



Minutes of the meeting of the **Cabinet** held in Committee Room 2 at East Pallant House East Pallant Chichester West Sussex on Tuesday 8 January 2019 at 09:30

**Members Present** Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mr J Connor, Mrs J Kilby, Mrs S Taylor and Mr P Wilding

**Members Absent**

**Officers Present** Mr M Allgrove (Divisional Manager for Planning Policy), Mrs H Belenger (Divisional Manager for Financial Services), Mr N Bennett (Divisional Manager for Democratic Services), Mr A Buckley (Corporate Improvement and Facilities Manager), Mrs J Dodsworth (Director of Residents' Services), Mrs T Flitcroft (Principal Planning Officer (Local Planning)), Mr A Frost (Director of Planning and Environment), Mr A Gregory (Project Manager - Estates), Mr T Guymmer (Principal Planning Officer), Mrs J Hotchkiss (Director of Growth and Place), Mr D Hyland (Community and Partnerships Support Manager), Mr P Legood (Valuation and Estates Manager), Mr J Mildred (Divisional Manager for Corporate Services), Ms H Nicol (Housing Delivery Manager), Mr P E Over (Executive Director), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Legal and Democratic Services Officer), Mr J Ward (Director of Corporate Services) and Miss C Williams (Community Liaison Officer)

## 629 **Chairman's Announcements**

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) greeted the members of the public and Chichester District Council (CDC) members and officers and the two press representatives who were present for this meeting.

The emergency evacuation procedure was read out.

There were no apologies for absence and all members of the Cabinet were present.

There were no late items for consideration.

Mr Dignum had no specific announcements of his own to make.

At his invitation details of the following matter were announced by Mrs E Lintill (Deputy Leader of the Council and Cabinet Member for Community Services):

**Beautiful South Tourism Awards 2018-2019 - Tourism Event/Festival of the Year – Bronze Award – Chichester Roman Week – The Novium Museum Chichester West Sussex**

Mrs Lintill said that she had attended the Beautiful South Tourism Awards 2018-2019 ceremony at The Grand Brighton on 5 December 2018 at which The Novium Museum had received a bronze award in the Tourism Event/Festival of the Year category for the Chichester Roman Week it had arranged. She praised The Novium for this accolade, which was a telling testimony to the team's hard work in devising and displaying the exhibition. Mr Dignum concurred with those sentiments and commended The Novium.

[**Note** Hereinafter in these minutes CDC denotes Chichester District Council]

[**Note** Minute paras 630 to 644 below summarise the Cabinet's discussion of and decision on agenda items 2 to 16 inclusive but for full details of the items considered in public session please refer to the audio recording facility via this link:

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=979&Ver=4>]

630 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 4 December 2018, which had been circulated with the agenda.

There were no proposed changes to the minutes.

*Decision*

The Cabinet voted unanimously on a show of hands to approve the aforesaid minutes without making any amendments.

**RESOLVED**

That the minutes of the Cabinet's meeting on Tuesday 4 December 2018 be approved.

631 **Declarations of Interests**

There were no declarations of interests made by members at this meeting.

Certain officers would withdraw from the room during the consideration of the following agenda items:

**(1) AGENDA ITEM 6: CORPORATE PAY REVIEW**

Those officers (below the level of the Senior Leadership Team) who were affected by the current comprehensive review of the jobs and salaries of CDC staff and who were present for various agenda items. However, officers who would be presenting the report or providing administrative support during the meeting would remain.

Mr J Ward (Director of Corporate Services) declared a personal and prejudicial interest in this item as his wife was a CDC employee and he would withdraw from the table to the public seating area for its duration.

**(2) AGENDA ITEM 16: STAFFING MATTERS**

All officers save for the Chief Executive, the Monitoring Officer, the Divisional Manager Financial Services and the Legal and Democratic Services Officer.

632 **Public Question Time**

Questions had been submitted by two members of the public.

The questions (with the date of submission shown within [ ] at the end of the text) and the answers given by Mrs S Taylor (Cabinet for Planning Services) and Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) were as follows.

In (1) below, in view of the number of questions to be asked, it was agreed that for ease of convenience each question and response would be paired. In these minutes, however, the responses appear collectively after the questions.

*(1) Questions by Mr M Dicker*

'In accordance with public question time at next week's Cabinet meeting I would like to get answers to the following questions:

1. Why has Chichester District Council (CDC) agreed to accommodate the 205 houses from the SDNP unmet housing need when pressure for space is already acknowledged and it has no legal obligation to do so?
2. If CDC is not prepared to hand back this unmet need then where is the need from in terms of which communities within the SDNP (by settlement area)? This is essential to know.
3. CDC states: "The Local Plan Review will assist the creation of new jobs in a variety of ways, most obviously through the allocation of land for employment uses, ...by supporting local services in rural areas ... enhancing visitor facilities, supporting expansion of education and training, building new dwellings and facilitating improvements to transport and telecommunications."

Can CDC explain how the large element of economically inactive population from the SDNP will benefit from "land for employment uses" when it is not within easy

reach of public transport for them? Having acknowledged this omission can CDC confirm that a better solution would be to identify employment space around Goodwood or to the north of the city to meet this unmet need and enable rural communities to become more economically active?

4. There is deep concern about the provision of infrastructure (including transport) at the moment. Why then does the Local Plan Review Preferred Approach – out for consultation - state and I quote:

“For this reason an independent viability study will be carried out to inform this strategy and the IDP”?

5. The Local Plan Review Preferred Approach states:

“The landscape of the coastline is characterised by its relatively flat topography which, on occasion, serves to provide views from the water across to the South Downs National Park.”

Why then is CDC proposing employment space and housing at AL6/AP6 and a link road which will directly impact not only the views from the water of the Cathedral but perhaps the only view of the Cathedral from the water framed by long-distance views of the South Downs?

6. Why has CDC including its contractors Peter Brett Associates not worked closely with Highways England in accordance with "The strategic road network, planning for the future A guide to working with Highways England on planning matters" in the development of the transport study as part of the evidence for the Local Plan Review? I hope that that will be reflected in the forthcoming reply to my freedom of information request.

7. The Local Plan Review Preferred Approach states:

“The impacts of development (including landscape, flooding and transport) in this location [AL6], along with the commercial attractiveness of the site, will need to be tested further as this Local Plan Review is prepared. However, based on an initial assessment of the area so far, it is considered that there is potential to deliver significant development in this area which addresses the constraints of the site and its wider environment.”

Can CDC please confirm:

- a. Why has it gone to consultation with an untested strategic site proposal?
- b. What plans has it got to re-consult on this specific site which is the only untested site in the Plan?
- c. What contingency site is available should this site prove to be unviable?
- d. What impact will this site have on the water treatment site for both flooding and effluent from the developments or proposed developments?

[Thursday 3 January 2019]

*Responses by Mrs S Taylor*

1. The Local Plan Review includes provision for 41 dwellings per annum to help accommodate unmet housing needs from the part of the National Park within Chichester District. One of the legal tests the Local Plan Review needs to pass at examination is the Duty to Cooperate. The National Planning Policy Framework requires local planning authorities to work together to meet identified housing needs under the Duty to Cooperate. You are welcome to make a formal representation on the Local Plan Review should you consider that CDC should adopt a different approach.
2. CDC has to follow the methodology set out by government to calculate objectively assessed housing need. This assessment of need is determined at District level and is not broken down to the level of individual settlements, for areas within or outside the National Park. The South Downs National Park Authority prepared its draft Local Plan before the government methodology came into force and commissioned its own evidence base on housing need. Similarly, this does not include analysis at settlement level.
3. The economically inactive population will not be likely to benefit from land for employment uses as this mainly consists of children and retired people. Should you consider that there are better locations for employment development than are currently identified in the Local Plan Review which would meet the needs of the economically active population of the South Downs National Park, or elsewhere, in terms of accessibility by public transport, then you are welcome to make formal representations on the Local Plan Review: Preferred Approach.
4. The Whole Plan Viability Study cannot be effectively carried out until there is a draft plan. Given the need to progress the Local Plan Review in a timely manner, this is being carried out now, following agreement of the draft plan by the Council and in parallel with the consultation. Any policy implications will be dealt with in the next iteration of the Local Plan Review which, it is anticipated, will be subject to consultation later this year.
5. CDC's evidence-based studies to support the Local Plan Review have not at this stage all been finally concluded and, for example, the conclusions of the landscape study and further on-going work in relation to the allocated sites in the Plan will help inform their suitability for development. You are welcome to make formal representations to consultation on the Local Plan Review should you consider that there are better sites for housing and employment development and an alternative solution for mitigation of the transport impacts of development that do not involve the link road.
6. Peter Brett Associates (PBA) through regular liaison with Highways England has followed the procedures set out in the document entitled *The strategic road network, Planning for the future: A guide to working with Highways*

*England on planning matters*, by involving Highways England in all aspects of its work and allowing it to comment at all stages, from first inception and through to the completed document. Therefore, PBA believes that it has clearly followed the advice in the document and worked closely with Highways England and its appointed consultant at all stages of the project. CDC has engaged and will continue to engage with Highways England on the proposed improvements to the strategic road network that form part of the Local Plan Review.

7. a. Consultation, including gaining the views of statutory and other consultees, is part of testing the strategic site proposal and it is expected that further evidence will be provided by the land owner prior to the submission of the Local Plan Review for examination.
- b. The whole of the Local Plan Review will be the subject of a further round of consultation before the plan is submitted for formal examination.
- c. The Local Plan Review: Preferred Approach does not include any contingency or reserve site. However, if you believe that it should you are welcome to make formal representations to the current consultation.
- d. It is not expected that there will be any impact on the Apuldram Wastewater Treatment Works in terms of flooding. Southern Water as a statutory undertaker needs to provide sufficient capacity to treat wastewater from the development, either through an upgrade to those works or transferring to an alternative works. If you have concerns about these issues you are welcome to raise them through formal representations to the current consultation.'

Mr Dicker expressed his gratitude for the informative answers which he had been given.

Mrs D Shepherd (Chief Executive) referred to the first question and response and pointed out that when the Council on 20 November 2018 approved the Chichester Local Plan Review 2035 Preferred Approach – Consultation December 2018 it had not made any decision on whether CDC should provide the 41 dwellings per annum to help accommodate the unmet housing need within the South Downs National Park (SDNP).

Mr Dicker remarked that his second question asked where within the SDNP's settlements the unmet housing need existed if CDC was not prepared to accommodate it.

Mr Dignum said that Mr Dicker had received answers to all his questions and no decision had yet been made on the SDNP unmet need of 41 houses in Chichester District.

*(2) Question by Mr P Robinson – Chairman of the Friends of Priory Park*

'As Chairman of the Friends of Priory Park I would like to ask the following question:

I note that at its meeting on June 2018 the Cabinet agreed to an expenditure of £17,000 for the restoration of the eponymous Coade Stone in Priory Park\*. An officer from Chichester District Council (CDC) failed to attend a meeting with Mr Tomason, a recognised authority in the restoration of coade, in the autumn. It seemed that there had been a discourtesy and that CDC was dragging its feet on restoration work of the statue which required a specialist skill to restore rather than repair. Has CDC sent an apology to Mr Tomason and when is it envisaged that restoration work will begin on the statue, a significant artefact in the history of the city?'

[\***Note** Although not part of the immediately foregoing question, Mr Robinson appended as a point of interest the following historical background, which demonstrated in his view that 'there was certainly a vibrancy in the city at the end of the end of the eighteenth century.'

'The statue is almost certainly the work of John Bacon (1740 – 1799) the chief designer and manager of the Coade Artificial Stone Company from 1771. Eleanor Coade, born in Lyme Regis, was the elder daughter of Eleanor and George Coade. In 1769, following her father's second bankruptcy, Eleanor and her mother went into business with Daniel Pincot, a manufacturer of artificial stone in Lambeth. Significant to the restoration, the artificial stone included, glass, clay, silicates and quartz and restoration needs to understand this composition.

For me, an importance of the statue is its celebration of the intellectual life of the city. The City Corporation had initially bought the statue to adorn the civic water supply in South Street and sold it to Dr Guy in 1800. Dr William Guy, a pupil of John Hunter, the founder of scientific surgery, practised in Chichester. He was a close friend of the poet William Hayley, who lived at Earham House, and the sculptor John Flaxman, responsible for several monuments within the Cathedral. John Marsh, the diarist, who moved to Chichester in 1787 would have known of Guy, Hayley and Flaxman.

When William Guy died in 1825 the statue was entombed with him in his mausoleum, under the north-west tower of the Cathedral. It was his grandson, William Augustus Guy, also a medical doctor and FRS, who presented the statue to Priory Park in 1873.']

[Friday 4 January 2019]

*Response by Mr A Dignum*

'The Coade Stone's importance was recognised, hence the decision to approve funds for its restoration. Officers have not been able to locate the diary appointment for the meeting that was scheduled with Mr Tomason. If a CDC officer was expected at the meeting you to which you refer and did not attend then officers would like to extend their apologies to the attendees of the meeting, including Mr Tomason.

The resolution made by the Cabinet in June 2018 agreed an overall budget of £57,000 for the approved works in Priory Park. The project team is exploring the

opportunity to work with local conservation specialists on the Coade Stone's repair alongside the alternative specialist restoration approach. As yet there is not a set date for the repair works to be carried out but once this is programmed officers will share that information with all stakeholders and I hope that this will progress as soon as possible.'

The immediately foregoing response concluded public question time.

633 **Adoption of the Chichester Local Plan Site Allocation Development Plan Document**

The Cabinet received and considered the agenda report and its nine appendices in the main agenda supplement.

This item was presented by Mrs S Taylor (Cabinet Member for Planning Services).

Mrs T Flitcroft (Principal Planning Officer (Local Planning)) and Mr M Allgrove (Planning Policy Manager) were attendance for this matter.

Mrs Taylor said that the main purpose of the *Site Allocation Development Plan Document 2014-2029* (SA DPD) (appendix 1) was to deliver non-strategic residential and employment sites as set out in the *Chichester Local Plan: Key Policies 2014-2029* (CLP) adopted in July 2015 and provide guidance for the development of those sites. Once adopted it would form part of CDC's Development Plan. The SA DPD applied only to those parishes which either did not have an adopted neighbourhood development plan (NDP) or which had a NDP that had not reached pre-submission stage by April 2017. The SA DPD also (a) reviewed settlement boundaries and, where appropriate, recommended changes thereto and (b) identified (in accordance with the CLP) a local centre for East Wittering. The SA DPD had been submitted to a rigorous process including a number of formal consultations, culminating in an examination by a planning inspector. The SA DPD was pronounced to be sound in the inspector's report (appendix 2) subject to the inclusion of the main modifications recommended by and more minor modifications agreed with the inspector (appendix 3). The SA DPD related to the CLP and not the emerging *Chichester Local Plan Review*.

Mrs Flitcroft and Mr Allgrove did not add to Mrs Taylor's introduction.

The Cabinet proceeded immediately to vote on the recommendation in the report.

*Decision*

The Cabinet voted unanimously to make the recommendation set out below.

**RECOMMENDATION TO THE COUNCIL**

That the submitted Local Plan Site Allocation Development Plan Document 2014-2029, amended to include all the main modifications recommended by the planning inspector to make the Plan sound, together with other more minor modifications already agreed with the inspector, be adopted and published (including any



consequential and other appropriate minor amendments) in accordance with regulation 26 of the Town and Country Planning (Local Planning) Regulations 2012.

#### 634 **Corporate Pay Review**

[**Note** Immediately prior to the commencement of this item various CDC officers present for items on the agenda withdrew from the room for its duration, as intimated in para (1) in minute 631 above. The Senior Leadership Team, the Monitoring Officer, the two advisory officers mentioned below, and the two Democratic Services representatives remained.]

[**Note** In accordance with his previous declaration of interest (minute 630), at the outset of this item Mr J Ward (Director of Corporate Services) withdrew from the table to the public seating area for the duration of this item]

The Cabinet received and considered the agenda report and its appendix.

This item was presented by Mr P Wilding (Cabinet Member for Corporate Services).

Mrs J Dodsworth (Director of Residents Services) was in attendance for this matter.

Mr Wilding said that CDC had used the current pay and grading structure for nearly 30 years. Over that time jobs and the wider employment market had evolved significantly, which had created staff recruitment and retention difficulties in certain areas or at certain pay grades. There was also the legal requirement to ensure equal jobs were rewarded with equal pay and this review would ensure CDC's compliance therewith. Since the Cabinet had first considered a report setting out the available options in September 2016, a comprehensive review of all job roles had been undertaken. All job profiles (excluding Chichester Contract Services, which was on local terms and conditions) had now been rewritten and subsequently re-evaluated to ensure that CDC maintained a fair and consistent pay structure. The current pay and grading structure had also been reviewed, using independent benchmarking (taking into account local recruitment and retention factors) to highlight specific areas requiring attention. CDC officers and the external consultants had created a new proposed pay structure (appendix 1) which addressed all of the issues identified.

The impact on staff as a result of the proposed changes was as follows:

- (a) 46% of staff would see an increase in total pay
- (b) 42% of staff would see no change in total pay
- (c) 12% of staff would see a reduction in total pay

Any members of staff who were negatively affected would be covered by CDC's pay protection scheme, whereby any salary reduction would be phased in over a three-year period. During November 2018 formal consultation took place with staff representatives and Unison. A detailed statistical analysis of the proposal had been undertaken by Unison, which demonstrated that the revised pay and grading

structure was well-balanced and complied with equalities standards. Unison had confirmed it would support the corporate pay review scheme.

The Cabinet had previously agreed to set aside £300,000 per year to support the new pay structure; this estimate had been revised to £303,500 per year on CDC's annual revenue budget. The release of up to £360,600 from previously earmarked reserves, covering the periods 2019-2020 to 2021-2022, was also being recommended to fund salary protection costs for staff who would receive a reduced salary, although this might not need to be fully utilised since if any of those staff left CDC during the pay protection period, their successors would immediately assume the new salary grade.

Mrs Dodsworth advised that Unison had stated both orally and in writing that it endorsed the new corporate pay scheme but its signed collective agreement was awaited. For that reason the recommendation in para 2.1 of the report would be amended by the addition after '1 April 2019' of the words 'subject to receipt of the signed collective agreement from Unison'.

Mrs Dodsworth responded to members' questions with respect to (a) the use of earmarked reserves to fund salary protection costs; (b) the continued use of market supplements where appropriate; and (c) the appeal procedure for staff whose salary would be reduced.

Mrs D Shepherd (Chief Executive) pointed out that under the New Reward Scheme all CDC staff would at least receive the minimum living wage.

### *Decision*

The Cabinet voted unanimously to make the recommendations (as amended in the case of (1)) set out below.

### **RECOMMENDATION TO THE COUNCIL**

- (1) That the proposed New Reward Scheme (NRS) be adopted with effect from 1 April 2019 subject to receipt of the signed collective agreement from Unison.
- (2) That the budget allocation of £303,500 per annum to support the NRS, funded by the £300,000 annual budget that has previously been set aside to support the pay review, with the £3,500 shortfall added to the revenue base budget 2019-2020, be approved.
- (3) That the release of up to £360,600 from previously earmarked reserves to fund salary protection costs during the three-year period 2019-2020 to 2021-2022 be approved.

**[Note** The collective agreement was signed and received on 17 January 2019]

**[Note** At the end of this item Mr Ward returned to the table from the public seating area and officers who had withdrawn from the room re-joined the meeting]

## 635 Initial Project Proposals 2019-2020 and Corporate Plan

The Cabinet received and considered the agenda report and its nine appendices in the main agenda supplement.

This item was initially presented by Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) before each appendix containing one of the initial project proposal documents (IPPDs) was introduced by the relevant Cabinet member.

Mr A Buckley (Corporate Improvement and Facilities Manager) was in attendance for this matter together with the officers who had written the various IPPDs.

Mr Dignum explained that whilst it was proposed that the Corporate Plan 2018-2021, approved by the Council in January 2018, should remain unchanged for 2019-2020, there were several new IPPDs being recommended together with the release of funds to enable the requisite feasibility work in respect thereof to be undertaken.

