



Minutes of the meeting of the **Cabinet** held in the Committee Rooms, East Pallant House on Tuesday 9 January 2024 at 9.30 am

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

**Members Absent**

**In attendance by invitation** Mr C Hastain

**Officers Present** Mrs L Baines (Democratic Services Manager), Mr S Ballard (Senior Environmental Protection Officer), Mr N Bennett (Divisional Manager for Democratic Services), Mr A Buckley (Corporate Improvement and Facilities Manager), Mrs K Dower (Principal Planning Officer (Infrastructure Planning)), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mrs T Murphy (Divisional Manager for Place), Mrs S Peyman (Divisional Manager for Culture), 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)

#### 84 **Chair's Announcements**

Cllr Moss confirmed he had received no apologies for absence.

Since the last cabinet meeting the letters have been sent to MP Andrew Griffith and the Home Office.

#### 85 **Approval of Minutes**

##### **RESOLVED**

The minutes of the Cabinet meeting held on 5 December 2023 were approved as a correct record.

86 **Declarations of Interests**

Cllr Brown-Fuller declared an interest in item 9 as a trustee on the Chichester Festival Theatre board. Cllr Moss confirmed that she would be able to speak but that he would introduce the item.

87 **Public Question Time**

**The following question from Bruce Ruddock was put to the Cabinet:**

Given the fact that the previous ice rink on Priory Park in 2018 was, for a number of reasons, seriously problematic and left deep wounds in the memory of the community around the park, has sufficient consideration been given to other possible locations, closer to car parks, further away from residential properties and where the environment is less sensitive to damage?

**Cllr Jess Brown-Fuller provided the following response:**

Firstly I would like to thank Rev Cannon Bruce Ruddock for his question and for engaging with the Council around the topic of an ice skating rink in Chichester in December 2024. I would encourage you to stay and listen to the discussion that we will no doubt have on this item on Agenda item 8, Corporate Plan and Initial Project Proposals for 2024-25.

For clarity, the IPPD being brought forward today is for Cabinet to approve the procurement process to begin. The outcome of the tender process would then be brought back to Cabinet for consideration, when costings would be clearer.

For historical context, an ice rink was held in Priory Park in 2018 which saw over 19,000 skaters take to the ice in addition to many spectators who would have attended without skating. When comparing car parking tickets sold for the period the previous December, parking increased by just under 5,000 users and retailers reported on a decent sales period over the Christmas period, although no reliable conversion data is available.

At the time, a number of sites, in and around the city centre were considered for the location of an ice rink. Many of these sites are host to alternative activities, such as winter sports pitches, provision of public car parking, markets, which made a number not viable. Priory Park, by elimination, is the preferred location due to the close proximity of the site to the city centre, encouraging footfall to the event and into the city.

A number of lessons were learned from the previous ice skating event that would be considered as part of the planning for any future event. One of the issues was the lead in timescale for the previous event, which was very short following market testing. Discussing proposals for the event at an early stage would allow more time for pre-planning advice and a longer lead in time for set-up and marketing for the event. It also means there is more time to actively involve the local community and engage in conversation about how to mitigate the impact for the period the rink is in place.

There was not an existing license template specifically for this type of event, therefore resources were required to draft a license. This is now in place.

The planning officers consider that should a future planning application be made, that a lower marquee should be explored with the applicant and if a fence is required then a lower, more attractive enclosure should be provided to allow views in and out of the attraction because the close boarded temporary fence resulted in a very hard and urban edge to the development.

Greater consideration should be given to the design of the noise mitigation measures so these are less visually dominant. It was requested that if a similar event was to take place in the future it would be preferable if a 3 phase electrical connection was made available, which the events space in Priory Park now has.

Considering the number of attendees in 2018, CDC received complaints from 9 members of the public, who collectively made 40 complaints. There were no reported incidents in connection with the sale of alcohol/regulated entertainment reported to the Licensing Team throughout the duration of the 2018 event.

In terms of protecting the natural environment, the grass of the park is not particularly sensitive as a habitat but precautions will be in place to protect routeways from damage in wet weather and any requirements for reinstatement will be allowed for within the project. The potential for impacts on surrounding habitats will also be considered as part of the preparation of documents for the planning application, including bat surveys.

