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Council

Wednesday, 19th October, 2022 at 6.00 pm

Chanctonbury Leisure Centre, Spierbridge Road, Storrington RH20 4PG

To: All Members of the Council

(Please note that prayers will be taken by The Reverend Sara-Jane Stevens, Priest in Charge of Sullington, Thakeham and Warminghurst, before the meeting commences)

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

	Page No.
GUIDANCE ON COUNCIL PROCEDURE	
1. Apologies for absence	
2. Minutes	5 - 16
To approve as correct the minutes of the meeting of the Council held on 7 September <i>(Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk 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. Declarations of Members' Interests	
To receive any declarations of interest from Members	
4. Announcements	
To receive any announcements from the Chairman of the Council, the Leader, Members of the Cabinet or the Chief Executive	
5. Questions from the Public	
To receive questions from the public under Rules 4a.2(f) and 4j1.1 – 4j1.12	

6. **Recommendations from Cabinet** 17 - 20
To receive and, if approved, adopt the recommendations from the meeting of Cabinet held on 29 September 2022:
- (a) **Update on the Council's financial position in 2022/23 and Medium-Term Financial Strategy update 2023/24 to 2026/27** (report of the Cabinet Member for Finance & Parking is available at: [Agenda item 6](#))
 - (b) **Housing Register and Nominations Policy revisions** (report of the Cabinet Member for Housing & Public Protection is available at: [Agenda item 9](#))
 - (c) **Use of 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure (The 'A' Boards Policy)** (report of the Cabinet Member for Horsham Town is available at: [Agenda item 11](#))
 - (d) **Facilitating Appropriate Development and Biodiversity & Green Infrastructure Planning Guidance documents** (report of the Cabinet Member for Planning & Development is available at: [Agenda item 14](#))
7. **Appointment of the Director of Resources & Chief Finance Officer** 21 - 24
To consider the report of the Head of HR and OD
8. **Reports of representatives**
To receive reports from representatives on outside bodies
9. **Members' Questions on Notice**
To receive questions from Members under Rules 4a.8(b) – 4a.13
10. **Urgent Business**
To consider matters certified by the Chairman as urgent
- a) **Cost of Living Support** 25 - 32
To consider the report of the Leader of the Council

GUIDANCE ON COUNCIL PROCEDURE

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

Addressing the Council	<p>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.</p>
Minutes	<p>Any comments or questions should be limited to the accuracy of the minutes only</p>
Quorum	<p>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.</p>
Declarations of Interest	<p>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.</p>
Announcements	<p>These should be brief and to the point and are for information only – no debate/decisions</p>
Questions from the public (Notice must have been given in writing to the Chief Executive by 12.00 three working days before the meeting)	<p>Directed to Leader, Cabinet Member or Chairman of an ordinary committee and relevant to the business of the meeting. 2 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 15 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. No discussion but any Member may move that a matter raised by a question is referred to Cabinet or committee. If seconded, no discussion – vote taken.</p>
Cabinet recommendations (see also rules of debate)	<p>Leader/Cabinet Member presents and moves recommendation(s) – seconder required. Members may:</p> <ul style="list-style-type: none"> - ask a question on the item under consideration – max 2 minutes; and/or - make a statement – max 5 minutes.
Questions from Members on Notice (Notice must have been given in writing to the Chief Executive by 12.00 two working days before the meeting)	<p>These are directed to the Chairman, Leader, Cabinet Member or chairman of any committee:</p> <ul style="list-style-type: none"> - 2 minutes maximum for initial question - 2 minutes maximum for the response - 2 minutes maximum for a supplementary question - 2 minutes maximum for a response to the supplementary question - 5 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. <p>No discussion. Maximum of 30 minutes overall for questions and answers.</p>

<p>Rules of debate</p>	<p>The Chairman controls debate and normally follows these rules but Chairman’s interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the question under discussion or a personal explanation or a point of order (max 5 minutes) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment o To move a further amendment if the motion has been amended since he/she last spoke o If first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) 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. 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. 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. - Amendments to motions must be to: <ul style="list-style-type: none"> o Refer the matter to an appropriate body/individual for (re)consideration o Leave out and/or insert or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - 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). - 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). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
<p>Voting</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"> - Two Members request a recorded vote - A recorded vote is required by law. <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 7 SEPTEMBER 2022

Present: Councillors: Kate Rowbottom (Chairman), Ian Stannard (Vice-Chairman), Matthew Allen, Andrew Baldwin, Martin Boffey, Toni Bradnum, Chris Brown, Karen Burgess, Philip Circus, Paul Clarke, Michael Croker, Ray Dawe, Ruth Fletcher, Joan Grech, Billy Greening, Tony Hogben (Deputy Leader), Nigel Jupp, Liz Kitchen, Lynn Lambert, Richard Landeryou, Tim Lloyd, John Milne, Colin Minto, Christian Mitchell, Roger Noel, Jon Olson, Bob Platt, Louise Potter, Sam Raby, Stuart Ritchie, Jack Saheid, David Skipp, Clive Trott, Diana van der Klugt, Claire Vickers, Belinda Walters, Tricia Youtan and James Wright

Apologies: Councillors: Tony Bevis, John Blackall, Alan Britten, Peter Burgess, Jonathan Chowen, Christine Costin, Brian Donnelly, Gordon Lindsay, Mike Morgan and Josh Potts

Councillor Kate Rowbottom, Chairman of the Council, led a minute's silence to honour the memory of two past-Councillors who had recently passed away:

John Charles (Denne Ward 1995 – 2003)
June Smith (Trafalgar Ward 1987 – 1995)

CO/24 MINUTES

The minutes of the meeting of the Council held on 22 June were approved as a correct record and signed by the Chairman.

CO/25 DECLARATIONS OF MEMBERS' INTERESTS

Item 9(b) Notice of Motion: Councillor Belinda Walters declared a personal interest because two family members lived in housing association properties.

CO/26 ANNOUNCEMENTS

The Chairman of the Council announced that last week she had attended the Springboard Project's 30th anniversary celebration and had also been given a tour of their premises. She praised this worthwhile organisation, which was her chosen Chairman's Charity.

Councillor Tony Hogben, Deputy Leader and Cabinet Member for Finance & Parking, made two announcements on behalf of Jonathan Chowen, Leader and Cabinet Member for the Local Economy:

- Horsham District Council was one of only two Councils in Sussex to secure funding from Rural England's Prosperity Fund, which had announced major investment in rural communities. HDC had been allocated £871,000 over the next two financial years to spend on capital projects that support small businesses and community infrastructure. Submissions on our priorities to secure the funding would be made by 30 November.
- A monthly Members' bulletin had been launched to give Members one convenient place for Council information and news. Members were invited to give their feedback to inform future editions.

Councillor Hogben made two announcements:

- Nationally, there had been some negative press regarding delays by local authorities in paying the Tax Band A – D £150 rebate. This was not the case in Horsham; the Cabinet Member gave details of the measures the Council had taken to ensure that as many as possible have been paid in a timely manner.
- The Cabinet Member had issued a press release yesterday regarding the financial impact of the cost of living crisis. He stated that the Council's use of this year's Council Tax increase as a fund to help with the cost of living crisis had been copied by other local authorities across West Sussex, and that HDC was widely seen as the lead authority on this matter.

Councillor Christian Mitchell, Cabinet Member for Horsham Town, made three announcements:

- Public realm improvements were taking place following consultation with the Neighbourhood Councils, Horsham Society and Local Members. Works would be carried out in three stages – Forum Walk, West Walk and then Blackhorse Way crossover – and were scheduled to be completed in early November.
- The Horsham Blue Print, Neighbourhood Plan for the unparished area of Horsham Town, had passed examination and a referendum on the plan was scheduled for 20 October.
- Public consultation on the proposed Horsham Conservation Area (Norfolk Road, Norfolk Terrace, Wellington Road, Chichester Terrace, Barttelot Road, Park Terrace, Park Street and East Street) was currently underway until 6 October.

Councillor James Wright, Cabinet Member for Environment & Rural Affairs, announced that Wilder Horsham District (WHD), the Council's partnership with Sussex Wildlife Trust, had helped 27 farmers on the River Adur catchment apply for a landscape level recovery grant. The application had been

successful and the project praised for being farmer-led. This significant nature recovery project would help support WHD's goals.

CO/27 **QUESTIONS FROM THE PUBLIC**

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

CO/28 **RECOMMENDATIONS FROM CABINET**

(a) **Burton Court Bin Store – approval of capital budget**

Councillor Tony Hogben, Cabinet Member for Finance & Parking, stated that the proposed budget would enable the issue of the bin store for Burton Court to be finally resolved. Before the Piries Place redevelopment, it had been within the carpark and a more suitable location had not been finalised when the car park was rebuilt. The budget would provide for a permanent high-quality bin store as a solution to the ongoing issues with the interim arrangements. It was noted that the car park redevelopment had been completed under-budget. The Motion was seconded by Councillor Christian Mitchell.

The Cabinet Member emphasised that Council was being asked to agree to the budget only and a planning application would be determined by a future Planning Committee.

RESOLVED

- (i) To approve a £100,000 capital budget for the Burton Court Bin Store in the 2022/23 capital programme.

REASON

- (i) To deliver a solution that is satisfactory for the stakeholder groups and meets the needs of the residents.

(b) **Extension of Parking Charge Increases to Additional Car Parks**

A number of increases to parking charges in Horsham District had been approved as part of the budget in February 2022. The Councillor Hogben stated that the proposed increases would ensure tariffs were consistent and proportionate, and corrected minor anomalies within the parking charges approved in February. The Cabinet Member advised that carpark use had recovered well since the Pandemic. The Motion was seconded by Christian Mitchell.

The Cabinet Member agreed to ask the Head of Service to look at parking charging models with more flexible payment rates, but stated that parking

revenue was a significant revenue for the Council and there was no evidence that current tariffs were deterring people from parking.

RESOLVED

- (i) To extend the 12.5% increase to the new 4-hour tariff in North Street Car Park.
- (ii) To extend the charge increases agreed for Southwater Country Park summer tariffs to the winter weekend tariffs.
- (iii) To extend the 10% increase on season tickets to the day passes available in the Forum, Swan Walk & Piries Place.
- (iv) To approve an increase in income of £22,500 to the Parking 2022/23 revenue budget.

REASON

These additional charges will ensure that consistency is maintained between car park tariffs and pricing structures. It will also ensure a smooth customer journey and simplicity where pricing structures vary based on the day or team of year. Only Full Council can approve budget changes.

CO/29 **STEYNING NEIGHBOURHOOD DEVELOPMENT PLAN**

Councillor Lynn Lambert, Cabinet Member for Planning & Development reported that, following extensive preparations and Examination the Steyning Neighbourhood Plan had been subject to a Referendum on 14 July 2022, where the majority (88%) of those who voted were in favour of the plan.

She thanked the Parish Council and local residents for the effort they had put into the preparation of the Plan, which had been delayed and reworked in light of Natural England's statement on water neutrality. The Local Members also paid tribute to the work of the Parish Councils and local residents and supported the Cabinet Member's recommendation.

Council's approval was therefore sought to make the Steyning Neighbourhood Plan part of the statutory Development Plan as required by the Town and Country Planning Act 1990 and the Localism Act 2011. This would mean that the Plan would be used in the determination of planning applications within the Parish area, in addition to the Horsham District Planning Framework.

RESOLVED

To formally "make" the following Neighbourhood Plan as part of the statutory Development Plan for Horsham District and apply the policies

within the plan for the purpose of determining planning applications within the relevant parish area:

1. Steyning Neighbourhood Development Plan 2011-2031

REASON

To meet the requirements of the Town and Country Planning Act 1990 (as amended), the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).

CO/30 **REPORTS OF REPRESENTATIVES**

Councillor van der Klugt, HDC representative on South Downs National Park Authority, gave a brief update on the Shoreham Cement Works' issues and options consultation, which had finished on 2 August. There had been 226 responses from individuals and organisations, including HDC. The SDNP were analysing the responses with a view to consulting on a preferred option next year.

CO/31 **NOTICE OF MOTIONS**

Three motions had been received, as set out in the agenda.

- (a) Motion Proposed by Councillor Sam Raby and seconded by Councillor Clive Trott

'This Council notes that:

- *On the 1 April 2022, Ofgem increased the energy price cap by 54 per cent and this is predicted to rise again in October.*
- *In light of the increased energy price cap, the average standard tariff energy bill is rising by £693 per year the average pre-pay meter energy bill is increasing by £780 per year. This is expected to rise again in October.*
- *The Consumer price index (CPI) shows twelve-month Inflation is now at 10.1% up to July 2022. Inflation is predicted to rise further next year.*
- *Evidence shows that food bank use has increased dramatically in Horsham. In July 2021, the Horsham Matters food bank fed 213 people, of whom 84 were children. This year those figures have already more than doubled – in July 2022, 483 people were fed of whom 187 were children.*

'Council therefore resolves to:

- *Declare a 'Cost of Living Emergency'*
- *Organise a Horsham Cost of Living Emergency Summit in the autumn, inviting a wide range of stakeholders such as Horsham Matters, Age UK, Citizens Advice Bureau and the Red Cross, to plan and co-ordinate support*

for Horsham residents, especially those in the most vulnerable households. Local MPs will also be invited to attend.'

The proposer and seconder spoke in support of the Motion.

Councillor Liz Kitchen, Cabinet Member for Community Matters, proposed an amendment to the Motion, which was to ADD the following before 'Council therefore resolves to:'

'This Council recognises the enormous pressure and unprecedented situation of the costs of living crisis, the rising energy costs caused by the ongoing effects of the COVID-10 pandemic and the war in Ukraine which are affecting residents in our district but especially those who are most in need.

This Council records that earlier this year the Council announced a package to help those most in need which included:

- *£90,000 for Housing Payments support helping those on benefits;*
- *£35,000 Hardship Fund to help people with debt;*
- *£15,000 grant to Horsham Matters so they can expand their fuel crisis support.*
- *£60,000 funding for two additional full-time posts at Citizens Advise to meet increased demand;*
- *£80,000 a mentoring scheme for young people in partnership with West Sussex County Council; and*
- *£15,000 increase in young people intervention training courses to better understand teenage behaviour.'*

And to DELETE the resolution of the Motion and REPLACE it with:

'The Council, in recognising the cost of living crisis facing this Country, resolves to continue to deliver support to those most in need and to continue to work with partner authorities and with third sector organisations to support all those in our community.'

The amendment was seconded by Councillor Billy Greening.

The Monitoring Officer advised that the amendment did not negate the motion and was valid under the rules set out in 4a.16 (f) of the Constitution.

After debate, the amendment to the Motion was put to the vote and was CARRIED.

(b) Motion Proposed by Councillor Martin Boffey and seconded by Councillor John Milne

'This Council notes that:

- *The Government has re-announced plans to introduce a right-to-buy scheme for housing association tenants;*
- *As the Council no longer operates a Housing Revenue account, we rely heavily on housing associations for the provision of homes to residents on our housing waiting list.*

This Council believes that:

- *Any further extension of right to buy to housing association properties will further deplete the number of properties available to those on our housing waiting list;*
- *This policy will have an extremely detrimental impact on our affordable housing strategy;*
- *The Government should instead fund local authorities and housing associations to deliver a step change in the delivery of new social rented and affordable homes, rather than force them to sell off their existing housing stock;*
- *The assurances given thus far that all properties sold will be replaced on a one-for-one basis are both unfunded and unachievable, as the government has no direct power over how housing associations build and replace properties.*

Therefore, this Council resolves to:

- *Write to the government minister expressing our opposition to these plans and ask for them to be halted immediately;*
- *Make a public statement against the policy change and in support of more funding for social rented and affordable rented homes from the Government;*
- *Write to our local MPs asking them to oppose the extension of right-to-buy and to give public support to this council's efforts to protect our district's affordable housing stock.'*

The proposer and seconder spoke in support of the Motion.

Councillor Tricia Youtan, Cabinet Member for Housing & Public Protection, agreed that any extension to the current right to buy arrangements would have a detrimental impact on affordable housing stock in Horsham District. She confirmed that, should further advances be made in rolling out right to buy legislation, she would contact local MPs and relevant government ministers to make the Council's views on this clear.

She therefore proposed to REFER the Motion to the Housing & Public Protection Policy Development Advisory Group for consideration, without further debate (under rule 4a.16(f) of the Constitution). The proposal was seconded by Councillor Claire Vickers.

The proposal to refer the Motion was put to the vote and was CARRIED.

- (c) Motion Proposed by Councillor Billy Greening and seconded by Councillor Karen Burgess

Councillor Greening agreed to withdraw the Motion, and Members consented without discussion.

CO/32 **MEMBERS' QUESTIONS ON NOTICE**

Three questions had been received.

- (a) Councillor Clive Trott asked Tricia Youtan, Cabinet Member for Housing & Public Protection, the following question:

“According to my postbag, Horsham town residents are increasingly concerned with the problems caused by the growing populations of urban wildlife. This includes urban foxes, roosting feral pigeons and the mess and noise associated with the increasing seagull population. Can the Council assure residents that this issue is being looked at, and measures are in hand, either through education or direct action, to mitigate the nuisance?”

The Cabinet Member replied:

‘In line with other local authorities across the country, we as a Council do not generally control birds or other wild animals and this is because animals in the wild, animals and birds, including their nests and eggs, are protected by law in the UK under the Wildlife and Countryside Act 1981. Any offences against this legislation can lead to an unlimited fine and prosecution of the parties involved. Accordingly professional pest control methods that deter the animals but do not harm them should be used wherever possible. Only animals listed in the relevant general licence can be removed by the authorised qualified person..... The best way to get rid of nuisance animals including pigeons from an area is to remove their food source and nest/den building opportunities and most importantly don't feed them.’

She outlined the advice from the Council's Environmental Health Team for landowners to make premises less attractive to nuisance animals, which included:

- Limiting food sources and access to anything they can use to build nests/dens;
- Removal of old and redundant nests/dens and building material from previous seasons (after checking it is not currently used);
- Wherever practical, entry points should be proofed to deny animals and birds access. Where doors must remain open for extended periods they should have strip curtains or similar fittings.

The Cabinet Member concluded by saying:

'As a Council we can and we will do what we've done in the past ... we are yet again going to produce an 'educational' for residents to put on our website and we will probably write to our local papers.'

In reply, Councillor Trott responded by thanking the Cabinet Member for her reply and emphasised the importance of discouraging people from feeding nuisance animals, in particular urban foxes, which should not be encouraged.

- (b) Councillor Mike Croker asked Councillor Lambert, Cabinet Member for Planning & Development, the following question:

'It is now close to one year since Natural England issued their position statement regarding the effect that abstraction within the Sussex North Water Supply Zone is having on the environmentally sensitive Arun Valley sites.

Whilst I welcome the extensive guidance available on our website for potential developers, would the Cabinet Member please update Council on the current state of agreement, or not, between Natural England, Southern Water and this Council on what constitutes a Water Neutral development?'

The Cabinet Member replied:

'There is now a common understanding of what a water neutral development is. It is one that does not result in an increase in water-use at the site compared to existing demand. Legally, it is a matter for Horsham District Council as the competent authority, in consultation with Natural England, to conclude whether or not a development is water neutral. As a result, applicants for development for new homes or employment units must prove to our satisfaction that this can be achieved. This is a very high bar, given that new development will inevitably use water. In general terms this can be achieved by ensuring that the development is as water efficient as possible, then offsetting remaining water demand. Offsetting can be achieved in different ways but could include retrofitting to make existing developments more water efficient.'

Councillor Croker asked a supplementary question:

'I am pleased you mentioned efficiency in use of water, I think that one of the things we will see is rainwater harvesting being used more often. I note that in our current draft Regulation 19 Policy 38, regarding sustainable design and construction, it is required that new residential development achieves water

efficiency of 100 litres per person per day, but any development above 200 homes is expected to achieve 80 litres per person per day. Given the environmental stress caused by increasing global temperatures is there not an argument for requiring the lower limit to apply to all new development?'

The Cabinet Member replied:

'We would like all new developments, large or small, to be 85 litres per person per day. Larger developments have the ability to pay. It's a lot more expensive to bring it down to 85 than it is to leave it at 100. Therefore the smaller developments cannot afford it, bearing in mind we want biodiversity net gain, we want affordable homes. They cannot afford to put the money in to bring it down to 85 whereas the larger developments can...'

Councillor Croker responded by saying that *'in the end it's the environment that pays.'*

- (c) Councillor Andrew Baldwin asked Councillor Toni Bradnum, Cabinet Member for Recycling & Waste, the following question:

'I hope that the new Secretary of State for Environment, Food and Rural Affairs has the courage and conviction to take real effective action, not just tough talking, to dealing with the growing problem in this country of litter, fly tipping and allowing water companies to pump vast amounts of raw sewage into Britain's seas and rivers. Compared to most other European countries we are a national disgrace when it comes to these issues.'

Whenever you ask residents what local issues are important to them I guarantee litter and clean streets and grass verges always comes out near the top of the priorities. Despite the hard work of our dedicated officers in clearing up other people's litter, it is never ending and is made worse because the fine is too small to act as a real deterrent.'

Campaigners at Clean Britain said the level of littering was "shameful" and that enforcement of fines by councils should be made compulsory. They also said that the maximum on-the-spot fine of £150 was "derisory" and should be increased to £1,000 which I totally agree with.'

Since last November this council has only issued 28 Fixed Penalty Notices for littering and the fine is only £75 which is reduced to £50 if paid quickly. Some councils, like for example Brighton & Hove, charge the maximum on the spot fine of £150 which can be reduced to £110 if paid quickly.'

I am asking the Cabinet member for Recycling and Waste whether or not Horsham District Council has any plans to increase the fine we charge to £150 and if not why not?'

The Cabinet Member thanked Councillor Baldwin for highlighting the problem and his engagement with this matter. She stated that officers worked hard to

clear fly tipping, and also investigated its source. She stated that the number of Fixed Penalty Notices (FPNs) issued had greatly improved with a new Environmental Enforcement Officer in post.

The Cabinet Member stated that the Neighbourhood Wardens prefer to engage with an offender and educate rather than issue fines. She also confirmed that charges levied by neighbouring local authorities were not dissimilar to those issued by HDC.

She highlighted the difficulties in identifying those littering from vehicles, and itemised the actions taken regarding enforcement along the A264 and the issue of large vehicles carrying waste, and that the Head of Waste had arranged to meet some companies to find a solution, for instance providing improved netting for large vehicles.

She also stated that:

'We can certainly explore increasing our charge which is currently £75 reduced to £50 if paid in 14 days. We will be discussing the pricing of fines at the next Recycling & Waste Policy Development Advisory Group, and you are welcome to attend and join the discussion. If our fines were uplifted from the statutory minimum this would have to come back to Council.... In summary we can certainly explore increasing the FPN charges and also look at other ways to educate including meeting with these companies to tackle the problem.'

She also thanked the Cleansing Team and officers, and in particular thanked those residents who participate in the Adopt the Street scheme, which makes a huge difference to the overall cleanliness and appearance of the district.

Councillor Baldwin asked a supplementary question:

'Recently five FPNs were issued to the same firm and they are not a skip hire company where there are problems with netting and sheeting.... Something is wrong if five are issued in a short period of time. How many FPNs do we have to issue before firms like this are prosecuted?'

The Cabinet Member thanked Councillor Baldwin of informing her of this particular case, which she was not aware of, and said that she would look into this matter.

CO/33 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 8.00 pm having commenced at 6.00 pm

CHAIRMAN

COUNCIL
19 October 2022
CABINET RECOMMENDATIONS

Recommendations to Council made at the Cabinet meeting held on 29 September 2022

(a) Update on the Council's financial position in 2022/23 and Medium-Term Financial Strategy update 2023/24 to 2026/27

The report to Cabinet gave an update on the Council's financial position and on how the medium-term financial planning scenarios and assumptions have changed since the budget was set in February 2022. The update and assumptions were made in the light of the high level of uncertainty due to inflation, pressure from salary increases, uncertainty on business rates reform and other factors. The Council's high levels of reserves allows for considered decisions in the short term.

As more information becomes available during 2022/23, there will be further updates, with the focus on levels of inflation and also the work needed to set balanced budgets across the medium-term which is likely to require substantial action.

Paragraph 3.22 of the report sets out fees and charges for hiring Blackbridge Community Centre, which had recently been refurbished and is now available for hire, along with comparisons with other Horsham venues.

Cabinet RESOLVED

- (i) To note the changes to the Council's financial position in 2022/23 and the medium-term; and

RECOMMENDED TO COUNCIL

- (ii) To approve the updated list of fees and charges in paragraph 3.22.

REASON

- (i) The Council needs to acknowledge the effects that high levels of inflation will have on its financial position both in the short and medium-term. This has moved the council from what has been a long-term healthy financial position to one with predicted deficits unless action is taken on fees and charges. Given the level of uncertainty in the projections, the economy and proposed Government action, the report does not recommend direct action to reduce expenditure at this stage.
- (ii) To ensure these fees and charges are approved by full Council as per the constitution.

(b) Housing Register and Nominations Policy revisions

The Council adopted its new Housing and Homelessness Strategy in October 2021. As part of the strategy 2021-2026 five overall objectives (set out in the executive summary of the Cabinet report) had been identified to assist in tackling the challenges surrounding housing and homelessness in the district.

Following a review with staff and stakeholders, a number of changes relating to Objective 4 (to provide and maintain an accessible and fair Housing Register) had been proposed. These changes to the Council's Housing Register and Nominations Policy sought to improve the process used to meet the housing needs of those who require housing with the district.

Council RESOLVED

To approve the proposed changes set out in the report to Cabinet; and

RECOMMENDED TO COUNCIL

That the revised Housing Register and Nominations Policy is adopted.

REASON

To ensure the Council fulfils its statutory responsibility of having a current Housing Register and Nominations Policy.

(c) Use of 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure (The 'A' Boards Policy)

The proposed 'A' Boards Policy provides a set of comprehensive guidelines and advice as to the number, size, positioning and management of 'A' Boards and other advertising structures on the highway.

This follows representations from ward members and Denne Neighbourhood Council on the effect the current arrangements for 'A' boards are having on general accessibility around the town centre and a negative visual impact. The draft policy has been developed to balance the needs of businesses and pedestrians and to address visual impacts.

RECOMMENDED TO COUNCIL

To approve the 'A' Boards and other Advertising Structures on the Highway - Policy, Guidelines and Enforcement Procedure (as set out in [Appendix A](#) of the Cabinet report).

REASON

- (i) To set out the policy and procedure for dealing with items placed upon the highway, (which includes the highway verge, footpaths, paved areas and pavements) and/or attached to highway property.
- (ii) To ensure public safety and the free passage for pedestrians along footpaths and the highway.

(d) Facilitating Appropriate Development and Biodiversity & Green Infrastructure Planning Guidance documents

Two advice documents have been drafted to provide guidance to those involved in submitting and determining planning applications prior to the adoption of the new Local Plan. Both the Facilitating Appropriate Development (FAD) and the Biodiversity and Green Infrastructure Planning Advice Note (PAN) are non-statutory planning documents.

Cabinet resolved to seek formal endorsement of both documents so that they can be published and used in the consideration of planning applications. This will help to ensure that the Council is clear on its emerging aspirations and evidence including biodiversity net gain requirements, climate change measures and emerging evidence indicating the potential for higher levels of affordable housing provision.

RECOMMENDED TO COUNCIL

- (i) To formally endorse the Facilitating Appropriate Development (FAD) and agree to the publication of the document for use as a non-statutory Planning Guidance document.
- (ii) To formally endorse the Biodiversity and Green Infrastructure Planning Advice Note (PAN) and agree to the publication of the document for use as a non-statutory Planning Guidance document.
- (iii) To grant the Cabinet Member for Planning and Development delegated authority to agree any necessary minor editorial changes to the documents referenced in (i) and (ii) above.

REASON

To provide clear and consistent planning guidance to aid applicants, stakeholders and those involved in determining planning applications in advance of the adoption of the new Local Plan.

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Report to Council

19th October 2022

By Robert Laban, Head of HR&OD

DECISION REQUIRED

Not Exempt



**Horsham
District
Council**

Appointment of the Director of Resources & Chief Finance Officer

Executive Summary

The purpose of this report is to seek approval for the appointment of the Director of Resources and to the statutory position of Chief Finance Officer, under Section 114 of the Local Government Finance Act 1988 and under Section 151 of the Local Government Act 1972 ("s.151 Officer"), for Horsham District Council.

Recommendations

Council is recommended to:

- i) note the Employment Committee nomination of Dominic Bradley as the Director of Resources and s.151 Officer;
- ii) agree the appointment of Dominic Bradley to the position of Director of Resources with effect from 20 October 2022, at a starting salary of £94,270 p.a. up to £101,269 (subject to national cost of living awards);
- iii) agree the designation of Dominic Bradley as Chief Finance Officer, s.151 Officer, of Horsham District Council with effect from 20 October 2022.

Reasons for Recommendations

- i) To comply with the legal requirements set out above, to appoint a person responsible for the Council's financial affairs ("s.151 Officer").
- ii) To appoint to the vacant Director of Resources position.

Background Papers: None.

Wards affected: All.

Contact: Robert Laban, Head of Human Resources and Organisational Development,
01403 215406

Background Information

1 Introduction and Background

- 1.1 To ensure a timely and smooth transition to the Director of Resources and s.151 Officer role, following the appointment of the previous postholder Jane Eaton as Chief Executive, Council accepted the recommendation of the Employment Committee to appoint Dominic Bradley as the interim Director of Resources, at its meeting on 27 April 2022,
- 1.2 It was agreed that the interim post is for a period of six months, in which to start the appointment process to the permanent role, and as necessary until such date as a permanent appointment is made and the appointee commences their duties.

2 Details

- 2.1 Section 151 of the Local Government Act 1972 requires every local authority to make arrangements for the proper administration of their financial affairs and requires one officer to be nominated to take responsibility for the administration of those affairs.
- 2.2 The s.151 Officer must be a qualified accountant belonging to one of the recognised chartered accountancy bodies.
- 2.3 The s.151 Officer has several statutory duties, including the duty to report any unlawful financial activity involving the authority (past, present, or proposed) or failure to set or keep to a balanced budget.
- 2.4 The s.151 Officer also has several statutory powers to allow this role to be carried out, such as the right to insist that the local authority makes sufficient financial provision for the cost of internal audit.
- 2.5 The Employment Committee took advice on the process to appoint a permanent Director of Resources and s.151 Officer from Solace, which set out the challenging market for roles of this kind. Their research showed that suitable candidates are scarce, with many s.151 officers approaching retirement age, and their deputies being tied in as natural successors. In addition, a wider market consequence of the pandemic has been increased appreciation of work-life balance and hybrid working, with many senior professionals re-evaluating whether the next step up the career ladder is their priority.
- 2.6 Given that state of the market, but more so having a strong internal candidate in Dominic Bradley, who has successfully acted up for a 6-month period and served as deputy s.151 Officer and Head of Finance at Horsham District Council for several years, the Employment Committee decided to offer the permanent Director of Resources and s.151 Officer roles to Dominic Bradley, subject to Council's agreement.
- 2.7 A summary of Dominic Bradley's career history is attached as Appendix 1.

3 Views of the Policy Development Advisory Group and Outcome of Consultations

3.1 Not applicable.

4 Other Courses of Action Considered but Rejected

4.1 To advertise nationally for the position and undergo a full recruitment and selection process at a projected cost of £25,000. Alternatively, a lower cost approach to advertising on social media channels and a slimmed down selection process at a projected cost of £10,000. As set out in section 2, above, these possible actions were rejected, given the state of the market, and having a strong internal candidate.

5 Resource Consequences

5.1 There are no additional resource consequences.

6 Legal Considerations and Implications

6.1 Legal requirements have been complied with, as listed in section 2, above.

7 Risk Assessment

7.1 Not applicable.

8 Procurement Implications

8.1 There are no procurement issues, as this is an internal process.

9 Equalities and Human Rights implications / Public Sector Equality Duty

9.1 As this is an internal process of appointing the interim Director of Resources and s.151 Officer to the permanent position, there is no relevant equality legislation to be taken into account.

9.2 An Equalities Impact Assessment is not applicable.

10 Environmental Implications

10.1 Not applicable.

11 Other Considerations

11.1 GDPR/ Data Protection does not apply in respect of salary details, as salaries of senior staff are subject to being published under the open data, transparency and accountability agenda; there are no other considerations.

APPENDIX 1

Summary of Dominic Bradley's career history:

Dominic Bradley, BA, CPFA

BA (hons) History, Durham University
Chartered Member of the Chartered Institute of Public Finance & Accountancy

EMPLOYMENT

April 2022 to date: Horsham District Council

Interim Director of Resources
Section 151 Officer

2020 to April 2022: Horsham District Council

Head of Finance and Performance
Deputy s.151 Officer

2015 - 2020: Horsham District Council

Head of Finance
Deputy s.151 Officer

2012 - 2015 Grant Thornton UK LLP

Senior Manager, Public Sector Assurance

2001 - 2012: Audit Commission

Manager, Public Sector Assurance

Report to Council

19 October 2022

By the Leader of the Council



**Horsham
District
Council**

DECISION REQUIRED

Not Exempt

Cost of Living Support

Executive Summary

The national cost of living crisis is having an impact on people across the Horsham District. There is evidence to suggest that it is starting to impact on groups of people who would not typically use the community and voluntary sector or benefits system for support. The report has been developed following discussions with Age UK, Citizens Advice and Horsham Matters in October 2022 to implement measures to positively benefit the wellbeing of Horsham District residents. The £250,000 costs will be funded from the earmarked community fund reserve, spread over a two-year period.

The recommendations follow actions taken by the Council in June 2022 to the use of £300,000 (the equivalent of the 2021/22 Council Tax increase) to invest in schemes and organisations that support residents struggling with cost of living issues.

Recommendations

That the Council is recommended to:

- i) Enter a partnership agreement with Citizens Advice to provide two new advisors to support residents through the cost of living crisis, costing approximately £160,000 over a two year fixed period.
- ii) Fund the Low Income Family Tracker for a two year period costing approximately £40,000 in total.
- iii) Provide an additional £25,000 one-off funding to Horsham Matters to support the Foodbank provision in 2022/23.
- iv) Agree to a new corporate project to create an accessible directory of services.
- v) Create a flexible fund of £25,000 to support in year interventions identified through partnership work with community groups and voluntary sector organisations. Use of this fund will be subject to approval by Director of Communities in consultation with Cabinet Member for Finance & Parking and the Cabinet Member for Community Matters.

Reasons for Recommendations

It is considered that these proposals will have a significant and valuable impact on Horsham District residents who are being affected by the increases in the cost of living. Making the decision at this meeting will allow support to start to be provided immediately. Full Council must approve budgetary changes.

Background Papers: None

Wards affected: All

Contact: Paul Anderson, Director of Communities. 07795641736

Background Information

1 Introduction and Background

- 1.1 Horsham District Council has been active in targeting actions to address the impact of the cost of living crisis on its communities. In June 2022, Council agreed to the use of £300,000 (the equivalent of the 2021/22 Council Tax increase) to invest in schemes and organisations that support residents struggling with cost of living issues. This sum included a £15,000 grant to Horsham Matters to increase fuel crisis support and other cost of living support interventions, an extra £90,000 in Discretionary Housing Payments to help those struggling to find enough money to pay their rent, and an extra £60,000 to help Citizens' Advice fund more advice workers for people in financial difficulty.
- 1.2 Officers from the Community Services team have also facilitated a series of community advice drop-in sessions throughout the District to ensure advice is available to all. These are scheduled to continue into 2023.
- 1.3 Furthermore, officers within our Community Services team have also been actively working with partners in the voluntary sector, faith groups, parish councils and other public sector bodies to develop a shared understanding of the impact locally and agree measures that can be taken to support residents. These have taken the form of one to one conversations, Third Sector Leaders Networking events and shared learning of District and Borough Councils across West Sussex.
- 1.4 Additionally, at its last meeting Council agreed the following motion:
- “This Council notes that:
- On the 1 April 2022, Ofgem increased the energy price cap by 54 per cent and this is predicted to rise again in October.
 - In light of the increased energy price cap, the average standard tariff energy bill is rising by £693 per year the average pre-pay meter energy bill is increasing by £780 per year. This is expected to rise again in October.
 - The Consumer price index (CPI) shows twelve-month Inflation is now at 10.1% up to July 2022. Inflation is predicted to rise further next year.
 - Evidence shows that food bank use has increased dramatically in Horsham. In July 2021, the Horsham Matters food bank fed 213 people, of whom 84 were children. This year those figures have already more than doubled – in July 2022, 483 people were fed of whom 187 were children.
- The Council, in recognising the cost of living crisis facing this Country, resolves to continue to deliver support to those most in need and to continue to work with partner authorities and with third sector organisations to support all those in our community.”
- 1.5 In the period since that meeting, officers have been working with the Leader and Cabinet to consider possible options to provide additional support to residents and have also been working with the voluntary sector to understand the situation locally.

This report proposes expenditure on partnership initiatives that could make a tangible difference to people's lives in the Horsham District.

- 1.6 The Monitoring Officer is aware of this report and was consulted on moving it forward as an urgent time as well as checking the report. The Interim Director of Resources advised on the simplest way to set up the budget needed.

2 Relevant Council policy

- 2.1 The recommendations in the report support Horsham District Council's corporate priority 'A strong, safe and healthy community'.

3 Details

- 3.1 On 3 October 2022, officers met again with representatives of Age UK, Citizens Advice and Age UK to better understand the issues in the District, to hear first-hand the situation locally and to understand from them what Horsham District Council could do to help support them to support residents. Some of the key facts raised by partners were:

- There is an increasing demand for food parcels (around 900 parcels were given to residents in August 2022)
- There has been a 30% reduction in food donations to the food bank and a reduction in financial contributions
- As older people spend more time in their homes to avoid getting cold outside, there has been an increase in social isolation
- Citizens Advice are being contacted by middle income families for support and advice – people who have never received benefits and have not had to seek external support previously
- Citizens Advice are supporting 3,000 people per quarter in Horsham District, with around 100 people a week visiting their offices. They advised that there had been an increase in people needing advice for complex financial situations, including because of visits from bailiffs
- Around 50% of Citizens Advice Customers have mental health issues
- The increased energy costs at Citizens Advice equate to the cost of one part time advisor

- 3.2 As a result of that meeting, progress is being made on a number of initiatives that can be delivered with existing resources, including:

- HDC Property Team is working with Horsham Matters to identify a facility that can be used in November and December to allow them to prepare Christmas food parcels

- Resilience training is being developed for employees and volunteers at both Horsham District Council and the voluntary sector so that they are better placed to manage the personal impact on them of listening to and supporting people in crisis
- Developing an event for Horsham District Councillors to provide training and advice to provide Members with a more detailed briefing on the current issues, the support and help that is available and how as elected Members they can best support and signpost their residents

3.3 It is considered that significant further progress could be achieved locally with additional expenditure which could be funded through the earmarked Community Fund reserve which contains £250,000 that was set aside for supporting the community through difficult times most notably under Covid-19.

3.4 The following initiatives are proposed which have been developed with our partners:

Large scale, meaningful and proactive partnership with Citizens Advice.

£160,000 over two years. This would fund two additional advisors employed within the Citizens Advice service and based within the HDC Community Development Team. They would have a peripatetic role and would work with community groups across the District to deliver debt advice and advise people about income maximisation (such as ensuring that people claimed all the benefits – both those provided through the state and employers). They would also use the Low Income Family Tracker (see below) to target specific sections of community to proactively deliver a service and a preventative approach to debt awareness and advice.

Invest in the Low Income Family Tracker (LIFT). £40,000 over two years. This is a service facilitated by Policy in Practice which allows organisations to effectively interrogate data sets and records to identify residents who may be able to access more financial support or benefits that they would be entitled to. For instance, it could be used to identify residents not claiming a Single Persons Discount on their Council Tax, or identify households receiving specific income related benefits such as the Personal Independence Payment. The latter example would allow HDC to proactively target that group with the other associated income and non-financial benefits that they should be entitled to. There is significant evidence nationally that there are a number of under accessed non-financial benefits that will have a positive impact on the finances of households. These include childcare vouchers, NHS low income scheme and working from home tax rebates. The advantage of this initiative is that it would allow us to start to help people before they have identified themselves that they need help.

Supporting Horsham Matters with Foodbank provision. £25,000. It is suggested that on the basis that demand for the service is continuing to grow combined with a reduction in both food and financial donations, it would be appropriate to provide an additional one off payment to support them.

Establish a flexible fund support in year interventions identified through partnership work with community groups and voluntary sector organisations. £25,000. Use of this fund will be subject to approval by the Director of Communities in consultation with the Cabinet Member for Community Matters and the Cabinet Member for Finance and Parking.

Development of a new corporate project to create a user focused and accessible service directory for local residents. It is considered that this could be broken down into category of need (e.g. debt, social isolation, new or expectant parents) and/or locations. This would be based on the existing list of community services that are provided on the HDC website but would be redesigned and promoted to better meet the needs of our communities. At the current time, no costs have been identified as the project will be delivered from existing staffing resources. It may be that as the initiative develops there will be a budgetary requirement, which will be considered by SLT and reported to Council if appropriate.

4 Next Steps

- 4.1 Subject to the approval of the recommendations, officers will work with Citizens Advice to progress the recruitment of two new members of staff, which will allow the initiatives the support initiatives to commence by January. The financial support to Horsham Matters could be provided immediately and officers from teams across the Council will work corporately on the new project.

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

- 5.1 Due to the fast moving nature of this issue, the proposals have not been discussed with a Policy Development Advisory Group, hence the report coming as an urgent item. The Cabinet Member for Community Matters will continue to brief her Policy Development Advisory Group on the progress. The proposals have been developed in partnership with the voluntary sector and it is considered that they will provide appropriate support to residents.
- 5.2 The Monitoring Officer and Interim Director of Resources have reviewed the report and the proposals and are satisfied with their legal and financial probity.

6 Other Courses of Action Considered but Rejected

- 6.1 It is considered that the proposals set out in the report will have a meaningful impact on local residents. By using funds to deliver support and advice we can target more residents and deliver value for money. Whilst it was an option to focus purely on initiatives that could be delivered from within existing resources, it was not considered that this was appropriate given the scale of the cost of living crisis and HDC's role in supporting its communities.

7 Resource Consequences

- 7.1 The estimated expenditure will be funded from the earmarked Community Fund which contains £250,000. As expenditure is undertaken it will be match funded from the reserve in the year, up to the value of £250,000. The approximate expenditure in 2022/23 is expected to be £60,000, but net neutral after the application of

reserves to fund this. Spend in future years will be incorporated into the budget setting process for each year.

- 7.2 The creation of two new posts would ensure that the key work around providing advice and using the LIFT product can be delivered with a minimal impact on existing HDC priorities. It is anticipated that a new project to develop an accessible service directory will largely be deliverable from within existing staffing resources, although there may be an impact on current projects and workstreams. This will be considered as part of the project and any issues will be escalated to SLT for consideration.

8 Legal Considerations and Implications

- 8.1 The establishment of new budgets is reserved to Council under the Council's Constitution. This report requests a referral of the matter to Council to set up such a budget. This urgent item has been dealt with in accordance with 4d.4 of the Council's Constitution.

9 Risk Assessment

- 9.1 The proposals set out in the report are designed to reduce the risk of additional demands being placed on HDC services. The cost of living crisis will create additional pressures for a number of services, including Housing, Community Services and Revenues and Benefits. It is considered that through providing additional support the increase in demand for Council services will be partially mitigated.

10 Procurement implications

- 10.1 There are no procurement implications.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 This support will be targeted at those people who are most in need, the majority of whom will be on low of middle income levels. Data will be used to ensure that communication is targeted to those people that it is considered are most in need of support. The two fixed term advisors will work with partner organisations to understand the parts of the community who will be most in need of support and will ensure visibility and communication with those groups in a way that works for them.

12 Environmental Implications

- 12.1 There are no specific environmental implications arising from this report, although the development of all activities and initiatives will be mindful of HDC's target to be carbon neutral by 2030.

13 Other Considerations

- 13.1 There are no direct crime and disorder implications, although it can be anticipated that an increase in personal financial difficulties will lead to an increase in reported crime. The use of all databases and other sources of information will ensure that GDPR and data protection legislation is fully complied with.