

Public Document Pack

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A meeting of the **Cabinet** will be held in Committee Room 2 at East Pallant House East Pallant House Chichester West Sussex on **Tuesday 3 July 2018 at 09:30**

MEMBERS: Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mr J Connor, Mrs J Kilby, Mrs S Taylor and Mr P Wilding

AGENDA

1 **Chairman's Announcements**

The chairman will make any specific announcements for this meeting and advise of any late items which will be given consideration under agenda item 13 (a) or (b).

Apologies for absence will be taken at this point.

2 **Approval of Minutes** (pages 1 to 16)

The Cabinet is requested to approve as a correct record the minutes of (a) its ordinary meeting on Tuesday 5 June 2018 and (b) its special meeting on Friday 8 June 2018, a copy of each of which is circulated with this agenda.

3 **Declarations of Interests**

Members are requested to make any declarations of disclosable pecuniary, personal and/or prejudicial interests which they might have in respect of matters on the agenda for this meeting.

4 **Public Question Time**

In accordance with Chichester District Council's scheme for public question time and with reference to standing order 6 in part 4 A and section 5.6 in Part 5 of the Chichester District Council *Constitution*, the Cabinet will receive any questions which have been submitted by members of the public in writing by 12:00 on the previous working day. The total time allocated for public question time is 15 minutes subject to the chairman's discretion to extend that period.

RECOMMENDATIONS TO THE COUNCIL

5 **Council's Annual Report 2017-2018** (pages 17 to 18)

The Cabinet is requested to consider the agenda report and its appendix (which is

circulated in the agenda supplement) and to make the recommendation to the Council set out below:

That the Annual Report 2017-2018 be received.

6 Housing Grants and Resources (pages 19 to 22)

The Cabinet is requested to consider the agenda report and to make the recommendation to the Council set out below:

- (1) That delegated authority be given to the Director of Housing and Communities, following consultation with the Cabinet Member for Housing Services, to spend the Flexible Homelessness Support Grant set out in para 3.2 of the agenda report and the Homelessness Reduction Act New Burdens Grant set out in para 3.3 of the agenda report in line with the government guidance issued with the notification of the grants.
- (2) That the additional income received from the licencing of Houses in Multiple Occupation be used to fund the additional staffing and IT resources required to implement the new government regulations as set out in para 5.2 of the agenda report.

7 Making the Petworth Neighbourhood Development Plan (pages 23 to 25)

The Cabinet is requested to consider the agenda report and to make the recommendation to the Council set out below:

That the Petworth Neighbourhood Development Plan be made part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

KEY DECISIONS

8 Award of Contract for Business Waste and Recycling Disposal (pages 26 to 31)

The Cabinet is requested to consider the agenda report and its appendix (which is confidential Part II exempt* material and is printed on salmon-coloured paper for members and relevant officers only) and to make the resolution set out below:

- (1) That the contract for the disposal of business waste and recycling for the period 1 September 2018 to 31 August 2023 be awarded to Supplier A.
- (2) That authority be delegated to the Director of Residents Services to:
 - (a) make any minor contractual changes during the contract term and
 - (b) extend the contract by mutual agreement, for up to five years should the contract remain economically advantageous and the supplier perform satisfactorily.

*[Note Paragraph 3 (information relating to the financial or business affairs of any

particular person (including the authority holding that information)) of Part I of Schedule 12A to the Local Government Act 1972]

OTHER DECISIONS

9 **Council Tax Reduction Scheme 2019-2020** (pages 32 to 35)

The Cabinet is requested to consider the agenda report and to make the resolution set out below:

- (1) That the Director of Residents Services after consultation with the Cabinet Member for Residents Services be authorised to prepare and consult on a Council Tax Reduction (CTR) Scheme for 2019-2020 with the final proposed scheme being brought back to the Cabinet in November 2018.
- (2) Following a review of the current CTR scheme officers have identified some minor amendments that are required in order to ensure that the scheme provides the same level of support that it has in previous years. It is proposed that consultation on this and the general principles of the scheme remaining the same be carried out.

10 **Disabled Facilities Grants - Appointment of County Adaptations Manager** (pages 36 to 42)

The Cabinet is requested to consider the agenda report and its appendix and make the resolution set out below:

That a County Adaptations Manager be appointed funded equally by all district and borough councils in West Sussex from their Disabled Facilities Grant funding.

11 **Section 106 Sport and Leisure Facilities - Selsey Sports Dream** (pages 43 to 45)

The Cabinet is requested to consider the agenda report and make the resolution set out below:

That the release of £89,916 Section 106 Sport and Leisure monies plus interest accrued to the date of release to Selsey Sports Dream for the construction of a multisport pavilion/clubhouse be approved.

12 **The Novium Museum** (pages 46 to 49)

The Cabinet is requested to consider the agenda report and to make the resolution set out below:

- (1) That due to the limited interest received from the soft market testing, the procurement process for the management of the museum and tourist information service not be pursued further at this time.
- (2) That option 3 namely to Review the Novium Museum and TIC Business Plan to identify potential opportunities for generating additional income

and/or reducing expenditure be approved.

- (3) That the Task and Finish Group be tasked to oversee progress with the review of the business plan.

13 Late Items

- (a) Items added to the agenda papers and made available for public inspection
- (b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting

14 Exclusion of the Press and Public

The Cabinet is asked in respect of agenda item 15 (Award of a Services Concessions Contract) to make a resolution that the public including the press should be excluded from the meeting on the following ground of exemption in Schedule 12A to the Local Government Act 1972 namely Paragraphs 1 (information relating to any individual) and 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

[Note If the Cabinet wishes to discuss the confidential Part II exempt appendix to agenda item 8 (Award of Contract for Business Waste and Recycling Disposal) it will need first to pass a resolution to exclude the press and the public from the meeting on the following ground of exemption in Schedule 12A to the Local Government Act 1972 namely Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information]

15 Award of a Services Concessions Contract (pages 50 to 64)

The Cabinet is requested to consider the agenda report and its appendix, which are Part II* exempt confidential material with a restricted circulation to Chichester District Council members and relevant officers only (printed on salmon-coloured paper), and to make the following resolution:

That the Director of Residents Services be given delegated powers to agree the terms of the proposal outlined in section 5 of the agenda report following consultation with the Cabinet Member for Community Services.

***[Note** The ground for excluding the public and press during this item is that it is likely that there would be a disclosure to them of 'exempt information' of the description specified in Paragraphs 1 (information relating to any individual) and 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A to the Local Government Act 1972]

NOTES

- (1) The press and public may be excluded from the meeting during any item of business wherever it is likely that there would be disclosure of 'exempt information' as defined in section 100A of and Schedule 12A to the Local Government Act 1972.
- (2) The press and public may view the report appendices which are not included with their copy of the agenda on the Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless they contain exempt information.
- (3) Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council's *Constitution*]
- (4) A key decision means an executive decision which is likely 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
 - be significant in terms of its effect on communities living or working in an area comprising one or more wards in the Council's area or
 - incur expenditure, generate income, or produce savings greater than £100,000

NON-CABINET MEMBER COUNCILLORS SPEAKING AT THE CABINET

Standing Order 22.3 Chichester District Council's *Constitution* provides that members of the Council may, with the chairman's consent, speak at a committee meeting of which they are not a member, or temporarily sit and speak at the Committee table on a particular item but shall then return to the public seating area.

The Leader of the Council intends to apply this standing order at Cabinet meetings by requesting that members should *normally* seek his consent in writing by email in advance of the meeting. They should do this by noon on the day before the meeting, outlining the substance of the matter that they wish to raise. The word normally is emphasised because there may be unforeseen circumstances where a member can assist the conduct of business by his or her contribution and where he would therefore retain his discretion to allow the contribution without notice.



Minutes of the meeting of the **Cabinet** held in Committee Room 2 at East Pallant House East Pallant Chichester West Sussex on Tuesday 5 June 2018 at 09:30

Members Present Mr A Dignum (Chairman), Mr R Barrow, Mr J Connor, Mrs J Kilby, Mrs S Taylor and Mr P Wilding

Members Absent Mrs E Lintill

Officers Present Mr N Bennett (Divisional Manager for Democratic Services), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mr D Hyland (Community and Partnerships Support Manager), Mrs V McKay (Divisional Manager for Growth), Mr P E Over (Executive Director), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Senior Member Services Officer) and Mr J Ward (Director of Corporate Services)

524 **Chairman's Announcements**

Mr Dignum greeted the members of the public, the press representatives and Chichester District Council (CDC) members and officers who were present for this meeting.

There was an apology for absence from Mrs Lintill for the reasons given below.

All other members of the Cabinet were present.

He announced with sadness the death after a long illness of the husband of Mrs Lintill on Sunday 3 June 2018. He acknowledged how Mrs Lintill had cared tirelessly for her husband while continuing in a fully conscientious way to perform her CDC duties. The funeral details would follow in due course.

He advised that item 8 (Parking Strategy Review) had been withdrawn from the agenda and so would not be discussed or determined at this meeting. He had requested a deferral because certain details which were needed to inform the debate were not yet available.

There were no late items for consideration.

[Note Hereinafter in these minutes CDC denotes Chichester District Council]

[**Note** Minute paras 525 to 536 below summarise the Cabinet's discussion of and decision on agenda items 2 to 13 inclusive but for full details of the items considered in the public session please refer to the audio recording facility via this link:

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=979&Ver=4>]

525 Approval of Minutes

The Cabinet received the minutes of its meeting on Tuesday 1 May 2018, which had been circulated with the agenda.

There were no proposed changes to the minutes.

Decision

The Cabinet voted unanimously on a show of hands to approve the aforesaid minutes without making any amendments.

RESOLVED

That the minutes of the Cabinet's meeting on Tuesday 1 May 2018 be approved.

526 Declarations of Interests

Mr R E Plowman (Chichester West), who was present as an observer, declared, on the previous advice of the Monitoring Officer, a prejudicial interest in respect of agenda item 5 (Priory Park Chichester – Project Initiation Document) as he was the chairman of the Friends of Priory Park.

There were no other declarations of interests.

