

Steyning Parish Council



The Steyning Centre, Fletcher's Croft, Steyning,
West Sussex, BN44 3XZ

Telephone: 01903 812042

www.steyningpc.gov.uk

www.thesteyningcentre.co.uk

FULL PARISH COUNCIL EXTRAORDINARY MEETING

HELD ON WEDNESDAY 27th NOVEMBER 2019 AT 7.30PM

IN THE STEYNING CENTRE

Present: Cllrs Goldsmith (Chairman), Alexander, Cree, Campbell, Hanson, Lloyd, Norcross, Rudkin, S Sullivan, G. Sullivan, Trundle, Saunders, Northam, Taylor and Young.

Clerk: John Fullbrook

Members of the Public: 32

Meeting commenced 7.30 pm

MINUTES {Non-Confidential}

FULL/19/120 CHAIRMANS ANNOUNCEMENTS

120.1

The Chairman welcomed everyone. He thanked on behalf of SPC and the residents of Steyning everyone who has contributed to achieving the Neighbourhood Plan. He continued – 'that for the last 6 months it had been the priority for the council and I would like to mention all the volunteers from the public, the Steering Group committee and particularly its chairman Richard Bell, our staff here at the Steyning Centre John, Hazel and Tessa, Andrew our planning consultant and Cllrs who have been involved and in particular Cllr Campbell and Cllr Cree, the last 2 weeks for them have almost been a 24/7 commitment to get the plan up and ready for submission to HDC under the regulation 15 requirement, and apologies if I've missed anyone out'. He then went on to explain how the meeting would be run including why the meeting would go into Confidential session so that Councillors could read a Confidential paper from the Neighbourhood Plan consultant, and that then Councillors would return to vote in what would then be a resumed 'open' session.

ACTIONS

FULL/19/121 APOLOGIES

121.1

No Apologies.

FULL/19/122 DECLARATIONS OF INTEREST AND DISPENSATIONS

122.1

There was a declaration of interest from Cllr Young as she lives adjacent one of the LGS designated open spaces and intends to leave the meeting after Agenda item 3

FULL/19/123 QUESTIONS FROM THE FLOOR

123.1.1

Q – Richard Bell –as N.Plan Committee Chair I would like to reinforce the Chairman's thanks to everybody involved in the planning including those who responded to the consultation. We have had a tremendous response rate certainly in comparison with other councils in the District. I want to also recognise the work achieved by the early N. Plan committee as well as the latter and I am sure that was included in your thanks, Chairman.

123.1.2

The process has been long and started before our current committee with the previous SWAB stuff and has sometimes been turbulent for understandable reasons. We now have a Plan which can be submitted to HDC and we will need to see how they view it. We all know that there are controversial elements within the Plan such as the Local Green Space (LGS) provision which has attracted criticism and support and we all know the reasons behind the exclusion of housing from the Plan.

123.2.1

My question is - Do you think a strategy to negotiate early with Horsham over housing will be beneficial to Steyning?

A – Chairman - Thank you

Q - Nick Muggridge – former SPC Councillor and from my previous roles, Vice Chairman of SWAB NP and Co-ordinator SWAB Housing Focus Group, I’m highly invested in producing a neighbourhood plan for the sustainable future of Steyning. In my opinion there is very little chance of this NP with LGS being accepted by HDC, or the Independent Examiner, rendering any public referendum in this case rather irrelevant. There is also evidence suggesting that if this plan proceeds it is extremely likely to be successfully challenged in a judicial review, with substantial costs to public finances

So, the choice for all councillor’s tonight is do you: -

1. Accept the assurances offered by the Steyning First team and proceed, taking full personal responsibility for any subsequent failure of the NP to be “made” and the unnecessary, potentially substantial costs to the public purse, not to mention failing to protect the Town from unwanted development, and bringing SPC and the Town into disrepute.

123.2.2

OR

2. Accept that you have been presented with a flawed & unsafe plan and vote to stop it proceeding, perhaps in favour of producing a complete NP over a more realistic timeframe, as recommended by the NP steering group.

123.3.1

Finally, a question:- Will the Chairman or Vice-Chairman tell us all whether their consultant Andrew Metcalfe endorses this pared down plan as it stands and that it is safe and sound to submit to HDC?

A – Chairman – Thank you. – We will deal with responses during the course of the meeting

Q - Steve Fuggles – This is a monumental decision for Steyning which will affect the character of Steyning for generations. We need to give the National Park special protection. The consultation process has established that a vast majority of residents do not want development in the National Park.

123.3.2

There 2 choices:

1. - You can vote to preserve the character of Steyning and the South Downs for future generations.
2. - Or you can vote against the LGS and possibly destroy the character of Steyning and the South Downs for future generations forever just to allow landowners to dig up the Downs for their own benefit.

123.4

Are you going to vote in favour of the residents who elected you or are you going to be remembered in the future for voting in favour of a few landowners?

A – Chairman – Thank you

Q - Mr Goring – As one of the landowners, I take Steve’s point on board, there are massive challenges ahead as a country and as a planet in regarding what we do about climate change and how we genuinely make something sustainable going forward.

The report by Geoff and others on climate change and how does the Town deal with that mess is rightly in a more central place on the Plan and more robustly put forward. There is serious question to ask, how do you most sustainably build houses if you were going to have them. And that conflicts with the absolutely understandable views of where those houses go. The concern I have is that debate has not been had by the community and therefore the democratic decision as to how do you do that well. How do you build level 6 houses with zero carbon footprint and potentially walk to shops and making that a possibility has not been put forward as an option because of various things that have gone on which we have talked about before.

123.5.1

So my question is:

At what level is sustainability going to be put in the Plan and how will you hold to account developers who will develop Steyning North of the A283 in reality? I feel sad that an opportunity has been lost to have a conversation with the Steyning community about how we could have developed and perhaps built something together that would have enabled a number of possible benefits for the Town including potentially zero carbon buildings and networks of public access etc. which are difficult to do if that’s not a possibility.

Q - I have to say that I disagree with Mr Muggridge’s comment, I think the way the Plan has been put together, it seem to me watertight in that its looked into every possibility of every document that is required, met the requirements for producing the neighborhood plan and for that reason and all the effort that has been put into it, I think it would be a great shame if it did not now go ahead to the next stage and I think it’s very important that it does.

123.5.2

Secondly – As has been said before a major part of it is related to Local Green Space which is extremely important to afford the essential protection required to protect the LGS in Steyning for us and future

**FULL/19/124
124.1**

generations. I have read the LGS detailed report which is a very impressive document worthy of the huge effort which has been put into it. Its characterized by rigorous analysis and conclusions based on solid evidence and produced in line with planning policy guidelines and the Plan should go forward to the next stage.

A – Chairman - Thank you

Cllr Young left the meeting at this point as she had declared an interest

124.2

SUBMISSION OF NEIGHBOURHOOD PLAN PROPOSAL TO HDC UNDER REGULATION 15

Cllr Campbell reported on the process to date and how the processes to follow will be undertaken by Horsham DC, the Independent Examiner and SPC, and Council discussed the proposed submission. {Please check the Audio tape for full transcript on the SPC web site starting at 16 minutes and 15 seconds, - The Link being <https://archive.org/details/20191127steyparishcouncilfullcouncilmeetinge>}

124.3

Cllr Campbell outlined the process – we have just completed the Regulation 14 consultation and made any changes which appeared necessary to the draft Plan after revisiting the evidence base in the light of the representations made.

Regulation 15 sets out what we need to submit to HDC by its deadline of 30 November 2020, namely the documents set out in the motion.

HDC will then carry out a further consultation on the amended draft Plan under a Regulation 16 process which will last for not less than six weeks. All documents, including a summary of the consultation responses, are submitted to an Independent Examiner. The Examiner will check that there are no flaws in the Plan and will make recommendations to HDC.

124.4

Cllr Campbell emphasised that tonight was not the end of the process and that the Independent Examiner would flag up any crucial problems. He expressed the hope that this would allay any concerns expressed.

Horsham can then make a range of decisions under Regulation 18 – anything from a refusal, to requiring modifications, to accepting the Plan as drafted. If there is still a Plan, there will then be a referendum of Steyning residents.. If the Plan is approved by a simple majority of those voting the Steyning Neighbourhood Plan then becomes part of the District Plan along with the HDC Local Plan.

FULL/19/125

125.1

Cllr Campbell outlined the changes made to the draft Plan following the Regulation 14 consultation.

125.2

- The Plan is now correctly called the “Neighbourhood” Plan and no longer the “Community” Plan.
- We formerly had five policies. We now have six. There is a new Policy 5 concerning CIL and LGS has now become Policy 6.
- There have also been changes to SNDP1 and SNDP2 to bring those green policies more to the fore.

FULL/19/125

125.1

Councillor Northam expressed his view that the Plan would not get through the process. He stated that his personal position was that he did not want to see building on the Downs. Without a housing policy and with the LGS as it is, Cllr Northam felt that the Plan did not meet the aspirations of the vast majority of Steyning’s residents and that it served the interests of only a small minority. He discounted the SWAB survey where 85% wanted no building on green field sites and referred to the 65 % who he said had supported the SWAB housing policies.

Cllr Northam questioned the impartiality of some, particularly concerning the dropping of the housing policy and concerning the LGS designations and expressed the opinion that for this reason the Plan is flawed and unsafe. He referred to what he described as the

failure to follow correct process concerning LGS site owners and stated that this also made the Plan flawed and unsafe. He doubted it would pass examination, and predicted judicial review if it did - with a consequential loss of CIL receipts. He went on to state that the HDC deadline is flexible and this flexibility should be used to add housing policies to the draft Plan. He urged councillors to vote against the Plan because it has no housing element to it.