Mr Ruddock was permitted a supplementary question. The question related to whether given the councils events strategy and the member's motion unanimously passed at Full Council would the council be planning to overturn the policy and play into the hands of its political opponents. Cllr Brown-Fuller explained that the grass is not considered as a fabric of Priory Park. The fabric of the park is related to the historic fabric of buildings instead. Cllr Moss explained that there is a policy in place which has to be followed. Mrs Hotchkiss confirmed that the grass is not considered to be part of the fabric of the park. Cllr Moss explained that the council would be in touch with Mr Ruddock and other interested parties.

Cllr Moss then thanked Mr Ruddock for his questions.

## **88 Commuted Sums Spending Policy (Affordable Housing)**

Cllr Betts introduced the item. Mr Bristow was welcome to the table.

Mrs Rudziak clarified section 4.2 of the report. She explained that the limits of the Cabinet and council decision-making are currently specified. It is proposed that the policy is amended so that if the constitution were to change it would automatically update the policy. In addition some definitions would also be included.

Cllr Bangert asked whether turning one building into separate flats would have any impact. Mr Bristow explained it would depend on what type of development was taking place and the nature of the scheme being brought forward.

Cllr Brown welcomed the clarified policy.

Cllr Moss requested clarification on section 1.2 of the report which referred to 11 dwellings and that in rural areas this is between six and 10 dwellings. Cllr Moss asked whether they can be amended. Mr Frost explained that the restrictions are set out in the NPPF.

In a vote the following recommendations were agreed:

**That Cabinet recommend to Council:**

- 1. The adoption of a Commuted Sums Spending Policy, as amended, (Affordable Housing) as attached at appendix 1.**
- 2. That delegated powers are given to the Director of Housing and Communities, following consultation with the Cabinet member for Housing, Revenues and Benefits, to make minor amendments to the Policy.**

**89 Housing Covenants policy**

Cllr Betts introduced the item. Mr Bristow was welcomed back to the table.

Mr Bristow wished to clarify that the types of property included in the policy are rare. The properties are market housing and are not classified as affordable housing.

Cllr Briscoe was invited to speak. He thanked members and officers for the consideration of the policy. He also welcomed its flexibility.

Cllr Brown-Fuller asked if there is a register of homes that would be affected. Mr Bristow confirmed that there is no register, however, there are very few affected properties.

In a vote the following recommendation and resolution were agreed:

**That Cabinet recommend to Council the introduction of a policy for determining applications relating to properties subject to a restriction under Sections 37 and 157 of the Housing Act 1985, or any other restriction of this nature as attached at appendix 1.**

**RESOLVED**

**That delegated powers are given to the Director of Housing and Communities, following consultation with the Cabinet member for Housing, Revenues and Benefits, to make minor amendments to the policy.**

**90 Consideration of Consultation Responses Received on Chichester District Council's Draft Infrastructure Business Plan 2024-2029**

Cllr Brown introduced the item. Mrs Dower and Mr Whitty were invited to the table.

Cllr Bangert requested an update on the Southbourne surgery item. Mrs Dower explained that the information contained within the report is the most up-to-date available. She added that Willow Park had been prioritised as a fall over service which would carry out phone calls for those surgeries with limited capacity. Mrs Shepherd added that there are meetings being arranged at officer level with the NHS. She explained that it would be up to the chair of the overview and scrutiny committee whether they wish to bring back the item to the overview and scrutiny committee for further consideration. Cllr Bangert welcomed the suggestion. Cllr Moss asked members to consider their local areas and work with Mrs Dower to bring forward the items.

Cllr Brown explained that the projects are mainly from other organisations where they are responsible for the delivery of the project.

In a vote the following recommendations were agreed:

**That Cabinet recommends that the Council:**

- 1. Approves the proposed responses to the representations received and subsequent modifications to the Draft Infrastructure Business Plan 2024-2029 as set out in Appendix 1; and;**
- 2. Approves the amended IBP (Appendix 3) including the CIL Spending Plan attached as Appendix 2.**

## 91 **Corporate Plan and Initial Project Proposals for 2024-2025**

Cllr Moss introduced the item. Mr Buckley was invited to the table.

Cllr Moss requested that the Corporate Plan be amended to read that the Local Plan would be adopted in Spring 2025.

Mr Buckley added that any projects over £100,000 would return to Cabinet with a full project plan.

Cllr Brown clarified that the submission of the local plan would be sooner than the adoption date. He then sought to outline the food waste strategy.

With regard to the ice-skating rink Cllr Bangert drew members attention to the recent ice rink in Bognor Regis. She outlined its popularity with the community. Cllr Brisbane asked whether consideration could be given to a location with a hard surface area. Mrs Hotchkiss responded. She explained that previously all possible locations had been considered with alternative locations posing their own restrictions. Importance had been placed on the location being in the city centre to support footfall. She referred members to Worthing and Tunbridge Wells where there have been ice rinks on a grass base. She added that the IPPD only relates to Priory Park. If alternative locations were to be considered then the IPPD would need to be removed which could delay the project. Cllr Desai then outlined the economic benefit to businesses in Chichester having an ice rink running throughout the festive period. Cllr Betts also spoke in favour of the ice rink. Cllr Brown spoke in support of

the ice rink. He requested that the new administration look through the evidence provided to the previous administration regarding other sites considered. Cllr Moss added that the council would be consulting the most affected residents and organisations.

With regard to the additional temporary accommodation item Cllr Chilton wished to emphasise the need for the project. Cllr Moss added that it is a priority of the council to provide the right level of accommodation. He explained that Cllr Betts would be attending a conference on the matter in London arranged by Eastbourne Council. Cllr Betts explained the importance of any funding that could be used to enhance the council's accommodation assets.

In a vote the following recommendation and resolution were agreed:

### **RECOMMENDED TO COUNCIL**

**Council be recommended to approve the refreshed Corporate Plan 2022-2025 as set out in appendix 1.**

### **RESOLVED**

- 1. Cabinet agree the new project proposals for 2024-2025, as set out in appendices 2 to 9.**
- 2. Cabinet approve the release of £143,300 to fund the four projects identified in para 5.4(a) of this report, funded from the Council's General Fund Reserve.**
- 3. Cabinet approve an increase in the Council's annual budget of £30,500 to fund the associated ongoing revenue costs for projects identified in para 5.4(a).**
- 4. Council are recommended to set aside a further £3,628,800 from the Council's General Fund Reserve to fund the projects identified in para 5.4(b), with release of funding being subject to future consideration by Full Council.**
- 5. That Cabinet note the estimated further £790,000 of ongoing revenue costs for the proposed projects identified in para 5.4(b).**
- 6. Cabinet approve the Ice Skating procurement process to begin immediately due to the short timeframes involved. The tender outcome will be brought back to Cabinet for consideration.**

Members took a 10 minute break.

## **92 Cultural Grants Extension**

Cllr Moss introduced the item as Cllr Brown-Fuller had declared an interest. Mrs Peyman was invited to the table. Cllr Bangert also declared an interest on the Pallant House Gallery as a Chichester District Council appointed member to the Pallant House Gallery.

Cllr Brown-Fuller explained that the funding does not go towards the work that you see on the stage or on the walls of the gallery. The funding instead goes towards learning and participation work.

Cllr Desai then declared an interest as her daughter was involved with the youth theatre. She explained how valuable that experience had been.

Cllr Bangert spoke about the inclusive nature of the Pallant House Gallery. With regard to Chichester Festival Theatre she noted that many involved come from the same schools and asked that other schools be made more aware of the bursaries available. Cllr Desai explained that in the latest production at the Theatre there had been children from all different schools. Cllr Bangert clarified that she had been referring to the stage school (youth theatre).

Cllr Betts then gave his support to the outreach work carried out.

Cllr Brown-Fuller commented that Chichester Festival Theatre productions often go on to London and the International stage. She added that the Pallant House Gallery also hosts many international works.

Cllr Brisbane explained the difficulties the theatre can have in finding housing space for its cast and crews. He requested consideration of this outside of the meeting.

In a vote the following recommendations were agreed:

#### **RECOMMENDED TO COUNCIL**

- 1. That Cabinet recommends to Council that the funding agreement for Chichester Festival Theatre is extended for a further year until 31 March 2025 to allow for the results from the social and economic impact assessment to be fully considered.**
- 2. That Cabinet recommends to Council that the funding agreement for Pallant House Gallery is extended for a further year until 31 March 2025 to allow for the results from the social and economic impact assessment to be fully considered.**

#### **93 Review of Parking Charges**

Cllr Desai introduced the item. Mrs Murphy was invited to the table.

