

Horsham District Council – Decisions taken by the Cabinet on Thursday, 24 November 2022

Agenda Item No	Topic	Decision
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Part A – Items considered in public

<p>A6</p>	<p>Update on the Council's financial position in 2022/23 and Medium-Term Financial Strategy update 2023/24 to 2026/27</p>	<p>RESOLVED</p> <p>(i) To note the changes in the Council's financial position in 2022/23 and medium-term.</p> <p>RECOMMENDED TO COUNCIL</p> <p>(ii) That the charges from 1 April 2023 for the garden waste subscription service are increased from £44 for the first bin to £49 and for any subsequent bin increased from £35 to £41.</p> <p>(iii) That Fixed Penalty Notices for littering and fly tipping be raised from £75 to £150 with a £110 early payment fee (currently £50).</p> <p>(iv) To increase the car park advertising fees as set out in Appendix 3.</p> <p>(v) To approve the creation of a revenue budget in Leisure services for the Drill Hall of £9,000 income and £27,100 expenditure, which is a net cost of £18,100 in the 2022/23 budget.</p> <p>(vi) To increase the capital budget for the Highwood Community Centre project by £150,000, from £2.75m to £2.9m.</p> <p>REASON</p> <p>(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</p>
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		<p>to reduce expenditure at this stage.</p> <p>(ii) to iv) Council required to approve fees and charges, as per the constitution.</p> <p>(v) Council is required to set the revenue budget, as per the constitution. The budget will enable the Council to continue to operate the Drill Hall for the final quarter of 2022/23.</p> <p>(vi) Council is required to set the capital budget, as per the constitution.</p>
A7	Horsham Carfax Markets Operator Contract Award 2023 - 2026	<p>RESOLVED</p> <p>To approve the award to Supplier A Limited as Horsham Carfax Markets Operator for a period of three years with an option to extend for one additional year starting 1 January 2023.</p> <p>REASON</p> <p>The tender received from Supplier A meets and exceeds the Council's requirements and aspirations for this Contract.</p>
A8	Procurement for Commercial Waste and Mixed Recycling Disposal Tender Award	<p>RESOLVED</p> <p>(i) To approve the award of the contracts for commercial waste to the highest scoring tenderer(s), on the terms recommended, as detailed in Appendix 1 (exempt).</p> <p>(ii) To delegate authority to the Director of Community Services in consultation with the Head of Legal & Democratic Services to finalise terms and conditions and to enter into contract with the highest scoring tenderer(s) for the commercial waste contracts.</p> <p>REASON</p>

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		<ul style="list-style-type: none"> (i) Under the current Public Contracts Regulations (2015) the Council is legally required to competitively tender if the value of the goods or services exceeds the current threshold of £213,477 (inclusive of VAT). (ii) The service has grown and changed over the period of the current contract, with the inclusion of bulky bags and due to procurement regulations and we are now required to re tender for the services again. The Tender is worth £5m (£1m per year) over a five-year contract term with the option to extend for two years.
A9	Refuse Vehicle Refurbishment Tender Award	<p>RESOLVED</p> <ul style="list-style-type: none"> (i) To approve the award of the contract for Refurbishing the Refuse Vehicles to the highest scoring bidder, on the terms recommended, as detailed in Appendix 1 (exempt). (ii) To delegate authority to the Director of Communities in consultation with the Head of Legal & Democratic Services to finalise terms and conditions and to enter into a contract with the highest scoring bidder for the Refuse Vehicles Refurbishment Contract once the capital budget has been approved by Council. <p>RECOMMENDED TO COUNCIL</p> <ul style="list-style-type: none"> (iii) To approve a capital budget of £566,520 in 2023/24 and £623,172 in 2024/25 for the refurbishment of 21 vehicles. <p>REASON</p> <ul style="list-style-type: none"> (i) and (ii) To refurbish our RCV fleet over the next two years will enable the vehicles to be used for a further six years to allow alternative fuel options to be more available at a reasonable cost and refuelling infrastructure to be in place.

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		(iii) The constitution requires full Council to set capital budgets.
A10	Approval of Business Case for Horsham District Homes for affordable homes in London Road, Horsham	<p>RESOLVED</p> <p>(i) To approve the business case for the construction of eleven homes for affordable rental in London Road, Horsham by Horsham District Homes Limited.</p> <p>(ii) To approve the transfer of the land in London Road, Horsham from Horsham District Council to Horsham District Homes Limited for c£200,000 subject to obtaining any consent of the Secretary of State, if required and approval of the final construction costs and appraisal.</p> <p>(iii) To approve a loan of up to £2,650,000 to Horsham District Homes Limited for the construction of the eleven properties at London Road, Horsham at the agreed rate of 4% plus base rate.</p> <p>(v) To delegate to the Section 151 Officer, in consultation with the Leader and Cabinet Members for (i) Finance and Parking, and, (ii) Housing and Public Protection, authority to agree the final figures in relation to this project, including the transfer value of the land, subject to the transfer value of the project of £2.65m and rental values remaining unchanged.</p> <p>RECOMMENDED TO COUNCIL</p> <p>iv) To: (a) approve the transfer of s106 funds to Horsham District Homes (Holdings) Limited for the purchase, at affordable rent market rate, of the eleven 2-bedroomed homes in London Road, Horsham for a sum of no greater than £2,650,000 plus stamp duty land tax (if applicable given intra-group relief) and agents fees; and (b) to approve the transfer of the homes from Horsham District Homes Limited to Horsham District Homes (Holdings) Limited.</p>

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		<p>REASON</p> <p>Approval of the recommendations will allow the details of the transactions to be completed so that the affordable rental properties can be delivered for the benefit of households on the housing list.</p>
A11	Procurement of Merchant Acquiring Service	<p>RESOLVED</p> <p>(i) To award the contract to supply merchant acquisition service to the Contractor identified in Appendix 1 for a period of two years with the option to extend for a further two years.</p> <p>REASON</p> <p>i) This follows a procurement process using a Crown Commercial Services framework agreement. Under the current Public Contracts Regulations (2015) the Council is legally required to competitively tender or utilise a compliant Framework Agreement if the value of the goods or services exceeds the current threshold of £213,477 (inclusive of VAT).</p>
A12	Residential Management Services Tender Award	<p>RESOLVED</p> <p>(i) To approve the award of the contract for Residential Management of Flats at the Forum and Lintot Square to the highest scoring bidder, on the terms recommended, as detailed in Appendix 1 (exempt).</p> <p>(ii) To delegate authority to the Director of Place in consultation with the Head of Legal & Democratic Services to finalise terms and conditions and to enter into a contract with the highest scoring bidder for the Residential Management Contract.</p> <p>REASON</p>

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		<p>Under the current Public Contracts Regulations (2015) the Council is legally required to competitively tender if the value of the goods or services exceeds the current threshold of £213,477 (inclusive of VAT). While at face value the contract is based on a concession model (service users pay the Supplier for services rendered directly) this does not fall under the definition of a contract governed by the Concession Contracts Regulations (2016) as the Contract Value is largely guaranteed for the supplier (it is a mandatory requirement for service users to pay for the service) so the Public Contracts Regulations (2015) still apply to this contract.</p>