

Public Document Pack



Minutes of the meeting of the **Cabinet** held in the Committee Rooms, East Pallant House on Tuesday 6 June 2023 at 2.00 pm

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

Members Absent

In attendance by invitation

Officers Present Mrs L Baines (Democratic Services Manager), Mr N Bennett (Divisional Manager for Democratic Services), Bristow (Housing Delivery Officer), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mrs T Murphy (Divisional Manager for Place), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive), Ms K Standing (Divisional Manager, Revenues, Benefits and Housing), Mrs F Stevens (Divisional Manger for Planning), Mr J Ward (Director of Corporate Services) and Williams (Housing Enabling Officer)

1 **Chair's Announcements**

Cllr Moss welcomed all those present and those watching online to the first Cabinet meeting of the new administration. He thanked the previous Cabinet for their hard work and support of the community and also thanked officers for their help and support in working with the new Cabinet members in preparation of the new administration.

Cllr Moss then raised the following that had been sent in from Cllr Chant:

A resident wrote to several Councillors expressing views and experiences as a member of the LGBTQ community in Chichester. The accounts of harassment raises concerns that there is a growing problem in Chichester.

Cllr Chant asks on behalf of the LGBTQ community:

1. *What will the District Council do to show solidarity with and representation of residents who are part of the LGBTQ community?*

2. *What will the District Council do to create safe spaces and culture change within Chichester District to support members of the LGBTQ community?*

3. *What is the new Cabinet's message to this community in Chichester District?*

Cllr Moss explained that a full response would be sent to Cllr Chant and the resident of the concerns raised.

Cllr Moss added that the council's message is that it will reach out to all communities in our District to ensure that they are all given the respect they deserve. He acknowledged that it is important that our District celebrates diversity and respects all residents. He explained that the council will work across community groups and organisations to ensure all residents are shown respect and dignity.

2 **Approval of Minutes**

Mr Bennett explained that as there were no members on Cabinet that were Cabinet members at the last two meetings that no concerns had been raised to officers about the minutes and as such members could be assured that they could approve the minutes.

In two separate votes the following resolutions were agreed:

RESOLVED

1. That the minutes of the Cabinet meeting held on 7 March 2023 be signed and approved as a correct record.
2. That the minutes of the Cabinet meeting held on 20 March 2023 be approved and signed as a correct record.

3 **Declarations of Interests**

There were no declarations of interest.

4 **Public Question Time**

The following public questions and answers were heard:

Question from Joseph O'Sullivan:

What are the Council doing about the growing housing crisis in the local private rented sector?

Rents are increasing but the Local Housing Allowance (LHA) is frozen at 2019 levels.

In the year up to March 2023 there were only 5 properties in this area advertised with Rightmove where the rent was covered by LHA.

Freezing LHA will lead to more rent arrears, evictions and homelessness.

Answer from Cllr Betts:

Thank you for your question. I agree with you this is a real problem not only for Chichester but nationally.

The government's Renters Reform Bill is currently in development but unfortunately makes no reference to rent setting.

Local Housing Allowance rates are set by the Valuation Agency Office (VOA). LHA rates are reviewed annually by them but do not necessarily increase annually and as you rightly say have been frozen since 2019. I can confirm that private rent levels are not regulated, and landlords can choose to charge whatever amount of rent they decide. It is also important for me to emphasise that as a local authority, whilst we have no control over this, we do understand the enormity of this issue.

As such we are committed to the delivery of affordable housing and are on track to have delivered 1,000 affordable homes by 2025 over the life of our Housing Strategy. We also provide funding to support Community Land Trusts who can deliver affordable housing for local people. As a local authority we provide support to residents moving through rent in advance and deposit schemes. We also administer a Discretionary Housing Payment scheme to support residents in the short-term with rent shortfalls. Whilst Discretionary Housing Payments cannot be long-term, we do support residents as much as we can, and the Council put an additional £100,000 in 2023/24 to support the budget provided to us by the Department of Work & Pensions.

Mr O'Sullivan was invited to ask a supplementary question. He explained that as a volunteer at the Citizens Advice Service he saw that people are in need of support as housing is expensive in the area. He looked forward to the council providing help. Cllr Moss responded by explaining that housing is a priority of the council. He thanked Mr O'Sullivan for his question and comments. Cllr Betts then added that he was committed to raising the issues with the local MP.

Question from Tom Broughton:

The current Climate Emergency Action Plan is unlikely to meet its objectives of "10% reduction in greenhouse gas emissions year-on-year until 2025", excepting the extraordinary consequence of the COVID lockdown. Will the action plan be reviewed, including a comprehensive engagement with the population of the Chichester District?

Also, will a Local Area Energy Plan be developed for the Chichester District?

Answer from Cllr Brown:

Thank you Tom, for your question. It is an enormous challenge and the short and plain-speaking answer is that I agree with you that we are not on course to meet the targets within the action plan – certainly at least as far as the area-wide target goes.

But yes, the action plan will be reviewed and yes, we need greater engagement with the population of the District.

We are a new Cabinet and a new Council, so we will be looking at our options for addressing the Climate Emergency. We will look at how our action plan can help us as an organisation and all of us in the district reduce our carbon emissions and work toward a net zero future as rapidly as possible. We recognise how important it is to get everyone - residents, businesses, parish councils and other community organisations working together to fight climate change.

There are a number of ways we might do this effectively, each with their own pros and cons, so I do not think we can commit to a specific approach today, but it is vital that we do this and vital that we get it right.

I personally am not – yet – very familiar with Local Area Energy Plans, but they look very interesting and we will consider the merits of putting time and money into facilitating one. We would want to see how it might meet the needs of the businesses and other public sector organisations who would deliver the plan alongside us. I suspect you are already aware, but I should flag up the constrained capacity of the national grid to accept new connections for larger scale energy generators in this area, over the short to medium term, which could be a major factor in weighing up the effectiveness of such a Plan. Thank you for suggesting it as a way forward – I really appreciate it and will study it further.

Mr Broughton was invited to ask a supplementary question but had no further comment to add. Cllr Moss thanked him for his question and comments.

Cllr Moss explained that a third question had been submitted but as the member of the public was unable to attend a written response would be provided to them.

5 Development Management Resources

Cllr Brisbane introduced the item. Ms Stevens was invited to the table.

Cllr Brown gave his support to the proposal. He asked how much the council was paying for external specialist support versus how much officers could provide knowledge internally. Ms Stevens explained that the consultants brought in are specialist in their field and able to respond to detailed questioning by barristers when cross examined at appeals. She added that officers provide the planning technical expertise.

Cllr Chilton asked for assurance that the proposed budget would provide the level of barrister needed. Ms Stevens explained that the barristers are employed on a case by case basis ensuring they are suitably experienced and qualified.

Cllr Moss asked whether the proposed budget allowed for an appeal to run over the estimated timescale. Ms Stevens confirmed that a 10% contingency fund had been applied and that any additional funding beyond that would require a further report to Cabinet.

In a vote the following recommendations to Council were agreed:

RECOMMENDATION TO COUNCIL

That Cabinet recommends to Council to approve:

1. The release of £21,000 from reserves to cover the cost of retaining temporary agency staff to address current staff vacancies, and
2. The release of £276,650 from reserves to cover the cost of engaging specialist professional services to support the local planning authority in defending six planning appeals.

6 Car Parks Maintenance Contract

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

Cllr Moss invited Cllr Sharp to the table as she had pre-submitted a question on the item. Cllr Sharp noted the update that a tick was to be added to include climate change on the report table on page 22 of the agenda pack. She then asked what the balance would be between financial requirements and environmental requirements. Cllr Moss responded he explained that the environment will be a focus of the council. In relation to the report it would be considered in line with the council's procurement scheme. Mr Bennett added that there would be new procurement regulations later in the year which would be likely to provide greater scope for discretion.

In a vote the following resolutions were agreed:

RESOLVED

1. That Cabinet approves a 3-year contract with contractor B, in appendix one, to undertake maintenance works within CDC's car parks.
2. That Cabinet approves delegated authority to the Divisional Manager of Place to agree an option to extend the contract for a further 2 years subject to performance.

7 Contract for repairs and maintenance works for domestic properties

Cllr Betts introduced the item. Ms Standing was invited to the table.

Cllr Moss commented that the proposal was a big improvement. He asked how it would work to ensure completion in a timely manner. Ms Standing explained that it would be through good contract management in order to turn around the properties as quickly as possible so they are ready for residents.

Cllr Moss congratulated officers in bringing the report forward.

In a vote the following resolutions were agreed:

RESOLVED

1. That Cabinet approves a 3-year contract with Contractor B (with an option to extend for up to a further 2 years) at a value over 5 years of £457,500, and budget growth of £6k per annum.
2. That Cabinet delegates authority to the Divisional Manager for Housing, Revenues and Benefits to extend the contract up to a further 2 years subject to satisfactory performance.

8 Membership, Role and Terms of Reference for Panels

Cllr Moss explained that he wished to add an additional recommendation to the report to request that Panel meetings, where possible, in the Constitution be moved into public from September 2023. This was seconded by Cllr Brown. Cllr Moss then asked Cllr Chilton if he was happy for Mr Bennett to introduce the item and the updates as a Monitoring Officer matter. Cllr Chilton agreed.

Mr Bennett then introduced the item. He explained that Panels are a mechanism for members to discuss, understand, interpret and make recommendations. He explained that the additional recommendation would provide opportunity for the public to attend or view the Panel's included but at this point it would not provide provision for public participation included public questions as it is not accounted for in the council's Constitution and would require an amendment through Full Council.

Mr Bennett then outlined Appendix 1. He explained that on page 5 Cllr Hickson would be removed from the Development Plan and Infrastructure Panel membership as there is only provision for 10 members. He clarified that Appendix 2, the Panels Terms of Reference had been tabled at the meeting and would be published alongside the minutes of the meeting. Appendix 3 also had one amendment to add membership for the new Coastal Partners arrangements with this being proposed as Cllr Richard Bates.

Cllr Chilton added that the appointments had been considered by members as a whole with the appointments to Panels proportionate to political balance.

Cllr Moss confirmed that the Cabinet would consider any amendments to the Panels Terms of Reference over the summer. He added that the Panels being held in public would be from September to allow Democratic Services time to prepare the changes required.

Cllr Brown added that members appointed to Outside Bodies will be asked to report back to the whole council about the work of the Body they are appointed to.

In a vote the following resolutions were agreed:

RESOLVED

1. ***That Cabinet establish the membership of all Panels at the Council as set out at Appendix One as amended.***

2. *That Cabinet note the legal restrictions upon operation of panels at the authority.*
3. *The Cabinet approve the External Bodies appointments as set out in Appendix Three as amended.*
4. *That the Cabinet resolves to move all Panel meetings into public from September 2023 with items to be restricted as required under Part II regulations.*

Cllr Chilton left the meeting.

9 **Urgent Decision Notice - Free Parking in Midhurst**

RESOLVED

That the Urgent Decision Notice related to free parking in Midhurst be noted.

10 **Urgent Decision Notice - S106 Grant to Birdham Scouts**

RESOLVED

That the Urgent Decision Notice be noted.

11 **Late Items**

There were no late items.

12 **Exclusion of the Press and Public**

Cllr Moss invited Mrs Rudziak to explain the reasoning for the item being in Part II. She explained that it was due to the figures included which detailed the financial support required towards the project.

Cllr Moss then proposed that the Cabinet went into Part II. This was seconded by Cllr Brown.

RESOLVED

That the Cabinet considers in respect of agenda item 13 that the public including the press should be excluded from the meeting on the following ground of exemption in Schedule 12A to the Local Government Act 1972 namely Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) 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.

13 **Allocation of Commuted Sums to Deliver Affordable Housing**

Cllr Betts introduced the item. Ms Williams and Mr Bristow were invited to the table.

Cllr Betts thanked Liz Reed, James Brigden, Louise Williams and Mark Bristow for their work on the project. He then outlined an amendment to recommendation 2.

Cllr Briscoe was invited to the table to speak by Cllr Moss.

Cllr Bangert congratulated the Community Land Trust and their Chair. She also thanked Cllr Briscoe for his support.

Cllr Brisbane asked a question that was answered by Ms Williams in relation to the distribution of funding.

Cllr Brown congratulated the Community Land Trust and asked for further information about any similar schemes which was provided by Ms Williams.

Cllr Moss asked officers what members could do to further support the project. Ms Williams responded. Cllr Betts made a suggestion of an item for an All Parishes meeting. Cllr Moss agreed.

Cllr Moss congratulated officers in bringing the report forward.

In a vote the following recommendations to Council were agreed:

RESOLVED

That the recommendations set out in sections 2.1 and 2.2 of the report as amended be approved.

The meeting ended at 3.19 pm

CHAIRMAN

Date: