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A meeting of the **Cabinet** will be held in Committee Room 2 at East Pallant House East Pallant Chichester West Sussex on **Tuesday 4 December 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**

### **PRELIMINARY MATTERS**

#### **1 Chairman's Announcements**

The chairman will:

- make any specific announcements for this meeting and
- advise of any late items for consideration under agenda item 13 (a) or (b)

Apologies for absence will be taken at this point.

#### **2 Approval of Minutes (pages 1 to 32)**

The Cabinet is requested to approve as a correct record the minutes of (a) its ordinary meeting on Tuesday 6 November 2018 and (b) its special meeting on Wednesday 14 November 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 **Financial Strategy and Plan 2019-2020** (pages 33 to 37)

The Cabinet is requested to consider the agenda report and its three appendices in the agenda supplement and to make the following recommendations to the Council:

#### RECOMMENDATION TO THE COUNCIL

- (1) That the key financial principles and actions of the five year Financial Strategy set out in appendix 1 to the agenda report be approved.
- (2) That the current five year Financial Model detailed in appendix 2 to the agenda report be noted.
- (3) That, having considered the recommendations from the Corporate Governance and Audit Committee, the Minimum Level of the General Fund Reserves be set at £6.3 m.
- (4) That the Director of Corporate Services be given delegated authority, following consultation with the Cabinet member for Corporate Services, to accept the Government's offer to participate in the 75% localisation business rate pilot for 2019-2020, if the West Sussex Councils' bid is successful, or if not, to revert back to the Coastal West Sussex existing pooling arrangement for the coming financial year.
- (5) That the current resources position as set out in appendix 3 to the agenda report be noted.

### 6 **Increasing the Provision of the Councils Temporary Accommodation at Freeland Close Chichester** (pages 39 to 43)

The Cabinet is requested to consider the agenda report and its appendix in the agenda supplement and to make the resolutions and also the recommendation to the Council which are set out below:

#### A – RESOLUTIONS BY THE CABINET

- (1) That the Project Initiation Document (PID) and timescales set out in the appendix to the agenda report be approved.
- (2) That the preferred option, option 3 set out in section 8 of the PID, be progressed to detailed design stage and a planning application being submitted and, following planning approval, the scheme design be finalised ready for invitation of tenders.
- (3) That the Director of Housing and Communities be authorised to conduct the procurement, invite tenders and take all steps up to, but not including, award of contract.

- (4) That the contactor bids be presented to the Cabinet following the receipt and analysis of tenders for award of contract.

## **B – RECOMMENDATION TO THE COUNCIL**

That the allocation of £102,000 from the Housing Investment Reserve be approved to enable the scheme design to be finalised and submitted for planning approval.

### **KEY DECISIONS**

#### **7 Chichester Enterprise Centre (pages 45 to 48)**

The Cabinet is requested to consider the agenda report and its two appendices in the agenda supplement and to make the following resolution:

That the Post Project Evaluation (PPE) report in appendix one to the agenda report for the Chichester Enterprise Centre development be approved.

#### **8 Determination of the Council Tax Base for 2019-2020 (pages 49 to 58)**

The Cabinet is requested to consider the agenda report and its three appendices and to make the following resolutions:

In order to comply with section 35 of the Local Government Finance Act 1992, that the following resolutions are made:

- (1) No item of expenditure shall be treated as 'special expenses' for the purposes of section 35 of the Local Government Finance Act 1992.
- (2) This resolution shall remain in force for the 2019-2020 financial year.
- (3) The calculation of the Council's taxbase for the year 2019-2020 be approved.
- (4) The amounts calculated by the Council as its council taxbase for the year 2019-2020 for its area and each part of its area shall be those set out in appendices 1 and 2 to the agenda report.
- (5) In order to offset some or all of the costs of Council Tax Reduction to local precepting authorities (parish councils), a grant be distributed as outlined in appendix 3 to and described in para 6.3 of the agenda report.

#### **9 Selsey Neighbourhood Plan 2014-2029 (pages 59 to 61)**

The Cabinet is requested to consider the agenda report and its appendix in the agenda supplement and to make the following resolutions:

- (1) That the Decision Statement as set out in the appendix to the agenda report be published.
- (2) That the examiner's recommendation that the Neighbourhood Development Plan proceed to referendum, subject to modifications as set out in the

Decision Statement, be approved.

## OTHER DECISIONS

### 10 **Air Quality Modelling for Chichester District** (pages 63 to 67)

The Cabinet is requested to consider the agenda report and its confidential exempt\* appendix which has a restricted circulation to Chichester District Council members and relevant officers only (printed on salmon-coloured paper) and to make the following resolutions:

- (1) That the appointment of a consultant to carry out air quality modelling pursuant to the Council's statutory Local Air Quality Management duties under the Environment Act 1995 be approved.
- (2) That a budget of £13,280 from reserves to fund the air quality modelling work be approved.

\*[**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 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]

### 11 **Custom and Self-Build Register New Burdens Grant** (pages 69 to 71)

The Cabinet is requested to consider the agenda report and make the following resolution:

That delegated authority be given to the Director of Housing and Communities, following consultation with the Cabinet Member for Housing, to spend the Custom and Self Build New Burdens Grant set out in para 3.1 of the agenda report.

### 12 **Litter and Fly Tip Action Plan** (pages 73 to 77)

The Cabinet is requested to consider the agenda report and its two appendices in the agenda supplement and to make the following resolutions:

- (1) That the revised Litter and Fly Tip Action Plan attached as appendix 1 to the agenda report be approved.
- (2) That expenditure of £13,300 funded from reserves be approved to enable the appointment of one part time Project Officer for one year to undertake communication initiatives relating to fly tipping and litter.
- (3) That expenditure of £7,500 funded from reserves be approved to provide resources to support publicity campaigns related to fly tipping and litter.
- (4) That £10,000 from reserves be approved to enable litter enforcement in low littering areas.
- (5) That the entering into an agreement with East Hampshire District Council on

the basis of 'Scenario 3' as set out in appendix 2 to the agenda report be approved to provide litter enforcement for a period of three years, with the detail of the scheme delegated to the Director of Planning and the Environment and the Cabinet Member for Environment Services to finalise.

- (6) That the intention of the Chief Executive be noted to report to the Council her use of Article 10.02 constitutional delegation to discharge the enforcement functions detailed in paragraph 6.2 of the agenda report to East Hampshire District Council under powers granted to the authority under section 101 of the Local Government Act 1997.

## **FINAL MATTERS**

### **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 (Transfer of Service) to make a resolution that the public including the press should be excluded from the meeting on the following grounds of exemption in Part I of 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.

If the Cabinet wishes to discuss the exempt appendix to agenda item 10 (Air Quality Modelling for Chichester District), it will need first of all 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 Development of Land at Barnfield Chichester (pages 79 to 81)**

The Cabinet is requested to consider the agenda report, which is confidential exempt\* 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 it be noted that no action is to be taken in respect of the delegated powers granted at the Cabinet's meeting on 2 October 2018.

## 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 of 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 the chairman would therefore retain his discretion to allow the contribution without the aforesaid notice.