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# Cabinet

Thursday, 30th April, 2020 at 5.30 pm  
Conference Room, Parkside, Chart Way, Horsham

Councillors: Ray Dawe  
Peter Burgess  
Jonathan Chowen  
Philip Circus  
Paul Clarke  
Claire Vickers  
Tricia Youtan

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><br>To receive any apologies for absence.  |          |
| 2. <b>Minutes</b><br>To approve as correct the minutes of the meeting held on 26 <sup>th</sup> March 2020<br><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 - 6    |
| 3. <b>Declarations of Members' Interests</b><br>To receive any declarations of interest from Members of the Cabinet   |          |
| 4. <b>Announcements</b><br>To receive any announcements from the Leader, Cabinet Members or the Chief Executive   |          |
| 5. <b>Public Questions</b><br>To receive questions from and provide answers to the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting  |          |

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|----|--|---------|
| 6. | <b>Forward Plan</b><br>To note the Forward Plan  | 7 - 10  |
| 7. | <b>Tender of the Council's contract for Planning and Regulatory Services Software</b><br>To receive a report from the Leader and Cabinet Member for Finance and Assets.<br><br>(Appendix 1 exempt by virtue of Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)) | 11 - 18 |
| 8. | <b>To consider matters of special urgency</b>  |         |

**Cabinet**  
**26 MARCH 2020**

Present: Councillors: Ray Dawe (Leader), Peter Burgess, Jonathan Chowen (Deputy Leader), Philip Circus, Paul Clarke, Claire Vickers and Tricia Youtan

EX/65 **MINUTES**

The minutes of the meeting of the Cabinet held on the 30 January 2020 were approved as a correct record and signed by the Leader.

EX/66 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

EX/67 **ANNOUNCEMENTS**

There were no announcements.

EX/68 **PUBLIC QUESTIONS**

No questions had been received.

EX/69 **EXTERNAL PRINT TENDER**

The Leader reported that it was recommended that the use of a framework agreement for printed materials established by Crawley Borough Council through the Shared Procurement Service, together with the use of a dynamic purchasing system (DPS) also established by Crawley Borough Council through the Shared Procurement Service.

The contracts would be set up from April 2020 for a three year term, with a one year optional extension period, subject to the suppliers' satisfactory performance.

RESOLVED

That:

- i) The use of the Print Framework Agreement set up on behalf of the Council by its Shared Procurement Service be approved; and;
- ii) The use of the Dynamic Purchasing System (DPS) be established on behalf of the Council by its Shared Procurement Service.

Reasons for Recommendations

- i) Following a competitive tender exercise and evaluation undertaken by Crawley Borough Council as the lead authority, the providers on the

framework agreement have submitted the most economically advantageous tenders in the four lots.

- General print work – low volumes (lot 1a) – 4 suppliers
  - General print work – high volumes (lot 1b) – 4 suppliers
  - General signage (lot 2) – 3 suppliers
  - Envelopes (lot 3) – 2 suppliers
- ii) The creation and use of the DPS will invite the councils to invite quotes on the more complex printing jobs and will therefore obtain best value

EX/70 **DRAFT ELECTRIC VEHICLE CHARGE POINT STRATEGY**

The Cabinet Member for Local Economy and Parking presented a report on an Electric Vehicle (EV) Charge Point Strategy for the District. The Government had made it clear that a transition to EV's forms part of its approach to achieving net zero carbon by 2050. The proposed Strategy suggested that the Council support the take up of EV by installing charge points in Council owned car parks. The main focus of the Strategy was to install charge points to serve residents that do not have access to off-street parking to enable them to charge their vehicles at home overnight. These charge points could be used by visitors to towns/villages during the day.

In order to reduce the various risks to the Council of installing and operating the charge points the suggested method for implementation would be via a concession contract with a supplier/installer. This would also aim to deliver the network at net zero cost to the Council. West Sussex County Council is due to procuring a commercial partner on the basis of a no cost model. The County Council wants to work in collaboration with District and Borough Councils, as well as Parish Councils to deliver a County wide network of charge points. To reduce the complexity of accessing the charge points the network would run by one supplier. The charge points would be powered by renewable energy, either on site or purchasing green electricity. The collaboration with the County Council would be via an Inter Authority Agreement.