Cllr Cree read from an email dated 9 July 2019 from Barbara Childs, HDC Head of Place, addressed to Cllr Lloyd stating that the Regulation 15 submission had to be made by the end of November 2019 and pointed out that the neighbourhood planners had worked to that deadline and we could not at the 12th hour change everything and produce housing policies from nowhere on the basis of an unsubstantiated claim by Cllr Northam that the deadline is flexible.

Cllr Campbell pointed out that the consultant had made many requests to HDC for an extension of the deadline and had been rebuffed repeatedly and accordingly the deadline is fixed. He asked the Clerk to confirm that this was the case.

125.2

The Clerk confirmed he had spoken with Mr Kwan, the senior HDC NP officer, following an indication from Cllr Alexander that a delay might be possible for extenuating circumstances. He confirmed that such an extension was only intended to accommodate a council which was working to the deadline and had hit an unexpected hiccup.

125.3

Cllr Lloyd concurred entirely with what Cllr Northam had said and emphasised his concerns about the LGS designations. He deprecated that the HDC "health check" had not been taken. He questioned the validity of some of consultation responses and stated that more weight should have been given to the developers' consultants' views.

CLERK

Cllr Goldsmith observed that the highly compressed timescale we were working to meant that taking the HDC "health check" had not been possible.

Cllr Hanson said that she thought the health check could and should have been taken.

Cllr Alexander gave a percentages analysis of comments.

Cllr Cree gave his own analysis in response.

Cllr Cree and Cllr Northam exchanged views on the failed SWAB Plan. Cllr Cree also expressed his concern that at, and following, the developers' presentations in July 2019 there had been no opportunity for feedback from the public.

The Clerk explained the 10% difference in CIL and also explained how the absence of a cap if there is a made Plan made the difference greater than appears. Cllr Lloyd said the difference was 42% of potential CIL.

Cllr Campbell explained that the CIL figure in issue according to the best guess of our consultant was about £120,000. Cllr Lloyd said he did not think the figure was right.

Cllr Campbell pointed out that Councillor Alexander's percentages had little relevance because this was not intended to be a referendum, it was only a snapshot of those who wished to make representations.

Cllr Campbell also addressed the health check point and reported that HDC had confirmed it had not been feasible. He pointed to the few representations actually made by HDC as a statutory consultee and observed that they had all been addressed. He also referred to the Independent Examiner being a backstop if there were any problems.

Cllr Campbell responded to Cllr Lloyd's opinion that we should have taken more notice of the submissions on behalf of the developers concerning the suitability of some of the LGS sites. Cllr Campbell pointed out that those representing the developers did not have an

impartial view but represented the views of the developers who wanted to build on the sites and so were bound to argue they are not appropriate for LGS designation.

Cllr Campbell also addressed the concerns expressed by Mr Muggridge and Cllr Northam about judicial review and observed that the Independent Examiner is the person to save us from that potential catastrophe. He pointed out that it would be HDC, not SPC which would be subject to the proceedings and that it would be a high hurdle requiring a finding of irrationality; that no reasonable person could have come to the conclusion they did on the basis of the evidence before them.

Cllr Campbell also responded to Cllr Northam's absence of any housing policy point and explained, as he said had been explained many times, that because of the HDC November deadline, to include a housing policy with sites was already impossible on the day of the election. Cllr Campbell asked councillors to refer once again to the Squires Planning letter of 10 July 2019 on the website where it specifically stated this.

Cllr Campbell then addressed some of the concerns raised – including: -

- the absence of housing allocations – he took councillors through the relevant paragraphs of the Basic Conditions Statement, and of the Consultation Statement
- the Local Green Space designation– he took councillors through the relevant provisions in the Basic Conditions Statement and the relevant provisions of the NPPF with particular reference to affordable housing and Rural Exception Sites
- any concerns about the adequacy of the consultation with LGS landowners – he referred councillors to the relevant provisions of the Consultation Statement and took them through the relevant dates and events.
- any disquiet regarding alleged bias concerning the process by which LGS sites were assessed - he took councillors through s25 Localism Act and reminded councillors of the difference between predisposition (legitimate) and predetermination (illegitimate)
- and pointed out that all these concerns and others raised by the consultation had been addressed within the amended draft Plan and that any other concerns raised could still be dealt with via the continuing process of consultation at Horsham and via the Independent Examiner.

Cllr Hanson addressed councillors on the absence in the Plan of a statement identifying those who had worked on the LGS policy. She went on seek to draw a distinction between a decision of the council and a decision of the majority of councillors. She observed that Glebe Farm had not been assessed as a potential LGS. She stated that she had not been able to find the LGS assessment criteria, despite which she questioned some of the LGS evidence and the assessment process itself with particular reference to the definition of an extensive tract and concerning tranquillity scores.

Cllr Lloyd objected to Cllr Campbell referring to the Localism Act and opined that Cllr Campbell should have asked the HDC Monitoring Officer and stated that he still felt that there had been breaches of the Code of Conduct because of prejudicial interests.

Cllr Campbell responded that he and Cllr Goldsmith had met with the MO who had expressed disappointment that Cllr Lloyd had previously misquoted her on this Code of Conduct issue. Cllr Campbell referred to an email he had sent Cllr Lloyd on the subject that morning.

Cllr Lloyd stated that he took great exception to the email which he described as pejorative and agreed that it and his response could be uploaded so that others could judge. (Attached)

Cllr Cree expressed the view that taking out the whole LGS policy would be inappropriate and that if any individual sites were unsafe then it could be left to the Independent Examiner to say so.

Cllr Alexander expressed his desire for a new steering committee regardless of the outcome tonight.

Cllr Campbell reminded councillors that he had initially voted in favour of including housing policies and it was only when the impossibility became clear that he voted for a pared back plan instead of no plan which were by then the only options.

CONFIDENTIAL SESSION

Cllr Goldsmith **proposed, seconded** Cllr S. Sullivan to take the meeting into confidential session. **Agreed.**

The councillors then retired to a separate room to consider a confidential paper from the neighbourhood planning consultant, Andrew Metcalfe.

RE-COMMENCEMENT OF MEETING IN OPEN SESSION

The Chairman read out the proposed motion on the agenda. Cllr Northam **proposed, seconded** by Cllr Lloyd an amendment, with the amendment coming under part c below, namely to remove the LGS Policy SNDP6 - as follows :-

The Council resolves that its Clerk shall on its behalf on or before Saturday 30th November 2019 submit a Neighbourhood Development Plan proposal to Horsham District Council in compliance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 to include: -

- a) a Map or Statement which identifies the area to which the proposed Neighbourhood Development Plan relates;
- b) the Consultation Statement;
- c) the proposed Neighbourhood Development Plan, excluding the Local Green Space policy SNDP6;
- d) a Statement explaining how the proposed Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act; and
- e) such additional documents (if any) as its consultant, Andrew Metcalfe, may advise, provided that all such documents (a-e) are in precisely the same terms as those which have been uploaded to the Council's website as supporting papers and subject only to the correction before submission of any typographical or similar errors which may be expedient and which do not change the substance of any document.

This Motion Not Agreed. 7 For {D.H, S.N, T.L, G.S, S.A, J.N, L.T}, 7 Against{P.C, T.C, T.R, R.G, K.T, Sa.S, G.S} and the Chairman with his casting vote voted Against – so 7 For, 8 Against.

Point of order - Cllr Hanson asked if it was right and legal for a Councillor who was on 6 months leave of absence could be called to come back in for a vote. The Clerk pointed out that Cllr Taylor had said she was now available for all Councillor duties once again and had been in touch with Chairman and Clerk to say this.

Motion – Cllr Goldsmith **proposed, seconded** by Cllr Cree that the Council resolves that its Clerk shall on its behalf on or before Saturday 30th November 2019 submit a Neighbourhood Development Plan proposal to Horsham District Council in compliance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 to include:-

- a) a Map or Statement which identifies the area to which the proposed Neighbourhood Development Plan relates;
- b) the Consultation Statement;
- c) the proposed Neighbourhood Development Plan;
- d) a Statement explaining how the proposed Neighbourhood Development Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act; and
- e) such additional documents (if any) as its consultant, Andrew Metcalfe, may advise, provided that all such documents (a-e) are in precisely the same terms as those which have been uploaded to the Council's website as supporting papers and subject only to the correction before submission of any typographical or similar errors which may be expedient and which do not change the substance of any document.

VOTE - { 7 For – Cllrs Goldsmith, Campbell, Ruskin, S. Sullivan, G. Sullivan, Taylor, Cree.

7 Against – Cllrs Lloyd, Northam, Saunders, Trundle, Alexander, Norcross, Hanson.

Cllr Young had stepped out of the meeting and did not vote having declared an interest.}

**Motioned carried by the Chairman's casting vote. 8 For, 7 Against. -
Agreed**

The Clerk was asked to post the agreed resolution details up onto the SPC notice boards the same evening and on the SPC and NP websites to publicise the result to Steyning residents.

CORRESPONDENCE AND INFORMATION ITEMS

None

DATE OF NEXT MEETING: 16th December 2019 at 7.30pm

Meeting closed at 9.55 pm

NB The emails referred to at page 5 follow overleaf

Signed Date May 2020

Chairman

