



Email: committeeservices@horsham.gov.uk
Direct line: 01403 215465

Cabinet

Thursday, 26th May, 2016 at 5.30 pm
Conference Room, Parkside, Chart Way, Horsham

Councillors:	Ray Dawe	Leader
	Jonathan Chowen	Deputy Leader and Leisure and Culture
	Philip Circus	Housing and Public Protection
	Roy Cornell	Waste, Recycling and Cleansing
	Brian Donnelly	Finance and Assets
	Gordon Lindsay	Local Economy
	Kate Rowbottom	Community and Wellbeing
	Claire Vickers	Planning and Development

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	1 - 6
To approve as correct the minutes of the meeting held on 24 th March 2016	
3. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Cabinet	
4. Announcements	
To receive any announcements from the Leader, Cabinet Members or the Chief Executive	
5. Public Questions	
To receive questions from and provide answers to the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting	
6. Redevelopment of Hop Oast Depot	7 - 12
Report of the Cabinet Member for Waste, Recycling and Cleansing on the approval of the building construction contract for the redevelopment of Hop Oast Depot	

7.	In-cab technology	13 - 18
	Report of the Cabinet Member for Waste, Recycling and Cleansing on the appointment of an in-cab technology equipment supplier	
8.	Property investment purchase	19 - 22
	Report of the Cabinet Member for Finance and Assets on a property investment purchase	
9.	Scrutiny & Overview Committee	
	To consider any matters referred to Cabinet by the Scrutiny & Overview Committee – There are no matters currently outstanding for consideration	
10.	Forward Plan	23 - 30
	To note the Forward Plan	
11.	To consider matters of special urgency	
12.	To consider the following exempt or confidential information:	
a)	Appendix 2 to the Report of the Cabinet Member for Waste, Recycling and Cleansing on the appointment of an in-cab technology equipment supplier	31 - 32
b)	Appendix 2 to the Report of the Cabinet Member for Finance and Assets on a property investment purchase	33 - 36

Cabinet
24 MARCH 2016

Present: Councillors: Ray Dawe (Leader), Philip Circus, Roy Cornell, Brian Donnelly, Kate Rowbottom and Claire Vickers

Apologies: Councillors: Jonathan Chowen and Gordon Lindsay

Also Present: Councillors: Andrew Baldwin, John Blackall, Karen Burgess, Peter Burgess, Leonard Crosbie, Nigel Jupp, Adrian Lee and Stuart Ritchie

EX/46 **MINUTES**

The minutes of the meeting of the Cabinet held on 28th January 2016 were approved as a correct record and signed by the Leader.

EX/47 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

EX/48 **ANNOUNCEMENTS**

The Chief Executive reported that the Council's Commissioning & Performance and Sustainability teams had won the Sustainability/Corporate Social Responsibility Initiative of the Year Award at the National Government Opportunities (GO) Excellence in Public Procurement Awards 2016/17. The teams had won the award for their innovative commissioning approach to the sustainable disposal of surplus office equipment when the Council moved from its old premises to its new location in 2015.

EX/49 **PUBLIC QUESTIONS**

No questions had been received.

EX/50 **REPORT OF THE CABINET MEMBER FOR PLANNING AND DEVELOPMENT ON THE LOCAL ENFORCEMENT PLAN**

The Cabinet Member for Planning and Development reported that the Planning Compliance Team undertook investigations into alleged breaches of planning legislation and had discretionary powers to take action where appropriate and in the public interest.

Whilst the Council had agreed performance indicators that were used to monitor the performance of the Planning Compliance Team, there was no adopted Local Enforcement Plan. A Local Enforcement Plan had therefore been

developed, setting out the Council's policy for the enforcement of planning control and identifying local priorities for enforcement action, so that resources were put to best use in dealing with breaches of planning control that threatened the quality of the local environment or the amenities of residents of the District.

If adopted, the Local Enforcement Plan would provide guidance to Councillors, businesses and members of the public by setting out the principles and standards the Planning Compliance Team would work to in enforcing breaches of planning control.

In response to concerns expressed, the Cabinet Member undertook to amend the wording of the penultimate paragraph of section 2 of the Plan (How the planning compliance team will deliver the service).

RESOLVED

- (i) That the wording of the penultimate paragraph of section 2 of the Plan (How the planning compliance team will deliver the service) be amended by the Cabinet Member for Planning and Development in consultation with the Head of Legal & Democratic Services.
- (ii) That, subject to (i) above, the Local Enforcement Plan be adopted as Council Policy.

REASONS

- (i) Paragraph 207 of the National Planning Policy Framework (March 2012) states that:
"Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so."
- (ii) An adopted Local Enforcement Plan would assist the Council to effectively mitigate any legal challenges made against the decision as to whether or not to take formal enforcement action on individual cases and provide clarity to all those involved within the Compliance process what to expect from the service.

