




**To All Councillors,**

You are summoned to the Meeting of Billingshurst Parish Council on **Wednesday 3 September 2025 at 7pm** at the Billingshurst Centre.

Members of the public are welcome to attend this meeting and speak for a maximum of three minutes about an item on the agenda for this meeting during the Public Session at the discretion of the Chairman. They must give their name. **AT THIS MEETING, IF ANY MEMBER OF THE PUBLIC WOULD LIKE TO SPEAK, PLEASE CONTACT THE CLERK IN ADVANCE TO RESERVE A 3-MINUTE SPEAKING SLOT.**

  
G.C. Burt

Clerk to the Council

27 August 2025

**Please note that all supporting papers can be found on the Councils' website.**

## **A G E N D A**

1. Chairman's Announcements.
2. Apologies for Absence.
3. To Receive Declarations of Interest and consider any requests for a dispensation.

### *Adjournment for*

4. Public Session (Members of the Public may speak for up to 3 minutes at the discretion of the Chairman). They must give their name.
5. Reports from:
  - a. County Councillor
  - b. District Councillors
  - c. Council Representatives on Outside Bodies.

### *Resume Meeting*

6. Approval of the Minutes of the Meeting held on 2 July 2025. (Previously sent)
7. Clerk's Report.
8. To receive an update on the situation regarding trees at Willow Drive – update Appendix A.
9. Better Billingshurst Fund – to receive any updates.
10. CCTV – to receive an update.
11. To consider the future of Adversane Hall, recently returned to the Council - Appendix B.

12. To review appointments to Committees and outside bodies etc. including consideration of proposal from Cllr Phillip Day to amalgamate some working parties, plus replacement of Cllr on Friends of Station Road Community Gardens. – Appendix C.
13. To receive the External Audit Report 2024-25 and refer any matters requiring attention (none!) to the F&GP Committee - Appendix D.
14. Local Government Reorganisation and asset transfers - Appendix E.
15. To consider the 2026 draft calendar of meetings - Appendix F.
16. To receive Minutes as approved by the following Committees:
  - a) Planning & Environment 1 & 8 July and 5 August 2025.
  - b) F&GP 25 June 2025
  - c) Property 20 May 2025(all previously circulated / on website.)
17. Neighbourhood Wardens - to receive Wardens' Reports for June, July and August – previously circulated / on website.
18. Date of Next Meeting – 5 November 2025

**Members of the public should be aware that being present at a meeting of the Council or one of its Committees or Sub-Committees will be deemed as the person having given consent to being recorded (photograph, film or audio recording) at the meeting, by any person present.**

## APPENDIX A

### BILLINGSHURST PARISH COUNCIL

WEDNESDAY 3 SEPTEMBER 2025

#### **UPDATE ON TREES AT WILLOW DRIVE**

#### **REPORT BY CLERK**

#### **FOR INFORMATION**

The Council owns a triangle of land at Willow Drive that was transferred to the Council upon completion of the housing development. The land was not developed as it contained several mature trees some of which are subject to Tree Preservation Orders (TPOs).

Council tree stock is inspected annually by a professional arboriculturist and any works that are required are carried out in the timescale recommended in the report. Detailed records of all inspections are maintained, not just to follow best practice but also to help defend the Council should there be any tree failure and resulting claim.

Some years ago, residents of a property in St Gabriel's Road which backs on the said land, constructed a single-story extension in their back garden. The extension developed problems. Subsequent owners through their insurers, sought to apportion blame on the Council's Oak tree and seek its removal, first contacting us in March 2021. The Council sought to defend the tree and refute claims of negligence.

The claimants were successful in gaining planning consent to fell the tree from Horsham District Council, despite planning objections from this Council.

Whilst planning permission was granted to fell the tree, this Council still owns the tree and would need to consent to felling any trees on its land.

Our own insurers have handled this matter from the outset and been incredibly helpful in trying to defend this tree and an adjacent tree on behalf of the Council and wider community, including employing specialist advisors and handlers.

Councillors can be assured that every aspect has been covered or suggested in trying to defend this claim, including suggesting that root barriers be installed and pointing out that the Weald Clay upon which much of the village is built is highly susceptible to heave and subsidence

However, insurers are ultimately there to mitigate costs for their clients/themselves and advised that *All of the technical evidence has been considered, and we have reported to Insurers our view that any resistance to tree removal, would likely lead to a civil case for damages of considerable size, in respect of artificial stabilisation, i.e. underpinning.*

In accordance with the Council's Financial Regulation, I negotiate all claims on the Council's insurers, however, mindful of the public concern around this issue, I reported matter to the Council's Property Committee in May, where Councillors were supportive of the Council's approach to date.

Since that time, the matter has reached the public domain and there has been considerable local interest and media attention.

As a result, the Chairman and I met with a representative of the Council's insurer to explore the matter further. He suggested that the Council could commission its own independent report on the issue, so that the Council could be seen to have sought a second (independent) opinion.

A report was subsequently commissioned from Dr Martin Dobson and this was received at the end of July – copied to all Councillors and on the Council's website. Alongside this report, the Council posted a press release setting out the Council's view of the situation in what it considers a fair and balanced perspective, to assist residents.

These two documents have themselves increased public interest. Several residents have pointed out some mistakes in Dr Dobson's report, where the garage and side extensive been interchanged. Dr Dobson acknowledges these errors and is amending the report accordingly, however he confirms that this does not change his view and conclusion in support of felling.

Many other issues have now also been raised by immediate neighbours, residents and councillors, including biodiversity (in particular bats), CAVAT which aims to monetarise the amenity value of trees, alternative solutions, and the potential for harm to other properties in the vicinity if the trees are felled.

The claimant's insurer has proposed a draft agreement setting out what the Council agrees to should the felling go ahead, including costs, replanting and limitation of future liabilities. This has been returned proposing suitable amendments.

All representations have been forwarded to the Council's insurer who is currently reviewing the new information. At the time of writing this report, I have not heard back, but will forward any further information on to Councillors and share on our website if appropriate, before the meeting. Alternatively, it may need to be presented at a subsequent extraordinary meeting, again if appropriate.

The Council is invited to note this report.

## APPENDIX B

### BILLINGSHURST PARISH COUNCIL

WEDNESDAY 3 SEPTEMBER 2025

#### FUTURE OF ADVERSANE HALL

#### REPORT BY CLERK

#### FOR DECISION

The Council owns the freehold of Adversane Hall, and since its acquisition in 1980 has been leased (full repairing) to an unincorporated management committee.

For many years they hired the hall to a children's weekday nursery which gave the management committee a steady income.

However, they ceased using the hall approx. three years ago, and the Committee has since desperately been trying to generate interest in the hall, alas to no avail.

The lease has now expired and the Committee have since had a *tenancy at will*.

The Committee is formed of public-spirited villagers, who due to age, dwindling numbers and lack of hirers and have now decided not to renew and have handed the keys back to the Council. A last-minute leaflet to all villagers failed to garner any new interest.

The Council is now in possession of the building and has taken over the two utilities; electricity and water. Given the lack of use these should be minimal.

The Council needs to consider what it wishes to do with this asset of which it has an unencumbered freehold interest (See attached details showing transfer dates and any covenants.)

Whilst the hall is of a good size, lack of convenient car parking appears to deter hirers. I attach some pictures of the hall recently taken by Cllr Paul Berry in case any Members are not familiar with it.

The options are:

1. Retain and use for **Council storage**. Despite the new garage, the Council is already short of space to store equipment etc.
2. Offer to **community groups** looking for their own home. One or two groups have already been approached but have not expressed any further interest. A more public offering may gain greater interest. Parking again seems to be the stumbling block.
3. Offer for potential **commercial use**; a local artist has already expressed a keen interest which would generate some income. She wouldn't require parking.

4. **Sell.** A local commercial agent has advised: *Having taken a quick look, it seems to be a very narrow plot overlooking several houses so would be difficult to build a house there. However, I am not a planning expert so there might be an angle. To change the use to residential from community use would be challenging as well, you may have to show marketing for the existing use for a year before being able to convert. One of the neighbours may be interested to increase their land and then look at building a house but hard to say. I would say that unless you want to hire a planning consultant and spend the money and time to look at achieving permission for an alternative use it would be best to put it on the market and invite subject to planning offers. Then if a party wants to try and get planning permission whilst reserving the property off market, you may be able to sell for more than current value.*

Members might like to consider a combination of these options, for example, sell once all community and commercial use options have been exhausted. Officers have no preference and the Council is invited to determine a way forward

(Note. There is a similar sized plot to the rear of the hall, which was ‘acquired’ by the operator of the playgroup which used to hire the hall. The exact status is unclear but he said the Council could have it for nil consideration, although this would require clarification.)

