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Minutes of the meeting of the **Cabinet** held in Committee Rooms, East Pallant House on Tuesday 5 March 2024 at 9.30 am

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

Members Absent Mr M Chilton

In attendance by invitation

Officers Present Mrs L Baines (Democratic Services Manager), Mr J Barnes (Principal Revenues Officer), Mr N Bennett (Divisional Manager for Democratic Services), Mr T Day (Environmental Strategy Manager), Mr L Foord (Divisional Manager for Communications, Licensing & Events), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mrs V Owen (Principal Planning Policy Officer), Mr T Radcliffe (Human Resources Manager), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive), Dr Andrea Smith (Climate Change Officer), Ms A Stevens (Divisional Manager for Environmental Protection), Mrs F Stevens (Divisional Manger for Planning), Mr J Ward (Director of Corporate Services), Mr T Whitty (Divisional Manager for Planning Policy) and Williams (Housing Enabling Officer)

114 **Chair's Announcements**

Apologies for absence were received from Cllr Chilton.

Cllr Moss noted that the Amendments to the Council's Grants and Concessions Programme item would be taken as the last report prior to Late Items.

One Late Item was announced which followed the recommendation made by the General Licensing Committee on 28 February 2024.

115 **Approval of Minutes**

In a vote the following resolution was agreed:

RESOLVED

That the minutes of the Cabinet meeting held on 6 February 2024 be approved as a correct record.

116 Declarations of Interests

There were no declarations of interest.

117 Public Question Time

One public question had been received from Simon Oakley.

The question was as follows:

The geographical scope of the draft Three Harbours Strategy (CDC 5 March 2024 Cabinet Agenda item 11) is outlined on page 25 of that document.

It appears its Eastern extent extends into parts of the Aldingbourne Rife catchment, which does not feed into Pagham Harbour. It does not include the whole of the proposed Easternmost Strategic Wildlife Corridor (SWC) within CDC's Proposed Submission Local Plan, part of whose object is to ecologically link the SDNP with Pagham Harbour. The text on page 25 of the draft Strategy indicates the scope is aligned with the area studied in the natural capital baseline conducted by NatCap in 2022 on behalf of the partnership.

Could you advise as to the rationale for parts of the Aldingbourne Rife Catchment being within, and part of the Eastern SWC being outside, the scope of this strategy and the NatCap study area?

Cllr Brown provided the following response:

Thank you for your question, The Strategy area is intended to cover the surface water catchments of the three harbours (excluding the South Downs National Park). The map on page 115 of the agenda pack is not particularly high resolution but I have asked officers to check it against the Environment Agency catchment maps and the eastern boundary does appear to follow the western edge of the Aldingbourne Rife catchment. There does seem to be a minor discrepancy near the junction of the A27 and the A285.

However, the strategy is high level and across a wide range of partners whose operational boundaries and areas of focus vary considerably. Nothing in the Strategy document would prevent us or any other partner bringing forward a project that overlapped with, but did not exactly align with, the catchment area mapped. The Strategic Wildlife Corridors project is an example of that. The easternmost corridor route is based on terrestrial ecology across the landscape, not the protection of the harbours (the driver for this strategy), but instead to allow for ecological connection.

The focus of the strategy is ecological recovery of the harbour protected sites and that is why hydrological connections rather than terrestrial habitat networks underpin the area of focus. The inclusion of the easternmost strategic corridor would mean that a substantial portion of the Aldingbourne rife would then be included in the strategy area.

Mr Oakley was permitted a supplementary question. He asked whether Cllr Brown would agree that the Strategies eastern boundary should align with the council's strategic wildlife corridors. Cllr Brown explained that he would reflect on the matter and then respond.

118 **Revised Local Development Scheme 2024-2027**

Cllr Brisbane introduced the item. Mr Whitty was present and he was invited to add to the introduction.

Cllr Desai asked whether the consultation could be flagged on social media as well as on the website. Mr Whitty clarified that the information which will go on the website is a summary rather than a consultation. He added that he could ask the PR team to add a social media link.

Cllr Moss asked whether there is a prescribed format for feedback and response to feedback. Mr Whitty explained that any feedback received would be responded to on an individual basis.

Cllr Bangert requested Southbourne parish council involvement in the preparation of the site allocation development plan document. Mr Whitty confirmed that he would be involving the parish as appropriate.

In a vote the following recommendation was agreed:

RECOMMENDATION TO COUNCIL

That Cabinet recommends to Council that it approves the revised Local Development Scheme.

119 **Senior Staff Pay Policy Statement 2024-2025**

Cllr Moss introduced the item. Mr Radcliffe was present. Mr Radcliffe confirmed that mileage rates have changed since the agenda went to print. As of 1 April 2024 the rate will revert to a lower rate of 46.9p. He added that the previously higher rate had taken account of an increase in fuel costs.

