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# Council

**Wednesday, 9th December, 2020 at 6.00 pm**  
**via Remote Video Link**

To: All Members of the Council

*(Please note that prayers will be taken by Bishop Ruth Bushyager before the meeting commences)*

You are summoned to the meeting to transact the following business

Glen Chipp  
Chief Executive

## Agenda

	Page No.
GUIDANCE ON COUNCIL PROCEDURE	
1. <b>Apologies for absence</b>	
2. <b>Minutes</b>	5 - 14
To approve as correct the minutes of the meeting of the Council held on 14 October 2020 <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. <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>Recommendations from Cabinet</b>	15 - 18
To receive the recommendations from the meeting of Cabinet held on 26 November 2020 and, if approved, to adopt the recommendations therein:	

Update on the Council's financial position (report of the Cabinet Member for Finance & Assets is online at: [Agenda Item 6](#) )

Horsham's First Local Cycling and Walking Infrastructure Plan (LCWIP) (report of the Cabinet Member for Horsham Town is online at: [Agenda Item 8](#))

Approval of amendment to Business Cases for Horsham District Homes for affordable homes in Billingshurst (report of the Cabinet Member for Community Matters & Wellbeing (Agenda Item 14) is exempt by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 - information relating to the financial or business affairs of any particular person (including the authority holding that information))

**7. Recommendations from Committees**

19 - 20

To receive the recommendation from the Governance Committee held on 13 October and, if approved, to adopt the recommendations contained therein:

Public Speaking at Full Council and Formal Cabinet Meetings (resolution of Governance Committee is online at [Minute No GO/16](#) )

To receive the recommendation from the Overview & Scrutiny Committee held on 7 December in the event that the recommendation is agreed by the Committee:

Final report of the Off Street Parking Task and Finish Group (report of the Chairman of the Task & Finish Group is online at: [Agenda Item 4](#) )

Standards Committee: To receive a verbal update from the Chairman of the Committee regarding the appointment of a second Independent Person

**8. Decisions Arising from the COVID-19 Emergency**

21 - 24

To receive a report from the Chief Executive

**9. Reports of representatives**

To receive reports from representatives on outside bodies

**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

## GUIDANCE ON COUNCIL PROCEDURE

(Full details in Part 4a of the Council's Constitution)

<b>Addressing the Council</b>	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.
<b>Minutes</b>	Any comments or questions should be limited to the accuracy of the minutes only
<b>Quorum</b>	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.
<b>Declarations of Interest</b>	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.
<b>Announcements</b>	These should be brief and to the point and are for information only – <b>no debate/decisions</b>
<b>Questions from the public</b> (Notice must have been given in writing to the Chief Executive by 12.00 three working days before the meeting)	Directed to Leader, Cabinet Member or Chairman of an ordinary committee and relevant to the business of the meeting. <b>2</b> 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 <b>15</b> 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. <b>No discussion <u>but</u> any Member may move that a matter raised by a question is referred to Cabinet or committee. If seconded, no discussion – vote taken.</b>
<b>Cabinet recommendations</b> (see also rules of debate)	Leader/Cabinet Member presents and moves recommendation(s) – seconder required. Members may: - ask a question on the item under consideration – max <b>2</b> minutes; and/or - make a statement – max <b>5</b> minutes.
<b>Questions from Members on Notice</b> (Notice must have been given in writing to the Chief Executive by 12.00 two working days before the meeting)	These are directed to the Chairman, Leader, Cabinet Member or chairman of any committee: - <b>2</b> minutes maximum for initial question - <b>2</b> minutes maximum for the response - <b>2</b> minutes maximum for a supplementary question - <b>2</b> minutes maximum for a response to the supplementary question - <b>5</b> 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. <b>No discussion.</b> Maximum of <b>30</b> minutes overall for questions and answers.

<p><b>Rules of debate</b></p>	<p><b>The Chairman controls debate and normally follows these rules but Chairman's interpretation, application or waiver is final.</b></p> <ul style="list-style-type: none"> <li>- No speeches until a proposal has been moved (mover may explain purpose) and seconded</li> <li>- Chairman may require motion to be written down and handed to him/her before it is discussed</li> <li>- Secunder may speak immediately after mover or later in the debate</li> <li>- Speeches must relate to the question under discussion or a personal explanation or a point of order (max <b>5</b> minutes)</li> <li>- A Member <b>may not speak again except:</b> <ul style="list-style-type: none"> <li>o On an amendment</li> <li>o To move a further amendment if the motion has been amended since he/she last spoke</li> <li>o If first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried)</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul> </li> <li>- Amendments to motions must be to: <ul style="list-style-type: none"> <li>o Refer the matter to an appropriate body/individual for (re)consideration</li> <li>o Leave out and/or insert or add others (as long as this does not negate the motion)</li> </ul> </li> <li>- One amendment at a time to be moved, discussed and decided upon.</li> <li>- Any amended motion becomes the substantive motion to which further amendments may be moved.</li> <li>- 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).</li> <li>- 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).</li> <li>- The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).</li> </ul>
<p><b>Voting</b></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"> <li>- Two Members request a recorded vote</li> <li>- A recorded vote is required by law.</li> </ul> <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>

**Council**  
**14 OCTOBER 2020**

Present: Councillors: Karen Burgess (Chairman), David Skipp (Vice-Chairman), Matthew Allen, Andrew Baldwin, Tony Bevis, John Blackall, Toni Bradnum, Chris Brown, Peter Burgess, Jonathan Chowen (Deputy Leader), Philip Circus, Paul Clarke, Roy Cornell, Michael Croker, Ray Dawe (Leader), 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, Josh Potts, Stuart Ritchie, Kate Rowbottom, Jack Saheid, Jim Sanson, Ian Stannard, Diana van der Klugt, Claire Vickers, Belinda Walters, Tricia Youtan and James Wright

Apologies: Councillors: Alan Britten, Christine Costin and Louise Potter

CO/20 **MINUTES**

The minutes of the meetings of the Council held on 1 July and 23 July were approved as correct records and would be signed by the Chairman at a later date.

CO/21 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

CO/22 **ANNOUNCEMENTS**

The Cabinet Member for Environment, Recycling & Waste announced that the number of families taking part in the Hot Bin Trial had been extended to six. The results of this six-month trial would determine whether this type of food composter should be promoted widely to residents across the district.

The Cabinet Member for Leisure & Culture stated that, despite these challenging times, he had three pieces of uplifting news:

- The Capitol had been awarded £185K from the Arts Council's Cultural Recovery Fund. He urged Councillors and residents to visit the newly refurbished venue to see one of the live performances, which were booking well.
- A talented Horsham musician had won the 2020 Sussex Young Musician Competition. He had joined a samba band run by the Council's Arts Development service when he was eight, and was now studying percussion at the Royal College of Music.

- Horsham Park had gained the prestigious Green Flag Award. The judges had commented that it was one of the best maintained urban parks they had judged, and was a credit to the Council.

The Chief Executive made two announcements:

- In response to ongoing financial challenges caused by the pandemic, the Council was consulting on a proposed organisational restructure that would deliver £2M annual savings. The proposal included consultation with officers and Members, and sought to minimise the number of compulsory redundancies.
- He had been assured by Councillor Haigh that her Notice of Motion, to be debated later in the meeting, was not intended to imply any criticism of the conduct of Councillors or Officers, or imply that decisions have been made that are not consistent with the Constitution or the Nolan Principles. He also stated that this Council's threshold of £250K for key decisions was much lower than that of many other councils, and that Councillor Haigh's proposal would hamper the ability to gather sufficient information before making key decisions.

CO/23    **QUESTIONS FROM THE PUBLIC**

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

CO/24    **RECOMMENDATIONS FROM CABINET**

Councillor Tricia Youtan, Cabinet Member for Community & Wellbeing, moved the recommendation from the minutes of the Cabinet meeting held on 23 July to approve the purchase of property in Slinfold by the Council's Housing Company (Horsham District Council (Holdings) Ltd). The business case for the purchase of the affordable rental homes had been approved by Cabinet. Councillor Roger Noel seconded the motion.

RESOLVED

That the transfer of s106 funds to Horsham District Homes (Holdings) for the purchase of the homes be approved.

REASON

Approval of the recommendations will deliver four affordable rental homes for the benefit of households on the housing list.

Councillor Ray Dawe, Leader and Cabinet Member for Finance & Assets, outlined the recommendations from the Cabinet meeting held on 24 September relating to the update on the Council's financial position and the impact of the pandemic on the 2020/2021 budgets and the MTFS. Two recommendations

from Cabinet relating to support for rough sleepers accommodation were no longer relevant because unfortunately funding from the MHCLG had not been granted. The Leader moved the amended recommendations. Councillor Roger Noel seconded the motion.

RESOLVED

- (i) That a £50K capital budget for the refresh and refurbishment of the museum whilst it remains closed during 2020/21 be approved.
- (ii) That a £125K capital budget increase to the £180K Henfield Library car park capital project, to address significant issues in the foundations, be approved.

REASON

- (i) Work is needed to modernise and refresh museum displays, introduce a digital cultural heritage offer, and improve the customer experience.
- (ii) The more expensive dig-out and rebuild of the car park in Henfield will address structural defects and make the asset last much longer and is therefore more economical in the long term.

Councillor Claire Vickers, Cabinet Member for Planning & Development, moved the recommendation from the minutes of the Cabinet meeting held on 24 September to approve the updated Building Control Charges Scheme. Councillor Lynn Lambert seconded the motion.

RESOLVED

That the revised Charges Scheme as set out in appendix A of the report to Cabinet be approved.

REASON

To ensure Building Control Charges are able to recover the costs associated with the relevant functions and kept in line with inflation.

CO/25 **RECOMMENDATIONS FROM COMMITTEES**

Councillor Stuart Ritchie, Chairman of the Audit Committee, moved the recommendation from the Audit Committee to approve the Treasury Management Strategy and the Investment Strategy. The Committee had already approved the Capital Strategy as an appropriate overarching strategy for the Council. Councillor John Blackall seconded the motion.

RESOLVED

- (i) That the Treasury Management Strategy for 2020/21 and the associated limits and specific indicators included in section 4 and appendix B of the report be approved.
- (ii) That the Investment Strategy for 2020/21 and the associated limits and specific indicators included in section 5 and appendix C of the report be approved.

**REASON**

- (i) The Council is required to have regard to the Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code) and Prudential Code which requires the Council to approve a Capital strategy, Investment strategy and Treasury Management Strategy before the start of each financial year.
- ii) The Ministry for Housing Communities and Local Government (MHCLG) issued revised guidance on local authority investments in 2017 that the Council is required to have regard to.

**CO/26 INDEPENDENT REMUNERATION PANEL**

The Chief Executive reminded Members that the Council was required to appoint an Independent Remuneration Panel to consider Members' allowances. An interim report had been carried out in 2018, but it was over four years since the last full review was agreed and implemented.

Following a recruitment process, three suitable candidates had come forward and had met the approval of the Leader and Deputy Leader of the Council, who agree with the recommendation.

**RESOLVED**

- (i) To delegate to the Chief Executive the approval of the appointment of up to three independent members to sit on the Independent Remuneration Panel.
- (ii) That the appointed Panel Members be paid £700 each upon conclusion of the review and that any travelling and subsistence expenses should be paid at the current approved rate for Members.

**REASON**

To comply with statutory requirements, in particular (i) the Local Government and Housing Act 1989 and (ii) the Local Authorities (Members' Allowances) (England) Regulations 2003.



CO/27 **REPORTS OF REPRESENTATIVES**

No reports of representatives on outside bodies were received.

CO/28 **NOTICE OF MOTION**

Councillor Karen Burgess, Chairman of the Council, stated that three notices of motion had been received in accordance with Rule 4a.26 of the Council's Constitution. In order to dispose of each motion this evening she asked the Council to agree that the time allocated to this item be extended from the 30 minutes allowed in the Constitution to 45 minutes. Councillor David Skipp seconded this proposal. There were no objections.

The following Motion was moved by Councillor Claire Vickers, Cabinet Member for Planning & Development, and seconded by Councillor Liz Kitchen:

*'This Council believes that there is a need for additional housing within the district but that this requires consideration of a wide number of factors that are absent from the Government's proposal for altering the Standard Methodology used to calculate the number of homes that it would require to be built in the District. This proposal sits alongside the Government's consultation on other changes to the current planning system.*

*We believe that the proposed methodology places impossible requirements as regards building rate levels on this District for the following reasons and we ask that it is withdrawn and more consideration is given to the following points:*

*This District already has an infrastructure deficit and the Government's proposal would more than double the District's housing targets. This would require huge investment in infrastructure and severely impact our ability to address issues of climate change and biodiversity.*

*The raising of the on-site Affordable Housing provision threshold as proposed to be only applicable to 50 homes or more, would result in a huge reduction in affordable housing provision and particularly effect our rural areas.*

*Without an ability to oblige developers to build on the sites that have planning permission Local Planning Authorities such as ours will not be able to deliver the homes the Government requires and thus the proposals to amend the planning system will not meet the objectives.*

*For these reasons this Council calls on the Government to withdraw the proposals and resubmit ones that focus on supporting towns and cities that need and want regeneration rather than placing unachievable requirements that would change predominately rural areas and are devoid of the necessary infrastructure investment and network.'*

Paul Kornicky, a member of the public, addressed the Council in support of the Notice of Motion.

The Cabinet Member urged all Members to support the motion and stated that these concerns would be raised again in the Council's response to the Government's Planning for the Future public consultation. Members debated the motion with comments of support.

On being put, the motion was declared CARRIED.

The following Motion was moved by Councillor Mike Croker and seconded by Councillor Bob Platt:

*'Horsham District Council takes note of the Black Lives Matter protests within the district earlier this year. In response, Council resolves to tackle bias, racism or discrimination wherever we find it, and to continue to work with the community and Sussex Police to ensure that policing in the county is proportionate and fair to all residents.'*

Councillor Tricia Youtan, Cabinet Member for Community & Wellbeing, proposed the following amendment to the motion, which was seconded by Councillor Philip Circus, Cabinet Member for Environment, Recycling & Waste:

*'Horsham District Council notes the Black Lives Matter protests against racism that have taken place recently. We have long condemned racism, along with all other forms of discrimination on grounds of gender, religious belief, sexual orientation and other protected characteristics that are in Section 4 of the 2010 Equality Act. This Council specifically requires all Members to adhere to that non-discrimination policy in Section 3.2 of the Members Code of Conduct and we will continue working with partner agencies, including Sussex Police, to meet these requirements.'*

Members debated the proposal.

On being put, the motion, as amended, was declared CARRIED.

The following Motion was moved by Councillor Frances Haigh and seconded by Councillor Tony Bevis:

*'This Council notes with concern that in recent months:*

- 1. The Government has issued multi-million pound contracts without following due diligence for the award of purchase contracts.*
- 2. The Government has introduced legislation to enable the breaking of an international legal agreement, lowering the status of the UK internationally and risking reputational harm and loss of qualifications for those MPs who hold legal qualifications.*

*This Council therefore confirms that in all its dealings it will:*

1. *Uphold the rule of law and its own constitution so that no officers or Councillors have to put at risk their professional standing.*
2. *Act in full accordance with its own constitution and the Nolan Seven Principles of Public Life, which are:*
  - 2.1 *Selflessness: Holders of public office should act solely in terms of the public interest.*
  - 2.2 *Integrity: Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.*
  - 2.3 *Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.*
  - 2.4 *Accountability: Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.*
  - 2.5 *Openness: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.*
  - 2.6 *Honesty: Holders of public office should be truthful.*
  - 2.7 *Leadership: Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.*

*Council thus recognises its responsibility to maintain public confidence and ensure that its constitution and processes are subject to continuous improvement.*

*It therefore instructs the Governance Committee to review the following update to the Constitution and report back to full Council within three months-*

*“Article 11.5 Key Decision: Add*

*c) any proposed decision to invite contract proposals for a feasibility study, appraisal, out-line plan or the like, which might lead to a project with a value of over £250,000, even if it of itself does not involve expenditure of £250,000, shall be deemed to be a Key Decision subject to the same approvals and scrutiny as all others.” ’*

Councillor Ray Dawe, Leader and Cabinet Member for Finance & Assets, proposed an amendment to the Notice of Motion, which was seconded by Councillor Christian Mitchell. He proposed that: references to Government actions and the rule of law be deleted because they were not relevant to Council business; reference to the Nolan Principles be deleted because these were adhered to by Members as part of the Members Code of Conduct; and the proposal to review and update the Constitution be amended. In summary, Councillor Dawe proposed the following amended motion:

*‘This Council instructs the Monitoring Officer, in line with Article 13 of the Constitution, to review the effects of a Constitutional change that would make*

*any proposal for a feasibility study, appraisal, out-line plan or the like, which might lead to a project with a value of over £250,000, even if it of itself does not involve expenditure of £250,000, a Key Decision. This review to be done within three months and to report those findings to the Governance Committee which will then consider any changes it might recommend to Full Council.'*

Members debated the proposal.

On being put, the motion, as amended, was declared CARRIED.

CO/29 **MEMBERS' QUESTIONS ON NOTICE**

Councillor Mike Croker asked Councillor Claire Vickers, Cabinet Member for Planning & Development, the following question:

*'Would the Cabinet Member for Planning and Development join me in congratulating the South Downs National Park planning authority for adopting a Sustainable Construction Supplementary Planning Document (SPD) which, amongst other measures, encourages use of Passive House standards for all new dwellings, and requires Passive House certification for 10% of all new dwellings in a development of 10 or more dwellings?'*

The Cabinet Member replied:

*'I am happy to join you in congratulating the South Downs National Park. We work closely with the SDNP and will be applying the new SPD in the determination of any planning applications we make as part of our delegated authority agreement.'*

In reply, Councillor Croker asked a supplementary question:

*'I'm pleased that you join me in this. But recognising the significance of this SPD and the current climate emergency, would she also consider the production of a similarly rigorous SPD by Horsham District Council that is fit for the challenges presented by the ongoing climate emergency, bearing in mind that policy 39 of the draft Horsham District Local Plan requires that all development should maximise energy efficiency?'*

The Cabinet Member replied:

*'As you are probably aware, a SPD has to hang off a policy in an adopted Local Plan and the SDNP have recently adopted their Plan. This Council however is in the process, as you know, of renewing its Local Plan so the Strategic Planning team are fully focussed on the preparation of the next stage of this Plan, which will contain enhanced environmental policies. Once the Plan and its policies are in place we can then look to provide supplementary guidance where we feel there is benefit in doing so.'*

Councillor Croker made a final statement:

*'I thank the Cabinet Member for her relatively positive approach to this and look forward to working with her in future once we get the Horsham District Local Plan past the finishing post.'*

CO/30 **URGENT BUSINESS**

There was no urgent business.

CO/31 **TO CONSIDER THE FOLLOWING EXEMPT OR CONFIDENTIAL INFORMATION:**

RESOLVED

That the press and public be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information, as defined in Paragraph 2 of Part I of Schedule 12A of the Local Government Act 1972 (*information which is likely to reveal the identity of an individual*)), and in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CO/32 **PAY POLICY IMPLICATIONS OF EFFICIENCY SAVINGS**

The Chief Executive presented a report on the proposed organisational restructure, which was currently being consulted on. A number of redundancies would be required to help achieve the necessary efficiency savings. Council approved the recommendations.

*The meeting closed at 8.15 pm having commenced at 6.00 pm*

**CHAIRMAN**

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**COUNCIL**  
**9 December 2020**  
**CABINET RECOMMENDATIONS**

Recommendations to Council made at the Cabinet meeting held on 26 November 2020

**Update on the Council's financial position**

The Cabinet Member for Finance & Assets gave an overview on the projected scale of the financial impact of Covid-19 in 2020/21, including the impact of the second Lockdown during November. With the current level of uncertainty, it was impossible to prepare a full Medium Term Financial Strategy (MTFS) until January or February 2021. The overspend of £5m this Financial Year, as set out in the report, had risen to £5.4m due to the November lockdown and it was recognised that substantial action was still required to achieve a balanced budget in 2021/22.

Changes put forward in the draft Medium Term Financial Strategy included changes to parking at Southwater Country Park with new standardised parking charges and the transfer of the budget and operational responsibilities to Parking Services for 2021/22. The MTFS also included a capital budget for business waste bin weighing technology and equipment to make this service more accurate and efficient.

**RESOLVED**

- i) To note the changes in the Council's financial position in 2020/21 and the Medium Term.

**RECOMMENDED TO COUNCIL**

- i) To approve the new pricing structure at Southwater County Park car park as set out in Appendix A of the report.
- ii) To approve the transfer of the budget and associated operational responsibilities for the Southwater Country Park car park to Parking Services for 2021/22.
- iii) To approve a £89k capital budget in 2020/21 for business waste bin weighing technology and equipment.

**REASON**

- i) The Council needs to acknowledge the highly unpredictable nature of the national and local situation occasioned by the COVID-19 pandemic and the huge impact this is having on its financial position both in the short and longer term. This has moved the Council from what has been a long term healthy financial position to one with predicted large deficits unless action is taken.
- ii) To standardise parking hours across the year and help manage demand for car parking at Southwater Country Park during busy periods.

- iii) To streamline internal reporting processes and have all parking related services within the Parking service budgets.
- iv) The bin weighing technology and equipment will help the business waste service more accurately and efficiently manage the service by identifying trends and overloaded bins, ensuring the Council is not subsidising customer disposal costs.

### **Horsham's first Local Cycling and Walking Infrastructure Plan (LCWIP)**

The Cabinet Member for Horsham Town reported that the Local Cycling & Walking Infrastructure Plan (LCWIP) was part of the government's ambition to make cycling and walking a more natural choice for shorter journeys. The plan focuses on five cycling corridors and six walking corridors that were the result of evidence based research and consultation. Details of both stakeholder and public consultation have been captured in a Supplementary Document which will sit alongside the Plan. In accordance with Department for Transport (DfT) Technical Guidance, the Horsham LCWIP is focused on cycling and walking routes within the town and routes into the town from surrounding settlements. These corridors are a really good starting point in establishing a cycling and walking network for Horsham.

Having a Plan prepared would enable the Council to bid for government funding in addition to tranches of funding made available through WSCC. The adoption of the LCWIP will feed into the overall West Sussex cycling and walking network and WSCC intends to create a combined prioritised list of routes to be progressed as funding becomes available. Many of the routes are likely to require external funding contributions, and it is envisaged that this list will serve to support future funding bids, as well as directing CIL and s106 contributions.

### **RECOMMENDED TO COUNCIL**

- i) To adopt the first Horsham Local Cycling and Walking Infrastructure Plan.

### **RESOLVED**

- ii) To note the content of the Summary of Stakeholders and Public Consultation document, October 2020.
- ii) Delegate authority for any minor editorial amendments to the Cabinet Member for Horsham Town.

### **REASON**

- i) The LCWIP is a key tool in helping to deliver local improvements to increase both cycling and walking in the District and puts the Council in a strong position when bidding for cycling and walking improvement grants for the Government;
- ii) The Summary of Stakeholders and Public Consultation is an important background document in setting out the proposed response to the comments received;
- iii) To allow minor changes only. Any substantive change would need to be agreed by all Members.



### **Approval of amendment to Business Cases for Horsham District Homes for affordable homes in Billingshurst [exempt item]**

The business case, which had been approved by Council in December 2019, needed to be revised to take account of increased costs, including those required to achieve high standards of sustainability, with an EPC rating of A. These changes would not have an adverse impact on the return on capital.

#### **RECOMMENDED TO COUNCIL**

- i) To approve the transfer of s106 funds to Horsham District Homes (Holdings) for the purchase of the three properties in Billingshurst.

#### **REASON**

- i) Approval of the recommendations will allow the details of the transactions to be completed so that the affordable rental properties can be delivered for the benefit of households on the housing list.

