

Council, 10 February 2022, 19:30

Public questions

Question from Joanna Barnett to the Executive Member for Investment and Companies, Councillor Archer

Question:

In December 2020 the Council's joint venture partner for the Horley Business Park LLP, destroyed 6 acres of mature woodland on the site of the proposed business park in Horley. Concerns were raised by the public about the damage to wildlife, including bats that were living on the site prior to the illegal felling. A copy of the surveys was requested from the Council by the public, they said that they were working to attain this survey.

We know that in 2017 Avian Ecology was commissioned by the Horley Business Park LLP to undertake a Preliminary Ecological Appraisal on the business park site, which included the site of the felling at Meadowcroft House. Other surveys were mentioned in the report. I submitted Freedom of Information Request for the additional surveys in March 2021.

In response to requesting the additional surveys I was told in July 2021 "the other surveys that I referred to are not held by the Council and that The Council has been working to ascertain whether these other surveys were carried out by Avian Ecology and if so to secure the paperwork from them." In December 2021 I made a FOI for a copy of all communications between the Horley Business Park LLP (the Council) and Avian Ecology. I was told that the Council holds no records of any communication.

With all of this in mind, can you please confirm what replacement ecology surveys the Joint venture (of which the Council is a member) plan to carry to inform the second draft of the SPD and prevent any further damage to wildlife on the site?

Thank you.

Response:

The Council would like to reiterate that the contractors who felled the trees were not working on behalf of the Council or the Horley Business Park Joint Venture and the tree felling is not something that the Council was made aware of in advance, or authorised. The site affected is owned by Mill Hill Properties Ltd, the contractors.

The Council is disappointed by the actions that took place on the land and we would like to assure residents that the matter continues to be investigated by the Forestry Commission and the Council.

Regarding the ecological survey, the survey you have previously received from the Council is the only one the Council has. You have raised this question on numerous occasions and the Council has provided a clear response to you. The other surveys that you refer to are not held by the council. The Council has attempted to ascertain whether these other surveys were carried out by Avian Ecology and if so to secure the paperwork from them. Unfortunately, the Council has not received a response in this regard.

The site was subject to the usual local plan sustainability requirements when it was allocated in the Development Management Plan and any planning application would be required to provide ecological assessments in full. Supplementary Planning Documents wouldn't normally require ecology surveys and none are planned at this stage as a result. Once a draft of the SPD is agreed it will be subject to full consultation which of course provides opportunity for comment, including on ecology matters.

Supplementary Question

What steps are going to happen now in terms of safeguarding that site and the wildlife on the site. I'm not asking where the surveys are, you said you couldn't find them, I would really like to know how the council has managed to lose surveys and what it's going to do to replace them.

Supplementary Answer

Firstly, I would like to add that the Council has not lost the surveys, the surveys were not the property of the Council, they are the property of the joint venture. It is a technicality of course, but it's something that we own only a 50 percent share in, and we do not have those surveys. I think it's also worth noting that the surveys that you refer to relate to 2017, which was quite some time ago and I would not personally rely on surveys from 2017. As per my previous response, this is a requirement of any planning application that does come forward, we would of course have to address these issues and no doubt, with up-to-date surveys as part of that application.