

Public Document Pack

JOHN WARD
Director of Corporate Services

Contact: Graham Thrussell on 01243 534653
Email: gthrussell@chichester.gov.uk

East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY
Tel: 01243 785166
www.chichester.gov.uk



Notice of Meeting

To All Members of Chichester District Council

You are hereby summoned to attend a meeting of **THE COUNCIL** in the Council Chamber East Pallant House East Pallant Chichester West Sussex PO19 1TY on **Tuesday 20 November 2018** at **14:00** for the transaction of the business set out in the agenda below

A handwritten signature in black ink, appearing to read 'DS' followed by a long horizontal stroke.

DIANE SHEPHERD
Chief Executive

Monday 12 November 2018

NOTES

(1) The Council meeting will be preceded by the following arrangements for members:

- **11:45** Open Forum
- **12:30** Lunch
- **13:00** Road Space Audit Member Briefing
- **13:45** Intermission

(2) Members are requested to bring with them to this meeting their copies of (a) the agendas and agenda supplements for the Cabinet's ordinary meetings on Tuesday 2 October 2018 and Tuesday 6 November 2018; (b) the agenda for the Cabinet's special meeting on Wednesday 14 November 2018; and (c) the confidential agenda for the Development Plan and Infrastructure Panel's meeting on Thursday 1 November 2018, which contains the documents in the agenda supplement for the Cabinet's aforesaid special meeting. The papers for (a) and (b) may also be viewed in the committee papers section of Chichester District Council's website and exempt material for the Cabinet meetings and the Development Plan and Infrastructure Panel meeting on the extranet via logging into Modern.Gov.

AGENDA

PRELIMINARY MATTERS

1 **Approval of Minutes** (pages 1 to 13)

After an initial welcome and the reading of the emergency evacuation procedure by the chairman, the Council will be asked to approve as a correct record the minutes of the meeting on Tuesday 25 September 2018, a copy of which is circulated with this agenda.

2 **Urgent Items**

The Chairman will announce any late items which are to be dealt with under agenda item 16 (Late Items).

3 **Declarations of Interests**

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

4 **Chairman's Announcements**

Apologies for absence will be notified at this point.

The chairman will make any specific announcements.

5 **Public Question Time**

In accordance with Chichester District Council's public questions scheme and with reference to standing order 6 in Part 4 A and section 5.6 in Part 5 of the Chichester District Council *Constitution*, consideration will be given at this point in the meeting to questions which have been submitted by members of the public in writing by 12:00 on the previous working day. The time allocated for public question time is subject to the chairman's discretion to extend the period for each member of the public (five minutes) or the total time for public questions (15 minutes).

RECOMMENDATIONS BY THE CABINET

The Council is requested to consider the following recommendations in agenda items 6 to 13 inclusive, which were either made by the Cabinet at its ordinary meetings on Tuesday 2 October 2018 and Tuesday 6 November 2018 (items 6 to 11 inclusive) or which are anticipated to be made at its special meeting on Wednesday 14 November 2018 (items 12 and 13).

A - TUESDAY 2 OCTOBER 2018

6 Allocation of Affordable Housing Commuted Sums

The material relevant to this item is the report on pages 25 to 27 of the agenda considered by the Cabinet at its meeting on Tuesday 2 October 2018.

RECOMMENDATION TO THE COUNCIL

That the allocation of £165,000 commuted sum monies to Windsor and District Housing Association Ltd (Radian) to fund the delivery of eight additional affordable units at Flat Farm Hambrook be approved.

7 Chichester BID Alteration Ballot

The material relevant to this item is the report on pages 29 to 32 of the agenda considered by the Cabinet at its meeting on Tuesday 2 October 2018.

RECOMMENDATION TO THE COUNCIL

That authority be delegated to the Deputy Leader to vote in accordance with Cabinet's decision in relation to the Alteration Ballot.

8 Tower Street Chichester Public Conveniences Refurbishment

The material relevant to this item is the report on pages 33 to 35 of the agenda and pages 1 to 7 of the agenda supplement considered by the Cabinet at its meeting on Tuesday 2 October 2018.

RECOMMENDATION TO THE COUNCIL

That an additional budget allocation of £65,000 from Reserves to supplement the existing Asset Replacement Programme budget of £80,000 for the project be approved.

B - TUESDAY 6 NOVEMBER 2018

9 Absence Management Policy

The material relevant to this item is the report on pages 17 to 18 in the agenda and pages 1 to 17 of the agenda supplement considered by the Cabinet at its meeting on Tuesday 6 November 2018.

RECOMMENDATION TO THE COUNCIL

That the revised Absence Management Policy be approved.

10 Determination of the Council Tax Reduction Scheme for 2019-2020

The material relevant to this item is the report on pages 19 to 23 in the agenda and its three appendices on pages 19 to 77 of the agenda supplement considered by the Cabinet at its meeting on Tuesday 6 November 2018.

RECOMMENDATION TO THE COUNCIL

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

11 Non-Domestic Rates Discretionary Scheme 2017-2021

The material relevant to this item is the report on pages 25 to 28 in the agenda and its appendix on pages 79 to 83 of the agenda supplement considered by the Cabinet at its meeting on Tuesday 6 November 2018.

RECOMMENDATION TO THE COUNCIL

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

C - WEDNESDAY 14 NOVEMBER 2018

As stated above the Council is requested to consider the following recommendations in agenda items 12 and 13 which it is anticipated will be made by the Cabinet at its special meeting on Wednesday 14 November 2018.

12 Chichester Local Plan Review: Preferred Approach - Consultation

The material relevant to this item is the report and update sheet on pages 1 to 18 in the agenda and its four appendices on pages 1 to 274 of the agenda supplement which are to be considered by the Cabinet at its special meeting on Wednesday 14 November 2018.

Chichester District Council members have not been issued with a hard copy of the agenda supplement since its contents were circulated to them in the confidential agenda for the meeting of the Development Plan and Infrastructure Panel on Thursday 1 November 2018. They are requested to bring those confidential agenda papers with them to this meeting.

Having regard to para 2.1 of the agenda report but subject to the outcome of the Cabinet's special meeting, it is anticipated that the Council will be asked to approve the following recommendation:

RECOMMENDATION TO THE COUNCIL

- (1) That the Local Plan Review: Preferred Approach document (attached as appendix 2 to the cabinet agenda report) and the schedule of proposed changes to the policies map (attached as appendix 3) be approved for an eight-week consultation from 13 December 2018 to 7 February 2019.
- (2) That the Director for Planning and the Environment be authorised, following consultation with the Cabinet Member for Planning Services, to make minor amendments to the consultation documents prior to their publication.

13 Revised Local Development Scheme 2018-2021

The material relevant to this item is the report on pages 19 to 22 in the agenda and

its appendix on pages 275 to 289 of the agenda supplement which are to be considered by the Cabinet at its special meeting on Wednesday 14 November 2018.

Chichester District Council members have not been issued with a hard copy of the agenda supplement since its contents were circulated to them in the confidential agenda for the meeting of the Development Plan and Infrastructure Panel on Thursday 1 November 2018. They are requested to bring those confidential agenda papers with them to this meeting.

Having regard to para 2.1 of the agenda report but subject to the outcome of the Cabinet's special meeting, it is anticipated that the Council will be asked to approve the following recommendation:

RECOMMENDATION TO THE COUNCIL

That the Cabinet recommends to the Council that it approves the revised Local Development Scheme 2018-2021.

RECOMMENDATIONS BY COMMITTEES AND PANELS

NONE

QUESTIONS TO THE EXECUTIVE

14 Questions to the Executive

[**Note** In accordance with standing order 14.11 of Chichester District Council's *Constitution*, this item is allocated a maximum duration of 40 minutes]

OTHER REPORTS

15 Committee Calendar of Meetings - May 2019 to May 2020 (pages 15 to 21)

The Council is requested to consider the agenda report and its appendix and to make the following resolution:

RESOLVED

That the committee calendar of meetings for May 2019 to May 2020 be approved.

FINAL MATTERS

16 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 and recorded in the minutes.

17 Exclusion of the Press and Public

The Council is asked in respect of agenda item 18 (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.

18 Transfer of Service

The material relevant to this item is the confidential exempt report* on salmon-coloured paper for members and relevant officers only within the Cabinet agenda papers for the meeting on Tuesday 6 November 2018 (pages 41 to 45)

RECOMMENDATION TO THE COUNCIL

- (1) That the transfer of the service as outlined in section 5 of the report be approved.
- (2) That the Director of Residents Services be given delegated authority to conclude the final details of the transfer, including the capital receipt and the timing of the transfer, after consultation with the Cabinet Member for Community Services.

*[**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 open proceedings of this meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public enters the committee room or makes a representation to the meeting, they will be deemed to have consented to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting, please liaise with the contact for this meeting at the front of this agenda.

(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 intention 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.

