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Council

Wednesday, 21st February, 2024 at 6.00 pm
Park Suite, Parkside, Chart Way, Horsham

To: All Members of the Council

(Please note that prayers will be taken by The Reverend Sam Maginnis 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	7 - 40
<p>To approve as correct the minutes of the meeting of the Council held on 13 December, and the extraordinary meetings of the Council held on 11 December, 13 December and 25 January <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></p>	
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	41 - 48
To receive and, if approved, adopt the recommendations from the meeting of Cabinet held on 25 January:	

- (a) **Planning Skills Delivery Fund – Approval of Budget** (report of the Cabinet Member for Planning & Infrastructure is available at: [Agenda Item 6](#))
- (b) **Annual Plan 2024/25** (report of the Cabinet Member for Leader of the Council is available at: [Agenda Item 8](#))
- (c) **Capitol Theatre Refurbishment** (report of the Cabinet Member for Leisure, Culture & Green Spaces is available at: [Agenda Item 10](#))
- (d) **2024/25 Budget and the Medium-Term Financial Strategy to 2029/30** (report of the Cabinet Member for Finance & Resources is available at: [Agenda Item 11](#))
- (e) **Council Tax Premiums; Long-Term Empty Property Council Tax Premium and Second Home Council Tax Premium** (report of the Cabinet Member for Finance & Resources is available at: [Agenda Item 12](#))
- (f) **2024/25 Council Tax Reduction Scheme & Housing Benefit Modified Scheme** (report of the Cabinet Member for Finance & Resources is available at: [Agenda Item 13](#))
- (g) **2024/25 Business Rates Discretionary Charitable Relief** (report of the Cabinet Member for Finance & Resources is available at: [Agenda Item 14](#))

7.	Council Tax Resolution 2024/25 To receive the report of the Cabinet Member for Finance & Resources	49 - 58
8.	Interim Report of the Independent Remuneration Panel To receive the report of the Independent Remuneration Panel	59 - 68
9.	Calendar of Meetings 2024/25 To receive the report of the Chief Executive	69 - 76
10.	Proposed update to the Board of Directors for the Council owned affordable housing companies To receive the report of Cabinet Member for Housing, Communities & Wellbeing	77 - 82
11.	Reports of representatives To receive reports from representatives on outside bodies	
12.	Members' Questions on Notice To receive questions from Members under Rules 4a.8(b) – 4a.13	
13.	Urgent Business To consider matters certified by the Chairman as urgent	

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GUIDANCE ON COUNCIL PROCEDURE

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

<p>Addressing the Council</p>	<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>
<p>Minutes</p>	<p>Any comments or questions should be limited to the accuracy of the minutes only</p>
<p>Quorum</p>	<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>
<p>Declarations of Interest</p>	<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>
<p>Announcements</p>	<p>These should be brief and to the point and are for information only – no debate/decisions</p>
<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>	<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>
<p>Cabinet recommendations (see also rules of debate)</p>	<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.
<p>Questions from Members on Notice (Notice must have been given in writing to the Monitoring Officer by 12.00 two working days before the meeting)</p>	<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>

Public Document Pack Agenda Item 2

Council 11 DECEMBER 2023

Present: Councillors: David Skipp (Chairman), Nigel Emery (Vice-Chairman), Sam Bateman, Emma Beard, Tony Bevis, Martin Boffey, Colette Blackburn, Peter van der Borgh, James Brookes, Jon Campbell, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Len Ellis-Brown, Victoria Finnegan, Claudia Fisher, Ruth Fletcher, Chris Franke, Anthony Frankland, Nick Grant, Joan Grech, Kasia Greenwood, Warwick Hellawell, Alex Jeffery, Liz Kitchen, Joanne Knowles, Lynn Lambert, Richard Landeryou, Dennis Livingstone, Alan Manton, Nicholas Marks, Jay Mercer, John Milne, Colin Minto, Roger Noel, Jon Olson, Josh Potts, Sam Raby, John Trollope, Clive Trott, Belinda Walters and Mike Wood

Apologies: Councillors: Mark Baynham, Tony Hogben, Jonathan Taylor and Tricia Youtan

CO/60 **CHAIRMAN'S ANNOUNCEMENT**

The Chairman advised Members of the sad news that Councillor Malcolm Eastwood, serving Member for Henfield had passed away. He reported that the Council's sincere condolences had been sent to his wife and family. Members stood and observed a minute's silence in his memory.

CO/61 **DECLARATIONS OF MEMBERS' INTERESTS**

Councillor David Skipp declared a personal interest in Agenda Item 4 (Horsham District Local Plan 2023 - 2040: Regulation 19 Consultation) as a member of Ifield Golf Club. This did not affect their taking part in the discussion or vote.

Councillor Claudia Fisher declared a non-registerable interest in Agenda Item 4 (Horsham District Local Plan 2023 - 2040: Regulation 19 Consultation) as she had met the proprietor of land in Storrington that was allocated in the draft Local Plan. This did not affect their taking part in the discussion or vote.

CO/62 **QUESTIONS FROM THE PUBLIC**

Mr Trevor Leonard asked the following question:

'A multitude of groups representing the Billingshurst community (which includes the Parish Council, the Billingshurst Sports and Recreation Association, the hugely respected Billingshurst Community Partnership, Billingshurst Tennis Club and importantly, a range of environmental and other groups including BilliGreen, Sussex Green Living, Save Little Daux and Sussex Wildlife Trust)

have all written to HDC to give their support or preference for development to the West over East. Together these groups represent thousands of Billingshurst residents.

Whilst developers to the East have consistently rejected attempts from the community to engage with them, the developers to the West have not only fully engaged but have entered into a legal binding agreement to ensure that commitments made to provide much needed community infrastructure are delivered at an early stage of any development.

Given this very clear community support and the symmetry between the requirements of the Levelling Up and Regeneration Act 2023, which requires new development to be “shaped by local people’s democratic wishes” and the Lib Dem 2023 manifesto pledge to “care about communities and their residents” and the slogan, a “Lib-Dem victory means the Council will be listening to YOU”, could you please confirm that you as a committee will not be supporting the Reg. 19 Local Plan as currently drafted by officers which proposes to totally ignore this clear community support and instead allocate land West of Billingshurst rather than development to the East of Billingshurst?’

Councillor John Milne, Cabinet Member for Planning & Infrastructure replied:

‘Thank you for your question. For clarity, a Local Plan is a matter for the whole council to decide, not just myself or the Cabinet. All the sites in the Plan face at least some level of local opposition. But at the same time, we’re obliged to choose at least some of them. So, from the start, it’s clear that not every public wish can be granted.

However, in practical terms the consultation has been very helpful. Officers have made numerous changes to the plan to reflect the concerns of communities across the District, within the constraints of national planning law. Many of these changes are detailed in appendix 2 of the Cabinet/Council report.

With any site, the primary consideration by far is that it meets planning law and stands a strong chance of approval by a national planning inspector at Examination. In the case of Billingshurst, while I note the claims that there is more support for the proposal to the West, we have received no clear evidence one way or the other. In the Regulation 18 consultation we received 11 supportive comments for the allocation of West of Billingshurst and 243 objections. The East of Billingshurst received 33 comments of support and 279 objections.

That’s the only formal evidence we have available, and it shows public opinion divided roughly 50/50. It was also apparent when myself and officers met with the Parish Council recently to discuss the Plan, that there were supporters and opponents of both options.

I would add that a majority of residents and the parish council would prefer no development at all. The West site allocation is for half as many houses again as

the East, a very considerable extra difference. As we've successfully reduced our overall district target, this is many more houses than we actually need.

In the long term, allocating the West would open up the west side of the A29 to such an extent that further large-scale development would be very, very hard to resist on planning grounds. There's just no obvious limit to the growth of Billingshurst once you break that barrier. I question whether that's what residents really want.

I hope to arrange a meeting with the Parish Council in the new year to discuss additional civic investment in Billingshurst, using funds outside the Local Plan process.'

Ms Melanie Holliker asked the following question:

'This question is regarding HDC's draft proposal to allocate the east of Billingshurst for development rather than the west. The developer proposing to develop the east site makes little effort to meet the criteria in strategic policies 8 & 17 'Sustainable Design & Construction' and 'Green Infrastructure and Diversity'. It will build to current building regulations only. It would remove a significant green space valued by residents and commits to only 10% Biodiversity Net Gain.

In contrast, the developer proposing to develop the west site does much to fulfil policies 8 & 17. It proposes:

- To build to the Future Homes Standard, above and beyond current building regulations*
- Sustainable design using the principles of '20-minute neighbourhoods'*
- Approximately 50% Biodiversity Net Gain by rewilding 90 acres of land to create a nature reserve, to be placed in public ownership improving access to nature for all Billingshurst residents.*

In our current climate and nature crisis, can you justify this decision in the light of policies 8 and 17?'

Councillor John Milne, Cabinet Member for Planning & Infrastructure replied:

'Thank you for your question. Any development must be compliant with our new Local Plan policies. That includes Strategic Policy 8 'Sustainable Design and Construction' and Strategic Policy 17 'Green Infrastructure and Biodiversity' which sets a requirement for 12% biodiversity net gain (BNG). Land East of Billingshurst therefore must meet all policy requirements, and that includes the points you itemise.

Whilst I understand that new developments can cause adverse environmental impacts, there is a fundamental issue at stake. People need houses. All the large locations proposed to us are on greenfield sites. There's no way an area

like Horsham can avoid greenfield development under current government rules.

I also stress that the Local Plan hugely increases our ability to insist on carbon neutral building standards, as well as new protections for the wider environment.

Without an up-to-date local plan and a 5-year land supply, speculative developments will continue to come forward. Key policies such as the restriction on building outside the Built-Up Area Boundary would carry little weight. For example, HDC was obliged to accept an application for 83 homes at Duckmoor near Billingshurst, even though it was against district policy. And that's far from the only example.

Land East of Billingshurst is a logical extension to the village, with defensible boundaries to inhibit further development. Much needed affordable homes can be delivered, in a timely manner, alongside a number of community facilities such as a new primary school, informal recreation space, and a community hub. Its proximity to village facilities and services, including the railway station and secondary school, in conjunction with the proposed pedestrian and cycle routes, all combine to make the ambition of a '20-minute neighbourhood' genuinely achievable here. This site is therefore well-placed to meet Strategic Policies 8 and 17 if not exceed them.'

Mr Andrew Bardot asked the following question:

'SP9 para 1 concerning Water Efficient Design provides in sub paragraph a) that "new residential development is designed to utilise no more than 85 litres of mains supplied water per person per day." As HDC and Natural England are aware, 85 litres is a purely aspirational and entirely theoretical consumption figure which flies in the face of readily available actual water use data for this district and nationwide which is very considerably higher than, and in many cases almost double, the 85 litres figure. The company which HDC, Crawley and Chichester retained in 2022 to retrofit 100 council properties in Crawley with flow restrictor devices provided HDC with its own actual use data for all properties fitted with its flow restrictor devices from 2020 to 2022. This data shows that after installation of water flow restrictors there is an average consumption of 166.52 litres per person per day.

Furthermore, HDC has publicly stated (in the Woodfords application) that contrary to the very clear requirement and direction from Natural England it will not monitor water use in new build properties nor ensure enforcement of the 85 litres target.

Why does this matter? It matters because the lower the target water use figure for new builds, the easier it becomes for developers to have their applications approved which will inevitably result in the building of houses across the district which will be very far from water neutral. This will increase the very real threat to our district's finite water supply until a permanent solution to sustainable water supply in our district has been devised, implemented, and tested.

So, our question is why is HDC bending over backwards to benefit the house builders by endorsing and adopting this absurd 85 litres per day figure, needlessly exposing our District to the real risk of exhaustion of its finite water supply when it should be requiring and enforcing a realistic daily water use target for new build development and challenging government housing targets?’

Councillor John Milne, Cabinet Member for Planning & Infrastructure replied:

‘Thank you for your question. There are two aspects to water neutrality. First, we have to ensure new development is as water efficient as possible. Second, any additional water use must be offset against existing supply.

Our Policy will require that new developments are built to much higher water efficiency standards than applied in the past. In joint consultancy with Crawley and Chichester, the other affected areas, a new average usage figure of 85l per person, per day has been agreed.

I stress, the 85 litres standard for new builds is separate from our offsetting strategy for existing properties. We’re not attempting to get all homes working to an 85-litre average and it wouldn’t be possible anyway.

Older properties are inherently less water efficient. It’s correct to say that in the Crawley pilot, water use after retrofitting remains high at 166.52 litres per person per day. However, before the installation of flow restrictors, these properties used an even higher average of 199.85 litres per person per day. Therefore, retrofitting has cut that by 30 litres which can be used to offset new development elsewhere.

The trial has been a positive experience for residents. They continue to use appliances as normal, while benefiting from a significant cut in both their water and heating bills. Although that wasn’t the reason for doing it, it has turned out to be a useful contribution to the cost-of-living crisis. It might even catch on with private households in the long term.

This joint strategy was agreed with Crawley and Chichester and endorsed by Natural England last year. It’s important for the council to honour its commitments. Crawley’s Local Plan is currently at Examination stage and no relevant issues have been raised by the Inspector.

Over time, the Water Neutrality check on development is reducing. Applicants are increasingly able to demonstrate their own water neutrality schemes. There’s no doubt this is going to happen more often, and with much larger sites.

For this reason, we recognise we’re in something of a race against time, to get the plan passed and regain control of district planning. Further delay, with no clear objective in mind, risks having much higher housing targets imposed on us. Potentially 2 or 3 times higher in the first years.’

Mr David Brown asked the following question:

“Why has the lack transport infrastructure for the development of land West of Ifield been ignored against the advice from multiple transport studies by both Horsham and Crawley on the aspirational concept of a “15-minute community?” The published Horsham Transport Study Local Plan 2039 Transport Assessment - 2023 Update App 8. to support the Local Plan identifies Land West of Ifield as the largest development in the area with no mitigation for traffic uptake, where previous studies identify needs and mitigation.”

On behalf of Councillor John Milne, Cabinet Member for Planning & Infrastructure, Councillor Ruth Fletcher, Cabinet Member for Local Economy & Place replied:

‘Thank you for your question. As part of the preparation of the Horsham District Plan, Horsham District Council has undertaken extensive transport modelling to ascertain the impacts of the plan. This is a mandatory requirement. We have used the WSCC approved methodology It would be difficult to diverge significantly from their assessment.

This document is available to view on the Local Plan evidence base pages. It identifies mitigation measures designed to accommodate levels of increased traffic in the area. These include the measures set out in Policy HA1, and the reference in paragraph 10.98 that require any impacts on Rusper to be taken into account.

In addition, there is an extension of high-quality Fastway bus services to serve the development. An active travel design concept will offer direct, attractive walking and cycling links to Ifield Station and village, and into Crawley Town centre.

If the plan is agreed this evening, further work on the detailed transport impacts arising from this scheme would still be necessary to support any eventual planning application. Officers will continue to seek the necessary detail from Homes England and will challenge this data if they consider that impacts on Rusper or indeed the road network more generally have not been adequately addressed.’

Mr Chris Poland asked the following question:

‘Despite responding to your local consultation with over 120 letters of support, being included in your own Playing Pitch Strategy Actions and Recommendations as a club in need, receiving two letters of support from Sport England and England Hockey we appear to be unsupported by this proposed plan.

I understand this Council has taken the decision not to include Horsham Golf & Fitness Village within the draft Local Plan and therefore deny Horsham Hockey Club the opportunity to secure a fully funded new home at no cost to the Council or the club.

Given this decision, please can the Council explain how it intends to deliver the sports and leisure facilities it has identified as being needed within the District (specifically, new facilities for Horsham Hockey Club) which were proposed to be delivered as part Horsham Golf & Fitness Village and are not included in any other scheme, and why no Politician or Officer from the Council is actively engaging with my club to support us and our 320 members.'

On behalf of Councillor John Milne, Cabinet Member for Planning & Infrastructure, Councillor Jon Olson, Cabinet Member for Leisure, Culture & Green Spaces replied:

'Thank you for your question. The provision of facilities for Horsham Hockey Club is one of the council's priorities with regard to leisure facilities. Officers across both Leisure and Planning departments have actively engaged with the Hockey Club during the plan preparation process. We have established your requirements, which are summarised as "two sand-dressed, floodlit artificial playing pitches, ideally as part of a sports hub with a clubhouse and associated ancillary facilities".'

There has also been correspondence between the Hockey Club and planning officers during the Course of plan preparation. Land at Horsham Golf and Fitness has not been proposed as an allocation in the Local Plan. The results of this assessment are set out in Appendix 7a of the Cabinet report. Investment in sports facilities is always welcome, but that can't be the sole criteria. As a whole this proposal fails to meet the tests of sustainable development as set out in national policy and is therefore not recommended for allocation.

As you will be aware, separate to the Local Plan process a planning application has been submitted, for development at Horsham Golf & Fitness including Hockey pitches. This application is yet to be determined and I am therefore unable to comment further now. Officers have endeavoured to secure appropriate facilities within the allocated strategic sites and will continue to seek to actively engage in this respect.'

Ms Fenella Maitland-Smith asked the following question:

'What is the evidence that residents have been properly consulted during the drafting of this Plan, their Neighbourhood Plans respected, and their concerns about over-development in the District as a whole taken into account in the Plan? My concern is that the plan is confused and not fit for purpose. Pretending to be is one thing, but at its heart it is something quite different. It does have strengthened environmental policies and this is welcome, but it does not present a vision for a sustainable future. In fact, I have struggled to find a statement of a 30-year vision at all and that is because at its heart it is still the same old plan for overdevelopment.

This plan perpetuates the existing rate of house building, pulling more and more people into the area, driving population growth at current rates which will cause house building targets to be even higher in the future. We now have the highest

rate of population growth of any Local Authority in Sussex or Surrey and double the national average.

The Council and the plan need to acknowledge this, and call it to a halt, but instead the plan is full of aspirational policies and long lists of requirements on developers which are unlikely to be satisfied and I include the water neutrality strategy in this. There's so much uncertainty around at the moment and such a lack of detail in the plan that I fear we're heading for a mess: insufficient infrastructure, insufficient social housing and no end to developers and finance profiting at our expense and nowhere is this more the case than in the West of Ifield site.

Finally, Cabinet Members have made no secret of the fact that they're pushing the plan through in case water neutrality requirements are pulled, and to stop speculative applications, but changes to the NPPF will be published in the next few weeks which could reduce risks like this and potentially offer further opportunities to reduce housing targets and have a properly sustainable plan for the future. Please do not vote for anything less.'

On behalf of Councillor John Milne, Cabinet Member for Planning & Infrastructure, Councillor Martin Boffey, Leader of the Council replied:

'Thank you. I shall answer the question, as submitted. I disagree with your list of 'givens' but to the question itself: in fact, the Council has extensively consulted residents during the Plan process. Two rounds of consultation were carried out under Regulation 18, in May 2018 and February 2020. In the second of these, the Council held public exhibitions, distributed 5,000 leaflets across the District, and extensively publicised the consultation via email and social media. Over the last few years, bespoke consultation workshops focussing on potential development sites were undertaken with parish and neighbourhood councils, including in September 2021 and very recently in September 2023. Three open public events were additionally held in May 2022, in Horsham, Pulborough and Ashington.

For the local plan to be found sound, we are legally obliged to meet the requirements of the NPPF, the National Planning Policy Framework. That includes sufficient provision to meet our housing target. Failure to do so means planning by appeal and would completely undermine our ability to enforce higher standards in respect of both the environment and net zero construction. I further note that parishes benefit from access to a Senior Neighbourhood Planning officer at the Council. Along with the Strategic Planning team, he has worked directly with parishes to align the Local Plan as closely as possible with both made and emerging Neighbourhood Plans across the District.

Finally, even where sites are recommended for inclusion against public wishes, this doesn't mean consultation makes no difference. There have been numerous improvements to the plan reflecting community concerns. But often the local preference is for no development at all, and this is impossible to follow. You can find many of these changes in appendix 2 of the Cabinet/Council report."

CO/63 **QUESTIONS FROM PARISH AND NEIGHBOURHOOD COUNCILS**

The representative for Storrington & Sullington Parish Council asked the following question:

'Following the Regulation 18 consultation in 2020 there were 622 comments. The vast majority of these were objections, including from several Parish Councils and also from Andrew Griffith, M.P. The support, unsurprisingly, was mainly from developers. There was further consultation of PCs in September of this year. Speaking for Storrington & Sullington, we objected very strongly to the sites proposed for inclusion in our parish and offered alternative sites more acceptable to the public. We believe that other PCs were equally dismayed.

Given that the Government has stated that development plans should be "bottom up" can you please explain how you consider that this complies with that requirement and what changes were made to site allocations following these meetings? We were clearly told that our objections would be considered yet, certainly for Storrington & Sullington, there have been no changes in allocations since the previous incarnations of this plan.

We have a made Neighbourhood Plan which designates one green gap between Storrington and West Chiltington. The allocated sites lie immediately within that gap. The Neighbourhood Plan is the most recent evidence of what the public will support and has been completely disregarded by HDC. How is this "Bottom up" planning?'

Councillor John Milne clarified that there were over 6000 representations, as opposed to 622 quoted. On behalf of Councillor John Milne, Cabinet Member for Planning & Infrastructure, Councillor Sam Raby, Cabinet Member for Housing, Communities & Wellbeing replied:

'Thank you for your question.

As you will be aware, Horsham District Council must prepare plans which are in accordance with the NPPF. Plans must be consistent with national policy and be based on proportionate evidence. They must also cover a 15-year period starting from the date plans are adopted.

Existing Neighbourhood Plans across the district cover the period to 2031. The new local plan, if agreed, will cover the period to 2040. This means the Council must allocate a significant number of additional sites, or we would end up with a 9-year hole in the numbers with zero allocation. This an innate flaw of the planning process, as Local Plans and Neighbourhood Plans have different obligations to be fulfilled over widely different timescales.

All allocations must meet NPPF requirements. As you note, we have worked with Parish Councils to consider whether the suggested alternatives meet the

criteria for allocation. Where these have not been included, it's because officers concluded they could not demonstrate the minimum NPPF criteria of being suitable, available and achievable.

I realise this plan contains sites which will contradict local preferences, and in practice it's hard to see why this wouldn't happen with every local plan. But we still incorporate your views where we can.

For example, draft policy ST01 specifically requires an application must be supported by a Landscape and Visual Impact Assessment. In the case of Land North of Melton Drive, our strategy is to permit development but only in the southern half of the site, while landscaping the rest. We believe this to be the most effective way to create a long-term defensible landscape boundary. It's hoped this will protect the parish against the concerning precedent set by an unwanted approval at appeal of a neighbouring site, which might otherwise encourage further expansion towards West Chiltington.'

The representative for Itchingfield Parish Council asked the following question:

'My question relates to page 173 of the draft Plan. The preamble to the section of the Plan dealing with set allocation reads (at para 10.133) The Parish has made good progress with the preparation of its neighbourhood plan. Following a successful examination, at the time of writing the plan has been unable to proceed to referendum in light of the Position Statement on water neutrality. The plan is expected to enter the final stages of plan making, and applicants should therefore be mindful of the content of the Neighbourhood Plan in this parish.

With this in mind, why does the District Plan allocate for development three sites, two of which were rejected by the parish after careful analysis and which are therefore considered by the parish to be unsuitable for development? In this context it should be noted that HDC has, until now, fully supported the content of our draft plan, including the allocation of development sites.'

On behalf of Councillor John Milne, Cabinet Member for Planning & Infrastructure, Councillor Sam Raby, Cabinet Member for Housing, Communities & Wellbeing replied:

'For clarity, as the page numbers you refer to won't match the page number on all printed copies, this question relates to Strategic Policy HA6: Barns Green.

Existing Neighbourhood Plans cover the period to 2031. The new local plan, if agreed, will cover the period to 2040. This is to ensure it's in accordance with the NPPF requirement that a plan must run for 15 years from adoption. Therefore, the Council must allocate a significant number of other sites beyond what's in neighbourhood plans, in order to ensure delivery over the entire period, not just till 2031.

In doing this, we have taken account of feedback provided to us through both formal consultation and Parish workshops, the most recent of which were held

in September this year. We've specifically referred to the progress of your neighbourhood plan to take account of this feedback.'

The representative for Southwater Parish Council asked the following question:

'The Local Plan designates Southwater as a village/small town suitable for development and a Strategic Site. The plan states that development up to 2040 will be an extra 285 homes (plus 450 homes in the Southwater Neighbourhood Plan), 735 homes plus the build out of the existing Berkeley site (of Broadacres) circa 300 in total over the plan period to 1,035 homes and another 265 for the period beyond 2040 at a build out rate of 50 per year will take the development period to 2045. Also noting the impact of the peripheral sites of Rascals Farm and Woodfords of just under 200 additional units right on the boundary of Southwater. The Local Plan will effectively turn Southwater into a building site for the next 22 years. Is this fair to the residents of Southwater and is it sustainable?'

The representative then asked why the Southwater Neighbourhood Plan review must be delayed, to await the revised National Planning Policy Framework (NPPF), whilst the District Local Plan would go ahead. It was confirmed that the review would need to be in accordance with the NPPF, as well as the District Local Plan.

On behalf of Councillor John Milne, Cabinet Member for Planning & Infrastructure, Councillor Sam Raby, Cabinet Member for Housing, Communities & Wellbeing replied:

'Thank you for your question. I am only going to be able to respond to the question as submitted because I am [acting as spokesperson] and so I am not going to be able to add the supplementary information, but I will read out the [response] that has been prepared to your question. Southwater is designated in Policy 2 of the Horsham District Planning Framework (HDPF) (November 2015) as a "small town and larger village". Such locations are classed as "settlements with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and/or bus services.

After Horsham, Southwater along with Billingshurst, Broadbridge Heath, Henfield, Pulborough, Steyning and Storrington, was classed as one of the next most sustainable locations in the 2015 Local Plan and this remains the same today.

Like local authorities across the country, we have a mandatory housing target requiring us to build 1,000s of houses over a very long period. I don't see how this can be done without implying continuous construction wherever it is. But only a part of the site will be operational at any one time. Some of the houses we approve today won't even start for 20 years.

Compared to earlier drafts of the plan, we've managed to cut the number to 1,000 from 1200 as it was in all previous versions, or indeed the 1500 that was

applied for in October 2022. 450 of this 1,000 are already agreed anyway in the Neighbourhood Plan.

The development will be expected to provide new infrastructure including a new secondary school, which will serve the needs of both the new and existing community. The policy requirements HA3 sets out a wide range of requirements to ensure that the development which takes place is sustainable.'

The representative for Thakeham Parish Council asked the following question:

'For a small village with virtually no facilities, infrastructure, and poor highways/transport options, surely there needs to be a clear steer from Planners on which option they favour; a) several less larger plots OR b) one large one (which is not currently in the plan but will undoubtedly be put forward by the developer Bellway Homes).

We are not against reasonable housing development, but it needs to be proportionate and clearly set out in the Plan. Currently, the Parish council would like to know how Horsham District Council considered the appropriateness of setting a housing allocation of 65 dwellings across various plots in Thakeham Parish which, if development proceeded on at least two of them - would exceed the housing numbers by more than a 10% variance as listed in the plan? Accumulatively, this would represent a very significant number of dwellings (65 plus 55 off Rock Road) when the possibility of hundreds of houses on the former mushroom farm is currently out for consultation but not included in the draft plan. Therefore, in asking this question - we seek an answer that would explain how these significant developments would impact on the capabilities accounted for in the proposed plan as there seems to be no contingency in place other than the Objection to large scale developments due to the strains put upon infrastructure as the delivery of infrastructure across Thakeham, our neighbours in the outlying Parishes and the district as a whole is predicated 65 +10% and not 620 (at our last count of potential dwellings).'

On behalf of Councillor John Milne, Cabinet Member for Planning & Infrastructure, Councillor Sam Raby, Cabinet Member for Housing, Communities & Wellbeing replied:

'Thank you for the questions. With regard to the large site you mention, until it's actually promoted for inclusion in the Local Plan process, we can't comment. Clearly, sites not formally presented can't qualify as either available or deliverable.

We have tested various options for growth in our Sustainability Appraisal process. This analyses the ability of the District to accommodate different levels of growth, and where it might be located. This process was mostly carried out under previous HDC administrations and indeed the readying of sites for potential approval is a matter of many years, not months. It was decided that growth should be concentrated around Horsham, urban extensions and some growth of villages and towns in accordance with the level of services and facilities to be the most sustainable option.

A full appraisal of all options was then undertaken, and the results compared to ensure that only the most sustainable mix of sites was taken forward to allocation. It is those sites which have been included in the Regulation 19 document.

The Council has sought to allocate two sites on High Bar Lane which together could deliver 65 homes. Our evidence indicates that, as a settlement, Thakeham (as in The Street and High Bar Lane), is able to accommodate such growth. There were a number of other sites in the Parish which have not been recommended for allocation.

In addition, we recognise too that the site on Rock Road, a proposed allocation for 55 homes is within Thakeham Parish. This is referenced in the draft Regulation 19 document as well as in evidence documents, such as the Site Assessment Report. However, as the site immediately abuts the settlement of Storrington, if developed it would form part of the Storrington Built Up Area. In assessing the site, the Site Assessment Report recognises that any future resident would likely rely upon services in Storrington. Accordingly, we have identified the site in the Storrington section of the Regulation 19 Local Plan.'

CO/64 **HORSHAM DISTRICT LOCAL PLAN 2023 - 2040: REGULATION 19 CONSULTATION**

Councillor John Milne, Cabinet Member for Planning & Infrastructure introduced the report, and thanked Officers for their work in preparing the submission. The Local Plan was a priority for the new administration, and a revised version of the previous draft Local Plan had been produced. The revised plan included the following key changes:

- The annual housebuilding target over the next 5 years had been cut. The constraints of water neutrality allowed a reduction from 1200, to 480, per annum. The need for new homes was acknowledged, as well as the challenges of absorbing a large number of new homes built each year.
- The eco building standards had been upgraded, with the aim to increase the standards further, thus aiding the move to net zero carbon emissions
- Environmental protections would be formalised and given legal enforceability
- A vital contribution to fixing the national housing shortage, with the provision of up to 45% affordable housing, and homes for social rent being prioritised. Community Land Trusts would also be supported.

It was noted that although brownfield was favoured, the sites available for inclusion in the Local Plan were all greenfield sites. To meet the housing target, West of Ifield, Southwater and East of Billingshurst sites were included, however it was possible to exclude other sites, that had previously been

included. The sites had been assessed as most appropriate due to transport infrastructure, as well as the future provision of schools. The Cabinet Member outlined the reduction in housing numbers allocated at the West of Ifield site, as well as for Southwater and Billingshurst.

Councillor Martin Boffey, Leader of the Council, seconded the motion.

Members discussed the figure of 85 litres of water usage, per person, per day. It was suggested that the 110 litres figure was more pragmatic, as provided in the Building Regulations. It was felt this would promote a healthy standard of living. A figure that was too stringent could result in residents not being able to meet their daily needs. Further to this, it was proposed that alongside the limits, there was a need for behaviour change. It was suggested that the target for the number of homes had been reduced as a result of water neutrality, and that the higher number previously included had been calculated prior to water neutrality.

The Head of Strategic Planning clarified that there was a need to maximise the delivery of housing in accordance with NPPF requirements, and that 110 litres would deliver significantly fewer homes. The available evidence indicates that 85 litres is achievable.

It was stated that some communities did not feel that their views had been taken into account, and that further consultation and review should take place. Some Members felt that the decision to be taken at the present meeting had been rushed. There was also discussion in support of the consultation that had taken place, with particular reference to the workshops.

It was further suggested that more detail was required in relation to the Gypsy and Traveller sites. Members suggested that the strategy offered progress to meeting Gypsy and Traveller housing needs but did not resolve concerns. The challenges for the residents of Pulborough, in relation to the site at Girder Bridge, due to closeness of the railway line. It was suggested that the noise and flooding could be breach of their human rights.

Concerns around infrastructure across the District were raised, as the provision of many aspects were not within the control of the Council. The need for new roads, doctors' surgeries, schools, and other important infrastructure was highlighted.

The risk of speculative development and not having a 5-year housing supply, through not having a Local Plan was highlighted. The adoption of the Local Plan would provide certainty, which was felt to be important. Without a Local Plan, developments could be approved by the Planning Inspector, which did not allow for strategic decisions to be made in relation to development within the District. This point was made with particular reference to development at Lower Broadbridge Heath Farm.

It was noted that sites could only be selected from those put forward to the Council from Regulation 18 onwards, and it would cost significant time and money to revisit this. Due to the aforementioned risks, it was highlighted that it

was crucial for the Council to have a Local Plan. The delay to the adoption of a revised Local Plan, alongside the constraints of water neutrality, had led to difficulties within the construction industry, which was important for the local economy.

The importance of sustainability and active modes of travel were highlighted, with further reference to biodiversity net gain. The transport strategy aimed to deliver safe and accessible routes to encourage active travel. The requirement for homes to be sustainably built would ensure progression toward becoming carbon net zero, whilst also offering a reduction to residents' energy bills. The potential for a future Supplementary Planning Document was discussed, which would ensure the improvement of the quality of buildings, which could include the use of rainwater, as well as provision of community spaces.

Other elements of the plan were acknowledged, including the continued protection of locally designated green spaces, leisure facilities and developing inclusive communities. Members stated that the approval of the Local Plan would enable the protection of biodiversity, and the ability to ensure the provision of a wider range of housing. It was noted however, that there was no reference to the Arun River, and this was felt to be an omission, as many major developments would feed into the Arun River.

Members made the following comments in relation to specific sites contained within the plan:

- Sandgate Nursery – this site had not been included in the Neighbourhood Plan and was considered by public poll that it was not a desirable site.
- Hornbrook Farm – The amendments were welcomed, as safe routes to walk, and an extension to the riverside walk were to be offered.
- Southwater North – The revised plan from developers was welcomed, as it included fewer homes, as well as allowing for the provision of a school, infrastructure, green spaces and affordable homes. It was felt that the proposed Local Plan would provide the opportunity for this Council and the Parish Council to work with the developer to preserve village community spirit, whilst delivering much needed infrastructure. It was anticipated that the lower housing targets would enable the incorporation of the required infrastructure. If the Local Plan was to be approved, residents were encouraged to engage with the Council through the consultation period to identify and secure further improvements.
- Land north of Melton Drive – It was noted that the inclusion could create issues, as the site had been included against the wishes of the relevant parish councils, with reference made to previous planning applications and the response of the planning inspector. Further comments were made in relation to the transport provision within this area, and the safety of walking routes, as well as road safety and speed limits. There were also concerns raised in relation to the impact on listed buildings.

It was noted that changes had been made to the draft Local Plan that had not been highlighted. As such, Councillor Claudia Fisher proposed an amendment

to the motion to approve the recommendations. It was proposed that the consideration of the item be delayed by 1 month. This would allow further time for scrutiny, review and feedback.

Councillor Nicholas Marks seconded the motion. Members debated the motion. Some Members felt that additional time would allow further reflection, particular in light of the imminent publication of the revised National Planning Policy Framework (NPPF).

A question was raised as to the advice that Parish Councils await the revised NPPF, before conducting a review of their Neighbourhood Plan, whilst the recommendation was for the draft Local Plan for the District to be approved. Officers clarified that the plan preparation process for local and neighbourhood plans differed. The Local Plan for the District would set the framework for Neighbourhood Plans going forward, and the changes that were understood to be due in the NPPF had been considered as part of the Local Plan preparation process.

The Leader and Cabinet Member spoke in support of continuing with the debate and vote at the present meeting. It was highlighted that the plan had been shared at an earlier stage with all Members. Workshops had been undertaken and Members were afforded the opportunity to discuss the plan with Officers and Cabinet Members. It was further noted that a month delay would not afford time to make considerable amendments. Should detailed amendments be requested, a number of months would be required to formulate the evidence base required.

It was moved by Councillor Tony Bevis and seconded by Councillor Belinda Walters that the vote be recorded, in accordance with Rule 4a.19 (d) of the Council's Constitution.

FOR THE AMENDMENT: Philip Circus, Claudia Fisher, Alan Manton, Nicholas Marks, Roger Noel, Josh Potts

AGAINST THE AMENDMENT: Sam Bateman, Tony Bevis, Martin Boffey, Colette Blackburn, Peter van der Borgh, James Brookes, Jon Campbell, Mike Croker, Len Ellis-Brown, Nigel Emery, Ruth Fletcher, Chris Franke, Anthony Frankland, Nick Grant, Kasia Greenwood, Warwick Hellowell, Alex Jeffery, Liz Kitchen, Joanne Knowles, Lynn Lambert, Dennis Livingstone, Jay Mercer, John Milne, Colin Minto, Jon Olson, Sam Raby, David Skipp, John Trollope, Clive Trott, Belinda Walters, Mike Wood

ABSTAINED: Emma Beard, Paul Clarke, Joy Dennis, Victoria Finnegan, Joan Grech, Richard Landeryou

ABSENT: Mark Baynham, Tony Hogben, Jonathan Taylor, Tricia Youtan

The Motion was therefore declared **LOST**.

Further discussion took place in relation to development at the following sites:

- West of Ifield – The impact of Gatwick on the area was highlighted. The concerns in relation to this site included traffic pressures, infrastructure in relation to the roads, recreation facilities, urban sprawl (particularly in relation to the villages of Colgate and Rusper), and the loss of a historic landscape. The loss of the golf club was also felt to be detrimental to the community.
- Development in the Holbrook wards - It was acknowledged that the increased population would bring challenges to those that live within the ward. As such, the plans for a new train station, and the provision of additional schools, were welcomed.
- Billingshurst - The support for the site in the West was acknowledged, with particular reference to the football club, biodiversity gains, and the nature reserve. However, it was felt that the site in the East was more suitable, as it would result in fewer additional homes in the village. Further to this, it was preferable in relation to the distance from the train station, and it was contained within strong existing boundaries that would restrict the opportunity for future development. The site in the West would risk creating 2 villages, with a loss of cohesion. It was noted that the village had grown considerably in 20 years, however infrastructure had not kept pace. The need for an integrated care board, and early start on construction of new schools was highlighted.

The importance of the provision of additional infrastructure was highlighted. The proposed Local Plan included additional schools, which Members felt were needed. The current distance many children travel to school had an impact on them and their families, including financially. It was noted however, that there were spare school places at the end of each year, and that proposals for new schools had previously been halted due to falling birth rates. Further to this, there was a school that was undertaking a consultation to reduce their intake, which did not support the need for additional schools. There would need to be a sufficient case to ensure an academy would take on the running of any future schools. The Head of Strategic Planning advised that an Infrastructure Delivery Plan had been produced, taking account of advice from West Sussex County Council on the need for new school provision, including the costs. West Sussex County Council had indicated that, due to demographic changes, it was anticipated that there would be a need for increased school places.

It was suggested that the policies contained in the draft Plan would put increased costs on developers, and as such developments may no longer be profitable. The Head of Strategic Planning advised that a viability assessment of the entirety of the Local Plan had been undertaken.

The need for housing provision was also flagged, in light of the number of residents on the housing list. There were also many residents living in overcrowded or insecure accommodation. It was suggested that there was a balance to be struck between preserving what makes the District a great place to live, and the need to make homes for people. It was felt that the Local Plan

was key to creating stability to create communities for people to live in. The increased providence to Community Land Trusts was also supported.

It was highlighted that 'energy from waste' can no longer be considered as a low carbon source of energy due to the planned reduction in the biogenic content of residual waste as a result of separate food waste collection. The Member confirmed that he was grateful to have been advised that that the deletion of this phrase would be included in the list of proposed modification schedule to accompany the Regulation 19 Plan submission.

The Leader, as seconder for the motion, spoke in support of the draft Local Plan. The environmental standards, and building standards were highlighted. It was acknowledged that the housing supply targets were low, however this was considered appropriate at this time, given the impact that the speed of development has had on communities. The Leader advised that the outcome of consultations had been taken into account, and the views have tried to have been accommodated. The approval of the draft Local Plan would enable the Council, and communities, to keep control of development within the District.

The Cabinet Member for Planning & Infrastructure advised Members that throughout the development of the Local Plan, numerous concerns had been received from residents. The choices made were complex, however he advised they had been taken with strong reasoning. The Cabinet Member outlined the reduced housing target, which would lower build-out rates. On account of the lower build-out rates, the infrastructure to support new homes could be developed and new communities would be formed.

It was moved by Councillor Colin Minto and seconded by Councillor Clive Trott that the vote be recorded, in accordance with Rule 4a.19 (d) of the Council's Constitution.

FOR THE MOTION: Sam Bateman, Tony Bevis, Martin Boffey, Colette Blackburn, Peter van der Borgh, James Brookes, Jon Campbell, Mike Croker, Len Ellis-Brown, Nigel Emery, Victoria Finnegan, Ruth Fletcher, Chris Franke, Anthony Frankland, Nick Grant, Joan Grech, Kasia Greenwood, Warwick Hellawell, Alex Jeffery, Joanne Knowles, Dennis Livingstone, Nicholas Marks, Jay Mercer, John Milne, Colin Minto, Jon Olson, Sam Raby, David Skipp, John Trollope, Clive Trott, Belinda Walters, Mike Wood

AGAINST THE MOTION: Philip Circus, Paul Clarke, Joy Dennis, Liz Kitchen, Richard Landeryou, Alan Manton, Roger Noel, Josh Potts

ABSTAINED: Emma Beard, Claudia Fisher, Lynn Lambert

ABSENT: Mark Baynham, Tony Hogben, Jonathan Taylor, Tricia Youtan

The Motion was therefore declared CARRIED and it was RESOLVED that:

- i) The publication of the Horsham District Local Plan Regulation 19 document together with the Sustainability Appraisal, Habitats

- Regulation Assessment and Policies Map and other supporting evidence base documents be approved for a 6 week period of representation from Friday 19 January 2024 to Friday 1 March 2024.
- ii) The submission of the Horsham District Local Plan Regulation 19 document to the Secretary of State for Levelling Up, Housing and Communities (the Planning Inspectorate) for examination be approved, following the six week representation period, together with Regulation 19 representations submitted to the Council and the necessary background evidence.
 - iii) Authority be delegated to the Director of Place in consultation with the Cabinet Member for Planning and Infrastructure to prepare a Proposed Modifications Schedule for the Plan with proposed changes that may be required to address soundness representations received during the aforementioned representation period.
 - iv) It be noted that the final Local Plan will be brought back to full Council for formal adoption following the independent examination undertaken by the secretary of state.

REASONS

- i) The recommendations are required to ensure that the Council meets the statutory requirement to carry out a Local Plan review, and to meet the requirements in the Town and County Planning (Local Planning) England Regulations 2012.
- ii) It is both legally necessary and appropriate to invite public and stakeholder participation in the preparation of a new Local Plan for Horsham District. Part of the statutory process is to allow representations to be made on the Local Plan before it is submitted to the Secretary of State.
- iii) To enable the Local Plan to progress to independent examination and accord with government requirements to have an up-to-date Local Plan.

The meeting closed at 10.24 pm having commenced at 6.00 pm

CHAIRMAN

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Public Document Pack

Council 13 DECEMBER 2023

Present: Councillors: David Skipp (Chairman), Nigel Emery (Vice-Chairman), Tony Bevis, Martin Boffey, Colette Blackburn, James Brookes, Jon Campbell, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Len Ellis-Brown, Victoria Finnegan, Claudia Fisher, Ruth Fletcher, Chris Franke, Nick Grant, Joan Grech, Kasia Greenwood, Warwick Hellowell, Alex Jeffery, Liz Kitchen, Lynn Lambert, Richard Landeryou, Dennis Livingstone, Alan Manton, Nicholas Marks, Jay Mercer, John Milne, Colin Minto, Roger Noel, Jon Olson, Josh Potts, John Trollope, Clive Trott and Belinda Walters

Apologies: Councillors: Mark Baynham, Emma Beard, Peter van der Borgh, Anthony Frankland, Tony Hogben, Joanne Knowles, Sam Raby, Jonathan Taylor, Mike Wood and Tricia Youtan

Absent: Councillors: Sam Bateman

CO/65 MINUTES

The minutes of the meeting of the Council held on 11 October, and the extraordinary meeting of the Council held on 23 November were approved as a correct record and signed by the Chairman.

CO/66 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest.

CO/67 ANNOUNCEMENTS

Councillor Martin Boffey, Leader of the Council, announced that Councillor Chris Franke has been appointed as the Deputy Cabinet Member for Housing, Communities and Wellbeing.

On behalf of the Cabinet Member for Housing, Communities and Wellbeing, the Leader announced that the Low Income Family Tracker system (LIFT) had begun to have a positive impact on residents in the District. A number of individuals and households that had not been claiming disability payments and pension credits were identified. Action had been taken to ensure these payments are made and funding was claimed. Households who were eligible to apply for Southern Water's 'WaterSure' scheme had been written to, as well as families who may qualify for free school meals.

Councillor Jon Olson, Cabinet Member for Leisure, Culture & Green Spaces, announced the events that were due to take place in the town. The events in the current week included Museum Lates, a Christmas concert by Horsham Churches Together, and festive performances on the bandstand. On Christmas

Eve, the last market of the season would take place, as well as a free grotto for children to meet Santa and a disco at the bandstand.

Councillor Jay Mercer, Cabinet Member for Environmental Health, Recycling & Waste, announced that a new app would be launched that would allow residents to receive notifications about their bin collections. It was anticipated that the launch would take place next week, however there was a reliance on partners to enable the launch. The app would have further functionality, which would be investigated further in the coming year. Members were asked to share details of the app with residents.

Councillor John Milne, Cabinet Member for Planning & Infrastructure, announced that following the approval of the draft Local Plan for Regulation 19, the revised National Planning Policy Framework was due to be published in the current week. It was thought that it was unlikely that the publication would affect the Local Plan, however an explanatory note would be produced by the Strategic Planning team, if required.

CO/68 **QUESTIONS FROM THE PUBLIC**

No questions had been received.

CO/69 **RECOMMENDATIONS FROM CABINET**

**UPDATE OF THE COUNCIL'S FINANCIAL POSITION IN 2023/24 AND
MEDIUM-TERM FINANCIAL STRATEGY UPDATE 2024/25 TO 2029/30**

Councillor Martin Boffey, Leader of the Council, introduced the report. An overspend was anticipated for the current financial year, however steps had been taken to reduce it. This included a proposal to increase the charges for the garden waste collection service, as well as the car park day pass tariffs, that had not been increased for a number of years. An extension to the Council Tax Support payment for 2024/25 was proposed, to also include claimants of pension age, which would allow the scheme to be administered through the system in time for annual billing, for efficiency. It was noted that there were significant additional costs expected in the medium term. This included the cost of food waste collection, repairs to leisure centres and the Capitol, as well as decarbonisation of Council buildings. It was confirmed that a proportion of these costs could be funded from reserves.

The forecast was based on best assumptions, and the medium term was uncertain. It appeared that there would be an increasing deficit, and as such action to address this was being taken. The proposal was seconded by Councillor Ruth Fletcher.

RESOLVED

- (ii) That the charges from 1 April 2024 for the garden waste subscription service are increased from £49 for the first bin to £54 and charge this price for any subsequent bins too.
- (iii) That the price of the multi-storey car park day pass tariffs be increased from 1 February 2024 from £5.50 to £8.80 at Piries Place and £7.30 at Swan Walk, and from £3.95 to £5.60 at the Forum car parks.
- iv) That those of working age and pension age on Council Tax Support be supported with up to £195 in 2024/25, funded from any 2024/25 Funding Guarantee grant, or reserve and that this is reflected in the 2024/2025 budget accordingly.
- (v) Subject to the scheme status quo remaining and a similar settlement to 2023/24,
 - (i) That it be approved that the Council remains in the West Sussex Business Rates pool in 2024/25 and
 - (ii) That authority be delegated to the Director of Resources in consultation with the Cabinet Member for Finance and Resources to (a) agree the operational details of the pooling arrangements with participating authorities, and, (b) enter into any required documentation to give effect to this proposal.

REASONS

- (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. Deficits are predicted 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 drastically reduce expenditure at this stage, but does recommend not worsening the revenue position now.
- (ii) and (iii) Council is required to approve fees and charges, and expenditure as per the constitution.
- (iv) Cabinet must approve any such support schemes.
- (v) Remaining in the West Sussex Business Rates pool should benefit the County and therefore the district by retaining locally generated business rates, using it to further support the economic regeneration of the wider West Sussex area.

CREATION OF A NEW HEAD OF SERVICE POST

Councillor Colette Blackburn, Cabinet Member for Climate Action & Nature Recovery, introduced the report. The creation of the Head of Service post would

demonstrate the commitment to climate action, and having the appropriate officer structure in place to deliver against the priority was crucial.

Councillor Jon Olson, Cabinet Member for Leisure, Culture & Green Spaces, seconded the proposal and spoke in support.

RESOLVED

That funding of £2,680 be included in the 2023/24 Revenue Budget for the new position of Head of Sustainability and Green Spaces.

REASONS

- i) To ensure that the management of the organisation is best structured to achieve the Council's objectives.
- ii) Full council is required to approve expenditure outside of the budget.

CO/70 **RECOMMENDATIONS FROM COMMITTEES**

POLLING PLACES AND POLLING DISTRICTS REVIEW

Councillor Belinda Walters, Chairman of Governance Committee, introduced the report. There were changes to four polling places, and the polling districts within Cowfold, Shermanbury and West Grinstead were to be renamed. The changes were welcomed as it was felt that the allocated polling places would be more convenient for residents. Councillor Tony Bevis seconded the proposal.

RESOLVED

That the revised schedule of polling districts and polling places, as set out in Appendix 1 to the report, be approved for all elections.

REASONS

- (i) To ensure that polling districts, polling places and polling stations are relevant and fit for purpose.
- (ii) To ensure statutory compliance.

CO/71 **REPORTS OF REPRESENTATIVES**

Councillor Tony Bevis provided an update as the representative on the West Sussex County Council Health and Adult Social Care Scrutiny Committee. The committee members had received training and conducted an evidence gathering exercise to consider the mental health provision in the County. There was also an inspection due from the Care Quality Commission. Service shortcomings had been identified, and action plans prepared. The Committee would receive updates on the progress of these plans. The introduction of the Integrated Care Board and the budget for the upcoming year was also discussed.

Councillor Clive Trott, the Armed Forces Champion and representative for the South East Reserve Forces and Cadets Association gave an update on the reduced reserve forces and cadets within the District. There was a drive to increase the Combined Cadet Forces in state schools, and Members were asked to advise Councillor Trott if they knew of any schools that would be interested. Support was needed for Steyning Air Training Corps, and a conference was due in February in relation to NHS support to veterans.

Councillor Liz Kitchen, the representative on the Gatwick Airport Consultative Forum, advised that the Development Consent Order was being considered by the Inspector. There was a potential change to the noise preferential route which could have an adverse impact on residents, particularly in the South of the District. The relevant Cabinet Member would be involved at the relevant stage.

CO/72 **NOTICE OF MOTION**

The following motion was moved by Councillor Claudia Fisher, and seconded by Councillor Colette Blackburn:

'England is one of the most nature-depleted countries in the world. This fact is officially recognised by the Government, in the form of a commitment to create a national Nature Recovery Network (NRN) which will be based on the Local Nature Recovery Strategies (LNRS) mandated by the Environment Act 2021.

An aspirational Nature Recovery Network has been mapped for the District. This is largely based around waterways, especially rivers which, by themselves, are crucially important as wildlife corridors and as habitats. But to deliver in this role within the NRN, our rivers need to flow naturally through the landscape, with curves and bends, flood plains and natural river margins and banks. The natural river margins and banks, including the wider riparian area, provide distinct habitats and protect the river against runoff of pollutants, sedimentation and erosion of the riverbank. Good water quality is essential for wildlife and for people.

Horsham District hosts two main rivers and their associated watersheds. Both the Western Adur and the Arun rise and start their journeys in our District. The journey of a third river, the Rother (a river of great significance for the South Downs National Park) finishes when it joins the Arun north of Hardham.

In 2019, every river in England failed to meet quality tests for pollution. Here, in Horsham, the Council is already working hard on turning that around and showing its intention to be a leading light in nature recovery with the Wilder Horsham District initiative, its involvement in the Adur River Recovery project and its partnership with the Weald to Waves initiative.

We wish to ask for better official recognition of the importance of our rivers' health. We are in a position now to move faster towards a world where there is a healthier balance between humans and the natural world so that we can ensure that decisions and policies made today hold fast for the health and happiness of future generations of the rivers' people, flora and fauna.

In doing this, we are recognising our crucial role in nature's recovery in our District and beyond.

This Council recognises:

- (a) The importance of the rivers Rother, Arun and Adur to the wellbeing and health of Horsham District's communities, businesses, agriculture and visitors and, in doing so, acknowledges the need to protect these rivers by supporting and maintaining their healthy flora, fauna and complex ecosystems.*

It therefore commits to:

- (b) The development of a 'Rivers Charter' (the terms of which will be approved by Horsham District Council) which (if viable) will build on the work that is already taking place in the District. As such, the Council would like to work alongside the Arun and Rother River Trust, the Ouse and Adur River Trust, the Adur River Recovery project, the Sussex Wildlife Trust, the South Downs National Park Authority, the Farm Clusters and landowners, as well as other stakeholders, so our rivers, our communities and the natural environment, of which we are the custodians, can thrive and flourish in perpetuity.'*

The Motion was debated. During the debate, it was suggested that the Council was already carrying out, in full, the matters for which it has powers and duties for. The issue of pollution and water quality was highlighted, and the need to work with Southern Water. Concerns were raised in relation to work required with other bodies, and it was suggested that measurable problems needed to be identified.

Members also spoke in support of the motion, and suggested that working with other organisations should produce better outcomes. Members raised the issues that have been experienced with flooding, in the District, and that a focus on rivers should have beneficial outcomes in relation this. It was suggested that the Charter would be a public way of recognising the work that is already being carried out, and would encourage further momentum.

Following a vote, the motion was declared CARRIED.

The Chairman, in accordance with Rule 4a.14(e), asked Members to vote as to whether to take the next Motion, as detailed on the agenda, as 30 minutes had elapsed. The motion was LOST.

CO/73 **MEMBERS' QUESTIONS ON NOTICE**

No questions had been received.

CO/74 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 7.17 pm having commenced at 6.00 pm

CHAIRMAN

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Council 13 DECEMBER 2023

Present: Councillors: David Skipp (Chairman), Nigel Emery (Vice-Chairman), Tony Bevis, Martin Boffey, Colette Blackburn, James Brookes, Jon Campbell, Philip Circus, Paul Clarke, Mike Croker, Joy Dennis, Len Ellis-Brown, Victoria Finnegan, Claudia Fisher, Ruth Fletcher, Chris Franke, Nick Grant, Joan Grech, Kasia Greenwood, Warwick Hellowell, Alex Jeffery, Liz Kitchen, Lynn Lambert, Richard Landeryou, Dennis Livingstone, Alan Manton, Nicholas Marks, Jay Mercer, John Milne, Colin Minto, Roger Noel, Jon Olson, Josh Potts, John Trollope, Clive Trott and Belinda Walters

Apologies: Councillors: Mark Baynham, Emma Beard, Peter van der Borgh, Anthony Frankland, Tony Hogben, Joanne Knowles, Sam Raby, Jonathan Taylor, Mike Wood and Tricia Youtan

Absent: Councillors: Sam Bateman

CO/1 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

CO/2 **TO CONFER THE TITLE OF HONORARY ALDERMAN ON PAST MEMBERS OF THE COUNCIL**

The Chairman of the Council advised Members that the purpose of the meeting was to confer the title of Honorary Alderman on three former Members, in recognition of their eminent service to the Council and the community, in pursuance of Section 249 of the Local Government Act 1972

CHRISTINE COSTIN

It was moved by Councillor Martin Boffey, and seconded by Councillor Belinda Walters, that the title on Honorary Alderman be conferred upon Christine Costin. After a number of Councillors had spoken in support of the proposal it was:

RESOLVED UNANIMOUSLY

That the title of Honorary Alderman of Horsham District be conferred upon Christine Costin in recognition of her eminent service to the Council and the community.

The Chairman presented Mrs Costin with a badge and certificate.

Honorary Alderman Christine Costin then gave a short speech of thanks.

GORDON LINDSAY

It was moved by Councillor Philip Circus and seconded by Councillor Liz Kitchen, that the title on Honorary Alderman be conferred upon Gordon Lindsay. After a number of Councillors had spoken in support of the proposal it was:

RESOLVED UNANIMOUSLY

That the title of Honorary Alderman of Horsham District be conferred upon Gordon Lindsay in recognition of his eminent service to the Council and the community.

The Chairman presented Mr Lindsay with a badge and certificate.

Honorary Alderman Gordon Lindsay then gave a short speech of thanks.

KATE ROWBOTTOM

It was moved by Councillor Philip Circus and seconded by Councillor Martin Boffey that the title on Honorary Alderman be conferred upon Kate Rowbottom. After a number of Councillors had spoken in support of the proposal it was:

RESOLVED UNANIMOUSLY

That the title of Honorary Alderman of Horsham District be conferred upon Kate Rowbottom in recognition of her eminent service to the Council and the community.

The Chairman presented Ms Rowbottom with a badge and certificate.

Honorary Alderman Kate Rowbottom then gave a short speech of thanks.

The meeting closed at 8.13 pm having commenced at 7.27 pm

CHAIRMAN

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Council 25 JANUARY 2024

Present: Councillors: David Skipp (Chairman), Nigel Emery (Vice-Chairman), Mark Baynham, Emma Beard, Tony Bevis, Martin Boffey, Colette Blackburn, Peter van der Borgh, Jon Campbell, Philip Circus, Paul Clarke, Len Ellis-Brown, Victoria Finnegan, Claudia Fisher, Ruth Fletcher, Chris Franke, Anthony Frankland, Nick Grant, Joan Grech, Kasia Greenwood, Warwick Hellawell, Alex Jeffery, Liz Kitchen, Richard Landeryou, Jay Mercer, John Milne, Roger Noel, Jon Olson, Sam Raby, John Trollope and Clive Trott

Apologies: Councillors: Sam Bateman, James Brookes, Mike Croker, Joy Dennis, Tony Hogben, Joanne Knowles, Lynn Lambert, Dennis Livingstone, Nicholas Marks, Colin Minto, Josh Potts, Jonathan Taylor and Belinda Walters

Absent: Councillors: Alan Manton and Tricia Youtan

CO/3 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest.

CO/4 QUESTIONS FROM THE PUBLIC

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

CO/5 RECOMMENDATIONS FROM CABINET

LOCAL AUTHORITY HOUSING FUND TOP UP

Councillor Mark Baynham, Cabinet Member for Finance & Resources introduced the report. Two rounds of funding had been received by the Government, to purchase properties to provide housing for refugees from Afghanistan and Ukraine and to help with temporary accommodation. The Government announced that further funding was available, earlier this month, and invited Local Authorities to apply. An application had been made, and it was anticipated that a response would be received by 2 February.

As confirmation of the funding had not been received, the recommendations were amended to seek approval for the provision of up to 4 homes, and a capital spend of up to £1.78m. Any grant funding received would need to be spent by 29 March.

It was highlighted that the proposals would generate income and that properties could be purchased at 60% of the market rate. There was no financial risk as any unspent monies would be returned to the Government. The proposal was seconded by Councillor Sam Raby, who spoke in support and highlighted that

the purchases would form part of the ongoing support offered to those in the District that needed housing.

RESOLVED

- i) Proceed with the application for, and receipt of, the grant allocation for the Council to provide or facilitate the provision of up to 2 large resettlement homes and up to 2 temporary accommodation homes.
- ii) That capital spend of up to £1.78m in the 2023/24 capital programme be approved, provided that the actual required spend, which is dependent upon the value of the unknown grant allocation, is reported to full Council at its next ordinary meeting.

REASONS

- i) To apply for, receive and use the grant to help purchase / provide more affordable homes for the district.
- ii) Full Council must approve the capital budget.
- iii) Subject to Council approval, to avoid the requirement to seek Cabinet's approval for the purchase by Horsham District Council of each individual property that would otherwise be required to give effect to this initiative.

CO/6

APPOINTMENT TO THE INDEPENDENT REMUNERATION PANEL

The Chief Executive introduced the report and advised that the Council were required to appoint a new member to the Independent Remuneration Panel. A successful candidate had been identified, following a full recruitment process and successful interview. The appointment was required to enable the Independent Remuneration Panel to undertake an interim review in the current financial year, to consider how to reflect the 2023/24 staff pay award in the Scheme of Members Allowances.

Councillor Martin Boffey, Leader of the Council, moved the recommendations, and Councillor Philip Circus seconded the motion. They spoke in support of the recommendations and highlighted the importance of an independent panel that make recommendations in relation to Members' Allowances.

RESOLVED

- i) That authority be delegated to the Monitoring Officer to appoint a panel member to sit on the Independent Remuneration Panel

REASONS

- i) To ensure that the Council has a fully appointed IRP, in a timely manner, in order that it can undertake an interim review and proffer recommendations as to how to reflect the latest staff pay award in Members' Allowances.

The meeting closed at 7.42 pm having commenced at 7.28 pm

CHAIRMAN

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**COUNCIL
21 February 2024
CABINET RECOMMENDATIONS**

Recommendations to Council Made at the Cabinet meeting held on 25 January

(a) Planning Skills Delivery Fund – Approval of Budget

The report to Cabinet recommended to ask Council to increase the strategic planning and development management budgets so that Strategic Planning and Development Management can receive a grant that has been allocated by the Department for Levelling Up, Housing and Communities (DLUHC). The receipt of the grant, from the Planning Skills Delivery Fund, was not known when the annual budget for 2023-2024 was set. Notification of the grant was received in December 2023. The grant is for the sum of £308,333. £250,000 to be used to help deliver solutions to Water Neutrality and £58,333 to assist with reducing the backlog of planning applications.

The Teams are currently awaiting receipt of a Memorandum of Understanding from DLUHC which will set out more detail as to how the grant can be spent. Discussions will be held with the Council's water neutrality partners in other affected Local Authority areas to consider the options for using the water neutrality funds in due course.

RECOMMENDED TO COUNCIL

- (i) Approve the receipt of a grant for the sum of £308,333 for Strategic Planning and Development Management (government grants received).
- (ii) Approve an increase in the Strategic Planning 2023/24 revenue income and expenditure budgets of £250,000 to cater for the receipt and expenditure of the grant.
- (iii) Approve an increase in the Development Management 2023/24 revenue income and expenditure budgets of £58,333 to cater for receipt and expenditure of the grant.

REASON

- (i) Increasing the revenue income and expenditure budget in Strategic Planning and Development Management will allow the Council to receive and spend the grant offered by DLUHC.
- (ii) Full Council must approve an increase to the budget and the Cabinet must approve expenditure in excess of £250,000.
- (iii) To provide funds to help deliver the Sussex North Offsetting Water Scheme (SNOWS).
- (iv) To provide additional resource to reduce the planning application backlog.

(b) Annual Plan 2024/25

The report to Cabinet introduced the Annual Plan for 2024/25. This sits under the Council Plan 2023-2027 and outlines the projects and workstreams that the Council aims to achieve within the financial year 2024/25. Throughout the year we will review the performance indicators to ensure they match the needs of the Annual Plan. The Cabinet approved the Annual Plan for 2024/25 and referred it to full Council for adoption.

RECOMMENDED TO COUNCIL

- (i) approve the Annual Plan for 2024/25 financial year and refer it to Council for adoption.

REASONS

- (i) The Annual Plan is an operational plan which identifies projects to be undertaken during a financial year and which gives effect to the themes contained in the Council Plan 2023-2027 which constitutes the Council's Policy Framework.

(c) Capitol Theatre Refurbishment

The report to Cabinet sought consent to the refurbishment of The Capitol, Horsham District's multi-arts community venue, enabling it not only to remain a modern, thriving cultural venue for the District but also an energy-efficient building contributing towards the Council's carbon reduction plans required to reach its net zero target.

The Capitol offers a mix of live theatre, high quality professional performances with a mix of genres, as well as two cinema screens, appealing to a wide range of audiences. The Theatre supports the grassroots community, hosting amateur dramatics clubs, rehearsal and performance opportunities, youth theatre, music, and vulnerable groups. The cinema screens continue to show the latest releases and special screenings.

The Capitol has required significant investment approximately every 20 years since being part of Horsham Districts property estate. The last refurbishment was in 2003, and now many of the fixtures and fitting are reaching their end-of-life expectancy. The Capitol is the Council's highest emitters of CO₂ at 286 tCO₂e (tonnes of carbon dioxide equivalent) per annum. Investment will look to reduce this by 100 tCO₂e.

Aside from the primary aims of addressing the necessary refurbishments and achieving the Council's net zero targets, this investment offers a unique opportunity to maximise the tremendous potential the Capitol has to offer our community and beyond. The front of house spaces are under-utilised and modifications can create significantly more effective use of existing foyers and improve the commercial food and beverage offer. The theatre capacity can be increased to attract a better theatre touring product and the cinemas can be enhanced to continue to provide a supporting income to the Capitol.

Investment in the Capitol will reduce the annual subsidy for running the Theatre but spending £10.7m from reserves will have a larger negative impact on the council's revenue from the reduction in investment income, based on forecast interest rates.

RECOMMENDED TO COUNCIL

- (i) Approve a capital budget of £10.7m for the refurbishment works, profiled across the capital programmes budget for the following financial years: 2023/24, 2024/25, 2025/26 and 2026/27;

REASON

- (i) To reduce carbon emissions at The Capitol, meeting the Council's aspiration for direct emissions to become net zero by 2030.
- (ii) To ensure The Capitol remains up to date and able to provide and attract a mix of high-quality performances and entice new productions by replacing end-of-life fixtures and fittings, increasing and improving seating in the auditorium and cinemas and enhancing the overall customer experience and offer. iii) To reduce ongoing revenue costs of running The Capitol.
- (iii) To maintain and improve the cultural and social benefits of continuing to provide a multi arts community venue.
- (iv) Full Council must approve the capital budget.
- (v) To facilitate the refurbishment works being undertaken and to delegate authority to award associated contracts for this purpose.

(d) 2024/25 Budget and the Medium-Term Financial Strategy to 2029/30

The Cabinet report set out details of the proposed 2024/25 revenue and capital budgets following the receipt of the provisional financial settlement from Government on 18 December 2023.

The net budget requirement for 2024/25 at £14.5m is £0.8m higher than the £13.7m in 2023/24, reflecting sustained levels of high inflation in services, materials and utilities together with pressure from salary increases which has baked a high level of gross expenditure into the baseline. In these circumstances it is fortunate that the Council is not a borrowing authority and has kept high levels of reserves and thus is able to partially fund some of the rising costs with the interest from its investments. However, the Council is at risk from a reduction in both balances and interest rates.

The Council is also having to significantly increase fees and charges potentially affecting residents that are struggling with the cost of living. Council tax is also being increased by the maximum 2.99%, (£5.15) inclusive of the unparished areas, permitted by Government, but remains the lowest in Sussex. This is split into a 2% increase in the Horsham Council Tax (£3.34) and a 35% increase in the special charge (£9.69), owing to the fact that there are fewer households in the unparished area. The special charge is currently much lower than the average parish council precept.

A residual budget deficit, after Council tax and Business Rates grants, of £0.6m remains. The application of £0.6m from the one-off Funding Guarantee Grant in 2024/25 allows us to balance the budget in the short term and buys some time to make considered decisions. This grant has not been taken into Revenue in previous years, as it is considered temporary. More likely than not, it will be removed when the future funding for the sector is determined by Government. This builds further risk into the Medium-Term Financial Strategy should this happen.

In the meantime, the application of this temporary grant funding allows us to maintain really good quality services, voluntary grants and protecting all our non-statutory services, including for example, the work undertaken by our community services that is so greatly appreciated by our residents. It also permits new initiatives such as the People's budget.

The report sets out a Medium-Term Financial Strategy to 2029/30 using the latest information. The provisional one-year Settlement in December does not help us to plan through the economic uncertainty. Future Medium-Term Financial Strategy deficits of £3.7m reflect the pressures from a fall in interest rates on our Treasury investments, inflation, albeit now falling, as well as Government funding levelling off after 1 April 2026. There is a risk that some or all of the Business Rates grant is also taken away and the Council could face a significant funding drop in 2026/27 in the context of Government saying there is no more money for the sector, that efficiencies must be made, and the sector has plenty of reserves.

In November 2023, Government announced the collection of domestic food waste will be required by 31 March 2026. An indicative capital allocation of £1.5m has been revealed but no detail on transitional or ongoing revenue funding. The Medium-Term Financial Strategy assumes implementation from Autumn 2025, with Government funding of £1.5m covering at most three-quarters of the initial capital costs. Some transitional and ongoing funding together with the £1.3m previously earmarked from the 2023/24 Funding Guarantee grant delays and partially reduces the £1.8m revenue impact until the latter part of the decade. We don't yet know though whether this additional funding will be offset by a loss of Government funding elsewhere.

We are also setting an ambitious £10.5m capital programme providing infrastructure and facilities for residents. In addition, although difficult to fully quantify at present, the initial work on the net zero action plan to date has identified a significant cost to achieving the aspirational target of the Council's direct carbon emissions being net zero. This key priority as well as the replacement of capital infrastructure and the reduction of carbon output of many Council-owned buildings shown indicatively in Appendix I, will be significant through to 2030. The impact of spending £10.7m on the Capitol Theatre is included within the projected Medium-Term Financial Strategy revenue and capital budgets, on the assumption that Councillors agree to the larger option. This is a separate item on the agenda.

Balancing future budgets will require a combination of three things. The continuing delivery of a programme to maximise efficiency and effectiveness primarily focused on digital transformation to restrict future cost increases. Secondly, the Council could generate more income by raising fees and charges and work in more financial return on investments in existing land and assets. However, commercial investment heightens the risk from prudential and treasury management code changes. Thirdly, the Council provides a large number of services to its residents in excess of statutory levels and reprioritising these could be required in order to tackle the projected future deficits. Plans will need to be worked on during 2024/25 to balance the 2025/26 budget without the use of reserves.

The report also set out a series of prudential indicators that are a statutory requirement to demonstrate that the Council's capital programme is affordable, and prudent in the context of the Council's overall finances. The report also includes the Chief Finance Officer's statement on the robustness of reserves in Appendix G and on the resource consequences more generally in section 14.

RECOMMENDED TO COUNCIL

- (i) That the level of Council Tax for 2024/25 increases from £166.94 by £3.34 (2%) to £170.28 at Band D.
- (ii) That the net revenue budget set out in Appendix A for 2024/25 of £14.538m is approved.
- (iii) That £0.6m of the £3.55m Funding Guarantee grant received in 2024/25 is used in Revenue to balance the budget, £0.55m to be used to fund up to £195 for

working age and pension age claimants on Council Tax Support, with the remainder earmarked against potential overspend in 2024/25 and as a reserve to help resolve future budget deficits in the Medium-Term Financial Strategy.

- (iv) That Special Expenses of £456,865 set out in Appendix C and a Band D charge of £37.21 are agreed in respect of the unparished area for 2024/25.
- (v) That the capital programme for 2024/25 set out in Appendix D be approved and that the indicative capital budgets in the programme for future years be noted.
- (vi) That the projected future budgets on the revenue account in 2025/26 to 2029/30 are noted and the Medium-Term Financial Strategy continues to be reviewed and refined to ensure that decisions are taken in 2024 to set a balanced budget in 2025/26.
- (vii) That the Minimum Revenue Provision Statement set out in Appendix E is approved.
- (viii) That the Capital Strategy, Treasury Strategy, Investment Strategy and prudential indicators and limits for 2024/25 to 2027/28 set out in Appendix F are approved.
- (ix) To note the statement on the robustness of the level of reserves in Appendix G.
- (x) That the increases to fees and charges set out in Appendices H to H(iii) are approved.

REASON

To meet the Council's statutory requirement to approve the budget and the prudential indicators before the start of a new financial year.

(e) Council Tax Premiums; Long-Term Empty Property Council Tax Premium and Second Home Council Tax Premium

Government's Levelling-up and Regeneration Act came into force on 26 October 2023. Local councils can now charge higher Council Tax on properties that are defined as long-term empty homes and properties that are only occupied occasionally (second homes). An added charge is intended to encourage owners to bring them back into use and could boost the supply of properties available to rent or buy in Horsham, which supports local people. This report recommends that the premiums are introduced from 1 April 2024 and 1 April 2025 respectively.

RECOMMENDED TO COUNCIL

- (i) From 1 April 2024, to approve that empty and substantially unfurnished properties be charged an additional 100% council tax premium (twice the current Council Tax amount) after one year, instead of two years.
- (ii) From 1 April 2025, to approve that dwellings with no resident and which are substantially furnished are charged 100% council tax premium (twice the current Council Tax amount).

REASONS

To reduce the number of empty homes within the District and to encourage the use of premises as main residences by local residents rather than second homes.

(f) 2024/25 Council Tax Reduction Scheme & Housing Benefit Modified Scheme

The Council Tax Reduction Scheme decides which working age residents the Council will help with paying their Council Tax. The policy also decides how much each group of residents should be helped. Each year, Cabinet reviews the policy and sets a new policy for the following financial year. This report provides Cabinet with an overview of Horsham's current Council Tax Reduction scheme, along with a recommendation that no changes are made to the scheme for 2024/25. It also requests approval for continuing without change, the modified scheme for the voluntary disregard of war disablement pensions and war widow pensions in Housing Benefit claims.

RECOMMENDED TO COUNCIL

- (i) no changes in the Council Tax Reduction scheme for 2024/25, other than the updates prescribed by Government as detailed in paragraph 1 of this paper and the Appendix to this supplementary paper.
- (ii) The adoption of, with no changes to, the existing modified schemes under Housing Benefit subsidy for 2024/25 whereby the Council locally and voluntarily disregards war disablement pensions or war widow pensions in the housing benefit calculation.

REASONS

i) & ii) The Council Tax Reduction and locally modified schemes are annual schemes requiring an annual review and approval, even when no changes to the scheme are being proposed. Review work on the scheme showed the schemes remains affordable for Horsham District Council and provides a good level of support to our less well-off residents.

(g) 2024/25 Business Rates Discretionary Charitable Relief

The report recommends not to change the existing Discretionary Rate Relief scheme for charities and not for profit organisations. The current scheme grants charitable relief up to 100% for eligible organisations.

RECOMMENDED TO COUNCIL

To approve and adopt the Discretionary rate relief scheme for 2024/25 ("the Scheme") as detailed in the appendix

REASONS

Discretionary rate relief is an annual scheme and therefore require an annual review and approval.

Budget Addendum: Government Funding changes following receipt of the Final Settlement.

The Final Settlement allocation was published on 5 February 2024. The Settlement increased our funding in three places, with Government providing extra funding to councils in the face of funding pressures so councils are able to continue to provide vital services for their communities. £2k was added to the Rural Services delivery grant, an additional £1k in the services grant and a £173k increase in the Funding Guarantee. This results in a minimum 4% (previously 3%) increase in the Core Spending Power for local authorities, before taking any local decisions on council tax. The three changes are highlighted below.

2023/24		2024/25
£000		£000
13,513	Net expenditure	14,539
-	Contribution to / (from) general reserves	-
13,513		14,539
(12)	Rural grant	(14)
(139)	Revenue Support Grant	(148)
(83)	<u>Less</u> service grant / Council tax support grant	(14)
(824)	New homes bonus	(525)
824	<u>Less</u> contribution to Environment and Infrastructure reserve	525
(2,891)	Funding Guarantee	(3,727)
2,895	<u>Less</u> contribution to earmarked reserve	3,133
(2,129)	Business Rates retention scheme baseline	(2,214)
11,154	Expenditure to be financed from District Council Tax	11,555
(337)	<u>Less</u> funding by Special Charge taxpayers	(457)
10,816	Expenditure to be funded from District Council Tax	11,098
64,792.5	Estimated band D equivalent properties	65,173.2
£166.94	Council Tax at band D	£170.28
£3.21	Cost per week at band D	£3.27

Table 3 – Council Tax for 2024/25. Minor rounding errors may apply.

Note: (income shown in brackets).

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Report to Council

Wednesday, 21 February 2024

By the Cabinet Member for Finance and Resources

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Council Tax Resolution 2024/25

Executive Summary

This report seeks approval to the formal 2024/25 Council Tax resolution, setting out the Council Tax to be levied in each parish and for each property band. It is proposed to increase the District-wide Council Tax by £3.34 from £166.94 to £170.28 and to set the Special Charge in the unparished area at £37.21. Precepts from West Sussex County Council, West Sussex Police and Crime Commissioner and parishes have been received and form part of the overall Council Tax.

Note that West Sussex County Council will only formally approve the County's Council Tax precept at their Council meeting on 16 February 2024.

Recommendations

The Council is recommended to resolve:

1. The Council Tax Base 2024/25 be noted and set
 - a. for the whole Council area as 65,173.2 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended (the "Act") and
 - b. for dwellings in those parts of its area to which as Parish Precept or Special Expenses relates as shown below:

Parish	2024/25 tax base
Amberley	338.1
Ashington	1,175.5
Ashurst	147.1
Billingshurst	4,538.9
Bramber	412.8
Broadbridge Heath	2,334.8
Coldwaltham	478.7
Colgate	2,026.1
Cowfold	869.5
Henfield	2,725.9
Itchingfield	782.7
Lower Beeding	554.4
North Horsham	8,874.3
Nuthurst	1,096.2
Parham	129.6
Pulborough	2,609.4
Rudgwick	1,449.5
Rusper	1,011.5
Shermanbury	317.7
Shipley	642.8
Slinfold	984.2
Southwater	4,842.8
Steyning	2,568.4
Storrington & Sullington	3,349.3
Thakeham	1,172.4
Upper Beeding	1,442.5
Warnham	1,007.2
Washington	1,118.7
West Chiltington	2,216.4
West Grinstead	1,306.0
Wiston	101.0
Woodmancote	271.6
Horsham Town	12,277.2
Total	65,173.2

2. That the Council Tax requirement for the Council's own purposes for 2024/25 (excluding Special Expenses and Parish precepts) is set at £170.28

2. That the following amounts be calculated for the year 2024/25 in accordance with Sections 31 to 37 (excluding sections 32 and 33 which are applicable to Wales only) of the Act:
 - (a) £103,979,552 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.

- (b) £88,009,092 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
- (c) £15,970,460 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
- (d) £245.05 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
- (e) £4,872,520 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act
- (f) £170.28 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

(g)				
Parish	Precept Amount £	Council Tax at Band D		
		Parish Precept / Special charge for Unparished Area £	Basic Amount of District Council Tax £	Total £
Amberley	36,539.00	108.07	170.28	278.35
Ashington	108,133.00	91.99	170.28	262.27
Ashurst	14,100.00	95.85	170.28	266.13
Billingshurst	513,010.00	113.03	170.28	283.31
Bramber	37,564.64	91.00	170.28	261.28
Broadbridge Heath	175,172.00	75.03	170.28	245.31
Coldwaltham	18,026.50	37.66	170.28	207.94
Colgate	34,160.00	16.86	170.28	187.14
Cowfold	75,276.00	86.57	170.28	256.85
Henfield	348,685.00	127.92	170.28	298.19
Itchingfield	63,000.00	80.49	170.28	250.77
Lower Beeding	38,990.00	70.33	170.28	240.61
North Horsham	380,247.00	42.85	170.28	213.13
Nuthurst	57,516.00	52.47	170.28	222.75
Parham	5,823.00	44.93	170.28	215.21
Pulborough	292,460.00	112.08	170.28	282.36
Rudgwick	115,960.00	80.00	170.28	250.28
Rusper	49,000.00	48.44	170.28	218.72
Shermanbury	26,325.00	82.86	170.28	253.14
Shipley	37,821.32	58.84	170.28	229.12
Slinfold	66,220.00	67.28	170.28	237.56
Southwater	512,424.00	105.81	170.28	276.09
Steyning	404,325.00	157.42	170.28	327.70
Storrington & Sullington	299,905.70	89.54	170.28	259.82
Thakeham	74,532.00	63.57	170.28	233.85
Upper Beeding	233,625.00	161.96	170.28	332.24
Warnham	92,755.72	92.09	170.28	262.37
Washington	44,877.28	40.12	170.28	210.39
West Chiltington	159,009.00	71.74	170.28	242.02
West Grinstead	79,600.00	60.95	170.28	231.23
Wiston	4,156.00	41.15	170.28	211.43
Woodmancote	16,416.64	60.44	170.28	230.72
Horsham Town - Special charge	456,865.00	37.21	170.28	207.49

being the amounts given by adding to the amount at (f) above the amounts of the special items relating to the dwellings in those parts of the Council's area mentioned above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

4. To note that the County Council have proposed precepts and the Sussex Police and Crime Commissioner has notified precepts to the Council in accordance with Section 40 of the Act for each category of dwellings in the Council's area as indicated in the table below:

Band Authority	A	B	C	D	E	F	G	H
West Sussex County Council	1,143.30	1,333.85	1,524.40	1,714.95	2,096.05	2,477.15	2,858.25	3,429.90

Band Authority	A	B	C	D	E	F	G	H
Sussex Police and Crime Commissioner	168.61	196.71	224.81	252.91	309.11	365.31	421.52	505.82

The Horsham District Figures are shown below:-

Band Authority	A	B	C	D	E	F	G	H
Horsham District Council	113.52	132.44	151.36	170.28	208.12	245.96	283.80	340.56

5. That, having calculated the aggregate in each case of the amounts at 3 and 4 above the Council, in accordance with Sections 30 and 36 of the Act, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2024/25 for each part of its area and for each of the categories of dwellings:

BAND	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Amberley	1,497.48	1,747.06	1,996.63	2,246.21	2,745.37	3,244.52	3,743.69	4,492.42
Ashington	1,486.76	1,734.55	1,982.34	2,230.13	2,725.71	3,221.29	3,716.88	4,460.26
Ashurst	1,489.33	1,737.55	1,985.77	2,233.99	2,730.43	3,226.87	3,723.33	4,467.99
Billingshurst	1,500.78	1,750.91	2,001.04	2,251.17	2,751.42	3,251.68	3,751.95	4,502.33
Bramber	1,486.10	1,733.78	1,981.46	2,229.14	2,724.50	3,219.86	3,715.24	4,458.28
Broadbridge Heath	1,475.45	1,721.35	1,967.26	2,213.17	2,704.98	3,196.79	3,688.61	4,426.33
Coldwaltham	1,450.53	1,692.29	1,934.04	2,175.80	2,659.31	3,142.81	3,626.33	4,351.59
Colgate	1,436.67	1,676.11	1,915.56	2,155.00	2,633.89	3,112.77	3,591.67	4,310.00
Cowfold	1,483.15	1,730.34	1,977.52	2,224.71	2,719.09	3,213.47	3,707.86	4,449.43
Henfield	1,510.71	1,762.49	2,014.27	2,266.06	2,769.62	3,273.19	3,776.76	4,532.11
Itchingfield	1,479.09	1,725.60	1,972.12	2,218.63	2,711.66	3,204.68	3,697.72	4,437.26
Lower Beeding	1,472.32	1,717.70	1,963.08	2,208.47	2,699.24	3,190.01	3,680.78	4,416.94
North Horsham	1,454.00	1,696.33	1,938.66	2,180.99	2,665.65	3,150.31	3,634.98	4,361.98
Nuthurst	1,460.41	1,703.81	1,947.21	2,190.61	2,677.41	3,164.21	3,651.02	4,381.22
Parham	1,455.38	1,697.95	1,940.51	2,183.07	2,668.20	3,153.32	3,638.45	4,366.14
Pulborough	1,500.15	1,750.17	2,000.20	2,250.22	2,750.27	3,250.31	3,750.37	4,500.44
Rudgwick	1,478.76	1,725.22	1,971.68	2,218.14	2,711.06	3,203.98	3,696.90	4,436.28
Rusper	1,457.73	1,700.68	1,943.63	2,186.58	2,672.49	3,158.39	3,644.31	4,373.17
Shermanbury	1,480.67	1,727.45	1,974.22	2,221.00	2,714.55	3,208.11	3,701.67	4,442.00
Shipley	1,464.66	1,708.76	1,952.87	2,196.98	2,685.19	3,173.41	3,661.63	4,393.96
Slinfold	1,470.29	1,715.33	1,960.38	2,205.42	2,695.51	3,185.61	3,675.71	4,410.85
Southwater	1,495.97	1,745.30	1,994.62	2,243.95	2,742.61	3,241.26	3,739.92	4,487.90
Steyning	1,530.38	1,785.44	2,040.50	2,295.56	2,805.69	3,315.81	3,825.94	4,591.13
Storrington & Sullington	1,485.13	1,732.64	1,980.16	2,227.68	2,722.72	3,217.76	3,712.81	4,455.37
Thakeham	1,467.81	1,712.45	1,957.08	2,201.71	2,690.98	3,180.25	3,669.52	4,403.42
Upper Beeding	1,533.40	1,788.97	2,044.53	2,300.10	2,811.23	3,322.36	3,833.50	4,600.20
Warnham	1,486.83	1,734.63	1,982.43	2,230.23	2,725.84	3,221.44	3,717.06	4,460.47
Washington	1,452.17	1,694.20	1,936.23	2,178.26	2,662.31	3,146.36	3,630.43	4,356.51
West Chiltington	1,473.26	1,718.80	1,964.34	2,209.88	2,700.96	3,192.05	3,683.14	4,419.76
West Grinstead	1,466.06	1,710.41	1,954.75	2,199.09	2,687.77	3,176.46	3,665.15	4,398.18
Wiston	1,452.86	1,695.00	1,937.15	2,179.29	2,663.57	3,147.86	3,632.15	4,358.58
Woodmancote	1,465.73	1,710.01	1,954.30	2,198.58	2,687.16	3,175.73	3,664.31	4,397.17
Horsham Town - Special charge	1,450.24	1,691.94	1,933.65	2,175.35	2,658.76	3,142.17	3,625.59	4,350.70

6. To note that the Council's basic amount of Council Tax for 2024/25 is not excessive in accordance with principles approved under Section 52ZB of the Act.

Horsham District Council Tax Band D, inclusive of the special charge, as reported to Government.

2023/24	2024/25	Council Tax increase
£172.14	£177.29	£5.15 (or 2.99%)

As the billing Authority the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2024/25 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Act.

7. To approve a change in the Council Tax discount policies which have been updated to include:

- Horsham District Council has determined that from 2024/25, Council Tax payable in respect of long-term empty properties over 1 year will be 100% of Council Tax due, plus an additional premium of 100% of Council Tax due.
- Horsham District Council has also determined that from 2025/26, Council Tax payable in respect of second homes will be 100% of Council Tax due, plus an additional premium of 100% of Council Tax due.

Reasons for Recommendations

To meet the Council's statutory requirement to set a Council Tax.

Background Papers	Report to Cabinet 25 January 2024
Consultation	Public consultation on increasing Council Tax premiums on long-term empty homes and second homes. 5 December 2023 to 5 January 2024
Wards Affected	All
Contact	Dominic Bradley, Director of Resources dominic.bradley@horsham.gov.uk Samantha Wilson, Head of Finance and Performance Samantha.wilson@horsham.gov.uk

Background Information

1 Introduction

- 1.1 The purpose of this report is to enable the Council to calculate and set the Council Tax for 2024/25.

Background / actions taken to date

- 1.2 The Cabinet met on 25 January 2024 and received a report from the Cabinet Member for Finance and Resources and the Director of Resources on the 2024/25 Budget and the Medium-Term Financial Strategy. The report was accepted and recommendations made to Council to agree the revenue and capital budgets for 2024/25 and the Special Expenses for the unparished area. The recommendation was to increase the District-wide Council Tax by £3.34 from £166.94 to £170.28 and set the Special Charge on the unparished area at £37.21. The changes to the Council Tax premiums were also discussed.

2 Statutory and Policy Background

- 2.1 The statutory requirements for the Council Tax resolution are contained in the Local Government Finance Act 1992 as amended by the Localism Act 2011. The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 require that immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

3 Details

- 3.1 Precept requirements have been received from all the parishes within the district and from West Sussex County Council and the Sussex Police and Crime Commissioner. These figures, together with the proposed District tax and Special Charge are incorporated in the detailed tables included in the Council Tax resolution.
- 3.2 The Council Tax discount policies are summarised below:
- Horsham District Council will not award any discount period on empty and unfurnished homes; 100% council tax will be payable.
 - Horsham District Council will not award any discretionary discount for vacant property; 100% council tax will be payable.
 - Horsham District Council has determined that Council Tax payable in respect of long-term empty properties over 1 year will be 100% of Council Tax due, plus an additional premium of 100% of Council Tax due.
 - Horsham District Council has determined that Council Tax payable in respect of long-term empty properties over 10 years will be 100% of Council Tax due, plus an additional premium of 200% of Council Tax due.
 - Horsham District Council will not award a Council Tax discount on second homes; 100% council tax will be payable.

- 3.3 Furthermore, Horsham District Council has determined that from 2025/26 Council Tax payable in respect of second homes will be 100% of Council Tax due, plus an additional premium of 100% of Council Tax due.

4 Other courses of action considered but rejected

- 4.1 The Council is legally required to set a Council Tax. No other course of action has been considered.

5 Resource consequences

- 5.1 The financial consequences of the proposed budget have been included in the report to Cabinet. The staffing consequences of the proposed budget have been included in the report to Cabinet.

6 Legal consequences

- 6.1 The legal consequences have been detailed in the body of this report.
- 6.2 Otherwise, the Council Tax in England and Wales is provided for and governed broadly by the provisions of the Local Government Finance Act 1992, as amended by the Localism Act 2011. Within the Act, the Council is designated as a “Billing Authority”, responsible for the billing, collection and enforcement of Council Tax.

7 Risk assessment

- 7.1 The Council’s reliance on central government-controlled funding and balancing the Medium-Term Financial Strategy is captured on the Corporate Risk Register at CRR01. This is regularly reviewed and updated and is monitored at every Audit Committee meeting.

8 Equalities and Human Rights implications / Public Sector Equality Duty

- 8.1 The Equality Act 2010 includes a public sector equality duty which requires Councils when exercising functions to have due regard to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act and to advance equality of opportunity and foster good relations between those who share a “protected characteristic and those who do not share that protected characteristic”. When a Budget proposal has implications for people covered by the Equality Act 2010, the Council must take account of the Equality Duty and any particular impact on the protected group. An Equality Impact Assessment was undertaken for the changes to the Council Tax premiums. There are no equality implications in regards to this proposed budget.

9 Environmental implications

- 9.1 There are no environmental consequences from these decisions.

10 Other considerations

- 10.1 There are no other considerations arising from these decisions.

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Report to Council

Wednesday, 21 February 2024

By the

DECISION REQUIRED



Not Exempt

Interim Report of the Independent Remuneration Panel

Executive Summary

When deciding the allowances payable to Members, the Council is required to seek recommendations from an Independent Remuneration Panel ("IRP"). Although not obliged to follow those recommendations the Council must have regard to them.

Council staff received a pay rise of £1,925, (except Directors or CEOs whose pay rise is equivalent to 3.5%) or 3.88%, whichever was greater, following a central government announcement in November 2023. Accordingly, the Council instructed the IRP to consider how and whether such an increase should be reflected in Members' Allowances.

The IRP completed its review in January 2024 and its recommendations are set out in Appendix 2 attached to this report.

Councillors are requested, therefore, to (i) consider the IRP's recommendations, and, (ii) agree the level of Members' Allowances in order to adopt a suitable Members' Allowances Scheme. Councillors can decide to accept (fully or partially), reject or amend the IRP's recommendations.

Recommendations

That the Council is recommended:

- i) To note the report and recommendations of the Independent Remuneration Panel contained in Appendix 2 attached to this report; and
- ii) To (i) agree and adopt the Members' Allowances Scheme contained in Appendix 2 (which includes an uplift of 4.76% to be applied to Basic Allowances, Special Responsibility Allowances and the Co-optees' and Representatives on Outside Bodies Allowances), and, (ii) approve that the 4.76% increase is backdated to 24 May 2023.
- iii) To approve the payment of an honorarium, in the sum of £250, to each IRP member in respect of this interim review

Reasons for Recommendations

- i) It is a statutory requirement that the Council instructs the IRP in relation to Members' Allowances.
- ii) The Council must have regard to the IRP's recommendations when agreeing Members' Allowances.
- iii) It is a function of Full Council to adopt a scheme for Members' Allowances.
- iv) To approve the payment of an honorarium to the members of the IRP.

Background Papers

None

Wards affected: None

Contact: Aisha Nottage, Democratic Services and Elections Manager.

Background Information

1 Introduction and Background

- 1.1 The Council is required to adopt a Members' Allowances Scheme detailing the level of allowances payable to Members. Legislation requires the scheme to set out the level of Basic Allowance payable to Councillors and may include a Special Responsibility Allowance for Members occupying particular positions within the council structure such as Chairmen of Committees and Cabinet responsibilities. The Scheme may also provide for other allowances such as Dependent Carers' Allowance and Travelling and Subsistence Allowance.

2 Relevant Council policy

- 2.1 To adopt a scheme of Members' Allowances to ensure statutory compliance.

3 Details

- 3.1 In November 2023, the Local Government Association announced that local government employees would be offered a £1,925 or 3.88%, whichever was greater, pay rise backdated to 1 April 2023. This excluded Directors or CEOs whose pay rise was equivalent to 3.5%.
- 3.2 Accordingly, the Council instructed the IRP (comprising Alan Ladley, Cinzia D'Amico and Annette Capper) to consider whether and how the employees' pay rise should be reflected in Members' Allowances. The biographies of the IRP members is contained in Appendix 1.
- 3.3 The IRP has completed its review and its report is attached. The report contains, inter alia, the IRP's recommendations and methodology for computing the uplift in Members' Allowances.
- 3.4 The Council must have regard to the IRP's recommendations when agreeing Members' Allowances. The Council is not obliged, however, to adopt the IRP's recommendations and/or can do so fully or in part.
- 3.5 In addition, Councillors are asked to approve the payment of an honorarium, in the sum of £250, to each of the IRP members. The honorarium is in consideration for the work undertaken by the IRP for this interim review.

4 Next Steps

- 4.1 To agree the level of Members' Allowances, having regard to the IRP's recommendations in order that a suitable scheme can be adopted.
- 4.2 To approve the payment of an honorarium to each of the members of the IRP.

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

5.1 Not applicable.

6 Other Courses of Action Considered but Rejected

6.1 Not noting the IRP's recommendations nor considering the payment of an honorarium for the work undertaken by the IRP. These approaches were considered but rejected as councillors are required to consider the IRP's recommendations and it is considered fair and reasonable that the IRP receives a financial gesture for the work undertaken.

7 Resource Consequences

7.1 If Council agrees all of the IRP's recommendations it will result in an additional full year spend of approximately £19,000 for the 4.76% increase of the full year budget for Members' Allowances. The budget for Members Allowances was set using an anticipated increase of 4% for a full year. However, only backdating to the municipal year starting from 24 May 2023, together with two part-year vacancies will result in this being within budget for 2023/24. However, the ongoing impact is a continuing cost pressure to the Council.

8 Legal Considerations and Implications

8.1 The legislative framework for Members' Allowances is contained in the Local Government and Housing Act 1989 ("the 1989 Act"), the Local Government Act 2000 ("the 2000 Act") and the Local Authorities (Members' Allowances) (England) Regulations 2003.

8.2 Local Authorities are required to establish and maintain an IRP (of at least three individuals) which will broadly provide the local authority with advice on its scheme and the value of allowances to be paid. Local Authorities must have regard to this advice.

8.3 Local Authorities must include in their scheme of allowances a basic allowance, payable to all members, and may include provision for the payment of special responsibility allowances and a dependants' carers' allowance.

8.4 Local Authorities can backdate allowances to the beginning of the financial year in which they are paid, subject to the recommendations of the IRP.

8.5 Local Authorities are required, as soon as reasonably practicable, after receiving a report from the IRP which sets out recommendations, to ensure that copies of the report are available for inspection at their principal office at all reasonable hours and publish a notice in at least one newspaper circulating in the area which (i) states the Local Authority has received recommendations about the scheme of allowances, (ii) states that copies of the report are available for inspection, (iii) states the address of the principal office, and, (iv) describes the features of the IRP's recommendations including the amounts of allowances the IRP has recommended should be payable to elected members.

- 8.6 In addition, as soon as reasonably practicable after determining a scheme of Members' Allowances, Local Authorities must ensure that copies of the scheme are available for inspection at their principal offices at all reasonable hours and publish a notice in at least one newspaper circulating in its area which (i) states that the Local Authority has adopted a scheme of allowances and the period for which that scheme has effect, (ii) states that copies of the scheme are available for inspection, (iii) states the address of the principal office, (iv) describes the main features of the scheme including the amounts payable to elected members under the scheme, (v) states that in determining the scheme the Local Authority had regard to the recommendations of an IRP, and, (vi) describes the main features of the IRP's recommendations including the amounts of allowances the IRP has recommended should be payable to their elected members.

9 Risk Assessment

- 9.1 The Council must adopt an approved Members' Allowances Scheme in order to ensure statutory compliance.

10 Procurement implications

- 10.1 Not applicable.

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

- 11.1 Public sector equalities duties have been considered by the IRP as part of its deliberations.

12 Environmental Implications

- 12.1 Not applicable.

13 Other Considerations

- 13.1 None.

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Horsham Independent Remuneration Panel

Background details of members

CINZIA D'AMICO

Cinzia has lived in Horsham for nearly 30 years. A linguist by profession, she worked briefly as a flight attendant due to her love for travelling before running a translation agency for several years. She then went freelance translating and interpreting and working as a lecturer and dissertation supervisor for the University of Portsmouth in their Translation Studies MA. She is also a qualified TEFL teacher.

Cinzia works as a translator and public community interpreter, mainly dealing with the medical and social care fields. She is also a Director in two Property Management Agencies, a member of various panels and an exam invigilator for an American translators' association.

Cinzia has always been interested in contributing to the welfare of her community teaching in local colleges and volunteering as a "buddy" in art courses for people with disabilities.

ANNETTE CAPPER

A Fellow of the Chartered Institute of Personnel and Development, Annette has had a long career in executive HR roles across public and private sectors. This has included power and water industries, logistics and the NHS. Her last role was Head of HR Strategy with Veolia, a global recycling and waste company. She has held responsibility for pay and reward and is trained in several job evaluation techniques.

Annette took early retirement in 2019 and moved from the Midlands to the South-East in 2020 to be closer to family. Initially based in Mid Sussex she has undertaken an interim Executive Officer role with Tandridge District Council and is currently a Board Trustee for Mid Sussex Voluntary Action where she is their HR lead.

A move to Horsham in 2023 has prompted Annette to look at opportunities to support her new local area. She is looking forward to offering her extensive experience to Horsham District Council's Independent Remuneration Panel.

ALAN LADLEY

Alan Ladley has lived in West Sussex for over 50 years and was a police officer with Sussex Police for 36 years, serving in Horsham, Bognor Regis, Littlehampton and Chichester as well as the police HQ in Lewes. He retired in 2009 at the rank of Detective Superintendent.

Subsequently Alan worked for six years for Sussex Police as the Force Information Manager, overseeing the force's information assets as well as the management of Data Protection and Freedom of Information.

Alan lives in Bognor Regis with his wife who runs a retail business in the town. He is also a member of the Arun Independent Remuneration Panel.

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Horsham Independent Remuneration Panel

Report to Horsham District Council on impact of the 2023-24 local authority officers' pay award on Members' Allowances

The last full review by the Independent Remuneration Panel (IRP) of Members' Allowances was conducted in 2021. In April 2021, Full Council approved the recommendation that Members' Basic Allowance, the Special Responsibility Allowances and the Co-optees / Representatives Allowances be increased in line with the annual pay award for local authority employees.

The national pay agreement for local authority officers for 2022-23 was agreed in November 2022 but as opposed to a standard percentage increase, it was in the form of a fixed £1,925 PA award on all pay points. This meant that staff at the lower end of the pay scale effectively received a larger percentage increase than those higher up. This was to be backdated to April 2023.

In January 2023, the IRP conducted an interim review, and taking guidance from similar other local authorities, proposed taking the medium point on the officers' pay scale to achieve a percentage figure. For Horsham this equated to a rise of 4.9%. This was approved by Full Council in February 2023, who also agreed to backdate the increases to April 2022. The Full Council further agreed that should future local authority pay awards follow a similar pattern, then the same approach should be taken for an increase in Members' Allowances.

The national pay award for 2023-24 was again agreed late in the year but, on this occasion, it recommended a pay rise of £1,925 PA for all staff (except Directors or CEOs whose pay rise is equivalent to 3.5%) or 3.88%, whichever was greater.

The IRP has considered the latest pay award and proposes adopting the same broad criteria as last time but disregarding the percentage increase of the senior managers and follow the median pay point of the remaining points on the scale. Accordingly, the median point of the pay scale equates to 4.76% on this occasion. The national Pay award for officers was backdated to April 2023. However, considering the changes in the number of councillors as a result of the local elections held in May 2023, the IRP thought it may be considered more pragmatic to backdate any such increases in the scheme for this year to the start of the municipal year, i.e., 24th May 2023.

The panel therefore makes the following recommendations:

- 1) Councillors receive an increase in relevant allowances of 4.76%**
- 2) This be applied to the following allowances:**
 - a) Basic Allowance**
 - b) All Special Responsibility Allowances**
 - c) The Co-optees and Representatives Allowances**
- 3) The increases be backdated to 24th May 2023.**

- 4) That, where future pay awards for officers is not the same percentage at all points, a percentage increase be applied to Members Allowances at the percentage pay award received at the median pay point.**

The next full review of Members' Allowances is due to be concluded in early 2025 but, in the interim, future increases should continue to occur in line with officers' pay awards.

Alan Ladley

Cinzia D'Amico

Horsham Independent Remuneration Panel

January 2024

Report to Council

Wednesday, 21 February 2024

By the Chief Executive

DECISION REQUIRED



Not Exempt

Calendar of Meetings 2024/25

Executive Summary

This report proposes a programme of Council, Cabinet and Committee meetings for 2024/25. The programme takes into account, where possible, the dates of bank holidays and school holidays.

As in previous years, the calendar for 2024/25 is based on a two-monthly cycle for Council, Cabinet and Overview & Scrutiny Committee. The meetings of the Overview & Scrutiny Committee have been moved earlier in the cycle. The change in timetabling would enable comments from the Overview & Scrutiny Committee to be fed into the final Cabinet report.

It is proposed that both the Licensing Committee and the Governance Committee should continue to meet only as required, although there will be an initial meeting of each to elect a Chairman and Vice-Chairman. Licensing and Standards sub-committees will also continue to be called as and when necessary. It is also proposed that the meetings of the Standards Committee are reduced to once a year.

Cabinet Member Policy Development Advisory Group (PDAG) meetings will take place in the three weeks before each Cabinet meeting. It is proposed that joint PDAGs are held for 6 of the portfolios, as set out in Appendix 1.

Recommendations

The Council is recommended:

- (i) Approve the calendar of meetings for 2024/25, as submitted
- (ii) To delegate authority to the Monitoring Officer, to make amendments to the schedule of meetings of the Committee, in consultation with the relevant Chair, or, in their absence, the Vice-Chair

Reasons for Recommendations

To fix a programme of Council meetings and to approve a calendar for Cabinet and Committee meetings, which enables the Council to transact its business in a timely and efficient manner.

Background Papers

None.

Wards affected: None

Contact: Aisha Nottage, Democratic Services and Elections Manager.

Background Information

1 Introduction and Background

- 1.1 A draft calendar was prepared for initial consultation with officers to ensure that any statutory requirements/deadlines could be met during the year. Amendments were made in response to comments received. The draft was then circulated to all Members for comment.

2 Relevant Council policy

- 2.1 The Council's Constitution, Part 4a.2, provides that "Ordinary meetings of the Council will take place in accordance with the notice of meetings decided at the Council's Annual Meeting." However, it has been the Council's practice to agree a calendar for all Council, Cabinet, Committee and PDAG meetings at an earlier Council meeting. This is to ensure the dates are available to Councillors and the public before the next Municipal Year.

3 Details

- 3.1 A draft calendar of meetings for 2024/25 has been prepared for Members' approval and is attached to this report as **Appendix 1**.
- 3.2 The proposed programme takes into account, where possible, the dates of bank holidays and school holidays.
- 3.3 As in previous years, the calendar for 2024/25 is generally based on a two-monthly cycle. Extraordinary Council or additional Cabinet/Committee/sub-committee meetings may also be called during the year as necessary. Standards Committee is to meet once a year, with sub-committees to be called as and when required. Planning Committees continue to meet monthly.
- 3.4 It is proposed that the Licensing Committee should continue to meet only as required. Licensing sub-committees will also continue to be called as and when necessary. It is proposed that meetings of the Governance Committee should continue to be called as and when required.
- 3.5 Following the completion of the recent Peer Governance Review, the Overview & Scrutiny Committee is scheduled to meet on the Wednesday two weeks prior to the Cabinet meeting. The change in timetabling would enable comments from the Overview & Scrutiny Committee to be fed into the final Cabinet report.
- 3.6 Members briefings and seminars for training or development purposes will be arranged during the year on an ad-hoc basis as and when required.
- 3.7 The PDAGs will take place in the three weeks before each Cabinet meeting where practical. The meetings will take place prior to the meeting of the Overview & Scrutiny Committee within that cycle. It is proposed that, aside from the Finance & Resources portfolio, the remaining PDAGs are held as joint PDAGs. Consideration has been given to the portfolios that would be combined, based on the content of the portfolios. The membership of the PDAGs (11 per PDAG), will remain unchanged. The proposed PDAGs are as follows:

	Portfolios	
Joint PDAG 1	Climate Action & Nature Recovery	Leisure, Culture & Green Spaces
Joint PDAG 2	Environmental Health, Recycling & Waste	Housing, Communities & Wellbeing
Joint PDAG 3	Local Economy & Place	Planning & Infrastructure
PDAG 4	Finance & Resources	

- 3.8 The draft calendar also shows possible dates for the first two months of the 2025/26 Council year, for information only (please note that these may change when the final calendar for that year is prepared).
- 3.9 The first meetings of each committee are scheduled to take place immediately after the close of the Annual Council meeting on 8 May 2024 and this has been reflected in the draft calendar. This ensures that the Chair and Vice-Chair of each committee are appointed from the start of the municipal year, and the time that each committee will take place can be set.
- 3.10 West Sussex County Council are due to set their budget at their meeting on Friday 14 February, and the level of precept they set has an impact on the budget related decisions required to be made by this Council. As such, the Council meeting scheduled to approve the budget and set the levels of Council Tax for 2025/26 is scheduled for Monday 17 February. Whilst meetings are scheduled to avoid school holidays, in this instance it has been determined that this would be the most suitable date.

4 Next Steps

- 4.1 Once the calendar of meetings has been approved by the Council, the dates for 2024/25 will be published in the calendar of meetings on the Council's website. Councillors will be given instructions for adding these dates to their own Outlook Calendars.

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

- 5.1 Members and Officers have been consulted to ensure that the proposed programme meets the requirements for reporting on statutory matters such as the budget and final accounts.

6 Other Courses of Action Considered but Rejected

- 6.1 No other courses of action have been considered, as the Council requires a programme of meetings in order to transact its business in an efficient manner.
- 6.2 The option to hold the February 2025 Council meeting the week after the school holidays was considered, however due to the timescales for annual billing and the requirement to collect money to pass to West Sussex County Council and Sussex police, this option was rejected.
- 6.3 It was considered that the PDAGs could continue to meet separately. This option was rejected because the joint PDAG proposal enables more efficient use of Councillors' time, and to enable the consideration of initiatives that span more than one portfolio.

7 Resource Consequences

7.1 There are no resource consequences.

8 Legal Considerations and Implications

8.1 The Council must approve a calendar of meetings for the Cabinet and other committees and groups in order to ensure that Council business is transacted and done so in an open and transparent manner.

9 Risk Assessment

9.1 If the Calendar were not agreed at this stage there would be a risk to the Council's reputation, as it would not be seen to be operating in an open and timely manner. In addition, the Council may be prevented from transacting business in a timely manner.

10 Procurement implications

10.1 There are no procurement implications.

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

11.1 The approval of a programme of meetings for the year will enable its publication in advance. This will ensure that this information can be made available to members of the public who may wish to either view meetings virtually or attend and/or address meetings of the Council and its Committees or the Cabinet.

12 Environmental Implications

12.1 There are no environmental implications.

13 Other Considerations

13.1 There are no positive or negative impacts arising from this proposal in relation to crime and disorder.

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All meetings take place at 5.30pm, with the exception of Council which takes place at 6pm. Meeting locations are listed below the calendar. The location of additional meetings will be published with the agenda.

	May	June	July	August	September	October	November	December	January	February	March	April	May (DRAFT)	June (DRAFT)	July (DRAFT)
Monday			1												
Tuesday			2 PCN			1 PCN						1 PCN			1 PCN
Wednesday	1		3			2			1 B/H			2 Council			2 Cabinet
Thursday	2 Elections		4	1		3			2				1 Elections		3
Friday	3		5	2		4	1		3				2		4
Saturday	4	1	6	3		5	2		4	1	1	5	3		5
Sunday	5	2	7	4	1	6	3	1	5	2	2	6	4	1	6
Monday	6 B/H	3 PDAG 1	8	5	2 PDAG 1	7	4	2	6 PDAG 1	3	3	7	5 B/H	2	7
Tuesday	7	4 PCN	9	6 PCN	3 PCN	8	5 PCN	3 PCN	7 PCN	4 PCN	4 PCN	8	6	3 PCN	8
Wednesday	8 A. Council	5 Council	10 Audit	7	4 PDAG 2	9	6 O&S	4 Audit	8 PDAG 2	5	5 O&S	9	7 O&S	4 Council	9 Audit
Thursday	9 PDAG 1	6 PDAG 2	11	8	5 PDAG 3	10	7	5	9 PDAG 3	6	6	10	8	5	10
Friday	10	7	12	9	6	11	8	6	10	7	7	11	9	6	11
Saturday	11	8	13	10	7	12	9	7	11	8	8	12	10	7	12
Sunday	12	9	14	11	8	13	10	8	12	9	9	13	11	8	13
Monday	13 O&S	10 PDAG 3	15	12	9 PDAG 4	14	11	9	13 PDAG 4	10	10	14	12	9 PDAG 1	14
Tuesday	14 PCN	11 PDAG 4	16 PCS	13	10	15 PCS	12	10	14	11	11	15 PCS	13 PCN	10 PDAG 2	15
Wednesday	15 PDAG 2	12 O&S	17 Council	14	11 O&S	16 Council	13	11 Council	15 O&S	12	12 Standards	16	14	11 PDAG 3	16 Council
Thursday	16 PDAG 3	13 Governance	18	15	12	17	14	12	16	13	13	17	15	12 PDAG 4	17
Friday	17	14	19	16	13	18	15	13	17	14	14	18 B/H	16	13	18
Saturday	18	15	20	17	14	19	16	14	18	15	15	19	17	14	19
Sunday	19	16	21	18	15	20	17	15	19	16	16	20	18	15	20
Monday	20 PDAG 4	17	22	19	16	21 PDAG 1	18	16	20	17 Council	17	21 B/H	19	16	21
Tuesday	21 PCS	18 PCS	23	20 PCS	17 PCS	22 PDAG 2	19 PCS	17 PCS	21 PCS	18 PCS	18 PCS	22	20 PCS	17 PCS	22 PCS
Wednesday	22 Cabinet	19	24	21	18 Audit	23 PDAG 3	20 Cabinet	18	22	19	19 Cabinet	23 A. Council	21 Cabinet	18 O&S	23
Thursday	23	20	25	22	19	24 PDAG 4	21	19	23	20	20	24 PDAG 1	22	19	24
Friday	24	21	26	23	20	25	22	20	24	21	21	25	23	20	25
Saturday	25	22	27	24	21	26	23	21	25	22	22	26	24	21	26
Sunday	26	23	28	25	22	27	24	22	26	23	23	27	25	22	27
Monday	27 B/H	24	29	26 B/H	23	28	25	23	27	24 PDAG 1	24	28 PDAG 2	26 B/H	23	28
Tuesday	28	25	30	27	24	29	26	24	28	25 PDAG 2	25	29 PDAG 3	27	24	29
Wednesday	29	26 Cabinet	31	28	25 Cabinet	30	27	25 B/H	29 Cabinet	26 PDAG 3	26 Audit	30 PDAG 4	28	25	30
Thursday	30	27		29	26	31	28	26 B/H	30	27 PDAG 4	27		29	26	31
Friday	31	28		30	27		29	27	31	28	28		30	27	
Saturday		29		31	28		30	28			29		31	28	
Sunday		30			29			29			30			29	
Monday					30			30			31			30	
Tuesday								31							

Committees	Location
Audit Committee	Conference Room
Cabinet	Conference Room
Council	Park Suite
Governance Committee	Conference Room
Licensing Committee	Conference Room
Overview & Scrutiny Committee	Conference Room
Planning Committee (North)	Conference Room
Planning Committee (South)	Conference Room
Standards Committee	Conference Room

Joint Policy Development Advisory Groups	
1	CANR and LCGS joint PDAG Online/Hybrid
2	EHRW and HCW joint PDAG Online/Hybrid
3	LEP and PI joint PDAG Online/Hybrid
4	Finance & Resources PDAG Online/Hybrid

Bank Holiday & School Holiday Dates

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Report to Council

21 February 2024

By the Cabinet Member for Housing, Communities
& Wellbeing



DECISION REQUIRED

Proposed update to the Board of Directors for the Council owned affordable housing companies

Executive Summary

In March 2019, Cabinet approved the creation of two companies for the purposes of providing affordable rental housing in the District. Horsham District Homes Ltd (HDH), the development company, was incorporated in August 2019 and Horsham District Homes (Holdings) Ltd (HDH(H)) was incorporated in December 2019.

The board of Directors are in place to control the operation and management of the Company. A shareholder's agreement is in place between the Council and the Companies and details matters that are reserved to Cabinet for approval. The appointment and the appointment terms of any Council appointed Directors and the removal of any Council appointed Directors are reserved matters.

Due to the imminent departure of the former Head of Property and Facilities and departure of the former Head of Housing and Communities it is necessary to amend the Board of Directors for the housing companies.

Recommendations

That the Council is recommended to:

- i) Note the resignation of Brian Elliott from the Board of Directors of HDH and HDH(H).
- ii) Note the resignation of Robert Jarvis from the Board of Directors of HDH(H).
- iii) Approve the appointment of Andrew Smith, Head of Housing and Communities, to the Board of HDH and HDH(H) Limited on the terms contained in Appendix A.
- iv) Approve the appointment of Elizabeth Williams, Head of Property and Facilities, to the Board of HDH and HDH(H) Limited on the terms contained in Appendix A.

Reasons for Recommendations

To ensure that the Housing Companies have a properly constituted Board of Directors following the resignations of two directors .

Background Papers

Cabinet report 21 March 2019

Wards affected: All

Contact:

Paul Anderson, Director of Communities, 01403 215250

Background Information

1 Introduction and Background

- 1.1 The Council incorporated two housing subsidiary companies in 2019.
- 1.2 Due to the imminent departure of the former Head of Property and Facilities and departure of the former Head of Housing and Communities it is necessary to amend the Board of Directors for the housing companies.

2 Relevant Council policy

The 2023 to 2027 Council Plan sets out the Council's strategic objectives and includes supporting people and communities, improving access to affordable housing and community services.

3 Details

- 3.1 The current Directors are:

Horsham District Homes Limited	Horsham District Homes (Holdings) Limited
Paul Anderson	Paul Anderson
Brian Elliott	Brian Elliott
Samantha Wilson	Samantha Wilson

- 3.2 Brian Elliott will be leaving Horsham District Council in March 2024 and the Board have reviewed the impact of this on the Companies and feel it is appropriate to replace the directors who have recently resigned with two new directors.

4 Next Steps

Within 14 days of the change, submit to Companies House, the documentation to formally remove Brian Elliott from the Board of HDH and HDH(H) and appoint Andrew Smith and Elizabeth Williams to Board of HDH and HDH(H).

5 Views of the Policy Development Advisory Group and outcome of consultations

- 5.1 The appointment and removal of Directors to the housing companies is a reserved matter, this report is for approval and is not related to policy development.

6 Other courses of action considered but rejected

No other courses of action were considered. The company's Articles state that there must be a minimum of three directors on the board for each company and the

resignation of Brian Elliott has triggered a review of the board.

7 Resource consequences

7.1 There are no significant resource implications.

8 Legal consequences

8.1 The Articles for both companies provide that the Council may at any time appoint or remove directors.

8.2 The Shareholder's Agreement provides that council approval is required for the appointment of directors to the Housing Companies.

8.3 The changes in directorship will be updated at Companies House.

9 Risk assessment

There is no risk associated with these changes.

10 Procurement implications

10.1 There are no procurement implications associated with this report.

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

11.1 There are no equalities and human rights implications associated with this report.

12 Environmental Implications

12.1 There are no environmental implications from this report.

13 Other Considerations

13.1 There are no GDPR / Data Protection or Crime & Disorder implications arising from this report

APPENDIX A

LETTER OF APPOINTMENT OF A DIRECTOR

[on company headed paper]

Dear

Horsham District Homes Limited (the **Company**)

This letter contains the terms which we have discussed and agreed for your appointment as a director of the Company, as a Director of Horsham District Homes. Your appointment is made pursuant to and is subject to the terms and conditions set in the Shareholder Agreement dated 16th September 2019 (**Agreement**).

You shall not be entitled to any fees or remuneration save as paid to you by your appointer or as otherwise expressly agreed in writing.

You shall be expected to attend Board meetings and general meetings (where requested) of the Company. You shall receive details of all such meetings in advance.

You shall not, whether during the appointment or after its termination, except in the proper course of your duties or as required by law, use or divulge, and shall use all reasonable endeavours to prevent the use or disclosure of, any trade or business secrets or any information concerning the business or finances of the Company or of any dealings, transactions, or affairs of the Company or any client, customer or supplier of the Company which comes to your knowledge during the course of this appointment and shall comply with the provisions of clause 16 (*Confidentiality*) of the Agreement as if it applied to you. You shall, however, be entitled to disclose information to the shareholder appointing you as permitted under the Agreement.

The appointment shall automatically cease in relation to the Company in the event that: (a) you resign as a director; or (b) upon the delivery of a notice from the Council in accordance with the Company's Articles of Association removing you from office in relation to the Company. Without limitation to (a) and (b) above, in signing this letter, you acknowledge that your office is subject to the terms of the Agreement and the Company's Articles of Association and may be determined as permitted under the terms of the Agreement and the Articles and that upon such termination you shall vacate office in relation to the Company forthwith without raising any claim whatsoever against the Company.

On termination of your appointment, you agree that you shall promptly return to the Company all papers and property of the Company which are in your possession or under your control.

Please indicate your acceptance and acknowledgement of these terms by signing the attached copy and returning it to me. I look forward to seeing you at our next Board meeting.

Yours sincerely

Signatory, duly authorised
for and on behalf of the Company

I agree to and acknowledge the terms and conditions set out above relating to my appointment as director of the Company.

Signed