



Email: committeeservices@horsham.gov.uk
Direct line: 01403 215465

Council

Wednesday, 7th September, 2022 at 6.00 pm
Park Suite, Parkside, Chart Way, Horsham

To: All Members of the Council

(Please note that prayers will be taken by The Reverend Canon Lisa Barnett, Team Rector of Horsham, before the meeting commences)

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

	Page No.
GUIDANCE ON COUNCIL PROCEDURE	
1. Apologies for absence	
2. Minutes	5 - 16
<i>To approve as correct the minutes of the meeting of the Council held on 22 June (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	
4. Announcements	
To receive any announcements from the Chairman of the Council, the Leader, Members of the Cabinet or the Chief Executive	
5. Questions from the Public	
To receive questions from the public under Rules 4j1.1 – 4j1.12	

6. **Recommendations from Cabinet** 17 - 18
To receive and, if approved, adopt the recommendations from the meeting of Cabinet held on 21 July:
- (a) **Park Place Bin Store – approval of capital budget** (report of the Cabinet Member for Finance & Parking is available at: [Agenda item 6](#))
 - (b) **Extension of Parking Charge Increases to Additional Car Parks** (report of the Cabinet Member for Finance & Parking is available at: [Agenda item 8](#))
7. **Steyping Neighbourhood Development Plan** 19 - 26
To consider the report of the Cabinet Member for Planning & Development
8. **Reports of representatives**
To receive reports from representatives on outside bodies
9. **Notice of Motions** 27 - 28
To consider three Motions on Notice submitted in accordance with Rule 4a.14 of the Council's Constitution:
- (a) To consider the attached Motion regarding the Cost of Living Crisis, proposed by Councillor Sam Raby
 - (b) To consider the attached Motion regarding a proposed right-to-buy scheme for housing association tenants, proposed by Councillor Martin Boffey
 - (c) To consider the attached Motion regarding the Cost of Living Crisis, proposed by Councillor Billy Greening
10. **Members' Questions on Notice**
To receive questions from Members under Rules 4a.8(b) – 4a.13
11. **Urgent Business**
To consider matters certified by the Chairman as urgent

GUIDANCE ON COUNCIL PROCEDURE

(Full details in Part 4a of the Council's Constitution)

Addressing the Council	<p>Members must address the meeting through the Chairman. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop. The Chairman will decide whether he or she prefers Members to stand or sit when addressing the Council.</p>
Minutes	<p>Any comments or questions should be limited to the accuracy of the minutes only</p>
Quorum	<p>Quorum is one quarter of the whole number of Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next ordinary meeting.</p>
Declarations of Interest	<p>Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.</p>
Announcements	<p>These should be brief and to the point and are for information only – no debate/decisions</p>
Questions from the public (Notice must have been given in writing to the Chief Executive by 12.00 three working days before the meeting)	<p>Directed to Leader, Cabinet Member or Chairman of an ordinary committee and relevant to the business of the meeting. 2 minutes in total to put the question. Appropriate Member to reply. Questioner may ask one supplementary question. Member to reply (max 2 minutes unless Chairman consents to a longer period). Overall time limit for questions of 15 minutes or six questions, whichever is greater. The questioner must be present. If a question cannot be dealt with at the meeting (lack of time or absence of relevant Member), a written reply to be given. No discussion but any Member may move that a matter raised by a question is referred to Cabinet or committee. If seconded, no discussion – vote taken.</p>
Cabinet recommendations (see also rules of debate)	<p>Leader/Cabinet Member presents and moves recommendation(s) – seconder required. Members may:</p> <ul style="list-style-type: none"> - ask a question on the item under consideration – max 2 minutes; and/or - make a statement – max 5 minutes.
Questions from Members on Notice (Notice must have been given in writing to the Chief Executive by 12.00 two working days before the meeting)	<p>These are directed to the Chairman, Leader, Cabinet Member or chairman of any committee:</p> <ul style="list-style-type: none"> - 2 minutes maximum for initial question - 2 minutes maximum for the response - 2 minutes maximum for a supplementary question - 2 minutes maximum for a response to the supplementary question - 5 minutes maximum for the questioner to make a final statement in response, if they wish - If an oral reply is not convenient (e.g. too lengthy) a written answer may be circulated later. <p>No discussion. Maximum of 30 minutes overall for questions and answers.</p>

<p>Rules of debate</p>	<p>The Chairman controls debate and normally follows these rules but Chairman’s interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the question under discussion or a personal explanation or a point of order (max 5 minutes) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment o To move a further amendment if the motion has been amended since he/she last spoke o If first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of motion at end of debate on original motion and any amendments (may not otherwise speak on amendment). Mover of amendment has no right of reply. o On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. o Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman’s ruling on the admissibility of the personal explanation will be final. - Amendments to motions must be to: <ul style="list-style-type: none"> o Refer the matter to an appropriate body/individual for (re)consideration o Leave out and/or insert or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
<p>Voting</p>	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - Two Members request a recorded vote - A recorded vote is required by law. <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>

