

Minutes of the Annual Meeting of HDC and HALC Monday 29th April 2024
Capitol Theatre, Horsham 6.00pm

Attendance

18 of the 32 Parish Councils and 3 of the 3 Neighbourhood Councils were represented. (30 individuals)

HDC was represented by 8 Members.

Full list available on request.

1.0 Welcome by Chair of HALC Cllr Graham Watkins

- 1.1 Cllr Graham Watkins introduced himself as the newly elected Chair of HALC and welcomed all those in attendance. He paid tribute to the previous Chair, Malcolm Eastwood, who sadly passed away in December, adding that he was a great representative to HALC and will be sadly missed.
- 1.2 Cllr Watkins recorded his thanks to Horsham District Council for hosting and organising the meeting and explained that two items have been removed from the agenda; Section 106, which will be dealt with via consultation through the HALC network and Update on Planning Peer Challenge which will be dealt with at another meeting.

2.0 Introduction from Leader of Horsham District Council Cllr Martin Boffey

- 2.1 Cllr Martin Boffey welcomed all those present and began by stating that he has now been in office for one year.
- 2.2 Matters on the agenda moving forward include the refurbishment of the Capitol Theatre; Climate Action Strategy and the future of Drill Hall which is currently at consultation stage.
- 2.3 The Council ended the financial year with a small surplus.

Questions raised to Cllr Boffey:

Q: What is the current status of the Local Plan?

A: Council resolved to progress with Regulation 19 which closed at the beginning of March. Responses are currently being collated and processed and the target date for submission is June. Date for hearing examination is to be confirmed.

Q: Will the responses be published and if so, when?

A: There will be full representations shortly before the time of submission.

3.0 How the Local Plan affects the Neighbourhood Plan – presentation by Matt Bates, Planning Policy Team Leader (Appendix A)

Questions raised to Matt Bates:

Q: How is affordable housing addressed?

A: There is a policy in the emerging Local Plan looking to increase qualifying site allocation. Developers will sign a 106 agreement.

Q: Are housing allocations under the previous regime but not yet built included in future numbers?

A: The method used to calculate how much housing can be delivered includes commitments.

- Q: Can HDC give a steer on the status of review of Neighbourhood Plans to Councils that are anxious to progress and advice on how to express any change of direction to the community?
- A: The Local Plan is currently under review and it is therefore high risk to formally review Neighbourhood Plans as they should mirror the Local Plan. The process needs to link in with the Local Plan.
- Q: Developers are saying that Neighbourhood Plans that are more than five years old are expired and have no status. Councils therefore cannot wait a further twelve months to review their Neighbourhood Plan, what advice can HDC give?
- A: Once a review has been started, it is important to review the effectiveness of the policies within it. HDC will work with parishes to understand which policies need to be changed or updated.
- Q: If a council's Neighbourhood Plan is more than five years old and the allocation has been met, will the council be expected to increase their allocation in an updated Plan?
- A: The council does not have to and could qualify for paragraph 14 of the NPPF.
- Q: If a Neighbourhood Plan area had a made plan in place and receiving their 25% proportion of CIL receipts raised in the area, are those payments indefinite?
- A: Unsure, will report back¹
- Q: If a developer of an allocated site puts forward an early application, how does that interact with the decision making of HDC?
- A: Not a straightforward answer, it depends on the nature of any objections.
- Q: Would HDC take discussions at hearings into account?
- A: Once in the hands of the Appeal Inspector, HDC do not have control of the outcome.
- Q: Does the Local Plan include sites for the travelling community?
- A: The Local Plan will allocate a number of sites.

¹ Further to the question put to Planning Policy Officers at the HALC meeting of the 29 April. The question put to officers concerned the issue of CIL and neighbourhood planning. If a neighbourhood plan area had a made plan in place and receiving their 25% proportion of CIL receipts raised in the area, are those payments indefinite? Clarification on this matter can be found below:

Regulation 59A(2) creates the statutory requirement for Horsham DC, as the Local Planning Authority to pass a proportion of its CIL receipts to the local council in its area within which chargeable development in the "relevant area" of the local council has taken place (the term "relevant area" is defined at Reg. 59A(9(a)).

This proportion of CIL receipts is set at 25% where the local council has a neighbourhood development plan in place (Reg. 59A(3)) or when permission is granted by a neighbourhood development order pursuant to s.61E or 61Q (including a community right to build order) of the Town and Country Planning Act 1990 (Reg. 59A(4)(b)). However, the proportion of CIL receipts is reduced to 15% where there is no neighbourhood development plan in place or neighbourhood development order in place.

These arrangements are statutory and will remain until this provision is amended or repealed. Neighbourhood development plans must set out the period for which they have effect (see s.38B(1)(a) Planning and Compulsory Purchase Act 2004) but remain in force until the plan policy is replaced and there is no requirement to update them. However, the policies they contain could be considered to be out of date if conflicts become apparent when a later Local Plan comes into force, as the later plan will take precedence.

Q: What discussions and negotiations do HDC have with WSCC regarding infrastructure delivery?

A: HDC have engaged fully with WSCC and groups of officers are working with and are having continuous discussions with the County Council on a strategic level.

Q. Is there a risk that unmade Neighbourhood Plans will need to be reviewed to ensure that they are consistent with the emerging Local Plan?

A: Yes, the Neighbourhood Plan would need to be reviewed.

4.0 A discussion on the impacts of insufficient school places – Cllr John Milne

4.1 The County Council has a statutory duty to provide sufficient school places within the county. It has become more difficult since the introduction of parental preference.

4.2 The role of HDC is when there is a planning issue and notably, provision of a new school. Councils no longer build their own schools. The County Council declares the need for a new school, HDC allocates sites through the planning process. Once a site is agreed, Academy's bid to take on sites and the Department of Education gives approval and funding may be spread between all suppliers.

4.3 The Department of Education can change their minds, sometimes after many years and children will be allocated to existing schools.

4.4 Local Education Officers were consulted when drafting the Local Plan and it was concluded that two new secondary schools were needed within the district.

4.5 Of the strategic sites identified in the Local Plan, three offered a secondary school; Buck Barn, west of Isfield and Southwater. HDC were guided by the County as to which two of the three sites were allocated.

4.6 West of Isfield was also supplying the needs of Crawley and, with HDC having a duty to co-operate, the site was allocated. Southwater is the largest settlement in West Sussex without a secondary school and was therefore also allocated.

4.7 It is not possible to guarantee that the schools will be built due to a number of factors; something can affect the build out rate, pressures on county budgets.

4.8 It is believed that the Ifield site will move quickly. Southwater is more vulnerable to effects on the build out rate due to macroeconomic factors.

Question raised to Cllr Milne:

Q: What are the expectations of how far parents should be taking primary school age children to school?

A: There are primary schools being built on all strategic sites.

Q: When S106 is approved and allocated, what happens to the money if the school is not built?

A: It depends on the terms of the individual contract.

5.0 Update on the Governance Peer Challenge – Cllr Martin Boffey, Leader

5.1 HDC commissioned a Governance Peer Challenge to be run by the Local Government Association.

5.2 The Challenge looked at local priorities and outcomes, leadership and culture within HDC, policies, procedures and standards, decision making and scrutiny and community engagement.

5.3 A draft report has been received and will be published on the HDC website.

5.4 General feedback from parish and neighbourhood councils is that on the whole, engagement with HDC is good. HDC is keen to improve engagement and is interested in anything they can do to improve engagement.

6.0 Heads up on future HDC work that may affect your communities – Jane Eaton, Chief Executive

6.1 Food Waste

The 2022 Environment Act introduces compulsory food waste collection nationally from 1st March 2026. Food waste collections must take place once a week. All other collections will remain the same. HDC would like to engage with parish and neighbourhood councils to get the message out.

6.2 Leisure Centres contract re-let

HDC will look at leisure towards the end of the calendar year, focusing on what leisure looks like going forward with the changing demographics and wellbeing agenda. They will look at assets and liabilities and whether it is better for the parishes and HDC to work together. Parish and Neighbourhood councils should contact HDC with ideas or to discuss.

6.3 Cultural events during the Capitol closure

HDC have made a commitment to refurbish the Capitol Centre. It will be closed from April 2025 to winter 2026.

In the meantime, the HDC Events Officer has been focused on Coronation, Christmas and Military events. More can be done and HDC are interested in any events that the parishes would like to run and using their venues.

6.4 Review of economic development

WSCC have an enhanced strategic role within the community based economic development team. The county council are looking at big themes around digital, high-grade jobs in the green arena and transport. They also look at what economic development looks like locally and whether more can be done using some district property with short leases to help small businesses. HDC colleagues will talk to parish and neighbourhood councils about this, possibly on Teams and opening up to parish councillors.

6.5 Ombudsman changes to the complaints process

The Ombudsman has concluded that complaints are not responded to quickly enough by HDC and has reduced the response time from 20 days to 10 days. This may result in less detailed responses as it will be a challenge to gather the necessary information within the reduced timeframe.

Questions raised to Jane Eaton:

Q: In terms of food waste, how much of the work will be around education to reduce food waste at source?

A: Education will be equally important and HDC will be strongly focusing on this, it is a high priority as part of the plan although cost is a challenge.

7.0 Any other business

7.1 Disappointment was expressed at two agenda items being removed from the agenda. It was explained that HDC Officers had not yet been updated on the items due to be discussed and it was therefore not prudent to raise them at this meeting. Relevant information will be passed through Anna and a further meeting arranged if necessary.

8.0 Close

8.1 Cllr Graham Watkins, HALC Chair, closed the meeting by thanking attendees for their input and expressing his pleasure at chairing a meeting that was held in a civil and respectful manner. He thanked Officers and Members of HDC for their valuable input.

20:02 meeting closed

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