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Council

Wednesday, 6th September, 2023 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 Sam Maginnis, Team Vicar 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 - 22
<p>To approve as correct the minutes of the meeting of the Council held on 21 June, and the extraordinary meeting of the Council held on 20 July <i>(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></p>	
a) Minutes - exempt	23 - 24
<p>The Council may exclude the press and public for Item 2a and to do so it must pass a resolution in the following terms:</p> <p>RECOMMENDED that members of the Press and public be excluded from the meeting for the following item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that: it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>To approve as correct the exempt minutes relating to items 5(a) and 5(b) considered at the extraordinary meeting of the Council held on 20 July</p>	

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 4a.2(f) and 4j1.1 – 4j1.12
6. **Recommendations from Committees** 25 - 26
To receive the report to the Standards Committee held on 26 July 2023 and, if approved, to adopt the recommendation contained therein:

Standards Update – report of the Monitoring Officer is available at [Agenda item 5](#)
7. **Interim Report of the Independent Remuneration Panel** 27 - 44
To receive the report of the Independent Remuneration Panel
8. **Household Support Fund Grant** 45 - 50
To receive the report of the Cabinet Member for Housing, Communities and Wellbeing
9. **Appointment of Co-Opted Parish Representative to the Standards Committee** 51 - 54
To receive the report of the Monitoring Officer
10. **Reports of representatives**
To receive reports from representatives on outside bodies
11. **Members' Questions on Notice** 55 - 56
To receive questions from Members under Rules 4a.8(b) – 4a.13
12. **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)

<p>Addressing the Council</p>	<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>
<p>Minutes</p>	<p>Any comments or questions should be limited to the accuracy of the minutes only</p>
<p>Quorum</p>	<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>
<p>Declarations of Interest</p>	<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>
<p>Announcements</p>	<p>These should be brief and to the point and are for information only – no debate/decisions</p>
<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>	<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>
<p>Cabinet recommendations (see also rules of debate)</p>	<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.
<p>Questions from Members on Notice (Notice must have been given in writing to the Monitoring Officer by 12.00 two working days before the meeting)</p>	<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>

Public Document Pack Agenda Item 2

Council 21 JUNE 2023

Present: Councillors: David Skipp (Chairman), Nigel Emery (Vice-Chairman), Sam Bateman, Mark Baynham, Tony Bevis, Colette Blackburn, Martin Boffey, Peter van der Borgh, James Brookes, Jon Campbell, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Malcolm Eastwood, Len Ellis-Brown, Victoria Finnegan, Claudia Fisher, Ruth Fletcher, Chris Franke, Anthony Frankland, Nick Grant, Joan Grech, Kasia Greenwood, Warwick Hellawell, Tony Hogben, Alex Jeffery, Liz Kitchen, Joanne Knowles, Lynn Lambert, Richard Landeryou, Dennis Livingstone, Alan Manton, Nicholas Marks, Jay Mercer, John Milne, Colin Minto, Roger Noel, Jon Olson, Josh Potts, Sam Raby, Jonathan Taylor, John Trollope, Clive Trott, Belinda Walters, Mike Wood and Tricia Youtan

Apologies: Councillors: Emma Beard

CO/16 **MINUTES**

The minutes of the meeting of the Council held on 26 April 2023 and of the Annual Council Meeting held on 24 May 2023 were approved as a correct record and signed by the Chairman.

CO/17 **DECLARATIONS OF MEMBERS' INTERESTS**

Item 8 Temporary Appointment of Councillors to Parish Councils: Councillor Dennis Livingstone declared an interest as the District Councillor due to be appointed, and confirmed that he would leave the meeting for the duration of the Item.

CO/18 **ANNOUNCEMENTS**

Councillor David Skipp, Chairman of the Council, advised that there would be an event for Armed Forces on Sunday 25 June in the Carfax and encouraged Members to attend. The Chairman also informed Members of the Flower Festival organised by St Mary's Church that was taking place.

Councillor John Milne, Cabinet Member for Planning & Infrastructure, announced the intention to progress the Local Plan, particularly due to the risk of speculative development.

Councillor Jon Olson, Cabinet Member for Leisure, Culture & Green Spaces gave an update on events that were scheduled, including Friday Lates, Museum Lates, and free entertainment for children in Horsham Park. The events team were thanked for their work on this.

Councillor Sam Raby, Cabinet Member for Housing, Communities and Wellbeing, announced that the Wellbeing Hub would open in its new location in Swan Walk from 1 July.

CO/19 **QUESTIONS FROM THE PUBLIC**

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

CO/20 **RECOMMENDATIONS FROM CABINET**

ADOPTION OF RUSPER CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

Councillor John Milne, Cabinet Member for Planning & Infrastructure advised Members of the responsibility to designate Conservation Areas and review management plans. As such, it was proposed that the Rusper Conservation area be extended to include the gardens of Ghyll Manor, to enhance the character of the existing Conservation Area and adopt the Management Plan. Consultation was undertaken early in 2023, and a request was received regarding the inclusion of the recreation ground. It was not possible to include the area as it did not have the specific historic, or architectural interest for inclusion in a Conservation Area. It was highlighted however that this did not detract from the value of the space. Councillor Ruth Fletcher seconded the motion.

Councillor Liz Kitchen commented that she shared the disappointment of residents in the ward that the recreation ground was not included in the Conservation Area. Councillor Kitchen thanked those who had completed the work, as she was otherwise content with the proposals. The Cabinet Member noted the concern and advised that the recreation ground was designated as a green space in the made Neighbourhood Plan, which should reassure residents.

RESOLVED

- (i) That the designation of the revised Conservation Area boundary for Rusper, as shown on the Conservation Area designation map (1) included in this report, be approved;
- (ii) That the Conservation Area Appraisal be approved and adopted, and Management Plan for Rusper, as set out in Appendix 2 be used in the determination of planning applications from 26 June 2023; and
- (iii) That authority be delegated to the Cabinet Member for Planning & Infrastructure to approve minor editorial changes prior to final publication of the Conservation Area Appraisal and Management Plan.

REASONS

- (i) To formally designate the amended conservation area boundary.
- (ii) To provide updated conservation area guidance for residents, occupiers, developers and Members in determining applications and to designate the locally listed buildings.
- (iii) To give the Cabinet Member for Planning and Infrastructure delegated authority to approve minor changes to the Conservation Area Appraisal and Management Plan.

ENVIRONMENTAL HEALTH & LICENSING AND ECONOMIC DEVELOPMENT STAFFING

Councillor Jay Mercer, Cabinet Member for Environmental Health, Recycling & Waste, advised that this proposal was in relation to succession planning and increased workload in the Environmental Health & Licensing Team in relation to the licensing of Houses of Multiple Occupation and new Government guidance on Housing Standards that is expected in Summer 2023.

Councillor Ruth Fletcher, Cabinet Member for Local Economy and Place seconded the motion and advised Members that the proposal would also enable succession planning in the Economic Development team and support increased workload in relation to projects arising from the Shared Prosperity Fund.

Councillor Paul Clarke thanked both teams for their support in relation to issues that had arisen in his ward.

RESOLVED

That the £41,200 increase in the 2023/24 salaries budget be approved, to accommodate the creation two extra posts, one in Environmental Health team and a temporary post in Economic Development.

REASONS

- (i) All local authorities are under a statutory duty to inspect housing and ensure that the powers used to tackle housing problems are effectively discharged. The increase in awareness of damp issues, new guidance on damp and in the increase in the number of applications houses in multiple occupation has led to a need for an extra employee permanently in the Environmental Health Private Sector Housing Team.
- (ii) In the Economic Development Service there is a need for a temporary role to carry out the extra work associated with the

Shared Prosperity Fund and get the service prepared for the likely full or phased retirement of its three officers.

CO/21 **RECOMMENDATIONS FROM COMMITTEES**

Councillor Paul Clarke 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 2022/23. Council were also asked to note the work programme, which set out the planned areas of consideration for the 2023/24 municipal year.

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.

CO/22 **TEMPORARY APPOINTMENT OF COUNCILLORS TO PARISH COUNCILS**

The Chief Executive introduced the report and advised the Council that following a number of resignations, Nuthurst Parish Council had become inquorate. As such, a temporary appointment to Nuthurst Parish Council was required to ensure that they were able to operate.

It was moved by Councillor Jay Mercer, and seconded by Councillor Martin Boffey, that the recommendation be approved.

RESOLVED

- (i) That the temporary appointment of Councillor Dennis Livingstone to Nuthurst Parish Council be approved; and
- (ii) That the making of an order, in the form contained in Appendix 1, for the temporary appointment of Councillor Dennis Livingstone to Nuthurst Parish Council, be authorised.

REASON

To enable Nuthurst Parish Council to co-opt Parish Councillors to become quorate and carry out its business.

CO/23 **UPDATES TO POLICY DEVELOPMENT ADVISORY GROUP
MEMBERSHIP, REPRESENTATIVES ON OUTSIDE BODIES AND
MEMBERSHIP TO COMMITTEES**

The Interim Head of Legal & Democratic Services and Monitoring Officer introduced the report and highlighted that Council were asked to note updates to Committee membership, PDAG membership and the appointments to outside bodies. Council were also asked to approve the programme of PDAGs for the Municipal Year.

It was proposed by Councillor Martin Boffey, and seconded by Councillor Philip Circus, that the recommendations be approved.

RESOLVED

- (i) That (i) the appointment of members to the Cabinet, (ii) the Cabinet Portfolios (and functions and responsibilities thereunder) as set out in Appendix 1 and (iii) the PDAG memberships as set out in Appendix 2; be noted
- (ii) That the Interim Monitoring Officer will revise the Constitution to reflect the above changes pursuant to Article 13.3 (b) 3 of the Constitution, be noted;
- (iii) That the PDAG programme for the Municipal Year, as set out in Appendix 3 be approved;
- (iv) That the member appointments to Outside Bodies by the Leader pursuant to Part Three, paragraph three 3.3.2 (k) of the Constitution as set out in Appendix 4 be noted; and
- (v) That changes in Membership to the Licensing Committee and Standards Committee be noted.

REASONS

- (i) To inform members of the (i) membership to committees, PDAGs, Cabinet and outside bodies, (ii) cabinet portfolios, and, (iii) requirement to update the Constitution to reflect the aforementioned, where required; and
- (ii) To approve the PDAG programme for the Municipal Year.

CO/24 **PAY POLICY STATEMENT - FINANCIAL YEAR 2023/24**

Councillor Martin Boffey 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. Councillor Mark Baynham seconded the motion.

RESOLVED

That the Pay Policy 2023/24 be approved for publication.

REASON

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

CO/25 **APPOINTMENT OF HEAD OF LEGAL & DEMOCRATIC SERVICES AND MONITORING OFFICER**

Councillor Martin Boffey stated that the Council had a statutory duty to appoint a Monitoring Officer. Lauren Kelly had filled the post on an interim basis for 6 months and the Employment Committee met to consider options to appoint to the role on a permanent basis. On the basis that there was a strong internal candidate, and that the recruitment process was costly, with no guarantee of a beneficial outcome, it was proposed that Lauren Kelly be appointed as Head of Legal and Democratic Services, and Monitoring Officer. The proposal was seconded by Councillor Philip Circus.

RESOLVED

- (i) That the Employment Committee nomination of Lauren Kelly as the Head of Legal and Democratic Services and Monitoring Officer be noted;
- (ii) That the appointment of Lauren Kelly to the position of Head of Legal and Democratic Services with effect from 22 June 2023, at a starting salary of £75,231 p.a. up to £82,072 (subject to national cost of living awards) be agreed;
- (iii) That the designation of Lauren Kelly as Monitoring Officer of Horsham District Council with effect from 22 June 2023 be agreed.

REASONS

- (i) To make a permanent appointment to the position of Head of Legal and Democratic Services
- (ii) To comply with the provision of Section 5 of the Local Government and Housing Act 1989 in respect of the appointment of the Monitoring Officer

CO/26 **REPORTS OF REPRESENTATIVES**

The representative of GATCOM, Councillor Liz Kitchen, reported that Gatwick Airport were due to submit an application for a development consent order for a second runway. Local Authorities were working on their responses to the consultation and concerns about noise and infrastructure were acknowledged.

The representative of the South East Reserve Forces and Cadets Association, Councillor Clive Trott, advised Members that the Association were keen to promote the benefits of working with the Armed Forces and association organisations, particularly in relation to the positive impact they could have on the community.

CO/27 **NOTICE OF MOTION**

The following Motion was moved by Councillor Mike Croker, and seconded by Councillor Colette Blackburn.

‘This Council declares a Climate and Ecological Emergency, based on the International Panel on Climate Change’s AR6 Synthesis Report of March 2023 which states that humanity is in the midst of a crisis entirely of its own making. This crisis has already resulted in a global surface temperature rise of 1.1°C, affecting many weather and climate extremes in every region across the globe, leading to widespread adverse impacts and related losses, including damage to nature and people.

We welcome the recent statement on the climate emergency and biodiversity crisis from our new council leader that “taking real action to combat these will not only be an immediate priority but will also be an ever-present consideration in all that we do throughout this term and beyond”.

In response to this rallying call, this Council accepts the inadequacy of the climate related motion it passed in June 2019 and, leading by example, will significantly increase the rate of carbon reduction associated with its own corporate plan to achieve carbon neutrality for its direct emissions by 2030 and indirect emissions by 2050.

Recognising the delay that has already occurred in encouraging meaningful carbon reductions across the District (to achieve District-wide Carbon Net Zero by 2050), this Council wishes to see the draft Climate Action Strategy (approved by Cabinet on 24 March 2023) subjected to meaningful community engagement forthwith, along with the rapid development of an appropriate and proportionate action plan to engage, activate and support residents in this joint quest.’

Councillor Mike Croker spoke in support of the motion and stated that although Horsham District Council had made some good progress, in particular with the Wilder Horsham District initiative, there was a need to act faster to tackle climate change within the authority and across the District.

There was a comprehensive debate of the motion. The discussion included consideration of the motion passed in June 2019, and the work that had been undertaken to date following this motion. Concerns were raised in relation to specific action that would follow, should the motion be passed.

Councillor Colette Blackburn spoke in support of the motion, and spoke of future consultation and engagement with communities and businesses in the development of the District wide Climate Action Strategy, as well as the value of incorporating climate concerns into decision making across all aspects of the Council's operations.

Following a vote, the motion was declared CARRIED.

CO/28 **MEMBERS' QUESTIONS ON NOTICE**

Councillor Paul Clarke asked Councillor Ruth Fletcher, Cabinet Member for Local Economy & Place, the following question:

“There has been concern in the press about the ability of multi storey car parks to cope with the increased weight of passenger vehicles with the adoption of EV technology and purchasing of said vehicles. Several car parks are reported to be unable to accept a large number of EV vehicles as the structural load bearing beams cannot take it. We in HDC depend heavily on our car park income.

We have two large multi storey car parks Swan Walk and Piries Place. The former is a lot older than the latter.

Have our two multi storey car parks been assessed as to their suitability to accommodate larger amounts of EV vehicles over the next few years? If such a study has taken place, then what were the conclusions? If such a study has not been carried out, then when will we be conducting such a study to verify the ongoing suitability of our key larger car parks?”

The Cabinet Member replied:

“Thank you very much for your question, Councillor Clarke. This is a good opportunity I hope to reassure you and also many residents who will have also heard the reports in the press from elsewhere,

A structural engineer report commissioned in 2017 indicated that the Swan Walk, Forum and Piries Place car parks would have been designed to the British Standard at the time of construction, which assumed a maximum weight of cars of 2500kg. The nature of the way that car parks are designed is that even if the car park was full of very heavy cars there is sufficient factor of safety. Piries Place car park was subsequently demolished and rebuilt in 2018 to higher structural standards.