# Summary of the Deeds for Adversane Village Hall, formerly the Mission Hall, Adversane

<b>17<sup>th</sup> October 1927</b>	Gifted by Maurice Ireland to the Reverend Francis Edward Shaw Jacomb-Hood <sup>1</sup> , Edwin Augustus Hingeston <sup>2</sup> and John Argent as trustees – no covenant mentioned
<b>15<sup>th</sup> September 1950</b>	By scheme of the Board of Charity Commissioners (now the Charity Commission) ordered that the property be vested in the Official Trustee for Charity Lands for all the Estate and Interest therein – no covenant passed on
<b>6<sup>th</sup> September 1977</b>	The Diocesan Authority was described as the custodian trustee – no covenant passed on
<b>13<sup>th</sup> December 1979</b>	The Charity Commissioners for England and Wales authorised the sale of the property with no mention of covenant passed on
<b>21<sup>st</sup> February 1980</b>	<p>The PCC under the authority of the order of the trustee agreed the sale of the freehold property for a sum of £1,000 - having a frontage of twenty-three feet and a maximum depth of fifty-seven feet <b>in fee simple</b> (meaning without limitations or conditions, and full rights to sell or pass on as you so wish).</p> <p>However, the word covenant is then mentioned in paragraph 2 of the new deed, in that the sale of property indemnified the Diocesan Authority and the PCC against all actions, claims and liabilities for any breach of the fencing covenant:</p> <p><i>“The Purchases hereby covenants with the Diocesan Authority and by way of separate covenant with the Council to indemnify the Diocesan Authority and the Council against all actions claims and liabilities for any breach of the fencing covenant contained or referred to in the said Deed of Gift so far as the same is still subsisting and capable of having effect”</i></p> <p>There is however no detail on this covenant in any of the documents we hold.</p>

I've checked the Land Registry and a quick search there shows no covenants or easements on the title of the property.

If there was a covenant on the originally Deed of Gift, it looks to be long forgotten about, should it be anything more than referencing the description of the fenced boundary given its dimensions for identification.

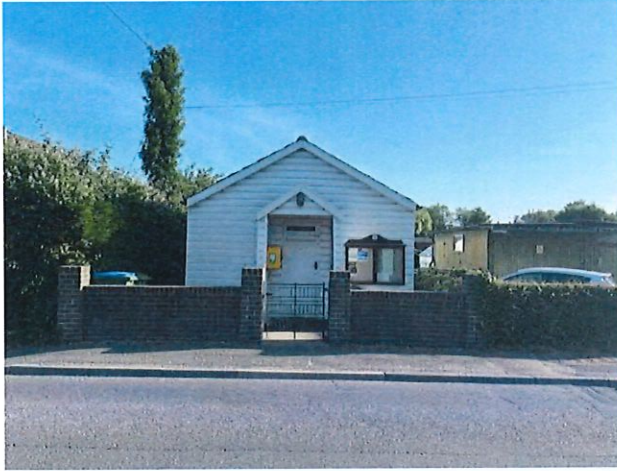
This is confirmed in the 2008 and 2015 copy of the Land Registry document that we hold copy of.

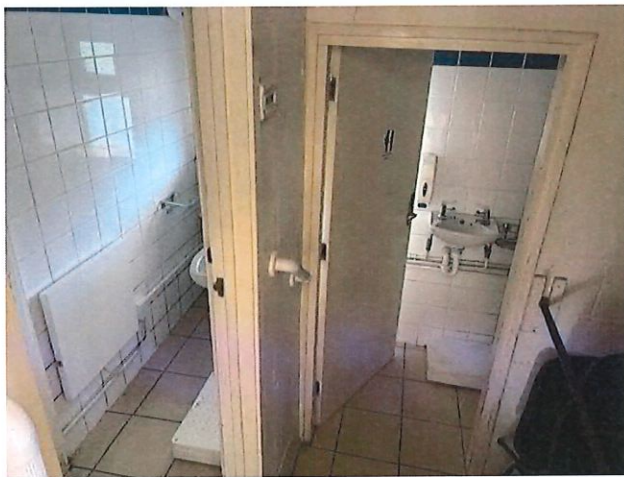
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<sup>1</sup> Born 1879, died 1960 – former Rector of Slaughtam

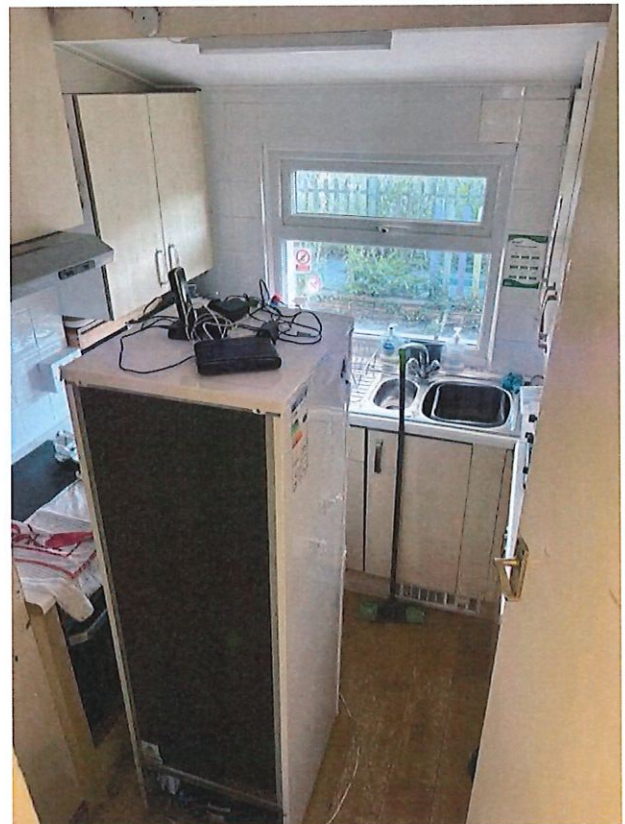
<sup>2</sup> Born 1959, died 1948

Adversane Hall, June 2025

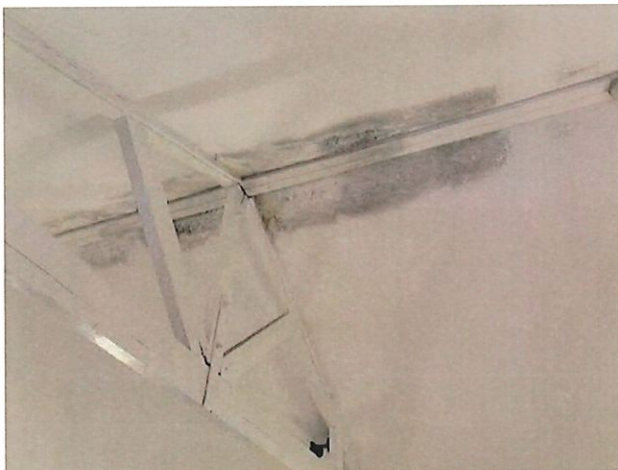




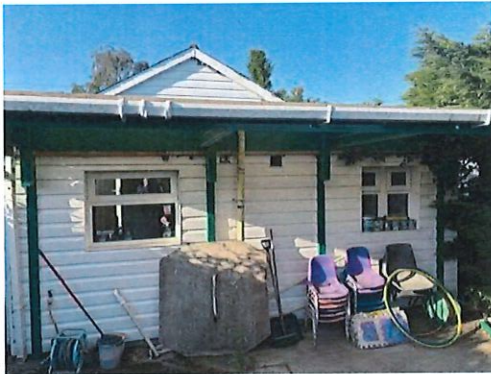
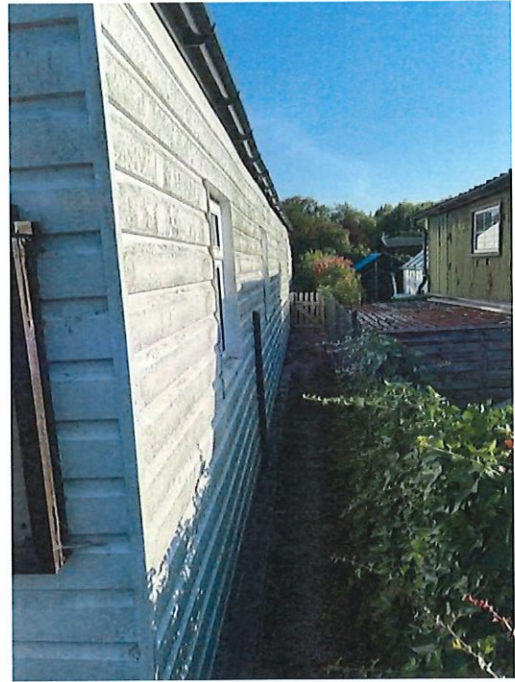
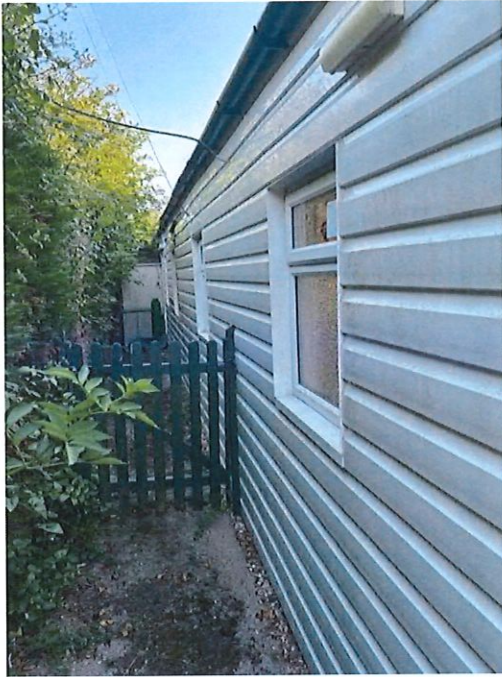
Toilets – not disability friendly as are down steps.



Small kitchen



Damage to ceiling



Landlocked area behind hall, not owned by Parish Council



# APPENDIX C

BILLINGSHURST PARISH COUNCIL	
COMMITTEES, WORKING PARTIES AND REPRESENTATIVES ON OUTSIDE BODIES	
2025-26	
(The Council has set the max. membership for Committees to 10 members.)	
<b>COMMITTEES</b>	
Planning & Environment	<b>DW</b> , <b>FA</b> , KR, DH, AR, JH
Property	PB, SD, <b>PD</b> , ST, EB, <b>CG</b> , CJ, DW, DH
Finance & General Purposes	PB, <b>PD</b> , EB, <b>CG</b> , ST, JH, CJ
Working Practices	DW, <b>ST</b> , <b>CG</b> , KR, AR, CJ, SD, JM,
Billingshurst Centre	PB, SD, <b>PD</b> , EB, JH, <b>CJ</b> , TL
Complaints (5 members Max)	PB, SD, TL, CG
Complaints Chairman	<b>SD</b>
<b>WORKING PARTIES</b>	
Neighbourhood Plan	In abeyance
Internal Audit	PD, CG
Traffic Calming	PB, JM, TL, ST
Centre Heating	PD, FA
Mission & Vision	CG, PD, CJ, PB

**Bold** indicates Chairman/Vice Chairman

REPRESENTATIVES ON OUTSIDE BODIES	
Billigreen & Climate Change liaison	PD, JM, TL
B'hurst Sports & Recn. Assn. (BSRA) x2	CG, SD, ST (To ensure that two can always attend)
CPRE	DH
Friends of Station Road Gardens x1	
HALC (H'ham Assn Local Councils)	PD, SD
N'hood Warden Steering Group x2	SD, KR
Parish and Neighbourhood Climate Action Network	PD
Rural Market Towns Group (RMTG)	SD
Supplementary Planning Document (SPD) W/Group + S106 meetings. <b>This will wind-up once the BIF is operational.</b>	CG, SD
Better Billingshurst Fund (BIF) x3 + officer.	CG, DW, CJ. (PD = RESERVE)
Trustee of Dauxwood Pre-School x1	SD
West Sussex Association Local Councils (WSALC) AGM x2	PD, SD
Community Partnership x1	KR
Youth liasion - all matters	CG

Updated 25/08/2025

## Proposal to rearrange the Council's approach to Climate Change.

Councillors will be aware that there are two elements to the Council's involvement with "Climate Change" as a broad heading. Councillors Leonard, Marchant and I face off to Billigreen and general Climate matters. Councillors Gale, Algar and I form the working party that has addressed the issue of the Centre's heating.

The working party's original idea was to identify options for the Centre's heating requirement. The timetable was overambitious, with the result that a replacement gas boiler had to be installed to ensure continuity of heating for the ensuing Winter season. Nevertheless, we have continued to pursue other ideas of reducing the cost and environmental effect of the Centre. This has led to some fruitful ideas emanating from the sustainability office of HDC who has provided help and guidance that, combined with use of their network around the District, has provided much advice and no little encouragement.

The other element, of liaising with Billigreen and others, is less obvious. Billigreen is laudably concerned with the physical environment, but not so much focussed on other climate issues that can be influenced by the Council. The achievement of the work with Billigreen has mostly been concentrated on the grass mowing timetable, rewinding suitable areas and similar ideas. Whilst eminently worthy, they have limited application across the parish's council owned land.

The liaison with HDC is somewhat frustrating. Whilst it comes forward with lots of helpful ideas and suggestions, I find it embarrassing. Councillors in other parishes appear to be undertaking lots of initiatives, whereas we have, by comparison, done relatively little. Part of the difficulty is, I believe, the limited time that Councillors have available to devote to progressing these ideas, for the simple reason that all of you have fulltime jobs and your available time is thereby limited.

The advice from the network of local councillors leads me to the belief that the principles and processes that we are learning in relation to the Centre can be expanded to the benefit of the wider Billingshurst community. For example, Councillor Gale and I have recently conducted an Energy Audit of the Centre that will provide a base from which plans can robustly be

developed to achieve both cost savings and being kinder to the planet through sustainable energy sources.

The proposal is the amalgamation of the two energy-orientated activities into one working party under a heading "Sustainable Energy Efficiency". This would encompass everything to do with climate change, energy use, cost control/reduction and the environmental activities, both for the Centre and for the village. This working party would supersede the Centre's heating working party, and expand to embrace other climate change liaison activities on behalf of the Council. The Council's liaison work would continue as before under the leadership of Councillor Leonard, who has developed a closer relationship with Billigreen.

Councillor Leonard has concurred with this proposal.

Council is requested to consider and, if thought appropriate, confirm these arrangements to be put into immediate effect.

Councillor Phillip Day  
18 August 2025

## Billingshurst Parish Clerk

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**Subject:** FW: Station Road Community Gardens and me  
**Expires:** 06 January 2026 00:00

**From:** Sandy Duck <sandy.duck@billingshurst.gov.uk>  
**Sent:** 10 July 2025 17:11  
**To:** Billingshurst Parish Clerk <clerk@billingshurst.gov.uk>  
**Subject:** Station Road Community Gardens and me

Dear Greg

Following our conversation of yesterday, I would like to step down from being Parish Council representative for Station Road Community Gardens with immediate effect, which will allow me to engage with them more on a personal basis.

I have so enjoyed my time as the PC rep but feel it is time to let someone else take up this role.

With the kindest of regards

Cllr Sandy Duck

## Section 3 - External Auditor Report and Certificate 2024/25

In respect of **Billingshurst Parish Council**

### 1 Respective responsibilities of the auditor and the authority

Our responsibility as auditors to complete a **limited assurance review** is set out by the National Audit Office (NAO). A limited assurance review is **not a full statutory audit**, it does not constitute an audit carried out in accordance with International Standards on Auditing (UK & Ireland) and hence it **does not** provide the same level of assurance that such an audit would. The UK Government has determined that a lower level of assurance than that provided by a full statutory audit is appropriate for those local public bodies with the lowest levels of spending.

Under a limited assurance review, the auditor is responsible for reviewing Sections 1 and 2 of the Annual Governance and Accountability Return in accordance with NAO Auditor Guidance Note 02 (AGN 02) as issued by the NAO on behalf of the Comptroller and Auditor General. AGN 02 is available from the NAO website – <https://www.nao.org.uk/code-audit-practice/guidance-and-information-for-auditors/>

This authority is responsible for ensuring that its financial management is adequate and effective and that it has a sound system of internal control. The authority prepares an Annual Governance and Accountability Return in accordance with *Proper Practices* which:

- summarises the accounting records for the year ended 31 March 2025; and
- confirms and provides assurance on those matters that are relevant to our duties and responsibilities as external auditors

### 2 External auditor limited assurance opinion 2024/25

Except for the matters reported below on the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability Return, in our opinion the information in Sections 1 and 2 of the Annual Governance and Accountability Return is in accordance with the *Proper Practices* and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

The council has answered 'no' to assertion 4 of Section 1 of the Annual Governance and Accountability Return which relates to how the Notice of Public Rights was advertised within the financial year 2024/25. Therefore, it relates to the Notice announcing the public right to review the 2023/24 return which was published during 2024/25. This notice was correctly advertised therefore this assertion should have been answered 'Yes'.

Other matters not affecting our opinion which we draw to the attention of the authority:

As part of our intermediate testing, we requested information showing the review of documents including Financial Regulations, Standing Orders and the Code of Conduct. The council were able to evidence that these documents are regularly reviewed. However, as noted within the council's Code of Conduct, it states that the model code is to be reviewed by the LGA on an annual basis to ensure that it is fit for purpose therefore the council should look to review this document annually to check for updates, and document this review within their minutes during each financial year.

### 3 External auditor certificate 2024/25

We certify that we have completed our review of Sections 1 and 2 of the Annual Governance and Accountability Return, and discharged our responsibilities under the Local Audit and Accountability Act 2014, for the year ended 31 March 2025.

External Auditor Name



External Auditor Signature

Moore

Date

21/08/2025

**APPENDIX E**  
**BILLINGSHURST PARISH COUNCIL**  
**WEDNESDAY 3 SEPTEMBER 2025**

**LOCAL GOVERNMENT REORGANISATION AND ASSET TRANSFERS**

**REPORT BY CLERK**

**FOR DECISION**

The current situation regarding local government reorganisation in West Sussex is already well documented elsewhere so I will not go into too much detail here. Other than to confirm that Councillors and I have attended various online and in-person briefings in recent weeks hosted by principal councils and WSALC. The current options are:

1. One unitary for existing West Sussex.

Two unitaries:

2. A Western West Sussex made up of Chichester, Arun, Worthing and Adur, with the residue of Horsham, Crawley and Mid Sussex being in an eastern West Sussex.
3. As above but with Adur being in Eastern West Sussex.

All three options will be forwarded to the Government to make a final decision. Each district and county council will express their own preference.

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Meanwhile, as previously reported to members, Horsham District Council (HDC) has been in discussion with its parish councils about transferring some assets to parishes in advance of any reorganisation.

HDC has sent through a list of land holdings in the parish. Many of these are difficult to identify as land registry references are difficult to marry up with current known property names/descriptions.

HDC has also now just formalised its Community Asset Transfer policy (attached) and is inviting parishes to advise of any properties it would like to take on.

No money accompanies any transfer, so any parish taking on a property would be liable for all future costs. If the Council is interesting in taking on new facilities, Officers suggest that they are assets that *fit* with the Council's existing portfolio, because we have the skill-set, some capacity, knowledge and contacts to manage them.

Thus we suggest that the Council investigate with HDC the transfer of the following:

Playgrounds (x4) at Roman Way, Ostlers View, Parbrook and Forge Way (Sadlers Close).

Bus Shelter (x1) in High Street outside Morrisons Local.

Cedars Farm Pond + Orchard (Which we think could be largely maintained by local volunteers.)

The Council is invited to support this approach.

[Note. Cllr Day and I attended a meeting hosted by Henfield Parish Council involving parishes that contain HDC pay and display car parks. HDC have intimated that they may transfer income-generating car parks to parishes, to offset other liabilities that parishes may take on. Henfield PC are kindly leading on this work; there is thought that whilst individual parishes may accept transferred car parks, their management could be through a collective management arrangement with a private car park operator.]

**HORSHAM DISTRICT COUNCIL  
COMMUNITY ASSET TRANSFER POLICY  
JULY 2025**

**1. Introduction**

This Policy sets out the process governing the transfer of assets to Town and Parish Councils and other community organisations.

It outlines what is expected of organisations who wish to apply to have assets transferred to them, and sets out the decision making framework.

The Policy does not apply to any asset transfer that is being delivered following a Community Governance Review. It also does not apply to housing stock or commercial premises.

Horsham District Council ("the Council") will maintain an 'Asset List' that sets out which assets bodies can apply to have transferred to them.

**2. Definition of a Community Asset Transfer?**

Community Asset Transfer is defined as "the transfer of land or buildings from the Council into ownership of community organisations as listed in section 6 below".

**3. Principles**

The transfer of any community asset must:

- be undertaken in line with relevant statutory and constitutional provisions;
- align with the Council's priorities and strategic objectives;
- be surplus to the Council's operational requirements and not required for core service delivery or future strategic use.

Before undertaking any transfer, the Council will undertake a thorough assessment of the associated risks and benefits. In doing so, it will have regard to the following key considerations:

- The nature, purpose and capacity of the applicant;
- The governance structures of the applicant;
- The outcome of an option appraisals, particularly in the context of the Council's wider asset management strategy including the consideration of any financial implications to the Council;
- Any alignment with the Council's objectives, including contributions to community wellbeing and service delivery;
- A comprehensive risk assessment, identifying and mitigating potential liabilities;
- The strength and sustainability of the applicant's business case; and
- Any demonstrable Social, Economic or Environmental benefits arising from the proposed transfer.

Land or property can be deemed surplus to requirement where it meets one or more of the following:

- (a) It makes no contribution to the delivery of the Council's services, strategic or corporate objectives;
- (b) An alternative site has been identified which would be more cost effective in delivering the Council's services;
- (c) It has no potential for strategic or regeneration/redevelopment purposes in the near future;
- (d) It will not contribute to the provision of a sustainable pattern of development;
- (e) It makes no contribution to protecting and enhancing the natural, built and historic environment, including making no contribution to helping improve biodiversity; and
- (f) Where the Council deems it to be on other reasonable grounds, including that of being "under-used".

#### **4.1 What Assets can be suitable for transfer?**

Any Asset included on the Asset List is considered suitable for potential transfer, subject to further assessment and legal due diligence.

Any Assets suitable for transfer will be fit for purpose and in a reasonable state of repair, in the opinion of the Council, acting reasonably.

If the potential transferee considers that investment in the Asset would be appropriate, this will be negotiated between the two parties.

The Council is under no requirement to transfer an asset and retains the discretion to decline a transfer request in any circumstances.

The Council will not consider applications for an Asset transfer where it:

- Has been identified as being required for strategic, planning or redevelopment/regeneration purposes;
- Would be used solely for religious purposes/activities; and
- Would be used solely for political purposes/activities.

### **5. Financial and Legal Considerations**

#### **5.1 Financial Considerations**

The financial implications associated with any Asset transfer will be fully considered. Accordingly, the Council's section 151 Officer will provide an assessment on the financial impact of the potential Asset transfer.

#### **5.2 Legal Considerations**

5.2.1 The terms of any Asset transfer will be determined solely by the Council and may include, but are not limited to, the following provisions:

- (i) Clawback provisions (overage clauses to recover the value in the event of future disposal or change of use);
- (ii) Pre-emption rights (granting the Council the first right of refusal should the Asset be offered for sale);
- (iii) Use restrictions (limiting the Asset's use to specified community purposes);
- (iv) Reversion clauses (allowing the Asset to revert to the Council in the event of non-compliance or mis-use); and
- (v) Restrictive covenants (prohibiting disposal without the Council's consent, requiring that any disposal be for community benefit only, preventing sale for private or commercial gain).

5.2.2 The transfer of any Assets will comply with all applicable legislation including, but not limited to: (i) the Local Government Act 1972 (disposals at best value), (ii) the General Disposal Consent 2003 (disposals at undervalue), (iii) the subsidy control regime, and, (iv) the Local Government Transparency Code 2015 (the requirement to publish details of land and property declared surplus to requirement).

## **6 Eligibility Criteria**

Applicants must be constituted for community, social or environmental purposes and operate on a not-for-profit basis.

It is anticipated that in most cases, the transfer of Assets will be to Town or Parish Councils.

Other types of organisation that are eligible to apply for Asset transfers include:

- Community Interest Company;
- Charitable Trust;
- Charitable Incorporated Organisation;
- Charitable Company; and
- Other legal entities provided they are a wholly Voluntary or Community Organisations.

Additionally, any such organisation would need to be based within the area of the Horsham District and have strong links with and be of benefit to the community within Horsham District.

The Council reserves the right to waive compliance with any conditions where it considers such a waiver to be appropriate and reasonable in the circumstances.

## **7. Application Process**

- (i) Expression of interest:

The applicant should submit a written expression of interest detailing the specific land/building that is the subject of the application, an explanation of the reasoning behind why it is needed and the aims and objectives of the transfer.

(ii) Internal review – officers, SLT and Ward Councillor consultation

First, relevant teams within the Council will review the expression of interest and seek the views of the Statutory Officers to establish if (i) the applicant is suitable and meets the requirements laid out in this policy, and, (ii) the Asset is deemed suitable and appropriate for transfer.

Second, relevant Ward Councillors, the Chairmen of the Policy and Scrutiny Committees and the relevant Cabinet Member(s) will be invited to comment on the proposals.

Third, the relevant officer team will make a recommendation on whether the Asset transfer should proceed, which will be submitted to the Council's Senior Leadership Team (SLT). (This recommendation will take into account the views of the Council's Statutory Officers and the Ward Councillors).

Fourth, should SLT deem the applicant or Asset unsuitable for transfer, the applicant will be notified. Any decision is final and not open to challenge.

If SLT agree that the application should progress the applicant will be invited to submit a detailed, evidenced business case and feasibility study. This will be assessed and evaluated against the criteria laid out in this policy.

(iii) Formal application

Applicants must submit:

- A business case demonstrating community benefit (social, economic, environmental) and sustainability;
- Evidence of community support and engagement;
- Details for the proposed use of the Asset and how it will be retained for community use and benefit;
- A management plan for the Asset;
- Evidence of good governance and financial sustainability;
- Details of its governance structure and constitution (or equivalent document);
- Any other information as is deemed appropriate by the Council having regard to the nature of the Asset and the identity of the applicant.

The Council reserves the right to request any additional information it considers necessary following its review of the documentation submitted with the initial application.

## **8. Decision-Making**

The final decision to approve an Asset transfer will rest with either the relevant Cabinet Member or the Cabinet, based on officer recommendation and, where appropriate, the outcome of community consultation.

## **9. Completion**

Heads of Terms will be agreed detailing all the main aspects of the transaction leading to the Council's legal team drafting formal documentation. This final stage will require the applicant to work collaboratively with the Council in order to avoid delays to the completion of the transfer.

## **10. Review**

This policy will be reviewed as and when required to incorporate legislative requirements, regulatory amendments, best practice developments, or to address any operational issues that arise as a result of this policy.

**CALENDAR OF MEETINGS**  
**2026**Updated 26/8/2025

**CALENDAR OF MEETINGS**  
**2026**

<b>November</b>				
3rd	Tuesday	Planning and Environment Committee	7.00pm	
4th	<b>Wednesday</b>	<b>Parish Council and Trustees</b>	7.00pm	
11th	Wednesday	Property Committee	7.00pm	
25th	Wednesday	Billingshurst Centre Committee	7.00pm	
25th	Wednesday	Finance and General Purposes Committee	7.30pm	
<b>December</b>				
1st	Tuesday	Planning and Environment Committee	7.00pm	
9th	Wednesday	Working Practices Committee	7.00pm	
16th	Wednesday	Billingshurst Centre Committee	7.00pm	
16th	Wednesday	Finance and General Purposes Committee	7.30pm	
<b>Notes</b>				
All meetings held in the Billingshurst Centre.				
All Committee meetings to be held in the Barnes Room, Stanley Room or Council Chamber 1 or 2				
All Council Meetings to be held in Council Chambers 1 and 2				Updated 26/8/2025