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Notice of Meeting

To All Members of Chichester District Council

You are hereby summoned to attend a meeting of **THE ANNUAL COUNCIL** in the Council Chamber East Pallant House East Pallant Chichester West Sussex PO19 1TY on **Tuesday 16 May 2017 at 14:00** 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

Monday 8 May 2017

NOTES

- (1) The Council meeting will be preceded by the following arrangements for members:
 - **12:00** Briefing session on the new lifeboat station at Selsey – John Connor (Selsey North Ward Member) and Colvin Rae (Chairman of Selsey Lifeboat Station Branch)
 - **12:30** Lunch
 - **13:00** Open Forum with the Cabinet and SLT
 - **13:45** Intermission
- (2) Members are requested to bring with them to the meeting their copy of the agenda and the accompanying papers for the meetings of the Cabinet held on 7 May 2017.
- (3) There will be a **special** meeting of the Council on **Monday 19 June 2017 at 14:00** to consider approval for consultation of (a) the Local Plan Review Issues and Options questionnaire and (b) the draft Statement of Community Involvement.

AGENDA

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

1 **Election of the Chairman of the Council**

The election will be followed by the Chairman's declaration of acceptance of office.

2 **Appointment of the Vice-Chairman of the Council**

The appointment will be followed by the Vice-Chairman's declaration of acceptance of office.

3 **Approval of Minutes** (pages 1 to 16)

The Council will be asked to approve as a correct record the minutes of its meeting held on Tuesday 7 March 2017 a copy of which is circulated with this agenda.

4 **Urgent Items**

The Chairman will announce any late items which are to be considered at agenda item 15 (a) or (b).

5 **Declarations of Interests**

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

6 **Chairman's Announcements**

The chairman will make any specific announcements.

Apologies for absence will be received at this point.

7 **Public Question Time**

In accordance with Chichester District Council's scheme of public question and with reference to standing order 6 in Part 4 A and section 5.6 in Part 5 of the Chichester District Council *Constitution*, consideration will be given at this point in the meeting to 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 but this is subject to the chairman's discretion to extend that period for each member of the public (five minutes) or the total time for public questions (15 minutes).

DECISIONS TO BE MADE BY THE COUNCIL

The Council is requested to consider at this stage of the meeting or later within Part 2 the following recommendations of the Cabinet which require its approval.

The reports giving rise to these recommendations are in the agenda papers for the meeting of the Cabinet on 9 May 2017. Members are requested to bring their copies of that agenda to this meeting. The papers may also be viewed in the committee papers section of Chichester District Council's website (in the case of documents within the public domain) or by members only on the intranet (in the case of confidential papers) or the final reports folder on the x-drive.

8 Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document

The agenda report for this item is at pages 18 to 20 of the agenda papers for the Cabinet's meeting on 9 May 2017 the two appendices are available to view online only although one hard copy of each has been placed in the Members Room at East Pallant House.

RECOMMENDATION TO THE COUNCIL

That the Council:

- (1) Adopts the Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document (set out in appendix 1 to the agenda report) and
- (2) Approves the proposed responses to representations received (set out in appendix 2 to the agenda report).

9 Review of Political Balance (pages 17 to 19)

The Council is asked to consider the agenda report and to make the following resolution:

That the review of political balance arrangements set out in the report be approved and that tables 1, 2 and 3 therein be applied in making appointments to committees.

10 Appointments to Committees 2017-2018

The Council is requested to consider the agenda report (which will be circulated subsequent to the despatch of the agenda once the details of proposed members, chairmen and vice-chairmen have been received) and to make the following resolution:

That the members be appointed to serve on committees for 2017-2018 including their chairmen and vice-chairmen as set out in the appendix to the report, subject to decisions on the previous agenda item regarding political balance arrangements and subject to the nominations proposed by party group leaders.

11 Appointments to External Organisations

The Council is requested to consider the agenda report (which will be circulated subsequent to the despatch of the agenda once the details of proposed members have been received) and to make the following resolution:

That the members be appointed to serve on external organisations for 2017-2018 and longer term appointments/nominations as set out in the tables in the report.

12 Previous Making of Urgent Decision - Increase in Planning Fees

The Council is requested to consider the agenda report and formally to note the taking of the urgent decision taken by the Leader of the Council as set out more fully below that the planning fees charged by Chichester District Council should be increased by 20% with effect from July 2017.

The Background to and the Nature of the Decision

The Department of Communities and Local Government wrote to local authorities earlier this year offering the option to raise planning fees by 20% with effect from July 2017, provided that any additional money raised would be used to fund the planning service. If a council wished to embrace this opportunity, its section 151 officer was required to sign a statement confirming that (1) the money would be used solely for the planning service, (2) the council had determined to increase the fees by 20% and (3) budget figures were provided to demonstrate that the money was being reinvested in the planning service.

Ideally, had officers been aware of the detail of this in time for the Council meeting on 7 March 2017 it could have been dealt with then as a late item and the 2017-2018 budget could have been amended. The additional revenue to be generated is likely to be in the region of £120,000 for the period July 2017 to March 2018.

The government issued a housing white paper with a commitment to allow local authorities to increase planning fees as stated by 20% from July 2017. The implementation of such a measure would require secondary legislation. As a result of the general election and the fact that Parliament has now been prorogued, a decision on whether or not to pass such legislation will now be one for the new Parliament

The Constitutional Requirement to Report this Urgent Decision

The making of urgent budget or policy framework decisions is required to be the subject of a full report to be submitted to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency. The requirement is set out in para 4 of section 4.3 (Budget and Policy Framework Procedure Rules) in Part 4 (Rules of Procedure) of Chichester District Council's *Constitution* as follows:

'4. Urgent budget or policy framework decisions

- (a) The Cabinet, a committee of the Cabinet, an individual member of the Cabinet or staff, area committees or joint arrangements discharging executive functions may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken:
 - i) if it is not practical to convene a quorate meeting of the full Council;
and
 - ii) if the chairman of the Overview and Scrutiny Committee agrees that the decision is a matter of urgency.

The reasons why it is not practical to convene a quorate meeting of full Council and the chairman of the Overview and Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of the decision. In the absence of the chairman of the Overview and Scrutiny Committee the consent of the Chairman of the Council, and in the absence of both, the Vice-Chairman will be sufficient.

- (b) Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.'

The deadline of 13 March 2017 for notifying the Department of Communities and Local Government that Chichester District Council had determined to increase its planning fees meant that it was impractical to convene a quorate meeting of the Council (the item having missed the Council meeting on 7 March 2017). A decision to do so by the Leader of the Council would have been contrary to or not fully in accordance with the budget previously approved by the Council. Accordingly Clare Apel, as the chairman of the Overview and Scrutiny Committee, gave her consent to the decision on this matter being taken by the Leader of the Council as a matter of urgency.

13 **Previous Making of Urgent Decision - Urgent Concessionary Rent Relief Application** (pages 20 to 23)

The Council is requested to consider the agenda report and its confidential Part II appendix (the latter has been circulated to members and relevant officers only and is printed on salmon paper) and to note the making of the urgent decision set out therein.

QUESTIONS TO THE EXECUTIVE

14 **Questions to the Executive**

[Note This item is allocated a maximum duration of 40 minutes]

15 **Late Items**

To consider 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.

16 **Exclusion of the Press and the Public**

The Council is asked to consider in respect of the following item whether the public, including the press, should be excluded from the meeting on the grounds of exemption under Parts I to 7 of Schedule 12A of the *Local Government Act 1972*,

as indicated against the item 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. The reports dealt with under this part of the agenda are attached for members of the Council and relevant officers only and are printed on salmon paper.

17 **Investment Opportunity**

The confidential agenda report for this Part II item is at pages 40 to 72 of the agenda papers for the Cabinet's meeting on 9 May 2017.

Subject to the decision made by the Cabinet at its meeting on 9 May 2017, it is anticipated that the Annual Council meeting will be asked to consider the following:

RECOMMENDATION TO THE COUNCIL

That the Council approves the release of the sum and from the funds as stated in the agenda report to make the subject acquisition.

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 open proceedings of this meeting will be audio recorded and the recording will be retained in accordance with Chichester District Council's information and data policies. If a member of the public enters the committee room or makes a representation to the meeting, they will be deemed to have consented to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting, they should please liaise with the contact for this meeting at the front of this agenda.
4. 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 intention 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.

MEMBERS

Mrs C Apel	Mrs J Kilby
Mr G Barrett	Mrs E Lintill
Mr R Barrow	Mr S Lloyd-Williams
Mr J Brown	Mr L Macey
Mr P Budge	Mr K Martin
Mr A Collins	Mr G McAra
Mr J Connor	Mr S Morley
Mr T Dempster	Caroline Neville
Mr A Dignum	Mr S Oakley
Mrs P Dignum	Mr C Page
Mrs J Duncton	Mrs P Plant
Mr M Dunn	Mr R Plowman
Mr J F Elliott	Mr H Potter
Mr J W Elliott	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	Mr N Thomas
Mr G Hicks	Mrs P Tull
Mr L Hixson	Mr D Wakeham
Mr F Hobbs	Mrs S Westacott
Mrs G Keegan	Mr P Wilding
Mr F Hobbs	Mr P Wilding
Mrs G Keegan	