For information even the heavier electric cars, such as Tesla Model S and Porsche Taycan weigh less than 2500kg. Very heavy vehicles, electric or otherwise, would be too large to fit into the standard parking spaces provided in either Swan Walk or The Forum car parks but do fit

into the wider spaces in Piries Place car park. We are confident that our car parks can accommodate such vehicles safely.”

Councillor Philip Circus asked the Leader, Councillor Martin Boffey, the following question:

‘Will the Leader accept that an early opportunity should be sought to review the Council's constitution given the weaknesses in its drafting that have become apparent?’

The Leader replied:

“Thank you, Councillor Circus, for your question. You will recall that we discussed the issue of a constitutional review when you and I met recently, and I am grateful therefore to you for raising this very relevant and important question at this evening's meeting. As we know the Constitution is the Council's rule book and sets out, amongst other things, the Council's functions responsibilities processes and procedures, decision making systems and Members Code of Conduct. It goes without saying that a good Constitution provides an anchor for strong organisational and political cultures in which people work well together, and in which decision making is well understood by and visible to the public.

Indeed, the law provides that Local Authorities must have up-to-date constitutions and I know it is considered good practice to undertake a fundamental review every five years. I understand the last full review was carried out in 2016 with its findings adopted in December of that year. As such we are clearly due for a fundamental review in the near future. In any case, to clarify my reference to near future and also to respond partly to what you were raising about an early date, I would estimate the undertaking of such an exercise in approximately than 6-12 months' time. The reason for this is that given the larger turnover of members in the recent elections I think it will be prudent to afford new members sufficient time to work with and familiarise themselves with the Constitution. Naturally, this will allow members to input into any review in a meaningful and informed manner. I think we would likely agree that council is not the forum to examine the granular detail of any constitutional strengths and required modifications to reflect any organisational structural changes political shifts and legal clarifications.

Indeed, it will be premature to do so prior to commissioning any formal detailed and coordinated analysis in terms of undertaking the review. I think it would be sensible to enlist the support of the Centre for Governance and Scrutiny and our Governance Committee, which I suspect will wish to appoint a streamlined working group to take the lead on this initiative. May I thank you for raising for me this question, the subject of which I'm sure you know is close to my heart.”

Councillor Circus asked the supplementary question:

“Thank you, Leader. Given that the constitution is owned in a very real sense by every member of this Council, will [the Leader] give us comfort in assuring us that he will get the widest possible involvement in the review of the Constitution and particularly that use will be made of those members who've had a lot of experience without any undue regard to party affiliation? Thank you.”

The Leader replied:

“I always think it's folly in life not to make use of the knowledge and experience of those, particularly in technical fields. All I would say is that doesn't necessarily mean they're going to get what they want.”

Councillor Circus made a closing comment that reiterated the importance of the widest participation, and suggested that a working group would not necessarily have to be politically balanced, and to focus on the best outcome for the review.

Councillor Alan Manton asked the Leader, Councillor Martin Boffey, the following question:

‘Does the Leader feel that those appointed to represent Council on outside bodies should not be chosen on the basis of Party allegiance but on the basis of the best qualifications to represent the Council, including knowledge and experience?’

The Leader replied:

“I do agree with the thrust of this question although I would couch it slightly differently. In my opinion knowledge and experience are not in themselves qualifications, but rather attributes or qualities one can be qualified by experience. Experience is not in itself a qualification. Indeed, there are no specific qualifications required for any of the roles to which he refers, other than being a member of Horsham District Council. I do believe that Representatives on Outside Bodies should be chosen based on their qualities and attributes and how these align with the requirements of the role. These roles are all different. Some of them lend themselves to people with specific skills knowledge or experience, others are better suited to members with a keen interest in certain areas or disciplines. Others still require members who can have more direct influence over areas of council policy and operations, such as Cabinet Members, the Chairman or the Armed Forces Champion. Finally, some roles would clearly benefit from having a representative from a given ward or area. When I decided on my appointments as Leader, I believe I considered and weighed all the different factors in play for each role before coming to a decision, sometimes consulting with the outside body in question. Can I say hand on heart that there was absolutely no consideration of any party allegiances in appointing any of these roles?”

Probably not, but I can promise that it was way down the list of priorities. I believe this can be evidenced by the fact that two of the appointees came from opposition parties, which is two more than the outgoing administration appointed. I would like to thank Councillor Manton for giving me the opportunity to highlight this departure with past precedent.”

Councillor Manton asked the supplementary question:

“Thank you, Leader. I appreciate your honesty in that respect but in the light of your answer, do you not think that it was unwise, or dare I say a folly, to pass over a highly interested Councillor who wanted the role of representative to the South Downs National Park Authority in favour of a less experienced candidate, who it has been reported did not want this job?”

The Leader replied:

“I think it's quite folly to be making assertions about other people's ability to do their jobs when they've just taken it and have only just started work on it to be honest with you. I don't really want to get into specifics of this person or that person but I'm quite happy with the appointment I've made to the South Downs National Park Authority it was very well considered, and I'm very happy with my decision.”

Councillor Manton made a closing statement that reiterated the disappointment in a decision that he felt was made solely on a political basis, overlooking the importance of knowledge and experience. He highlighted that there was a risk that the quality and effectiveness of decisions are compromised.

Councillor Roger Noel asked the Leader, Councillor Martin Boffey, the following question:

“Following our recent Council Elections, the majority of this administration's members now represent wards in the north of the District, especially the Cabinet, who are almost exclusively Horsham Town based. The previous administration contained members from the north and south of the District with both Members and Cabinet balanced between the town and rural areas. That Cabinet were acknowledged as ever mindful of the concerns and interests of Horsham Town, with an appointed Cabinet member exclusively for the Town. Can the Leader or members of the Cabinet indicate tonight how the concerns of the southern wards are to be given equal weight to the Town wards, thereby fairly representing the balance of our District's residents. This is especially important to residents in the south who have concerns over the Wilder Horsham District and the Adur Restoration Project, bearing in mind that under the previous administration there were several proposals to expand the Wilder District area, and will the same projected funding for this purpose be continued in the future?”

The Leader replied:

“Thank you, Councillor Noel for your question. Although I'm afraid I must begin my response by saying I don't accept the premise of your question. I think it seeks to create divisions where they either do not exist, or are unnecessary. You start by saying that the majority of the new administration's members now represent wards in the north of the District. I'm not sure how you're defining administration here, but it's a simple fact that the Liberal Democrat group now enjoys a comfortable majority. All but one of our members represent wards which many would view as the north of the District. I share your disappointment that we didn't have more seats in the South but that is what it is. You go on to say that the Cabinet are almost entirely Horsham town based. This is inaccurate, the Cabinet contains members from Billingshurst Parish, Shipley Parish and North Horsham Parish, half of its members. You also claimed that the previous Cabinet was ever mindful of the concerns and interests of Horsham town. I'm sorry to say that both as a resident and a former neighbourhood Council chairman in Horsham, that is not a claim that stands up to any kind of scrutiny, but I will not dwell on that now. Horsham Town needed a voice in Cabinet under the previous administration because unlike the rest of the district it is unparished. Facilities and services provided by Parish councils elsewhere in the district are provided by Horsham District Council in the town, therefore those services could be chopped and changed or taken away on a whim by the Cabinet. It was therefore important for the town's voice to be heard in Cabinet in a way which was different from the rest of the District. Given the makeup of the new Cabinet, that is no longer necessary. In all other respects, we are one Council representing one District. As a District, we are far more that unites us than divides us and it is the responsibility of all members inside and outside the Cabinet to not only represent their wards but also to act in the best interests of the District as a whole. I would therefore expect the concerns of all wards, wherever they are situated in the district, to be given equal weight in the usual way, by their local members raising such concerns both in Council in PDAGs or committees or with Cabinet Members directly on behalf of their residents and Parish and Neighbourhood Councils. That's the final element of your question as originally drafted when submitted. I'm afraid you will need to elaborate on what the Wilder Horsham area is. If you're referring to the Wilder Horsham District initiative, the clue is in the name. It should encompass the whole District and that is certainly my aspiration for it. When it comes to projected funding into the future, I am similarly unclear exactly what you're referring to, but I will say this at present, I only see expenditure on climate action and nature recovery going in one direction and it's not down.”

CO/29 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 7.40 pm having commenced at 6.00 pm

CHAIRMAN

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Public Document Pack

Council 20 JULY 2023

Present: Councillors: David Skipp (Chairman), Mark Baynham, Emma Beard, Tony Bevis, Martin Boffey, Colette Blackburn, Peter van der Borgh, James Brookes, Jon Campbell, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Malcolm Eastwood, Len Ellis-Brown, Victoria Finnegan, Claudia Fisher, Ruth Fletcher, Chris Franke, Anthony Frankland, Nick Grant, Joan Grech, Kasia Greenwood, Warwick Hellowell, Tony Hogben, Alex Jeffery, Joanne Knowles, Lynn Lambert, Richard Landeryou, Dennis Livingstone, Nicholas Marks, Jay Mercer, John Milne, Colin Minto, Roger Noel, Jon Olson, Sam Raby, John Trollope, Belinda Walters, Mike Wood and Tricia Youtan

Apologies: Councillors: Nigel Emery, Sam Bateman, Liz Kitchen, Alan Manton, Josh Potts, Jonathan Taylor and Clive Trott

CO/30 **DECLARATIONS OF MEMBERS' INTERESTS**

Item 5a Possible Purchase of Site A: Councillor Mike Croker declared that he was connected with the owner of the site, and confirmed that he would leave the meeting for the duration of the Item.

CO/31 **ANNOUNCEMENTS**

There were no announcements.

CO/32 **RECOMMENDATIONS FROM CABINET (ITEMS EXEMPT FROM PUBLICATION)**

POSSIBLE PURCHASE OF SITE A

Councillor Jon Olson, Cabinet Member for Leisure, Culture & Green Spaces advised that the Council had an opportunity to approve the funds that would enable the purchase of a site. The purchase of the site would allow the Council to protect public access to open green space. There was the potential to improve links with the community, and provide opportunities for volunteering, which would in turn have benefits for both physical and mental health. The Cabinet had approved the acquisition of the site.

In order to consider the information set out in the confidential appendices it was RESOLVED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and the public

interest in maintaining the exemption outweighs the public interest in disclosing the information.

Following the consideration of the confidential appendices, the meeting moved back into open session to approve the recommendations.

RESOLVED

That the allocation of funds for the acquisition of Site A be approved, subject to the limit.

REASONS

- i) To ensure the successful acquisition of Site A.
- ii) There are community and environmental benefits to acquiring Site A, in particular ensuring that a site that has become a well-used public open space, continues to operate as such.

POSSIBLE PROPERTY PURCHASE – HORSHAM

Councillor Ruth Fletcher, Cabinet Member for Local Economy & Place, advised that the opportunity to purchase a building had arisen. There was the potential for a variety of uses and the Cabinet had approved the acquisition.

In order to consider the information set out in the confidential appendices it was RESOLVED that members of the Press and public be excluded from the meeting for this item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Following the consideration of the confidential appendices, the meeting moved back into open session to approve the recommendations.

RESOLVED

That a capital budget of Figure 2 be allocated to the capital programme in 2023/24 for this purchase.

REASON

To allow a purchase of the property to proceed.

CO/33 **RECOMMENDATIONS FROM CABINET (ITEMS NOT EXEMPT FROM PUBLICATION)**

LAND CHARGES – FEES

Councillor John Milne, Cabinet Member for Planning & Infrastructure, advised that Horsham District Council had a statutory duty to maintain a Local Land Charges register. Conducting a full search requires information from West Sussex County Council, who had increased their fees since the Council set their budget in February. As such, it was recommended that the fee charged be increased by £5 plus VAT, per request, to cover the full cost of the search.

RESOLVED

That the increase in the Land Charge fee for the additional option questions from £21 (+VAT) to £26 (+VAT) be approved

REASON

To ensure that the Land Charge search fee charged by Horsham District Council fully covers the costs of undertaking the searches

HOUSING GRANTS – APPROVAL OF BUDGET

Councillor Sam Raby, Cabinet Member for Housing, Communities and Wellbeing, informed the Cabinet that the Government had allocated two grants to the Council. These grants were not known to the Council when the annual budget for the current year was set. The grants were in relation to homelessness prevention and interventions for asylum dispersal. The Housing Team were investigating options for the use of the grants, independently and in partnership with other Local Authorities.

The grants would enable the Council to further support refugees, which was a priority.

RESOLVED

- i) That the receipt and expenditure of two grants in the sum of (i) £271,911 for Homeless Prevention Grant top up, and (ii) £72,000 for Home Office Asylum Dispersal Grant be approved
- ii) That an increase in the housing team's 2023/24 revenue income and expenditure budgets of £343,911 to cater for the receipt of the two subject grants be approved

REASONS

- i) Increasing the revenue income and expenditure budgets in the Housing Service will allow the Council to receive and spend the grants offered by DLUHC
- ii) Full Council must approve an increase to the housing team's budget
- iii) To provide appropriate housing options for the cohorts specified in the grant conditions

LOCAL AUTHORITY HOUSING FUND ROUND 2

Councillor Mark Baynham, Cabinet Member for Finance & Resources, advised that Round 1 of the Local Authority Housing Fund was progressing well, and that a second round of funding had been announced. The funding would allow the Council to purchase 3 large resettlement homes and 1 home for temporary accommodation. The scheme would have social and financial benefits.

RESOLVED

- i) That the application for, and receipt of, the grant allocation for the Council to provide or facilitate the provision of 3 large resettlement homes and 1 temporary accommodation home be proceeded with
- ii) That the capital spend of £1.78m in the 2023/24 capital programme be approved.

REASONS

- i) To apply for, receive and use the grant to help purchase / provide more affordable homes for the district.
- ii) Full Council must approve the capital budget.
- iii) Subject to Council approval, to avoid the requirement to seek Cabinet's approval for the purchase by Horsham District Council of each individual property that would otherwise be required to give effect to this initiative.

The meeting closed at 7.12 pm having commenced at 6.30 pm

CHAIRMAN

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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COUNCIL

6 September 2023

COMMITTEE RECOMMENDATIONS

Recommendation to Council made at the meeting of the Standards Committee held on 26 July.

Amendments to the Code of Conduct Procedure December 2021

The Code of Conduct Complaints Procedure was revised in December 2021 when the Council adopted the new amended model Code of Conduct for councillors. The procedure was streamlined, and this has made it easier to deal with code of conduct complaints in a clearer and more transparent manner. However, owing to the volume of work experienced by the Standards Team, it is considered appropriate to incorporate some minor amendments to the procedure.

The procedure presently allows Deputy Monitoring Officers to deal with standards related matters only in the absence of the Monitoring Officer. The suggested revisions will allow the Monitoring Officer to delegate any standards related work to nominated deputies at any time and not just during periods of absence. This delegation is considered necessary owing to the volume of standards work that is presently being generated by parish councils throughout the District.

A further revision has been incorporated to allow the Monitoring Officer to vary the procedure when it is considered appropriate and desirable to do so. The Committee agreed to amend Section 10.1 of the Code of Conduct Complaints Procedure to read:

The Monitoring Officer may vary this procedure in any particular instance where reasonable and justified and he or she is of the opinion that such variation is desirable and does not conflict with statutory requirements. Any variation will be communicated to relevant parties.

This will provide the Monitoring Officer and Standards Team with a greater degree of flexibility when dealing with code of conduct complaints.

Further remaining revisions of the Code of Conduct Complaints Procedure were considered minor adjustments and shown in the Standards Committee report as tracked changes. A revision index will also be incorporated into the amended Code of Conduct Complaints procedure.

Standards Committee RESOLVED

To approve the amended Code of Conduct Complaints Procedure subject to Council approval.

RECOMMENDED TO COUNCIL

To recommend that full Council approved the amendments to the Code of Conduct Complaints Procedure.

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Report to Council

Wednesday, 6 September 2023

By the Chief Executive

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Interim Report of the Independent Remuneration Panel

Executive Summary

The Council is required to adopt a Members' Allowances Scheme and must have regard to the recommendations of an Independent Remuneration Panel ("IRP") when doing so.