527 Public Question Time

Three public questions had been submitted, details of which appear below.

The text of the three public questions had been circulated to members, the public and the press immediately prior to the start of this meeting. Mr Dignum invited each person in turn to come to the designated microphone in order to read out the question before he provided an oral response.

The questions (with the date of submission shown within [] at the end of the text) and the answers given by Mr Dignum were as follows.

Alan Green – Chairman of the Chichester Conservation Area Advisory Committee

'Chichester Conservation Area Advisory Committee maintains a close interest in Priory Park and has two questions in respect of item 5 on today's agenda, namely the project initiation document for the proposed enhancement scheme in the north-west corner of the park.

Question One relates to the four air raid shelters. These are part of the local listing for the 'brick pavilion' but are proposed for demolition. Why has consideration not been given to retaining these buildings, a fast-disappearing feature of the city's WWII history and the only ones with public access? The single one could be adapted as the roller store and the three conjoined ones used for historical interpretation or, as now, as an annexe to the main building. Furthermore they are not 'life expired' as suggested in section 5.2. In section 8.3 it is stated that further research is needed to establish additional information. I have already carried out that research and am willing to supply the information.

Question Two relates to planning issues surrounding the café. It is stated in section 5.1 that Option 3, which involves demolition of the café, will improve the historic setting of the park, and in section 7.2 that initial feedback on the temporary planning permission is that it unlikely to be renewed on expiry in 2020. What is the justification for these statements? Whilst the café and the grade 1-listed Guildhall can be seen *from* each other they are not juxtaposed so cannot be seen together. As such the café cannot be considered to affect the historic setting of the Guildhall so there is no valid planning objection on those grounds. Furthermore the café blends well with its surroundings and is not obtrusive, so there is every reason to keep it where - and as - it is.'

[Friday 1 June 2018]

Response by Mr Tony Dignum, the Leader of the Council

- (1) 'The Council's conservation and design officers have advised that the air raid shelters are not locally listed. There is scope in the proposed project to consider alternative uses for these shelters should that be decided as appropriate; at this early stage there is not a definitive proposal to demolish.'
- (2) 'The options appraisal work has been carried out with input from the Council's development management officers and planning issues are for them to determine in line with relevant policy. An indication that further planning permission may be 'unlikely' should not be taken as a planning decision; such a decision could only be taken if a planning application were submitted. The view reflected in the report merely takes into account initial feedback received during the options appraisal process.'

With respect to Mr Dignum's response to (1), Mr Green remarked that during the local listing process the Chichester Conservation Area Advisory Committee (CCAAC) submitted a scoring process which it had undertaken for the consideration of CDC's Historic Buildings Adviser but the air raid shelters had for some reason not been included in the local list.

Mr Dignum replied that if the shelters were subsequently proposed for demolition, due account would be taken of the CCAAC's views.

Simon Tooley – President of Chichester Bowling Club (on behalf of Michael John Lewis – Member of Chichester Bowling Club)

‘The Bowls Club has a question about the future use of the brick pavilion, a building in which we have a keen and valid interest. The Project Initiation Document speaks of ‘retention of the bowls and brick pavilion’. There is no mention of **refurbishment** to the bowls pavilion, OR to the brick pavilion. It just says **RETENTION**.

The existing wooden bowls pavilion was built in the 1930s. Its main structural timbers are of concern and the building on its own is too small for our current needs.

Prior to this review, it had been our intention to move into the ‘modern half of the brick pavilion’, so we could create a usable function space and have much-needed bar facilities in order to generate income.

We submitted plans in 2016 for an extension to the brick pavilion. Planning approval and consent was granted, but we cannot move forward, as all is subject to the review of the buildings in the Park.

We at the bowls club are happy to put money into the refurbishment of this building, but we need long-term assurances and security of tenure. We would be happy to make this building available for other functions, and to work with users of the Park and other groups.

We therefore would like to know: what are the intentions for the brick pavilion? Who will be its occupants?’

[Monday 4 June 2018]

Response by Mr Tony Dignum, the Leader of the Council

‘The draft Project Initiation Document proposes that the brick pavilion be retained and used for a café facility, although it is envisaged there could also be scope to include some community/other uses within that space. At present, due to the conceptual nature of the proposals, those potential uses have not been further explored; such ideas would form part of the next stages of consultation should the project proposals be agreed by the Cabinet.’

Dawn and Robert Bunker – Owners and Operators of Fenwick’s Café

The question was asked by Mrs Bunker.

‘During the consultation period last year, the consultant came and spoke with both myself and my husband at the Café on a number of occasions asking questions regarding the Park. His comments to us were that he would be recommending the Café to stay in its current position, maybe with some changes but he would not be recommending the Café to be moved into the existing brick building as it would not be a suitable choice due to location, security and the current layout of the building. We have not been able to see his report on the eight options put to CDC so I have

requested this under a FOI request and am currently waiting for this, so my question is: Which option did the consultant favour out of his eight options? CDC has not had to invest any monies at present to provide a café in the Park that fits well with its users and its surroundings, we have been told that the issue with retaining our building lies with the planners not liking our building but as of yet we don't know what their objections actually are, so again please could you provide their reasons.'

[Monday 4 June 2018]

Response by Mr Tony Dignum, the Leader of the Council

'The architect appointed to carry out the options appraisal was tasked with preparing a number of possible options for the Council's further consideration and the architect's brief was shared with stakeholders at the time of appointment. The brief did not include a requirement for the architect to 'favour' or recommend any one particular option.'

Mrs Bunker remarked that she and her husband had been invited to a meeting at CDC on Friday 8 June 2018 with Mr T Whitty (Divisional Manager Development Management) but she wondered if in advance of that meeting they might be given at least some idea of the apparent objections by planning officers to the renewal of planning permission for Fenwick's Café.

Mr Dignum cautioned against the Cabinet being drawn into planning-related matters. However, in view of Mr Whitty's presence in the meeting as an observer Mr Dignum invited him to the table. Mr Whitty pointed out that the café had been granted a temporary permission in recognition of both (a) the benefit of a café use in Priory Park and (b) the general review in due course to be undertaken of Priory Park. The café was one of a number of disparate buildings in Priory Park and a further assessment of its impact vis-à-vis other present and prospective uses would need to be undertaken in due course.

[**Note** End of Public Question Time]

528 **Priory Park Chichester - Project Initiation Document**

The Cabinet received and considered the agenda report and its two appendices.

A background paper, which was confidential Part II exempt material, had been published for online viewing by members and relevant officers only.

This item was introduced by Mr Dignum.

Mrs Hotchkiss and Mrs McKay were in attendance for this matter.

Mr Dignum referred to (a) the self-evident need for refurbishment of the buildings in the north-west area of Priory Park (PP) and the pavilion on the southern edge and (b) the consensus in favour of ensuring the quiet enjoyment and security of PP by retaining the boundary enclosures and locking it each night. In section 6 of the report officers had recommended selecting preferred option 3. However, in his

judgment this approach presented problems at this particular stage, namely until it was known whether the café would continue to operate beyond its temporary permission and, if so, in which location within PP, it was not sensible to refurbish the brick building without knowing the use to which it would be put. He considered that all redevelopment of PP would have to be placed on hold until the future of the café was determined. Accordingly he was proposing a revised recommendation, details of which he had circulated to members of the Cabinet ie to replace the three recommendations in paras 3.1 to 3.3 of the report (the second of which was a recommendation to the Council) with two recommendations (neither of which involved a recommendation to the Council).

Mr Dignum's proposal, which was seconded by Mr Barrow, was as follows:

- (1) That the implementation of the proposed enhancement scheme for the north west corner of Priory Park, option 3 and the associated actions within the PID be put on hold with the exception of the works to the current depot area, until the planning position regarding the temporary café facility (the permission for which is due to expire in 2020) in its current location is resolved.
- (2) That £57,000 be approved from reserves to complete the demolition of the current depot, provision of a storage facility and associated landscape works, and carry out repairs to the Coade stone statue.

Mrs Kilby supported Mr Dignum's proposal: the need for refurbishment was unarguable but there were currently too many imponderables which must first be resolved. During her comments she emphasised the importance of continuing to have adequate public conveniences in PP and sought more information about the bowling club.

Mr Wilding supported the revised recommendation and said that the planning position of the café needed to be resolved before the improvements works programme commenced.

Mr Barrow supported the revised recommendation and mentioned the popularity of the café.

Mr Connor spoke in support of the revised recommendation. He advocated retaining the air raid shelters as (a) being an important part of the city's and area's World War II heritage and (b) affording possible uses. He emphasised that it was vitally important not to reduce the current level of public convenience provision in PP.

Mrs Hotchkiss, Mrs McKay and Mr Dignum responded to the debate with reference to the options appraisal process, the situation vis-à-vis the bowling club and the public conveniences.

Decision

The Cabinet voted unanimously on a show of hands in favour of the revised recommendations proposed by Mr Dignum and so made the resolutions set out below.

RESOLVED

- (1) That the implementation of the proposed enhancement scheme for the north west corner of Priory Park, option 3 and the associated actions within the PID be put on hold with the exception of the works to the current depot area, until the planning position regarding the temporary café facility (the permission for which is due to expire in 2020) in its current location is resolved.
- (2) That £57,000 be approved from reserves to complete the demolition of the current depot, provision of a storage facility and associated landscape works, and carry out repairs to the Coade stone statue.

529 **Section 106 Community Facilities - Westhampnett Community Hall**

The Cabinet received and considered the agenda report, the appendix to which was confidential Part II exempt material circulated only to members and relevant officers.

In the absence of Mrs Lintill this item was introduced by Mrs Taylor.

Mr Hyland was in attendance for this matter.

Mrs Taylor summarised sections 3 and 5 of what she said was a very comprehensive report.

Mr Hyland did not add to Mrs Taylor's introduction.

With the consent of Mr Dignum, Mr M N Hall (Lavant), the CDC local ward member, spoke in favour of the proposed community facility for parish of Westhampnett.

The Cabinet did not discuss the Part II appendix.

Decision

The Cabinet voted unanimously on a show of hands to make the recommendation to the Council set out below.

