

JOHN WARD
Head of Finance and Governance Services

Contact: Philip Coleman on 01243 534655
Email: pcoleman@chichester.gov.uk

East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY
Tel: 01243 785166
www.chichester.gov.uk



Notice of Meeting

To All Members of Chichester District Council

You are hereby summoned to attend a meeting of **THE COUNCIL** in the Council Chamber, East Pallant House East Pallant Chichester West Sussex PO19 1TY on **Tuesday 26 January 2016 at 2.30 pm** for the transaction of the business set out in the agenda below

A handwritten signature in black ink, appearing to read 'Diane Shepherd'.

DIANE SHEPHERD
Chief Executive
Tuesday 19 January
2016

NOTES

- (1) *The Council meeting will be preceded by a Briefing on Syrian Refugees at 12.45 pm and then an Open Forum for members with the Cabinet and Senior Leadership Team at 1.15 pm. Lunch will be available in the Members Room at 12.15 pm (following the Cabinet meeting in the morning).*
- (2) *Members are asked to bring with them to the meeting their copy of the agenda and the accompanying papers for the meetings of the Cabinet held on 5 and 26 January 2016.*

AGENDA

This agenda should be retained for future reference with the minutes of this meeting

PART 1

- 1 **Minutes** (Pages 1 - 20)
To approve as a correct record the minutes of the meeting of the Council held on Tuesday, 15 December 2015.
- 2 **Urgent Items**
Chairman to announce any urgent items which due to special circumstances are to be dealt with under agenda item 16(b)
- 3 **Declarations of Interests**

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

4 **Chairman's announcements**

5 **Public Question Time**

Questions submitted by members of the public in writing by noon on the previous working day (for a period up to 15 minutes).

DECISIONS TO BE MADE BY THE COUNCIL

To consider the following recommendations of the Cabinet requiring the approval of the Council.

The reports giving rise to these recommendations are in the papers for the meetings of the Cabinet on 5 and 26 January 2016. These are available in the committee papers section of the Council's website and in the Members Room.

6 **Review of the Members' Allowances Scheme: Report of the Independent Remuneration Panel**

See report (Agenda Item 5, pages 15-51) to Cabinet on 5 January 2016.

RECOMMENDED BY THE CABINET

That the Council receives and considers the report of the Independent Remuneration Panel and makes decisions on its recommendations, and in particular reviews the Panel's recommendations in respect of Special Responsibility Allowances for the Deputy Leader of the Council and the Chairman of the Corporate Governance and Audit Committee.

7 **Adoption of the Community Infrastructure Levy Charging Schedule**

See report (Agenda Item 6, pages 52-85) to Cabinet on 5 January 2016.

RECOMMENDED BY THE CABINET

- (1) That the Community Infrastructure Levy Charging Schedule (attached as Appendix 2 to the Cabinet report) be adopted to take effect from 1 February 2016, incorporating modification EM1 (revised Charging Schedule map showing grid reference numbers) and further minor amendment (deleting B1, B2 and B8 uses so they are captured in the Standard nil charge);
- (2) That the CIL Regulation 123 list (attached as Appendix 3 to the Cabinet report) be adopted;
- (3) That the CIL Payment by Instalments Policy (attached as Appendix 4 to the Cabinet report) be adopted.

8 **Adoption of the Planning Obligations and Affordable Housing Supplementary Planning Document**

See report (Agenda Item 7, pages 86-180) to Cabinet on 5 January 2016.

RECOMMENDED BY THE CABINET

- (1) That the proposed responses to representations received during consultation on the draft *Planning Obligations and Affordable Housing Supplementary Planning Document* be approved as set out in appendix 1 to the report;
- (2) That the *Planning Obligations and Affordable Housing Supplementary Planning Document* be adopted as attached at appendix 2 to the report;

- (3) That *The Provision of Service Infrastructure Related to new Development in Chichester District Supplementary Planning Guidance*, which was adopted in December 2004 to supplement the *Chichester District Local Plan First Review April 1999* be cancelled;
- (4) That the Head of Planning Services be authorised, following consultation with the Cabinet Member for Housing and Planning, to make typographical and other minor amendments prior to publication.

9 **Proposed approach for securing development contributions to mitigate additional traffic impacts on A27 Chichester Bypass**

See report (Agenda Item 8, pages 181-190) to Cabinet on 5 January 2016.

RECOMMENDED BY THE CABINET

- (1) That the methodology set out in this report be agreed as the basis for seeking development contributions to mitigate the impact of proposed Local Plan development on the A27 Chichester Bypass junctions or to contribute to a wider A27 improvement scheme;
- (2) That the text in the Appendix be published as a potential modification to the Council's forthcoming Planning Obligations Supplementary Planning Document (SPD), for consultation for a six week period from Friday 29 January to Friday 11 March.

10 **Disciplinary Action Against Statutory Officers: The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015**

See report (Agenda Item 9. Pages 191-205) to Cabinet on 5 January 2016.

RECOMMENDED BY THE CABINET

- (1) That the revised Disciplinary Procedure for the Chief Executive, Head of Finance and Governance and Monitoring Officer be approved.
- (2) That the terms of reference of the Investigation and Disciplinary Committee be revised to read as follows:-

“To consider allegations relating to the conduct or capability of the Chief Executive, the Chief Finance Officer and the Monitoring Officer and to take action in accordance with the Council's approved Disciplinary procedure for these officers, including negotiation of a settlement agreement and (in the case of the Chief Executive only) suspension and disciplinary action short of dismissal.”

- (3) That the following be added to the powers of the Chairman, and in his absence the Vice-Chairman, in Article 5 of Part 2 of the Constitution:-

“The Chairman of the Council has the power to suspend the Chief Executive in an emergency whereby his/her remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the Council.”

11 **Public Interest Disclosures (Whistleblowing) Policy**

See report (Agenda Item 10. Pages 206-214) to Cabinet on 5 January 2016.

RECOMMENDED BY THE CABINET

- (1) That the revised Public Interest Disclosures (Whistleblowing) Policy be approved.
- (2) That the Head of Business Improvement Services be authorised to approve future minor changes to Human Resources policies, including those of a legislative nature, after

consultation with the Cabinet Member for Support Services.

12 Leisure Services Management Contract

See report (Agenda Item 5. Pages 15-44) to Cabinet on 26 January 2016. The recommendation below may be subject to amendment, which will be reported orally at the Council meeting.

DRAFT RECOMMENDATIONS

- (1) That the management of the Leisure Centres and Sports Development Service be outsourced.
- (2) Subject to approval of recommendation (1) above, that the Head of Commercial Services be authorised, following consultation with the Cabinet Member for Commercial Services and Head of Finance & Governance Services, to conclude capital negotiations and agree the principle of funding the capital works as indicated in 4.2, 4.3 and 7.1-7.5 of the Part 2 report.

13 Treasury Management Strategy 2016-17

See report (Agenda Item 6. Pages 45-78) to Cabinet on 26 January 2016. The recommendation below may be subject to amendment, which will be reported orally at the Council meeting.

DRAFT RECOMMENDATIONS

(1) That the following be approved:-

- (a) The Treasury Management Policy and Treasury Management Strategy Statement for 2016-17 as contained in appendix 1 of the report.
- (b) The Investment Strategy 2016-17 as detailed in the Treasury Management Strategy Statement (appendix 1).
- (c) The Prudential Indicators and Limits for 2016-17 to 2020-2021 as detailed in appendix 2 of the report.
- (d) The Minimum Revenue Provision (MRP) Statement contained within appendix 2, which sets out the Council's policy on MRP.

(2) That the 2015-16 Treasury Management Strategy and Investment Strategy be amended as set out in Appendix 5.

14 Questions to the Executive

(maximum of 40 minutes duration)

This will include the following written question asked by Cllrs Mike Hall and Simon Lloyd-Williams:-

“What information can the Leader of the Council provide about proposals for the improvement of the A27 Chichester By-pass following his meeting with Highways England on 25 January 2016?”

15 Report of Urgent Decision: Beach Management Plan Contract 2015/16 Additional Funding

In accordance with the Beach Management Plan (BMP) 2014-2016, approved by the Cabinet on 8 July 2014, the Council secured £150,000 from the Environment

Agency's (EA) Flood and Coastal Erosion Risk Management Grant in Aid, with £50,000 from the Council's maintenance revenue budget for the 2015/16 BMP works. After a mini-competition under the Portsmouth City Council Framework Agreement for the provision of Coastal Engineering Minor Works (of which the Council is a signatory) Les Searle Plant Hire and Sales Ltd was awarded a contract for shingle recharge at Hillfield Road, Selsey.

On 4 January 2016, the EA advised that the Council was to be awarded an additional £250,000 grant to be spent before end of March 2016. It was proposed that the additional grant will be used to increase the quantity of shingle at Hillfield Road beach.

The decision to spend the additional grant is "not in accordance with approved budget" and would normally require a Full Council resolution. In order to enable the works to be undertaken within the grant timescale, an urgent decision has been made by the Head of Service, Louise Rudziak, in consultation with Leader of the Council, Cllr Tony Dignum and the Chairman of the Overview and Scrutiny Committee, Cllr Clare Apel, to approve the spend of the additional grant for this purpose. Under the Constitution, a full report on the urgent decision must be made subsequently.

The Council is unable to complete a mini competition for the additional works in the time constraints and it has concluded the most appropriate procurement route is to use a direct call off under the minor works framework. Because the original contract to Les Searle was procured through competitive tender using the framework and demonstrates value for money, and the company is due to start work on site at the beginning of February 2016 for four to five weeks leaving insufficient time of another contractor to undertake the works in the timescale, the contract for the additional works has also been awarded to Les Searle Plant Hire and Sales Ltd.

16 Consideration of any late items as follows:

- (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.

17 Exclusion of the press and public

There are no restricted items for consideration at this meeting. However, the Council may be asked to consider in respect of agenda item 12 whether the public, including the press, should be excluded from the meeting on the grounds that it is likely that there would be a disclosure to the public 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, 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.

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. 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)

MEMBERS

Mr N Thomas	Mr F Hobbs
Mrs C Apel	Mr P Jarvis
Mr G Barrett	Mrs G Keegan
Mr R Barrow	Mrs J Kilby
Mr P Budge	Mrs D Knightley
Mr J Connor	Mrs E Lintill
Mr M Cullen	Mr S Lloyd-Williams
Mr I Curbishley	Mr L Macey
Mr T Dempster	Mr G McAra
Mr A Dignum	Mr S Morley
Mrs P Dignum	Caroline Neville
Mrs J Duncton	Mr S Oakley
Mr M Dunn	Mrs P Plant
Mr J F Elliott	Mr R Plowman
Mr J W Elliott	Mr H Potter
Mr B Finch	Mrs C Purnell
Mr N Galloway	Mr J Ransley
Mrs N Graves	Mr J Ridd
Mr M Hall	Mr A Shaxson
Mrs E Hamilton	Mrs J Tassell
Mrs P Hardwick	Mrs S Taylor
Mr R Hayes	Mrs P Tull
Mr G Hicks	Mr D Wakeham
Mr L Hixson	Mrs S Westacott