The Cabinet Member for Finance and Assets, on behalf of the Cabinet Member for Local Economy, reported that the existing Agency Agreement between West Sussex County Council and Horsham District Council for the delivery of on street parking services, introduced in 2006 was due to expire at the end of March 2016.

Approval was therefore now being sought to enter into a new Agency Agreement with the County Council for the management and operation of Civil Parking Enforcement (CPE) and the management of the Horsham and Billingshurst Controlled Parking Zones (CPZ). The proposed new Agency Agreement did not seek to amend the current operation of the service but did give the opportunity to achieve financial savings against Horsham's current contributions.

RESOLVED

That a new Agency Agreement be entered into with West Sussex County Council with regard to Civil Parking Enforcement and the management of the Controlled Parking Zones, as reported.

REASONS

To ensure that the service can be managed in an efficient and cost effective way, ensuring that the Council has control over parking enforcement processes and matching operations against strategic objectives.

EX/52

REPORT OF THE CABINET MEMBER FOR PLANNING AND DEVELOPMENT ON THE COASTAL WEST SUSSEX AND GREATER BRIGHTON UPDATED LOCAL STRATEGIC STATEMENT FOR DELIVERING SUSTAINABLE GROWTH 2015-31

The Cabinet Member for Planning and Development reported that it was important to identify and deliver priorities for strategic planning, development and infrastructure. A mechanism for doing this, in the absence of Regional Planning and to meet the duty to cooperate, was the production of non-statutory Local Strategic Statements across local planning authority areas. The Coastal West Sussex and Greater Brighton (CWS&GB) Local Strategic Statement (LSS) had therefore been prepared by the local planning authorities (LPAs) in the sub-region to provide the context for delivering sustainable growth over the period 2013-2031. The northern part of Horsham District was covered by the Gatwick Diamond Local Strategic Statement, whilst the southern area did not have any LSS coverage.

When the CWS&GB authorities decided to update their existing LSS, Horsham District had been invited to join their Strategic Planning Board (SPB) and take part in drafting the updated LSS. An updated LSS had now been produced which included the context and delivery priorities for the southern part of Horsham District.

The Coastal West Sussex and Greater Brighton Local Strategic Statement was therefore now submitted for approval.

RESOLVED

- (i) That the updated Coastal West Sussex and Greater Brighton Local Strategic Statement (LSS2) including Annexes 1-3 be endorsed.
- (ii) That Annex 4, the Coastal West Sussex and Greater Brighton Monitoring and Delivery Framework (Update January 2016), be noted.

REASON

The LSS is important evidence to demonstrate that the requirements of Duty to Cooperate have been met and have been an integral part of plan-making across the area.

EX/53 **REPORT OF THE CABINET MEMBER FOR LEISURE AND CULTURE ON LEISURE CENTRES - CONTRACT EXTENSIONS**

The Leader presented a report seeking approval to exercise the existing option to extend the current ten year leisure management contract with Places for People Leisure Limited (PfP) by a further five years to the end of November 2027. The current contract also included a provision to vary the contract to include a new or replacement leisure centre at Broadbridge Heath. It was therefore intended that the extended contract would include the management of the replacement Broadbridge Heath Leisure Centre (BBHLC), which was anticipated to open in early 2018.

The current contract provided for a significant payment to be made to the Council for the management and operation of Pavilions in The Park, Steyning Leisure Centre and Billingshurst Leisure Centre, whilst the management and operation of the existing BBHLC was carried out at a considerable cost to the Council. Alongside proposals for building a replacement BBHLC, officers had been participating in ongoing negotiations with PfP to agree a contract sum to be paid to the Council in order for PfP to operate the replacement BBHLC. An independent assessment of the likely revenue return of a replacement BBHLC to the Council had been undertaken based on the feasibility design proposals and a figure of £59,000 per annum (excluding the management of the Athletics track) had been included in the affordability calculations of building a replacement BBHLC, as agreed by the Council in December 2015. The negotiations had resulted in a final offer from PfP which was conditional on the Council extending the current contract for an additional five years to November 2027.

The final offer from PfP would result in a significant additional leisure management revenue contribution to the Council over the extended term of the contract, in accordance with the benefits expected from running a new purpose built facility with its associated efficiency and income generating opportunities. It also guaranteed the Council an improved overall management fee comparable with estimated figures if the Council were to undertake a procurement exercise for the same proposal.

RESOLVED

- (i) That the extension of the existing leisure management contract with Places for People Leisure Limited for the period 1st December 2022 to 30th November 2027 be approved, to include operating the replacement Broadbridge Heath Leisure Centre.
- (ii) That the proposal from Places for People Leisure Limited in respect of a variation to the current management fee payable to the Council linked to the opening date of the replacement Broadbridge Heath Leisure Centre be approved, as reported.
- (iii) That the Director of Community Services, in consultation with the Cabinet Member for Leisure and Culture, be authorised to agree the final details of the contract extension.

