



Minutes of the meeting of the **Cabinet** held in the Committee Rooms, East Pallant House on Tuesday 5 September 2023 at 9.30 am

**Members Present** Mr J Brown (Vice-Chairman), Mr A Moss (Chairman), Mrs T Bangert, Mr D Betts, Ms J Brown-Fuller, Mr M Chilton and Ms H Desai

**Members Absent** Mr B Brisbane

**In attendance by invitation**

**Officers Present** Mrs L Baines (Democratic Services Manager), Mr S Ballard (Senior Environmental Protection Officer), Mrs H Belenger (Divisional Manager for Financial Services), Ms P Bushby (Divisional Manager for Communities and Customer Services), Mr T Day (Environmental Coordinator), Mrs V Dobson (Principal Planning Officer), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mr J Mildred (Divisional Manager for Corporate Services), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive), Ms A Stevens (Divisional Manager for Environmental Protection), Mr J Ward (Director of Corporate Services) and Mr T Whitty (Divisional Manager for Planning Policy)

**26 Chair's Announcements**

Apologies were received from Councillor Brisbane.

**27 Declarations of Interests**

There were no declarations of interest.

**28 Public Question Time**

**Questions to Cabinet 5<sup>th</sup> September on behalf of the Chichester and District Cycle Forum and Sustrans.**

**Agenda Item 9**

I am sure all Cabinet Members agree that developers, housebuilders, and landowners should pay for the infrastructure which is needed because of the granting of planning permission for new housing.

So can you please explain why all the funds [ £43,300,000 ] for the mitigation required for the A27 Chichester By-Pass as proposed in this SPD is for increasing the capacity of the road infrastructure for the benefit of vehicles and none for active or sustainable travel infrastructure and their users who need to utilise or traverse the A27?

Especially when in your report , para 5.6, it is accepted that many of the new houses will be occupied by residents who do not own cars.

How will this SPD encourage modal shift and reduce air pollution?

**Answer from Cllr Jonathan Brown:**

Thank you for your question. The proposed SPD is specifically to secure funding for the mitigation needed for the A27 Chichester By-Pass through the use of S106 planning obligations. It reflects the approach taken in the current SPD but updates the proposed mitigation that is now required and affordable – based upon the evidence collected so far in the preparation of the emerging local plan. In due course, this local plan seeks to respond to future evidence and need through a monitor and manage process – which will consider the potential for spending of accrued funding under the proposed SPD toward alternative sustainable transport and active travel measures that may have the same or greater effect in creating capacity within the strategic (and associated local) highway network through modal shift. However, until the emerging local plan has been through examination, the identified and costed appropriate mitigation at this stage are the improvements identified at Fishbourne and Bognor junction. It is also noteworthy that these works themselves will allow for improvements to bus journey times in and out of Chichester.

It is important to note that this funding secured through the SPD is only part of the infrastructure provision that will be brought forward in the emerging local plan. The plan will support additional monies secured through the Community Infrastructure Levy (CIL), which is the primary mechanism used to collect money for infrastructure to support development. The Infrastructure Business Plan (IBP) sets out the infrastructure required to support the delivery of the Chichester Local Plan to 2029 and this includes active and sustainable transport schemes. These can be funded through CIL and/or through other funding sources or where appropriate delivered directly by developers, as identified in the IBP. Delivery of these schemes contribute towards modal shift and therefore reductions in air pollution.

**Agenda Item 11**

Route K is an important part of the National Cycle Network, both NCN 2 from Dover to Totnes [ the major South Coast route ] and NCN 288 [ Centurion and Bill Way ] linking Midhurst to Selsey. It is very disappointing that your report omits its national and regional designation and significance.

The Chichester and District Cycle Forum and Sustrans [ responsible for promoting the National Cycle Network ] have commented on these proposals. Where we differ from your officers is in relation to that part of Westgate from the new Sherbourne Road junction to that with Parklands Road where it is our belief that Option 1, allowing cycling in the road carriageway [ in a 20 MPH zone with suitable traffic calming and planting] is preferable to a cycle path with yet more tarmac ! Option 1 means that cyclists need not cross the road as is needed in Option 2 if travelling westwards. It also provides a continual natural flow through the ' Narrows ' to and from the Orchard Street roundabout.

Could the Cabinet please take into consideration the view of experienced cyclists when forwarding your recommendations to the County Council ?

**Answer from Cllr Jonathan Brown:**

Thank you for your question and thank you for pointing out the regional and national designations of which Chichester City LCWIP Route K is a part. We agree that these designations only add to the importance of the possibility of an enhanced Route K for walkers, wheelers, and cyclists.

Thank you also for informing us of the Cycle Forum and Sustrans' view on which of the consulted Route K options you prefer and the reasons why you prefer them. We (officers) will share your views with WSCC when we communicate the Cabinet resolution with them. In any case we are aware that WSCC officers understand your views and that you have met with a WSCC officer to discuss them. We await the outcome of the consultation from WSCC as to the option preferred by the wider community and, given the likely redesigns that will follow, maintain the flexibility to support amended designs as they come forwards. The Council is nonetheless keen to see Route K successfully delivered for the reasons outlined in the Cabinet paper.

**29 Project Extension - Trees Outside Woodlands**

The Leader of the Council invited the Cabinet member for Environmental Strategy to introduce the report.

Members asked officers if they would be collaborating with schools and nurseries too plant trees in playgrounds as a form of shelter. Officers responded by stating that it would be possible under the Establishment of Urban Trees pilot project.

**\*RECOMMENDATIONS TO COUNCIL**

**That Cabinet recommend to Council:**

1. The acceptance of funding from Defra for the extension of the Trees Outside Woodlands Project of £120,000 for 2023/2024 and £120,000 for 2024/2025.
2. That a budget of £120,000 is set for 2023/2024 and 2024/2025, to cover staff costs and expenditure on tree planting pilot projects.

3. That authority is delegated to the Director of Planning and Environment to accept any additional funding offered by Defra, should such funding be offered as part of the project, and to increase budgets accordingly.
4. That authority is delegated to the Divisional Manager for Environment and Health Protection, in consultation with the Cabinet Member for Environmental Strategy, to award funding to tree planting pilot participants in the District.

**30 2022-23 Treasury Management outturn report**

The Leader of the Council invited the Cabinet Member for Finance, Corporate Services and Chichester Contract Services to present the report.

**RESOLVED:**

1. That Cabinet considers the Treasury and Investment activity summarised in this report.

**31 Establishment of a Budget Review Group**

The Leader of the Council invited the Cabinet Member for Finance, Corporate Services and Chichester Contract Services, to introduce the item.

Members of the Cabinet noted that the establishment of a Budget Review Group was very important moving forward. In particular, the Leader of the Council noted that the council will face difficult challenges in the upcoming years and due to this it was very important to have a very well-balanced group to review the budget in depth. This would include the Leaders of the Opposition parties and the Chairman of the Corporate Governance & Audit Committee.

**RESOLVED:**

1. That Cabinet approve the setting up of a Budget Review Group, and the Terms of Reference as set out in Appendix 1 of the report.

**32 Repair of Timber Access Ramp, East Beach, Selsey**

The Leader of the Council invited the Cabinet Member for Environmental Strategy, to present the item.

Cllr Val Weller, the Ward member for Sidlesham and Selsey North, explained that Selsey generated income from usage of the ramp by various businesses. Additionally, Ms Weller stated that Selsey was not the only Ward that benefited but the Peninsula as a whole. Ms Weller also stated how detrimental it would be for Selsey if the ramp was removed.

**RESOLVED:**

That Cabinet:

1. Allocates £51,000 from general fund reserves for repairs to the ramp.
2. Notes that from 2025-26 revenue budget growth of £7,000 per year will be required to enable on-going surveying, and repair and maintenance of the ramp.
3. Notes that any further essential repairs that cannot be accommodated within the repairs and maintenance budget will be assessed on a case-by-case basis.
4. Requests that officers seek support for on-going revenue costs from Selsey Town Council and other interested stakeholders.

### 33 **West Wittering Neighbourhood Plan Decision Statement**

The Leader of the Council introduced this item.

#### **RESOLVED:**

That Cabinet approved:

1. The Decision Statement as set out in the appendix for publication.
2. The examiner's recommendation that the Neighbourhood Development Plan proceed to referendum, subject to modifications as set out in the Decision Statement.

### 34 **Approval of the draft A27 Chichester Bypass Mitigation Supplementary Planning Document (SPD) for public consultation**

The Leader of the Council introduced this item.

Members enquired about what the collection rate was of the CIL and what happens when developers do not pay. Officers responded by stating that due to the length of the projects, payment is requested upfront particularly for smaller developments. Members asked if the money raised through Section 106 agreements could be used for any other purpose. Officers responded by stating that it may be possible to build some flexibility into Section 106 obligations but that such funding will still need to be spent to create capacity on the A27 via modal shift or junction improvements.

#### **RESOLVED:**

1. That Cabinet approves the draft A27 Chichester Bypass Mitigation Supplementary Planning Document (SPD) for public consultation for a period of six weeks to commence prior to 23 September 2023.

### 35 **Draft Statement of Community Involvement (SCI) for Consultation**

The Leader of the Council introduced this item.

**RESOLVED:**

1. That Cabinet approve the Statement of Community Involvement for a 6-week public consultation.

**36 Energy Advice Service Funding**

The Leader of the Council, Invited the Cabinet Member for Communities and Wellbeing, to introduce the report.

Members stressed the importance of this service in helping the most vulnerable residents.

**RESOLVED:**

1. That Cabinet approve the allocation of £60,000 from general fund reserves to fund the Energy Advice Service delivered by Arun and Chichester Citizens Advice(ACCA) for up to 3 years at £20,000 per annum with an annual review built in. This service is for the benefit of Chichester District Council residents.

**37 Engagement Response to WSCC's Route K of the Chichester City Local Cycling and Walking Infrastructure Plan**

The Leader of the Council invited the Cabinet Member for Environmental Strategy, to introduce this report.

Members noted that they were concerned that cyclists were being given preferential treatment compared to pedestrians and stressed the importance of both cyclists and pedestrians being treated on an equal footing.

**RESOLVED:**

1. That Cabinet supports the WSCC public engagement and consultation regarding Route K of the Council's Chichester City Local Cycling and Walking Infrastructure Plan and indicates a preference for Option 2 and Option A of the proposals.
2. Cabinet also endorses the comments by Cllr Brown to be included in the covering letter to West Sussex County Council.

**38 Public Spaces Protection Order - Dog Control 2023**

The Leader of the Council invited the Cabinet Member for Environmental Strategy to introduce this report.

**RESOLVED:**

1. That Cabinet authorises the making of the attached Public Spaces Protection Order - Dog Control 2023 relating to the dog behaviour and geographical areas set out in appendices 1 and 2 to the agenda report.

39 **Urgent Decision Notice**

**Noted.**

40 **Late Items**

**Approval of the draft Infrastructure Business Plan 2024-29 for consultation (with the City, Town and Parish Councils and key Infrastructure Delivery Commissioners)**

The Leader of the Council introduced the late item.

**RESOLVED:**

1. That the Cabinet approve the Draft Infrastructure Business Plan 2024-29 (Appendix 1) 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 13 September to 25 October 2023.

41 **Exclusion of the Press and Public**

The meeting ended at 12.00 pm

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CHAIRMAN

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Date: