

Council
28 APRIL 2021

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

Apologies: Councillors: Roy Cornell and Jim Sanson

CO/61 **MINUTES**

The minutes of the meeting of the Council held on 10 February and of the Extraordinary meeting held on 25 March were approved as correct records.

CO/62 **DECLARATIONS OF MEMBERS' INTERESTS**

Councillor Mike Croker declared a personal interest in Item 6 of the agenda (recommendation from Cabinet) because he was a member of the steering group for Horsham District Cycling Forum.

CO/63 **ANNOUNCEMENTS**

The Cabinet Member for Environment, Recycling & Waste made the following announcements:

- The Repair Café in Horsham run by Sussex Green Living, which had been closed because of the pandemic, would reopen on 31 July.
- At the end of May the Council will launch the kerb-collection of household batteries, and a free, bookable service for the collection of small electrical items and textiles. These measures would be a further boost to recycling in the district. The Council already performed well compared to many local authorities and the percentage of recycled waste would increase further after the proposed food waste collection service is rolled out across the district.

The Cabinet Member for Local Economy & Parking announced that the Horsham District Virtual Jobs and Skills Fair had taken place today, after the event planned for September 2020 had to be cancelled. This was the first time the Skills Fair had been held virtually and it included a website that would continue to give information and

support to those seeking employment or new skills. This event was part of the Council's economic recovery strategy.

The Cabinet Member for Community Matters & Wellbeing announced that there were only four individuals in single households needing to be housed in temporary bed and breakfast accommodation in the district, all of whom will be re-housed within the next 10 days. These figures are a significant improvement on last summer and show that the interventions and options available through the Housing Team are helping tackle homelessness in the district.

CO/64 **QUESTIONS FROM THE PUBLIC**

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

CO/65 **RECOMMENDATION FROM CABINET (A)**

Horsham Town Centre Public Realm Strategy and Design Guide

The Cabinet Member for Planning & Development presented the Horsham Town Centre Public Realm Strategy and Design Guide, which had been developed after extensive consultation with the Neighbourhood Councils and other local stakeholders. She thanked Councillor Peter Burgess, who had contributed to its development as Cabinet Member for Horsham Town, and other organisations and individuals who had contributed to its development.

The report to Cabinet set out the key guiding principles that would ensure a consistent approach to quality, planning and design, as set out in the report.

The guide would inform the design and assessment process for future development and maintenance, and applied to a number of key town centre areas including the Carfax, the Causeway and Albion Way. The Cabinet Member for Planning & Development confirmed that as resources permit detailed design would be worked up for each area. Having 'shovel ready' designs would enable the Council to bid for Government and other potential sources of funding to bring the schemes to fruition. The proposal was seconded by Councillor Hogben.

RESOLVED

- i) To adopt the Horsham Town Centre Public Realm Strategy and Design Guide.
- ii) To note the summary of stakeholders' consultations.
- iii) To delegate authority for any minor amendments to the Cabinet Member for Planning and Development.

REASON

- i) This Public Realm Strategy and Design Guide for Horsham Town Centre seeks to achieve the overarching aspiration to; enhance the existing heritage of the town centre; futureproof the town centre by identifying and maximising key spaces that could provide flexibility in how they can function, and improve access and connectivity throughout; sustain and further promote Horsham as a key destination to live, socialise and shop. A coherent public realm strategy is a fundamental factor in order to achieve this aspiration.
- ii) The Stakeholder engagement summary 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.

CO/66 **RECOMMENDATIONS FROM COMMITTEES**

a) **Review into Policy Development Advisory Groups**

Councillor Andrew Baldwin, Chairman of Governance Committee, introduced the report that followed consultation with Officers and Councillors on Policy Development Advisory Groups (PDAGs). The consultation had resulted in a number of recommendations, as set out in the report. The recommendations, as amended by the Committee, sought to ensure PDAGs could give advice and feed back to Cabinet Members as part of the policy development process. The proposal was seconded by Councillor Toni Bradnum.

Councillor Baldwin assured Members that the recommendations would not make PDAGs prescriptive, but would allow PDAGs to continue to give backbenchers the opportunity to contribute their opinions during the policy development process.

RESOLVED

- i) To remove the requirement for Contract Award Cabinet Reports to be taken to Policy Development Advisory Groups.
- ii) That the views of Policy Development Advisory Groups continue to be included in Cabinet Reports and expanded upon.
- iii) To encourage earlier involvement of Policy Development Advisory Groups in the policy development process.
- iv) To split Policy Development Advisory Group agendas into policy development items and service update items.

- v) To amend the Constitution where necessary.

REASON

- i) Feedback received during the consultation shows that the majority of those surveyed would like to see some form of change to how PDAGs operate.
- ii) The reasoning behind the proposed options is to maximise the value and influence PDAGs have within the council. This could be achieved by involving them earlier in the policy development process, focusing their agendas on issues they can directly influence and clarifying their function as development of policy.

(b) **Model Councillor Code of Conduct**

Councillor Brian Donnelly, Chairman of Standards Committee, advised that the Local Government Association had published a new Model Code of Conduct, following consultation last year with local authorities and other organisations. The Committee had been supportive of the Model Code, which clearly explained expected behaviours and contained clear advice regarding declarations of interests.

The Committee had identified some grammatical errors, as set out in the agenda, and Council was recommended to adopt the Model Code as amended. The proposal was seconded by Councillor van der Klugt.

RESOLVED

To adopt the Local Government Association “Model Councillor Code of Conduct 2020” as amended.

REASON

- (i) The Local Government Association’s New Code will be a national model and will ultimately contain additional guidance, working examples and explanatory text. If adopted the Council will be applying current national best practice and will mean that the case law and guidance can be applied in a straightforward and simple manner.
- (ii) The clarity of the New Code means that it can be well understood by the public and Councillors. The New Code addresses issues arising through more communication taking place remotely and through social media, which is currently where most problems arise.
- (iii) The New Code is likely to be adopted by Parish Councils allowing for more consistent approaches to conduct to be applied at each tier of government.

CO/67 **STANDARDS COMMITTEE: APPOINTMENT OF A SECOND PARISH REPRESENTATIVE**

Councillor Brian Donnelly, Chairman of the Standards Committee, announced the appointment of Stephen Watkins as one of the two Parish Representatives on the Standards Committee, following the resignation of Paul Bickford in September 2020.

He had been nominated by HALC (Horsham Association of Local Councils) and interviewed by the Monitoring Officer and Legal Business Manager before his appointment. The role of the Parish Representatives was advisory, in particular in relation to issues and complaints against Parish Councillors.

CO/68 **REPORT OF THE INDEPENDENT REMUNERATION PANEL**

The Monitoring Officer reminded Council that it was required to agree a Members Allowance Scheme, including a Basic Allowance for all Councillors and Special Responsibility Allowances for certain roles within the Council's structure. An Independent Remuneration Panel (IRP) had been appointed last year and its report and recommendations had been published with the Council agenda.

The Monitoring Officer advised that in agreeing a Members Allowance Scheme, Council must have regard to the IRP's recommendations, but are not obliged to accept them.

Alan Ladley, member of the IRP, introduced the report and advised of the methodology and the evidence upon which the Panel's conclusions and recommendations were based. He summarised the recommendations, as set out in detail within the report: 5% increase in the Basic Allowance; 10% increase in SRA paid to the Leader; 10% reduction in the SRA paid to the Leader of the Minority Group; £50 per meeting payment to representatives on Outside Bodies; and, with regard to the Dependent Carers' Allowance, the additional provision for specialist care at the WSCC domiciliary care rate of £20.53 per hour.

Councillor Ray Dawe, Leader of the Council, thanked the Panel for its work and recognised that the recommended increase in the Basic Allowance reflected the relatively low rate compared to other local authorities and proposed that the IRP's recommendations be accepted.

However, in the light of the uncertainties caused by the pandemic, the Leader proposed that changes to the current allowance scheme be deferred for a year. He therefore proposed an amendment to the second recommendation in the Monitoring Officer's report, so that Council agree a Members Allowance Scheme effective from 2022/23 municipal year instead of 2021/22. The motion was seconded by Councillor James Wright.

Councillor Frances Haigh, Leader of the Minority Group, and a number of Councillors, expressed their support to defer the decision for year and retain the current Members Allowance Scheme, given the financial difficulties and challenges arising from the pandemic for both the Council and its residents. The motion was CARRIED.

After some debate, Adam Ladley reiterated that any report or recommendations produced by the IRP would be reached independently; it was up to Councillors whether they accepted or amended any of the recommendations.

Councillor Haigh proposed that the IRP review their findings by the end of April 2022 and an amended report be presented to Council for consideration. The motion was seconded by Councillor Tony Bevis. The motion was LOST.

It was noted that the IRP's report recommended that they reconvene at least once a year during its four-year tenure to confirm or reassess recommendations and consider any appropriate changes.

RESOLVED

- i) To note the report of the Independent Remuneration Panel and the recommendations of the Panel at appendix 7 of their report;
- ii) That a Members' Allowance Scheme for Horsham District Council be agreed, as recommended by the Independent Remuneration Panel, effective from the 2022/23 municipal year and, once implemented, to amend Part 6 of the Constitution accordingly, and authorise a supplementary estimate for any additional costs, as determined by the Director of Corporate Resources.

REASON

- i) There is a legal requirement that the Council has regard to the recommendations of an Independent Remuneration Panel when agreeing the level of Allowances paid to Members.
- ii) It is a function of Full Council to agree the level of Member Allowances.

CO/69 **GRANT DECISIONS ARISING FROM THE COVID-19 EMERGENCY**

The Chief Executive reported on the occasions he had needed to use the emergency powers granted to him by Council in December 2020. These powers were required to avoid losing Covid-19 related grant funding or to avoid delay in distributing grants to hard-pressed businesses.

In order to spend the grants received, the Council was required to set budgets so that officers could legally commit that expenditure, and the emergency powers had been used to expedite this process, with the proposed budgets going straight to Council without being considered by Cabinet first. It was noted that the Leader of the Council had been consulted.

The Chief Executive gave details of the proposed budgets, as set out in the report.

RESOLVED

- i) To note the amendments to the Additional Restrictions Discretionary Grant scheme made by the Chief Executive under his Head of Paid Service powers outlined in section 3.1.
- ii) To note the contract award made by the Chief Executive prompted by the need for quick spending of the Salix grant outlined in section 3.2.
- iii) To note the Chief Executive accepted the funding from the National Leisure Recovery Fund on 29 March 2021 outlined in section 3.3.

- iv) To note the Chief Executive recommends to Council to approve the National Leisure Recovery Fund and the Containment Outbreak Management Fund budgets rather than taking them through the usual Cabinet route.
- v) To approve the addition of £288,537 National Leisure Recovery Fund money received to the Leisure budget.
- vi) To approve the addition of £147,420.85 Containment Outbreak Management Fund money received to the Environmental Health & Licensing budget for 2021/22.
- vii) To approve the addition of £412,496 Containment Outbreak Management Fund provided by West Sussex County Council to the Homelessness budget.
- viii) To delegate to the Director of Corporate Resources any amendments to the homelessness budgets of the sums passed through from West Sussex County Council for this purpose and add any further grants money for homelessness received from County to these budgets.
- ix) To approve the addition of £128,133 to the Economic Development budget for activities under the Welcome Back Fund guidance to be reclaimed from the Ministry of Communities, Housing and Local Government in arrears.
- x) To approve a £15,000 increase in the Local Plan consultants' budget for further advice.

CO/70 **REPORTS OF REPRESENTATIVES**

No reports of representatives on outside bodies were received.

CO/71 **MEMBERS' QUESTIONS ON NOTICE**

No questions had been received.

CO/72 **URGENT BUSINESS**

There was no urgent business.

CO/73 **TO CONSIDER A REPORT CONTAINING EXEMPT OR CONFIDENTIAL INFORMATION**

RESOLVED that, under Section 100A of the Local Government Act 1972, 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 Part I of Schedule 12A of the Local Government Act 1972, by virtue of paragraph 3 (information relating to the financial or business affairs of any particular person, including the authority holding that information)

and in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CO/74 **RECOMMENDATION FROM CABINET (B)**

Leisure Management Contract – delegated authority and financial support

Councillor Ray Dawe, Leader of the Council, presented the report on measures that were recommended to ensure the Council-owned leisure centres, which had been forced to close during the national lockdowns, continue to operate.

Last year the Council had entered into agreements with Places Leisure, which manages a number of the district's leisure centres, to give them financial support during the pandemic. Because of the continuing impact of restrictions and level of unpredictability, it was recommended that the agreements were extended throughout 2021/22. The proposal was seconded by Councillor David Skipp.

RESOLVED

- i) To delegate authority to the Director of Community Services in consultation with the Leader of the Council, the Deputy Leader and Cabinet Member for Leisure & Culture, the Cabinet Member for Finance and Assets and Local Economy and Parking to agree any waiving of the monthly management fee from Places Leisure for the required period of financial support until usage recovers towards pre-Covid-19 levels, or ending 31 March 2022.
- ii) To delegate authority to the Director of Community Services in consultation with the Leader of the Council, the Deputy Leader and Cabinet Member for Leisure & Culture, the Cabinet Member for Finance and Assets and Local Economy and Parking to agree any financial support payments to Places Leisure for the period of closure and for reopening until usage recovers towards pre-Covid-19 levels, or ending 31 March 2022.
- iii) To delegate authority to the Director of Community Services in consultation with the Leader of the Council, the Deputy Leader and Cabinet Member for Leisure & Culture, the Cabinet Member for Finance and Assets and Local Economy and Parking to enter into any contract variations in respect of any financial support during the period of closure and for re-opening on the terms recommended.
- iv) To approve an increased budget.

REASON

- i) To ensure the four Council-owned leisure centres are able to open and continue to operate as soon as legislation allows. These leisure facilities are really important for the residents of the district, providing

activity and sporting opportunities, enabling good physical and mental health and wellbeing.

- ii) To avoid any potential breach of contract, which could result in the Council being liable for substantial costs.

The meeting closed at 8.20 pm having commenced at 6.00 pm

CHAIRMAN