RECOMMENDATION TO THE COUNCIL

That the release of £98,712 section 106 community facilities monies plus interest accrued to the date of release to Westhampnett Parish Council for the construction of Westhampnett Community Hall be approved.

530 **Ministry of Housing, Communities and Local Government Consultation - Powers for Dealing with Unauthorised Development and Encampments**

The Cabinet received and considered the agenda report, its appendix and a document circulated prior to the start of the meeting with amendments to the proposed responses to questions 1, 5, 16 and 19.

The report was presented by Mrs Taylor.

Mr Bennett was in attendance for this item.

Mrs Taylor said that the consultation document addressed two aspects: the dealing with (a) unauthorised encampments and (b) development in breach of planning control on land owned and occupied by travellers. Measures to address more effectively breaches of planning control were to be welcomed.

The amendments to the draft responses to be made by CDC, which were denoted by tracked changes in the aforementioned circulated document, had been proposed by Mr S J Oakley (Tangmere). With Mr Dignum's consent, Mr Oakley, who was present as an observer, sought confirmation, to be provided in due course, that the police would exercise their powers to disperse an unauthorised encampment notwithstanding that the transit site was at full capacity.

Two other CDC members who were present as observers addressed the Cabinet with Mr Dignum's permission.

Mr Hall (Lavant), who was a member of the transit site liaison group, shared briefly his experience and invited members to submit any questions for the group's next meeting later in the week.

Mrs Hamilton (West Wittering and Chairman of the Council) alluded to a situation involving travellers in Birdham and thanked CDC's legal and enforcement officers for their patient and diligent advice and assistance in that regard. She drew attention to the following draft responses to the consultation questions: (a) 5 (page 33, third and fourth sentences); (b) 16 (page 37, second para); (c) 19 (page 38, second and third sentences); and (d) 22 (pages 39, third para and 40, final para) and said that it would perhaps assist CDC's case by emphasising those parts by the use of bold text. She appreciated officers' work on the responses and requested a copy of the final version be sent to Gillian Keegan MP.

In reply to Mrs Hamilton, Mr Bennett said that the software might not enable the use of bold text but he would use his best endeavours to see how those sections might in some way be suitably highlighted.

Decision

The Cabinet voted unanimously on a show of hands to make the resolution set out below.

RESOLVED

That the proposed response to the government's consultation paper – 'Powers for dealing with unauthorised development and encampments' as set out in (a) the appendix to the agenda report and (b) the document with the amended versions of the responses to questions 1, 5, 16 and 19 be approved.

531 **Parking Strategy Review**

As announced by Mr Dignum during agenda item 1, this matter had been deferred and so was not discussed or determined at this meeting.

532 **Appointments to Panels, Forums and other Groups 2018-2019**

The Cabinet received and considered the agenda report and its appendix.

Mr Dignum presented the report.

Decision

The Cabinet voted unanimously to make the resolution set out below.

RESOLVED

That the membership of panels, forums and other groups for 2018-2019 as set out in the appendix to the agenda report be approved.

533 **Appointments to External Organisations 2018-2019**

The Cabinet received and considered the agenda report and its appendix.

Mr Dignum presented the report.

It was noted that entry 6 relating to the Chichester Ship Canal Restoration Project Board should be deleted as the board was not currently functioning.

Decision

The Cabinet voted unanimously to make the resolution set out below.

RESOLVED

That the representatives to serve on the external organisations for 2018-2019 as set out in the appendix to the agenda report, save for the deletion of entry 6 relating to the Chichester Ship Canal Restoration Project Board, be approved.

534 **Late Items**

There were no late items for consideration at this meeting.

535 **Exclusion of the Press and Public**

In order to consider the Part II confidential exempt matter listed as agenda item 13 (Support Services – Staffing Matter) Mr Dignum first read out the resolution set out below.

Decision

On a vote by a show of hands the Cabinet approved unanimously the following resolution.

RESOLVED BY THE CABINET

That in accordance with section 100A of the Local Government Act 1972 (the Act) the public and the press be excluded from the meeting during the consideration of agenda item 13 (Support Services – Staffing Matter) for the reason that it is likely in view of the nature of the business to be transacted that there would be disclosure to the public of ‘exempt information’ being information of the nature described in Paragraph 1 (information relating to an individual) in Part I of Schedule 12A to the Act and because in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

536 Support Services - Staffing Matter

The Cabinet received and considered the confidential Part II exempt agenda report circulated to members and relevant officers only.

The report was presented by Mr Wilding.

Mr Bennett was in attendance for this item.

Mr Wilding summarised the report.

The matter was briefly discussed.

Decision

The Cabinet voted unanimously to make the resolution set out below.

RESOLVED

- (1) That the contract of employment of the staff member be terminated on the grounds of the efficiency of the service on 7 August 2018 for the reasons outlined in the confidential agenda report.
- (2) That the capital cost to the Pension Fund of paying the accrued pension benefits to the staff member earlier than the normal retirement age be funded from reserves at the total cost specified in para 7.1 of the confidential agenda report.

[Note The meeting ended at 10:24]

CHAIRMAN

DATE



Minutes of the special meeting of the **Cabinet** held in the Committee Rooms at East Pallant House East Pallant Chichester West Sussex on Friday 8 June 2018 at 09:30

Members Present Mr A Dignum (Chairman), Mr R Barrow, Mr J Connor, Mrs J Kilby and Mr P Wilding

Members Absent Mrs E Lintill and Mrs S Taylor

Officers Present Mr N Bennett (Divisional Manager for Democratic Services), Mr A Frost (Director of Planning and Environment), Mr P E Over (Executive Director), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Senior Member Services Officer) and Mr J Ward (Director of Corporate Services)

537 **Chairman's Announcements**

Mr Dignum greeted the members of the public, the press representatives and Chichester District Council (CDC) members and officers who were present for this special meeting of the Cabinet. He summarised the emergency evacuation procedure.

There were apologies for absence from Mrs Lintill and Mrs Taylor.

All other members of the Cabinet were present.

There were no late items for consideration.

[**Note** Hereinafter in these minutes CDC denotes Chichester District Council]

[**Note** Minute paras 538 to 543 below summarise the Cabinet's discussion of and decision on agenda items 2 to 7 inclusive but for full details of the items considered please refer to the audio recording facility via this link:

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=979&Ver=4>]

538 **Approval of Minutes**

There were no minutes for approval by the Cabinet at this special meeting.

As stated in the agenda, the minutes of the Cabinet's ordinary meeting on Tuesday 5 June 2018 would, together with the minutes of this special meeting, be presented for approval at the Cabinet's next ordinary meeting on Tuesday 3 July 2018.

539 Declarations of Interests

No declarations of interests were made at this meeting by Cabinet members or by any CDC members who were present as observers.

Mr Dignum alluded briefly to the dispensation which had been granted by the Monitoring Officer to all CDC members to enable them to participate fully in the debate and decisions at the special meetings of the Cabinet and the Council on Friday 8 June 2018 (the dispensation was confined to that day only).

540 Public Question Time

Three public questions had been submitted for this special meeting, details of which appear below.

The text of the three public questions had been circulated to CDC members, the public and the press immediately prior to the start of this meeting. Mr Dignum invited each person in turn to come to the designated microphone in order to read out the question before he provided an oral response.

The questions (with the date of submission shown within [] at the end of the text) and the answers given by Mr Dignum were as follows.

Question by Mr Phil Ladds

'Would the Cabinet accept that:

- A. Recent analysis by SYSTRA and various public consultations and surveys conclude that there is a greater overall level of community support for making improvements to the existing A27 by-pass than constructing a new off-line road? Specifically that underpasses and flyovers are well supported as improvements to our current by-pass?
- B. That the much publicised support for a "mitigated" northern option is in the context of which off-line route would be the better rather than a preference for an off-line vs an improved A27 solution?'

[Saturday 2 June 2018]

Response by Mr Tony Dignum, the Leader of the Council

'Systra's analysis of the feedback received from almost 4000 responses to the WSCC led community surveys indicates that for the on-line suggestions, flyovers and underpasses were the most well supported suggested improvements. Support for other on-line junction improvements were more mixed and general comments about current route suggestions were largely negative. The responses to questions

concerning new (off-line) routes indicate that there was marginally more support for a multi-purpose or strategic route to the north of the city compared to other off line options. The surveys enable key themes to be identified rather than which suggestion might be the best one.'

Question by Mr Stephen Holcroft

'Please can you provide details of local parish councils recommendations in regard to promoting a scheme for inclusion in RIS2, specifically the number of councils that are in favour of the mitigated north route, the full southern route, both or no preference as I believe this gives a good indication of public opinion on the matter.'

[Tuesday 5 June 2018]

Response by Mr Tony Dignum, the Leader of the Council

'The approach taken by Systra to the analysis of the feedback received from almost 4000 responses to the WSCC led community surveys enable key themes to be identified arising from the various on-line, off-line and modal suggestions. Their analysis states the number of respondents expressing support for each suggestion but they advise that the engagement process cannot be seen as a 'vote' and they have not attempted to draw conclusions about what the 'best' suggestion might be or the way in which particular sectors of the community, including PC's responded.

Although I am aware that some parish councils have made representations, nowhere near 100% of the District's parish councils have done so. I therefore cannot provide the analysis you request.'

Question by Mr Gavin Barrett

'Unlike WSCC at its sub-committee meeting on Monday 4th June, will the deliberations and conclusions of CDC now demonstrate a full and proper respect for the unequivocal findings of the various BABA27 surveys, namely that there is, across the whole Chichester community, a no-better-than 50/50 split on options, together with a clear majority preference for an underpass-based solution on the existing A27 route in its submission to Highways England?'

[Thursday 7 June 2018]

Response by Mr Tony Dignum, the Leader of the Council

'The approach taken by Systra to the analysis of the feedback received from almost 4000 responses to the WSCC led community surveys enabled key themes to be identified arising from the various on-line, off-line and modal suggestions. The results indicate that for the on-line suggestions, flyovers and underpasses were the most well supported suggested improvements. Support for other on-line junction improvements were more mixed and general comments about current route suggestions were largely negative. The responses to questions concerning new (off-line) routes indicate that there was marginally more support for a multi-purpose or strategic route to the north of the city compared to other off line options. Systra's

analysis states the number of respondents expressing support for each suggestion but they advise that the engagement process cannot be seen as a 'vote' and they have not attempted to draw conclusions about what the 'best' suggestion might be.'

