



Minutes of the special meeting of the **Council** held in the Committee Rooms, East Pallant House on Thursday 31 March 2016 at 2.30 pm

Members Present: Mr N Thomas (Chairman), Mrs C Apel, Mr G Barrett, Mr R Barrow, Mr P Budge, Mr J Connor, Mr M Cullen, Mr I Curbishley, Mr T Dempster, Mr A Dignum, Mrs P Dignum, Mr J F Elliott, Mr J W Elliott, Mr B Finch, Mr N Galloway, Mrs N Graves, Mr M Hall, Mrs E Hamilton (Vice-Chairman), Mr R Hayes, Mr G Hicks, Mr L Hixson, Mr F Hobbs, Mrs G Keegan, Mrs J Kilby, Mrs E Lintill, Mr S Lloyd-Williams, Mr L Macey, Mr G McAra, Mr S Morley, Mr S Oakley, Mrs P Plant, Mr R Plowman, Mr H Potter, Mrs C Purnell, Mr J Ridd, Mr A Shaxson, Mrs J Tassell, Mrs S Taylor, Mrs P Tull, Mr D Wakeham and Mrs S Westacott

Members not present: Mrs J Duncton, Mr M Dunn, Mrs P Hardwick, Mr P Jarvis, Mrs D Knightley, Caroline Neville and Mr J Ransley

Officers present all items: Mrs D Shepherd (Chief Executive), Mr P E Over (Executive Director), Mr S Carvell (Executive Director), Mr J Ward (Head of Finance and Governance Services) and Mr P Coleman (Member Services Manager)

96 **Minutes**

RESOLVED

That the minutes of the meeting of the Council held on Tuesday, 1 March 2016, be signed as a correct record.

97 **Urgent Items**

There were no urgent items for consideration at this meeting.

98 **Declarations of Interests**

No interests were declared at this meeting.

99 **Chairman's announcements**

At the Chairman's invitation, Mrs Keegan (Cabinet Member for Commercial Services) informed the Council that the Westgate Leisure Centre health and fitness centre had won the Observer reader's Gym of the Year 2016 award. All three of Westgate Leisure's gyms had been in the final shortlist of ten, out of twenty nominations. There were now 2,415 members of the gym and this was a good way to start the new contract. She congratulated the team from Westgate Leisure Centre and handed the award to Stuart Mills, Operations Manager.

The Chairman announced that he had attended the speech day at Midhurst Rother College. The Chairman paid tribute to the work of Dr Vitagliano, the College Principal, who had moved the academy from 'special measures' to OFSTED 'outstanding'. Dr Vitagliano was now moving to another post, and the Chairman extended the Council's congratulations and best wishes to him.

At the Chairman's invitation, Mrs Hamilton (Vice-Chairman) announced that she had presented Outset Youth Action outstanding achievement awards at Fontwell Racecourse. This charity brought together young people aged 15-25 with volunteering opportunities. She quoted the statement that volunteers are unpaid, not because they are worthless, but because they are priceless.

100 **Public Question Time**

No public questions had been submitted.

101 **Chichester Electoral Review: Creating a Pattern of Wards**

Mr Dignum, seconded by Mrs Lintill, moved the recommendations of the Cabinet.

The Chairman drew attention to the report that had been considered by the Cabinet earlier in the day.

He reported a number of updates:-

Since the papers had been printed a formal representation from Selsey Town Council had been received, to add to the list of responses to consultation at Appendix 2, that read as follows:-

"Selsey Town Council resolved to support a single 3 member ward for Selsey rather than two 2 member wards, one split with Sidlesham Parish. STC feels that there are irrefutably strong community identity grounds for treating Selsey as a separate entity and that due to population spread there is no obvious or sensible line to take if splitting Selsey to form a ward with Sidlesham. Equally, Sidlesham would be automatically disadvantaged due to population numbers and that there would be an inherent conflict for any single representative as the problems and priorities of the parishes are so different."

Secondly, a further representation from the Sidlesham Parish Council had been received and emailed to all members yesterday evening, 30 March.

Thirdly, at paragraph 6.7 on page 18 of the Cabinet papers, the last sentence reads: "The small gains in electoral equality do not seem to justify the complication of splitting Fishbourne parish". That was a misunderstanding on the part of the report writer and, in fact, the Boundary Review Panel did support the transfer of Apuldram Lane to Donnington Ward.

Finally, the Cabinet had proposed two changes to the recommendations. To recommendation 2.1 add the words, "subject to the reconfiguration of Selsey and Sidlesham into two 2-member wards, respectively for Selsey South and Selsey North with Sidlesham", and then an additional recommendation as follows:

“That the Head of Finance and Governance Services be authorised to correct typographical errors and to make editorial amendments to the draft submission.”

Mr Dignum introduced the Cabinet’s recommendations, explaining that the Local Government Boundary Commission for England (LGBCE) had agreed, at the Council’s request in the last Council term, to carry out an electoral review of Chichester District. The LGBCE had stated that it was ‘minded to’ recommend a Council size of 36 – also as requested by this Council - a 25% reduction from the present 48.

Having made that provisional decision on council size, the next stage was to divide the district into wards. The LGBCE had launched a consultation on 26 January 2016, inviting proposals on a pattern of wards to accommodate 36 councillors. The closing date for responses was 4 April. People and organisations might have made recommendations direct to the LGBCE of which the Council was not aware.

However, the Council’s Boundary Review Panel had drawn up a set of proposals, drawing on the product of three area workshops involving local ward members. Those proposals were set out in Appendix One to the report and had been the subject of a consultation exercise.

The consultation document had been sent, inviting comments, to all members, all parish councils and chairmen of parish meetings, the County Council, the National Park and the political parties. The consultation document had also been put on the Council’s website and a press release issued. Comments were invited by 14 March.

There had been a considerable response – see the 62 pages of comments at Appendix 2 to the Cabinet report. Some areas had proved more controversial than others. There had been no response at all from some areas.

The Boundary Review Panel on Monday 21 March had reviewed all the representations received from the consultation. These were set out in Appendix 2. The Panel had made recommendations which were set out in Appendix 3 in the form of a draft submission to the LGBCE.

In preparing proposals, the Panel and the Council had to consider three statutory criteria, which the LGBCE was bound by. These were set out in section 4 of the report:

- Electoral equality
- The interests and identities of local communities
- Effective and convenient local government

In practice these aims were sometimes incompatible, and so there was scope for judgement. The Council’s judgement and that of the Boundary Commission might differ but the Boundary Commission had the final say.

The District’s projected electorate divided between 36 members gave a target size of ward of 2,744 electors per councillor. If possible proposals should keep within a tolerance of \pm 10%, i.e. within a range 2,470 to 3,018.

Three of the Panel’s proposed wards were outside that tolerance:-

Oving Ward: -14.7%. But this included the Shopwhyke Lakes Strategic Development location so that headroom would be taken up over time.

Bosham Ward: +15.2%. This was dealt with in paragraph 6.7 of the report.

Harting Ward: +11.3%. But the Panel had looked carefully at options for transferring whole parishes elsewhere, and the parishes had made good cases on community interests grounds to stay in Harting.

There were only two areas of real controversy:

Selsey and Sidlesham. The local members and the parish council had made a strong argument that their communities had little in common and should not be combined. The solution suggested by Selsey members had been rejected by the Panel for reasons set out in paragraph 6.4 on page 17. Looked at alone, the Selsey members' proposal might have merit but its knock-on effect would be likely to reduce the Council's total size to 34. This further reduction was unacceptable as the proposed 36 was already a radical change from the present 48. An alternative solution also putting all of Selsey in one ward as local members requested and creating two 2-member wards for the area from Bosham to Sidlesham had also been rejected by the Panel.