In a vote the following recommendation was agreed:

RECOMMENDATION TO COUNCIL

That the Council be recommended to publish the Senior Staff Pay Policy Statement 2024-2025.

120 **Chichester Harbour Investment and Adaptation Plan**

Cllr Brown introduced the item. Mrs Stevens and Ms Box were present.

Cllr Moss requested further information about how partners will work together on the project. Ms Box responded by explaining that all partners are integral to the project. She hoped to get letters of support for the business plan. She explained it would be a new way of working with the partners. She confirmed that once funding had been received all partners would be invited to meet.

Cllr Brown requested further information. Ms Box explained that new coastal strategies usually focus on individuals and their properties. The new way of working will also consider the undeveloped frontages and those who work in the harbour or use it for leisure. She explained that there is currently no national guidance to adapt to the new approach.

Cllr Moss requested information on Langstone Harbour. Ms Box explained that is outside the Chichester scope but there is a strategy which covers Hayling Island although not Langstone Harbour specifically.

Cllr Brown-Fuller asked if there had been opportunity to consult with coastal communities. Ms Box explained that the coastal regeneration project focusses on those communities.

In a vote the following resolutions were agreed:

RESOLVED

- 1. That Cabinet approves the submission of a business case to the Environment Agency for Grant in Aid (GiA) funding to develop an Investment and Adaptation Plan for Chichester Harbour.**
- 2. That Cabinet approves the preparation and delivery of a Chichester Harbour Investment and Adaptation Plan to help strengthen the resilience of the communities and environment of Chichester Harbour to flooding and coastal change to the year 2100 and beyond, if GiA funding is secured.**

121 **Energy Procurement**

Cllr Brown introduced the item. Ms Smith and Mr Bennett were present.

Mrs Hotchkiss drew members attention to Appendix 1 on page 79 which outlined that if approved today the council would make savings on its electricity. Budgetary adjustments would be made accordingly.

Cllr Bangert requested information on how the council compares with other council on its use of renewable energy. Mr Bennett explained from the council's procurement work that there had been some projects including at the Depot where the council ranks well but that the position was not completely clear as this is an evolving area of improvement for all authorities.

RESOLVED

That Cabinet:

- a) **Resolve to continue as a participating authority in a tripartite contract with the LASER Energy Buying Group and enters into a 'purchase in advance' contract for a minimum of 1 and maximum of 2 years with effect from 1 October 2024, with the inclusion of the data and reporting bureau service.**
- b) **Delegate authority to the Divisional Manager for Property and Growth in consultation with the Cabinet Member for Property and Regeneration to extend the contract into the second year, with effect from 1 October 2025, if required.**
- c) **Note that a further report will be brought to Cabinet from officers on completion of a full assessment of the options to procure energy in a way that is likely to lead to greenhouse gas emission reductions from CDC's energy use.**

122 **Nutrient Mitigation Fund - Round 2 bid**

Cllr Brisbane introduced the item. Mrs Owen and Mr Whitty were present.

Mrs Owen explained that she anticipated the Fund to be launched this week.

Cllr Brown asked whether there would be any duplication with the Bid already agreed. Mrs Owen explained that there had been positive reaction to the suggestion of Chichester submitting its own Bid.

Cllr Moss requested further information on the timescales. Mrs Owen explained that if the round opens this week the deadline will be the end of April 2024 in order for the government to commit funds during the 2024/25 financial year. Cllr Moss asked whether the council has schemes that can be brought forward in that timeframe. Mrs Owen referred members to section 3.4 of the report which outlined a range of possible options.

RESOLVED

That Cabinet authorises the Director of Planning and Environment in consultation with the Cabinet Member for Planning, to work with the PfSH Strategic Environmental Planning team to prepare a bid to Round 2 of the Nutrient Mitigation Fund, for submission by Fareham Borough Council as lead authority for the wider Solent nutrient sensitive catchment area.

123 **Three Harbours Strategy 2024-2028 - Consultation Response**

Cllr Brown introduced the item. Mr Day was present.

Mr Day outlined comments made at the Environment Panel meeting the previous day:

- With reference to section 11.6 members had asked what could be done to use the forthcoming climate champions network to support public engagement work on the Three Harbours Strategy.
- With reference to section 12.9 the next condition assessment of Pagham Harbour by Natural England is expected at a point this year to be confirmed.
- With reference to 12.10 clarification was requested for the reference to the proposed nutrient mitigation bid.
- With reference to section 14.7 the Chichester Harbour investment and adaption plan stakeholder engagement process will be useful for others to follow.
- With reference to sections 16.7 and 16.8 members of the Panel gave their support.

Mr Day explained that the aim is to provide a single point of contact for land owners and managers which can then provide additional signposting to advice and the most suitable funding opportunities as needed.

Mr Day agreed to add a sentence to explain that the strategy could be strengthened by adding links to flood prevention work.

Cllr Brown asked for confirmation that Mr Oakley's comments would be included. This was agreed and included in the recommendation members voted on.