The nine IPPDs were each considered in turn with an introduction, proposed amendments and officers' responses to members' questions as summarised below:

- (1) *Resurfacing and Improved Drainage at Westhampnett Depot* (Appendix 1): introduced by Mr R Barrow (Cabinet Member for Residents Services); no amendments; no questions.
- (2) *East Beach Selsey Land/Asset Opportunities* (Appendix 2): introduced by Mr Dignum; **amendment** to section 2, Project Description, by the addition of a second para to say that a task and finish group would be established, jointly chaired by Mr R Barrow and Mr J Connor (Cabinet Member for Environment Services), to oversee the IPPD process on behalf of the Cabinet; no questions.
- (3) *East Wittering and Bracklesham Vision* (Appendix 3): introduced by Mr Dignum; the IPPD would be **amended** (a) to state in section 2, Project Description, that the task and finish group already established for the Bracklesham Bay project should oversee this IPPD on behalf of the Cabinet and (b) at the request of Mrs S Taylor (Cabinet Member for Planning Services), insert in the fifth and sixth lines in section 7, Benefit vs. Cost, the words 'an options appraisal as to whether' in place of 'a specific proposal'; no questions.
- (4) *Review of Chichester District Parking Strategy* (Appendix 4): introduced by Mr Dignum and Mrs T Murphy (Divisional Manager Place), who said that this review, which was held every ten years, was not concerned with charges/tariffs but parking infrastructure to ensure that the latest advances in parking were adopted for the benefit of residents and visitors to ensure that Chichester District's car parks were fit for the future; no amendments; no questions.

- (5) *Priory Park – Phase Two Option Appraisal* (Appendix 5): introduced by Mr Dignum; **amendments**: (a) deletion of the current café site in the scoping list in section 2 and addition of a second sentence in the second para that the café would be considered as a separate matter outside this IPPD; (b) insertion of a third para in section 2 stating that the portfolio holder would be kept in close touch with the IPPD's progress; (c) addition of a second sentence in the third para in section 3, Background, stating that the café would be considered as a separate matter to this IPPD; (d) deletion of the third bullet point in section 3, Background, relating to the café; (e) deletion in fourth bullet point in section 3 of 'open' after 'community' in the first line and 'function' in the second line and insertion of 'using the Brick Pavilion' in the first line after 'park'; and (f) deletion in the table in section 5, Timescales, of (i) the second row in its entirety and (ii) 'open community space' in the third row; no questions.

Mr Dignum allowed Mr R Plowman (Chichester West) to address the Cabinet about this IPPD. Mr Plowman referred to the five priority areas listed in para 3.1 of the report. Overall he was very supportive of the changes to improve Priory Park, which was one of the city's notable historic and recreational assets. He endorsed refurbishment of the White Pavilion. Having regard to the Brick Pavilion's plausible credentials for being regarded as the birthplace of International Test Cricket, its fabric should be maintained and the building made available for community use; grants might be available to achieve this and there was an architect who was interested to work on that aspect of the project. He suggested renaming the building as the W G Grace Pavilion. The public conveniences clearly needed refurbishment. He advocated the establishing of a task and finish group to help achieve the IPPD's objectives, on which he would be willing to serve. The Coade Stone, which was a very important statue, would require very careful restoration (not repair) by a specialist.

Mr Dignum thanked Mr Plowman for the useful points and suggestions which he had made. He was sure that officers would seek to secure grants and also the appropriate specialist advice and skills for Priory Park's prized assets. He and Mr Plowman would work closely together with Mrs V McKay (Divisional Manager Property and Growth) and Mrs J Hotchkiss (Director of Growth and Place).

- (6) *Novium – Business Plan Feasibility Work* (Appendix 6): introduced by Mrs E Lintill (Deputy Leader of the Council and Cabinet Member for Community Services); no amendments; no questions.
- (7) *Expanding the Gigabit project to achieve a 'lit up' city* (Appendix 7): introduction by Mr P Wilding (Cabinet Member for Corporate Services) – with the first phase of this county-wide Gigabit project due to be completed in summer 2019 to connect over 300 public sector sites across the county to superfast Gigabit service, attention had turned to looking at the potential to extend Gigabit to more sites in Chichester and also more widely in Midhurst; if for example some 50 sites could be connected in Chichester for a very approximate cost of £800,000, the contractor could be in a position to

connect all homes and businesses across the whole city and achieve a 'lit up' city; discussions and details were at an early stage eg cost-sharing, other funding sources and the number and distribution of further sites across the city or in a town (relevant to the project's feasibility); accordingly CDC would develop a joint business case with West Sussex County Council; **amendment:** insert at the end of the second para the following sentence: 'A further phase will look at the potential to extend the service in the two towns in the north of the district.'; Mr J Mildred (Divisional Manager Business Support) said that some fundamental infrastructure provision would be required before Gigabit could be extended to more rural areas; Mr Dignum gave examples of some of the three sites in Midhurst which were due to be connected to Gigabit in 2019; no questions.

(8) *Working with Hyde on Asset Management* (Appendix 8): introduction by Mrs J Kilby (Cabinet Member for Housing Services); no comments by Miss N Nicol (Housing Delivery Manager); no amendments; no questions; the importance of this IPPD was emphasised by Mr Dignum.

(9) *Emerging Vision Projects and Resources* (Appendix 9): introduction by Mr Dignum; **amendment:** delete the branding project and the funding source for it from the table in section 6, Project Costs and Resources and add source funding for wayfinding project; Mr Dignum noted a suggestion by Mr J Connor that the saving of £40,000 in respect of branding for this IPPD could perhaps instead be used to implement wayfinding in other areas.

At the end of the discussion Mr Buckley said that as these were only IPPDs the full project initiation documents (PID) in each case would be brought to the Cabinet at a later date.

### *Decision*

The Cabinet voted unanimously to make the recommendations (in the case of (1) subject to the foregoing amendments) set out below.

#### **RESOLVED BY THE CABINET**

- (1) That the new project proposals for 2019-2020 as set out in appendices 1 to 9 (as amended) to the agenda report be agreed.
- (2) That it be noted that the Gigabit and the Depot resurfacing and Drainage projects will be subject to full Project Initiation Document approval.

#### **RECOMMENDATION TO THE COUNCIL**

- (1) That it be agreed that the Corporate Plan approved in January 2018 shall remain unchanged for the year 2019-2020.
- (2) That the release of £206,000 from Chichester District Council's General Fund Reserve to fund the feasibility work and small projects identified in para 5.2 (as amended) of the agenda report for 2019-2020 be approved and that

£30,000 of this funding be released with immediate effect to allow for the Novium business plan feasibility work.

**636 Gatwick Airport Draft Master Plan 2018**

The Cabinet received and considered the agenda report and its two appendices in the main agenda supplement.

This item was presented by Mrs S Taylor (Cabinet Member for Planning Services).

Mr T Guymer (Principal Planning Officer (Strategic Planning)) and Mr M Allgrove (Planning Policy Manager) were in attendance for this matter.

Mrs Taylor described Gatwick Airport's status as the second busiest airport in the UK in terms of the number of passengers (45.7 million in 2018, expected to rise to 53 million by 2023) and as a major employer and economic influence in the south east of England. Its impact on Chichester District was in both economic and environmental terms, particularly for the north of the area due to noise disturbance from overhead aircraft. Since it would take a long time to construct a new runway at Heathrow (a decision confirmed by the government in October 2016), it was acknowledged that in the meantime better use should be made of existing runways. In the case of Gatwick, this meant its standby runway, the deployment of which was currently restricted by a legal agreement. The owners of Gatwick had prepared a draft master plan which set out the immediate priorities and considered three growth strategies: scenarios 1 to 3 in para 3.19 of the report. Those scenarios were not mutually exclusive and all of them could be pursued if the requisite consents were obtained. She referred to an analysis by officers of the potential impacts (appendix 1) and the proposed consultation response (appendix 2). Clearly further evidence was required to justify many of the aspirations and objectives in the draft document and thus officers advised that (a) broad support should be offered for scenario 1, (b) concerns be expressed in relation to scenario 2, especially the ability of existing transport infrastructure to accommodate the anticipated increase in the use of the airport, the potential impact on housing needs in the wider area and the environment including noise, and (c) the proposal to safeguard land in scenario 3 should be questioned in view of the Gatwick option not having been ultimately supported by the government.

Mrs Taylor concluded by advising that this matter was to be treated as an urgent decision and so not subject to CDC's call-in procedure in the Constitution because the consultation response needed to be submitted by the deadline of Thursday 10 January 2019, which would be the first day of the call-in process for executive decisions made at this meeting. In accordance with the Constitution the Chairman of the Council had consented to the call-in process being disapplied in the case of this decision of the Cabinet.

Mr Guymer and Mr Allgrove did not add to Mrs Taylor's introduction.

Mrs E Hamilton (Chairman of the Council), who was present as an observer, came to the table and informed the Cabinet that she had read the papers for this item both after their publication and again earlier on the morning of this meeting, when she

had also spoken with Mrs D Shepherd (Chief Executive) about whether in accordance with section 4.5 in Part 4 of CDC's Constitution this matter should be treated as urgent and so not be subject to the call-in procedure. In view of the nature of this matter, the imminent deadline expiry for submitting CDC's response to this consultation and the applicable provisions of the Constitution, she was content that the Cabinet's decision in this matter should be treated as urgent thereby disapplying the call-in procedure.

The Cabinet proceeded immediately to vote on the recommendation in the report.

### *Decision*

The Cabinet voted unanimously to make the resolution set out below.

### **RESOLVED**

- (1) That the recommended response set out in appendix 2 to the agenda report be endorsed as Chichester District Council's response to the consultation on the draft Gatwick Airport Master Plan.
- (2) That this decision is urgent and therefore is not subject to Chichester District Council's call-in procedure, the consent of the Chairman of the Council having been obtained both that this decision is reasonable in all the circumstances and that it should be treated as a matter of urgency, having regard to the consultation's closing date of 10 January 2019.

[**Note** In accordance with para 36 in section 4.5 in Part 4 of Chichester District Council's *Constitution*, the fact that this decision was taken as a matter of urgency and the reason for the urgency would be formally reported to the Council meeting on Tuesday 22 January 2019]

## **637 Commissioning of West Sussex Community Advice Service**

The Cabinet received and considered the agenda report.

This item was presented by Mrs E Lintill (Deputy Leader of the Council and Cabinet Member for Community Services).

Mr D Hyland (Community Engagement Manager) and Miss C Williams (Community Liaison Officer) were in attendance for this matter.

Mrs Lintill summarised the report with particular reference to sections 3, 4 and 5.

Mr Hyland and Miss Williams did not add to Mrs Lintill's introduction.

Mrs Taylor and Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) both emphasised the importance of continued funding for this vital and greatly valued service; Mrs Lintill pointed out that (as stated in para 8.1 of the report) CDC's Grants and Concessions Panel was satisfied with the annual performance of Arun and Chichester Citizen's Advice (ACCA).

Several members of the Cabinet expressed their strong support for the excellent work undertaken by ACCA, how funding for the service was one way in which CDC sought to support the vulnerable in its communities and their hope that West Sussex County Council would continue to fund the service beyond 2019-2020.

*Decision*

The Cabinet voted unanimously to make the resolution set out below.

**RESOLVED**

- (1) That, subject to continued partner funding, the continuation of the Funding Partnership to commission a Community Advice Service across West Sussex for up to three years from April 2019 with West Sussex County Council as the lead authority be agreed.
- (2) That (a) authority be delegated to the Director of Housing and Communities, following consultation with the Cabinet Member for Community Services, to agree the specification and signing of the contract and (b) the annual monitoring of performance be delegated to the Grants and Concessions Panel.

**638 Land at Mill Road and Covington Road Westbourne - Community Trust Proposal**

The Cabinet received and considered the agenda report.

This item was presented by Mrs J Kilby (Cabinet Member for Housing Services).

Mr P Legood (Valuation and Estates Manager) and Miss H Nicol (Housing Delivery Manager) were in attendance for this matter.

Mrs Kilby explained that CDC's Housing Delivery team was currently supporting Westbourne Community Land Trust (CLT) through CDC's community-led housing early stage support programme. A housing needs survey had recently been undertaken by the team on behalf of Westbourne Parish Council (WPC), which revealed a far greater local affordable housing need than the 19 households currently on the housing register. No new affordable units would be delivered on the allocated sites within Westbourne neighbourhood development plan (NDP). The CLT was incorporated as a Community Benefit Society in November 2017. The steering group members had assumed trustee roles for the interim period. The CLT was hosting two public drop-in events on 8 and 9 February 2018, which would provide an opportunity for the community to find out more about the CLT's aims and objectives. An invitation would be delivered to every residential address in the parish shortly. There would also be an opportunity for the community to provide comments on the Mill Road Site and become a member of the CLT. Once more members had been enlisted the CLT would host its first public meeting to confirm and vote on the CLT's objectives, the composition of the board make-up, and the policies it would adopt.



The CLT was examining a range of possible sites which could deliver affordable housing to meet the local need, one of which was the land to the rear of 30 to 56, Mill Road. Usually, at this point in the CLT process the groups would be having closed discussions with private landowners prior to public consultation. However, as CDC was the land owner, it had to publish its intentions. This site had been retained by CDC following the large scale voluntary transfer in 2001, as it was thought to have long term potential for market development. In 2015 WPC was keen to work with CDC to promote part of the land for housing development in its emerging NDP, on the basis that the remainder of the site would have been protected in the longer term for recreational use. Unfortunately, this was not carried forward to the adopted version of the NDP because an alternative site (not favoured by WPC) was granted planning permission on appeal and fulfilled the housing allocation required for the village. As such, the site was outside the settlement boundary and so there was no current potential for a private sector housing development.

The CLT had requested CDC to dispose of the land to it, subject to the CLT securing planning permission for an affordable housing exceptions site. Any such scheme would be subject to all the relevant policies in the adopted Chichester Local Plan, including those relating to exception sites and open spaces. The CLT had written to the residents of Mill Road and the adjoining properties seeking their views of the proposal and to attend the public events next month. There were a number of constraints attached to the land which would need to be investigated further before any scheme could be brought forward. WPC had a lease on the land until 2033, which meant that its support to proceed with any development would be required. CDC was able to make grants available for CLTs to cover professional costs for the preparation of any planning application. The project was at a very early stage and many processes would need to be undertaken before a scheme could come to fruition. Mrs Kilby would be responding to all the points which had been made by residents.

The site was considered to be surplus to CDC requirements as the Parish Council managed the current use and the site would be sold to facilitate proposals such as the CLT scheme for affordable housing.

Mr Legood and Miss Nicol did not add to Mrs Kilby's introduction.

The Cabinet proceeded immediately to make the following decision.

#### *Decision*

The Cabinet voted unanimously to make the resolution set out below.

#### **RESOLVED**

- (1) That the land to the rear of 50-56 Mill Road and the land at Covington Road Westbourne be declared surplus to requirements.
- (2) That it be agreed that following the declaration in (1), the actions set out in section 5 of the agenda report are to be pursued by the officers under delegated authority.

## 639 **Recording of Committee Meetings**

The Cabinet received and considered the agenda report.

This item was presented by Mr P Wilding (Cabinet Member for Corporate Services).

Mr N Bennett (Monitoring Officer and Divisional Manager Democratic Services) was in attendance for this matter.

Mr Wilding summarised the background to and basis for audio recordings of proceedings at certain CDC meetings, which had been approved in September 2015 as a trial project and extended in May 2017. Some technical problems had been overcome and Mr Bennett now had confidence in the system, which afforded simple access by the public, enabled a live broadcast in the case of high-significance matters such as certain major planning applications, produced some savings in officer time in preparing minutes, and could facilitate the investigation of complaints about alleged conduct and statements made in meetings. The annual cost of the system was £3,900. The options of no longer recording meetings or looking at another system (including audio-visual models) had been considered. Although not perfect, the system was now reliable and by some margin the most cost effective available to CDC.

Mr Bennett did not add to Mr Wilding's introduction.

In reply to questions by Mr R Barrow (Cabinet Member for Residents Services), Mr Bennett gave details of the estimated monthly access to the audio recordings by website users and said that advice was taken on how to increase public awareness of the facility.

### *Decision*

The Cabinet voted unanimously to make the resolution set out below.