Lurgashall/Northchapel and Lodsworth. These parishes too felt that they had little in common with the other parishes in the proposed wards that included them. Again, the Panel had considered many other options, but none of them worked.

On behalf of the Council, Mr Dignum thanked Mr John Ridd and the Boundary Review Panel and recognised the sterling effort provided by Philip Coleman to find the best possible compromise in the face of competing views and interests.

Mr Dignum then invited the Council to review the Cabinet's recommendations area by area.

Mrs Kilby and Mr Plowman expressed their support for the proposals for Chichester City.

Mr Barrett expressed support for the proposal that The Witterings should be a single three-member ward, as this avoided warding West Wittering parish.

Mrs Purnell and Mr Connor stated that insufficient weight had been given to the views of the local community in the proposals for Selsey and Sidlesham. They re-iterated the opposition of local members and the Selsey Town Council and Sidlesham Parish Council to the inclusion of both parishes in a single warding arrangement. However, if the Council, nevertheless, approved this, they stated that two two-member wards was the preferred way of dividing the area.

Mrs Tull emphasised the opposition of Sidlesham to the proposal for the parish to be subsumed in a warding arrangement with Selsey. She felt that insufficient attention had been paid to community cohesion and that Birdham was a more appropriate partner for Sidlesham. Nevertheless, if Selsey and Sidlesham were to be combined, she agreed that two two-member wards was preferred and she proposed, seconded by Mr Connor, that the ward that included Sidlesham should be named "Sidlesham with Selsey North". This motion was carried.

Mrs Plant expressed the view that, although the proposed Bosham Ward was the only ward proposed that was substantially above the +10 threshold, the parishes of Fishbourne, Bosham, and Chidham and Hambrook were a homogenous and happy grouping. Mr Cullen agreed that the high electorate was manageable and emphasised that it would not

be appropriate to reverse the recent decision, after a community governance review, to include the Southbourne [6] polling district within Chidham and Hambrook.

Mr Oakley stated that a 25% reduction in the number of councillors was bound to produce some controversy about ward boundaries but emphasised that the purpose of the review was to produce district councillors to run a district council. The Council's proposals should seek to minimise the need to trigger a premature review because of electoral imbalance. He pointed out that the electorate of Sidlesham would be about 40% of a single-member ward but only about 20% of a two-member ward. He also suggested some editorial changes to the draft submission.

Mrs Westacott pointed out that Fishbourne was a significant community with distinct characteristics. She moved an amendment, seconded by Mr Plowman, that the proposed Bosham Ward should be named "Bosham with Fishbourne". Mr Cullen pointed out that Chidham was as large as Bosham, and Mr McAra said the the LGBCE tended to name wards after the largest settlement. On a vote being taken, Mrs Westacott's motion was lost.

Mrs Hamilton reported that representatives of West Itchenor and Birdham parishes had expressed a preference for single-member wards in The Witterings as giving greater accountability and, probably, greater turnout at elections.

Mrs Tassell expressed dissatisfaction that Funtington would lose its identity.

On a vote being taken, it was

RESOLVED

- (1) That the Council adopts the recommendations of the Boundary Review Panel and approves the submission to the Local Government Boundary Commission for England of the proposals in Appendix 3 of the Cabinet report as their preferred pattern of wards for a 36 member Council, subject to the reconfiguration of Selsey and Sidlesham into two 2-member wards, respectively for Selsey South and Sidlesham with Selsey North.
- (2) That the Head of Finance and Governance Services be authorised to correct typographical errors and to make editorial amendments to the draft submission

(Two councillors voted against and three abstained).

102 Timing of Council Meetings

The Council considered the report circulated with the agenda (copy attached to the official minutes).

Mr Dignum (Leader of the Council), seconded by Mrs Lintill, moved the recommendations of the Cabinet. He reminded the Council that, following two lengthy council meetings that had been preceded by a briefing and an open forum session, the Cabinet had been asked to review the start time, length and frequency of council meetings, and all members had been asked to express their views by way of an email from the Chief Executive.

The Cabinet's recommendations on the length and frequency of meetings were set out in in paragraph 5.3(a) and (b) of the report. These included a recognition that, whilst

efficiency was important, it was subservient to freedom of expression. It was also suggested that no more than two ordinary Cabinet meetings should report to any one council meeting.

There had not been a clear majority for any of the options for the start time of meetings, and so the Council was asked to make a choice.

In the ensuing debate members expressed, sometimes conflicting, views on reasons for preferring either a morning or an afternoon start time, including:

- An afternoon start time gave certainty that the morning would be clear for other activities.
- Conflicting views on whether a morning or an afternoon start time was preferred for members who were in employment or had children at school.
- The public would probably find afternoon meetings easier to attend.
- Candidates for election know when they agree to be nominated at what time meetings were held.

On a vote being taken, a majority of members supported an afternoon start time, and on a further vote, a majority supported a 2.00pm start time (with briefing sessions starting at 12.30 pm).

RESOLVED

- (1) That the proposed changes to Council meetings as listed in paragraph 5.3(a) and (b) be approved.
- (2) That, in future, Council meetings should start at 2:00pm (with briefing sessions starting at 12:30pm).

103 Replacement Telephone System

Mr Finch (Cabinet Member for Support Services), seconded by Mr Dignum, moved the recommendation of the Cabinet.

He explained that the Council's current telephone system was now 25 years old and would be unsupported by the current suppliers by July 2017. At their meeting on 6 October 2015, the Cabinet had approved a Project Initiation Document (PID) for a replacement and also authorised a joint procurement with Arun District Council who also needed to replace their telephone system. The rationale for this was to reduce procurement costs, to give opportunity to procure a shared system, which would provide resilience between the two authorities to overcome a weakness in business continuity, and to provide a key piece of infrastructure for the sharing of services and resources.

Through a joint tendering exercise both Councils had identified the same preferred supplier. For Chichester, the capital cost of installation would be £149,849, with an annual revenue cost of £15,945. On 21 March 2016, Arun's Cabinet had agreed to proceed on a shared service basis.

Some additional costs would be incurred to integrate the two systems and a report itemising these costs and savings would be made to a future meeting of the Cabinet.

The Cabinet had authorised the Head of Business Improvement Services, after consultation with the Cabinet Member for Support Services, to negotiate and conclude a contract with the preferred contractor.

Mrs Purnell supported the proposal, but asked whether the “caller display” function on home telephone numbers would display the telephone number of callers on the Council’s new system, which were blocked on the present system. Mrs Ryan (ICT Manager) replied that this would be investigated and a written response provided.

Mr Oakley asked what length of service support and spares would be provided by the contractor for the new system. Mrs Ryan replied that the contract would be for five years, with the ability to extend. The maintenance agreement was for seven years.

Mr Shaxson asked whether the new system would enable direct access to more officers, without going through the switchboard. Mr Finch reminded members that a list of officers’ direct dial numbers had recently been sent to them, and confirmed that the new system enabled single number contact.

Mrs Graves asked whether the new system would enable calls to be routed to officers working from home. Mr Finch confirmed that calls would be routed to staff wherever they were working, whether in the office or at home.

Mr Hobbs asked what penalty would be incurred for early termination of the contract. Mr Finch undertook to supply a written answer.

Mr McAra asked about the cost implications of joint procurement with Arun District Council, and whether the costs would be shared if they were incurred only in relation to one council’s system. It was explained that each council would have a standalone system and any costs relating to that would be incurred by the Council concerned. However, there would be shared costs to integrate the systems and a separate report to Cabinet would be made about that.

RESOLVED

That up to £175,000 (including contingency) be released from the Asset Replacement Programme in order to allow a contract to be awarded to the preferred contractor.

104 Making the Fishbourne Neighbourhood Development Plan

Mrs Taylor (Cabinet Member for Housing and Planning), seconded by Mrs Keegan, moved the recommendation of the Cabinet.

She informed the Council that, as approved by the Cabinet, the Fishbourne Neighbourhood Development Plan had been submitted to a referendum on 11 February 2016. 93.8% of those who had voted in the referendum were in favour of the Plan, on a turn-out of 30.2%. She congratulated the residents of Fishbourne on this success.

Mrs Westacott added her thanks to the parish councillors and residents of Fishbourne.

RESOLVED

That the Fishbourne Neighbourhood Development Plan be made part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

105 **Exclusion of the press and public**

RESOLVED

That the public, including the press, be excluded from the meeting for the following items 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.

106 **Investment Opportunity**

The Council considered the report circulated with the agenda.

Mrs Keegan (Cabinet Member for Commercial Services), seconded by Mrs Taylor, moved the recommendation of the Cabinet. She explained that the Council was seeking opportunities to invest in commercial property in the district to achieve a higher return than was currently available from bank deposits or the local authority property bond. Such opportunities had proved to be scarce, but the report described an opportunity that had recently arisen. The Cabinet had authorised the purchase, subject to the Head of Commercial Services, after consultation with herself, being satisfied with the final terms of acquisition following completion of survey and other due diligence investigations, which were currently in hand. The Cabinet recommended the Council to allocate £1,010,000 from reserves for the purchase plus usual acquisition costs.

In the ensuing debate, a number of members expressed reservations about the purchase.

Mrs Keegan explained that the Council was not being asked to approve the purchase. The condition of the building, the terms and conditions of the leases, the balance of risk and return on investment, and other matters about which concern had been expressed, would all be considerations to be taken into account once the survey and due diligence investigations had been completed.

The Chief Executive suggested that the Cabinet should be asked to make the decision whether to proceed with the acquisition itself, rather than delegate it. Such decision would be subject to call-in, under the rules in the Constitution. Mr Dignum proposed an amendment to the recommendation accordingly, duly seconded, and this was carried.

RESOLVED

That £1,010,000 be allocated from reserves for this purchase, subject to the Cabinet being satisfied as to the outcome of due diligence investigations.

The meeting ended at 4.40 pm

CHAIRMAN

Date:

WRITTEN ANSWERS TO QUESTIONS

Minute 103 Replacement Telephone System

Mrs Purnell asked whether the “caller display” function on home telephone numbers would display the telephone number of callers on the Council’s new system, which were blocked on the present system. In answer to Mrs Purnell’s question, the Council has chosen to use the caller identity blocking facility (which is optional) because if an officer rings a customer and they are not available – if the customer checks their missed calls and it shows our main number as 785166 – they ring us back – come through to the switchboard and as we will not know who rang them, it is not very helpful to the customer.

That said, we can and do over-ride the caller ID when making outbound calls by dialling 1470 as a prefix to the number being dialled– this will then display the CDC number being used so if officers are ringing Members from a direct line, they can use this prefix so that the Member knows it is a CDC call. This will remain the same with the new telephone system. I will send a reminder to staff to use this facility when telephoning Members from a direct line.

Cllr Finch was asked a question regarding the contract arrangements and the ability to withdraw if technology advanced. The telephone system is being bought rather than leased with an expected shelf life as described at the meeting, but the service contract is renewable annually. So the investment is a sunk cost but we would be able to extract ourselves from the service costs if there was a significant step change in available technology within the life of the system.

The contracting is joint with Arun, so there is one contract, but the costs are allocated to each council so if there was an issue of costs to Arun which did not affect Chichester that would be clearly highlighted.

I hope that addresses the issues raised adequately but if there any further technical queries please do not hesitate to contact Jane Ryan.