RESOLVED

That:

- i) The draft Electric Vehicle Charge Point Strategy 2020 – 2030 be approved; and
- ii) The principle of the Council joining a collaboration with West Sussex County Council to install a County wide network of charge points be approved.

Reasons for Recommendations

- i) To provide a framework for installing Electric Vehicle charge points across the District to support the take up of Electric Vehicles which in turn will contribute to reduction in carbon emissions, improvement in air quality and support the local economy.

- ii) Collaboration with West Sussex County Council would give access to a contract to install electric vehicle charge points on District Council owned land.

EX/71 **BT CAR PARK PRICING - INTRODUCTION OF COMMUTER PARKING OPTIONS**

The Cabinet Member for Local Economy and Parking presented a report on the BT Car Park which was located within Horsham town off North Street less than 200 yards from Horsham train station. The car park had 88 spaces and is predominantly used by Horsham District Council staff Monday to Friday and has very little use on weekends.

The location of the car park makes it ideal for offering commuter parking for the train station. There was currently limited commuter parking in this location, which did cause commuters to park in local roads.

It was agreed at Cabinet on the 23 January 2020 as part of the Medium Term Financial Strategy the Council would introduce commuter parking options for the BT Car Park.

Staff who use the BT Car Park will be moved into the town centre car parks where there was sufficient capacity, this would free up spaces for commuters. The pay and display option for short stay parking which was currently in place and supports the local destinations such as the Capitol would stay the same.

The proposal within this report laid out the all-day parking options for commuter parking, this had taken into consideration the pricing of other town centre car parks and commuter parking options. The payment process would be undertaken using the Council's virtual permit system, allowing customers to manage their parking through an online account. It was also proposed to amend the charging period to cover the morning hours.

**RESOLVED**

The Cabinet is recommended:

- I) a new commuter tariff for the BT Car Park be introduced; and
- II) The charging hours be changed to start earlier in the morning from the current 10am-5pm to 6am-5pm.

**Reasons for Recommendations**

The reasons for recommending these changes are:

- I) Required to meet the agreed Medium Term Financial Strategy;
- II) To maximise the use of this car park;
- III) Address shortfalls in commuter parking availability within the close vicinity of the train station.

EX/72 **OVERVIEW & SCRUTINY COMMITTEE**

There were no matters currently outstanding for consideration.

EX/73 **FORWARD PLAN**

The Forward Plan was noted.

EX/74 **TO CONSIDER MATTERS OF SPECIAL URGENCY**

There were no matters of special urgency to be considered.

*The meeting closed at 6 pm having commenced at 5.30pm*

CHAIRMAN

**Parkside, Chart Way, Horsham,  
West Sussex RH12 1RL**

## **FORWARD PLAN**

This notice sets out details of key decisions that the Cabinet or a Cabinet Member intend to make, and gives 28 days' notice of the decision under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The notice also includes details of other decisions the Council intends to make.

The reports and any background documents that have been used to inform the decisions will be available on the Council's website ([www.horsham.gov.uk](http://www.horsham.gov.uk)) or by contacting Committee Services at the Council Offices.

Whilst the majority of the Council's business will be open to the public, there will be occasions when the business to be considered contains confidential, commercially sensitive or personal information. This is formal notice under the 2012 Regulations that part or all of the reports on the decisions referred to in the schedule may be private because they contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and the public interest in withholding the information outweighs the public interest in disclosing it.

If you wish to make representations about why part or all of the papers should be open to the public, please contact Committee Services at least 10 working days before the date on which the decision is to be taken.

If you wish to make representations to the Cabinet or Cabinet Member about the proposed decisions, please contact Committee Services to make your request.

Please note that the decision date given in this notice may be subject to change.

To contact Committee Services:

E-mail : [committeeservices@horsham.gov.uk](mailto:committeeservices@horsham.gov.uk)

Tel: 01403 215123

Published on 01 May 2020

### **What is a Key Decision?**

A key decision is an executive decision which, is likely –

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

|    | <b>Subject/Decision</b>                                    | <b>Decision Taker</b> | <b>Date(s) of decision</b> | <b>Is all or part of this item likely to be dealt with in private</b> | <b>Contact Officer</b><br><b>Cabinet Member</b><br>(NB include name, title and email address)   |
|----|--|-----------------------|----------------------------|---|---|
| 1. | <b>Cash Collection Service Tender</b>                      | Cabinet               | 4 Jun 2020                 | Part exempt   | Jane Eaton, Director of Corporate Resources<br>jane.eaton@horsham.gov.uk<br><br>Leader and Cabinet Member for Finance and Assets (Councillor Ray Dawe)            |
| 2. | <b>Renewal of energy purchasing contract through LASER</b> | Cabinet               | 4 Jun 2020                 | Open  | Brian Elliott, Head of Property & Facilities<br>brian.elliott@horsham.gov.uk<br><br>Leader and Cabinet Member for Finance and Assets (Councillor Ray Dawe)        |
| 3. | <b>Review of fees for High Hedge Disputes</b>              | Cabinet               | 4 Jun 2020                 | Open  | Barbara Childs, Director of Place<br>barbara.childs@horsham.gov.uk<br><br>Cabinet Member for Planning and Development (Councillor Claire Vickers)                 |
| 4. | <b>Review of Southwater Country Park car parking</b>       | Cabinet               | 4 Jun 2020                 | Open  | Vicky Wise, Head of Leisure and Culture<br>Vicky.Wise@horsham.gov.uk<br><br>Deputy Leader and Cabinet Member for Leisure and Culture (Councillor Jonathan Chowen) |

|    | <b>Subject/Decision</b>                                       | <b>Decision Taker</b> | <b>Date(s) of decision</b> | <b>Is all or part of this item likely to be dealt with in private</b> | <b>Contact Officer</b><br><b>Cabinet Member</b><br>(NB include name, title and email address)  |
|----|---|-----------------------|----------------------------|---|--|
| 5. | <b>Housing Strategy 2019 - 2024</b>                           | Cabinet               | 4 Jun 2020                 | Open  | Rob Jarvis, Head of Housing & Community Services. robert.jarvis@horsham.gov.uk<br><br>Cabinet Member for Community Matters and Wellbeing (Councillor Tricia Youtan)      |
| 6. | <b>Grounds maintenance contract</b>                           | Cabinet               | 4 Jun 2020                 | Open  | Adam Chalmers, Director of Community Services. adam.chalmers@horsham.gov.uk<br><br>Deputy Leader and Cabinet Member for Leisure and Culture (Councillor Jonathan Chowen) |
| 7. | <b>Charging for Horsham District Transport modelling data</b> | Cabinet               | 4 Jun 2020                 | Open  | Barbara Childs, Director of Place barbara.childs@horsham.gov.uk<br><br>Cabinet Member for Planning and Development (Councillor Claire Vickers)                           |
| 8. | <b>Conservation Area Appraisal - Warnham and Slinfold</b>     | Cabinet               | 23 Jul 2020                | Open  | Barbara Childs, Director of Place barbara.childs@horsham.gov.uk<br><br>Cabinet Member for Planning and Development (Councillor Claire Vickers)                           |

## Draft Report to Cabinet

Cabinet meeting 30<sup>th</sup> April 2020

By the Leader

**DECISION REQUIRED**



**Horsham  
District  
Council**

### Not Exempt

**Appendix 1 and background papers** exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972

## Tender of the Council's contract for Planning and Regulatory Services Software

### Executive Summary

The Council currently has a contract with Idox for software (including support and maintenance) which is used by Planning, Land Charges, Building Control, Environmental Health and Licensing.

The current supplier of this software has been on a rolling annual contract which renews on 31<sup>st</sup> March each year. The contract has been in place since 2003. The current system needed to be reconsidered in line with the Technology Strategy and Business Transformation Needs.

The contract size is in excess of OJEU thresholds therefore a full OJEU compliant open tender process must be undertaken. This process has now been completed and a number of bids were received as detailed in exempt Appendix 1.

Cabinet is recommended to proceed with the contractor identified in Appendix 1 (exempt) and to delegate authority to the Director of Corporate Resources to enter into the contract on the Council's behalf.

### Recommendations

Cabinet is recommended:

- i) To award the contract to the successful Supplier as detailed in Appendix 1 on the terms recommended.

### Reasons for Recommendations

The procurement route has satisfactorily identified a single supplier for all three department's requirements, including achieving the Councils Business/Digital Transformation and Technology strategies identified within the project.

All three departments individually identified Supplier 1 as their highest scoring preferred bidder.

The proposed solution is within the budget outlined and agreed for the project.

## **Background Papers**

Background Paper 1: Supplier 1 – Financial Position and Risk

Background Paper 2: The design of the contract

**Wards affected:** All

**Contact:** Graham Shail 01403 215119 or Julie Abel 01403 215114

## Background Information

### 1 Introduction and Background

- 1.1 Horsham District Council currently has an on-site system called Idox Uniform which provides the application software for Planning, Building Control, Environmental Health and certain Licensing functions. Land Charges runs TLC (supplied by Idox). Documents are managed by Northgate Information @ Work, also on-site.
- 1.2 These systems require a degree of technical maintenance and security, provided by Technology Services. The Technology Services strategy is to move towards Hosted Managed services or SaaS (cloud hosted software as a service). Where the supplier is responsible for the system and its technical maintenance.
- 1.3 The arrangement with Idox is a rolling annual contract, which renews on March 31<sup>st</sup> each year. Owing to the financial scale of the contract, OJEU rules apply, which means that the contract must be advertised on an open tender basis in the Official Journal of the European Union.
- 1.4 In order to achieve digital and business transformation several key objectives were identified: to find Software as a Service or Hosted Managed systems fit for purpose in the specialist departments, to ensure fully integrated document management, to provide customer facing portals for digital transactions, and to provide mobile Apps for officer inspections and site visits.
- 1.5 A project team was established including representatives from each department: technology services, planning, building control and environmental health. Each department was heavily involved in writing a requirements document to ensure basic functions were covered and to also highlight the areas that could gain most benefit from digital transformation.
- 1.6 Before advertising the contract for tender, the Council's procurement team arranged market engagement 'soft demos' to gauge interest and discuss advances in technology and software with interested parties. There was interest in the contract and 6 suppliers provided demonstrations which helped inform the requirements documents with the aim of possible digital and business transformation opportunities.
- 1.7 During this process, three key factors became apparent (a) the market preference was for a term of at least 5 years (b) both the HDC and the market would prefer to bid on a 60/40 quality/price basis and (c) some suppliers were better at Planning than Environmental Health or Building Control. The decision was taken to advertise the project as three Lots that could be bid for individually or in any combination. Evaluation to be by individual Lot.
- 1.8 These results were reported to the Finance and Assets Policy Development Advisory Group with a proposal to proceed on the basis of a contract for a term of 5 years with an option to extend for a further three years; a quality/price assessment of 60/40 and the possibility of 1-3 separate contracts.

## **2 Relevant Council policy**

### **2.1 Corporate Plan:**

The replacement of these existing systems is necessary to support the modernisation and digitisation agenda of key theme 5 in the Corporate Plan. Enhancing our on-line presence, making systems easier to use and employing the latest technology to streamline processes are essential requirements in the tender document.

## **3 Details**

- 3.1 Officers prepared a comprehensive set of tender documentation, which included a full breakdown of the department requirements. This was completed in three Lots. Lot 1 – Environmental Health and Licensing, Lot 2 – Planning and Land Charges, Lot 3 – Building Control
- 3.2 A set of questions was also prepared which allowed the contractors to demonstrate their approach to a number of relevant issues, such as security, data migration, document management, implementation, support and development. Bidders were allowed an unlimited word count in order to give comprehensive replies to these questions which could then be evaluated with a scoring mechanism.
- 3.3 The tender documentation was uploaded onto the Council's e-tendering procurement portal. In addition to the evaluation methodology, the tender documentation included contract documentation in an approved form. This process ensures that all contractors are supplied with identical information and understand the nature of the contract that they will be expected to enter into.
- 3.4 During the tender preparation process a number of contractors raised clarification questions, which were answered.
- 3.5 At the tender return date, the Council received seven bids, the details of which are included in Appendix 1 (exempt).
- 3.6 The qualitative element of the tenders was reviewed and assessed by three teams, one for each Lot. The same two representatives from Technology services sat on all three teams. Lot 1 was led by the Head of Environmental Health, Lot 2 was led by the Head of Development and Lot 3 was led by the Head of Building Control. Each team was comprised of a manager, an officer and an admin manager, plus the Platforms Manager and Service Designer from Technology Services. These officers individually scored the submissions and then met as a panel to agree moderated scores individually for each Lot. There was a full discussion on the merits of the answers provided by the bidders and minutes were taken by the project manager. A set of moderated scores and comments were agreed.
- 3.7 The top three bidders for each Lot were invited to demonstrate their solutions under controlled conditions. These demonstrations were scored and used to validate claims made in response to the tender. The moderation process was repeated at this stage.

- 3.8 An analysis of the financial assessment was undertaken by officers from procurement and finance at the same time as the qualitative analysis. This work was undertaken independently, and the results were not shared with the qualitative team until the moderation exercise had been completed.
- 3.9 On completion of this process an analysis of the total scores was undertaken and a winning bid for each Lot identified. The details are included in Appendix 1.
- 3.10 Cabinet is recommended to approve the appointment of the recommended supplier as set out in Appendix 1.

## **4 Next Steps**

- 4.1 To enter into contract and start the implementation.
- 4.2 To start the business transformation reviews in line with the new technology available.

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

- 5.1 The procurement methodology was considered by the Finance and Assets Policy Development Advisory Group and Informal Cabinet, who supported the proposals recommended
- 5.2 The Head of Finance raised concerns about the recommended supplier. These concerns are summarised as risks in paragraph 9.2 of this report and shown in full in background paper 1. Contractual mitigations have been explained by the Senior Contracts Solicitor in paragraph 9.2 and shown in full in background paper 2. Comments from the Director of Corporate Resources (s151 Officer) and the Head of Legal & Democratic Services (Monitoring Officer) are incorporated in this report. The Senior Leadership Team has reviewed the report, including risks and mitigations and support the recommendation.

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

- 6.1 The option of doing nothing is not an option as it is not compliant with our Technology Strategy or Digital Transformation goals. Due to the value of the project, even staying with our current supplier required an OJEU tender.

## **7 Resource Consequences**

- 7.1 The recommended contractor is within the forecast budget.
- 7.2 There will be a high level of personnel resource required during the implementation phase of this project June 2020 to end of 2023. This has been budgeted for by each department and within the Transformation Plan funded from the Transformation Reserve.

## **8 Legal Consequences**

- 8.1 The Council has complied with OJEU rules in undertaking this tender.

8.2 In house legal resources will be used to complete the legal documentation.

## **9 Risk Assessment**

9.1 There are risks when changing from one supplier and one system to another but there is adequate time to ensure a smooth transition and full information is available. It is therefore considered that this risk is controllable.

9.2 There are risks associated with the size of proposed preferred supplier. With any small provider, especially one on a rapid growth trajectory, there are concerns around the capacity to deliver to the contract, overstretching beyond their means, single points of failure should key staff leave, failure should key investors depart and withdraw their money, potentially a slower designed product and implementation delays and product enhancement delays. Ultimately a small less well established company carries a higher risk of dissolution and, if the company fails, the Council has to reinvest time and resources with a different provider, effectively paying twice. Mitigating these risks are the industry history of the owners in the local government IT business, the importance of us as a customer to a small business and the way the contract is constructed with milestones and phased payments.

These risks and the contractual mitigations are fully detailed in the exempt background papers.

## **10 Other Considerations**

10.1 Improving our on-line offering to customers will have a positive impact on most service users. However, our service design plans are ensuring that all our customers will be equally considered, making sure options remain open for those unable to access on-line services.

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

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