There were no supplementary questions asked by any of the aforementioned individuals.

541 **A27 Chichester Bypass Improvements: Submission to the Government's Roads Improvement Strategy**

The Cabinet considered the agenda report and its appendix.

An agenda supplement had also been published for online viewing only, which contained the second background paper listed in para 13.2 of the report and a letter dated 5 June 2018 from Jim O'Sullivan, Chief Executive of Highways England to Louise Goldsmith, Leader of the Council at West Sussex County Council.

The report was presented by Mr Dignum. He said that there was almost a complete consensus in favour of one thing: achieving improvements to the A27 to ease congestion etc issues for local and through traffic. Highways England (HE) had afforded the community the opportunity to put forward, on balance, the best route by choosing between the northern and southern concepts. The consultants, Systra Limited, had advocated an off-line mitigated northern route and an on-line full southern route, which sought to address the disadvantages of these options. HE had so far neither restricted the nature and extent of improvements of on-line nor ruled out off-line routes and was prepared to consider two alternatives. The report by officers recommended Approach A ie both northern and southern concepts advanced with no preference. West Sussex County Council's (WSSC) Cabinet Member for Highways and Infrastructure had stated that the 'mitigated northern route' was WSSC's preferred option but the 'full southern route' should also be developed as a reasonable alternative. Mr Dignum had asked HE's Regional Sponsor for South East England, Paul Benham, if a different submission by CDC from WSSC would present any problem in terms of consensus and was advised: 'In response to your question, I do not see it as an issue at this stage. It will be more important to achieve a level of consensus once we have carried out our assessment of both options and arrived at our conclusions.' HE had recently been asked by WSSC and CDC leaders to evaluate both concepts as soon as possible and it had agreed to evaluate and report on the engineering feasibility and likely cost of both options by 'late autumn' 2018. Systra had identified advantages and disadvantages to both routes. The issue of affordability within the likely RIS 2 budget was relevant to both routes and HE had twice emphasised to the leaders that many other schemes across the country were competing for inclusion in RIS2 and their combined cost was far greater than the likely total RIS2 budget. Of the various local surveys of opinion, the Build A Better A27 (BABA27) showed the highest support (but not a majority) for one concept only – however, respondents had not been asked to specify a preferred concept and so the balance between north and south could not be ascertained. Thus the community had not been able to agree a single choice. As Leader of the Council he was proposing that CDC should not make a single choice at this stage since it did not have all the relevant facts (which only HE could provide) and there was a risk that in choosing a single option now, which was

not later accepted by HE, the A27 Chichester bypass would be excluded from RIS2. HE should fully evaluate both concepts equally and provide its analysis as soon as possible. If included within RIS2, HE would undertake detailed design work prior to a full public consultation. The eventual route announced by HE would be the subject of a development consent order for approval by a government inspector (the public would be entitled to comment). Construction would probably begin in 2023 or 2024. He acknowledged that there was a difference of opinion within even the Cabinet and obviously within the Council and a democratic debate would take place during the ensuing special meeting of the Council.

Mr Connor proposed an amendment to the recommendation to the Council set out in para 3.1 of the agenda report and in (1) on the agenda front sheet. He said that he did not believe that the Cabinet should suggest something ie Approach A 'as being desirable' and that those words should be deleted but otherwise leave the recommendation intact. The recommendation would, therefore, now read as follows:

'That in promoting a scheme to the government for inclusion in RIS2, Approach A be supported without indicating a preference for either option namely promoting both the 'mitigated northern route' and the 'full southern route'.'

Mr Wilding seconded Mr Connor's proposal.

Mr Barrow said that he agreed there should be no single choice made by CDC at this stage but he would be advocating during the ensuing Council special meeting a preference for the 'mitigated northern route' while exploring the 'full southern route' as a reasonable alternative. He would not, therefore, be supporting the proposed recommendation, as amended, by the Cabinet to the Council.

Mrs Kilby said that the issue to be determined at these special meetings of the Cabinet and the Council was one of the most difficult decisions she had faced in 30 years of local government. She sought a long-term solution to the A27 Chichester bypass rather than a short-term fix and accordingly favoured expressing a preference for the 'mitigated northern route'. She was unable, therefore, to support the proposed recommendation, as amended, to be made by the Cabinet to the Council.

Mr Wilding remarked that he could not see how it was possible to express a preference until both options had been fully costed and assessed by HE.

Mr Dignum read out the amended version of the recommendation to be made by the Cabinet to the Council.

Decision

The five members of the Cabinet who were present voted by a majority of three in favour to two (Mr Barrow and Mrs Kilby) against in respect of the amended recommendation to the Council which is set out below.

RESOLVED

That the outputs of the work by Systra and the BABA27 community group be noted.

RECOMMENDATION TO THE COUNCIL

(1) That in promoting a scheme to the government for inclusion in RIS2, Approach A be supported without indicating a preference for either option namely promoting both the 'mitigated northern route' and the 'full southern route'.

(2) That the 'fall-back' position if no approach is selected be noted.

542 Late Items

There were no late items for consideration at this special meeting.

543 Exclusion of the Press and Public

There were no restricted matters for consideration at this special meeting.

[Note The meeting ended at 09:51]

CHAIRMAN

DATE

Chichester District Council

THE CABINET

3 July 2018

Chichester District Council Annual Report 2017-2018

1. Contacts

Report Author:

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Cabinet Member:

Tony Dignum - Leader of the Council

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2. Recommendation

- 2.1. That the Cabinet recommends the Annual Report 2017-2018 be received by the Council.**

3. Background

- 3.1. The Annual Report 2017-2018 outlines the key achievements delivered during the year. The report is structured by Cabinet portfolio and uses the current division of responsibility. Whilst the reporting of significant achievements and future work areas is the main focus for the report, it should also be acknowledged that there are many other work areas in relation to the Council's core services that may not be specifically mentioned, a comprehensive list of these services can be found on the Council website.

4. Outcomes to be achieved

- 4.1. The report focuses on work successfully delivered that supports the expected outcomes of projects contained within the Council's Corporate Plan and in relation to other significant work areas. In addition to these highlights, short summaries of major projects for 2017-2018 have been included and are followed by end of year performance indicator outturns where the data is available. Brief information on the expected areas of work for 2018-2019 is also included.

5. Proposal

- 5.1. The Cabinet is asked to review the Council's performance and achievements over the last year as detailed in the Annual Report 2017-2018 and recommend the report is received by Council.

6. Alternatives Considered

6.1 None required.

7. Resource and Legal Implications

7.1 None.

8. Consultation

8.1. Service areas have provided commentary for the report and each Cabinet Member has had the opportunity to comment on the final draft version.

9. Community Impact and Corporate Risks

9.1. A number of projects are noted in the Annual Report which demonstrate the Council's leadership or support role in reducing the impact of climate change, promoting safety and reducing levels of crime. A number of projects also highlight the Council's commitment to supporting vulnerable people and communities.

9.2. Addressing inequalities remains a key work area for the Council. Projects and work provided by our services are assessed to ensure our customers' needs continue to be met.

10. Other Implications

	Yes	No
Crime and Disorder		x
Climate Change and Biodiversity		x
Human Rights and Equality Impact		x
Safeguarding and Early Help		x
General Data Protection Regulations (GDPR)		x
Other (please specify)		x

11. Appendix

11.1. Chichester District Council Annual Report 2017-2018 [Agenda Supplement]

12. Background Papers

12.1. None.

Chichester District Council

THE CABINET

3 July 2018

Housing Grants and Resources

1. Contacts

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Jane Kilby - Cabinet Member for Housing Services
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2. Recommendation

2.1. That Cabinet recommends to the Council that:

- 1. Delegated authority be given to the Director of Housing and Communities, following consultation with the Cabinet Member for Housing Services, to spend the Flexible Homelessness Support Grant set out in para 3.2 of the agenda report and the Homelessness Reduction Act New Burdens Grant set out in para 3.3 of the agenda report in line with the government guidance issued with the notification of the grants.**
- 2. The additional income received from the licencing of Houses in Multiple Occupation is used to fund the additional staffing and IT resources required to implement the new government regulations as set out in para 5.2 of the agenda report.**

3. Background

- 3.1. In June last year a report was taken to the Cabinet which outlined the proposed spend of the Flexible Homeless Support Grant (FHSG). The new grant, gave councils flexibility to spend the funds to support the full range of homelessness services.
- 3.2. The FHSG allocated to the Council for 2017-2018 was £128,047, and for 2018-2019 is £147,330. The Cabinet approved the proposal to create two new posts in the Housing Service; a Housing Welfare Officer and an additional Housing Interventions Officer, with any underspend being used to prevent homelessness including supporting the introduction of a new and improved IT system. The allocation of £187,823 for 2019/20 has since been announced. £245,000 in total over 3 years is already committed to the posts mentioned above, leaving £218,200 available to spend.
- 3.3. The Homelessness Reduction Act 2017 was implemented on 3 April 2018. This requires more proactive work with potentially homeless people at an earlier

stage. It places additional demands upon the resources of the existing Housing Options Team and new burdens funding of £39,312 for 2017-2018 and £36,010 for 2018-2019 has also been received. A further one-off payment of £9,202 has been received towards upgrading the authorities IT system and any associated training or update of internal administrative processes that will enable reporting of case-level data on statutory homelessness to government.

- 3.4. In addition to this the Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 extends the scope of the existing licensing scheme to include all properties occupied by 5 or more tenants who share facilities, irrespective of the number of storeys. Previously the property had to be 3 storeys or more to require licensing. Landlords affected by the new regulations must apply for their licenses by 1 October 2018 and local authorities have an 18-month period in which to issue the license.
- 3.5. The number of properties requiring a licence is expected to increase from 30 to over 180. The additional work required to undertake this function will include property inspection, monitoring, enforcement and administration. The Council will also need to update its IT system to ensure effective monitoring.

4. Outcomes to be Achieved

- 4.1. The FHSG is intended to allow flexible support for homelessness and is ring-fenced for this purpose. It is intended that the outcomes of the grant will be to prevent homelessness by offering housing options advice at an early stage and also ensuring residents are accessing all the benefits to which they are entitled.
- 4.2. The New Burdens Grant is intended to provide extra resources during the transition to implement the Homelessness Reduction Act 2017 and to upgrade the Council's IT system.
- 4.3. The fulfilment of the Council's duty to issue licences for those properties included in the mandatory scheme, thereby increasing property standards in relation to facilities and safety.

5. Proposal

- 5.1. It is proposed to use the FHSG and New Burdens Grant to provide the staffing and IT resources to deal with the additional prevention and reporting work required by Homelessness Reduction Act, as well as implementing the new IT system, as required over the next two years. This includes the two new posts already approved by the Cabinet in June 2017
- 5.2. To use the additional licence fee collected to provide the additional staffing and IT resources required to deal with the extra licencing work. This will include undertaking property inspections, on-going monitoring, licencing administration and supporting the Senior Environmental Health Officers with regard to potential enforcement action.
- 5.3. In order to facilitate use of these ring fenced monies it is proposed that delegated powers be given to the Director of Housing and Communities, following consultation with the Cabinet Member for Housing Services, to use the

funding in line with the government guidance issued with the notification of the grants.

6. Alternatives Considered

- 6.1. It is not considered possible to absorb the additional HMO work within the existing team. The number of properties requiring a license is set to increase from 30 to over 180.

7. Resource and Legal Implications

- 7.1. The FHSG and New Burdens Grant are expected to adequately cover the employment costs of any additional staff, the costs of implementing the new IT system and any costs associated with submitting government returns.
- 7.2. From the information currently held on the Council's HMO property database, an exercise has been undertaken to forecast the value of income the Council is anticipated to receive from license fees. Throughout a five-year period it is expected a minimum of £128,000 will be collected, however a disproportionate of this will be received in year one and the surplus will need to be retained to cover the five-year renewal cycle.

8. Consultation

- 8.1. Consultation is not relevant as these are statutory functions which the Council has a duty to undertake.

9. Community Impact and Corporate Risks

- 9.1. The impact of the proposal will benefit the residents of the district. Additional resources will enable us to provide an effective response to the additional statutory responsibilities of the Council and will permit us to deliver an efficient service.

10. Other Implications

	Yes	No
Crime and Disorder		X
Climate Change		X
Human Rights and Equality Impact A proportion of customers have 'protected characteristics' and therefore owed a duty under the Equalities Act 2010. The proposal will aid the Council to provide adequate services for those protected under the Act.	X	
Safeguarding and Early Help A proportion of customers has multiple needs and will therefore be referred for Early Help and/or safeguarding. Additional resources will enable the Council to respond to an increase in demand without compromising the level of care provided to vulnerable households	X	
GDPR Any new IT will need to be GDPR compliant	X	

11. Appendices

None

12. Background Papers

None

Chichester District Council

THE CABINET

3 July 2018

Making the Petworth Neighbourhood Development Plan

1. Contacts

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2. Recommendations

- 2.1. That the Cabinet recommends to the Council that it makes the Petworth Neighbourhood Development Plan part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).**

3. Background

- 3.1. The South Downs National Park Authority (SDNPA) is the lead authority for the Petworth Neighbourhood Development Plan. At its Planning Committee meeting on 8 February 2018 the SDNPA made a recommendation to note recommendations made by the Examiner; to 'agree the proposed Decision Statement, with the exception of proposed Policy H8'; and to 'invite representations on proposed Policy H8 for a period of six weeks from the 8 February to 22 March 2018'.
- 3.2. Following the completion of the further period of public consultation, on 19 April 2018 the SDNPA agreed the Final Decision Statement through delegated powers. This included recommending that the site proposed by Policy H8 (south of Rothermead) be allocated in accordance with the Examiner's recommendations, that the settlement boundary is amended to reflect this site and that additional supporting text is added to accompany Policy H8. The Petworth Neighbourhood Development Plan was approved by the SDNPA to proceed to referendum which was held on 7 June 2018.
- 3.3. In accordance with the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 a local planning authority must then 'make' the neighbourhood plan within eight weeks of the date of the referendum. A successful referendum requires more than 50% of those who voted in the parish being in favour of the plan before it can then be 'made'. On 7 June 2018, with a referendum turnout of 853, 662 people voted in favour and 191 voted against. This led to an overall referendum result of 77% voting in favour of the neighbourhood plan. The neighbourhood plan can now move forward to be 'made'.

- 3.4. A copy of the referendum version of the Petworth Neighbourhood Development Plan has been placed in the Members' Room and is available on the South Downs National Park website: <https://www.southdowns.gov.uk/wp-content/uploads/2016/05/Petworth-NDP-Referendum-Version-FINAL.pdf>
- 3.5. Chichester District Council will publish a formal decision statement as required under the Neighbourhood Planning (General) Regulations 2012.

4. Outcomes to be Achieved

- 4.1. A community based statutory plan that can be used to identify local features of importance and to guide future development in the plan area.

5. Proposal

- 5.1. That the Petworth Neighbourhood Development Plan be made so that it forms part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

6. Alternatives Considered

- 6.1. Paragraph 38A (4) (a) of the Planning and Compulsory Purchase Act 2004 requires that Chichester District Council must make the neighbourhood plan if more than half of those voting have voted in favour of the plan being used to help decide planning applications in the plan area. Chichester District Council is not subject to this duty if (and only if) the making of the plan would breach or would otherwise be incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

7. Resource and Legal Implications

- 7.1. None.

8. Consultation

- 8.1. Petworth Town Council, the local community and local members have been involved throughout the process of preparation of the neighbourhood plan.

9. Community Impact and Corporate Risks

- 9.1. There has been strong community involvement throughout the development of the Neighbourhood Plan. There are no additional corporate risks to making the plan.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change		X
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X

11. Background Papers

11.1 None

12. Appendices

12.1 None

Chichester District Council

THE CABINET

3 July 2018

Award of Contract for Business Waste and Recycling Disposal

1. Contacts

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Roger Barrow – Cabinet Member for Residents' Services

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2. Recommendation

2.1 That the contract for the disposal of business waste and recycling for the period 1 September 2018 to 31 August 2023 be awarded to Supplier A.

2.2 That authority be delegated to the Director of Residents Services to:

(1) make any minor contractual changes during the contract term

(2) extend the contract by mutual agreement, for up to five years should the contract remain economically advantageous and the supplier perform satisfactorily.

3. Background

3.1 Chichester District Council (CDC) operates a business waste and recycling collection service. The material collected (general waste, mixed recycling, card/paper) is transported to the transfer station at Westhampnett and disposed of by West Sussex County Council (WSCC). CDC is not legally bound by any agreement with WSCC to use this site.

3.2 Disposal charges are paid, per tonne, to WSCC and at the end of 2017/18 these charges totalled £874,925 and accounted for 57% of the total revenue received.

3.3 Any fluctuation to the disposal charges significantly impacts the financial return to the Council and at the end of 2017, WSCC confirmed that charges for general waste will increase by 12% by 2020. Based on current waste tonnages collected, disposal charges could be in excess of £1,030,000 by 2020. This would leave the service £128,000 in deficit. In order to maintain a financially viable service, alternative, less expensive providers for disposal have been sought.

3.4 Soft market testing was undertaken which concluded that a tendering exercise was required to secure the most cost efficient disposal charge.

3.5 An EU notice inviting tenders was published on 20 April 2018 and a total of two completed applications were received.

4. Outcomes to be Achieved

4.1 A new disposal contract with Supplier A provides an approximate saving of £180,000 for the first full year of contract. This saving incorporates the reduction in disposal charges alongside the additional operating costs as a consequence of transporting the material to a new facility.

4.2 A reduction in disposal charges restores the financial viability of the Business Waste and Recycling Service and increases the annual net return of the service for the lifetime of the contract.

4.3 The service has considered the end destination of the material to ensure the Council maintains its commitment to quality of service together with a genuine and demonstrable concern for the environment. Supplier A offers 100% diversion from landfill to be achieved through its energy from waste facility which not only provides a sustainable solution for non-recyclable waste; it also mitigates against annual increases in landfill tax. This is achieved as the energy recovery process produces products which are all diverted from landfill.

5. Proposal

5.1 Each tender application was scored against the criteria specified in the tender documents and scoring was split 70:30 between price and quality.

5.2 The results are set out in the table below and the tender prices submitted are identified in the confidential Part II exempt appendix to this report:

Evaluation	Supplier A	Supplier B
Price	70%	63.96%
Quality	26.50%	19.50%
Total	96.50%	83.46%
Supplier Ranking	1	2

5.3 It is therefore recommended that the Cabinet award the Business Waste and Recycling Disposal contract to Supplier A. The duration of the contract will be for five years and is extendable to a further five years subject to agreement and satisfactory performance.

5.4 The contract needs to be formally offered to Supplier A based on their submission. There will be a formal ten-day period of standstill. The contract is anticipated to commence on 1 September 2018 or as soon thereafter.

5.5 Charges will be fixed for the first 12 months of contract and subject to annual indexation based on RPI thereafter. The Council and the contractor will meet at least every three months for the first year of contract, to review contract performance and ensure the continued smooth operation. Performance monitoring will include matters such as the length of time refuse vehicles have to queue at the facility, waste reduction, and health and safety compliance. Key performance indicators will be finalised with the supplier as part of the contract mobilisation process.

6. Alternatives Considered

- 6.1 Officers have considered options that could offset the increase in disposal costs; however considering waste disposal costs could be in excess of £1,030,000 by 2020, finding an alternative, less expensive mechanism for disposal is needed urgently in order to maintain a viable service.
- 6.2 Should a viable disposal route not be secured, an options appraisal would need to be developed to assess whether to commit to the service, or prepare to sell it for a capital receipt or outsource. The appraisal would need to demonstrate the full potential impact on the Council's finances should a decision be made to cease the service.

7. Resource and Legal Implications

- 7.1 Additional running costs will be approximately £30,000 per annum. This is based on the annual number of return journeys from the Council's depot to Supplier A's facility, vehicle running costs (vehicle fuel efficiency and cost per litre) and anticipated staff overtime. This cost has been incorporated into the expected savings to be achieved.
- 7.2 It is anticipated that *ad hoc* use of the WSCC transfer station will be required where it is more practical to do so, although this will be limited as far as possible. The expected savings to be achieved incorporates an assumption of 15% of the general waste continuing through WSCC's disposal route.
- 7.3 There is no legally binding agreement or legislation with WSCC with regard to the disposal of business waste.

8. Consultation

- 8.1 The procurement process has been carried out in compliance with the Council's Standing Orders and following advice from both Procurement and Legal Services.
- 8.2 Corporate Health and Safety has supported the tender evaluation process by considering compliance with Health and Safety standards to ensure a safe working environment for the Council's staff when at site, and by completing a satisfactory visit of Supplier A's transfer station.
- 8.3 The preferred supplier has been checked and approved by Financial Services.
- 8.4 The proposal to tender was supported by the Business Improvement Programme Board on 22 March 2018.

9. Community Impact and Corporate Risks

- 9.1 The contract allows the Council flexibility to determine the most cost effective route for disposing of business waste which reduces the risk of the service becoming unviable.

10. Other Implications

	Yes	No
Crime and Disorder		X
Climate Change and Biodiversity The proposed contract will process the waste and ensure that it is not landfilled.	X	
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Other (please specify)		X

11. Appendix

11.1 Submitted Tender Prices – confidential Part II exempt material

12. Background Papers

None

Document is Restricted

Agenda Item 9

Chichester District Council

THE CABINET

3 July 2018

Council Tax Reduction Scheme 2019 - 2020

1. Contacts

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2. Recommendation

- 2.1. **That the Director of Residents Services after consultation with the Cabinet Member for Residents Services be authorised to prepare and consult on a Council Tax Reduction (CTR) Scheme for 2019-2020 with the final proposed scheme being brought back to the Cabinet in November 2018.**
- 2.2. **Following a review of the current CTR scheme officers have identified some minor amendments that are required in order to ensure that the scheme provides the same level of support that it has in previous years. It is proposed that consultation on this and the general principles of the scheme remaining the same be carried out.**

3. Background

- 3.1. The Welfare Reform Act and Local Government Finance Acts of 2012 abolished the national council tax benefit scheme and put in place a framework for local authorities to create their own local council tax reduction (CTR) schemes from April 2013. The funding regime also changed with the introduction of localised schemes, with administration being funded by the Ministry of Housing, Communities and Local Government (MHCLG).
- 3.2. The government legislated that people of pensionable age would continue to receive support based on national rules so local schemes only apply to working age claimants.
- 3.3. Since its introduction Chichester District Council's local scheme has broadly followed the rules of the council tax benefit scheme that existed prior to April 2013 and the current Housing Benefit (HB) scheme. This has meant that applicants for support have been supported as much as they had been under the previous scheme arrangements.
- 3.4. In 2018 the Chichester District Council introduced a banded scheme for Universal Credit claimants. This was in line with the scheduled roll out of Universal Credit Full Live Service (UCFS) across the District from April 2018. However the roll out schedule for UCFS was slowed by the Government to allow for some easements to

be legislated for, this includes the abolition of the 7 day waiting period, increase in advance payments, extended payments for those transitioning from housing benefit and a simpler process for alternative payment arrangements. This resulted in UCFS roll out for Chichester being delayed until July 2018. Further to this no new claims for UC were accepted across the district with the closure of the claim gateway at the end of 2017 until UCFS roll out. This means that Chichester has seen no new UC claims since 1 January 2018.

- 3.5. As a result the Council has been unable to establish the full impact of the implementation of the banded UC scheme. Of the small number of UC claims that we have few are in work. Therefore it is difficult to establish whether the current band levels in place are set at a level to maintain entitlement to CTR at levels that have been awarded in previous years. In previous years the Council have been keen to support its communities by maintaining similar levels of payment. The aim of the scheme at implementation was to maintain support levels, but to benefit from the simplicity of the scheme in terms of its administration with a view to making savings in this cost.
- 3.6. Since the introduction of the banded scheme it has become apparent that some minor amendments to the scheme are necessary. This includes:
 - The alignment of the start date of council tax reduction with housing benefit. This will ease administration of the scheme.
 - To disregard childcare costs for UC claims.
 - To introduce a flat rate non-dependant deduction for UC claims.
 - To develop the discretionary policy that sits alongside the scheme to ensure that we have a safety net for any claimants that are disadvantaged by the scheme, particularly the UC banded scheme.
- 3.7. Officers are also seeking to consult on the addition of some other amendments that aim to ensure that the scheme develops in a way that is cost effective to administer based on the assumption that the Council wishes to retain existing levels of support to its communities. These include:
 - The introduction of De Minimus parameters for working age claims. This enables a change variance value to be set for this group whereby they will not see any change to their entitlement if their income increases or decreases within a small range. This reduces the cost of administration for this group of claimants who often have small changes in income. At present these changes would generate a revision to entitlement and therefore a new bill.
 - Adjusting the bandings of the UC banded scheme.
 - Developing a banded scheme for working age claimants that are not in receipt of UC. As UC rolls out further, and our existing caseload migrates onto UC (by 2022) we need to ensure we have a working age scheme that is easy to understand and cost effective to administer. A banded scheme offers this, particularly as we will not benefit from the advantages of having a combined Housing Benefit claim.

4. Outcomes to be Achieved

- 4.1 Preparation of and consultation on a CTR scheme that continues to support those that require assistance in our communities while being cost effective in terms of its administration. The results of the consultation and design testing will inform the scheme for 2019-2020 that will be brought back to Cabinet for approval in November 2018.

5. Proposal

- 5.1. That officers design and consult on a CTR scheme that includes some necessary minor adjustment as detailed in 3.6. The consultation will also include some alternatives as detailed in 3.7. These will not necessarily lead to proposals but may inform the direction of the scheme in future years, particularly as UC rolls out further.

6. Alternatives Considered

- 6.1. The Council could choose not to implement any changes and to leave the scheme as it is for the 2017-2018 year. This could result in the decision that a consultation was not necessary. However good practice guidance from the Ministry for Housing, Communities and Local Government suggests that consultation should always be considered and carried out, even if no changes are proposed.
- 6.2. The Council could also decide to consult on different proposals.

7. Resource and Legal Implications

- 7.1. The introduction of a local CTR scheme has meant a switch from a fully funded scheme to one where the funding forms part only of the central grant. The level of funding has not been protected at its previous level. In order to retain levels of support for claimants this deficit has been offset, in part, by council tax charged on second homes and empty properties.

8. Consultation

- 8.1. Consultation on the CTR scheme will be required with those organisations receiving major precepts ie West Sussex County Council and Sussex Police and Crime Commissioner and with other members of the community, both individuals and organisations such as Housing Associations. .

9. Community Impact and Corporate Risks

- 9.1. No implications for the CTR scheme at this stage.
- 9.2. Since the introduction of Local Schemes in 2013 the Council has not reduced the level of support provided. This is unique with a large proportion of other Council's reducing the levels of support. This commitment ensures that the most vulnerable persons in the District are supported.

- 9.3. Since April 2013 we and the precepting authorities have seen a reduction in tax base resulting from the implementation of the council tax reduction scheme. The income generated from locally defined discounts has helped to off-set this loss.

10. Other Implications

	Yes	No
Crime and Disorder		X
Climate Change		X
Human Rights and Equality Impact Equalities impact assessment not required at this stage but will be required before the scheme is finalised.	X	
Safeguarding		X
General Data Protection Regulations GDPR		X

11. Appendix

None

12. Background Papers

<http://www.chichester.gov.uk/counciltaxreduction>

Chichester District Council

THE CABINET

3 July 2018

Disabled Facilities Grants – Appointment of County Adaptations Manager

1. Contacts

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2. Recommendation

2.1 That a County Adaptations Manager be appointed funded equally by all district and borough councils in West Sussex from their Disabled Facilities Grant funding.

3. Background

- 3.1 Disabled Facilities Grants (DFGs) provide funding to older and disabled people in owner-occupied, privately rented and registered provider properties, to make changes to their home environment, such as the installation of showers, stair lifts and ramps, to help them live as independently and safely as possible.
- 3.2 Since the introduction of the Better Care Fund (BCF) in 2015, capital funding for DFGs is paid directly to upper tier authorities (ie WSCC), while the statutory responsibility continues to sit with the Local Housing Authority (LHA) (ie CDC). Currently, however, upper tier authorities must allocate funding to their respective housing authorities based on perceived need and in line with the “Integration and BCF planning requirements 2017-19”.
- 3.3 The government’s expectation around BCF policy is that public services are expected to integrate health and social care to deliver better outcomes for the service users. In response to this in 2016 West Sussex County Council, all of the West Sussex District and Borough councils and the Clinical Commissioning Groups (CCGs) within West Sussex, agreed to investigate how to improve the DFG process so that people could remain independent in their own homes for longer.
- 3.4 A more flexible policy on DFGs was adopted by the Council in September 2017 to allow more innovative use of discretionary funds and to cut down on bureaucracy for customers.

- 3.5 The steering group of the project has seen improvements in delivery times and flexibility, however, in order to fully embed a county wide service and ensure the most efficient use of a pooled budget, it has been agreed that a dedicated resource is necessary.
- 3.6 The report to the County Chief Executive's Board in the appendix to this report gives more details.

4. Outcomes to be achieved

- 4.1 Working together with partners to deliver a flexible and efficient service to customers across the county, to allow people to stay in their homes for longer.
- 4.2 Speed up delivery of adaptations to help and improve the health and well-being of disabled people.
- 4.3 A single pooled budget and common policies across the county.

5 Proposal

- 5.1 The proposal is to appoint a dedicated County Adaptations Manager to oversee the county-wide service and manage the pooled budget.

6 Alternatives that have been considered

- 6.1 Keep the status quo. Outcomes of the project to date have identified that this would not be in the best interests of the customer. There is an expectation from the government that health and social care should become more integrated.
- 6.2 Another alternative could be to proceed with the project without a dedicated resource. However, it is recommended by the steering group and Chief Executives that in order to create a more efficient and consistent approach a single point of contact is desirable.

7 Resource and legal implications

- 7.1 The cost of appointing a County Adaptations Manager, with on costs, expenses and some administrative support, is estimated to be £100k per annum. This would be top sliced from the DFG budget. The Council's share of this would in effect, therefore, be £14,000 taken from our annual DFG funding from the BCF.
- 7.2 All authorities in the partnership will be equally liable for any redundancy costs.
- 7.3 A funding agreement will be drawn up for each partner to sign.

8 Consultation

- 8.1 All Chief Executives and Leaders in West Sussex have been consulted (see appendix) along with the steering group for the project and the West Sussex

adaptations group and they support this proposal.

9 Community impact and corporate risks

- 9.1 Partners not agreeing on policy approach to delivering the DFG service. This project already has the support of the Chief Executives and Leaders of the District & Borough councils in West Sussex, the CCGs and the Strategic Commissioning Board.
- 9.2 The statutory responsibilities for DFGs rest with the LHAs (District and Borough councils). A Service Level Agreement / Partnership Agreement and any county wide policy on DFGs will need to be signed by all partners to protect the financial and legal position of the local housing authority. For Chichester, the SLA will need to be approved by Council.
- 9.3 The impact on the community is intended to be positive as the process for applying for a DFG will be less onerous and delivery will be speeded up.
- 9.4 In order to ensure there is adequate funding within the BCF for mandatory grants they must take priority for funding and any discretionary grant will, therefore, be subject to budgetary checks and constraints.

10 Other Implications

	Yes	No
Crime & Disorder:		x
Climate Change and Biodiversity:		x
Human Rights and Equality Impact: Positive impact on disabled people	x	
Safeguarding and Early Help: Positive impact on disabled people	x	
General Data Protection Regulations (GDPR):		x

11 Appendices

- 11.1 Report to Chief Executives Board

12 Background Papers

None.

Item xx: Supporting People in Their Own Homes DFGs.

Recommendations

Chief Executives are asked to:

1. Approve the recruitment of a county adaptations manager
2. Endorse key points of a pooled budget for adaptations
3. Endorse the waiver of means test currently being trialled
4. Note the implementation requirements including major decision in December 2018

Summary

At the last Chief Executives Board, the Board unanimously supported further work towards a consistent and improved customer experience for adaptations, to continue beyond July 2018 when the current phase ends. Key points approved were:

- Implement a single policy across the county.
- Adherence to the good practice guidance.
- A single pooled budget.
- A single point of contact.
- Dedicated resource to implement proposals.
- Approved provision of minor adaptations and deep cleans. The Better Care Fund can be top sliced as set out in the report.

This note gives further detail on the key elements and the next steps required.

Dedicated Resource

The current phase of work with these comes to and end on 31st July 2018. In order to maintain momentum and further build on this work, a dedicated resource is essential, to be in place as soon as is reasonably possible.

This single coordinating point, referred to here as “county adaptations manager”, will be a senior position acting across all organisations. The role will be responsible for

- Pooled budget of approx. £13m (2018/19 amounts)
- Strategy and policy development
- Matrix management of operational staff
- Performance management across the whole customer journey
- Reporting to the Steering Group, with escalation of issues as necessary.

This has been evaluated according the Chichester DC job evaluation scheme and assessed as a senior level post, GRADE 10 at salary band £52,990, incl car allowance. With on costs, this equate

to £67,800 p.a. Also making allowance for mileage and expenses and some administrative support, it is proposed that £100k be top sliced from the 2018/19 DFG budget to fund the post. For expedience it is proposed that the role should be hosted by Chichester DC, at least initially, reporting to the Director of Housing and Community of Chichester DC with dotted line reporting to an Executive Director at WSCC.

Chief Executives previously approved the role in principle at the April 2018 Board meeting, and are now asked to approve the recruitment of an individual to the post as soon as possible. The post is initially for a two year period however it is anticipated that if the project is successful the post will become permanent. In the event of post being terminated and the postholder being made redundant then all the D&Bs and WSCC will be equally liable for the full redundancy cost.

The proposed timeline is:

Description	Date
Issue advert internally (all West Sussex Councils)	19 June
Closing date for applications	6 July
Interviews	WC 23 July
Appointment made	WC 23 July
Successful candidate in post	Asap subject to notice/negotiation with current employer.

Pooled Budget

Chief Executives have already approved in principle a single pooled budget for adaptations so that funds can be applied to areas of greatest need.

The budget for 2018/19 across the County is estimated at £13.7m, made up of:

Amount	Description
£7.7m	indicative 2018/19 DFG allocations
£6.4m	2017/18 monies carried forward (including £2.8m commitments)
-£0.4m	top slice for minor adaptations and co-ordinating resource
£13.7m	Total

For 2018/19, an informal agreement is proposed, underpinned by Chief Executives' endorsement of the key principles.

For 2019/20, a formal agreement for pooled budget is intended to be in place, with formal decision on this by December 2018.

It will be a task for the County Adaptations Manager to implement the detailed agreement, but key principles for approval by the Chief Executives now are:

- Nominal allocations to districts/boroughs to remain as per current Government allocations
- Redistribution of underspends/overspends to meet need across the County
- Careful monitoring of spend to anticipate underspends/overspends and initiate action as necessary
- Option to stop discretionary grants once commitments reach a trigger point of 75% of budget
- WSCC to host the pooled budget, as a pragmatic arrangement as they are the initial recipients of the DFG grant
- Districts/boroughs to remain responsible for control of budgets, paying invoices etc

Waiver of means test

The DFG steering group has agreed the principle of waiving formal means test to facilitate access to adaptations. This is in line with previous advice received, and appears to be the direction of travel for other authorities too.

Rather than specify types of adaptations for waiver of means test, it was agreed to waive means test for any adaptations up to £10,000. Instead a simple self-declaration of eligibility according to capital and income is to be put in place, and this is to be set consistently with that of the Care Act financial eligibility threshold, i.e. capital not to exceed £23,250.

It was intended that Chichester DC will apply this change with immediate effect, as their policy gives them sufficient flexibility to do so. However, since the last steering group I have agreed to put this on hold until the Adaptations Manager is appointed as a number of concerns have been raised that need further consideration. Others to implement do so after confirming that they have authority to do so.

It is expected that adoption of this change will reduce the number of people dropping out of the process due either unwillingness to undergo means test or too high a financial contribution. Subject to demonstrating its effectiveness, this change would be embedded into the revised county-wide policy for decision in December 2018.

Key decision and timing

For all to be in order for a formal start to the pooled budget on 1st April 2019, it is proposed that each authority seek a decision from their Council by end December 2018, to cover:

- Approval of the pooled fund arrangements
- Approval of a revised county-wide policy, informed by the project work to date

Governance

It is proposed that oversight of the county-wide approach including pooled fund should be via the DFG Steering Group, with appropriate representation from each District/Borough as well as West Sussex County Council. To enable appropriate ownership and decision making, the WSCC representative should be at Director or Executive Director level.

Background

The DFG transformation phase 3 was endorsed by the Chief Executives and Leaders Boards last year. The purpose of the project was “Help people to live in their own homes – easily and with dignity with the right adaptation when they needed it.” This was to be achieved by a combination of transformational change and tactical actions to address issues relating to extended end-to-end times, silo working and multiple handoffs for the customer, and in recent years a pattern of underspend i.e. not helping as many people as could potentially be reached. Full details of the project were set out in previous reports to the Chief Executives Board. The current phase of work ends in July 2018.

The DFG Transformation Project has made significant progress in improving the customer experience. To date the project has delivered:

- Greater flexibility in the use of the grant funding, enabling people to be helped who would not otherwise have been eligible for funding.

- A common discretionary grant policy across the County, the only one we are aware of in a 2-tier area (note CDC has a more flexible policy than was agreed by the other D&Bs as it has continued to test new discretionary elements such as waiving the means test) .
- Improved process flow from WSCC to districts/boroughs through fast tracking of simpler adaptations as well as allowing direct referrals to the districts/boroughs, with improvement to customer delivery times.
- Improved working with a major housing provider, with agreement for tacit consent for works applicable across the County, thereby reducing the time that customers have to wait for landlord approval from many months to 14 days.
- An agreed process with hospitals for referral for hospital discharge grants.

It is early days to be seeing quantitative improvement for customers but in the limited time since approval of discretionary policies, districts and boroughs have been dealing with over 100 discretionary grants.

At the last Chief Executives Board, the Board unanimously supported further work towards a consistent and improved customer experience for adaptations, to continue beyond July 2018 when the current phase ends. Key points approved were:

- Implement a single policy across the county.
- Adherence to the good practice guidance.
- A single pooled budget.
- A single point of contact.
- Dedicated resource to implement proposals.
- Approved provision of minor adaptations and deep cleans. The Better Care Fund can be top sliced as set out in the report.

This note gives further detail on the key elements and the next steps required.

Chief Executives are asked to:

- | | |
|----|--|
| 1. | Approve the recruitment of a county-wide adaptations manager |
| 2. | Endorse key points of a pooled budget for adaptations |
| 3. | Endorse the waiver of means test being trialled |
| 4. | Note the implementation requirements including major decision in December 2018 |

Annexes

- List of background papers, supporting documents etc.

Chichester District Council

THE CABINET

3 July 2018

Section 106 Sport and Leisure Facilities – Selsey Sports Dream

1. Contacts

Report Author:

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Cabinet Member:

Eileen Lintill - Cabinet Member for Community Services
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2. Recommendation

- 2.1. That the Cabinet approves the release of £89,916 Section 106 Sport and Leisure monies plus interest accrued to the date of release to Selsey Sports Dream for the construction of a multisport pavilion/clubhouse.**

3. Background

- 3.1. In 2008 Selsey Sports Dream was first enunciated. The aim was to create a joint clubhouse facility for the Selsey Cricket and Football Clubs and a hub to encourage sport in Selsey. A charity Sports Dream was established in 2010 to assist with the project development and delivery.
- 3.2. Over the past 5 years much progress has been made in the development of sport in Selsey. New school and community sports clubs have been developed including adult fitness activity sessions. Selsey Cricket Club has been awarded Club Mark status and has been recognised as a focus club and Selsey Football Club has also been recognised as a Charter Standard Community Club. Between them the clubs field over 30 teams from Under 7s to veterans.
- 3.3. In December 2017, the Council received £89,916; the Section 106 Sport and Leisure contribution secured from the development of land North West of Park Road Selsey (15/00490/FUL).
- 3.4. Planning permission was granted for 110 houses and the S106 agreement for this site provided for a financial contribution towards the cost of sport & leisure facilities in the area of the proposed development.
- 3.5. Discussions with Selsey Town Council identified their support for Selsey Sports Dream as a project that could utilise the S106 funding to address the additional sport and leisure needs of the new population generated from the new housing development.
- 3.6. The project is also identified in the emerging Selsey Neighbourhood Plan as an infrastructure project and in the Selsey Community Vision document.

4. Outcomes

- 4.1. In receiving the S106 Sport & Leisure contribution outlined in 3.1, the Council is obligated to provide sport and leisure facilities in the area of the proposed development.
- 4.2. The contribution to be used to develop a joint clubhouse facility in Paddock Lane, Selsey for the Cricket and Football Clubs which will also act as a hub to encourage sport in Selsey.

5. Proposal

- 5.1. Selsey Sports Dream proposes to integrate the existing football club building into an integrated single building with a new clubhouse for the cricket club. This will involve demolishing the changing rooms at the western end of the building along with the WC facilities on the northern side of the building of the existing football club.
- 5.2. A new changing and WC complex will be constructed on the western end of the building, providing 2 changing rooms for the football and 2 changing rooms for the cricket with associated officials changing. On the northern side a new clubroom, committee room, kitchen and storage area will be constructed.
- 5.3. The building is designed in such a way that areas can be used separately or internal dividers can be opened to form a large communal area with a common bar. It is envisaged that the building will function as a community facility providing daytime use for activities such as playgroups, meeting space and link with local schools to establish additional after school clubs and activities.
- 5.4. A planning application was submitted for the project by Selsey Town Council and was permitted on 12 August 2015. The planning reference for the development is SY/15/00820/FUL.

6. Alternatives Considered

- 6.1. A previous proposal for a larger two storey building had received planning permission however this project was reviewed due to cost resulting in the current proposal.

7. Resource and Legal Implications

- 7.1. As with other spends of this type, the implementation of the proposed project is by a community organisation, in this instance Sports Dream. The overall estimated cost for the project is £600,000 and funding of £80,000 from the cricket and football club, £100,000 from Selsey Town Council and £40,000 from Covers has been secured to date. An application for £2,000 has been applied for from Ferry Farm with a decision date of July. Further applications of £75,000 to England Cricket Board, £45,000 to Football Stadium Improvement Funds and £2,000 to Cooperative have been submitted and decisions are due in November.
- 7.2. A number of further funding applications are currently being submitted to address the remaining costs for the project.

- 7.3. It is planned that work will commence on the building in April 2019 with completion December 2019 and opening early 2020. The build will not commence until all the remaining funding has been secured. Implementation of the project will be monitored by officers and S106 money will be released on evidence of spend.
- 7.4. The S106 Agreement stipulates that if the funding is not spent on or after 10 years of the date of the final instalment it is to be refunded to the party who paid the contribution. The final instalment of payment was received by the council on 6 December 2017 so the spend target date is 6 December 2027.

8. Consultation

- 8.1. The Ward Members for Selsey North have informed of the proposed scheme and allocation of funding. No comments have been received to date and a verbal update will be given at Cabinet.

9. Community Impact and Corporate Risks

- 9.1. The proposed allocation of section 106 sport and leisure contribution demonstrates direct benefit both to residents of the relevant development and the wider community of Selsey.

10. Other Implications

	Yes	No
Crime and Disorder		X
Climate Change		X
General Data Provision Regulations		X
Human Rights and Equality Impact Positive – improved provision of community sport and leisure facilities for new and existing residents of Selsey.	X	
Safeguarding		X

11. Appendices

- 11.1 None

12. Background Papers

- 12.1. None

Chichester District Council

THE CABINET

3 July 2018

The Novium Museum

1. Contacts

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Cabinet Member:

Eileen Lintill - Cabinet Member for Community Services
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2. Recommendations

- 2.1 That due to the limited interest received from the soft market testing, the procurement process for the management of the museum and tourist information service not be pursued further at this time.
- 2.2 That option 3 namely to Review the Novium Museum and TIC Business Plan to identify potential opportunities for generating additional income and/or reducing expenditure be approved.
- 2.3 That the Task and Finish Group be tasked to oversee progress with the review of the business plan.

3. Background

- 3.1 An Initial Project Proposal Document (IPPD) for the Novium Museum Option Appraisal was approved by the Cabinet in February 2016 and the sum of £30,000 was released for the appointment of consultants to undertake this piece of work.
- 3.2 The IPPD identified that the options appraisal would consider but not be limited to:
 - No change to continue to operate the services in-house
 - Establish an in house trust to manage the facilities
 - A management contract with an established trust
 - A management contract with a private contractor
- 3.3 Following a competitive tendering process Black Radley Consultants were appointed and the option appraisal they completed identified that the most economically advantageous option was to consider outsourcing the operational management of the Museum to an established trust.
- 3.4 It was clear however from the consultant's report that this option would provide limited savings to the Council and that the subsidy per visitor would therefore remain high.

- 3.5 At the July 2016 Cabinet meeting it was, therefore, agreed that further works were required to consider further possible alternative more financially beneficial uses of the Novium Museum Building. Henry Adams was appointed to advise on possible alternative options for the Novium Museum building.
- 3.6 The conclusions of the Henry Adams appraisal were considered by the Cabinet in February 2017 where it was agreed that at this stage none of the options in the report be discounted apart from the filling-in of the Roman remains.
- 3.7 The Cabinet also resolved to undertake a procurement exercise to test the market for the future operational management of Novium Museum and Tourist Information services. Funding of £25,600 was allocated to appoint consultants to support the procurement process.
- 3.8 The Cabinet also agreed that the Cabinet Member for Commercial Services established a member task and finish group with representation from Overview and Scrutiny Committee (OSC) to support the procurement process and report back to the OSC and the Cabinet.
- 3.9 Walker Morris was appointed to advise the Council on the procurement process and they suggested due to the limited market for museum management that we tested the market initially through a Prior Information Notice (PIN) published on the OJEU tendering portal. Informal discussions were also held with a number of local providers. Initial interest was shown by two providers but only one formal response was received to the PIN.
- 3.10 Initial interest was shown by two providers however both subsequently advised the Council that they were unable to progress the proposal at this time.

4. Outcomes to be Achieved

- 4.1 The initial target was to identify revenue savings for the service of £200,000 per annum achieved over a three to five-year programme of reduced subsidy.
- 4.2 The cost of running the museum and tourist information service for 2017-2018 was £555,160 (excluding depreciation, pension adjustments, support costs etc.). The budget for 2018-2019 is £587,700.

5. Proposal

- 5.1 There are now three options available to the Council (see section 6 below). Considering all information available the preferred option (option 3) is to retain the existing in house management, but undertake a review of the business/forward plan to examine opportunities for generating additional income and/or reducing expenditure. Areas to be examined again are an improved café/restaurant offer, reduced opening hours, increasing donation etc.
- 5.2 It is proposed that the review of the business/forward plan to be completed by the end of October 2018.

- 5.3 Alongside this it is proposed that a local cultural network is formed to identify shared visions and opportunities for shared working in the future.

6. Alternatives Considered

- 6.1 Option 1 is to proceed with a procurement exercise to see if there is any further interest. This would involve further cost and resource to develop fully the service specification and management agreements along with further external legal advice. The soft market testing to date has not come up with a suitable operator and therefore we do not recommend taking this option forward because it is highly unlikely to attract a suitable provider.
- 6.2 Option 2 is to consider setting up our own internal trust. The Black Radley report indicated that the financial benefit of the Trust option derives a reduction in costs due to National Non Domestic Rate (NNDR) relief. There is also the possibility of increased income from retail activities and fundraising. The benefit of the NNDR relief is reducing as government indicate that by 2020 more rates income will be localised, and therefore a greater proportion of rate relief would fall to the Council to fund.
- 6.3 Conversely, there is a risk that the Trust option will incur a cost of irrecoverable VAT. The anticipated cost of moving to a Trust option is believed to be of the order of £150k, subject to the precise Trust configuration chosen. Under a new trust there will also be additional ongoing governance costs such as the administration and organisation of a board of trustees, Companies House and Charity Commission compliance which is anticipated to be approximately £33k per year. It could take between 12-24 months to establish a new trust. Not all of the risks associated with the operation of the museum will transfer to a new trust. It is therefore felt that this is not a preferred option.

7. Resource and Legal Implications

- 7.1 The review of the business plan and the resultant agreed actions will need to be addressed as part of the project process and an IPPD produced to address service and resource implications. The Business Plan and subsequent actions will be reviewed by the task and finish group before being submitted to the Cabinet for consideration.

8. Consultation

- 8.1 The Novium Procurement Task and Finish Group met in May to receive an update on the project development. They have recommended that option 3 (reviewing the business plan) was considered to be the most appropriate option to pursue.
- 8.2 They also felt the Chichester Vision project to develop a Cultural Strategy was an opportunity to develop a Cultural Partnership which may in the future provide opportunities to consider a wider cultural trust for Chichester.

9. Community Impact and Corporate Risks

- 9.1 Although the review of the business plan may result in savings to the Council these savings may not achieve the targets originally set in the Council's deficit reduction

programme.

10. Other Implications

	Yes	No
Crime and Disorder		X
Climate Change and Biodiversity		X
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X

11. Appendices

None

12. Background Papers

None

Agenda Item 15

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted