



Minutes of the meeting of the **Cabinet** held in Committee Room 2 at East Pallant House on Tuesday 2 October 2018 at 09:30

**Members Present** 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

**Members Absent**

**Officers Present** Mr M Allgrove (Divisional Manager for Planning Policy), Mr T Day (Environmental Coordinator), Mrs K Dower (Principal Planning Officer (Infrastructure Planning)), Mr A Frost (Director of Planning and Environment), Mrs L Grange (Divisional Manager for Housing), Mrs J Hotchkiss (Director of Growth and Place), Mr P Jobson (Taxation Manager), Mrs T Murphy (Divisional Manager for Place), Mr P E Over (Executive Director), Mrs M Rogers (Benefits Manager), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Legal and Democratic Services Officer) and Mr J Ward (Director of Corporate Services)

#### 575 **Chairman's Announcements**

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

There were no apologies for absence and all members of the Cabinet were present.

There were no late items for consideration.

Mr Dignum had no specific announcements to make.

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

**[Note** Minute paras 576 to 592 below summarise the Cabinet's discussion of and decision on agenda items 2 to 18 inclusive but for full details of the items considered in 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>

**576 Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 4 September 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 4 September 2018 be approved without amendment.

**577 Declarations of Interests**

Mr Dignum declared a personal and prejudicial interest in respect of agenda item 6 (Chichester BID Alteration Ballot) as he was a director on the Chichester Business Improvement District Board.

Mrs Kilby declared a personal and prejudicial interest in respect of agenda item 6 (Chichester BID Alteration Ballot) as she had been appointed by CDC as a substitute member on the Chichester Business Improvement District Board.

**578 Public Question Time**

No public questions had been submitted for this meeting.

**579 Allocation of Affordable Housing Commuted Sums**

The Cabinet received and considered the agenda report.

This item was presented by Mrs Kilby.

Ms Nicol and Mrs Grange were in attendance for this matter.

Mrs Kilby summarised the report. CDC currently held just under £1.2 m unallocated commuted sum monies, which had been received by developers when on-site affordable units were impossible to provide eg when the contribution due was for only a fraction of a unit. This commuted sum fund was set aside solely to enable affordable housing. Of the £1.2 m, just over £221,000 had been received from schemes in the parish of Chidham and Hambrook. Radian Housing Association had obtained planning permission to demolish an existing house and to develop 11 new homes. Three of those units were secured as shared ownership affordable housing within the section 106 agreement, with the rest to be market sale homes. Practical completion of the site was expected at the end of October 2018. However, due to issues of mortgage availability on the site Radian was willing to deliver all of the units as affordable rented properties. Accordingly, it had applied to vary the section

106 agreement and the usual consultations would take place before any decision was made. As the scheme was acquired as a market site, Radian needed a £165,000 grant to supplement that which had already been awarded from central government to enable the viability of an affordable housing scheme. This was a great cost-effective opportunity to provide more much-needed high quality affordable housing for local people. There were currently 17 households on CDC's housing register which claimed a local connection to the Chidham and Hambrook parish. As there were no other affordable rented units programmed for the parish up to 2029, this could be the last chance for an appreciable time for local people to be housed within that area. It was a fitting opportunity to allocate £165,000 of the sums received from the developments within Chidham and Hambrook parish, thereby enabling the parish to benefit directly from earlier development.

Ms Nicol and Mrs Grange did not add to Mrs Kilby's introduction.

Ms Nicol replied to members' questions with regard to (a) mortgage availability issues (para 3.2 of the report) and (b) nomination agreement rights (para 4.3). As to (a), this was to do with the mortgagees' reticence to lend because of the proximity of pylons to the properties notwithstanding that they did not pose any risk or danger. As to (b), the usual nomination rights arrangements would apply ie 100% of initial lets followed by at least 75% of all vacancies thereafter.

### *Decision*

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

### **RECOMMENDED TO THE COUNCIL**

That the Council approves the allocation of £165,000 commuted sum monies to Windsor and District Housing Association Ltd (Radian) to fund the delivery of eight additional affordable units at Flat Farm Hambrook.

## **580 Chichester BID Alteration Ballot**

[**Note** Immediately prior to the start of this item Mr Dignum and Mrs Kilby withdrew from the committee table and sat in the public seating in area, in accordance with their respective declarations of having a prejudicial interest as recorded in minute 577 above, and they played no part in the discussion of and decision on this matter]

This item was chaired by Mrs Lintill (Deputy Leader of the Council and Cabinet Member for Community Services).

The Cabinet received and considered the agenda report.

This item was presented by Mrs Lintill.

Mrs Murphy was in attendance for this matter.

Mrs Lintill summarised sections 3 and 4 of the report.

Mrs Murphy did not add to Mrs Lintill's introduction.

In reply to a member's question Mrs Murphy elaborated briefly on the court case earlier in the year which gave rise to the need now for an alteration ballot to take place.

#### *Decision*

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

#### **RESOLVED**

- (1) Following the request from Chichester BID that an Alteration Ballot be held, that the Ballot Holder (Chichester District Council's Chief Executive) be instructed to hold the ballot.
- (2) That having approved the request in (1), the change to the new administrative vehicle for the BID to operate as Chichester BID Limited in the Alteration Ballot be supported.

#### **RECOMMENDED TO THE COUNCIL**

That the Council delegates authority to the Deputy Leader to vote in accordance with Cabinet's decision in relation to the Alteration Ballot.

[**Note** At the end of this item Mr Dignum and Mrs Kilby returned to their places at the committee table, Mrs Lintill vacated the chairman's seat and Mr Dignum resumed chairing the remainder of this meeting]

#### **581 Tower Street Chichester Public Conveniences Refurbishment**

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

This item was presented by Mr Dignum.

Mrs Murphy was in attendance for this matter.

Mr Dignum summarised the report. In endorsing the recommendations to the Cabinet, he summarised sections 3 and 4.

Mrs Murphy commented on para 3.4 of the report.

Members spoke strongly in support of the need for this essential and long overdue renovation of these public conveniences, which were located in a prime tourist location.

In reply to a member's question, Mrs Murphy said that it was hoped that the works could commence in 2019 and during the refurbishment there would be redirection signs to alternative facilities.

### *Decision*

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

#### **RESOLVED**

That the PID for Tower Street Public Conveniences (appended to the agenda report) in order to refurbish the facilities, create a new disabled facility and resolve the drainage issues be approved.

#### **RECOMMENDED TO THE COUNCIL**

That the Council approves an additional budget allocation of £65,000 from Reserves to supplement the existing Asset Replacement Programme budget of £80,000 for the project.

### 582 **Approval of the Draft Infrastructure Business Plan 2019-2024 for Consultation with the City, Town and Parish Councils and Key Infrastructure Delivery Commissioners**

The Cabinet received and considered the agenda report and its second, third and fourth appendices in the agenda supplement. The first appendix was available for online viewing in the second agenda supplement although one hard copy had been deposited in the Members Room at East Pallant House.

This item was presented by Mrs Taylor.

Mrs Dower and Mr Allgrove were in attendance for this matter.

Mrs Taylor summarised the report. In endorsing the recommendation to the Cabinet, she summarised sections 4 and 5 of the report (nature and objective of the consultation and the subsequent CDC decision-making process). She also explained the purpose of the Draft Infrastructure Business Plan 2019-2024 (appendix 1 in the second agenda supplement) in terms of the long list of infrastructure projects, the funding sources and the management of the funding gap and the prioritisation methodology. She referred to the West Sussex County Council (WSSCC) project requests, some of which had been submitted late, in paras 3.5 and 3.6.

It was noted that there was a typographical error in the fourth bullet point in para 3.5: the reference for the newly selected project A286 Birdham Road/Selsey Tram Roundabout junction improvement should be IBP 349 and not IBP 249.

Mrs Dower referred to appendix 3 on pages 11 and 12 of the agenda supplement and advised that project IBP/293 (local land drainage East Beach Sea Outfall) would be removed from the Draft CIL Spending Plan as it was now going to be funded from CDC reserves. Mrs Shepherd said that this change to the funding arrangements would need to be approved by the Cabinet at its next meeting and that the project would remain in the Draft CIL Spending Plan for consultation purposes.

Mrs Dower drew attention to the third bullet point in para 3.5: WSCC had deferred the phasing for the three-year project IBP/656 (sustainable transport corridor city centre to Portfield and improvements to sustainable facilities on Oving Road corridor). Mr Dignum expressed regret at the delay in implementing this very important project.

Mrs Dower, Mr Frost and Mrs Shepherd responded to members' questions and comments on points of detail with respect to:

- (a) The change in the funding source for IBP/293 (local land drainage East Beach Sea Outfall) should not cause delay in implementation.
- (b) The putting back to 2020-2021 of IBP 349 (A286 Birdham Road/Selsey Tram Roundabout junction improvement) (fourth bullet point in para 3.5), whereas projects IBP/654 (area-wide parking management North-East Chichester), IBP/655 (area-wide parking management West Chichester) and IBP/665 (area-wide parking management Chichester city) were listed for 2019-2020, was a matter for WSCC to accord priority in its request for CIL funding. However, it should be noted that (i) in para 3.7 caveats had been entered against those three projects and (ii) after the consultation period had ended it was for CDC to determine the various funding requests in accordance with the CIL criteria.

### *Decision*

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

### **RESOLVED**

That the draft Infrastructure Business Plan 2019-24 (appendix 1 to the agenda report) be approved for consultation with the city, town and parish councils, neighbouring local authorities including the South Downs National Park Authority and key infrastructure delivery commissioners) for a period of six weeks from 8 October to 19 November 2018.

### **583 Award of Contract for Cleaning of Operational Buildings**

The Cabinet received and considered the agenda report and its confidential exempt appendix, the latter having been circulated to CDC members and officers only.

This item was presented by Mr Wilding.

Mr Buckley was in attendance for this matter.

Mr Wilding summarised sections 3 and 5 of the report.

Mr Buckley did not add to Mr Wilding's introduction.

Whilst this item was not discussed by the Cabinet, it was agreed that the first line in the second recommendation (para 2.2) should be amended by the insertion of the words 'after consultation with the Cabinet Member for Corporate Services' between 'Services' and 'to'.

### *Decision*

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

### **RESOLVED**

- (1) That the contract for the cleaning of operational buildings for the period 1 January 2019 to 31 December 2021 be awarded to Supplier J, the details of which are set out in the exempt appendix to the agenda report.
- (2) That authority be delegated to the Director of Corporate Services after consultation with the Cabinet Member for Corporate Services to:
  - (1) Make any minor contractual changes during the contract term.
  - (2) Extend the contract by mutual agreement for up to two years should the contract remain economically advantageous and the supplier perform satisfactorily.

### **584 Council Tax Review of Locally Defined Discounts and Premia**

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

This item was presented by Mr Barrow.

Mr Jobson was in attendance for this matter.

Mr Barrow summarised sections 3 and 5 of the report in terms of the present and prospective legislative situation and the proposal to leave the current council tax discounts unchanged for 2019-2020 while (subject to the relevant parliamentary bill obtaining royal assent) increasing the empty homes premium to 100% for 2019-2020.

At Mr Barrow's invitation and in reply to a question by Mrs Lintill, Mr Jobson explained how CDC identified empty homes within its area for the purposes of applying the empty homes premium and completing an annual return to the government on the quantum of empty homes within the district. CDC canvassed all property owners each year with regard to empty homes. It was acknowledged that in this large rural area there would inevitably be a very small number of empty homes (most probably in the rural parts) of which CDC would not be aware, yet in such cases the customer would still be paying 100% council tax and so there would be no actual revenue loss (even if the property was classified in the incorrect category).

Mr Jobson also responded to questions with regard to (a) properties within the district which were known to be empty for the requisite period (91), second homes

(3,221) and unoccupied and unfurnished properties (624); (b) the charging of arrears for the empty homes premium where it was subsequently discovered that a property had been unoccupied without notification by the owner and evidence was not produced to prove occupation; and (c) the table of prescribed classes for locally defined discounts and premia in the appendix (page 51): there were no exclusions from paying 100% council tax (or some in cases more), other than (i) those who had an employment restriction such as a publican, who would fall outside the prescribed classes and would pay only 50%, and (ii) those who were classed as vulnerable persons or residents of care homes, who received an exemption from paying the empty homes charge.

*Decision*

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

**RESOLVED**

(1) That the council tax discounts proposed in the appendix to the agenda report be applied for the 2019-2020 financial year.

(2) Provided that the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill 2017-2019 is passed, that the council tax empty homes premium be set at 100% for the 2019-2020 financial year.

**585 Housing Benefit and Council Tax Reduction Risk Based Verification Policy 2019-2020**

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

This item was presented by Mr Barrow.

Mrs Rogers was in attendance for this matter.

Mr Barrow summarised the report with particular reference to sections 3, 4, 5 and 9.

Mrs Rogers did not add to Mr Barrow's introduction.

Whilst this item was not discussed by the Cabinet, it was agreed that last line in the recommendation (para 2.1) should be amended by the insertion of the words 'after consultation with the Cabinet Member for Residents Services' following the words 'Section 151 Officer' (as appears in resolution (2) below).

*Decision*

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

## RESOLVED

- (1) That the Risk Based Verification (RBV) Policy for 2019 to 2020 be approved for the purpose of assessing claims for Housing Benefit and Council Tax Reduction.
- (2) That delegated powers be granted to the Director of Residents Services to approve future amendments to the RBV Policy in consultation with the Section 151 Officer after consultation with the Cabinet Member for Residents Services.

### 586 Southern Gateway Regeneration

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

In his brief introduction before inviting Mr Over to comment in more detail, Mr Dignum said that all CDC members had been afforded the opportunity via a workshop on 3 September 2018 to contribute to the emerging Southern Gateway Regeneration Development Brief (the DB). The consultation stage having been completed, the DB incorporated comments made by the Overview and Scrutiny Committee, the Chichester Growth Board, Chichester City Council and the aforementioned workshop. Comments subsequently made by the Chichester BID would be taken into account via the non-material changes provision being recommended in para 3.5 of the report. The DB, the revised Project Initiation Document (PID) and the procurement process were now ready to be approved by the Cabinet.

Mr Over summarised the report by dealing with the three key areas set out in section 6.

- The DB (para 6.1 and appendix 1 at pages 33 to 47 of the agenda supplement) had undergone significant consultation and engagement with members (as outlined by Mr Dignum). The late comments from Chichester BID would be taken into account where they were relevant to the DB (the most part of its responses related to the Masterplan and so were not applicable). One of the BID's chief concerns related to ensuring that the project did not impact adversely on the city centre. This was addressed by section 5.5 of the DB (page 38 of the agenda supplement), to which could be added a reference to the development's links to the south with Canal Basin and Chichester Gate. The resultant document (maps etc still needed to be added) should be as clear and simple as possible to facilitate a development which was viable and deliverable. In addition to the DB being approved by the Cabinet, it would also need to be signed off by CDC's strategic partners, West Sussex County Council and Homes England.
- The PID (para 6.3 and appendix 1 at pages 49 to 62 of the agenda supplement). A correction was required to the total figure in the project delivery costs table in section 7 (page 55): this should be £14.63 m and not £13,655,000.

- The procurement process (para 6.20).

Questions were asked only with respect to the DB. The Cabinet did not raise any points.

Mr Dignum allowed Mr A Moss (Fishbourne) on his prior request to address the meeting.

Mr Moss commended the draft DB as a very worthy document. With reference to section 3.1 of the DB about strategic location (page 35 in the agenda supplement), he emphasised the need for the DB to be seen by third parties as more than just a CDC publication but as a self-evidently inspirational and iconic document, which conveyed Chichester as a great city and how it could offer more to residents, workers and visitors. Accordingly, he advocated the inclusion of a prominent section at the start of the document which would attract developers' attention by way of a vision and marketing statement, serving as what he called a 'placeholder'. He said that more could also be said about environmental and sustainability issues eg green spaces, cycling and walking and the city as an area for young people to visit and enjoy. He felt that this would enhance the calibre of what was already an impressive document.

Mr Over acknowledged the need for an inspirational introduction in the DB. Whilst the DB was partly a marketing document, its purpose was to inform developers what was sought for the city and area. He suggested that this introduction could be inserted at the head of the document, which had yet to be completed (page 33 in the agenda supplement).

Mr Dignum supported Mr Moss' proposal and said that a full page would be required. Mrs Lintill agreed. Mr Moss suggested that it should take the form of an executive summary.

As to Mr Moss' remarks about the addition of environmental and sustainability material, Mr Over pointed out that sustainability meant different things to different people. The Southern Gateway site was in a very sustainable location and the development would comply with the BREAM very good standard and be at the cutting edge of technology. The ability to move around the area, particularly to the north of the railway line would be improved and the visitor arriving by public transport would enjoy a far more attractive vista than was currently the case. The draft DB already addressed Mr Moss' points in several places.

Mr Dignum thanked Mr Moss for his helpful and valuable contribution. He said that the addition of an introduction would be an example of a non-material change envisaged in the recommendation in para 3.5.

### *Decision*

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

**RESOLVED**

- (1) That the Development Brief in appendix 1 to the agenda report be approved taking on board the feedback received at the meeting.
- (2) That the revised PID and timescales contained therein in appendix 2 to the agenda report be approved.
- (3) That a procurement process governed by the Public Contracts Regulations 2015 via the Official Journal of the Economic Union (OJEU) to secure a development partner be approved.
- (4) That the Deputy Chief Executive after consultation with the Leader of the Council be delegated to conduct the procurement, select bidders with suitable financial standing and experience, invite tenders and take all steps up to but not including selection of preferred bidder
- (5) That the Deputy Chief Executive after consultation with the Leader of the Council and Cabinet Member for Growth and Place be authorised to make any non-material changes to the Development Brief and finalise the OJEU procurement documentation.

**587 North Street Car Park Midhurst Resurfacing**

The Cabinet received and considered the agenda report.

This item was presented by Mr Dignum.

Mrs Murphy was in attendance for this matter.

Mr Dignum summarised the report with reference to sections 3, 5 and 7.

Mrs Murphy said the Midhurst Vision working group had been engaged (section 8) and the proposed improvement works would make this well-used car park more aesthetically pleasing.

*Decision*

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

**RESOLVED**

That the release of £55,000 from reserves to resurface and re-line the Midhurst North Street car park be approved.

**[Note** At the end of this item there was a short adjournment between 10:51 and 11:00]

## 588 **Reducing Single Use Plastics**

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

This item was presented by Mr Connor.

Mr Day was in attendance for this matter.

In summarising the report Mr Connor said that the subject was a timely issue of increasing concern to residents and was receiving broad public support. From litter in the streets to micro-plastics in the seas, support was growing for making some simple changes and it was apparent that these could be achieved eg the single-use plastic bag surcharge and the impact of consumer pressure against the use of non-recyclable or re-usable coffee cups. In May 2018 the Annual Council had passed a motion addressing the issue, since when an officer working group had drawn up a CDC-wide action plan, appended to the report. The Overview and Scrutiny Committee had considered the plan including CDC's own action as an organisation on reducing plastic use and removing plastic altogether wherever possible. As a result of the OSC's comments, a new drinking fountain with a bottle refilling point had been installed in the East Pallant House reception. This would enable CDC to commit to joining the REFILL scheme, which was an app enabling users to see where they could fill their water bottles for free rather than purchase a single-use plastic bottle. The plan extended beyond CDC's operations within its own buildings to set out a sustained campaign to work with residents and businesses by making them aware of the alternatives while pressing home the message of responsible disposal through CDC's recycling and litter bin services. It would build on and complement the current Against Litter campaign. Volunteer-led Plastic-Free Communities had been successfully established across the country and CDC would seek to work with, support and encourage (a) local groups which had already begun this vital work, (b) others to follow suit and (c) local businesses which were taking a lead by (i) using alternatives to single-use plastic packaging, bottles, drinking vessels, straws and cutlery and (ii) promoting the use of re-usable items. The plan set out how further progress beyond these laudable efforts could and would be achieved.

Mr Day did not wish to add to Mr Connor's introduction.

Cabinet members expressed their strong endorsement for the action plan and commended what had already been achieved. Mr Barrow pointed out the significant overlap with the Against Litter campaign which he was overseeing and said that the two schemes would work closely together. Mrs Taylor alluded to the positive benefits of children being taught this message through schools and then encouraging their parents to follow their example. Mr Dignum drew attention to the various themes in the action plan.

The following non-Cabinet members spoke with Mr Dignum's consent, some of whom had notified him in advance of their wish to contribute:

- (1) Mr A Moss (Fishbourne) commended the action plan and what had already been achieved to address this urgent priority with the many challenges which had to be faced; it was rightly gaining an ever-increasing profile in the media and in many local communities. It was vital, therefore, that CDC was seen to be a leader in tackling this subject. He extended an offer that he and other CDC members could assist in any way to help drive forward this vital project.

Mr Connor, Mr Dignum and Mr Day acknowledged Mr Moss's helpful suggestion. Mr Dignum proposed the creation of a Cabinet task and finish group to include Mr Moss.

- (2) Mr A Shaxson (Harting) referred to the Overview and Scrutiny Committee's (OSC) debate of this subject and referred in the action plan to theme reference CDC5 on page 64 within the theme of improving the Council's performance as an organisation. The OSC and he had queried the feasibility of the December 2018 timescale in action point A) for removing (as opposed to identifying) any remaining SUPS which could easily be removed or substituted from CDC buildings and that it would be more realistic to commit to removing such items in the foreseeable future.

Mr Dignum said that the OSC had acknowledged that some actions could be achieved more quickly than others and those which would take longer, for example because CDC needed to work with suppliers, would be assigned to action point B) in CDC5. He emphasised that the key point in A) was 'can be easily removed' and if that were not possible, then it would fall within B) with its longer timescale. He added that most plastics within category A) had already been removed and only one or two remained.

Mr Day advised that the text of B) could be amended if required to include SUPS which would take longer to be removed. Mr Dignum said that was a matter for officers.

- (3) Mrs L C Purnell (Selsey North) remarked that at the member tour of completed developments on 28 September 2018 plastic water bottles were provided. She had said at the time that this should have been avoided and that instead all members should be provided with a refillable water bottle which they could replenish before they arrived for such an event.

Mr Dignum said that this was a good suggestion and it was duly noted.

- (4) Mr S Oakley (Tangmere) referred to the theme of working with local businesses on pages 65 to 66 and he pointed out the need to include the horticulture and agriculture businesses in view of the use of plastic in their operations.

Mr Day said that CDC would work with a broad range of businesses. Whilst the action plan focussed on Chichester city, CDC had previously collaborated with those two industries. He was aware that there was a firm which could collect the large quantities of plastic used. It was a difficult issue to address but further work could be done.

Mr Connor acknowledged the relevance of the issue and said that there were firms which sought to tackle this problem and CDC would do what it could to encourage that.

Mr Dignum cautioned that this aim could not be achieved immediately but it would not be overlooked. The task and finish group would monitor progress with this and all actions. Officers as well as members could raise Mr Oakley's concern with the horticulture and agriculture industries.

Mrs Lintill and Mr Dignum advocated raising this matter with the Petworth Business Association and the Chichester Chamber of Commerce.

(5) Mr R Plowman (Chichester West) mentioned Nature's Way Food, a major local employer which had created a special team to address the plastics issue and he thought that horticulture had been included and was very much on board.

Mr Dignum said with agreement of the Cabinet that the recommendation in the report should be amended to include references to the establishment of a task and finish group and working with the horticulture and agriculture industries.

#### *Decision*

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

#### **RESOLVED**

That (a) the Single Use Plastics Action Plan in the appendix to the agenda report be approved and (b) a Cabinet task and finish group be established to monitor implementation of the Action Plan including undertaking work with the horticulture and agriculture industries.

#### **589 Late Items**

As stated by Mr Dignum during agenda item 1 (minute 575) there were no late items for consideration at this meeting.

#### **590 Exclusion of the Press and Public**

In order to consider the confidential exempt matters listed as agenda items 17 (Development of Land at Barnfield Drive Chichester) and 18 (Southern Gateway Regeneration) Mr Dignum first read out the resolution set out below, which was then duly proposed and seconded.

#### *Decision*

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

## **RESOLVED**

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:

- (1) agenda item 17 (Development of Land at Barnfield Drive Chichester) 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 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) in Part I of Schedule 12A to the Act and
- (2) agenda item 18 (Southern Gateway Regeneration) 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 Paragraphs 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)), 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) and 6 (information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person or (b) to make an order or direction under any enactment) 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.

### **591 Development of Land at Barnfield Drive Chichester**

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

A sheet was circulated with an amended version of the recommendation in para 2.1 of the report.

The report was presented by Mr Over.

The matter was discussed by the Cabinet.

Mr Over responded to members' questions and comments on points of detail.

#### *Decision*

The Cabinet voted unanimously to make the resolution on the amended version of the recommendation in the report as set out below.

## **RESOLVED**

That authority be delegated to the Director of Growth and Place after consultation with the Leader of the Council to renegotiate the ground rent arrangements with the

developer provided that there is an improved impact on Chichester District Council's income from the development, the outcome of which will be reported to a subsequent meeting of the Cabinet.

## 592 **Southern Gateway Regeneration**

The Cabinet received and considered the confidential exempt agenda report and its four appendices which were circulated to members and officers only.

The report was introduced by Mr Dignum and Mr Over.

The matter was discussed by the Cabinet.

Mr Over responded to members' questions and comments on points of detail.

### *Decision*

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

### **RESOLVED**

- (1) That the Council entering into a Collaboration Agreement with Homes England (HE) and West Sussex County Council on the terms set out in appendix 1 to the agenda report be approved.
- (2) That the Deputy Chief Executive, after consultation with the Leader of the Council, be authorised to make any non-material changes to the Collaboration Agreement.
- (3) That the Risk Register and any further mitigation that is required (appendix 2 to the agenda report) be noted.
- (4) That the purchase of the freehold interest in the land identified in paragraph 6.3.4.2 (shown on drawing no 5586 appendix 3 to the agenda report) be authorised, using LEP funding, for the purposes of relocating one of the non-conforming uses out of the Masterplan area based on the Heads of Terms set out in appendix 4 to the agenda report.
- (5) That land as detailed in paragraph 6.3.4.1 of the agenda report be reserved sufficient to accommodate the relocation needs of Royal Mail and that a separate report be brought to the Cabinet to approve the refurbishment/redevelopment of the land in due course.

**[Note** The meeting ended at 12:10]

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CHAIRMAN

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DATE