REASONS

- (i) The replacement Broadbridge Heath Leisure Centre requires the renegotiation of some aspects of the existing leisure management contract between the Council and Places for People Leisure Limited (PfP). A negotiated extension offer would provide the Council with best value for money, as benchmarked by a recent independent evaluation.
- (ii) The replacement BBHLC will improve the Council's revenue position once it is built and operational.
- (iii) The extension of the current contract will provide continued certainty for the management and operation of the Council's Leisure Centres.

EX/54 **SCRUTINY & OVERVIEW COMMITTEE**

There were no matters currently outstanding for consideration.

EX/55 **FORWARD PLAN**

The Forward Plan was noted.

EX/56 **TO CONSIDER MATTERS OF SPECIAL URGENCY**

There were no matters of special urgency to be considered.

The meeting closed at 6.03 pm having commenced at 5.30 pm

CHAIRMAN

Report to Cabinet

26th May 2016

By the Cabinet Member for Waste, Recycling and
Cleaving

&

By the Cabinet Member for Finance and Assets



Horsham
District
Council

DECISION REQUIRED

Not exempt

Approval of the building construction contract for the redevelopment of Hop Oast Depot

Executive Summary

On 26th March 2015, Cabinet approved the redevelopment of the waste depot at Hop Oast and on 29th April 2015, Council approved a budget for the project of £4.55M, which comprised of £4.3m for construction and fees and £250,000 as a sum to ensure business continuity during the construction period.

On 28th January 2016, Cabinet approved the selection of a building contractor, Sunninghill Construction Co Limited, from the Sussex Cluster Contractor Framework. The contractor's appointment was on a two stage design and build basis, which enables the contractor to join the project team before a final price has been established.

The design process has been completed and the selected building contractor has now provided a price for completion of the works, which is £3.883m plus professional fees of £138,000. In addition a £185,000 contingency budget has been allocated for the construction works. The total figure including fees and contingency is £4.206m which is below the £4.3m original estimated budget for the construction element of the project. Cabinet approval is required to enter into the building contract for this sum and to proceed to the construction phase of the project.

It is expected to start the works on site towards the end of June 2016 and that the building contract will be completed and the depot operational from the new facility in Autumn/Winter 2017.

Recommendation

The Cabinet is recommended to:

- (i) Approve the tender received from Sunninghill Construction Co Limited and to enter into a contract so that the construction phase of the building contract can commence.

Reasons for Recommendations

1. To undertake the redevelopment of the Hop Oast Depot and provide an improved waste disposal depot.

Background Papers

Council, 26th February 2014, Annual Budget Report – Capital Programme Hop Oast Depot (£3,500,000 approval)

Cabinet Report 26th March 2015: Hop Oast Depot Replacement (request for additional £1,050,000 capital budget)

Referred to Council, 29th April 2015: Hop Oast Depot Replacement (approval of an additional £1,050,000 capital budget)

Cabinet Report 28th January 2016: Appointment of a Building Contractor- Hop Oast Depot

None

Consultation

Wards affected All

Contact: Brian Elliott Property and Facilities Manager

Background Information

1 Introduction

- 1.1 Cabinet agreed in March 2015 to redevelop Hop Oast Depot in order to: bring the facility up to date; remove potential health and safety risks; consolidate two depot facilities into one for operational efficiencies and to provide a facility that will accommodate the expected future growth of the District.
- 1.2 Council approved in April 2015 a budget for the works of £4.3m together with a £250,000 contingency transition fund to ensure business continuity during the construction period. The total budget approved is £4.55m. Previous budgetary approval for a new depot was agreed as part of the Council budget in February 2014. These figures were based on a cost plan for a workshop and office facility, comprising three workshop bays together with administrative offices.
- 1.3 The detailed design has been completed taking into account current and future business needs. The design incorporates modern efficient features required for a facility of this nature, to ensure that business operations can be conducted in a safe and efficient environment. The design also allows for the building to be expanded in the unlikely event that additional office accommodation is required in the future.

2 Background

- 2.1 Hop Oast depot was developed during the 1980s for a waste operation that consisted of 10 refuse collection vehicles and crews. The Council's waste operation has grown since then (including the collection of residual, recycling and trade waste operations and accommodating the Council's cleansing functions) and there are now 25 large goods vehicles located at Hop Oast, with a further 14 at the Hurston Lane Depot in Storrington.
- 2.2 Both Hop Oast and Hurston Lane are reaching the end of their physical and economic life; paved surfaces have degraded and the buildings do not meet modern health and safety and welfare requirements. The intensification of use over the years means that it is difficult to segregate people and vehicles, which presents health and safety risks. The vehicle workshop at Hop Oast is unable to accommodate large refuse vehicles and has insufficient space to operate, resulting in staff having to regularly repair and maintain vehicles outside.

There are also a number of health and safety shortcomings at the site, which include:

- Very poor segregation between vehicles and pedestrians
- Insufficient space for parking operational vehicles on site leading to overcrowding and problems with manoeuvring vehicles
- The site entrance is located on a blind bend creating a significant risk of collision with passing vehicles
- Staff welfare facilities are inadequate, the canteen, toilets, lockers and showers do not comply with modern requirements

- Vehicle maintenance often takes place in the open air, causing safety and welfare concerns for maintenance staff, e.g. working outside during rain or cold conditions

2.3 The brief to the project team was to achieve a design that provides:

- A flexible facility that can cope with the increase in demand resulting from projected population growth over the next 30 years.
- Greater operational efficiency
- A facility that is modern, safe and fit for purpose
- A facility that would be acceptable to an external provider, if the service were to be commissioned in the future.

The design meets the project brief.

2.4 A detailed assessment of the potential business continuity transition costs is still to be established, but it is anticipated that the £250,000 allocated budget is adequate.

3 Statutory and Policy Background

Statutory background

3.1 Accepting the construction cost under the two stage design and build procurement process is compliant with procurement and financial regulations.

Relevant Council policy

3.2 Delivering a new waste depot is a key objective of the Corporate Plan Priorities 2016-19, Environment theme 'Deliver a new waste depot by March 2018'.

4 Financials

4.1 The total cost of the final contract cost sum settled with the contractor is £3.883m. In addition to this are professional fees of £138,000 plus a construction contingency budget of £185,000. The total figure, including fees and building contingency is £4.206m (excluding contingency transition costs), which is below the approved capital budget of £4.3m agreed by Council in April 2015.

5 Outcome of Consultations

5.1 The Director of Corporate Resources comments are incorporated in this report.

5.2 The Council Solicitor/Monitoring officer comments are incorporated in this report

5.3 The Director of Community Services (Project Sponsor) comments are incorporated in this report.

6 Other Courses of Action Considered but Rejected

None.

7 Next steps

To instruct the contractor to proceed with the construction phase of the project.

8 Conclusion

The project brief is to provide a building which meets the current and future needs of the service and the construction costs are within the approved budget.

Appendix 1

Consequences of the Proposed Action

What are the risks associated with the proposal? Risk Assessment attached Yes/No	This is a major construction project and there are risk associated with this, including cost and time over runs.
How will the proposal help to reduce Crime and Disorder?	The new facility will have improved security, better fencing and underground fuel tanks.
How will the proposal help to promote Human Rights?	There are no specific human rights implications.
What is the impact of the proposal on Equality and Diversity? Equalities Impact Assessment attached Yes/No/Not relevant	The new facility will have improved access arrangements.
How will the proposal help to promote Sustainability?	The improved facility has a number of sustainability features which will reduce the CO ² emissions and running costs of the building.

Report to Cabinet

26th May 2016

By the Cabinet Member for Waste, Recycling and
Cleaving



**Horsham
District
Council**

DECISION REQUIRED

Not Exempt

Appendix 2 Exempt under Paragraph 3 of Part 1 of
Schedule 12A to the Local Government Act 1972

Appointment of in-cab technology – equipment supplier

Executive Summary

Horsham District Council was successful in being awarded £392,270 funding supplied by the Department for Communities and Local Government (DCLG) in December 2012. As part of this funding application a technologies solution known as 'in-cab' devices was seen as a benefit offering enhanced customer service with options in the software to improve recycling quality and participation.

The Council therefore needs to procure a system that meets the requirements set out in the specification documents. In order to identify what products were available, Officers invited all suppliers listed on the Crown Commercial Services Local Authority Software Agreement (LASA) Lot 11 Framework, to tender against a specification which meets the Council's requirements.

Recommendations

The Cabinet is recommended:

- i) To accept the single tender submitted by Company A (exempt appendix 2) and award the contract for 27 hardware installations plus software (residential and commercial options) with maintenance and licensing included.

Reasons for Recommendations

- (i) Under the Council's procurement rules it is necessary for Cabinet to agree to the award of a contract of this size.

Background Papers

Report to Council 19th December 2012 'Acceptance of offer from the Department of Communities and Local Government Funding- Improving the quality of collected recyclables'.

Wards affected: All

Contact: John McArthur, Street Scene and Fleet Services Manager 01403 739388

Background Information

1 Introduction and Background

- 1.1 The DCLG funding secured in 2012 (for a five year period) has allowed the Council to implement a number of service improvements, particularly with regard to improving the quality and quantity of recycled waste collected. Part of the successful DCLG funding bid included the purchase of live link “in-cab” technology devices. These are devices installed into each of the refuse collection vehicles which can record the quality of material in each bin when put out for collection.
- 1.2 Recyclate quality is a key issue in ensuring that our recycling collection service remains as efficient as possible and to ensure that the authority is not unnecessarily accepting and transporting non-recyclable waste to transfer facilities where they are rejected and the Council is charged.
- 1.3 In addition to this, the West Sussex Waste Partnership Memorandum of Understanding (MOU) agreed by Cabinet in January 2016 outlines the requirements for high quality recyclates which is linked to performance payments. With the benefit of in-cab technology we will be able to maximise our revenue from recycling materials by improving the quality of material collected. The MOU also penalises waste collection authorities for delivering contaminated recycling waste to transfer facilities. Non-compliance of recycling materials can lead to entire loads being rejected at Waste Transfer Stations and expensive disposal.

2 Relevant Council Policy

- 2.1 The delivery of the Horsham District Council Corporate Plan Priorities 2016-19. Environmental Key Objective- by maximising the efficiency of the waste service and by contributing towards reaching a 50% household recycling rate by 2020.

3 Details

- 3.1 Horsham District Council has a fleet of 24 frontline collection vehicles providing service to nearly 60,000 homes across the district collecting recycling, green waste and residual waste with over 120,000 collections a week taking place. In addition we have 3 trade refuse vehicles servicing around 1,300 business customers. Considering the number of service transactions undertaken per week, it is now imperative that the Council has the ability to convey information quickly to customers via technology based solutions and in addition, review performance linked to service delivery.
- 3.2 The refuse operative is able to identify whether the material in the recycling bin meets quality measures and is able to decide whether it is collected. If the contents do not comply with the materials that we collect for recycling, the operative can enter this into the in-cab device. The in-cab device automatically registers that the bin has not been collected and the reasons why - e.g. contamination of recycling materials. In additional it can also record whether a bin has not been put out for collection (to avoid missed bin complaints); which households require assisted collections; which households need to be targeted with publicity and advice on materials to be recycled etc. The automatic generation of information can be sent to a household explaining which material can and cannot be placed in the recycling bins.

- 3.3 As the system is a 'live' real-time mobile GPS device, information is relayed immediately to the Council's Contact centre which enables timely information to be provided to the customer. The in-cab devices will allow a live link from each respective collection vehicle enabling reporting of non-compliant recycling bins and wheeled bins that are not out on the prescribed day of collection. Additional information regarding a particular property can also be uploaded. Officers will be able to focus their efforts on to non-compliant properties, offering advice to assist customers with recycling quality and participation.
- 3.4 Additionally the system will allow Officers to migrate collection information to the website keeping customers up to date with developments linked to scheduled collections, e.g. weather conditions, vehicle breakdowns etc. The system has a wide range of functions within the software package allowing the Council to send automatically generated correspondence to customers with regard to recycling contamination as an example, once live feedback has been received from the collection crew. In addition another key functions offered addresses the long standing issue of missed bins. Operatives can accurately record whether a bin has been placed out at the correct time on the correct collection day. If a bin/bins are not out for collection on the appropriate day, this can be recorded on the system and sent immediately to Contact Centre staff. This will reduce unwarranted resource time spent returning for erroneous missed collections with associated costs.
- 3.5 The tendering process was undertaken using a framework agreement – Local Authority Software Agreement (LASA) Lot 11. The LASA software agreement is a pre-tendered EU compliance framework contract, which was undertaken by the Crown Commercial Services on behalf of the wider public sector. Horsham District Council can therefore legally access this agreement and the suppliers contained within it without the need to re-advertise our requirements.
- 3.6 Prior to the tender exercise a soft market engagement exercise was undertaken. Four key suppliers were invited to demonstrate their products to assess core suitability and assist with the production of a tender specification. The tendering process via the framework elicited only one response which has been evaluated. The submission scores well against the specification and the associated costs have been compared with other similar installations in the marketplace to ensure that Horsham District Council is getting good value for money. Details of the tender can be found in the Exempt Appendix 2.
- 3.7 The tender required different service led applications; either as essential or desirable. The essential elements will be delivered for Residential Collections and Commercial Waste Collections via in-cab hardware and software. The installation will reflect the need to replace the current fleet of vehicles in 2018 and as such transfer of hardware will cause minimal disruption when undertaken.
- 3.8 The proposal would see hardware being fitted into the existing collections fleet making allowances for ease of transfer into any new vehicles procured in the future. In addition this technology offers software to enable a range of options to be used that improve customer experience as well as improving efficiencies linked to service delivery across the district.
- 3.9 Live feedback from crews will allow the Council to inform customers of progress for each road which will help to inform customers in a more timely manner with information uploaded on to the Council's web page accordingly. This is achieved via

3G or 4G technology whilst out in the district. Overnight the system can be updated with any round changes.

- 3.10 The System is used by other Councils to great effect, which has virtually eliminated return journeys linked to missed collections as well as offering a more effective communication channel with customers particularly regarding recycling.
- 3.11 The System also offers a benefit linked to Health and Safety given that it can add in safety updates whilst crews are out collecting via the overnight updates.
- 3.12 The trade waste module affords greater control with regard to the Council's customer database and invoicing for trade waste collections. The devices have the ability to create revised invoices dependent upon any service variation provided, therefore enhancing revenue collection.

4 Next Steps

- 4.1 Initial Staff consultation has taken place however further training will need to take place.
- 4.2 Key collections staff and Union representatives have visited other Councils who have the same devices in order to see the system in a live setting.
- 4.3 Installation phasing has to be agreed with the supplier. A data migration exercise will need to take place for full integration.

5 Outcome of Consultations

- 5.1 Key staff have been consulted in a preliminary consultation exercise, including GMB representatives.
- 5.2 The Cabinet Member for Waste & Recycling and the Cleansing has also been consulted.
- 5.3 The Director of Corporate Resources comments have been incorporated in to this report.
- 5.4 The Council Solicitor/Monitoring Officer comments are incorporated in this report.

6 Other Courses of Action Considered but Rejected

- 6.1 Other suppliers were consulted with appropriate demonstrations arranged. Other systems were considered unlikely to meet our needs.

7 Financial Consequences

- 7.1 The tender costs are in line with those forecast from the soft market testing exercise. Costs for the in-cab technology are to be funded from the £392,270 DCLG ring-fenced grant of which £254,100 remains.

A detailed breakdown of the tender costs is contained within Exempt Appendix 2. Horsham District Council requires a combination of 24 fixed units and 3 dockable units.

8 Legal Consequences

- 8.1 The relevant legislation is covered in the Environmental Protection Act 1990 and the Household Waste Recycling Act 2003.

9 Staffing Consequences

- 9.1 Training will be required in order for operational and back office staff to become fully conversant with the system. Therefore manufacturer training and internal support training will be required. ICT have had significant involvement prior to the tendering exercise to ensure compatibility and functionality requirements. Further support is required to ensure that data is transferred accurately and that any minor compatibility issues are resolved by working with the supplier.

10 Risk Assessment

- 10.1 We have mitigated risk associated with the transfer of equipment from the existing fleet to any new fleet. The technology also covers the need to maintain and improve recycling quality and participation.

Appendix 1

Consequences of the Proposed Action

How will the proposal help to reduce Crime and Disorder?	The technology will support compliance requirements undertaken by customers covered by legislation. It will also allow the Council to enact legislation if required
How will the proposal help to promote Human Rights?	The technology will be used to positive effect and so may well enhance Human Rights
What is the impact of the proposal on Equality and Diversity?	There are no considerations under Equality and Diversity
Sustainability	The recommendation enhances carbon foot print by reducing unnecessary journeys linked to missed collections. Recycling quality is improved therefore reducing landfill requirements

Report to Cabinet

26th May 2016

By the Cabinet Member for Finance and Assets



DECISION REQUIRED

Not Exempt

Exempt Appendix 2 (Not for Publication – Exempt under Paragraphs 1, 2, 3, 5 of Part 1 of Schedule 12A to the Local Government Act 1972)

Property Investment Purchase (Address details in Appendix 2: Exempt).

Executive Summary

On the 9th September 2015, the Council approved an allocation of £5m for the purposes of investment in commercial property as an additional revenue stream to support council spending.

A suitable property has been identified which is located in Horsham. The details of the property, purchase price and rental income are contained in exempt Appendix 2.

The minimum target yield approved by the Council is 6% and this investment produces a yield on cost in excess of that figure.

Recommendations

That the Cabinet is recommended:

- i) To approve the purchase of the investment property, details of which are set out in Appendix 2.
- ii) To delegate responsibility to the Cabinet member for Finance and Assets for approval of the external valuation which has been commissioned.

Reasons for Recommendations

The Council has approved the allocation of £5m for investment purchases and the property is a suitable investment for these purposes.

Background Papers

(Appendix 2 Exempt items)

Wards affected: The proposal affects all wards.

Contact: Brian Elliott, Property and Facilities Manager

Background Information

1 Introduction and Background

- 1.1 On the 9th September 2015, the Council approved the allocation of £5m for the purchase of investment property.
- 1.2 A suitable property has been introduced to the Council and the relevant details of the transaction are set out in Appendix 2.
- 1.3 Part 4E, rule 16 of the Council's constitution (Special Urgency) provides that if by virtue of the date by which a decision must be taken Rule 15 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the chairman of the body making the decision, obtains the agreement of the chairman of a relevant Scrutiny Committee that the taking of the decision cannot be reasonably deferred. The agreement of the Chairman of the Overview and Scrutiny Committee has been provided.

2 Relevant Council policy

- 2.1 Council policy is to seek to invest in the commercial property sector in order to generate additional revenue streams.

3 Details

- 3.1 The background and details of this proposed purchase are set out in exempt Appendix 2.

4 Next Steps

- 4.1 Following Cabinet approval the Council will instruct solicitors and proceed with the due diligence process.

5 Outcome of Consultations

- 5.1 Comments from the Head of Legal services are incorporated in this report.
- 5.2 Comments from the Head of Finance are incorporated in this report.
- 5.3 Comments from the Director of Property, Planning and Economic Development are incorporated in this report.

6 Other Courses of Action Considered but Rejected

- 6.1 Rejection of this property as a suitable investment.
- 6.2 Buying the property and utilising it for other purposes. This has been considered however there are restrictive covenants in the title, which limit the use to recreational purposes. While this is a wide ranging use and can incorporate other commercial uses, the opportunity exists to carry out a pre-letting of the property on

acceptable terms, which will provide the Council with an immediate income and prevent the loss of goodwill that would arise in the event of the establishment being closed for a period of time while other options were considered.

7 Financial Consequences

- 7.1 The financial impact of this investment will be to increase the Council's rental income per annum by the rent payable under the Lease.

8 Risk Assessment

- 8.1 Commercial property investment has a number of risk factors.

Risk assessment continued in Appendix 2 (Exempt information)

Appendix 1

Consequences of the Proposed Action

How will the proposal help to reduce Crime and Disorder?	It is considered that this proposal has no direct impact on Crime and Disorder
How will the proposal help to promote Human Rights?	This proposal is considered to be consistent with the provisions of the Human Rights Act 1988 although it is not considered that it will directly help to promote Human Rights.
What is the impact of the proposal on Equality and Diversity?	It is considered that any impact will be consistent with the Council's duties and applicable policies in respect of Equality and Diversity.
How will the proposal help to promote Sustainability?	This is an existing property and no sustainability features are proposed.

FORWARD PLAN

This notice sets out details of key decisions that the Cabinet or a Cabinet Member intend to make, and gives 28 days' notice of the decision under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The notice also includes details of other decisions the Council intends to make.

The reports and any background documents that have been used to inform the decisions will be available on the Council's website (www.horsham.gov.uk) or by contacting Committee Services at the Council Offices.

Whilst the majority of the Council's business will be open to the public, there will be occasions when the business to be considered contains confidential, commercially sensitive or personal information. This is formal notice under the 2012 Regulations that part or all of the reports on the decisions referred to in the schedule may be private because they contain exempt information under Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and the public interest in withholding the information outweighs the public interest in disclosing it.

If you wish to make representations about why part or all of the papers should be open to the public, please contact Committee Services at least 10 working days before the date on which the decision is to be taken.

If you wish to make representations to the Cabinet or Cabinet Member about the proposed decisions, please contact Committee Services to make your request.

Please note that the decision date given in this notice may be subject to change.

To contact Committee Services:

E-mail: : committeeservices@horsham.gov.uk

Tel: 01403 215465

Published on 09 May 2016

What is a Key Decision?

A key decision is an executive decision which, is likely –

(i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or

(ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District.

	Subject/Decision	Decision Taker	Date(s) of decision	Contact Officer & Cabinet Member
1.	Introduction of Parking Charges at Southwater Country Park	Cabinet Member	May 2016	Ben Golds, Parking Services Manager Ben.Golds@horsham.gov.uk Councillor Gordon Lindsay, Cabinet Member for Local Economy Gordon.Lindsay@horsham.gov.uk
2.	Off Street Parking Policies	Cabinet Member	May 2016	Ben Golds, Parking Services Manager ben.golds@horsham.gov.uk Councillor Gordon Lindsay, Cabinet Member for Local Economy Gordon.Lindsay@horsham.gov.uk
3.	Approval of the contract sum for the redevelopment of Hop Oast Depot	Cabinet	26 May 2016	Brian Elliott, Property & Facilities Manager Brian.Elliott@horsham.gov.uk Councillor Roy Cornell, Cabinet Member for Waste, Recycling and Cleansing Roy.Cornell@horsham.gov.uk

4.	In-cab technology for refuse and recycling vehicles	Cabinet	26 May 2016	John McArthur, Recycling & Waste Services Manager John.McArthur@horsham.gov.uk Councillor Roy Cornell, Cabinet Member for Waste, Recycling and Cleansing Roy.Cornell@horsham.gov.uk
5.	Investment Property Acquisition	Cabinet	26 May 2016	Brian Elliott, Property & Facilities Manager Brian.Elliott@horsham.gov.uk Councillor Brian Donnelly, Cabinet Member for Finance and Assets Brian.Donnelly@horsham.gov.uk
6.	Horsham District Council Size Proposal to the Local Government Boundary Commission for England	Council	29 June 2016	Paul Cummins, Head of Legal and Democratic Services Paul.Cummins@horsham.gov.uk Councillor Ray Dawe, Leader Ray.Dawe@horsham.gov.uk
7.	Public Spaces Protection Order – Anti-Social Behaviour, Crime and Policing Act 2014: a) public consultation starting in April on the proposed making of an Order b) making of an Order	Cabinet Member Council	March 2016 29 June 2016	Trevor Beadle, Head of Community & Culture Trevor.Beadle@horsham.gov.uk Councillor Kate Rowbottom, Cabinet Member for Community and Wellbeing Kate.Rowbottom@horsham.gov.uk

8.	Service review resulting in changes to recycling and refuse collections from isolated properties affecting approximately 600 properties across the District starting with an initial phase of approximately 125 properties	Cabinet Member	June 2016	<p>John McArthur, Street Scene & Fleet Manager John.McArthur@horsham.gov.uk</p> <p>Councillor Roy Cornell, Cabinet Member for Waste, Recycling and Cleansing Roy.Cornell@horsham.gov.uk</p>
9.	Review and update the Empty Homes Strategy	Cabinet	21 July 2016	<p>John Batchelor, Environmental Health & Licensing Manager John.Batchelor@horsham.gov.uk</p> <p>Councillor Philip Circus, Cabinet Member for Housing and Public Protection Philip.Circus@horsham.gov.uk</p>
10.	Review of overall support for voluntary organisations	Cabinet	21 July 2016	<p>Trevor Beadle, Head of Community & Culture Trevor.Beadle@horsham.gov.uk</p> <p>Brian Elliott, Property & Facilities Manager Brian.Elliott@horsham.gov.uk</p> <p>Councillor Kate Rowbottom, Cabinet Member for Community and Wellbeing Kate.Rowbottom@horsham.gov.uk</p>

11.	Consideration of outline business case for shared back office services with Arun and Chichester district councils	Cabinet	21 July 2016	<p>Director of Corporate Resources Jane.Eaton@horsham.gov.uk</p> <p>Councillor Brian Donnelly, Cabinet Member for Finance and Assets Brian.Donnelly@horsham.gov.uk</p>
12.	Purchase of financial management system	Cabinet Member	July 2016	<p>Dominic Bradley, Head of Finance Dominic.Bradley@horsham.gov.uk</p> <p>Councillor Brian Donnelly, Cabinet Member for Finance and Assets Brian.Donnelly@horsham.gov.uk</p>
13.	Use of former Ambulance Station, Hurst Road, Horsham as a car park for season ticket parking only	Cabinet Member	July 2016	<p>Ben Golds, Parking Services Manager Ben.Golds@horsham.gov.uk</p> <p>Councillor Gordon Lindsay, Cabinet Member for Local Economy Gordon.Lindsay@horsham.gov.uk</p>
14.	Housing Strategy interim statement – a response to the July 2015 budget and October 2015 Housing Bill	Cabinet	22 September 2016	<p>Andrew Smith, Strategic Housing Manager Andrew.Smith@horsham.gov.uk</p> <p>Councillor Philip Circus, Cabinet Member for Housing and Public Protection Philip.Circus@horsham.gov.uk</p> <p>Councillor Claire Vickers, Cabinet Member for Planning and Development Claire.Vickers@horsham.gov.uk</p>

15.	Consideration of business case for shared building control service with Crawley, Arun and Chichester councils	Cabinet	22 September 2016	<p>Stephen Shorrocks, Building Control Manager Stephen.Shorrocks@horsham.gov.uk</p> <p>Councillor Claire Vickers, Cabinet Member for Planning and Development Claire.Vickers@horsham.gov.uk</p>
16.	Future Horsham Business Case – a business case for the next stage of Horsham District Council’s business transformation	Council	19 October 2016	<p>Tom Crowley, Chief Executive Tom.Crowley@horsham.gov.uk</p> <p>Ray Dawe, Leader of the Council Ray.dawe@horsham.gov.uk</p>
17.	Medium Term Financial Strategy	Council	19 October 2016	<p>Jane Eaton, Director of Corporate Resources Jane.Eaton@horsham.gov.uk</p> <p>Councillor Brian Donnelly, Cabinet Member for Finance and Assets Brian.Donnelly@horsham.gov.uk</p>
18.	Appointment of Contractor for the redevelopment of Broadbridge Heath leisure centre	Cabinet	24 November 2016	<p>Brian Elliott, Property & Facilities Manager Brian.Elliott@horsham.gov.uk</p> <p>Councillor Jonathan Chowen, Cabinet Member for Leisure and Culture Jonathan.Chowen@horsham.gov.uk</p>

19.	Review and update the Contaminated Land Strategy	Cabinet	24 November 2016	John Batchelor, Environmental Health & Licensing Manager John.Batchelor@horsham.gov.uk Councillor Philip Circus, Cabinet Member for Housing and Public Protection Philip.Circus@horsham.gov.uk
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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