In a vote the following resolution was agreed:

RESOLVED

That the consultation response in Appendix 2 is submitted as the Council's response, subject to the comments made by Environmental Panel members at their meeting on 4 March and the public question from Simon Oakley on 5 March 2024.

124 Amendments to the Council's Grants and Concessions Programme

Cllr Bangert introduced the item. She explained that there was an error in the spelling of her name on page 51. She also wished to thank Mr Brigden for his work during his secondment.

Mrs Bushby and Mr Barnes were present.

Cllr Brown-Fuller asked whether certain grants that benefit those tackling cost of living crisis will have more weighting. Mrs Bushby explained that they could benefit from funding which would be considered by the Panel. Mrs Bangert explained the importance of recurring funding for organisations such as Stonepillow.

Mr Briscoe was permitted to speak. He explained the importance of Grants and Concessions Panel for supporting small charities. With regard to resolution 3 Cllr

Briscoe raised concerns. He suggested that allowing recurring grants for up to three years could restrict the use of funds for other organisations. Mrs Bushby was invited to respond. She explained that it would be the exception rather than the rule dealt with on a case by case basis.

Cllr Brown-Fuller asked whether reviews will be built in if a charity were given a three year funding allocation. Mrs Bushby explained that funding would be reviewed on a year on year basis and would be subject to a service level agreement.

Cllr Bangert explained that there will be reviews annually to ensure every base is covered.

RESOLVED

- 1. To update the third grant programme priority, currently called “Targeted Projects” to the wording in appendix 2 to support grant applications from community organisations and charities responding to the cost-of-living crisis.**
- 2. To delegate authority to officers, in consultation with the Grants and Concessions Panel, to make all necessary amendments to the programme guidance documents and assessment frameworks to align with recommendation 2.1.**
- 3. To amend the Grants and Concessions policy to reflect the amendment at section 9.3 in appendix 1. Giving the Grants and Concessions Panel the discretion to make recurring grant awards (up to three years in exceptional circumstances).**
- 4. To amend the Grants and Concessions policy to reflect a change in legislation in regard to rate relief at section 12.6 in appendix 1.**

125 **Late Items**

General Licensing Committee recommendation

Cllr Brown-Fuller introduced the item. Mr Foord was present.

The late item followed the recommendation made by the General Licensing Committee on 28 February 2024.

Cllr Brisbane referred to the debate at the Licensing Committee to spread the increase over two years. He explained that the initial recommendation would be too large an increase in one go. He added that the rate of inflation had affected the recommendation. He asked members going forward to consider the impacts of inflation. Mr Bennett clarified that this will put the council back in the position of working within the council’s policies. He added that it remained work in progress rather than restoration immediately.

Cllr Brown wished to clarify if the service costs are statutory. Mr Foord explained that it is a statutory licensing function. He added that there is no intention to set fees to make a surplus. If a surplus were made it must be reinvested to support that function. Mr Bennett explained that it is difficult to predict the financial position.

Mrs Hotchkiss explained that a number of licenses are granted for three years and a number for five years.

Cllr Moss requested clarification of any impact on the Budget. A £32,000 impact on the Budget was confirmed by Mr Ward. He explained that the income would be reviewed and any adverse variance addressed in year.

RESOLVED

That Cabinet confirm the proposed fees and charges set by General Licensing Committee, attached in appendix one, at their meeting of 28 February 2024.

126 **Exclusion of the Press and Public**

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

In a vote the following resolution was agreed:

RESOLVED

That the Cabinet considers in respect of agenda items 14-17 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.

Members took a short break.

127 **Allocation of Commuted Sums to Deliver Affordable Housing - Chichester**

Cllr Betts introduced the item. Mrs Williams and Ms Standing were present. Cllr Betts wished to thank officers for their tenacity in their work to deliver affordable housing.

Questions and comments were made by Cllr's Brown, Bangert, Brisbane, Desai and Brown-Fuller. Mrs Williams provided responses.

In a vote the following recommendations were agreed:

RECOMMENDATION TO COUNCIL

That Cabinet recommends to Council the recommendations as set out in sections 2.1 and 2.2 of the report.

128 **Allocation of Commuted Sums to Deliver Affordable Housing - Midhurst**

Cllr Betts introduced the item. Mrs Williams and Ms Standing were present.

Questions and comments were made by Cllr's Brisbane and Brown-Fuller. Mrs Williams provided responses.

In a vote the following recommendations were agreed:

RECOMMENDATION TO COUNCIL

That Cabinet recommends to Council the recommendations as set out in sections 2.1 and 2.2 of the report.

129 **Urgent Decision Notice - Temporary Accommodation**

RESOLVED

That the Urgent Decision Notice be noted.

130 **Urgent Decision Notice - Grant Funding**

RESOLVED

That the Urgent Decision Notice be noted.

The meeting ended at 11.07 am

CHAIRMAN

Date:

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