



Email: [committeeservices@horsham.gov.uk](mailto:committeeservices@horsham.gov.uk)  
Direct line: 01403 215465

# Council

**Wednesday, 26th June, 2019 at 6.00 pm**  
**Conference Room, Parkside, Chart Way, Horsham**

To: All Members of the Council

*(Please note that prayers will be taken by The Reverend Loveless before the meeting commences)*

You are summoned to the meeting to transact the following business

Glen Chipp  
Chief Executive

## Agenda

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	Page No.
1. <b>Apologies for absence</b> To receive apologies for absence.	
2. <b>To receive the Minutes of the Meeting held on the 22 May 2019</b> To approve as correct the minutes of the meeting of the Council held on 22 <sup>nd</sup> May 2019 <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to <a href="mailto:committeeservices@horsham.gov.uk">committeeservices@horsham.gov.uk</a> 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>	3 - 10
3. <b>Declarations of Members' Interests</b> To receive any declarations of interest from Members	
4. <b>Announcements</b> To receive any announcements from the Chairman of the Council, the Leader, Members of the Cabinet or the Chief Executive	
5. <b>Questions from the Public</b> To receive questions from the public under Rules 4a.2(f) and 4a.8-18	
6. <b>Pay Policy Statement 2019/20</b> To approve a report on the Pay Policy Statement.	11 - 18
7. <b>Warnham Neighbourhood Development Plan</b>	19 - 24

To consider the recommendation by the Cabinet Member for Planning and Development that Council formally “make” the Warnham Neighbourhood Plan as part of the statutory Development Plan, following the Referendum held on 13 June 2019.

8. **Amendments to the Constitution - To note alterations to Cabinet Portfolios**

25 - 32

Council is asked to note changes to the Cabinet Portfolio titles and responsibilities and to change the Constitution as necessary.

9. **Notice of Motion**

To consider the following Notice of Motion, submitted by Councillor David Skipp in accordance with Rule 4a.26 of the Council’s Constitution:

We agree that in the face of recent dire warnings from the World Scientific community concerning global warming, the loss of millions of insects and animal species and rampant deforestation, we are facing a climate emergency.

We propose therefore that this Council develops and implements a plan for the use of renewable technologies, sustainable transport options, zero carbon building, and for waste reduction and enhanced recycling within the District, working towards a net zero carbon target.

We acknowledge that there will need to be public engagement and involvement, and resources will be required to underpin and support the long-term requirements of this far reaching proposal.

10. **Members' Questions on Notice**

To receive questions from Members under Rules 4a.20(b)-25

11. **Urgent Business**

To consider matters certified by the Chairman as urgent

# Agenda Item 2

## Council 22 MAY 2019

Present: Councillors: Peter Burgess (Chairman), Kate Rowbottom (Vice-Chairman), Matthew Allen, Andrew Baldwin, Tony Bevis, John Blackall, Toni Bradnum, Alan Britten, Chris Brown, Karen Burgess, Jonathan Chowen, Philip Circus, Paul Clarke, Roy Cornell, Christine Costin, Michael Croker, Leonard Crosbie, Ray Dawe, Brian Donnelly, Ruth Fletcher, Billy Greening, Frances Haigh, Tony Hogben, Nigel Jupp, Liz Kitchen, Lynn Lambert, Richard Landeryou, Gordon Lindsay, Tim Lloyd, John Milne, Colin Minto, Christian Mitchell, Mike Morgan, Godfrey Newman, Roger Noel, Bob Platt, Louise Potter, Josh Potts, Stuart Ritchie, Jack Saheid, David Skipp, Ian Stannard, Diana van der Klugt, Claire Vickers, Belinda Walters and Tricia Youtan

Apologies: Councillors: Paul Marshall and Jim Sanson  
Absent: Councillors:

### CO/1 **TO ELECT A CHAIRMAN OF THE COUNCIL FOR THE ENSUING YEAR**

It was moved by Councillor Gordon Lindsay and seconded by Councillor Nigel Jupp that Councillor Kate Rowbottom be elected Chairman of the Council until the next annual meeting of the Council.

There being no other nominations, Councillor Kate Rowbottom was then declared elected as Chairman of the Council until the next annual meeting of the Council.

### CO/2 **TO MOVE A VOTE OF THANKS TO THE RETIRING CHAIRMAN**

It was moved by Councillor Claire Vickers, seconded by Councillor Paul Clarke and

#### **RESOLVED**

That the Council's grateful thanks be extended to the retiring Chairman, Councillor Peter Burgess, for his service as Chairman of the Council during the municipal year 2018/2019.

### CO/3 **TO APPOINT A VICE-CHAIRMAN OF THE COUNCIL FOR THE ENSUING YEAR**

It was moved by Councillor Liz Kitchen and seconded by Councillor Billy Greening that Councillor Karen Burgess be elected Vice Chairman of the Council until the next annual meeting of the Council.

There being no other nominations, Councillor Karen Burgess was then declared elected as Chairman of the Council until the next annual meeting of the Council.

CO/4 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR THE CHIEF EXECUTIVE**

The Chairman advised that the nominations from the Group Leaders for the membership of Committees and Policy Development Advisory Groups in 2019/20 were shown on the updated schedule circulated at the meeting.

CO/5 **TO ELECT THE LEADER OF THE COUNCIL**

It was moved by Councillor Jonathan Chowen and seconded by Councillor Claire Vickers that Councillor Ray Dawe be elected Leader of the Council.

There being no other nominations, Councillor Dawe was declared elected as Leader of the Council. The Leader then advised the Council of the Members he would be appointing to his Cabinet and their portfolios.

CO/6 **TO APPOINT THE OVERVIEW AND SCRUTINY COMMITTEE OF THE COUNCIL FOR THE YEAR**

It was moved by Councillor Ray Dawe, seconded by Councillor David Skipp and **RESOLVED:**

That the membership of the Overview and Scrutiny Committee of the Council for the municipal year 2019/20 be as follows:

Cllr Roy Cornell	Cllr Tim Lloyd
Cllr Mike Croker	Cllr Richard Landeryou
Cllr Leonard Crosbie	Cllr Louise Potter
Cllr Brian Donnelly	Cllr Josh Potts
Cllr Billy Greening	Cllr Jack Saheid
Cllr Frances Haigh	Cllr Ian Stannard
Cllr Nigel Jupp	Cllr David Skipp
Cllr Lynn Lambert	

CO/7 **CONSTITUTION OF THE PLANNING AND EMPLOYMENT COMMITTEES**

It was moved by Councillor Ray Dawe, seconded by Councillor David Skipp and **RESOLVED**

That, in accordance with Section 17 (1) of the Local Government and Housing Act 1989, the Planning and Employment Committees be constituted on the basis set out in Minute Nos CO/8 and CO/9 below rather than political balance.

(Note: The above resolution was adopted without any Member of the Council voting against)

CO/8 **TO APPOINT THE PLANNING COMMITTEES OF THE COUNCIL FOR THE YEAR, AS FOLLOWS:**

It was moved by Councillor Ray Dawe, seconded by Councillor David Skipp and **RESOLVED:**

That the membership of the two Planning Committee of the Council for the municipal year 2019/20 be as follows:

**PLANNING COMMITTEE (NORTH)**

Cllr Matthew Allen	Cllr Liz Kitchen
Cllr Andrew Baldwin	Cllr Richard Landeryou
Cllr Tony Bevis	Cllr Gordon Lindsay
Cllr Toni Bradnum	Cllr John Milne
Cllr Alan Britten	Cllr Colin Minto
Cllr Karen Burgess	Cllr Christian Mitchell
Cllr Peter Burgess	Cllr Godfrey Newman
Cllr Roy Cornell	Cllr Louise Potter
Cllr Christine Costin	Cllr Stuart Ritchie
Cllr Leonard Crosbie	Cllr David Skipp
Cllr Ruth Fletcher	Cllr Ian Stannard
Cllr Billy Greening	Cllr Claire Vickers
Cllr Frances Haigh	Cllr Belinda Walters
Cllr Tony Hogben	Cllr Tricia Youtan

plus Cabinet Member with responsibility for strategic planning issues and the Chairman of Planning Committee (South)

**PLANNING COMMITTEE (SOUTH)**

Cllr John Blackall	Cllr Tim Lloyd
Cllr Chris Brown	Cllr Paul Marshall
Cllr Jonathan Chowen	Cllr Mike Morgan
Cllr Philip Circus	Cllr Roger Noel
Cllr Paul Clarke	Cllr Bob Platt
Cllr Michael Croker	Cllr Josh Potts
Cllr Ray Dawe	Cllr Kate Rowbottom
Cllr Brian Donnelly	Cllr Jack Saheid
Cllr Nigel Jupp	Cllr Jim Sanson
Cllr Lynn Lambert	Cllr Diana Van Der Klugt

plus Cabinet Member with responsibility for strategic planning issues and the Chairman of Planning Committee (North)

CO/9 **TO APPOINT THE FOLLOWING ORDINARY COMMITTEES OF THE COUNCIL FOR THE YEAR:**

It was moved by Councillor Ray Dawe, seconded by Councillor David Skipp and  
**RESOLVED**

That the membership of the ordinary committees of the Council for the municipal year 2019/20 be as follows:

**AUDIT COMMITTEE**

Cllr Tony Bevis	Cllr Paul Marshall
Cllr John Blackall	Cllr Stuart Ritchie
Cllr Paul Clarke	Cllr Jack Saheid
Cllr Ruth Fletcher	

**EMPLOYMENT COMMITTEE**

Chairman of Council	Leader of the Council
Leader of the Minority Group	
Plus a substitute pool of six additional Members:	
Vice-Chairman of Council	
Deputy Leader	Cllr Leonard Crosbie
Cllr Tony Bevis	Cllr Claire Vickers
Cllr Philip Circus	

**GOVERNANCE COMMITTEE** *(must include Chairman of Council and a cabinet member)*

Cllr Andrew Baldwin	Cllr Tim Lloyd
Cllr Toni Bradnum	Cllr Christian Mitchell
Cllr Philip Circus	Cllr Kate Rowbottom
Cllr Leonard Crosbie	Cllr David Skipp
+ one vacancy	

**LICENSING COMMITTEE**

Cllr John Blackall	Cllr Roger Noel
Cllr Alan Britten	Cllr Josh Potts
Cllr Chris Brown	Cllr Tony Hogben
Cllr Karen Burgess	Cllr Kate Rowbottom
Cllr Mike Croker	Cllr Paul Marshall
Cllr Ruth Fletcher	Cllr Mike Morgan
Cllr Billy Greening	Cllr Jim Sanson
Cllr Godfrey Newman	

**STANDARDS COMMITTEE** *(must include chairman of council and a cabinet member)*

**Conservative (5):**

Cllr Peter Burgess  
Cllr Brian Donnelly  
Cllr Frances Haigh  
Cllr Godfrey Newman

**Liberal Democrat (2):**

Cllr Kate Rowbottom  
Cllr Jim Sanson  
Cllr Diana van der Klugt

**Plus** two co-opted Parish Council Representatives, nominated by the Horsham Association of Local Councils **and** two independent persons previously appointed by Council.

CO/10 **TO APPOINT MEMBERS TO THE HENFIELD COMMONS JOINT COMMITTEE (3 MEMBERS OF THE COUNCIL)**

It was moved by Councillor Ray Dawe, seconded by Councillor David Skipp and **RESOLVED**

That Members be appointed to the Henfield Commons Joint Committee for the municipal year 2019/20 as follows:

Cllr Mike Morgan  
Cllr Roger Noel

Cllr Josh Potts

CO/11 **TO APPOINT MEMBERS TO THE CABINET MEMBERS' POLICY DEVELOPMENT ADVISORY GROUPS AND AGREE THEIR PROGRAMME OF MEETINGS FOR THE YEAR**

It was moved by Councillor Ray Dawe, seconded by Councillor Jonathan Chowen and **RESOLVED**

That the membership of the Cabinet Members' Policy Development Advisory Groups for the municipal year 2019/20 and their programme of meetings be as follows:

**COMMUNITY AND WELLBEING**

Cllr Andrew Baldwin  
Cllr Chris Brown  
Cllr Frances Haigh  
Cllr Paul Marshall  
Cllr Colin Minto  
Cllr Roger Noel  
Cllr Kate Rowbottom  
Cllr Jim Sanson  
Cllr Ian Stannard  
Cllr Belinda Walters  
Cllr Tricia Youtan

9<sup>th</sup> July 2019  
10<sup>th</sup> September 2019  
12<sup>th</sup> November 2019  
14<sup>th</sup> January 2020  
10<sup>th</sup> March 2020  
28<sup>th</sup> April 2020

### **LEISURE AND CULTURE**

Cllr Chris Brown	
Cllr Jonathan Chowen	10 <sup>th</sup> July 2019
Cllr Christine Costin	18 <sup>th</sup> September 2019
Cllr Ruth Fletcher	13 <sup>th</sup> November 2019
Cllr Billy Greening	15 <sup>th</sup> January 2020
Cllr Tony Hogben	4 <sup>th</sup> March 2020
Cllr Lynn Lambert	13 <sup>th</sup> May 2020
Cllr John Milne	
Cllr Roger Noel	
Cllr Bob Platt	
Cllr Josh Potts	

### **PLANNING AND DEVELOPMENT**

Cllr Alan Britten	27 <sup>th</sup> June 2019
Cllr Karen Burgess	25 <sup>th</sup> July 2019
Cllr Brian Donnelly	26 <sup>th</sup> September 2019
Cllr Liz Kitchen	14 <sup>th</sup> November 2019
Cllr Lynn Lambert	9 <sup>th</sup> January 2020
Cllr Tim Lloyd	12 <sup>th</sup> March 2020
Cllr Nigel Jupp	14 <sup>th</sup> May 2020
Cllr Godfrey Newman	
Cllr Louise Potter	
Cllr Diana van der Klugt	
Cllr Claire Vickers	

### **ENVIRONMENT, WASTE, RECYCLING & CLEANSING**

Cllr Matthew Allen	15 <sup>th</sup> July 2019
Cllr John Blackall	16 <sup>th</sup> September 2019
Cllr Toni Bradnum	18 <sup>th</sup> November 2019
Cllr Philip Circus	13 <sup>th</sup> January 2020
Cllr Mike Croker	16 <sup>th</sup> March 2020
Cllr Ruth Fletcher	5 <sup>th</sup> May 2020
Cllr Richard Landeryou	
Cllr Christian Mitchell	
Cllr Louise Potter	
Cllr Ian Stannard	
Cllr Diana van der Klugt	

### **LOCAL ECONOMY & PARKING**

Cllr John Blackall	3 <sup>rd</sup> July 2019
Cllr Paul Clarke	11 September 2019
Cllr Roy Cornell	6th November 2019
Cllr Tony Hogben	8 January 2020
Cllr Richard Landeryou	11 <sup>th</sup> March 2020
Cllr Gordon Lindsay	6 <sup>th</sup> May 2020



Cllr John Milne  
Cllr Colin Minto  
Cllr Jack Saheid  
Cllr Belinda Walters  
+ one vacancy

### **HORSHAM TOWN**

Cllr Andrew Baldwin	July 2019
Cllr Karen Burgess	September 2019
Cllr Peter Burgess	November 2019
Cllr Roy Cornell	January 2020
Cllr Liz Kitchen	March 2020
Cllr Christian Mitchell	May 2020
Cllr Stuart Ritchie	
+ four vacancies	

### **FINANCE AND ASSETS**

Cllr Matthew Allen	8 <sup>th</sup> July 2019
Cllr Tony Bevis	9 <sup>th</sup> September 2019
Cllr Paul Clarke	4 <sup>th</sup> November 2019
Cllr Ray Dawe	6 <sup>th</sup> January 2020
Cllr Brian Donnelly	2 <sup>nd</sup> March 2020
Cllr Frances Haigh	
Cllr Gordon Lindsay	
Cllr Richard Landeryou	
Cllr Nigel Jupp	
Cllr Stuart Ritchie	
+ one vacancy	

## CO/12 **ORDINARY MEETINGS OF THE COUNCIL**

It was moved by Councillor Ray Dawe, seconded by Councillor David Skipp and  
**RESOLVED**

- (i) That the dates of ordinary meetings of the Council during the municipal year 2018/19 be:

Wednesday 26th June 2019  
Wednesday 4th September 2019  
Wednesday 16th October 2019  
Wednesday 11th December 2019  
Wednesday 12th February 2020  
Wednesday 22th April 2020  
Wednesday 20<sup>th</sup> May 2020 (Annual Meeting)

- (b) That ordinary meetings of the Council during the municipal year 2019/20 should commence at 6.00pm

*The meeting closed at 6.40 pm having commenced at 6.00 pm*

CHAIRMAN

## Report to Council

26 June 2019

the Head of Human Resources and Organisational  
Development

### KEY DECISION



Not exempt

## Pay Policy Statement – 2019/20

### Executive Summary

The Localism Act 2011 set out a provision that requires local authorities to prepare and publish an Annual Pay Policy.

### Recommendations

The Council is recommended:

- i) To approve the Pay Policy 2019/20 for publication.

### Reasons for Recommendations

- a) To comply with the requirements of the Localism Act 2011 to approve a published pay policy annually.

**Contact:** Robert Laban, Head of Human Resources and Organisational Development

## **Background Information**

### **1 Introduction**

- 1.1 The Localism Act 2011 set out a provision in section 40 that requires local authorities to prepare and publish an Annual Pay Policy. The Pay Policy Statement refers to all employees.

#### **Background/Actions taken to date**

- 1.2 The Pay Policy Statement has been updated in order to comply with the requirements of the Act and to incorporate changes to pay points as a result of the nationally agreed pay settlement and increases in the Living Wage (Foundation), the National Living Wage and the various bands of the National Minimum Wage (applicable to casual employees below the age of 25 in some grades only).

### **2 Statutory and Policy Background**

#### **Statutory background**

- 2.1 The Localism Act 2011 provisions in relation to “Pay Accountability” sets out the requirements for Councils to determine and publish annual pay policy statements.

#### **Relevant Council policy**

- 2.2 The Council Policy on Senior Pay follows the Joint Negotiating Committee for Chief Executives and the Joint Negotiating Committee for Chief Officers. The Council Policy in relation to other members of staff follows the National Joint Council for Local Government Services.

### **3 Details**

- 3.1 The Pay Policy Statement must be approved annually by Council and be published on its website.
- 3.2 The Pay Policy Statement must set out the Council’s policies relating to:
- Chief Officer remuneration
  - Remuneration of its lowest paid employees
  - The relationship between Chief Executive Officer remuneration and that of other staff.

### **4 Next Steps**

- 4.1 Once approved, the Pay Policy Statement for 2019/20 will be published on the Council’s website.

### **5 Financial Consequences**

- 5.1 The Council’s Pay Policy Statement draws together existing local policies relating to pay and reward. The financial implications of these policies were taken into account at the time they were established. There are no further financial implications arising.

## Appendix 1

### Consequences of the Proposed Action

What are the risks associated with the proposal?  Risk Assessment attached Yes/No	There are no risks identified.
How will the proposal help to reduce Crime and Disorder?	There are no crime and disorder implications.
How will the proposal help to promote Human Rights?	Where there are recommendations regarding disclosure of personal data, these are in accordance with relevant legislation specifically to The Human Rights Act and Data Protection Act 2018.
What is the impact of the proposal on Equality and Diversity?  Equalities Impact Assessment attached Yes/No/Not relevant	The Council Policy for all staff groups follows the respective national Joint Negotiating Committees or is determined at local level through collective bargaining and agreement. Relevant Impact Assessments are being made as part of changes to pay and grading in the context of those reviews.
How will the proposal help to promote Sustainability?	There are no sustainability implications.

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# Pay Policy Statement Financial Year 2019 - 2020



**Horsham  
District  
Council**

## Aim

The purpose of Horsham District Council's approach to pay and reward is to balance affordability and value for money with achieving the following aims:

1. Recruit and retain appropriately experienced and qualified employees.
2. Pay at competitive rates.
3. Increase motivation and drive service improvements.
4. Comply with equal pay legislation.

## Definitions

For the purpose of this pay policy the following definitions will apply: -

- **'Pay'** in addition to salary includes charges, fees, allowances, benefits in kind, increases/enhancements to pension entitlements, and severance payments.
  - **'Chief Officer'** refers to the following roles within Horsham District Council: -
    - Chief Executive\*, also Head of Paid Service <sup>(1)</sup>
    - Director of Corporate Resources\*, also s.151 Officer<sup>(1)</sup>
    - Director of Community Services\*
    - Director of Place\*
    - Head of Legal and Democratic Services, also Monitoring Officer<sup>(1)</sup>
- \* Members of the Council's Senior Leadership Team (SLT)  
<sup>(1)</sup> Statutory Officer / Appointment
- **'Lowest paid employees'** refers to those employees employed on pay grade A, spinal column point 1 and is the lowest grade of the Council's pay framework.
  - **'Employee who is not a Chief Officer'** refers to all employees that are not covered under the 'Chief Officer' group above.

# Pay Framework and Remuneration Levels

## General approach

Remuneration at all levels needs to be adequate to secure and retain high-quality employees, dedicated to fulfilling the Council's business objectives and delivering services to the public. This has to be balanced by ensuring remuneration is not, nor is seen to be, unnecessarily excessive. Consideration also needs to be given to other non-salary benefits provided to staff.

## Responsibility for decisions on remuneration

Decisions for remuneration for all employees are determined by their manager in consultation with the relevant Director and following the principles of the agreed job evaluation scheme.

## Salary and pay framework

The spinal column points (scp) and monetary value are set nationally by the National Joint Council (NJC) for Local Government services. Pay grades are set locally. The Pay and Grading structure was agreed by the then Personnel Committee on 23<sup>rd</sup> July 2014. All Pay grades are determined in line with the council's adopted Hay job evaluation process.

There are 17 Pay grades

- Grade A
- G1 to G10
- SM1 – SM4
- Director
- Chief Executive

The salary ranges for each of the Grades are detailed in the Council's [Pay Structure Table](#).

Each employee will be on one of the 17 grades based on the pay grade evaluation of their role. Each Pay grade comprises of a number of salary points. New employees will normally be appointed on the lowest point of the grade for the role and can progress to the salary maximum of their pay grade, subject to satisfactory performance.

Pay awards are considered annually for all employee categories in negotiation with their relevant national bodies of Trades Unions and Employers' representatives.

**Employees who are not Chief Officers** received a pay award from April 2019, which is the second instalment of the two year pay deal agreed at national level in 2018. The pay increase was a minimum of 2 percent, with some bigger rises at Grade A up to Grade 4, ranging from an increase of 2.3 percent up to just over 6 percent, to keep up with increases to the National Living Wage at the bottom of the pay scale.

The national pay scale was reset as lower pay points have eroded and the council's pay scale was realigned to the national scale, whilst retaining the local points at the higher grades.

**Chief Officers** received a 2 per cent pay award.

The **Chief Executive Officer** received a 2 per cent pay award.



# Remuneration

## **Salaries**

Salaries are annual and paid in 12 equal monthly instalments.

## **“Lowest paid employees”**

Each “lowest paid employee” is paid on Grade A, scp 1, which is £9.00 per hour, which is also the current recommended UK living wage (Foundation), outside London. Grade A will be adjusted should the UK living wage (Foundation) rise, to be not below that rate.

Casual workers are paid at least the national minimum wage where they are aged below 25 and the National Living Wage where they are 25 years of age and above. In addition, the Council employs apprentices in line with agreed apprentice schemes.

## **Other pay elements**

Other pay elements include:

- Employer’s pension contribution
- Essential User Car Allowance (Nationally agreed “Green Book” rates)
- Mileage Allowance in line with the HMRC Approved Mileage Allowance Payments
- One Professional subscription (where this is required for the function of the role)
- Election fees, in the case of the Chief Executive, Director of Resources and the Monitoring Officer.

Election fees are set nationally and locally depending on the type of elections and can vary according to the size of the electorate and number of postal voters; they are separate to salaries for additional election duties.

The salary bands for Directors and Chief Executive include the requirement to provide a vehicle for work, if so required.

## **New starters joining the Council**

New employees to the Council will normally be appointed to the first point of the salary range for their pay grade. Where the candidate’s current employment package would make the first point of the salary range unattractive (and this can be demonstrated by the applicant in relation to current earnings) or where the employee already operates at a level commensurate with a higher salary, a higher salary may be considered by the recruiting manager. This will be within the salary range for the pay grade. The candidate’s level of skill and experience should be consistent with that of other employees in a similar position on the salary range.

Any proposal to offer a new senior appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, fees, allowances and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer’s pension contributions), will be referred to full Council for approval.

## **Market Supplements**

The Council has a policy on the use of market supplements. In professions where there is a particular skills shortage, as a temporary arrangement, it may be necessary to consider a market premium to attract and retain high quality employees. Market supplements can be applied to existing employees and/ or to new employees. The final decision as regards any discretion lies with the Chief Executive.

## **Pension**

All employees are automatically enrolled in the Local Government Pension Scheme, unless they choose to opt out.

## **Severance Payments**

The Organisational Change Framework includes details of the general principles of Organisational Design and details of redeployment, redundancy and early retirements.

All severance payments in excess of £100,000 will be voted on at a meeting of Full Council. This will be reviewed in line with an anticipated statutory cap, arising from the Public Sector Exit Payment Regulations 2016, currently being consulted upon.

## **Relationship between remuneration of “Chief Executive” and “employees who are not Chief Officers”**

The ratio between the highest paid employee and the median average salary of the whole of the Council's workforce is 4.62.

The ratio between the highest paid employee and the lowest paid employee is 6.74.

## **Publication of information regarding remuneration of employees over £50,000**

The remuneration details of employees earning over £50,000 are included in the annual accounts and in the [Management Structure Chart](#).

This document is available in alternative formats upon request, such as large print.

Please contact Personnel on 01403 215133 or [personnel@horsham.gov.uk](mailto:personnel@horsham.gov.uk)

## Report to Council

26 June 2019

By the Cabinet Member for Planning and Development

### KEY DECISION



Not Exempt

## Warnham Neighbourhood Development Plan

### Executive Summary

Following extensive preparations and Examination the Warnham Neighbourhood Plan was subject to a Referendum on 13 June 2019, where the majority of those who voted were in favour of the plan. The purpose of this report is to seek Council's formal approval to "make" the Warnham Plan part of the statutory Development Plan as required by the Town and Country Planning Act 1990 (as amended) and the Localism Act 2011. Once made, the plan will be used to determine planning applications within Warnham Parish in addition to the Horsham District Planning Framework (HDPF).

The preparation of Warnham Neighbourhood Plan to 2031 has followed the statutory procedures set out in The Neighbourhood Planning (General) Regulations 2012 (as amended). The plan has successfully undergone Examination and has satisfied the basic conditions and the plan is in conformity with the Horsham District Planning Framework (HDPF).

Where a Referendum results in a majority 'yes' vote, the Local Planning Authority is required to "make" the Warnham Neighbourhood Plan within 8 weeks of the Referendum decision in accordance with the Regulations. This will enable the District Council to use the Warnham Neighbourhood Plan to determine planning applications in the parish area.

Under recent changes to the Planning and Compulsory Purchase Act 2004 pursuant to the Neighbourhood Planning Act 2017, the Plan forms part of the statutory Development Plan and carries full weight in planning decisions as soon as it is approved at a referendum, rather than when it is made. Applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

### Recommendation(s)

Council is recommended to:

- i) Formally "make" the Warnham Neighbourhood Plan as part of the statutory Development Plan, following the Referendum held on 13 June 2019.

## **Reason for Recommendation**

- i) To meet the requirements of the Town and Country Planning Act 1990 (as amended), the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended)

## **Background Papers**

- i) The Localism Act 2011
- ii) The Neighbourhood Planning (General) Regulations 2012 (as amended)
- iii) Warnham Neighbourhood Plan
- iv) Examiner's Report & HDC Decision Statement (12 April 2019) for the Neighbourhood Plan

**Parishes affected:** Warnham Parish

## **Contact:**

Catherine Howe, Head of Strategic Planning ext. 5505

## **Background Information**

### **1 Introduction and Background**

- 1.1 The Localism Act, which received Royal Assent on 15 November 2011, introduced new rights and powers to allow local communities to shape development in their areas by coming together to prepare neighbourhood plan. The Act allows Parish/Town Councils and other forums to prepare a Neighbourhood Plan for their designated area.
- 1.2 Preparation of a Neighbourhood Plan is subject to several key stages set out in The Neighbourhood Planning (General) Regulations 2012 (as amended) which include:
  1. Designation of the neighbourhood plan area;
  2. Pre-submission publicity and consultation;
  3. Submission of the plan to the Local Planning Authority;
  4. Independent Examination;
  5. Referendum; and
  6. Making the Neighbourhood Plan (i.e. bringing it into force).
- 1.3 Warnham Parish Council has undertaken the preparation of a Neighbourhood Plan and following the completion of the Examination process a Referendum was held on 13 June 2019 to seek the support of the community for the plan. The result of the Referendum was a majority 'yes' vote in favour of the plan with a turnout of 34.07% and 76% voting in favour of the Warnham Neighbourhood Plan.

### **2 Relevant Council policy**

- 2.1 The Local Plan for Horsham District, (the Horsham District Planning Framework or HDPF), sets out the key planning policies against which development in the District is considered. It is a requirement that Neighbourhood Plans contain policies, which are broadly in accordance with the Local Plan. This includes a requirement that Neighbourhood Plans allocate a proportion of the 1,500 homes that the Local Plan identifies to be delivered through neighbourhood planning (Policy 15 HDPF). The Warnham Neighbourhood Plan has been positively prepared and will contribute a proportion of the Council housing's supply.

### **3.0 DETAILS**

#### **Preparation of the Warnham Neighbourhood Plan**

- 3.1 Warnham Parish Council, as the qualifying body, successfully applied to Horsham District Council to be designated as a Neighbourhood Area under Regulation 5 of The Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Plan Area for Warnham covers the whole of the Parish of Warnham and was designated as a Neighbourhood Plan Area on the 25 February 2014.
- 3.2 Warnham Parish Council completed a number of tasks that are required to prepare a Neighbourhood Plan. These included the preparation and gathering of evidence and undertaking various consultation exercises before drawing up a draft

of the plan (known as the Pre-Submission Plan). The Pre-Submission Plan then underwent consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, from 17 March 2018 – 30 April 2018.

- 3.3 The Pre-Submission Plan was amended in response to the comments made during the consultation and the “Submission Plan” was then formally submitted to the District Council. The Council, in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012, undertook a further consultation of the Submission Plan. Representations were invited between 17 August 2018 to the 12 October 2018.
- 3.4 In agreement with the Parish Council, Horsham District Council appointed Mr Jeremy Edge to carry out an independent Examination of the Neighbourhood Plan. The purpose of the Examination was to determine whether the Plan met the Basic Conditions together with other legislative requirements and therefore whether the Plan should proceed to Referendum. The Examiner’s Report was formally completed and sent to Horsham District Council on the 9 March 2019. The Examiner concluded that with a number of modifications the Submission Warnham Neighbourhood Plan would meet the Basic Conditions and could proceed to Referendum on that basis.
- 3.5 Following consultation with the Parish Council, both HDC and the Parish Council accepted all of the Examiner’s recommendations and it was agreed to progress the plan to referendum.
- 3.6 On 13 June 2019, the Warnham Neighbourhood Development Plan to 2031 successfully passed Referendum with 76% of the votes cast agreeing that the Warnham Neighbourhood Development Plan be used by Horsham District Council to help in the determination of planning applications in the Parish of Warnham (turnout at the Referendum was 34.07%).

### **Strategic Environmental Assessment (SEA)**

- 3.7 Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 requires the Council as local planning authority to outline what action to take in response to the recommendations of the Examiner made his report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act). The Council has given consideration to the commentary made by the Examiner, including having regard to the adequacy of the plan in meeting EU legislation. It is considered the final decision is the most comprehensive and delivers the most sustainable form of development for Warnham village.
- 3.8 Taking into account the National Planning Policy Guidance (‘the NPPG’) which states: *“(The SEA) should focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan.”* The Council is of the view that the SEA, which accompanies the Warnham Neighbourhood Plan has considered an appropriate range of alternatives, and in addition makes reference to cumulative impacts of the Plan. The Council is therefore of the view that the SEA meets the necessary regulatory requirements.

## **4 Next Steps**

- 4.1 As a result of the Referendum, the Council is required, in accordance with Legislation to formally 'make' the Warnham Neighbourhood Plan as over 50% of those who voted in the Referendum were in favour of the Plan. Making the Plan will allow the document to be given full weight in determining planning applications within the parish. Horsham District Council is required to 'make' the Plan within 8 weeks of the Referendum in accordance with the Regulation 18A of the Neighbourhood Planning (General) Regulations 2012 (as amended).

## **5 Outcome of Consultations**

- 5.1 The preparation of the Neighbourhood Plan has been undertaken in consultation with stakeholders and the community. These consultations have been carried out by both the Parish and District Council in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended).

## **6 Other Courses of Action Considered but Rejected**

- 6.1 The Council could reject Warnham Neighbourhood Plan if it considers that the Plan is in breach of any EU or other legal obligations, convention or rights. Taking into account the views of the Examiner, as set out in section three of this report, it is not considered that this is the case. The Council is therefore required to make the Plan in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

## **7 Resource Consequences**

- 7.1 Failure to adopt the Warnham Neighbourhood Plan could result in the Council being open to High Court challenge on the ground that it has acted in breach of the Town and Country Planning Act 1990 as amended by the Localism Act 2011. This would incur significant costs in terms of Officer's time and costs associated with legal challenges and appeals.
- 7.2 The Plan document will be made available to the public electronically for free. As with other planning documents, the Plan will be made available in print for a fee that covers printing costs.
- 7.3 As making the Plan does not alter its status in the planning system, there are not considered to be any additional costs for planning decisions.
- 7.4 There are no other staffing or financial consequences resulting from this decision.

## **8 Legal Consequences**

- 8.1 Section 38A (4) of the Planning and Compulsory Purchase Act 2004 Act, as inserted by the Localism Act 2011 states that a local planning authority:
1. must make a neighbourhood development plan if more than half of those voting in the neighbourhood plan Referendum vote are in favour of the Plan; and
  2. do so as soon as reasonably practicable after the Referendum is held and in any event by such date as may be prescribed

- 8.2 Furthermore, the Neighbourhood Planning (General) Regulations 2012 (as amended) stipulate under Regulation 18a the following: "Prescribed date for making a neighbourhood development plan 18A.—(1) The date prescribed for the purposes of section 38A(4)(b) of the 2004 Act is the date which is the last day of the period of 8 weeks beginning with the day immediately following that on which the last applicable referendum is held. It follows if the plan is not made within the 8 weeks, it will not be in accordance with the Regulations.
- 8.3 Under Section 113 of the Planning and Compulsory Purchase Act 2004 (as amended) (3) a person aggrieved may make an application to the High Court on the ground that a procedural requirement has not been complied with. The application must be made within 6 weeks. A procedural requirement is a requirement made by Regulations or an order which relates to the adoption publication or approval of a plan/document. Therefore, if the Warnham Neighbourhood Plan is not adopted by the Council within 8 weeks of the Referendum, they could be challenged by way of a Judicial Review which can result in the Plan being quashed.