### **RESOLVED**

That the ongoing audio recording and publishing of the Council, the Cabinet, the Planning Committee, the Overview and Scrutiny Committee and the Corporate Governance and Audit Committee meetings online be approved.

## 640 **Voluntary and Community Sector Infrastructure Support**

The Cabinet received and considered the agenda report.

This item was presented by Mrs E Lintill (Deputy Leader of the Council and Cabinet Member for Community Services).

Mr D Hyland (Community Engagement Manager) and Miss C Williams (Community Liaison Officer) were in attendance for this matter.

Mrs Lintill summarised the report with particular reference to sections 3, 4, 5 and 8. She concluded by saying that she personally attended the AGM of Voluntary Action

Arun and Chichester (VAAC) and it was obvious to her that VAAC assisted many voluntary organisations and provided vital support for new and established volunteers.

Mr Hyland and Miss Williams did not add to Mrs Lintill's introduction.

The Cabinet proceeded immediately to make the following decision.

*Decision*

The Cabinet voted unanimously to make the resolution set out below.

**RESOLVED**

- (1) That, subject to continued partner funding, it be agreed that Chichester District Council participates in a funding partnership with West Sussex County Council, Clinical Commissioning Groups and other West Sussex district and borough councils to agree joint funding principles of West Sussex Voluntary and Community Sector Infrastructure Support services.
- (2) That (a) authority be delegated to the Director of Housing and Communities, following consultation with the Cabinet Member for Community Services, to agree a service specification and signing of a three-year funding agreement and (b) the annual monitoring of performance be delegated to the Grants and Concessions Panel.

**641 Late Items**

As stated during agenda item 1 (minute 629) there were no late items for consideration at this meeting.

**642 Exclusion of the Press and Public**

In order to consider the confidential exempt matters at agenda items 15 (St James Industrial Estate Chichester) and 16 (Staffing Matters), Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) first read out the resolution set out below, which was then duly proposed and seconded.

*Decision*

The Cabinet voted unanimously to make the resolution set out below.

**RESOLVED**

That in accordance with section 100A of the Local Government Act 1972 (the Act) the public and the press should be excluded from the meeting during the consideration of agenda items 15 (St James Industrial Estate Chichester) and 16 (Staffing Matters) for the reason that it is likely in view of the nature of the business to be transacted that there would be disclosure to the public of 'exempt information' being information of the nature described in Part 1 of Schedule 12A to the Act namely:

(a) in the case of agenda item 15, Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information))

and

(b) in the case of agenda item 16, Paragraph 1 (information relating to any individual)

and because in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

[**Note** Immediately after the making of this resolution there was a short adjournment between 11:10 and 11:17]

### 643 **St James Industrial Estate Chichester**

The Cabinet received and considered the confidential exempt agenda report and its two appendices in the main agenda supplement, which had been circulated to members and officers only.

The report was presented by Mr A Dignum (Leader of the Council and the Cabinet Member for Growth and Place).

Mr P Legood (Valuation and Estates Manager) and Mr A Gregory (Project Manager) were in attendance for this matter.

Mr Dignum summarised the salient aspects of the report.

Mr Legood confirmed the figure in para 3.2 of the report and advised that in the final line of para 6.1 '18.18' should be substituted for '17'.

Mr Legood answered members' questions on points of detail.

Members of the Cabinet expressed their full support for the project initiation document (PID) scheme.

#### *Decision*

The Cabinet voted unanimously to make the resolutions and the recommendation set out below.

#### **RESOLVED BY THE CABINET**

- (1) That the PID for the part refurbishment and part replacement of units at St James Industrial Estate be approved.
- (2) That (a) the fact that the site is no longer reserved to accommodate relocation needs relating to the Southern Gateway project as indicated in

section 4.8 of the agenda report be noted and (b) resolution (5) made by the Cabinet on 2 October 2018 in minute 592 be therefore rescinded.

**RECOMMENDATION TO THE COUNCIL**

That the allocation of £5,225,000 of New Homes Bonus Reserves for this project, inclusive of temporary loss of revenue as referred to in section 8.4 of the agenda report, be approved.

644 **Staffing Matters**

**[Note** Immediately prior to the commencement of this item all CDC officers present withdrew from the room for its duration (and indeed the remainder of the meeting) save for the Chief Executive, the two advisory officers named below and the Legal and Democratic Services Officer, as intimated in para (2) in minute 631 above]

The Cabinet received and considered the confidential exempt agenda report and its two appendices, all of which were contained in the second agenda supplement and had been circulated to members and a very limited number of officers only.

The report was presented by Mrs D Shepherd (Chief Executive).

Mr N Bennett (Monitoring Officer and Divisional Manager Democratic Services) and Mrs H Belenger (Divisional Manager Financial Services) were in attendance for this matter.

Mrs Shepherd provided a comprehensive summary of the agenda papers.

Mr Bennett and Mrs Belenger did not add to Mrs Shepherd's introduction.

Mrs Shepherd answered members' questions on points of detail.

*Decision*

The Cabinet voted unanimously to make the recommendations in the report stated below.

**RECOMMENDATION TO THE COUNCIL**

That the recommendations set out in the paras 3.1 to 3.5 inclusive of the confidential exempt agenda report be approved.

**[Note** The meeting ended at 11:48]

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CHAIRMAN

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DATE

