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# Council

**Wednesday, 19th October, 2016 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 Canon Guy Bridgewater, Vicar of Horsham before the meeting commences)*

You are summoned to the meeting to transact the following business

## Agenda

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	Page No.
1. <b>Apologies for absence</b>	
2. <b>Minutes</b> To approve as correct the minutes of the meeting of the Council held on 7 <sup>th</sup> September 2016	5 - 10
3. <b>Declarations of Members' Interests</b> To receive any declarations of interest from Members	
4. <b>Horsham Young Persons' Council (HYPER)</b> To receive a presentation from representatives of the Horsham Young Persons' Council (HYPER)	
5. <b>Announcements</b> To receive any announcements from the Chairman of the Council, the Leader, Members of the Cabinet or the Chief Executive	
6. <b>Questions from the Public</b> To receive questions from the public under Rule 2.1 (e)	
7. <b>Questions from Members under Rule 10.2</b> To receive questions from Members under Rule 10.2 (Questions by Members on notice)	
8. <b>Minutes of Committees</b>	

To receive the minutes of the following Committees and, if approved, to adopt any recommendations contained therein:

- |     |   |         |
|-----|---|---------|
| a)  | Accounts, Audit and Governance Committee of 13th September 2016<br>(agenda online at <a href="#">AAG Agenda</a> )   | 11 - 16 |
| b)  | Standards Committee of 14th September 2016<br>(agenda online at: <a href="#">Standards Agenda</a> )   | 17 - 20 |
| c)  | CenSus Joint Committee of 23rd September 2016<br>(agenda online at: <a href="#">CenSus Agenda</a> )   | 21 - 22 |
| d)  | Personnel Committee of 28th September 2016<br>(agenda online at: <a href="#">Personnel Agenda</a> )   | 23 - 26 |
| 9.  | <b>Minutes of the Overview &amp; Scrutiny Committee</b><br>To receive the minutes of the meeting of the Overview & Scrutiny Committee held on 26th September 2016<br>(agenda online at <a href="#">Overview &amp; Scrutiny Agenda</a> ) | 27 - 32 |
| 10. | <b>To receive reports from representatives on outside bodies</b>  |         |
| 11. | <b>Urgent Business</b><br>To consider matters certified by the Chairman as urgent   |         |

## GUIDANCE ON COUNCIL PROCEDURE

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

<p><b>Addressing the Council</b></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><b>Minutes</b></p>	<p>Any comments or questions should be limited to the accuracy of the minutes only</p>
<p><b>Declarations of Interest</b></p>	<p>Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal &amp; prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting</p>
<p><b>Announcements</b></p>	<p>These should be brief and to the point and are for information only – <b>no debate/decisions</b></p>
<p><b>Questions from the public</b> (Notice must have been given in writing to the Chief Executive by 12.00 on the last but one working day before the meeting)</p>	<p>Directed to Leader, Cabinet Member or Chairman of an ordinary committee. <b>2</b> minutes in total to put 1 or 2 questions. Appropriate Member to reply. Questioner may ask one supplementary question. Member to reply. Overall time limit for questions of <b>15</b> minutes. If a questioner is unable to attend, the Chairman may ask the question or a written reply may be given. If a question cannot be dealt with at the meeting (lack of time or absence of relevant Member), a written reply to be given. <b>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.</b></p>
<p><b>Petitions</b> (See petitions procedure – Part 4J of the Council's Constitution)</p>	<p>Petition organiser has maximum of <b>5</b> minutes to present the petition. Relevant Cabinet Member has maximum <b>5</b> minutes right of reply. Members discuss for overall maximum of <b>30</b> minutes – each Member speaking has a maximum of <b>3</b> minutes. Council decides how to respond (e.g. recommend Cabinet Member to take specific action or ask for further investigation/report).</p>
<p><b>Cabinet recommendations</b> (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"> <li>- ask a question on the item under consideration – max <b>2</b> minutes;</li> <li>and/or</li> <li>- make a statement – max <b>5</b> minutes.</li> </ul>
<p><b>Questions from Members on Notice</b> (Notice must have been given in writing to the Chief Executive by 12.00 on the last but one working day 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"> <li>- <b>2</b> minutes maximum for initial question</li> <li>- <b>5</b> minutes maximum for the response</li> <li>- <b>1</b> minute maximum for a supplementary question</li> <li>- <b>2</b> minutes maximum for a response to the supplementary question</li> <li>- <b>5</b> minutes maximum for the questioner to make a final statement in response, if they wish</li> <li>- If an oral reply is not convenient (e.g. too lengthy) a written answer may be circulated later.</li> </ul> <p><b>No discussion.</b></p>

<p><b>Rules of debate</b></p>	<p><b>The Chairman controls debate and normally follows these rules but Chairman’s interpretation, application or waiver is final.</b></p> <ul style="list-style-type: none"> <li>- No speeches until a proposal has been moved (mover may explain purpose) and seconded</li> <li>- Chairman may require motion to be written down and handed to him/her before it is discussed</li> <li>- Secunder may speak immediately after mover or later in the debate</li> <li>- Speeches must relate to the question under discussion or a personal explanation or a point of order (max <b>5</b> minutes)</li> <li>- A Member <b>may not speak again except:</b> <ul style="list-style-type: none"> <li>o On an amendment</li> <li>o To move a further amendment if the motion has been amended since he/she last spoke</li> <li>o If first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried)</li> <li>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.</li> <li>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.</li> <li>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.</li> </ul> </li> <li>- Amendments to motions must be to: <ul style="list-style-type: none"> <li>o Refer the matter to an appropriate body/individual for (re)consideration</li> <li>o Leave out and/or insert or add others (as long as this does not negate the motion)</li> </ul> </li> <li>- One amendment at a time to be moved, discussed and decided upon.</li> <li>- Any amended motion becomes the substantive motion to which further amendments may be moved.</li> <li>- A Member may amend a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion).</li> <li>- 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).</li> <li>- The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).</li> </ul>
<p><b>Voting</b></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"> <li>- A majority of the Members present request a ballot; or</li> <li>- A single Member requests a recorded vote (this overrides a request for a ballot).</li> </ul> <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>

**Council**  
**7 SEPTEMBER 2016**

Present: Councillors: John Bailey, Andrew Baldwin, John Blackall, Toni Bradnum, John Chidlow, Jonathan Chowen, Roger Clarke, David Coldwell, Christine Costin, Leonard Crosbie, Jonathan Dancer, Ray Dawe, Brian Donnelly, Matthew French, David Jenkins, Nigel Jupp, Liz Kitchen, Adrian Lee, Gordon Lindsay, Tim Lloyd, Paul Marshall, Christian Mitchell, Mike Morgan, Godfrey Newman, Stuart Ritchie, Kate Rowbottom, Jim Sanson, David Skipp, Ben Staines, Claire Vickers, Michael Willett and Tricia Youtan

Apologies: Councillors: Alan Britten, Karen Burgess, Peter Burgess, Philip Circus, Paul Clarke, Roy Cornell, Tony Hogben, Josh Murphy, Brian O'Connell, Connor Relleen and Simon Torn

CO/23 **29TH JUNE 2016**

The Chairman:

- Referred to the sad news that Councillor Ian Howard, a serving Member for Southwater Ward, had recently passed away after a long illness and 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.

The Chairman gave details of the funeral arrangements and indicated that Councillor Howard's family would be grateful for any donations in his memory to go to the Pageant Gambia charity which had been set up by him and his wife in 2002 to provide assistance for the education of Gambian children.

The Chairman, the Leader, the ward Councillors for Southwater, the immediate past Chairman and the Leader of the minority Group all paid tribute to Councillor Howard.

- Reported that the District Council had joined with West Sussex County Council staff and Councillors and Police and Fire and Rescue Personnel for one minute's silence on Monday 22<sup>nd</sup> August at 1.22pm to mark the first anniversary of the Shoreham air tragedy.
- Reminded Members that the Chief Executive, Tom Crowley, would be cycling the South Downs Way from 10th to 13th September to raise money for the Chairman's Charitable Trust. The Chairman urged anyone

who had not already done so, to make a pledge to the Trust and thanked the Chief Executive for giving his time and effort for this cause.

- Advised that letters of congratulations had been sent to two local residents who won medals at the Rio Olympics last month with Team GB: Maddy Hinch, who lived in West Chiltington, the goalkeeper of the Gold Medal winning Women's Hockey Team and Fiona Bigwood, who lived in Horsham, a member of the Team that won the Silver Medal in the Dressage competition.
- Reported that there would be a service in commemoration of the Battle of Britain on Sunday 18<sup>th</sup> September commencing at the War Memorial in The Carfax at 10.00am and then at St Mary's Parish Church, to which all Members were invited.

CO/24 **MINUTES**

The minutes of the meetings of the Council held on 29<sup>th</sup> June and 21<sup>st</sup> July 2016 were approved as correct records and signed by the Chairman.

CO/25 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

CO/26 **ANNOUNCEMENTS**

The Cabinet Member for Leisure and Culture reported on the success of Southwater Country Park, in particular the new Dinosaur Island, and on urgent action that had been taken to deal with parking issues that had arisen as a result of its popularity.

CO/27 **QUESTIONS FROM THE PUBLIC**

No questions had been received.

CO/28 **QUESTIONS FROM MEMBERS UNDER RULE 10.2**

No questions had been received.

CO/29 **MINUTES OF COMMITTEES**

The minutes of the meeting of the Accounts, Audit and Governance Committee held on 28<sup>th</sup> June 2016 were received.

CO/30 **MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE**

The minutes of the meeting of the Overview and Scrutiny Committee held on 23<sup>rd</sup> July 2016 were received.

CO/31 **PUBLIC SPACES PROTECTION ORDER**

One member of the public addressed the Council supporting the practice of Parkour as a sport for young people and asking that reference to it be removed from the Order.

The Cabinet Member for Community and Wellbeing reported that the Council had powers under the Anti-Social Behaviour, Crime and Policing Act 2014 to introduce a Public Spaces Protection Order (PSPO) to address particular nuisances or problems that were having a detrimental effect on the quality of life for residents and visitors to the District.

She therefore proposed, and it was seconded, that the Council should make a PSPO to address six particular issues that were regularly taking place in the District:

- Consumption of Alcohol in a Public Place (to replace the existing Designated Public Place Order).
- Parkour or “Free-Running” within Horsham Town Centre.
- Anti-social use of Vehicles.
- Anti-social use of Horse Drawn Vehicles.
- Dog Fouling.
- Control of Dogs.

The proposed prohibitions on alcohol and dog fouling would replace the existing Designated Public Place Order, approved by Council in December 2013, whilst extending the restrictions across the District. Also, as the Dogs (Fouling of Land) Act 1996 had been repealed, the proposed Order would provide powers to deal with this issue. In addition there was nothing currently in place to deal with the issue of dogs being kept under control, particularly around livestock and the proposal would address this. Details of the number of complaints made to the Police regarding Parkour and related damage to property; the anti-social use of vehicles with particular reference to drivers gathering in groups and performing dangerous manoeuvres; and the anti-social use of horse-drawn vehicles for racing on the highway were reported.

The Cabinet Member acknowledged that Parkour was recognised as a sport and the benefits that came with it, including socialising, getting fit and developing self-discipline. However, the specific issue in Horsham town centre was that some individuals were practising the sport in certain locations (particularly rooftops) in an unsafe way, gaining access to buildings unlawfully and causing damage to property. The prohibition of this activity in the town centre would assist the Council in its duty to promote the wellbeing and safety

of its residents and visitors. Horsham Gymnastics Club ran freestyle sessions on two evenings a week at the Pavilions leisure centre, which allowed people to enjoy this activity in a safe and appropriate environment. In addition, the Council was willing to engage in discussions with Parkour UK and local free-runners to discuss promoting the practice of the sport locally in a safe and appropriate environment.

An amendment was moved by Councillor John Chidlow and seconded by Councillor Leonard Crosbie that the activity of Parkour (or Free-Running) be removed from the proposed Order.

Members discussed the amendment with matters raised including the risks to participants and others of the inappropriate practising of the sport; the impact on residents in the town centre; the evidence used to support the inclusion of the activity in the Order and the extent of the area covered; and whether a blanket ban on the sport in the town centre was appropriate.

On being put, the amendment was declared LOST.

Members discussed the substantive motion with reference to all elements of the proposed Order.

The substantive motion was then put and it was:

RESOLVED

- (i) That the Council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014 be exercised to introduce a Public Spaces Protection Order.
- (ii) That any minor amendments to the Public Spaces Protection Order be delegated to the Director of Community Services.

REASON

To allow Horsham District Council and Sussex Police to tackle the anti-social behaviours outlined within the report, therefore protecting the quality of life of those who live in, work in and visit our district.

CO/32 **TO RECEIVE REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

Council received brief updates from Councillor Liz Kitchen, the Council's representative on the Gatwick Airport Consultative Committee, and Councillor Christine, the Council's representative on Horsham in Bloom.

CO/33 **URGENT BUSINESS**

There were no urgent matters to be considered.



*The meeting closed at 7.38 pm having commenced at 6.00 pm*

CHAIRMAN

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**Accounts, Audit & Governance Committee**  
**13 SEPTEMBER 2016**

Present: Councillors: Godfrey Newman (Chairman), John Chidlow, Stuart Ritchie (Vice-Chairman), Brian Donnelly, Tim Lloyd and Paul Marshall

Apologies: Councillor: Adrian Lee

Also Present: Councillor: Leonard Crosbie  
Paul King, Audit Director, Ernst & Young

AAG/16 **MINUTES**

The minutes of the meeting held on 28<sup>th</sup> June 2016 were approved as a correct record and signed by the Chairman.

AAG/17 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

AAG/18 **ANNOUNCEMENTS**

There were no announcements.

AAG/19 **AUDIT RESULTS REPORT**

Paul King, Audit Director, Ernst & Young, presented the Audit Results Report for 2015/16. He indicated that the audit of the financial statements of the Council for 2015/16 had now been completed and he anticipated issuing an unqualified audit opinion on them.

The Auditor had identified an audit finding in respect of the Council's National Non-Domestic Rates rateable appeals provision, which had in their view been overstated. This was not considered to be material and therefore there was no proposal to adjust the provision. The risk of management override, was not a particular risk at Horsham but one that was identified and responded to on every audit engagement undertaken. The audit work found no evidence that management had attempted to override internal controls.

The Auditor again acknowledged the significant scale of the financial challenge faced by the Council in the near future and, from the work completed, had not identified any significant weaknesses in the Council's arrangements. It was noted that the Auditor expected to conclude that the Council had put in place proper arrangements to secure value for money in its use of its resources.

RESOLVED

That the report be noted.

AAG/20 **LETTER OF REPRESENTATION 2015/16**

The Director of Corporate Resources submitted the letter of representation to the External Auditor to Committee for approval.

It was noted that the first sentence in section G on the use of the work of a specialist had been amended to read: "We agree with the findings of the specialists that we engaged to evaluate the valuation of land and buildings and investment property **and in the calculation of the NDR appeals provision** and have adequately considered the qualifications of the specialists in determining the amounts and disclosures included in the financial statements and the underlying accounting records."

RESOLVED

That the Letter of Representation, as amended, be approved and signed by the Director of Corporate Resources and the Chairman of the Committee.

AAG/21 **STATEMENT OF ACCOUNTS 2015/16**

The Head of Finance presented the Statement of Accounts 2015/16, on which the External Auditor anticipated issuing an unqualified audit opinion.

It was noted that section 26 regarding leases had been amended to include reference to the Council's future commitments on the lease of its main office.

The officers in the Council's Finance Department were thanked for their work in preparing the Statement of Accounts.

RESOLVED

That the 2015/16 Statement of Accounts be approved.

REASON

It is a requirement of the Accounts and Audit (England) Regulations 2015 that the Statement of Accounts is approved by 30th September.

AAG/22 **ANNUAL GOVERNANCE STATEMENT 2015/16**

The Director of Corporate Resources reported that the Accounts and Audit (England) Regulations 2011 required the Council to review, at least annually, the effectiveness of its governance arrangements and to publish an Annual Governance Statement. The draft Statement had been considered at the last

meeting of the Committee, when Members had been invited to submit any comments to the Director of Corporate Resources (Minute No. AAG/12 (28.6.16) refers).

The review included information and assurance gathering processes to ensure that the published Annual Governance Statement was correct, as well as a review of the Council's Governance framework against the best practice framework devised by CIPFA/SOLACE.

The aim of the review process was to ensure that the Council had effective governance, risk management and internal control processes in place to assist with accountability and the delivery of objectives. Additionally, the review process identified any shortfalls in these arrangements to enable them to be addressed.

With reference to the action plan for 2016/17, Members referred to the importance of budget monitoring and forecasting and the importance of the staff appraisal process and personal development plans.

The Chairman reminded Members that the Committee had been tasked with reviewing the effectiveness of the new governance arrangements once they had been in operation for a year.

#### RESOLVED

That the Annual Governance Statement for 2015/16 be approved.

#### REASON

There is a statutory duty for the Council to publish an Annual Governance Statement each year.

#### AAG/23 **TREASURY MANAGEMENT ACTIVITY AND PRUDENTIAL INDICATORS 2015/16 AND REQUEST FOR REVISION OF THE 2016/17 TREASURY MANAGEMENT STRATEGY**

The Director of Corporate Resources presented a report on treasury management activity and prudential indicators for 2015/16.

The report indicated that at the start of 2015/16, when under the terms of the new Treasury Management Strategy 2015/16 the Council's investment in unsecured banks had been reduced from £5,000,000 to £2,500,000 per institution, the limit was breached as an existing investment was not immediately reduced. The balance was reduced on 6<sup>th</sup> May 2015 and no loss was incurred by the Council. In all other instances the Council had complied with its legislative and regulatory requirements and the statutory borrowing limit (the Authorised Limit) had not been breached.

The report contained details of the Council's external debts and investments and reviewed the economic background to Treasury Management activity in 2015/16.

Due to the reduction in interest rates and the growth in funds needing to be invested, the report also sought approval for the mid-year revision of the 2016/17 Treasury Management Strategy in the form of an increase in the limit on long term investments from £8,000,000 to £12,000,000 and an increase in the limit on pooled funds from £5,000,000 to £10,000,000.

**RESOLVED**

- (i) That the treasury management stewardship report for 2015/16 be noted.
- (ii) That the actual prudential indicators for 2015/16 be noted.

**RECOMMENDED TO COUNCIL**

- (iii) That the 2016/17 Treasury Management Strategy be amended with an increase in the limit on long term investments from £8,000,000 to £12,000,000 and an increase in the limit on pooled funds other than Money Market Funds from £5,000,000 to £10,000,000.

**REASONS**

- (i) The annual treasury report is a requirement of the Council's reporting procedures. The report also covers the actual Prudential Indicators for 2015/16 in accordance with the requirements of the relevant CIPFA Codes of Practice.
- (ii) External economic developments together with an increase in the monies needing to be invested necessitate a revision to the current strategy.

AAG/24 **RISK MANAGEMENT - QUARTERLY UPDATE**

The Director of Corporate Resources presented the latest quarterly update of the Corporate Risk Register.

The Senior Leadership Team had reviewed all outstanding actions on the corporate risk register and updated the comments to reflect the current position for each risk. Two emerging risks had been added relating to Cyber Risk (CRR18) and Brexit (CRR19).

**RESOLVED**

That the report be noted.

#### REASON

To ensure that the Council has adequate risk management arrangements in place.

#### AAG/25 **INTERNAL AUDIT - QUARTERLY UPDATE REPORT**

The Chief Internal Auditor submitted a report summarising the work of the Internal Audit Section since June 2016.

A summary of audit findings in respect of Building Control Partnership - Cost Sharing Arrangements and Private Sector Housing Assistance Grants (both of which had achieved an overall audit opinion of substantial assurance); Recruitment (which had achieved an overall audit opinion of satisfactory assurance); and Security - Parkside (which had achieved an overall audit opinion of limited assurance) was submitted. The Committee was advised of actions being undertaken to address the control weaknesses identified in respect of Parkside security, in particular those highlighted and discussed by Members. Further information would be provided to the Members of the Committee in respect of this issue, as requested at the meeting.

The report also summarised other work being undertaken by the Internal Audit team and gave a progress update in respect of the Audit Plan.

#### RESOLVED

That the summary of audit and project work undertaken since June 2016 be noted.

#### REASONS

- (i) To comply with the requirements set out in the Public Sector Internal Audit Standards 2013.
- (ii) The Committee is responsible for reviewing the effectiveness of the Council's system of internal control.

#### AAG/26 **URGENT BUSINESS**

There were no urgent matters to be considered.

#### AAG/27 **EXCLUSION OF THE PRESS AND PUBLIC**

#### RESOLVED

That, under Section 100A(2) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt

information, as defined in Part I of Schedule 12A of the Act, by virtue of the paragraph specified against each item, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

AAG/28 **INTERNAL AUDIT – QUARTERLY UPDATE ON AUDIT FOLLOW-UPS**

The Chief Internal Auditor submitted a report summarising progress since June 2016 on the implementation of actions in respect of audits undertaken in 2016/17, 2015/16, 2014/15, 2013/14 and 2012/13.

RESOLVED

- (i) That progress in terms of agreed actions implemented since June 2016 be noted.
- (ii) That the position in respect of the specific areas highlighted by the Chief Internal Auditor be noted.

REASON

The Committee is responsible for reviewing the effectiveness of the Council's system of internal control

*The meeting closed at 6.51 pm having commenced at 5.30 pm*

CHAIRMAN



**Standards Committee**  
**14 SEPTEMBER 2016**

Present: Councillors: Tricia Youtan (Chairman), David Coldwell (Vice-Chairman), Mike Morgan, Godfrey Newman  
  
John Donaldson, Mary Jagger and Val Court

Apologies: Councillors: Brian Donnelly, Christian Mitchell  
Kieran Diamond

SC/7 **MINUTES**

The minutes of the meeting of the Committee held on 8<sup>th</sup> June 2016 were approved as a correct record and signed by the Chairman.

SC/8 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

SC/9 **ANNOUNCEMENTS**

There were no announcements.

SC/10 **MINUTES OF THE LOCAL ASSESSMENT SUB-COMMITTEE**

The minutes of the meeting of the Local Assessment Sub-Committee held on 8<sup>th</sup> June 2016 were received.

SC/11 **THE ETHICAL FRAMEWORK UPDATE**

The Monitoring Officer presented the report on developments in the ethical framework that affected the role and activities of Councillors and the Council's business.

Training and awareness: Training for Parish Councillors in Steyning had taken place in August, where the Monitoring Officer had given a presentation on the importance of Ethical Governance and the Code of Conduct, in particular with regard to members' interests. Parish Councillors attending the training said that it had been very useful. The Monitoring Officer anticipated offering this training to other Parish Councils. It was noted that quarterly training for Parish Clerks was already organised by the District Council, and that Parish Councils were in a position to organise their own training.

Members discussed the annual report of the Committee on Standards in Public Life, which had recently been published and noted that the number of vexatious complaints had reduced since the new standards regime had been introduced by the Localism Act, and that the role of Independent Persons was generally very well received.

The report had also found that the effectiveness of sanctions available was still a concern. The Committee echoed this concern and discussed the possibility of lobbying the government to bring back some sanctions that had been available before the Localism Act, in particular the authority to suspend a Councillor.

- It was agreed that the Monitoring Officer would bring a report to the next meeting of the Committee detailing sanctions that had been available before the Localism Act and recommending how best the Committee could lobby the government.

Local assessment, other action, investigations and determinations: Members noted that the spike in the number of complaints received earlier in the year had come to an end, with only two received since the beginning of April, one of which had been withdrawn.

Members noted a recent case that had been reported in the press regarding an ex-Councillor from Derby City Council who had been imprisoned for two months after pleading guilty to giving a false address to an Electoral Registration Officer.

Members of the Committee acknowledged the amount of work that officers undertook in compiling cases for assessment by the Local Assessment Sub Committee, and the Monitoring Officer thanked Committee Members for undertaking all the additional work that these cases brought.

## **RESOLVED**

That the contents of the report be noted.

## **REASONS**

- (i) To ensure that the Committee, the Members of the Council and others to whom the report is circulated are kept up to date with developments in the ethical framework.
- (ii) To promote and maintain high standards of conduct amongst Members.

## SC/12 **COUNCILLOR IAN HOWARD**

The Chairman of the Committee closed the meeting by paying tribute to Councillor Ian Howard, who had passed away on the 30<sup>th</sup> August, saying that he was a moral and upstanding Councillor who would be sorely missed.

*The meeting closed at 10.30 am having commenced at 10.00 am*

CHAIRMAN

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**Census Joint Committee**  
**23 SEPTEMBER 2016**

Present: Councillors: Gordon Lindsay (Chairman), Brian Donnelly, Carson Albury, Jonathan Ash-Edwards, Dan Humphreys and Mandy Thomas-Atkin

Apologies: Councillors: Mark Nolan and Neil Parkin

Also Present: Dave Briggs, Head of Digital & Design, Adur and Worthing Councils  
Tim Delany, Head of Revenues & Benefits, Mid Sussex District Council  
Jane Eaton, Director of Corporate Resources, Horsham District Council  
Joseph Gupwell, Democratic Services Officer, Horsham District Council

CJC/8 **MINUTES**

The minutes of the meeting of the Joint Committee held 17<sup>th</sup> June 2016 were approved as a correct record and signed by the Chairman.

CJC/9 **DECLARATIONS OF INTERESTS**

There were no declarations of interest.

CJC/10 **REVENUES AND BENEFITS UPDATE 2016/17 INC. Q2 FINANCIAL INFORMATION AND RISKS**

The Head of Revenues and Benefits (CenSus) presented the report outlining performance, activity and progress made by CenSus Revenues and Benefits since the last report in June 2016.

Members were advised that the services budget was healthy and that a review of all residents currently claiming SPD (single person discount) would be undertaken with help from Experian.

It was reported that the main concern was a lack of Revenues staff and that the matter would be looked into further.

**RESOLVED**

That the performance and activities of the CenSus Revenues and Benefits service be noted.

CJC/11 **ICT SERVICE PERFORMANCE UPDATE 2016/17 INC. Q2 FINANCIAL INFORMATION AND RISKS**

The Head of Digital & Design (Adur and Worthing) presented the report detailing service performance and current budget position. Details of any supply incidents that had occurred in the last quarter, the status of 2016/17 ICT Project Portfolios, and the progress of structural and process developments for CenSus ICT were also included.

It was reported that all projects and ICT work plans were on target. It was noted that a replacement cloud based Service Desk solution had been procured that will improve both Incident reporting and metrics generation.

Members discussed the two supply incidents that had occurred within the previous quarter, both of which had been resolved.

It was noted that a paper outlining the future shape and role of the partnership following moves to cloud based infrastructure would be received at the December committee meeting.

**RESOLVED**

That the Joint Committee noted the following:

- (i) The operational performance of the CenSus ICT service.
- (ii) The current status of the CenSus & site specific ICT project progress.
- (iii) The proposed Project Portfolio for 2016/17.
- (iv) Progress to date on ICT process development & restructuring of the team.
- (v) The status of major ICT incident occurrence within the last quarter.

*The meeting closed at 10.17 am having commenced at 10.00 am*

CHAIRMAN

**Personnel Committee**  
**28 SEPTEMBER 2016**

Present: Councillors: Michael Willett (Chairman), Tim Lloyd (Vice-Chairman), John Blackall, Jonathan Chowen, Paul Clarke, Liz Kitchen, Mike Morgan and Kate Rowbottom

Apologies: Councillors: Roger Clarke, Roy Cornell, Christine Costin, Jonathan Dancer, Ray Dawe, Tony Hogben, David Jenkins and Godfrey Newman

Also Present: Councillors: Christian Mitchell

PC/1 **MINUTES**

The minutes of the meeting of the Committee held on 15<sup>th</sup> June 2016 were approved as a correct record and signed by the Chairman.

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

There were no declarations of interest.

PC/3 **ANNOUNCEMENTS**

There were no announcements.

PC/4 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

That under Section 100A of the Local Government Act 1972 as amended the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972 by virtue of paragraphs 1 and 2 in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PC/5 **BUSINESS TRANSFORMATION**

The Head of Corporate Resources introduced the report.

Members discussed the content of the report, detailing the deletion of a role within the Business Transformation team.

RESOLVED

That the post within the Business Transformation team, as detailed in the report, be deleted.

PC/6 **CENSUS ICT**

The Head of Corporate Resources introduced the report.

Members discussed the content of the report, detailing the deletion of a role within CenSus ICT.

RESOLVED

That, on completion of the formal consultation process, subject to there being no substantial changes to the proposals as a result of consultation, the deletion of the role within CenSus ICT, as detailed within the report, be delegated to the Director of Corporate Resources in liaison with Human Resources and the Chairman of the Personnel Committee.

PC/7 **ECONOMIC DEVELOPMENT TEAM PROPOSED RESTRUCTURE**

The Economic Development Manager introduced the proposed restructure of the Economic Development team.

It was reported that in 2015, work commenced on a new economic strategy for the district. In moving forward with the team's new strategy, it was important to align resources to emerging priorities. This had led to the proposed restructure of the team.

RESOLVED

That, on completion of the formal consultation process, subject to there being no substantial changes to the proposals as a result of consultation, approval of the new structure be determined by the Director of Planning, Economic Development & Property in consultation with the Chairman of the Personnel Committee.

REASON

It is considered that the proposed restructure will align the necessary resources to the priorities of the Economic Strategy.

PC/8 **STRATEGIC PLANNING & SUSTAINABILITY PROPOSED RESTRUCTURE**



The Head of Strategic Planning & Sustainability introduced the proposed restructure of the Strategic Planning & Sustainability team.

It was reported that the current structure needed to be reviewed as a result of changes in workload, and roles and responsibilities within the team.

RESOLVED

That all proposed changes to the structure of the Strategic Planning & Sustainability be approved.

PC/9 **URGENT BUSINESS**

There was no Urgent Business.

*The meeting closed at 5.50 pm having commenced at 5.30 pm*

CHAIRMAN

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## Overview and Scrutiny Committee 26 SEPTEMBER 2016

Present: Councillors: Leonard Crosbie (Chairman), David Coldwell (Vice-Chairman), Toni Bradnum, Alan Britten, Paul Clarke, Roger Clarke, Jonathan Dancer, Matthew French, Nigel Jupp, Tim Lloyd, Brian O'Connell, Ben Staines, Michael Willett and Tricia Youtan

Apologies: Councillors: David Skipp

Also Present: Councillors: Christian Mitchell

### SO/24 MINUTES

The minutes of the meeting of the committee held on 25<sup>th</sup> July 2016 were approved as a correct record and signed by the Chairman.

### SO/25 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest.

### SO/26 ANNOUNCEMENTS

It was suggested and agreed by Members that Cllr Bailey be added to the Finance and Performance Sub-Committee as a Member.

The Chairman of Overview and Scrutiny confirmed that the first Cabinet Member Interview will be held at the next meeting on Monday 28<sup>th</sup> November 2016.

#### RESOLVED

That Cllr Bailey be given membership to the Finance and Performance Sub-Committee.

That a Cabinet Member be invited for an interview at the next Overview and Scrutiny Committee meeting being held on 28/11/16 and that a copy of the Cabinet forward plan be circulated to all members of the Committee.

### SO/27 REPLIES FROM CABINET/COUNCIL REGARDING OVERVIEW AND SCRUTINY RECOMMENDATIONS

The Committee received the reply from the Cabinet Member for Housing and Public Protection to the recommendations made by the Overview and Scrutiny Committee.

Members agreed with points raised in the response and praised its comprehensiveness and thoroughness.

It was agreed that Cllr Britten would continue to attend the Joint Scrutiny Task and Finish Group for the following year.

RESOLVED

That the reply from the Cabinet Member for Housing and Public Protection to the recommendations made by the Overview and Scrutiny Committee was noted.

That the Chairman of Overview and Scrutiny would write a letter of thanks to the Cabinet Member for their response.

REASON

All replies from Council and Cabinet to recommendations of the Committee are to be received.

SO/28 **UPDATE FROM THE CHAIRMAN OF THE BUSINESS IMPROVEMENT SUB-COMMITTEE**

The Committee noted that there had been no further meetings of the Business Improvement Sub-Committee and that the next meeting was on Tuesday 11<sup>th</sup> October 2016.

RESOLVED

The Overview and Scrutiny Committee noted the update.

REASON

All updates of Sub-Committee meetings are to be received by the Committee.

SO/29 **UPDATE FROM THE CHAIRMAN OF THE CRIME AND DISORDER SUB-COMMITTEE**

The Committee noted that there had been no further meetings of the Crime and Disorder Sub-Committee and that the next meeting was on Tuesday 13<sup>th</sup> December 2016.

RESOLVED

The Overview and Scrutiny Committee noted the update.

REASON

All updates of Sub-Committee meetings are to be received by the Committee.

SO/30 **UPDATE FROM THE CHAIRMAN OF THE FINANCE AND PERFORMANCE SUB-COMMITTEE**

The Chairman of the Finance and Performance Working Group presented the notes of the meeting held 11th August 2016.

RESOLVED

The Overview and Scrutiny Committee noted the update.

REASON

All updates of Sub-Committee meetings are to be received by the Committee.

SO/31 **UPDATE FROM THE CHAIRMAN OF THE SOCIAL INCLUSION AND HEALTH SUB-COMMITTEE**

The Chairman of Overview and Scrutiny presented the notes of the meeting held 20<sup>th</sup> June 2016.

It was noted that the Sub-Committee would invite a member of CCG to the next meeting being held 21<sup>st</sup> November 2016 to discuss matters relating to patient transport within the district.

RESOLVED

The Overview and Scrutiny Committee noted the update.

REASON

All updates of Sub-Committee meetings are to be received by the Committee.

SO/32 **TO RECEIVE THE REPORT ON THE S106 REVIEW**

The Chairman of the Business Improvement Working Group presented the final report on the S106 Review. Members had undertaken an extensive and in-depth review of the procedures used for S106.

One of the biggest concerns originally was lack of Member involvement and communication and this was reflected in the review and recommendations.

Some Members were concerned about the advice contained in last sentence on page 16 of the report that stated 'The Director of Planning, Economic

Development & Property has since advised that such a panel would in effect come under a planning function rather than a Scrutiny function and therefore would not be valid on legal grounds'. It was clarified that the Monitoring Officer had also agreed to this statement.

#### RECOMMENDED TO CABINET

1. When members are notified of a major application (ie ten units or above) in their ward, this advice should also indicate if the application is likely to be subject of an S106 agreement. This would give the members an opportunity to take advice from Parish Councils as to opportunity and requirements and relay this information to the case officer before instructions are issued to the Legal Team to prepare draft agreement.
2. Members should be notified of the proposed "Heads of Terms Requirements" of the S106 agreement at the same time as the Legal Department are instructed to draft an agreement.

This would give the members a further opportunity to have discussions with the case officer. The member would also then be aware of the start of the "Consultation Period" and would have the opportunity to keep in touch with any responses to the consultation document.

3. That a "Clawback" clause be included in all in future S106 agreements where the proportion of affordable housing does not meet the required level, following negotiation through a viability agreement.
4. At briefings on planning applications the officers will present a summary of the Heads of Terms within current S106 agreements being negotiated
5. Heads of Terms within committee reports should explained in more detail than currently is the practice
6. The Chairman of the relevant planning committees would be sent copies of all the Heads of Terms at the same time that they are sent to Local Members. It would then be at the discretion of the Chairmen whether members from other wards should be sent the information as well.

SO/33 **URGENT BUSINESS**

There was no urgent business.

*The meeting closed at 6.47 pm having commenced at 5.32 pm*

CHAIRMAN

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