

Cabinet
25 MARCH 2021

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

Also Present: Councillors: Matt Allen, Lynn Lambert, Tony Bevis, Karen Burgess, Peter Burgess, Ruth Fletcher, Billy Greening, Frances Haigh, Tony Hogben, Nigel Jupp, Richard Landeryou, John Milne, Godfrey Newman, Roger Noel, Josh Potts, Belinda Walters

EX/63 **MINUTES**

The minutes of the meeting of the Cabinet held on 28 January were approved as a correct record and would be signed by the Leader.

EX/64 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

EX/65 **ANNOUNCEMENTS**

The Cabinet Member for Environment, Recycling & Waste announced that the West Sussex Climate Change Board met yesterday for the first time. The board was chaired by WSCC comprised the relevant directors and portfolio holders from across the county. It will facilitate the exchange of information and good practice and ensure cohesion between local authorities.

EX/66 **PUBLIC QUESTIONS**

No questions had been received.

EX/67 **LOCAL DEVELOPMENT SCHEME UPDATE**

The Cabinet Member for Planning & Development advised that the Local Development Scheme, which included the timetable for the Local Plan review, had been updated to reflect the requirement for work with statutory consultees to be well advanced before the next stage of the Local Plan could be published. The timetable had been updated to allow a few additional weeks for these discussions with consultees to be concluded.

The Cabinet Member recommended publication of this timetable, which would be available on the Council's website. She confirmed that the Local Plan Regulation 19 consultation report was scheduled to go to Council in June.

RESOLVED

To approve the publication of the Local Development Scheme January 2021 – December 2023 as attached to the Cabinet report.

REASON

To ensure that the Council acts in accordance with the requirements of the Planning & Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

EX/68

HORSHAM TOWN CENTRE PUBLIC REALM STRATEGY AND DESIGN GUIDE

The Cabinet Member for Planning & Development presented the strategy and design guide. It built on the Town Centre Vision Statement adopted in 2017, and its development had involved extensive consultation with the Neighbourhood Councils and other local stakeholders. The Cabinet Member set out the key guiding principles that would ensure a consistent approach to design, as set out in the report. She thanked those who had contributed to its development, including the former Cabinet Member for Horsham Town.

The guide would inform the design and assessment process for future development and maintenance, and support the design of individual developments and projects over time. The Cabinet Member confirmed that having 'shovel ready' designs would enable the Council to bid for Government and other potential sources of funding more effectively.

RESOLVED

- i) To **recommend to Council** that it adopts 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.

EX/69 **IMPROVEMENT OF COMMUNITY FACILITIES IN DENNE WARD**

The Cabinet Member for Finance & Assets reported on proposals to renovate St Peter's Hall and the RAFA club. The Council had successfully applied for a government Energy Efficiency Grant of £238,000 to reduce the carbon emissions of the buildings. Alongside these works, it was proposed to create a fit-for-purpose and efficient space for use by the local community.

The Cabinet Member advised that, because of the timescales required to secure the grant funding, there was inadequate time to allow for a competitive tender process. The recommendation in the report therefore needed to be amended to allow for an additional £130,000 to the proposed budget.

The Cabinet Member advised that the return on the investment would be reduced from approximately 4% to 2.5% of the revised cost. He also stated that, should officers succeed in negotiating a variation to the grant conditions to allow time to secure a more competitive price, the additional £130,000 may not be required.

The Cabinet and other Members were supportive of the proposal, as revised, and welcomed improvement to this community facility in Denne.

RESOLVED

- i) To approve the project for the refurbishment of St Peter's Hall and the RAFA club.
- ii) To **recommend to Council** that a budget of £630,000 for 2021/22 be approved for the project, of which £238,000 will be grant funded.

REASON

To upgrade poor quality community facilities in Denne Ward and to improve the energy efficiency of the buildings. The proposals meet the Council policies to move towards net zero emissions by 2030 and to provide facilities to support health and wellbeing in the community. The reasons for rejecting alternative courses of action are dealt with in the body of the report.

EX/70 **USE OF ADDITIONAL RESTRICTIONS GRANT FOR PROJECTS TO ASSIST ECONOMIC RECOVERY**

The Cabinet Member for Finance & Assets and Local Economy & Parking reported that a budget was sought from Council to enable Additional Restrictions Grant (ARG) money, which was not needed for the Discretionary Business Grants scheme, to be spent on projects to support the business economy in Horsham District.

The Council had set up the Discretionary Business Grants scheme to enable the ARG to be distributed amongst relevant businesses. The Cabinet Member advised that in order to receive a further tranche of ARG, the Council was required to spend its existing allocation and this proposal would allow the surplus to be allocated to new and existing projects.

The Cabinet Member also proposed that the allocation of the budget be delegated to the Director of Corporate Resources, in consultation with himself, the Chairman of Overview & Scrutiny and the Leader of the Council.

RECOMMENDED TO COUNCIL

- i) To set up a budget for projects to encourage the restart and success of businesses in Horsham District for a value that, combined with spend on Discretionary Grants, is equivalent to the total of the Additional Restrictions Grant and any subsequent additions the Government makes to it.
- ii) To delegate to the Director of Corporate Resources, in consultation the Cabinet Lead for Finance & Assets and Local Economy and Parking, the Chairman of Overview & Scrutiny and the Leader of the Council the allocation of this projects budget to projects proposed by officers of the County, District and Parish Councils when supported by an adequate business case and delivery plan that can be met before 31 March 2022.
- iii) To approve the allocation of funds for the four projects outlined in paragraph 3.3 of the Cabinet report.

REASON

- i) A budget to spend this money on anything other than grants direct to businesses is needed for the Council to operate within its Constitution.
- ii) A delegation is needed to ensure we can identify and approve projects at speed to maximise the benefit our economy obtains from this Government grant.

- iii) Council approving these projects is the quickest way to get funding into these projects because using the delegation would need further discussion.

EX/71 **COUNCIL TAX SUPPORT SCHEME - ADDITIONAL DISCRETIONARY DISCOUNTS**

The Cabinet Member for Finance & Assets introduced the report on the Council Tax Support Grant. Local authorities had received this as part of a settlement to compensate for council tax that had been lost due to an increase in Council Tax Reduction Scheme claimants caused by the pandemic.

Last year WSCC had used their grant to set up a joint scheme with districts and boroughs in the county that gave claimants extra discounts of up to £150. WSCC had proposed that this scheme continues for 2021/22.

The Cabinet Member asked Cabinet to support WSCC's proposal to continue the scheme for another year, and to set up a budget made of WSCC's contribution, HDC's Council Tax Support Grant and any residual hardship grant from 2020/21.

RESOLVED

- i) To approve an additional discretionary discount of up to £150.00 per household for working age claimants in 2021/22.

To recommend to Council:

- ii) To set up a budget for 2021/22 comprising the County Council's share of payments and the remainder coming from a share of Horsham District Council's Council Tax support grant and any residual hardship grant from 2020/21.
- iii) To delegate to the Director of Corporate Resources the finalisation of the exact sums involved during 2021/22 provided they do not exceed the £145,981 Horsham District Council grant and any carry forward from 2020/21.

REASON

- i) County's offer to part fund this support will help our most vulnerable working age families in a year when their income is likely to be adversely affected.
- ii) A budget is needed to allow these transactions to take place.
- iii) The full cost of this scheme is not yet known because vulnerable customers in this group are likely to move in and out of work during

the year. This delegation will allow the Director to ensure customers get the help agreed against a varying budget level.

EX/72 **PROCUREMENT SHARED SERVICE - EXTENSION OF AGREEMENT**

The Cabinet Member for Finance & Assets reminded Members that since 2010 the Council's procurement service was a shared service run with Crawley, Mid-Sussex and, since Autumn 2020, Mole Valley.

He proposed that, due to the success of the current arrangement, it be extended for a further four years with an option to extend for another four years beyond that.

RESOLVED

- i) To approve the delegation of the provision of its procurement services to Crawley Borough Council from 1 April 2022 under Section 101 of the Local Government Act 1972.
- ii) To agree to the provision of services under an Inter-Authority Agreement for a minimum period of four years from 1 April 2022 to 31 March 2026 with an option to extend for a further period of up to four years.
- iii) To delegate authority to the Director of Corporate Resources and the Head of Legal and Democratic Services to agree the terms of the Inter-Authority Agreement which reflects the principles outlined in the report.
- iv) To delegate to the Director of Corporate Resources and Head of Legal and Democratic Services the ability to apply the four year extension at the end of the initial term subject to performance review in consultation with the Cabinet Member for Finance & Assets.

REASON

The current joint working arrangement with Horsham District Council, Mid Sussex Council and Mole Valley District Council is due for renewal on 31 March 2022 and therefore there is a need for Members to agree how procurement services will be provided in the future in order to give partners assurance that services will continue beyond this date.

EX/73 **TEMPORARY AGENCY STAFF CONTRACT**

The Cabinet Member for Finance & Assets reported that the current Temporary Agency Staff Contract was due to expire in April 2021. The current compliant framework agreement, set up by the Shared Procurement Service in 2017, had been reviewed and it was proposed that a new Dynamic Purchasing System would be a better fit and ensure a cost effective service for the Council.

The proposed contract would give flexibility to specialist agencies, not included in the current agreement, for recruiting staff with specific skills or knowledge, in particular planning officers and drivers.

RESOLVED

- i) To approve the use of the dynamic purchasing system for appointing temporary agency staff established on behalf of the Council by its Shared Procurement Service.

REASON

- i) Under the current Public Contracts Regulations (2015) each council is legally required to aggregate its spend on similar goods and services, and if this exceeds the current threshold of £181,302 over a 4 year period to go out to tender. Horsham District Council's spend averages c£580,000 per annum.
- ii) Crawley Borough Council, through the Shared Procurement Service, recently tendered to establish a dynamic purchasing system on behalf of its four member Councils (Crawley, Horsham, Mid Sussex and Mole Valley)
- iii) The creation and use of the DPS will enable the councils to standardise terms and conditions, agency fees, consolidate and reduce spending whilst complying with current regulations in an efficient process.

EX/74 **CONTRACT AWARD FOR THE PROVISION OF MANNED SECURITY SERVICES**

The Cabinet Member for Finance & Assets advised that the current contract for the provision of manned security services for Council-owned buildings was due to expire at the end of May. An open tender exercise for a five-year contract, with two 1-year extension had taken place in February. The contract had been awarded to the bidder with the second lowest price and the best overall score using a tender assessment ratio of 60% price and 40% quality.

The scope of the contract had been extended to include additional services and was approximately £5,000 more expensive than the previous contract. The Cabinet Member advised that the Property & Facilities team would look at ways to offset this variance.

RESOLVED

To accept the bid and award the contract to Company A (exempt Appendix 1), as the preferred supplier of Manned Security Services for the Council.

REASON

An open tender process was carried out with 21 replies received. The assessment of the tender was based on a 60% price and 40% quality evaluation. Company A provided the best overall score for the tender.

EX/75 **OVERVIEW & SCRUTINY COMMITTEE**

There were no matters currently outstanding for consideration.

EX/76 **FORWARD PLAN**

The Forward Plan was noted.

EX/77 **TO CONSIDER MATTERS OF SPECIAL URGENCY**

There were no matters of special urgency to be considered.

To consider two reports 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 items of business, on the grounds that they involve 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 paragraph 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) and in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

EX/78 **PROCUREMENT CODE EXEMPTION FOR THE PURCHASE OF SHORT-TERM TEMPORARY ACCOMMODATION**

The Cabinet Member for Community Matters & Wellbeing introduced the report, which sought to enable the Council to secure sufficient short-term accommodation for those in housing need. The impact of the pandemic and periods of lockdown had caused an increased number of rough sleepers. The proposal to remove the need to advertise for a contractor to provide temporary short-term accommodation for the financial years 2021/22 and 2022/23, up to but not exceeding a predetermined total spend, would give the Council the flexibility required to house rough sleepers.

RESOLVED

To approve a Procurement Code exemption to remove the need to advertise for a contractor to provide temporary short-term accommodation

for homeless residents for the financial years 2021/22 and 2022/23, up to but not exceeding an agreed total spend.

REASON

- i) The market for procurement of a single supplier for this work does not exist.
- ii) The spend on this type of accommodation is uncertain due to the impact of COVID-19 on the Council's direct instruction to house rough sleepers regardless of priority need status and the impact of the lockdown and recession on our residents and their security of tenure.
- iii) The time period between the receipt of the final audit report in February 2021 and the start of the new financial year is too short to put a compliant contract in place, even were there a market to do so.

EX/79 **LEISURE MANAGEMENT CONTRACT - DELEGATED AUTHORITY AND FINANCIAL SUPPORT**

The Cabinet Member for Leisure & Culture presented the report that outlined proposed measures to support Places Leisure in the management of four Leisure Centres in the district. The impact of the pandemic had been significant, with facilities closed for extended periods, and the proposal would ensure the four Council-owned leisure centres would be able to open and continue to operate as soon as legislation allows.

RECOMMENDED TO COUNCIL

- 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 6.48 pm having commenced at 5.30 pm

CHAIRMAN