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**COUNCIL**  
**9 December 2020**  
**COMMITTEE RECOMMENDATIONS**

Recommendation to Council made at the Governance Committee on 13 October 2020:

**Public Speaking at Full Council and Formal Cabinet Meetings**

The Chairman of the Committee advised that the majority Group had discussed the current rules and protocols regarding members of the public speaking at Council and Cabinet meetings. Councillor Circus, on behalf of the majority Group, proposed that an additional paragraph be added to the Constitution regarding questions to Ordinary meetings of the Council. The proposal would ensure that the opportunity to ask public questions relevant to the business of that meeting is not exploited by campaigning organisations and individuals.

The amendment would also make the rules regarding public speaking at Council meetings the same as those for Cabinet meetings.

The Committee also resolved to amend the Constitution to clearly specify the rules for public questions and statements at every type of meeting, be it Council, Cabinet or Committee. If agreed, the proposed new wording would be added to this, as well as to the section on Ordinary Meetings of the Council (Questions by the Public).

**RECOMMENDED TO COUNCIL**

That the following wording be added to the Constitution at 4a.8 (Council procedure rules: Questions by the Public)

‘A maximum time of 15 minutes is to be allowed in the meeting to receive oral questions and answers (not statements) which, in the opinion of the person presiding at the meeting, are relevant to the business to be transacted at that meeting. A copy of any such questions must be submitted in writing no later than three working days prior to the relevant meeting. Questions can only be asked by residents who are identified as such from the voters list, or from anyone who satisfies the Monitoring Officer that they work wholly or in substantial part in Horsham District. As deemed appropriate, in the absolute discretion of the person responding, answers may be given either orally or else in writing within three working days of the relevant meeting

**REASON**

To ensure that the opportunity for members of the public to speak at Council meetings is not exploited by campaigning organisations or individuals to further a cause not directly related to the business of that meeting.

Continued/...

**COUNCIL**  
**9 December 2020**  
**COMMITTEE RECOMMENDATIONS**

Recommendation to Council made at the Overview & Scrutiny Committee on 7 December 2020:

**Final Report of the Off Street Parking Task and Finish Group**

The report by the Chairman of the Task & Finish Group on Off Street Parking was submitted to Overview & Scrutiny Committee on 7 December, before publication of the agenda for this Council meeting.

The recommendations made to the Overview & Scrutiny Committee are as follows:

- i) A consultant should be engaged for three months to develop a parking matrix for Horsham District Council similar to the one which had been developed by Arun District Council but fine-tuned to meet Horsham's particular requirements
- ii) The County Council be consulted on parking matters in respect of road safety issues
- iii) That the HDC Parking Protocol for new residential builds throughout HDC be:
  - 1 bed 2 parking spaces
  - 2 bed 2 parking spaces
  - 3 bed 3 parking spaces
  - 4 bed 3 parking spaces
- iv) A new parking protocol be developed for business sites, retirement homes, care homes and restaurants & takeaways
- v) Ducting for electrical car charging be placed in all new builds
- vi) Review the dimensions of garages and car ports
- vii) Consider prohibiting the conversion of garages or carports into rooms unless suitable garages or car ports are built in replacement on the same site

Unless refused by the Overview & Scrutiny Committee on 7 December, these recommendations, either as printed above or as amended at that meeting, are recommended to Council.

## Report to Council

9 December 2020

By the Chief Executive

**DECISION REQUIRED**



Not Exempt

### Decisions Arising from the COVID-19 Emergency

#### Executive Summary

The COVID-19 emergency the subsequent lockdown and associated recession has had a devastating impact on businesses across the District. During the November 2020 lockdown the Government rolled out some new business grants across our area, the Local Restrictions Support Grants that were already operating in tier three areas; and the Additional Restrictions Discretionary Grants. These grants came with limited guidance and the Council had to set its own guidelines in order to issue grants. Discussions with other West Sussex Districts suggested that a joint approach to these grants would help the Council because it would reduce the number of complaints about different treatments of businesses across local authority boundaries. Officers across West Sussex prepared a draft proposal by 17 November with the intention to implement on 23 November. This six day window did not allow time for the guidance to pass through Cabinet to Council. Slower implementation would have meant businesses could not receive their grants before Christmas. Therefore, the Chief Executive, made the decision to implement the guidelines on 19 November under emergency powers set out in the Council's Constitution.