The IRP undertook a full review of Members' Allowances in April 2021 and this report contained a recommendation to undertake an interim review, prior to the next full review, which is required to be undertaken by April 2025.

The IRP has now completed the interim review and its findings and recommendations are set out in the appendix attached to this report.

The existing Scheme of Members' Allowances was last adopted at a Council meeting on 22 February 2023.

Accordingly, councillors are requested to consider the IRP's recommendations.

Recommendations

That the Council is recommended:

- i) To note the report of the IRP and its recommendations which are contained at appendix 1 of this report; and
- ii) To approve the payment of an honorarium, in the sum of £500, to each IRP member in respect of this interim review, and the review completed in February 2023.

Reasons for Recommendations

- i) To note the IRP's recommendations.
- ii) To approve the payment of an honorarium to the members of the IRP.

Background Papers

The IRP report contained in the appendix attached to this report.

Wards affected: (All Wards);

Contact: Jane Eaton, Chief Executive.

Background Information

1 Introduction and Background

- 1.1 The Council is required to adopt a Members' Allowances Scheme setting out the allowances payable to councillors.
- 1.2 The Scheme must set out the level of the Basic Allowance payable to Councillors. In addition, it may provide for the payment of a Special Responsibility Allowance to members holding certain positions within the council structure, for example, committee chairmen and cabinet members. The Scheme may also provide for other allowances such as a Dependent Carers' Allowance and a Travelling and Subsistence Allowance.
- 1.3 The last full review of the Scheme of Members' Allowances was concluded in April 2021. The next full review must be completed by April 2025. This is an interim review, as recommended by the IRP in its 2021 review.

2 Relevant Council policy

- 2.1 To adopt a Scheme of Members' Allowances to ensure statutory compliance. And, to have regard to the IRP's recommendations.

3 Details

- 3.1 When agreeing the level of Members' Allowances, councillors must have regard to the recommendations of the IRP. Councillors can agree either the recommendations of the IRP in full or part, or, devise their own level of Members' Allowances so long as they have had regard to the IRP's recommendations.
- 3.2 Alan Ladley, Martin Loates and Cinzia D'Amico are members of the IRP and have conducted an interim review pursuant to its recommendation to do so in its April 2021 full review.
- 3.3 The IRP's review and recommendations are contained in the appendix to this report and councillors are asked to note the same.
- 3.4 In addition, councillors are asked to approve the payment of an honorarium, in the sum of £500, to each of the IRP members. This honorarium is in consideration of the work undertaken by the IRP for both the February 2023 review and September 2023 interim review.

4 Next Steps

- 4.1 To note the IRP's recommendations.
- 4.2 To approve the payment of an honorarium to each of the members of the IRP.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

5.1 Not applicable.

6 Other Courses of Action Considered but Rejected

6.1 Not noting the IRP's recommendations nor considering the payment of an honorarium for the work undertaken by the IRP. These approaches were considered but rejected as councillors are required to consider the IRP's recommendations and it is considered fair and reasonable that the IRP receives a financial gesture for the work undertaken.

7 Resource Consequences

7.1 No resource consequences as a new scheme has not been recommended by the IRP.

7.2 An annual increase of 4.5% was built into the existing members' allowances scheme when setting the 2023/2024 budget.

7.3 Should the financial position change, pending the final outcome of the awaited staff pay award, we would need to return to Council to request further budget.

8 Legal Considerations and Implications

8.1 The legislative framework for Members' Allowances is contained in the Local Government and Housing Act 1989 ("the 1989 Act"), the Local Government Act 2000 ("the 2000 Act") and the Local Authorities (Members' Allowances) (England) Regulations 2003.

8.2 Local Authorities are required to establish and maintain an IRP (of at least three individuals) which will broadly provide the local authority with advice on its scheme and the value of allowances to be paid. Local Authorities must have regard to this advice.

8.3 Local Authorities must include in their scheme of allowances a basic allowance, payable to all members, and may include provision for the payment of special responsibility allowances and a dependants' carers' allowance.

8.4 Local Authorities can backdate allowances to the beginning of the financial year in which they are paid, subject to the recommendations of the IRP.

8.5 Local Authorities are required, as soon as reasonably practicable, after receiving a report from the IRP which sets out recommendations, to ensure that copies of the report are available for inspection at their principal office at all reasonable hours and publish a notice in at least one newspaper circulating in the area which (i) states the Local Authority has received recommendations about the scheme of allowances, (ii)

states that copies of the report are available for inspection, (iii) states the address of the principal office, and, (iv) describes the features of the IRP's recommendations including the amounts of allowances the IRP has recommended should be payable to elected members.

- 8.6 In addition, as soon as reasonably practicable after determining a scheme of Members' Allowances, Local Authorities must ensure that copies of the scheme are available for inspection at their principal offices at all reasonable hours and publish a notice in at least one newspaper circulating in its area which (i) states that the Local Authority has adopted a scheme of allowances and the period for which that scheme has effect, (ii) states that copies of the scheme are available for inspection, (iii) states the address of the principal office, (iv) describes the main features of the scheme including the amounts payable to elected members under the scheme, (v) states that in determining the scheme the Local Authority had regard to the recommendations of an IRP, and, (vi) describes the main features of the IRP's recommendations including the amounts of allowances the IRP has recommended should be payable to their elected members.

9 Risk Assessment

- 9.1 The Council must have a current approved Members' Allowances Scheme in order for allowances to be claimed by and paid to both elected Members and co-optees. The Council must have regard the IRP's recommendations.

10 Procurement implications

- 10.1 None.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 None.

12 Environmental Implications

- 12.1 None.

13 Other Considerations

- 13.1 None.

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Horsham Independent Remuneration Panel

Interim Report - August 2023

Background

In accordance with the Local Authorities (Members' Allowances) Regulations 2003 (the Regulations), the Authority has established an Independent Remuneration Panel (IRP) to make recommendations regarding allowances paid to members. This panel is required to review the Authority's scheme of allowances at least every four years.

The current panel consists of three members: Cinzia D'Amico, Martin Loates and Alan Ladley. Their biographies can be found at Appendix A.

The last report from the IRP was presented to the Authority in April 2021 and made the following recommendations:

- The Basic Allowance, payable to all members, to be increased by 5%
- The Special Responsibility Allowance (SRA), payable to the Leader of the Council, to be increased by 10%
- A 10% reduction in the SRA paid to the Minority Group Leader
- A £50 per meeting payment to be paid to members officially representing the Authority on external bodies in an appointed capacity
- Dependants' Carers' Allowance to be set at the rates of the National Living Wage for the provision of childcare and the WSCC domiciliary care rate for specialist care
- Allowances for all other SRAs, for those members with additional responsibility, was to remain at the rate previously set
- Travel and Subsistence Rates were to continue in line with those set for authority officers
- Allowances were to be increased annually in line with the Local Government staff pay awards set nationally.

At Full Council, the Authority accepted all the recommendations but delayed implementation for 12 months. Accordingly, the recommendations took effect from May 2022. The full report, together with the allowances paid, can be found on the Authority's website.

The Authority also agreed that the IRP would undertake interim reviews to consider any relevant changes to the legislation or structure of the Authority which may impact on the allowances payable.

2022/23 pay award

In November 2022, agreement for the annual pay award for Local Government staff for 2022/2023 was set at a fixed sum of £1,925 regardless of position on the pay scale. To consider the impact this settlement would have on members' allowances, the IRP was reconvened and tasked with recommending a solution for the Authority.

In January 2023, the IRP presented a report to Full Council proposing that the median point of the staff pay scale be used to calculate a percentage increase based on the £1,925 award.

For Horsham District Council, this equated to a 4.9% increase. The IRP recommended that the Basic Allowance, the Special Responsibility Allowances, and the Co-optees / Representatives Allowances be increased by 4.9% and backdated to April 2022. This was approved by Members at the meeting. A copy of this report is found at Appendix B.