Cllr Bangert asked how more people can be engaged in the process. Mrs Murphy explained that the proposal went to the parking forum. Following on from that parish councils and stakeholders also receive the information in writing. In addition notices were put up in the local media and the car parks. There was also social media coverage and direct discussion via email. Mrs Murphy explained that she was confident that the information had been fully shared. She added that the coming into effect would also go into the car parks press and to the stakeholders in writing. Cllr Brown-Fuller added that Midhurst and Petworth car parks were discussed on social media and via the Arundel MP.

Cllr Moss then requested Mrs Baines read out comments provided by Cllr Tim Johnson. Mrs Baines read the following comment; *'we recognise that traders would prefer there to be no changes because of concern that it might impact their footfall but also recognise our current budgetary pressures caused by the economic backdrop; we are pleased with the proposal to retain the free hour in certain rural car parks'*.

Cllr Brown clarified that the increase was due to an inflationary rise.

**In a vote the following recommendation was agreed:**

**Cabinet recommends to Council to approve the proposal as set out in 5.1 of this report on the increases to the car parking charges from 1 April 2024.**

#### 94 **Selsey Coastal Scheme - Next Stage Plan**

Cllr Brown introduced the item. Mrs Stevens was invited to the table. Members of Coastal Partners Kirsty Klepacz and Mark Stratton were also invited to the table.

Cllr Moss requested that Mrs Baines read a comment from Cllr Tim Johnson. Mrs Baines read the comment as follows; *'regarding the item about Selsey sea defences, we welcome the report and its recommendations to seek funding for a 'future-proofing' study'*.

Cllr Brown further explained that Chichester District Council was permitted to carry out sea defence work but is not required to do so and there is a mix of ownership along the defences.

Cllr Chilton requested clarification regarding the council's optimism for funding at Selsey given that houses on the East coast are being lost to the sea.

Cllr Brown explained that Coastal Partners early feasibility work has enabled the 2009 business case to be updated. This work has enabled us to better quantify the cost of doing nothing against the cost of doing something. Kirsty Klepacz of Coastal Partners confirmed that between the 2009 assessment and now, the approach to partnership funding has changed. The EA assess each business case and determine a partnership funding score. This score lets the council know where its scheme sits in relation to receiving funding. This is linked to recommendation 2.4 which is to note the significant funding gap. The work from the feasibility study, informed the business case and it now sits in a positive position for going forward, ie it is likely but not guaranteed to secure funding for the next stage. As we go through this journey and know more, we will get more accurate picture of the likely costs and benefits which will feed into future assessments and affect the partnership funding score. Properties elsewhere in the country may not have such a high partnership funding score and therefore not attract any funding or only part funding.

Cllr Moss suggested that members visit the Selsey sea defences.

Cllr Brown explained that there is a good economic case for developing Selsey sea defences in particular as it is a highly densely populated area.



In a vote the following recommendations were agreed:

**That Cabinet recommends to Council:**

- 1. Approval of the Project Initiation Document (Appendix 1).**
- 2. Approval of submission of a business case to the Environment Agency for Grant in Aid (GiA) funding of the option appraisal & outline design stage of scheme development.**
- 3. Approval for undertaking the next stage of scheme development (option appraisal and outline design), if GiA funding is secured.**
- 4. To note the significant funding gap anticipated and undertake to explore funding options towards any future construction stage, including a supporting letter to the Environment Agency in order to address the funding gap and enable a scheme at Selsey. (para 5.3)**
- 5. That delegated authority is given to the Director of Planning and Environment, in consultation with the Director of Corporate Services, for the Grant in Aid funding spend and appointment of professional services for the Selsey scheme, and to agree project financial tolerances and spend with the delivery team. (Para 5.1, 5.5 & 5.6).**

**95 Consultation response to WSCC's Chichester Sustainable Transport Corridors Consultation**

Cllr Brown introduced the item. Mr Ballard was invited to the table.

Cllr Moss invited Mr Ballard to run through the detail of the plans. With regard to page 175 of the agenda pack he explained that it starts at the east side up to Tangmere and then up to Eastgate Square. The cycle track on page 171 runs south of the A27 from the Tangmere strategic development. He added that low-level lighting would be installed. He clarified that the council's comments were subject to it being made bat friendly. With regard to page 172 this outlines a two-way cycle track upgrade. The route north of Westbourne House lake is under negotiation and connects onwards to Shopwhyke Lakes development where there would be a proposed crossing to prioritise cyclists and walkers. On page 173 parts of the route are shared use. The path ties into the new Shopwhyke-Portfield retail park bridge, through the retail park into Church Road, south of the old football club, north onto Westhampnett Road, west into Chichester. Outside of St James Industrial Estate it would allow for a two-way cycle track. There would also be toucan crossings across the highway adjacent the St James Road/Westhampnett Road mini-roundabout . Two sections of on street parking would be removed in St Pancras. With regard to page 174 the Needlemakers and St Pancras one way system, the Northern Lane outside the Nags Head pub would be removed to make a two-way cycle lane. With regard to the Oaklands Way scheme on page 177 and page 178 the officer recommendation is option two on page 178. This is not anticipated to take up any carriageway space but that is subject to detailed design. The bus stop would be put on the roadside and a raised-table entrance is proposed to the tennis club and Northgate car park.

Cllr Moss invited Cllr Hastain to speak on the item. Cllr Hastain gave his support to the consultation from West Sussex County Council and supported the overall response as outlined in the Cabinet papers. He explained that his residents were anxious to see new Active Travel routes developed. He added that his comments relate to the Chichester to Tangmere scheme that directly affects his ward. He explained that recent developments to the east of Chichester had seen a significant increase in traffic movement and the waiting time for residents, visitors and passing motorists along the A27 and nearby roads. He added that he understood that the West Sussex County Council active travel score was zero. He requested further information on what could be done to improve the rating and when this could be achieved. In addition he requested clarification on how additional Active Travel funding could come forward to enable routes to be built. He noted from IBP 656 that phase 1 had slipped as had phase 2. He asked for further clarity on this matter.

Cllr Brown responded. He explained to the best of his knowledge that West Sussex County Council are still awaiting a reply to their request for uprating from Active Travel England. He hoped to support the work by supporting the consultation. Until that happens it is unlikely that any further funding will be received. He hoped to support the work by supporting the consultation. With regard to timing he explained there is no clarity until the detailed work is done. Mr Frost added that the dates of the IBP are those from the autumn consultation. West Sussex County Council had requested £500,000 from CIL and there is sufficient funding. Further funding is required for highways related schemes. Mr Ballard explained that West Sussex County Council had published an active travel strategy. They had adopted a local cycling and walking infrastructure plan. Community engagement had taken place earlier. Officer training and guidance for provision of cycling and walking infrastructure had also taken place. In terms of the timeline of the two schemes the indicative time to be open to traffic is 2030.

With regard to page 153 Cllr Brisbane asked in relation to option two whether further information could be provided about the two-week closure of College Lane and whether that was related to recent flooding. Mr Ballard agreed to come back to Cllr Brisbane. With regard to the Tangmere scheme he asked what would happen to traffic conditions at the end of the Hornet and St Pancras. Mr Ballard explained that the proposal for the removal of the lane is without traffic modelling at this stage. Cllr Brisbane raised concerns about current congestion levels. Cllr Brown explained that there is traffic control in place but confirmed that there had not yet been any traffic modelling. He added that if a more attractive option to walk or cycle was presented then more people would do so. Cllr Moss confirmed that some stronger wording could be worked out between Cllr Brown and Mr Ballard.

Cllr Brown wished to clarify that he was asking West Sussex County Council to look at the New Park crossing and whether it could be incorporated into the proposed crossing proposed as part of the Chichester to Tangmere scheme and then accounting for Cllr Brisbane's comments.

In a vote the following resolution was agreed:

**RESOLVED**

**That Cabinet supports the Council's consultation response as amended to WSCC's Sustainable Transport Corridors scheme, specifically (a) Option 2 A286 Oaklands Way and (b) the A285 Westhampnett Road, Chichester to Tangmere scheme.**

96 **Panel Membership**

Cllr Moss invited Mr Bennett to outline the item. Mr Bennett explained that there would be an amendment to the Development Plan and Infrastructure Panel membership. He asked members to consider the request of Cllr Burton who had asked to be removed from the Development Plan and Infrastructure Panel having reviewed her current appointments. He explained that the vacancy had been discussed with Cllr Stephen Johnson who had agreed to take up the position.

In a vote the following resolution was agreed:

**RESOLVED**

**That Cabinet approves the appointment of Cllr Stephen Johnson to replace Cllr Burton on the Development Plan and Infrastructure Panel.**

97 **Late Items**

There were no late items.

98 **Exclusion of the Press and Public**

There was no requirement to exclude the press or public.

The meeting ended at 11.50 am

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CHAIRMAN

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Date: