

**JOHN WARD**

Director of Corporate Services

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A meeting of the **Cabinet** will be held in Committee Room 2 at East Pallant House East Pallant Chichester West Sussex on **Tuesday 6 November 2018 at 09:30**

**MEMBERS:** 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

## **AGENDA**

### **PRELIMINARY MATTERS**

#### **1 Chairman's Announcements**

The chairman will:

- make any specific announcements for this meeting and
- advise of any late items for consideration under agenda item 11 (a) or (b)

Apologies for absence will be taken at this point.

#### **2 Approval of Minutes** (pages 1 to 16)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 2 October 2018, a copy of which is circulated with this agenda.

#### **3 Declarations of Interests**

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

#### **4 Public Question Time**

In accordance with Chichester District Council's scheme for public question time and with reference to standing order 6 in part 4 A and section 5.6 in Part 5 of the Chichester District Council *Constitution*, the Cabinet will receive any questions which have been submitted by members of the public in writing by 12:00 on the previous working day. The total time allocated for public question time is 15 minutes subject to the chairman's discretion to extend that period.

## **RECOMMENDATIONS TO THE COUNCIL**

**5      Absence Management Policy (pages 17 to 18)**

The Cabinet is requested to consider the agenda report and its appendix in the agenda supplement and to make the following recommendation to the Council:

That the revised Absence Management Policy be approved.

**6      Determination of the Council Tax Reduction Scheme for 2019-2020 (pages 19 to 23)**

The Cabinet is requested to consider the agenda report and its three appendices in the agenda supplement and to make the following recommendation to the Council:

That the Council Tax Reduction Scheme for 2019-2020 be approved.

**7      Non-Domestic Rates Discretionary Scheme 2017-2021 (pages 25 to 28)**

The Cabinet is requested to consider the agenda report and its appendix in the agenda supplement and to make the following recommendation to the Council:

That the amended Non-Domestic Rate Discretionary Scheme for 2017-2021 be approved.

### **KEY DECISIONS**

NONE

### **OTHER DECISIONS**

**8      Funding of East Beach Outfall Replacement (pages 29 to 31)**

The Cabinet is requested to consider the agenda report and to make the following resolution:

That £100,000 from reserves be released to replace the approved funding from the Community Infrastructure Levy with the balance funded from revenue resources to the extent that it is not otherwise met from external grant from Southern Water to fund the replacement of the East Beach surface water outfall.

**9      Proposed Fees and Charges for the New Animal Welfare Licensing Regime (pages 33 to 37)**

The Cabinet is requested to consider the agenda report and its appendix and to make an appropriate resolution in the light of the following recommendation:

That the Cabinet considers and makes any recommendations on the new fees and

charges in relation to the administration and enforcement of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 for consideration by the General Licensing Committee when coming to its decision.

**10 Temporary Appointment to Bury Parish Council (page 39)**

The Cabinet will consider the draft decision of appointment circulated with the agenda, receive an oral report and be asked to make the following resolution:

That Henry Potter, the Chichester District Council member for the Boxgrove ward, be appointed pursuant to section 91 (1) of the Local Government Act 1972 as a parish councillor with the Bury Parish Council until such time as vacancies at the Bury Parish Council have been filled by election.

The following background information should be noted:

Section 91 (1) of the Local Government Act 1972 provides (insofar as is material):

'Where there are so many vacancies in the office of parish or community councillor that the parish or community council are unable to act, the district council ... may by order appoint persons to fill all or any of the vacancies until other councillors are elected and take up office.'

The clerk and chairman of Bury Parish Council (BPC) have reported to Chichester District Council's Monitoring Officer that they are unable to operate due to being inquorate and they have verified that BPC requires the appointment of a district councillor in order to become quorate. The appointment will end once sufficient members are elected to BPC to enable it to be quorate without the district councillor's membership or on 31 December 2019, whichever comes first.

## **FINAL MATTERS**

**11 Late Items**

- (a) Items added to the agenda papers and made available for public inspection
- (b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting

**12 Exclusion of the Press and Public**

The Cabinet is asked in respect of agenda item 13 (Transfer of Service) to make a resolution that the public including the press should be excluded from the meeting on the following grounds of exemption in Part I of Schedule 12A to the Local Government Act 1972 namely Paragraphs 1 (information relating to any individual) and 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      **Transfer of Service** (pages 41 to 45)

The Cabinet is requested to consider the agenda report, which is confidential exempt\* material with a restricted circulation to Chichester District Council members and relevant officers only (printed on salmon-coloured paper), and to make the following recommendation to the Council:

That the terms of the proposal outlined in section 5 of the agenda report be approved and that officers be authorised to agree the proposed contract.

\*[**Note** The ground for excluding the public and press during this item is that it is likely that there would be a disclosure to them of 'exempt information' of the description specified in Paragraphs 1 (information relating to any individual) and 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]

#### **NOTES**

- (1) The press and public may be excluded from the meeting during any item of business wherever it is likely that there would be disclosure of 'exempt information' as defined in section 100A of and Schedule 12A to the Local Government Act 1972.
- (2) The press and public may view the report appendices which are not included with their copy of the agenda on the Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless they contain exempt information.
- (3) Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council's *Constitution*]
- (4) A key decision means an executive decision which is likely to:
  - result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates or
  - be significant in terms of its effect on communities living or working in an area comprising one or more wards in the Council's area or
  - incur expenditure, generate income, or produce savings greater than £100,000

## **NON-CABINET MEMBER COUNCILLORS SPEAKING AT THE CABINET**

Standing Order 22.3 of Chichester District Council's *Constitution* provides that members of the Council may, with the chairman's consent, speak at a committee meeting of which they are not a member, or temporarily sit and speak at the Committee table on a particular item but shall then return to the public seating area.

The Leader of the Council intends to apply this standing order at Cabinet meetings by requesting that members should *normally* seek his consent in writing by email in advance of the meeting. They should do this by noon on the day before the meeting, outlining the substance of the matter that they wish to raise. The word normally is emphasised because there may be unforeseen circumstances where a member can assist the conduct of business by his or her contribution and where the chairman would therefore retain his discretion to allow the contribution without the aforesaid notice.