Other issues

The panel was also tasked with reviewing other issues happening nationally or within the Authority which may require a change to the allowances payable to members. Accordingly, the panel has met on several occasions and would make the following comments.

Under the Regulations, the Authority may make minor amendments to its scheme of allowances at any time, however where it plans to change its executive arrangements for alternative arrangements or vice-versa (Cabinet system or a committee system), then the scheme should be revoked, and new recommendations made by an IRP. This is not currently the case with Horsham and therefore the panel does not see the need to review the current scheme in its entirety.

Additionally, the panel has reviewed the allowances paid by similar authorities as detailed in the South East Employers annual matrix. We are satisfied that the levels of allowances are broadly in line with such authorities in the region with no noticeable variances meriting further consideration. An extract of the SEE matrix from the 2022 report showing the eight similar authorities is at Appendix C for information.

The local elections held in May 2023 have resulted in several new councillors being elected and several of the post holders of roles attracting an SRA change. Therefore, with this volume of change, the IRP believes it to be too early to fully review the workload and responsibility involved in the varying roles. This will be more viable at the time of the next full review proposed in 2025.

One area from the 2021 review where we feel further clarity is still required is the establishment of a definitive list of the external bodies councillors are expected to represent the Authority in an official capacity. Without this list, the payment of the allowance agreed in the 2021 review cannot be monitored.

Recommendation – The Authority to complete the list of approved external bodies members represent the Council on.

Allowances for parish councillors

When the panel was tasked with this interim review, we were asked to consider the position of allowances for Parish Council members. Under the Regulations, Parish (and Town) Councils can pay a 'parish basic allowance' to either their Chair or all members as well as with travelling and subsistence allowances. To progress this, a Parish Remuneration Panel (PRP) should be established, consisting of members of the District Panel. Recommendations made by the PRP for the payment of a basic allowance to parishes should be expressed as a percentage of the district basic allowance and would need to be presented to the District Council for final approval.

This panel believes this work to be of importance and with considerable impact on the parishes and their councillors. It is appropriate for the Horsham IRP to undertake this for the Horsham District and would propose to include it as part of the next full review which is due in 2025. In light of the high numbers of parishes and councillors it will necessarily be of a lighter touch than the main review but will include the views of parish chairs and councillors and well as officers and members of the Horsham District Council. We would also consider any payments made by similar authorities.

Recommendation – The Horsham IRP be tasked with undertaking a review of parish allowances in conjunction with the next full review.

National negotiations are still underway regarding the pay award for local authority staff for 2023/2024. Should the usual percentage increase be awarded, then in accordance with the previously agreed recommendation, this will be applied to the scheme of allowances by the Authority subject to the formal agreement by members at Full Council.

If, however, another fixed sum is to be paid to staff as last year, then the panel recommends that the same calculations be made as before based on the median pay point to achieve a percentage figure. This suggested increase in the basic allowance, the SRAs and the external body allowance should be proposed to Full Council for consideration without the need to involve the IRP.

In both cases it would be for the Full Council to decide whether any increase should be backdated, normally to the start of the financial year when the national staff pay award was to commence. However, considering the changes in the number of councillors as a result of the local elections held in May 2023, it may be considered more pragmatic to backdate any such increases in the scheme for this year to the start of the municipal year, i.e., 24th May 2023.

The panel proposes that these approaches to index linking the scheme of allowances for members continue in future years. We understand that if this approach is agreed then the constitution may need to be amended accordingly.

Recommendation – the Authority’s constitution be amended to allow for index-linked allowance increases for members in line with officers, whether a percentage rise or a fixed sum.

Subject to there not being any major changes to the arrangements for the operation of the council, then the IRP does not see the need for further interim reviews before the required full review in 2025. We suggest the IRP be reconvened late summer 2024 with a view to a report being presented to Full Council in spring 2025.

Cinzia D’Amico

Martin Loates

Alan Ladley

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Horsham Independent Remuneration Panel

Background details of members

CINZIA D'AMICO

Cinzia has lived in Horsham for nearly 30 years. A linguist by profession, she worked briefly as a flight attendant due to her love for travelling before running a translation agency for several years. She then went freelance translating and interpreting and working as a lecturer and dissertation supervisor for the University of Portsmouth in their Translation Studies MA. She is also a qualified TEFL teacher.

Cinzia works as a translator and public community interpreter, mainly dealing with the medical and social care fields. She is also a Director in two Property Management Agencies, a member of various panels and an exam invigilator for an American translators' association.

Cinzia has always been interested in contributing to the welfare of her community teaching in local colleges and volunteering as a "buddy" in art courses for people with disabilities.

MARTIN LOATES

Martin lived in London for over 35 years and in that time worked as a salesman travelling abroad many times on company business. He then moved on to become a consultant with Manpower before settling in local government.

On moving to Horsham over 20 years ago, and by then retired he found involvement on a voluntary basis as Chairman of a local football team. Finding that not enough to keep him busy he became a parish councillor for 14 years for North Horsham. In another capacity he became a Board Member of Saxon Weald Housing Association.

In his spare time, he became heavily involved in Horsham Poppy Appeal. He was also involved in another Charitable Organisation called the Horsham 21 Club which was founded in 1945.

ALAN LADLEY

Alan Ladley has lived in West Sussex for over 50 years and was a police officer with Sussex Police for 36 years, serving in Horsham, Bognor Regis, Littlehampton and Chichester as well as the police HQ in Lewes. He retired in 2009 at the rank of Detective Superintendent.

Subsequently Alan worked for six years for Sussex Police as the Force Information Manager, overseeing the force's information assets as well as the management of Data Protection and Freedom of Information.

Alan lives in Bognor Regis with his wife who runs a retail business in the town. He is also a member of the Arun Independent Remuneration Panel.

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Horsham Independent Remuneration Panel

Report to Horsham District Council on the impact of the 2022-23

Officers pay award on Members Allowances

Background

In the last report of the Independent Remuneration Panel (IRP), it was recommended that the Basic Allowance, the Special Responsibility Allowances (SRAs) and the Co-optee / Representative roles continue to be increased in line with the annual pay award for officers. Additionally the panel recommended that the Basic Allowance be increased by 5% and the SRA for the Leader be increased by 10% as well as a 10% reduction in the SRA for the Leader of the Opposition. All these recommendations were approved by Full Council in April 2021 but with a decision to delay implementation for 12 months.

Accordingly, the current rates payable are as shown on the authorities' website and have been payable since 25 May 2022. For ease these are reproduced at Appendix 1 to the report.

Officers pay award for 2022/23

For this year, agreement was reached for Local Authority staff to receive a fixed sum of £1,995 each regardless of the position on the pay scale. The result is that employees at the higher end receive a smaller percentage increase than those at the lower end. This award, although only agreed very recently, is to be backdated to April 2022.

Clearly this causes complications with regard to the agreed method for increasing members allowances in line with officers' annual pay awards. Accordingly, the authority has asked the IRP to consider a solution and make recommendations for the Full Council.

The panel has researched the approach taken by other authorities and spoken with South East Employers, the organisation supporting public sector organisations across the South East. The common approach is to take the median point of the pay scale for employees and calculate the percentage increase using the £1,995 award. This percentage is then used to calculate the increase for relevant Members Allowances. In the case of Horsham District Council, the median spinal point is at £41,154 which equates to a 4.9% increase.

In considering whether this is appropriate for this authority we have taken into account that although the latest allowances, as published, have only been implemented since May 2022 they were in fact delayed for over a year from the original agreement in April 2021. Apart from the agreed increases to the Basic Allowance and the Leaders SRA, none of the other allowances were increased in the April 2021 report and therefore would have remained unchanged since April 2020.

Additionally, the panel are aware of the desire by the authority to continue to encourage a wide demographic in its elected members and therefore any erosion in the allowance's payable may have a negative impact on an individual's ability to run or remain as a Councillor.

