

**Cabinet**  
**22 SEPTEMBER 2016**

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

Also Present: Councillors: Leonard Crosbie, Nigel Jupp and Christian Mitchell

EX/32 **MINUTES**

The minutes of the meeting of the Cabinet held on 18<sup>th</sup> August 2016 were approved as a correct record and signed by the Leader.

EX/33 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

EX/34 **ANNOUNCEMENTS**

The Cabinet Member for Local Economy reported on the success of the Jobs and Skills Fair, which had been held at the Drill Hall in Horsham on 14<sup>th</sup> September 2016.

The Cabinet Member for Planning and Development thanked the Cabinet Member for Leisure and Culture and the Director for Community Services for the public meeting they had held in Southwater regarding the issues that had arisen in the area as result of the success of the new Dinosaur Island at Southwater Country Park.

The Cabinet Member for Leisure and Culture advised Members that an exhibition of English watercolours at Horsham Museum would open to the public on 24<sup>th</sup> September and run until 15<sup>th</sup> October 2016.

EX/35 **PUBLIC QUESTIONS**

No questions had been received.

EX/36 **COMMUNITY INFRASTRUCTURE LEVY AND PLANNING OBLIGATIONS**

The Cabinet Member for Planning and Development reported that the Council had invited representations on its Community Infrastructure Levy (CIL) Draft Charging Schedule from 6 May to 17 June 2016, in line with the requirements of the CIL Regulations 2010 (as amended). The relevant evidence supporting the

Draft Charging Schedule was published alongside and comments were invited. A total of 24 people or organisations responded.

A developer had requested that another strategic site in the District (Kilnwood Vale) should have a zero CIL charge as they were concerned that there was no flexibility in the CIL Draft Charging Schedule or the current regulations that would allow them to amend their applications, if needed in the future, to effectively deliver the site. Whilst this issue could be resolved, it required more than a minor change to the Draft Charging Schedule, although the rate and the amount of money that would be generated would remain unchanged as the infrastructure would be delivered through Section 106 agreements as currently planned.

Additional evidence had been produced to support and test the viability of this proposal. If the proposal was approved by Cabinet, this evidence, as well as the detailed wording of the change to the document, would be subject to targeted public consultation before submission of the CIL Draft Charging Schedule, Proposed Modifications (and any comments on the Proposed Modifications) for examination by an independent Examiner. The Examination could then take place directly following the consultation on the Proposed Modifications.

As the Proposed Modifications aimed to address this main issue in addition to minor issues raised during the preparation of the Draft Charging Schedule, the Council would have done all it could to minimise the length of the examination and ensure the adoption of its CIL charge in a timely way.

The Planning and Development Policy Development Advisory Group supported the proposal.

#### RESOLVED

- (i) That an additional strategic site (Kilnwood Vale) should be zero rated for CIL.
- (ii) That the Proposed Modification in recommendation (i) be subject to four weeks' consultation, prior to submission for Examination.
- (iii) That the Cabinet Member for Planning and Development be authorised to agree minor editorial changes.

#### REASONS

- (i) To take into account issues raised during the consultation period that would address concerns about the deliverability of a key allocation within the HDPF and lead to the Examiner finding CIL appropriate for adoption by the Council.
- (ii) To ensure that the Examiner has clarity on any outstanding issues prior to his examination. Note that the 4 week consultation period

on proposed modifications is a requirement of the CIL Regulations.

- (iii) To undertake minor editorial or typographical amendments.

EX/37 **STATEMENT OF COMMUNITY INVOLVEMENT 2016**

The Cabinet Member for Planning and Development reported that the Statement of Community Involvement (SCI) was a statutory document which set out the ways in which the Council would engage with residents, communities, businesses, local organisations and other groups to ensure as many people as possible were able to have a say in planning decisions that affected them.

The document provided guidance on how the planning system worked and advised the manner in which the Council would inform, consult and involve people in planning decisions within the District, excluding the area within the South Downs National Park.

The current SCI had been reviewed in 2013. In response to changes in the planning system and feedback from consultation bodies an updated and revised SCI was now required and a draft Statement of Community Involvement had therefore been prepared for public consultation.

The Planning and Development Policy Development Advisory Group supported the proposal.

RESOLVED

- (i) That the draft Statement of Community Involvement, as submitted, be approved for a 6 week period of public consultation.
- (ii) That the Cabinet Member for Planning and Development be authorised to agree minor editorial changes prior to publication.

REASONS

- (i) To enable the draft SCI, which satisfies current legislation, to go forward for consultation.
- (ii) To undertake minor editorial or typographical amendments.

EX/38 **PRIVATE SECTOR HOUSING ASSISTANCE POLICY**

The Cabinet Member for Housing and Public Protection reported that the Council's Private Sector Housing Assistance Policy had first been adopted in July 2003 as a result of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

The Regulatory Reform Order required Local Authorities to adopt and publish a Policy in respect of housing renewal should they wish to continue to give private sector housing assistance. It gave Local Authorities the power to grant discretionary housing assistance in any form.

Approval was now sought to increase the amount of assistance that could be offered to help a disabled person move to a more suitable property and to make available discretionary Disabled Facilities Grants (DFGs) as a 'top up' to mandatory DFGs, subject to available resources.

The Housing and Public Protection Policy Development Advisory Group supported the proposal

#### RESOLVED

- (i) That the amount of Moving Home Assistance be increased to £10,000 and that the repayment conditions be aligned with those for mandatory DFGs as set out in the report.
- (ii) That discretionary Disabled Facilities Grants be made available normally to a maximum amount of £10,000 as a 'top up' to mandatory Disabled Facilities Grants and that the repayment conditions be aligned with those for mandatory Disabled Facilities Grants as set out in the report.

#### REASONS

- (i) To enable the Council to sustain a robust Private Sector Housing Assistance Policy.
- (ii) To effectively use the increase in funding the Department of Health is providing to local authorities for home adaptations.

#### EX/39 **CONSTRUCTION OF NEW MULTI-USE GAMES AREA PITCHES AT BROADBRIDGE HEATH LEISURE CENTRE**

The Cabinet Member for Leisure and Culture reminded Cabinet that, on 23<sup>rd</sup> November 2015, they had approved the redevelopment of the leisure centre at Broadbridge Heath and Council had approved the budget for the project on 9<sup>th</sup> December 2015.

The first phase of the project was to relocate the Multi-Use Games Area (MUGA) pitches onto land to the south of the Bowls Club, which was to be transferred to the Council by Countryside Properties (UK) Ltd (Countryside) in accordance with an obligation in the section 106 agreement for Countryside's housing development at Broadbridge Heath.

The Council's appointed professional team for the Broadbridge Heath leisure centre project had advised that the most suitable form of contract for this project

would be a single stage design and build contract, where contractors were provided with a robust set of employer's requirements, which were competitively tendered. The contractors then determined the most appropriate design and construction methodology that would satisfy the employer's requirements.

The procurement of the contract had been through an open local tender process, with tenderers being invited to submit two proposals, Option A and Option B. Option A was for the construction of three MUGA pitches and Option B was for the construction of three pitches, with an option for a further two shortly thereafter. The option choice would depend on whether the Council agreed terms to construct two MUGA pitches on behalf of Countryside under a proposed variation to the s106 agreement.

Following a cost and quality evaluation of the tenders received, it was recommended that Company A should be selected as contractors for the project.

The Cabinet Member reported that his Policy and Development Advisory Group had considered this at their meeting on 15<sup>th</sup> September and supported the proposal.

#### RESOLVED

- (i) That the tender received from Company A be approved and that they be awarded the contract.
- (ii) That the Director of Community Services be authorised to enter into the contract for the appointment of Company A for either Option A or Option B, as outlined in the report, dependent on the finalisation of terms with Countryside.

#### REASON

To appoint a contractor to undertake the construction of Multi Use Games Area pitches at Broadbridge Heath.

#### EX/40 **COMMERCIAL WASTE DISPOSAL**

The Cabinet Member for Waste, Recycling and Cleansing reported that the Council currently disposed of commercial (trade) waste collected from businesses across the District. The waste collected was transported to Burgess Hill Transfer Station which was operated by Viridor Waste Ltd on behalf of West Sussex County Council.

The disposal costs currently incurred by the Council impacted on the commercial competitiveness of the service. The Council was not legally bound by any agreement with the County Council as the Waste Disposal Authority. However, a reasonable period of notice was required to withdraw or amend

current arrangements with the County Council and intention of such was made in November 2015.

Soft market testing had been undertaken which had concluded that a tendering exercise was required to secure a disposal tariff set against a range of waste and recycling materials, with preferred options available for selection based on a best price basis. In addition to this the tender included the need for each supplier to consider any logistical benefits linked to transfer site locations which would offer reduced carbon footprint and minimise transport costs.

The tenders received had now been evaluated and it was recommended that the contract should be awarded to Company A.

The Waste, Recycling and Cleansing Policy Development Advisory Group supported the proposal.

#### RESOLVED

- (i) That the tender submitted by Company A be accepted and that they be awarded the contract.
- (ii) That the Director of Community Services be authorised to approve any minor contractual changes during the contract term.

#### REASON

The contract for disposal of commercial waste was offered to a number of suppliers. This exercise elicited only one bid. The bid submitted will deliver a significant saving to the Council compared to existing disposal arrangements with West Sussex County Council.

#### EX/41 **PURCHASE OF WHEELED BINS**

The Cabinet Member for Waste, Recycling and Cleansing reported that the Council required plastic wheeled bins for the collection of domestic refuse, recycling and garden waste.

The current contract for the supply of wheeled bins had expired and therefore it had been necessary to undertake a tendering exercise to obtain wheeled bins at the most competitive price, balanced against quality and the ability to supply.

A tender exercise had been conducted through a framework agreement managed by Yorkshire Purchasing Organisation and the submissions had been evaluated. Key considerations of the tender exercise included unit costs, phased supply to assist with optimum storage requirements and the ability to supply in a timely manner to meet local demand.

Following the evaluation of the tenders it was recommended that the contract should be awarded to Company A.

The Waste, Recycling and Cleansing Policy Development Advisory Group supported the proposal.

RESOLVED

That the bid submitted by Company A be accepted and that they be awarded the contract as the preferred supplier of plastic wheeled bins for the next 4 years.

REASON

The tendering exercise offered a preferential unit cost for each bin, with the option of purchasing replacement parts as required.

EX/42 **OVERVIEW & SCRUTINY COMMITTEE**

There were no matters currently outstanding for consideration.

EX/43 **FORWARD PLAN**

The Forward Plan was noted.

EX/44 **TO CONSIDER MATTERS OF SPECIAL URGENCY**

There were no matters of special urgency to be considered.

*The meeting closed at 6.12 pm having commenced at 5.30 pm*

CHAIRMAN