This report tells Council about the decision the Chief Executive made on 19 November lockdown under the Head of Paid Services "delegations for an emergency". It asks the Council to note the decision outlined in section 1.4 below.

#### Recommendations

That the Council is recommended:

- i) To note the decision made by the Chief Executive under his Head of Paid Service powers outlined in section 1.4.

#### Reasons for Recommendations

- i) The Council needs to make this decision to regularise actions already taken.
- ii) The decision made under Emergency Powers helped expedite the processing of Local Authority Additional Restrictions Discretionary Grants Fund. This will help mitigate the effect of the second lockdown on those businesses that qualify for the Grants.

## **Background Papers**

None.

## **Wards affected:**

All.

**Contact:** Glen Chipp, Chief Executive, 01403 215101.

## **Background Information**

### **1 Introduction and Background**

- 1.1 On 3 November, the Government issued guidance that sets out criteria under which business will qualify for the Local Authority Additional Restrictions Discretionary Grants Fund. The guidance can be found by following this link

<https://www.gov.uk/government/publications/local-restrictions-support-grants-lrsg-and-additional-restrictions-grant-arg-guidance-for-local-authorities>

- 1.2 The West Sussex Districts and Boroughs proposed to adopt a joint set of guidelines based on the Government's guidance to ensure a consistent approach which businesses across West Sussex can use to apply to the grant fund. This will help prevent a 'postcode lottery' from developing.

- 1.3 The full list of participating authorities is

- Adur District Council
- Arun District Council
- Chichester District Council
- Crawley Borough Council
- Horsham District Council
- Mid Sussex District Council
- Worthing Borough Council

- 1.4 In order to expedite the distribution of the grants and provide much needed relief to businesses already badly affected by the pandemic, the Chief Executive used emergency powers to adopt the local Additional Restrictions Grant Discretionary Scheme.

- 1.5 The decision was discussed with the Leader of Council and Finance Portfolio Holder, the Cabinet Member for the Local Economy and Parking and their Liberal Democrat Shadows.

### **2 Relevant Council policy**

- 2.1 Having a thriving local economy is one of the five key priorities in our Corporate Plan. The COVID-19 outbreak is profoundly impacting our local economy. This effect is especially high because so many of our businesses are small, personal services, shops, restaurants and leisure facilities as well as businesses associated directly and indirectly with the closed operations at Gatwick airport. The decisions reached as part of the Council's Emergency Response were needed to mitigate the damage the lockdown is doing to our economy.

### **3 Next Steps**

- 3.1 The Director of Corporate Resources has started processing Additional Restrictions Grants.

### **4 Outcome of Consultations**

- 4.1 The Leader of the Council, the Cabinet Member for the Local Economy and Parking and their Liberal Democrat Shadows were supportive of using emergency powers to implement the scheme quickly.

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

- 5.1 The Council could have not implemented the Additional Restrictions Grants Discretionary scheme until the next Full Council but this would have caused unnecessary hardship to businesses already severely impacted by the lockdown.
- 5.2 The full Council could have been recalled at an earlier date to make the decision remotely. However, the five day publication date would still have resulted in delay in getting grants into payment.

### **6 Resource Consequences**

- 6.1 The Council will be distributing grants in accordance with the guidance issued by Government.
- 6.2 The grants are funded by the Government.
- 6.3 The cost of administering the grants is funded through New Burdens' Funding and the majority of the work carried out by our local authority partners LGSS. The work will impact the workloads of our Economic Development and Finance teams during the next few weeks.

### **7 Legal Consequences**

- 7.1 The actions taken to date have been in line with the Chief Executive's emergency powers in paragraphs 3.5.1 2 c) and 3 of the Constitution.

### **8 Risk Assessment**

- 8.1 The issuing of the Additional Restrictions Grants Discretionary Scheme carries a high risk of fraud. LGSS run the grants through the Government's Spotlight fraud checking software and LGSS internal audit are checking claims 20% spot check of claims to mitigate the risk.

### **9 Other Considerations**

- 9.1 The introduction of the Additional Restrictions Grants Discretionary Scheme will lessen the impact of the COVID-19 lockdown and recession on businesses, their owners and employees.