

Cabinet
4 JUNE 2020

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

Also Present: Councillors Karen Burgess, Lynn Lambert and Tim Lloyd

EX/1 **MINUTES**

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

EX/2 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

EX/3 **ANNOUNCEMENTS**

The Cabinet Member for Planning and Development announced that responses to the Local Plan Regulation 18 were now going live, and all comments would be available by the end of the month.

The Cabinet Member for Local Economy and Parking announced that the reopening of the car parks and charging would take place from the 16th June. He went on to say that the council had received £128,132 of European Union funding as part of the Government's reopening of highstreets safely funding scheme. This was a most welcome initiative. In order to ensure the shops opened in the safest way possible, the Horsham District Task Force had been founded to ensure that shops could open as safely as possible.

EX/4 **PUBLIC QUESTIONS**

No questions had been received.

EX/5 **RENEWAL OF ENERGY PURCHASING CONTRACT THROUGH LASER**

The Leader introduced the report and said that the Council had participated in a flexible energy procurement arrangement since 2015 under a Framework contract with LASER (a Public Sector Buying Organisation). This contract was now due for renewal and it was proposed that the arrangement should continue.

LASER provides the aggregated, flexible and risk-managed approach route to procurement in line with the Government's guidelines for energy-buying by local authorities. LASER effectively acts as a buying club whereby HDC joins

together with other authorities and optimum prices were achieved by pooling their energy requirements.

LASER was a part of the Commercial Services Group, wholly owned by Kent County Council. It was fully European Union regulation (OJEU) compliant and LASER undertakes this role on behalf of 200 public sector organisations including over 130 local authorities throughout the UK with an annual spend of £450m (approximately 2% of the UK's non-domestic energy demand).

It was proposed that the Council continued with LASER over the next contract period running from 1 October 2020 to 30 September 2024 but that it did not commit the Council to a particular energy supplier or tariff. The contractual arrangements covered the supply of gas and electricity to the Council's operational buildings and had achieved significant savings.

RESOLVED

- i) That, given the estimated savings and the flexible procurement strategy, it was recommended that the Council continue its arrangement with LASER and participate in the framework contract for the 4 year period from 1 October 2020 to 30 September 2024.

Reasons for Recommendations

1. LASER benchmarks its purchasing performance each year and shares this information with its customers. This benchmarking exercise indicates that LASER has been able to deliver prices to customers at 4.6% below the market average over the last 4 years.
2. Government policy recommends that to spread market risk, and avoid buying during periods of peak market pricing, "all public sector organisations adopt aggregated, flexible and risk-managed energy procurement" as provided under the LASER framework.
3. LASER offers full flexibility to secure energy In line with the Council's policy to reduce its carbon footprint

EX/6 **REVIEW OF FEES FOR HIGH HEDGE DISPUTES**

The Cabinet Member for Planning & Development introduced the report and said that Part 8 of the Anti-social Behaviour Act 2003 made provision for local councils to determine complaints about high hedges submitted by the owners/occupiers of domestic properties adversely affected by evergreen hedges over 2 metres high. If it was considered by the council that the hedge in question was overly high and caused a statutory nuisance, then the owner of a high hedge could be ordered to take action to put right the problem.

S.68(1)(b) of the Act allowed councils to charge a fee for High Hedge complaints, the intention of which was to cover the costs of administration and determination of each case. Horsham District Council's present fee was £300.

Following an internal examination of the resources required to administer these cases, it had been found that the fee failed to cover the costs, representing only around 45% of internal costs incurred.

A benchmarking exercise examining the fees charged by 20 other local authorities in Surrey, Sussex and Kent revealed that 16 of these councils had increased their fees since the introduction of the legislation.

It was recommended that the fee in question should be raised to cover the costs of administration and determination as the Act originally intended, in line with the level of resource needed to achieve this, and that the fee be reviewed each year and linked to inflation.

RESOLVED

That:

- 1) An increase in the fee for the determination of High Hedge complaints to £645 be approved and;
- 2) The fee be increased each year in line with CPI inflation.

Reasons for Recommendations

- 1) To cover the costs of administration and determination of High Hedge complaints as intended under the legislation;
- 2) To ensure that the charge for High Hedge complaints keeps up with inflation.

EX/7 **GROUND MAINTENANCE CONTRACT**

The Cabinet Member for Leisure & Culture introduced the report and said that there was an opportunity to align the arboriculture and grounds maintenance contracts from 1 April 2022. There were several benefits to this recommended approach and a revised specification which included the ability to support the aims in the Wilder Horsham District initiative ensuring that the environment was protected and wildlife habitats were enhanced. There was an opportunity to contribute towards the council's sustainability and carbon-reduction ambitions, as detailed in the Corporate Plan.

In order to take advantage of this combined approach, it was necessary to extend the current grounds maintenance contract for a short period as it was due to end on 31 December 2020.

RESOLVED

That:

- i) The current grounds maintenance contract be extended for a period of 13 months, to end on 31 January 2022.

Reasons for Recommendations

The current arboriculture contract is due to end on 31 March 2022 and there is no option for extension. There is therefore an opportunity to combine the grounds maintenance contract with the arboriculture contract, through one tender process, in order to achieve the council's sustainability ambitions and gain efficiencies.

For operational reasons it is less risky to start a new grounds maintenance contract in February 2022 rather than April 2022. Therefore although there will be one procurement process and one resulting contract, the grounds maintenance element will start under the new contract in February 2022, whilst the arboriculture element will start under the same new contract in April 2022. Both elements will finish and will be reviewed again in the future on the same date.

EX/8 **FORWARD PLAN**

The Forward Plan was noted.

EX/9 **OVERVIEW & SCRUTINY COMMITTEE**

There were no matters currently outstanding for consideration.

EX/10 **TO CONSIDER A MATTER OF GENERAL EXCEPTION**

Cabinet considered an item under general exception, 4g.21 a) - d) of the Council's Constitution. All elements of General Exception have been complied that was not on the forward plan because the Government announced the grant on 1 May and issued its guidance on 14 May with the intention of the Council issuing grants in June.

- a Approval of the Council's policy for the award of discretionary small business grants

The Leader introduced the report and said that on the 1st May the Government announced that it would provide Local Authorities with additional funding to target small businesses with high fixed property-related costs not eligible for the current grant schemes. Guidance for the scheme was issued on the 14th May. An additional £513,000 for the scheme was provided to Horsham District in addition to the funds it

had left from the money it received for Small Business, Retail, Hospitality and Leisure Grants, which the Government expected to be £917,000. The report asked Cabinet to approve Horsham District Council's Discretionary Grants Fund Scheme in order to enable applications for the scheme to begin on 5 June 2020 and payment of the £1.43m fund to be made by 30 June.

RESOLVED

That the Horsham District Council Discretionary Grants Fund Scheme attached at appendix A of the report be approved.

Reasons for Recommendations

The Cabinet needs to approve a Discretionary Grants Fund Scheme to enable distribution of money given by the Government to support small businesses in Horsham District affected by the COVID-19 lock down, and not helped under any other scheme.

The meeting closed at 17:57 having commenced at 17:30.

CHAIRMAN