## **9 Risk Assessment**

- 9.1 Once the Warnham Neighbourhood Plan has been 'made' there is a six-week period when an application to for Judicial Review can be sought on the decision to adopt the Plan. The Council has sought to minimise the likelihood of a successful legal challenge.

## **10 Other Considerations**

### **10.1 Equality and Diversity Implications**

The making of the Plan is not expected to have any adverse impact on people with protected characteristics under the Equality Act 2010. Your attention is drawn however to the duty under Section 149(1) of the Equality Act 2010 which provides that a public authority must, in exercise of its functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. The plan's policies were considered in relation to potential equality impacts that could arise as a result of the plan's referendum and making, which officers consider to be either neutral or positive.

### **10.2 Human Rights**

The Plan was tested against the basic conditions set by legislation during the examination. One of the basic conditions is that the Plan must be compatible with EU and human rights obligations. Officers agree with the Examiner's view that the Plan, as amended, meets all the basic conditions including EU and human rights obligations and that therefore the Plan should be made.



## Report to Council

26<sup>th</sup> June 2019

By the Head of Legal and Democratic Services  
(Monitoring Officer)

### INFORMATION REPORT

Not Exempt



## Amendments to the Constitution – To note alterations to Cabinet Portfolios

### Executive Summary

At the Annual Council Meeting that took place on 22<sup>nd</sup> May 2019 the Leader announced changes to Cabinet Portfolios and appointed Cabinet Members. The Leader has decided to lead on finance and assets issues as detailed in 3.3.3 in the Constitution. A new Portfolio was announced, Horsham Town, and the functions and responsibilities for this Portfolio is detailed in this report. Council is asked to note changes to the Cabinet Portfolio titles and responsibilities and to change the Constitution as necessary.

### Recommendations

That Council note

- a) each Portfolio description and function;
- b) The addition of the Cabinet post of Cabinet Member for Horsham Town; and;
- c) That the Monitoring Officer will make the required changes to the Constitution, as provided within the Constitution (13.3 (b) 3) to reflect the Leaders announced appointments and amendments to Cabinet Portfolios, as of the 22 May 2019.

### Reason for Recommendations

Article 7.1 (b) of the Constitution states that The Cabinet will consist of at least two but not more than 9 Councillors appointed to the Cabinet by the Leader. In order to more effectively discharge the work of the Executive, the Leader has reconfigured the Cabinet Portfolios.

**Background Papers:** The Council Constitution.

**Wards affected:** All.

**Contact:** Sharon Evans, Head of Legal and Democratic Services

## **Background Information**

### **1 Introduction and Background**

- 1.1 The purpose of this report is note the changes to the Cabinet Portfolios and to recommend the delegation of authority to the Monitoring Officer to make the required changes to the Council's Constitution.

### **2 Relevant Council policy**

- 2.1 Paragraph 3.3 of the Council Constitution currently states:

“Cabinet Members are responsible for the functions set out below and may make non-key decisions within their portfolio of responsibilities. Individual Cabinet Members may not make decisions reserved elsewhere by this Constitution, including, but not limited to Key Decisions (which are reserved to Cabinet collectively)”

### **3 Next Steps**

- 3.1 The Constitution would be updated to reflect the alteration of the relevant Cabinet Portfolio posts, as at Appendix 1 of this report.

### **4 Outcome of Consultations**

- 4.1 The proposed change had been discussed with and is supported by both political groups.

### **6 Financial Consequences**

- 6.1 There are no financial consequences arising from this report.

### **7 Legal Consequences**

- 7.1 None.

### **8 Staffing Consequences**

- 8.1 There are no staffing consequences arising from this report.

### **9 Risk Assessment**

- 9.1 There are no risks identified in relation to these proposals.

### 3.3.2 Functions of the Leader of the Council

- a) Community leadership.
- b) Co-ordination of strategy and policy on behalf of the Cabinet and overall responsibility for performance.
- c) Overall responsibility for the development and proper functioning of partnerships with the public, private and voluntary sectors.
- d) Overall responsibility for the development, implementation and review of the Council's Sustainable Community Strategy under the Local Government Act 2000 Part I.
- e) Overall responsibility for information management including data protection, data security, documents and records retention, environmental information, freedom of information, reuse of public sector information.
- f) Overall responsibility for the development, implementation and review of the Council's Corporate Plan.
- g) Monitoring the implementation of and compliance with the Council's Corporate Plan.
- h) Overall responsibility for the standards and methods of delivery to the public of the Council's services and their improvement.
- i) Overall responsibility for organisational development and business transformation.
- j) Overall responsibility for strategic economic development.
- k) Provision of support and training to Members of the Council.
- l) Overall responsibility for corporate health & safety.
- m) Overall responsibility for the Council's Communication, Consultations and Complaints Strategies and their development, implementation and review.
- n) Overall responsibility for the development, implementation and review of policies affecting Horsham Town and ensuring cross-Cabinet liaison on such matters.
- o) Any other executive functions not specifically delegated or foreseen under this scheme.

### 3.3.3 Functions of the Cabinet Member for Finance and Assets

- a) General supervision and control of the finances of the Council and the auditing of the Council's accounts.
- b) Overall responsibility for the production of the draft budget and jointly with the Cabinet, its proposal to the Council.
- c) Overall responsibility for the Council's insurances.
- d) The determination of requests for transfer of funds within budgets (virements) exceeding £100,000 but not exceeding £250,000.
- e) The writing off of debts in excess of £5,000.
- f) Overall responsibility for the administration of benefits.
- g) Overall responsibility for the development, implementation and review of policies for the procurement of services, supplies and works to the Council.

