from vehicles, and itemised the actions taken regarding enforcement along the A264 and the issue of large vehicles carrying waste, and that the Head of Waste had arranged to meet some companies to find a solution, for instance providing improved netting for large vehicles.

She also stated that:

'We can certainly explore increasing our charge which is currently £75 reduced to £50 if paid in 14 days. We will be discussing the pricing of fines at the next Recycling & Waste Policy Development Advisory Group, and you are welcome to attend and join the discussion. If our fines were uplifted from the statutory minimum this would have to come back to Council.... In summary we can certainly explore increasing the FPN charges and also look at other ways to educate including meeting with these companies to tackle the problem.'

She also thanked the Cleansing Team and officers, and in particular thanked those residents who participate in the Adopt the Street scheme, which makes a huge difference to the overall cleanliness and appearance of the district.

Councillor Baldwin asked a supplementary question:

'Recently five FPNs were issued to the same firm and they are not a skip hire company where there are problems with netting and sheeting.... Something is wrong if five are issued in a short period of time. How many FPNs do we have to issue before firms like this are prosecuted?'

The Cabinet Member thanked Councillor Baldwin of informing her of this particular case, which she was not aware of, and said that she would look into this matter.

CO/33 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 8.00 pm having commenced at 6.00 pm

Council
7 September 2022

CHAIRMAN