Council
22 JUNE 2022

Present: Councillors: Kate Rowbottom (Chairman), Matthew Allen, Andrew Baldwin, Tony Bevis, John Blackall, Martin Boffey, Toni Bradnum, Chris Brown, Karen Burgess, Peter Burgess, Jonathan Chowen (Leader), Philip Circus, Paul Clarke, Michael Croker, Ray Dawe, Ruth Fletcher, Joan Grech, Billy Greening, Tony Hogben (Deputy Leader), Liz Kitchen, Lynn Lambert, Richard Landeryou, Colin Minto, Christian Mitchell, Mike Morgan, Roger Noel, Jon Olson, Bob Platt, Louise Potter, Josh Potts, Sam Raby, Stuart Ritchie, David Skipp, Cilve Trott, Diana van der Klugt, Claire Vickers and James Wright

Apologies: Councillors: Ian Stannard, Alan Britten, Christine Costin, Brian Donnelly, Nigel Jupp, Gordon Lindsay, Tim Lloyd, John Milne, Jack Saheid, Belinda Walters and Tricia Youtan

CO/12 **MINUTES**

The minutes of the meeting of the Council held on 27 April, and of the Annual Council meeting held on 25 May, were approved as correct records and signed by the Chairman.

CO/13 **DECLARATIONS OF MEMBERS' INTERESTS**

Item 11 Notice of Motion: Councillor Colin Minto declared a personal interest because he was an employee of HSBC. However, he was not part of their commercial operations so this would not be relevant to the debate.

CO/14 **ANNOUNCEMENTS**

Councillor Kate Rowbottom, Chairman of the Council, announced that there would be a short service at 10.50am on Sunday 26 June to lower the flag at the War Memorial in the Carfax to mark the end of Armed Forces Week.

Councillor Jonathan Chowen, Leader of the Council, thanked Adam Chalmers for everything he had done for the Council in his role as Director of Community Services. He wished him all the best in his new role as Chief Executive at Elmbridge Borough Council.

Councillor Roger Noel, Cabinet Member for Leisure & Culture, stated that the recent Platinum Jubilee celebrations held in Horsham and across the district had been a resounding success. He thanked the officers who had worked hard to ensure the smooth running of the weekend's various events.

Councillor James Wright, Cabinet Member for Environment & Rural Affairs, announced that he had written to the five major banks asking them to join him for a meeting to see what could be done to keep banks open and to help residents have access to cash in areas where bank branches had closed. He had also met with Barclays a year ago and secured an agreement to set up a mobile bank in Storrington car park.

Councillor Bevis, Chairman of Overview & Scrutiny Committee, explained that he had withdrawn his request to call in the 'Development of a District-wide climate change Action Plan' made by Cabinet on 9 June. He stated that he had withdrawn it so that the item could be debated at this Council meeting. He also felt uncomfortable with the call-in procedure, which required him to adjudicate his own decision as the Chairman of Overview & Scrutiny. He confirmed that his concerns regarding a lack of consultation prior to Cabinet decision had been largely addressed as Overview & Scrutiny Committee members would now have access to all papers submitted to the Cabinet Members' Policy Development Advisory Groups.

CO/15 **QUESTIONS FROM THE PUBLIC**

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

CO/16 **RECOMMENDATIONS FROM CABINET**

6 (a) Using the 2021/22 surplus to help support local residents in need, topping up the 2022/23 Transformation Fund, and earmarking an inflation reserve. Plus increases to the Drill Hall and Community Development revenue budgets and Horsham Park skate park capital 2022/23 budgets and utilising the UK Shared Prosperity Funding

Councillor Tony Hogben, Cabinet Member for Finance & Parking, introduced the report, which explained the background to a £2.1m operational surplus in 2021/22 and recommended how this surplus could be used. He outlined the additional payments proposed to support residents, including younger people and those on lower incomes, measures to address the cost of inflation, and further investment in the transformation fund to support a number of projects, as set out in the report.

With regards to the £15,000 allocated to Horsham Matters, it was noted that appendix A to the report had been amended so that this funding could be used flexibly to support cost of living crisis interventions, not just on fuel vouchers.

The report also set out details of other proposed changes to budgets in 2022/23. These included an increase in budget for the Drill Hall to enable it to remain open while the Royal British Legion finalise the new arrangements. Councillor Roger Noel, Cabinet Member for Leisure & Culture, stated that he had every confidence that outstanding matters regarding their lease would be resolved by the end of the year.

With regards to the increase in the budget for the Horsham Park skate park, Councillor Noel stated that the additional funding would bring the facility up to Olympic standards.

RESOLVED

- (i) That £0.3m of the 2021/22 surplus is used to further fund existing discretionary schemes in 2022/23 as set out in Appendix A of the Cabinet report.
- (ii) To note Cabinet approval of the transfer of £106,499 from the General Fund reserve to the earmarked transformation reserve.
- (iii) To note Cabinet approval to delegate to the Chief Executive, in consultation with the Leader and Cabinet Member for Finance and Parking, the authority to use the transformation fund as appropriate
- (iv) To note Cabinet approval of the transfer of £1m of the surplus into an earmarked inflation fund, for use in 2022/23 should current price and salary increases cause an overspend.
- (v) To approve an increase in the revenue budget in Leisure services for the Drill Hall of £17,000 income and £37,000 expenditure, which is a net cost increase of £20,000 in the 2022/23 budget.
- (vi) To approve a £300,000 increase in the revenue income and expenditure budgets in Community Development in 2022/23.
- (vii) To add an additional £20,000 to the £0.25m already in the 2022/23 capital programme to help deliver a better skate park in Horsham Park.
- (viii) That £50,000 of income from the UK Shared Prosperity Fund and corresponding expenditure is added to the Economic Development. 2022/23 revenue budget.
- (ix) That £120,000 is added to the 2022/23 capital programme which will be fully funded by the UK Shared Prosperity Fund.

REASON

- (i) Additional funding will help those on low incomes and / or are vulnerable as well as supporting Young People.

- (ii) & (iii) To top up of the earmarked transformation reserve for projects that will help transform the Council in the future; effectively funded from the 2021/22 budget surplus.
- (iv) Inflation is over 6% and is causing significant price rises, and this, coupled with high salary pressures, is likely to cause a deficit in the 2022/23 outturn.
- (v) The budget will enable the Council to continue to operate the Drill Hall through to the end of the calendar year whilst discussions with the Royal British Legion are finalised.
- (vi) To help the resettlement and community support of Ukrainian families across the Horsham District.
- (vii) Feedback from the consultation with users at the Horsham Park skate park requested higher ramps and an improved plaza area that would be more accessible to more users.
- (viii) To develop and then help deliver a local investment plan for the UK Shared Prosperity Fund.
- (ix) To enable capital investment spending under the UK Shared Prosperity Fund to support local businesses, Communities and Place and people and skills.

6 (b) Forum Fountain upgrade

Councillor Christian Mitchell, Cabinet Member for Horsham Town, introduced the report, which sought approval for a capital budget to upgrade The Forum Fountain with a treatment system to support interactive play. The proposal was seconded by Councillor Peter Burgess.

Cabinet agreed that the fountain should be upgraded to a splash pad, with the installation of a system to minimise bacterial risks so that the fountain can be kept operational, rather than needing to be shut down for cleansing. The Cabinet Member confirmed that disruption to local residents during the remedial works would be controlled through conditions. The Cabinet Member also confirmed that the fountain would use recycled water and, allowing for evaporation, be close to water neutral.

RESOLVED

That a capital budget be created for £120,000 in 2022/23 for the purpose of upgrading the Forum Fountain to a splash pad.

REASON

- (i) The Forum fountain is located within a public open space without controls on its use as an interactive facility. An upgrade of the treatment system will mean that residents can enjoy the feature safely.
- (ii) The constitution states that only full Council can approve changes to the budget.

6 (c) WEEE and Textiles continuation of service and introduction of Podback

Councillor Toni Bradnum, Cabinet Member for Recycling & Waste, stated that funding for the services for the collection of waste electrical and electronic equipment (WEEE) and textiles, which the Council has run since May 2021, would end this month. The report to Cabinet recommended that this successful service continue, in line with the Council's Corporate Plan objectives as well as Government requirements. The proposal was seconded by Councillor Diana van der Klugt.

Introducing Podback, a new coffee pod recycling service, would offset approximately one-third of the running costs. There would be a 12-week mobilisation period to introduce the scheme, and changes to the vehicle to accommodate the new service would also be funded by Podback.

Cabinet had agreed to approve the introduction of the Podback scheme and continue the WEEE & Textiles Service in its current format, subject to Council's approval of the required budget. Cabinet had also agreed to delegate authority to the Director of Community Services, in consultation with the Head of Legal & Democratic Services, to finalise terms and conditions and to enter into the contract with Podback.

RESOLVED

To approve a revenue income budget of £14,440 from Podback for the recycling and waste service in 2022/23.

REASON

- (i) Podback funding will reduce the costs of the scheme and increase recycling rates.
- (ii) Under the constitution, only full Council can approve budget changes.

6 (d) Development of a District-wide climate change Action Plan

Councillor James Wright, Cabinet Member for Environment & Rural Affairs, reminded Members of the progress the Council had made since the £1m investment in the environment had been agreed in this year's budget, including measures within the Council's Carbon Reduction Action Plan.

The proposal sought to address the issue of indirect emissions within the district and recommended the establishment of a Climate Change Panel consisting of experts on a range of subjects associated with reducing carbon emissions and preparing for a changed climate. The Cabinet Member confirmed that these experts would include those with local knowledge and expertise. The proposal was seconded by Councillor Philip Circus.

At the meeting on 9 June, Cabinet had resolved to approve the establishment of a Climate Change Panel, which would support the development of a district-wide climate change action plan.

There was a comprehensive debate regarding the potential make-up of the Panel and the extent to which residents could and should be involved during the process. Councillor Martin Boffey, Leader of the Minority Group expressed concerns that the Cabinet report did not reflect the Cabinet Member's reassurances that residents would be involved before the Panel produced its recommendations. Some Members also considered that a Citizen's Assembly would be more effective.

The Cabinet Member confirmed there would be a number of workshops for stakeholders and residents, and public meetings to help inform the process and encourage community engagement. He also emphasised the importance of professional help in developing an effective strategy in a timely manner, and stated that the proposed level of funding would be sufficient at this stage of the process.

Councillor Jon Olson proposed the following amendment to the recommendation, which was seconded by Councillor Martin Boffey:

- (ii) 'To approve a revenue budget of £160k in 2022/23 to support the development of the plan, enabling extensive stakeholder engagement at every stage of the process.'

On being put, the amendment was LOST.

RESOLVED

To approve a revenue budget of £70k in 2022/23 to support the development of the plan.

REASON

- (i) A new Panel of experts will give external input to the development of a District wide strategy and plan to generate new ideas and increase the legitimacy of the plan.
- (ii) Budget is required to secure a consultant to facilitate the meetings of the Climate Change Panel, support the drafting of the action plan and the follow up engagement to gain support from partners and the wider community to deliver the action plan.
- (iii) Ensure that the Councils procurement process are followed.

6 (e) Evidence Resourcing – Biodiversity Net Gain (BNG) in development

Councillor Lynn Lambert stated that a statutory requirement was being introduced requiring new development to deliver 10% biodiversity net gain. In order for the Council to deliver its environmental priorities, there was an aspiration to exceed the biodiversity net gain target above this national standard.

Further evidence was required to enable a requirement for biodiversity net gain above the national standard to be supported by a Local Plan inspector. A budget was sought to fund the additional specialist ecological work required. The proposal was seconded by Councillor Roger Noel.

The Cabinet Member stated that the Council intended net gain to happen on-site and, should it not be possible, to ensure it happens within the district. Councillor Noel advised that the consultants would help the Council know what to demand of developers and help to protect and enhance the district's nature recovery network.

RESOLVED

That a revenue expenditure budget of £20,000 in Strategic Planning in 2022/2023 be approved to enable the commissioning of consultants to assess the deliverability of a higher percentage threshold than the statutory 10% biodiversity net gain target.

REASON

Additional resourcing is required to provide robust evidence to enable the Council to justify setting a higher biodiversity net gain target in the Local Plan than the statutory 10%. This will ensure that the Council delivers against its high environmental aspirations as set out in the Corporate Strategy.

CO/17 **RECOMMENDATIONS FROM COMMITTEES**

7 (a) Overview & Scrutiny Annual Report 2021/22

Councillor Tony Bevis asked Council to note the Committee's annual report, which provided a review of the work of the Overview & Scrutiny Committee during the municipal year 2021/22.

RESOLVED

That the annual report and the Overview & Scrutiny Committee's forward plan be noted.

REASON

The Constitution requires the Overview and Scrutiny Committee to tell the Council about its work at the end of each municipal year and about the work it plans for the new municipal year.

7 (b) Receipt of External Grant Funding

Councillor Philip Circus, Chairman of Governance Committee, stated that this proposal was a means of dealing with grant income of up to £100,000 on a delegated basis, thus streamlining the process by removing the need for full Council agreement. He stated that this would be reviewed in a year's time. The proposal was seconded by Councillor Ray Dawe.

RESOLVED

- i) To allow the receipt of grant monies and consequent expenditure up to a threshold of £100,000 to be approved by the Section 151 Finance Officer and the Leader in consultation with the Cabinet Member for Finance and Parking and the Chairman of Overview & Scrutiny Committee.
- ii) That the Monitoring Officer be given the authority to make the necessary changes to the Constitution to reflect this.

REASON

The receipt by the Council of grant money has become more and more commonplace. Currently approval is needed which means every grant received needs approval from Full Council, preventing service areas from operating swiftly and efficiently by not being able to bid and spend the monies in time and as a consequence grant opportunity may be missed.

CO/18 **PAY POLICY STATEMENT - FINANCIAL YEAR 2022/23**

Councillor Jonathan Chowen stated that the Pay Policy Statement was a statutory document that the Council was required to publish, and its function was set out in the accompanying report. It was noted that there had not been a nationally agreed pay settlement yet this year, but this did not affect the current pay policy.

RESOLVED

That the Pay Policy 2022/23 be approved for publication.

REASON

To comply with the requirements of the Localism Act 2011, to publish an approved pay policy.

CO/19 **APPOINTMENT OF THE PERMANENT DIRECTOR OF COMMUNITIES**

Councillor Chowen, who had chaired the Employment Committee on 13 June, stated that, following a rigorous recruitment and interview process, the Committee had nominated Paul Anderson to be the Director of Communities. The proposal was seconded by Councillor Martin Boffey.

RESOLVED

- i) To note the Employment Committee nomination of Paul Anderson as the new Director of Communities.
- ii) To agree the appointment of Paul Anderson to the position of Director of Communities of Horsham District Council with effect from September 2022, or thereafter, subject to notice period, at a salary of £94,270 to £101,269 p.a. (subject to national cost of living award).

REASON

To comply with Section 40 of the Localism Act 2011 that elected Members are to vote on salary packages upon appointments of a threshold of £100,000 or above.

CO/20 **REPORTS OF REPRESENTATIVES**

Councillor Diana van der Klugt, HDC representative on South Downs National Park Authority, updated Council on the consultation process for the development of the Shoreham Cement Works as an exemplar sustainable mixed-use development compatible with its location within the SDNP. An eight-week consultation on the Area Action Plan would run until 2 August.

Councillor Tony Bevis, HDC representative on WSCC Health and Adult Social Care Scrutiny Committee, had circulated a report on his attendance to all Members. He stated that the focus of the Committee had been largely on the University Hospitals Trust based around Brighton and Chichester. He intended to work with Councillors in Crawley to encourage more discussion about the health services in the north of Horsham District.

CO/21 **NOTICE OF MOTION**

The following Motion was moved by Councillor Clive Trott and seconded by Councillor Martin Boffey:

'Council notes the recent closure of numerous bank branches, which is causing great distress to residents. In Horsham Town, six branches have closed since 2018 including TSB just a few weeks ago. Across the district, almost every branch has gone in Storrington, Steyning, Southwater, Billingshurst and Henfield. Their loss has not been compensated for by increased access to ATMs – instead, approximately 25% have been removed in the same period. Hopes that banks might provide mobile banking facilities in our car parks in some of our market towns have not been fulfilled as yet.'

'Council further notes that whilst most residents are able to bank online, a significant number of vulnerable or older residents continue to rely on banking in person and access to free cash-dispensing and deposit facilities. Furthermore, for local businesses it's often not practical to hold large amounts of cash on the premises.'

'Although these closures are a commercial decision for the banks, they have social consequences for Horsham District. A range of possible replacements for traditional banking services have already been trialled nationally by the Cash Action Group, including some alternatives to banks. We ask that Council seeks to explore these and all other possible solutions where we can have influence for Horsham District.'

Following debate, Councillor James Wright stated that he had campaigned on this issue for some time after the closure of Storrington banks, and outlined other progress and actions taken by officers. He therefore proposed the motion be AMENDED to include the following concluding paragraph:

'That we recognise the work the Council has done and continues to do in supporting our communities and acknowledges that the Cabinet Member for Environment & Rural Affairs has written to the five major high street banks to ask them to attend a meeting to discuss this issue further.'

The amendment was seconded by Councillor Christian Mitchell.

After further debate, it was agreed that the motion be amended to include the additional paragraph.

On being put, the motion, as amended, was declared CARRIED.

CO/22 **MEMBERS' QUESTIONS ON NOTICE**

No questions had been received.

CO/23 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 8.30 pm having commenced at 6.00 pm

CHAIRMAN

This page is intentionally left blank

COUNCIL
7 September 2022
CABINET RECOMMENDATIONS

Recommendations to Council made at the Cabinet meeting held on 21 July 2022

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

The report to Cabinet sought approval for a capital budget to construct an architecturally designed bin store in Park Place, which would serve Burton Court residents. The design took account of local stakeholder responses to the consultation process.

A permanent solution to providing a bin store had not been finalised when Piries Place car park was rebuilt, and the proposal would provide a permanent high-quality bin store as a solution to the ongoing issues with the interim arrangements. The car park redevelopment had been completed under-budget and the proposal would complete outstanding work from that project.

RECOMMENDED TO COUNCIL

- (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. They had been the first increases in four years. The report to Cabinet introduced some further increases, which would ensure tariffs were consistent and proportionate, and corrected minor anomalies within the parking charges approved in February.

RECOMMENDED TO COUNCIL

- (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.

Continued/...

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 time of year. Only Full Council can approve budget changes.

Report to Council

7 September 2022

By the Cabinet Member for Planning and Development

KEY DECISION



**Horsham
District
Council**

Not Exempt

Steyning Neighbourhood Development Plan

Executive Summary

This report summarises the process of Neighbourhood Plan preparation that has been followed by Steyning Parish Council in Horsham District. Following the successful referendum, which was held on 14 July 2022, the purpose of this report is to seek Council's formal approval to "make" the Steyning Neighbourhood Development Plan (SNDP) part of the statutory Development Plan as required by the Town and Country Planning Act 1990 (as amended) and the Localism Act 2011. Once made, the plan will be used to determine planning applications within Steyning Parish area in addition to the Horsham District Planning Framework (HDPF).

Recommendation(s)

Council is recommended to:

- i) 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 for Recommendation

- i) 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).

Background Papers

The Referendum version of the Steyning Neighbourhood Plan and accompanying evidence base documents to support the plan:

<https://www.horsham.gov.uk/planning/neighbourhood-planning/steyning>

Parishes affected:

1. Steyning

Contact:

Catherine Howe, Head of Strategic Planning ext. 5505

Background Information

1 Introduction and Background

- 1.1 The Localism Act 2011 allows Parish/Town Councils and other forums to shape development in their areas by preparing a Neighbourhood Plan for their designated area. Once complete, a neighbourhood plan is 'Made' by the Local Authority and forms part of the Development Plan. This means that they are given appropriate statutory weight in the determination of Planning Applications.
- 1.2 Steyning Parish Council has prepared a Neighbourhood Plan for their parish. Following the statutory consultation stages, formal examination of the Plan, the community have voted in a referendum and agree the plan should be used in the determination of planning applications. It is now a legal requirement the Steyning Neighbourhood Plan is 'Made' by Horsham District Council.
- 1.3 This report sets out more detail on this process.

2 Relevant Council policy

- 2.1 The Local Plan for Horsham District is currently the Horsham District Planning Framework (HDPF) This sets out the key planning policies against which development in the district is considered. It is a requirement that Neighbourhood Plans are prepared to be in 'general conformity' with this Plan.
- 2.2 Policy 15 of the HDPF identifies a requirement of a minimum of 1,500 homes to be delivered through neighbourhood plans across the district. As part of the preparation of their neighbourhood plans, local communities must therefore consider the extent to which they can contribute towards this target. Steyning Parish Council made the decisions not to allocate land for housing in their neighbourhood plan, but to work with the District Council on progressing the Local Plan Review and how housing needs for Steyning parish should be addressed. The plan therefore seeks to provide development management policies which will guide development within the area.

3.0 DETAILS

Preparation of Neighbourhood Plans

- 3.1 The preparation of a Neighbourhood Plan is subject to several key stages set out in The Neighbourhood Planning (General) Regulations 2012 (as amended). These are outlined below.
 1. **Formal Designation of the Neighbourhood Plan area:** The entirety of Steyning Parish was designated as a Neighbourhood Plan area in May 2018.
 2. **Pre-submission publicity and consultation:** (commonly referred to as a Regulation 14 consultation). Steyning Parish Council undertook a between 6 September and 18 October 2019 with the local community and relevant stakeholders on the content of emerging plan. The feedback from this

consultation was then taken into account with appropriate amendments made to the plan.

3. **Submission of the plan to the Local Planning Authority:** The plan and supporting evidence was formally submitted to Horsham District Council (HDC).
4. **Regulation 16 Consultation:** HDC, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, undertook a further consultation on the content of the Submission Plan. This took place between 17 July 2020 and 11 September 2020. All representations submitted at this stage are provided to the Independent Examiner, who considers whether a plan can proceed to Referendum.
5. **Independent Examination:** In agreement with Steyning Parish Council, Horsham District Council appointed an Examiner to carry out an independent Examination of the Neighbourhood Plan. The purpose of the Examination was to determine whether the Plan met certain key requirements known as the Basic Conditions together with other legislative requirements. Plans which are considered to meet these tests can proceed to Referendum.

The Examination of Steyning Neighbourhood Plan took place during 2021, with the final report provided to Horsham District Council in April 2022.

6. **Publication of a Decision Statement:** Following receipt of the Examination report, HDC is required to publish a 'Decision Statement' setting out the Council's decision and next steps in light of the Examiner's report. The Council's Decision Statement for the Steyning Neighbourhood Plan is available on the Council's website: [https://www.horsham.gov.uk/_data/assets/pdf_file/0003/114159/Steyning-Decision-Statement-1-June-2022 .pdf](https://www.horsham.gov.uk/_data/assets/pdf_file/0003/114159/Steyning-Decision-Statement-1-June-2022.pdf) It concludes that the HDC, in consultation with Steyning Parish Council agreed with the proposed modifications. The Plan was therefore able to proceed to referendum.
7. **Referendum:** A vote was held where the local community were asked whether the plan should be used as part of the Development Plan and help determine planning applications in their parish. For Steyning Parish, part of the neighbourhood plan area lies with the South Downs National Park. The referendum question therefore asked whether both HDC and the SDNPA should use the plan for determining planning applications.

3.2 Table 1. sets out the results of the Steyning Referendum and the respective percentage turnout:

Table 1: Referendum Result.

Parish	Votes Recorded Yes (%)	Votes Recorded No (%)	Percentage Turnout (%)
Steyning	800 (88.8%)	101 (11.2%)	903 (19.87%)

A clear majority of those who voted agreed that the Plan should be used in the determination of Planning Applications in Steyning Parish.

Strategic Environmental Assessment (SEA)

- 3.3 Horsham District Council has undertaken a ‘standard’ Strategic Environmental Assessment (SEA) screening assessment for all neighbourhood plans in the district. This process confirmed that a SEA is not required for parishes which are not seeking to allocate land for development within their Plan. This includes the Steyning Neighbourhood Plan. A Sustainability Statement has been prepared to accompany the submission Plan and has been the subject of consultation with the Environment Agency, Natural England and Historic England at statutory consultation stages. None of these bodies raised any concerns such that a SEA would be required for the Plan. The Examiner agreed that no SEA was required for this plan and that the Basic Conditions had been met. In our Decision Statement HDC also concurred with this view.

Habitats Regulation Assessment

- 3.4 HDC initially commissioned a Habitats Regulations Assessment (HRA) of the Steyning Neighbourhood Development Plan in October 2019. It concluded that the SNDP would not have significant environmental effects on designated European Nature Conservation Sites known as Special Protection Areas and Special Areas of Conservation (SPAs/SACs) or undermine their conservation objectives alone or in combination. The assessment took account of a number of protected sites, including the Arun Valley SPA/SAC, Ashdown Forest (SAC) and The Mens (SAC).
- 3.5 In September 2021, Natural England released a Position Statement on the issue of Water Neutrality. The Position Statement states that in the Sussex North Water Resource Zone (which includes the whole of Horsham District), data collected by Natural England shows that increasing levels of water abstraction for mains water supplies is harming the Arun Valley SPA/SAC. The effect of the Position Statement is that new development within Sussex North Water Resource Zone must demonstrate that it is not adding to the adverse impact. This includes considering any development which may come forward through plans and programmes that are being prepared including Neighbourhood Plans.
- 3.6 A way of ensuring that new development is not increasing rates of water abstraction and demand is for Neighbourhood Plans to demonstrate that they are ‘Water Neutral’. The definition of water neutrality is for the level of water abstraction in the Water Resource Zone to remain the same or lower after any development / development plan is in place.
- 3.7 The receipt of the Natural England Position Statement triggered an additional requirement to re-screen the Steyning Neighbourhood Development Plan under the Habitat Regulations Assessment process to consider whether the content of the Plan is water neutral.
- 3.8 Horsham District Council therefore commissioned further Habitat Regulations Assessment work in November 2021 and consulted Natural England on the conclusions of this assessment. Natural England responded in February 2022. The

response agreed that the Steyning Neighbourhood Development Plan is not likely to have a significant effect on the protected habitats. This is because the plan does not contain policies which specifically allocate land for development. However, sites or projects which come forward on a project level basis still need to conform to Habitat Regulations and be subject to a project level Habitat Regulations Assessment. Additional wording to the SNDP has been incorporated into the Plan to reflect this point.

- 3.9 The Examiner has confirmed he was satisfied with this assessment and the additional text. As the competent authority, HDC therefore considers the Neighbourhood Plan to meet the Basic Conditions.

4 Next Steps

- 4.1 Where over 50% of those who voted in a Referendum are in favour of using the plan to determine planning applications, the Horsham District Council is legally required to formally 'Make' the Neighbourhood Plan within 8 weeks of the Referendum in accordance with the Regulation 18A of the Neighbourhood Planning (General) Regulations 2012 (as amended). Making the Plan will allow the document to come into 'force' and be given full weight in determining planning applications within the parish. The South Downs National Park Authority will also 'Make' the plan so that the plan can be used to determine planning applications in those part of the neighbourhood plan area where it is the Local Planning Authority.
- 4.2 Once made, the SNDP document will be available to the public electronically on the Council's website. As with other planning documents, the Plan will be made available in print for a fee that covers printing costs.

5 Outcome of Consultations

- 5.1 The preparation of the Steyning Neighbourhood Plan has been undertaken in consultation with stakeholders and the community in the Parish. These consultations have been carried out by both the Parish and District Council in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended), and the outcome from these consultations has been taken account of as appropriate.

6 Other Courses of Action Considered but Rejected

- 6.1 The Council could reject the Steyning Neighbourhood Plan if it considers that the Plan is in breach of its legal obligations, or any conventions or rights. Taking into account the views of the Examiner, as set out in his respective report, it is not considered that this is the case. The Council is therefore required to make the Plan in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

7 Resource Consequences

- 7.1 It is not considered that there are any specific resource implications that arise from the 'Making' of the Steyning Neighbourhood Plan over and above staff time. Resources are set aside in the Council's budget to provide support to local communities in the preparation of their plans.

8 Legal Consequences

- 8.1 Section 38A (4) of the Planning and Compulsory Purchase Act 2004 Act, as inserted by the Localism Act 2011 states that a local planning authority:
1. must make a neighbourhood development plan if more than half of those voting in the neighbourhood plan Referendum vote are in favour of the Plan; and
 2. do so as soon as reasonably practicable after the Referendum is held and in any event by such date as may be prescribed
- 8.2 The Neighbourhood Planning (General) Regulations 2012 (as amended) stipulate under Regulation 18a state that *“The date prescribed for the purposes of section 38A(4)(b) of the 2004 Act is the date which is the last day of the period of 8 weeks beginning with the day immediately following that on which the last applicable referendum is held.”*
- 8.3 Failure to ‘Make’ the Steyning Neighbourhood Plan would therefore mean that the Council would not be acting in accordance with its legal obligations.

9 Risk Assessment

- 9.1 Under Section 113 of the Planning and Compulsory Purchase Act 2004 (as amended) (3) a person aggrieved may make an application to the High Court on the ground that a procedural requirement has not been complied with. The application must be made within 6 weeks. A procedural requirement is a requirement made by Regulations or an order which relates to the adoption publication or approval of a plan/document. By following the procedural requirements for Neighbourhood Plan preparation, the risk of a successful Judicial Review is considered to be low.

10 Procurement implications

- 10.1 There are no procurement implications which arise from the Making of the Steyning Neighbourhood Plan.

11 Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 Equality and Diversity Implications

The making of the Plan is not expected to have any adverse impact on people with protected characteristics under the Equality Act 2010. In their preparation of their respective neighbourhood plans, Parishes have had to consider how to meet the needs of their parish, and as part of this have engaged with the local community. A

number of Parishes have specifically identified policies which seek to address certain protected characteristics, including provision for elderly accommodation or those with impaired mobility. It is not considered that the making of this plan or its policies will have any direct or indirect impacts on gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

11.2 Human Rights

The Plan was tested against the Basic Conditions set by legislation during the Neighbourhood Plan Examination process. One of the Basic Conditions is that the Plan must be compatible with human rights obligations. The Council agrees that the plan meet all the basic conditions including human rights obligations.

12 Environmental Implications

12.1 Paragraphs 3.2 to 3.4 set out how the preparation of the Steyning Neighbourhood Plan has met the requirements in relation to Habitat Regulations and Strategic Environmental Assessment. In addition, the Steyning Neighbourhood Plan that has been prepared sets out policies which seek to protect and enhance the environment. These cover a wide range of issues including biodiversity and the historic environment. It is considered that these policies will help to protect and enhance the local environment of the parish in relation to planning matters.

13 Other Considerations

13.1 It is not considered the making of Steyning Neighbourhood Plan will have any further additional impacts including those in relation to GDPR/Data Protection or Crime & Disorder.

Agenda Item 9

To consider three Motions on Notice submitted in accordance with Rule 4a.14 of the Council's Constitution:

(a) To consider the following Motion submitted by Councillor Sam Raby:

'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.'*

(b) To consider the following Motion submitted by Councillor Martin Boffey:

'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.*

Continued/...

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.'*

(c) To consider the following Motion submitted by Councillor Billy Greening:

'This council recognises the enormous pressure and unprecedented situation of the costs of living crisis, the rising energy costs caused by the war in Ukraine which are affecting residents on 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 Advise 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.*

The Council 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.'