- h) Overall responsibility for the proper management of the Council's property assets including authorisation, subject to the key decision framework, of the acquisition, disposal and dealing with any property assets and the development, implementation and review of the Council's Asset Management Plan.
- i) Overall responsibility for the provision of facilities management to the Council's offices.
- j) Overall responsibility for risk management throughout the Council.
- k) The determination of applications for discretionary rate relief.
- l) Overall responsibility for the development, implementation and review of the Council's Information and Communication Technology Strategy.

#### **3.3.4. Functions of the Cabinet Member for Community Matters and Wellbeing**

- a) Overall responsibility for the development, implementation and review of the Council's Crime and Disorder Reduction Strategy.
- b) Overall responsibility for the development and championing, implementation and review of policies for social wellbeing, including those relating to people, local community needs, community transport and community development.
- c) Responsibility for securing the improvement of the health of those who live or work in the District.
- d) The determination of applications for financial and other assistance, including voluntary sector funding and arrangements, excluding applications for discretionary rate relief.
- e) Overall responsibility for working with voluntary sector organisations to promote and deliver the Council's priorities for the District's Communities.
- f) Responsibility for emergency planning and business continuity.
- g) Overall responsibility for equality and diversity.
- h) Overall responsibility for the provision, management and maintenance of the Council's housing stock.
- i) Overall responsibility for the discharge of the Council's functions relating to the allocation of housing and homeless services.
- j) Overall responsibility for the development and review of the Council's priorities for environmental health.

#### **3.3.5 Functions of the Cabinet Member for Local Economy & Parking**

- a) Overall responsibility for liaising with local businesses for the development of a strong local economy including sustaining and improving the retail experience across the District.
- b) Overall responsibility for liaising with the Chief Executive and Director of Place to retain/expand existing employment and to secure new jobs and investment: Making Horsham District more attractive for job creation and attracting new companies to come here.

- c) Overall responsibility for liaising with outside bodies (such as Gatwick Diamond and LEP) regarding the development, implementation and review of policies to develop and improve the economic dynamism of the District.
- d) Overall responsibility for liaising with outside bodies regarding the development and implementation of initiatives to improve skills and lifelong learning.
- e) Overall responsibility for the development, implementation and review of the Council's strategy for tourism.
- f) Overall responsibility for the development, implementation and review of the Council's strategy for on and off-street parking including the provision and management of the Council's car parks.

### **3.3.6 Functions of the Cabinet Member for Environment, Recycling and Waste**

- a) Overall responsibility for the development, implementation and review of the Council's policies and procedures for waste management, collection, recycling and disposal and associated education and enforcement.
- b) Overall responsibility for the development, implementation and review of the Council's environmental and sustainability policies and procedures.
- c) Overall responsibility for securing the development, implementation and review of the Council's policies and procedures for cleansing throughout the District.

### **3.3.7 Functions of the Cabinet Member for Leisure & Culture**

- a) Overall responsibility for the development, implementation and review of policies for the provision and promotion of leisure and recreational facilities and services.
- b) Overall responsibility for the development, implementation and review of policies for the provision and promotion of the arts, heritage and culture in the District.
- c) The determination of applications for financial and other assistance within the delegated functions of the Cabinet Member of Leisure and Culture.
- d) Overall responsibility for the development, implementation and review of policies for community facilities in the District.
- e) Overall responsibility for the development, implementation and review of policies for the burial grounds and crematoria.
- f) Overall responsibility for the development, management and maintenance of the Council's open spaces.
- g) Overall responsibility for and championing the development, implementation and review of policies for ecology, wildlife and landscape in the District.
- h) Overall responsibility for the development, implementation and review of policies for the provision and promotion of the Council's ground maintenance responsibilities.

### **3.3.8 Functions of the Cabinet Member for Planning and Development**

- a) Overall responsibility for the development and review of policies for and included in the Local Plan and the preparation, review and alteration of the Local Plan.
- b) Overall responsibility for the development, implementation and review of the Council's strategic housing policies, including for affordable housing.
- c) Overall responsibility for the Local Development Scheme (LDS) (Local Plan preparation timetable).
- d) Overall responsibility to continue to maintain an up to date Statement of Community Involvement (SCI) and Authority Monitoring Report (AMR).
- e) Overall responsibility for the setting, review, collection and distribution of the Community Infrastructure Levy. (CIL).
- f) Overall responsibility for managing the relationship with the utilities and infrastructure providers through the Infrastructure Delivery Plan.
- g) Overall responsibility for the planning aspects of major developments not being the responsibility of the Planning Committees.
- h) Overall responsibility for development management not being the responsibility of the Planning Committees.
- i) Overall responsibility for Building Control.

### **3.3.9 Functions of the Cabinet Member for Horsham Town**

(Limited to areas covered by Horsham Denne, Trafalgar, Forest Neighbourhood Councils and North Horsham Parish Council.)

- a) Overall responsibility for the development and review of areas and policies defined in the Horsham Town Vision.
- b) Responsibility for liaison with the Parish and Neighbourhood Councils within the defined area.
- c) Responsibility for liaison with relevant external groups specifically affecting Horsham Town.
- d) Responsibility for liaison and working with the relevant Cabinet Members and officers for:
  - 1. Planning issues for Horsham Town centre.
  - 2. Growth Board/District Deal covering major projects in the town.
  - 3. Car parking and strategy in Horsham Town.
  - 4. BID/Town Centre events.
  - 5. Community safety issues in Horsham Town including police, local wardens, and joint safety groups.
  - 6. Key amenities in Horsham Town including parks, The Capitol, leisure areas etc.
  - 7. Local transport facilities including walking, cycling, bus, rail and road providers in Horsham Town.

8. Development of a strong local economy including sustaining the retail experience in Horsham Town.
9. Development of tourism within Horsham Town.
10. Development of existing and future employment within Horsham Town.
11. Any other matters which particularly affect Horsham Town.

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