As a result, the panel make the following recommendations:

- 1) Councillors receive an increase in relevant allowances of 4.9%**
- 2) This be applied to the following allowances;**
 - a) Basic Allowance**
 - b) All Special Responsibility Allowances**
 - c) The Co-optees and Representatives allowance**
- 3) The increases be backdated to April 2022.**

We recognise issues surrounding the cost-of-living crisis and that councillors may be concerned about the impact of receiving an apparent large increase in their allowances. Although by virtue of two completely separate processes, the delayed increase from the 2021 review and those from this proposal, it may be seen by others as a single 9.9% increase in the Basic Allowance for all members and a 14.9% increase in the SRA for the Leader. However, consideration to delay implementation as happened with the April 2021 recommendations, will further complicate matters as the next round of staff pay negotiations is underway nationally and is likely to result in a further pay award from April this year.

If the Council were minded to reject all the recommendations, then it should be considered against the fact that none of the SRAs (apart from the that for the Leader) have increased since April 2021.

In presenting this report the panel recognises that it is a matter for the council whether to accept all or some of these recommendations and similarly, individual members may choose not to take any or part of their entitlement.

The impact of these recommendations is shown in a table at the end of this report.

Submitted for consideration.

Alan Ladley

Martin Loates

Cinzia D'Amico

Independent Remuneration Panel

January 2023

Impact of Recommendations

	Allowance as at 25/5/22	4.9% Increase	Total
Basic Allowance per Councillor	£5,470.50	£268.05	£5,738.55
Total for 48 Councillors	£262,584.00	£12,866.62	£275,450.62
Special Responsibility Allowances			
Leader of the Council	£15,587	£763.76	£16,350.76
Deputy Leader of the Council	£8,925	£437.33	£9,362.33
Leader of the Minority Group	£3,856.50	£188.97	£4,045.47
Members of the Cabinet (7 members)	£50,995	£2,498.76	£53,493.76
Chair of the Council	£5,310	£260.19	£5,570.19
Vice Chair of the Council	£1,780	£87.22	£1,867.22
Chair of the Overview & Scrutiny Committee	£5,310	£260.19	£5,570.19
Vice Chair of the Overview & Scrutiny Committee	£1,775	£86.98	£1,861.98
Chair of the Planning Committee North	£4,000	£196.00	£4,196.00
Vice Chair of the Planning Committee North	£1,345	£65.91	£1,410.91
Chair of the Planning Committee South	£4,000	£196.00	£4,196.00
Vice Chair of the Planning Committee South	£1,345	£65.91	£1,410.91
Chair of the Licensing Committee	£2,535	£124.22	£2,659.22
Chair of the Governance Committee	£2,535	£124.22	£2,659.22
Chair of the Audit Committee	£2,535	£124.22	£2,659.22
Chair of the Standards Committee	£2,535	£124.22	£2,659.22
Co-optees & Representatives	Variable so not Calculatable		
Totals for the Special Responsibility Allowances	£114,369	£5,604.06	£119,973

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Appendix C

Family of Authorities key allowances 2022

	Adur	Worthing	Arun	Chichester	Reigate	Mid Sussex	Mole Valley	Crawley	Horsham
Basic Allowance SRA's	£4,762	£5,154	£5,730	£5,200	£5,783	£5,200	£4,793	£6,617	£5,471
Leader	£14,286	£15,462	£5,978	£15,500	£14,151	£20,800	£8,226	£15,885	£15,587
Dep Leader	£7,143	£7,731	£2,116	£8,150	£11,557	£11,000	£4,661		£8,925
Chair of Council	£2,381	£2,577	£8,698	£5,000	£5,700	£6,760	£2,808	£6,361	£5,310
Vice Chair	£1,191	£1,288	£2,869			£2,253	£1,053	£954	£1,780
Cabinet / Executive members	£5,953	£6,443	£5,091	£7,400	£9,434	£8,500	£8,226	£7,942	£7,285
Opposition Leader	£2,381	£2,577	£4,095	£4,750	£147	£200	£4,097	£2,448	£3,857
Planning Chair	£4,762	£5,154	£6,272	£6,350	£5,442	£6,375	£2,808	£6,617	£4,000
Planning Vice Chair	£1,191	£1,288	£2,070			£1,625	£384		£1,345
Licensing Chair	£3,572	£3,865	£4,181	£4,300	£441	£1,040	£587	£5,453	£2,535
Licensing Vice Chair	£1,191	£1,288	£1,254						
Overview & Scrutiny Chair	£3,865	£3,865	£3,920	£5,050	£3,162	£4,160	£2,342	£7,106	£5,310
Overview & Scrutiny Vice Chair	£1,191	£1,288	£1,294		£957	£1,040	£329		£1,775
Audit Chair			£3,920	£4,800	£3,162	£3,120	£2,342	£2,649	£2,535
Audit vice Chair			£1,294				£329		
Governance Chair	£2,577	£2,577	see audit	see audit				£2,649	£2,535
Governance Vice Chair	£1,191	£1,288							
Standards Chair			£1,045	£500		£1,040	£587		£2,535

Note 1: Most authorities have a Chair of the Council, except Reigate and Crawley who have a Mayor. Not known if they perform similar functions.

Note 2: Opposition groups - Reigate pays £147 + £58 per member. Mid Sussex pays leaders £200 per member. Crawley pays £2448 plus £305 per member!

Note 3: Both Mid Sussex and Horsham have two Planning Committees.

Note 4: Reigate pays Planning Committee members £804.

Note 5: Adur and Worthing authorities are partly merged. Both the Overview & Scrutiny and Governance Committees are joint.

Note 6: Both Arun and Chichester authorities each have a Combined Audit and Governance Committee.

Note 7: Mid Sussex has three Scrutiny Committees, each Chair and Vice Chair receiving £4160 and £1040 respectively.

Note 8: Only Chichester and Crawley authorities operate a '1 SRA per member' rule.

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Report to Council

6 September 2023

By the Cabinet Member for Housing, Communities and Wellbeing

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Housing grants – Approval of budget

Executive Summary

Council is recommended to increase the community development income and expenditure budgets so that the team can receive and spend an additional grant that has been allocated by West Sussex County Council (WSSCC). The grant, Household Support Fund (HSF) has restrictions and receipt of it was not known when the annual budget for 2023-2024 was set. Notification of the £255,000 grant was received in August 2023 and is required to be used within the current financial year.

The grant has been allocated to the Council with generalised areas of focus for use. These include:

- Food and fuel voucher support – this continues previous schemes that have been administered by Citizens Advice and Horsham Matters in previous years.
- Funding to build resilience and capacity for services working with those most affected by the cost of living. This will focus upon food and utility support, financial support and advice plus warm spaces/warm hub provision and operational support.
- Funds to specifically target households that are financially vulnerable. We will look to target households that have not received any previous central government funding through cost-of-living payments.
- Funds to enable a series of multi-agency networking and information sharing events. This will support more joint working, less duplication and a better experience for residents who need support from several services.

Recommendations

That the Council:

- i) Approves the receipt and expenditure of the grant in the sum of £255,000 for Household Support Fund
- ii) Approve an increase in the community development team's 2023/24 revenue income and expenditure budgets of £255,000 to cater for the receipt of the grant

Reasons for Recommendations

- i) Increasing the revenue income and expenditure budgets in the community development service will allow the Council to receive and spend the grant offered by WSCC
- ii) Full Council must approve an increase to the community development team's budget
- iii) To provide appropriate support for residents and organisations supporting residents affected by the cost of living as specified in the grant conditions

Background Papers

None

Wards affected: All

Contact: Rob Jarvis - Head of Housing and Community Services

Background Information

1 Introduction and Background

- 1.1 In August 2023, WSCC allocated the Council £255,000 of grant income for the Household Support Fund scheme. The Council must demonstrate that the funds have been used within the parameters with which they have been awarded.
- 1.2 The grant has been allocated with specific approaches to the allocation agreed. These are:
 - Food and fuel voucher support – this continues previous schemes that have been administered by Citizens Advice and Horsham Matters in previous years.
 - Funding to build resilience and capacity for services working with those most affected by the cost of living. This will focus upon food and utility support, financial support and advice plus warm spaces/warm hub provision and operational support.
 - Funds to specifically target households that are financially vulnerable. We will look to target households that have not received any previous central government funding through cost-of-living payments.
 - Funds to enable a series of multi-agency networking and information sharing events. This will support more joint working, less duplication and a better experience for residents who need support from several services.

2 Relevant Council policy

- 2.1 The funds received support the Council in meeting the priorities set out in the Council's corporate plan to ensure Horsham District is a great place to live with a strong, safe and healthy community. Specifically, these funds will support the Council in ensuring that support is available for those residents and organisations supporting residents impacted by cost-of-living pressures.

3 Details

- 3.1 The use of the grant will be monitored quarterly and reported to WSCC. The purpose of this report is to seek approval to receive these funds and increase the financial budget of the community development team by a corresponding amount. This will allow the team to work with those who need the support. The provision of this support will be administered and reported in accordance with the grant criteria.
- 3.2 The community development team will seek to work in partnership with other authorities locally for efficiencies and increased impact where possible. However, if all the funds are not used they will be returned to WSCC for use in other areas of the County.

4 Next Steps

- 4.1 The recommendations in this report need to be discussed and approved by Full Council as detailed in this report.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 Given the short timeframe between the allocation of the grant and the Council meeting a physical meeting of the Housing, Communities and Wellbeing Policy Development Advisory Group has not been possible. All members of the Policy Development Advisory Group have been consulted electronically. Of the eleven members of the group, nine have provided their support to receive and use the grant, one was on leave and one has not responded.

The Chairman of Overview and Scrutiny and Leaders of the opposition parties were also made aware of the grant allocation in advance of the report.

- 5.2 The Monitoring Officer and the Director of Resources were consulted to ensure legal and financial probity.

6 Other courses of action considered but rejected

- 6.1 The Council has considered not accepting these funds from WSCC. This option has been dismissed as there is the possibility of increased adverse impact on local residents if we are unable to implement appropriate preventative options (which could be funded by these grants) at an earlier stage.

7 Resource consequences

- 7.1 Any additional options for the specified client groups identified within the grant parameters will be met within the existing team structure.
- 7.2 The additional revenue budget income of £255,000 received through these grants will be used to meet expenditure in this area with unspent funds being returned to WSCC. There is no net effect on the revenue budget. The funding must be spent by 31 March 2024.

8 Legal considerations and implications

- 8.1 Section 31 of the Local Government Act 2003 enables central government to make a grant for any purpose, capital or revenue, to any local authority. A grant made pursuant to this section will be (i) for such amount, and, (ii) paid on such conditions as may be determined by the relevant minister.
- 8.2 Section 1(1) of the Localism Act 2011 provides that a local authority has power to do anything that individuals generally may do. The Council has the power, therefore to accept and receive grant funding.
- 8.3 The Council should (i) comply with the terms of and conditions attached to the grant, and, (ii) complete any legal documentation which is required to give effect to the receipt and use of the said grant.
- 8.4 The grant funding will be managed in accordance with the Financial Procedure Rules (inter alia paragraph 4e.33 External Funding) contained in the Council's constitution.

9 Risk assessment

- 9.1 The grant the Council will receive will support cost of living intervention options for those residents most adversely affected. Not receiving the grants could pose an additional financial risk to the Council through additional service demand.

10 Procurement implications

- 10.1 There are no procurement implications identified.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 The grants have specific criteria in respect of which cohorts must be supported.

12 Environmental implications

- 12.1 There are no specific environmental implications arising from this report, although the development of all activities and initiatives will be mindful of HDC's target to be carbon neutral by 2030.

13 Other considerations

- 13.1 There are no direct crime and disorder implications. The use of all databases and other sources of information will ensure that GDPR and data protection legislation is fully complied with.

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Report to Council

Wednesday, 6 September 2023

By the Monitoring Officer

DECISION REQUIRED



Not Exempt

Appointment of Co-Opted Parish Representative to the Standards Committee

Executive Summary

This report seeks authority to appoint a Parish Representative to the Standards Committee to replace Parish Councillor Philip Baxter.

Recommendations

Council is recommended to:

- i) Appoint Councillor David Green of West Grinstead Parish Council to the Standards Committee as a Parish Representative for a term of office ending on the fourth day after the Local Elections in May 2027

Reasons for Recommendations

- (i) To fill the Parish Representative vacancy on the Standards Committee that was created following the retirement of Parish Councillor Philip Baxter, and,
- (ii) To satisfy the constitutional requirements in relation to the Standard Committee's composition.

Background Papers

Council Report dated 15 May 2012 and Article 8.1 of the Constitution.

Wards affected: (All Wards);

Contact: Lauren Kelly, Monitoring Officer

Background Information

1 Introduction and Background

- 1.1 The Standards Committee is made up of seven members, two independent persons and two parish representatives pursuant to the terms contained in the constitution.
- 1.2 The parish representatives are co-opted non-voting members to the Standards Committee and their role extends to advising the Standards Committee on parish matters.
- 1.3 The parish representatives are nominated by the Horsham Association of Local Councils (HALC).

2 Relevant Council policy

- 2.1 Local Authorities are obliged to have in place arrangements under which code of conduct allegations can be investigated and decisions on allegations made. Chapter 7 of the Localism Act 2011 refers.

3 Details

- 3.1 Parish Councillor Philip Baxter was previously appointed to the Standards Committee as a parish representative and did not stand for re-election in the May 2023 elections. Consequently, there now exists a vacancy on the Standards Committee.
- 3.2 Accordingly, HALC was contacted to nominate a new Parish Representative for appointment to the Standards Committee in order to fill the vacancy.
- 3.3 Parish Councillor David Green of West Grinstead Parish Council was nominated at HALC's annual meeting.

4 Next Steps

- 4.1 To approve the appointment of Parish Councillor David Green to the Standards Committee for a term expiring four days after the May 2027 elections.

5 Outcome of Consultations

- 5.1 The nomination was made by HALC which represents all Parish Councils in the District.

6 Other Courses of Action Considered but Rejected

- 6.1 A vacancy on the Standards Committee could not be held as the terms contained in the Constitution require that the Standards Committee consists of two co-opted parish council representatives.

7 Resource Consequences

- 7.1 Parish Representatives receive an allowance as recommended by the Independent Remuneration Panel. This appointment is within budget, as the allowance due is within the Members Scheme of Allowances.

8 Legal Considerations and Implications

- 8.1 Section 102(4) of the Local Government Act 1972 provides that Local Authorities may appoint such persons to committees for such term as may be determined by the appointing authority.
- 8.2 Otherwise, the legal implications have been incorporated into this report.

9 Risk Assessment

- 9.1 Should the recommendation not be approved, the composition of the Standards Committee would contravene constitutional requirements.

10 Procurement implications

- 10.1 There are no procurement implications.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 There are no equalities and human rights implications.

12 Environmental Implications

- 12.1 There are no environmental considerations.

13 Other Considerations

- 13.1 None.

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COUNCIL – 6 September 2023

MEMBERS' QUESTIONS ON NOTICE received under Rules 4a.8(b) – 4a.13 of the Council's constitution:

(a) From Councillor Liz Kitchen

To Councillor John Milne, Cabinet Member of Planning & Infrastructure:

"I have been concerned for a while now about the ever-increasing use of bore holes to overcome water neutrality, particularly for larger developments. My question to the Cabinet Member is:

"Before any more larger scale developments are granted, will the Cabinet Member get the assurance from the Environment Agency and the water companies that we are not permanently damaging our ecology by abstracting too much water from the aquifers which are already at a low level and that run dry when we have a prolonged dry spell?"

(b) From Councillor Philip Circus

To Councillor John Milne (replying on behalf of Councillor Jay Mercer, Cabinet Member for Environmental Health, Recycling & Waste):

"Is the Cabinet Member aware that Westminster City Council is working on a scheme whereby its fleet of refuse vehicles will be powered by electricity generated by the energy from waste incinerator to which the Council sends its residual waste?"

"Does he consider this could prove a worthwhile idea to pursue in conjunction with the incinerator being built near the Horsham MBT plant, and would the incinerator have a role to play in providing heat for local homes and businesses as well?"

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