MEMBERS

Mrs C Apel	Mrs J Kilby
Mr G Barrett	Mrs E Lintill
Mr R Barrow	Mr S Lloyd-Williams
Mr J Brown	Mr L Macey
Mr P Budge	Mr K Martin
Mr A Collins	Mr G McAra
Mr J Connor	Mr S Morley
Mr T Dempster	Mr A G F Moss
Mr A Dignum	Caroline Neville
Mrs P Dignum	Mr S Oakley
Mrs J Duncton	Mr C Page
Mr M Dunn	Mrs P Plant
Mr J F Elliott	Mr R Plowman
Mr J W Elliott	Mr H Potter
Mr N Galloway	Mrs C Purnell
Mrs N Graves	Mr J Ransley
Mr M Hall	Mr J Ridd
Mrs E Hamilton	Mr A Shaxson
Mrs P Hardwick	Mrs J Tassell
Mr R Hayes	Mrs S Taylor
Mr G Hicks	Mr N Thomas
Mr L Hixson	Mrs P Tull
Mr F Hobbs	Mr D Wakeham
Dr K O'Kelly	Mr P Wilding

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Minutes of the meeting of the **Council** held in Committee Rooms at East Pallant House East Pallant Chichester West Sussex on Tuesday 25 September 2018 at 14:00

Members Present

Mrs E Hamilton (Chairman), Mrs N Graves (Vice-Chairman), Mrs C Apel, Mr G Barrett, Mr R Barrow, Mr J Brown, Mr J Connor, Mr A Collins, Mr A Dignum, Mrs P Dignum, Mrs J Duncton, Mr J F Elliott, Mr J W Elliott, Mr M Hall, Mr R Hayes, Mr G Hicks, Mr F Hobbs, Mrs J Kilby, Mrs E Lintill, Mr S Lloyd-Williams, Mr K Martin, Mr S Morley, Mr A Moss, Caroline Neville, Mr S Oakley, Dr K O'Kelly, Mr C Page, Mrs P Plant, Mrs C Purnell, Mr A Shaxson, Mrs S Taylor, Mr N Thomas, Mr D Wakeham and Mr P Wilding

Members Absent

Mr P Budge, Mr T Dempster, Mr M Dunn, Mr N Galloway, Mrs P Hardwick, Mr L Hixson, Mr L Macey, Mr G McAra, Mr R Plowman, Mr H Potter, Mr J Ransley, Mr J Ridd, Mrs J Tassell and Mrs P Tull

Officers Present

Mr N Bennett (Divisional Manager for Democratic Services), Mrs J Dodsworth (Director of Residents' Services), Mrs J Hotchkiss (Director of Growth and Place), Mr P E Over (Executive Director), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Legal and Democratic Services Officer) and Mr J Ward (Director of Corporate Services)

22 **Approval of Minutes**

The Chairman, Mrs E Hamilton, welcomed everyone present and explained the emergency evacuation procedure.

The Council formally received the minutes of its previous meeting on Tuesday 25 July 2018, a copy of which had been circulated with the agenda for this meeting.

There were no proposed changes to the minutes.

Mrs Hamilton sought and obtained the Council's approval for her to sign and date the minutes as a correct record.

Decision

The Council voted unanimously on a show of hands to make the resolution below.

RESOLVED

That the minutes of the meeting of the Council on Tuesday 24 July 2018 be approved as a correct record.

Mrs Hamilton then duly signed and dated as a correct record the final (fourteenth) page of the official version of the aforesaid minutes.

[Note This para and paras 23 to 32 below summarise the consideration of and conclusion to agenda items 1 to 11 inclusive but for full details of the matters summarised hereunder reference should be made to the audio recording facility via the link below.

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=132&MId=923&Ver=4>]

[Note Hereafter in these minutes Chichester District Council is denoted by CDC]

23 Late Items

There were no late items for consideration at this meeting.

24 Declarations of Interests

Declarations of personal interests were made by the undermentioned members in respect of the stated agenda items:

- Dr O'Kelly declared a personal interest in respect of agenda item 7 (Community Governance Review – Harting and Rogate Parishes) as a member of Rogate Parish Council.
- Mr Shaxson declared a personal interest in respect of agenda item 7 (Community Governance Review – Harting and Rogate Parishes) as a member of Harting Parish Council.

25 Chairman's Announcements

The Chairman said that the following apologies for absence had been received:

Mr P Budge (Chichester North), Mr M Dunn (Westbourne), Mr N Galloway (Chichester South), Mrs P Hardwick (Fernhurst), Mr L Macey (Chichester South), Mr G McAra (Midhurst), Mr R Plowman (Chichester West), Mr J Ransley (Wisborough Green), Mr J Ridd (Donnington) and Mrs P Tull (Sidlesham).

The Chairman made the following specific announcements:

- (1) On Saturday 22 September 2018 she had attended the opening of the centenary celebrations for Priory Park Chichester at which the Duke of Richmond and the Mayor of Chichester were present. There was currently underway a week of very varied special events to suit all tastes and she encouraged members to take the opportunity to participate.
- (2) On Sunday 16 September 2018 she had attended the Bourne Leisure Centre's fifteenth birthday event. Despite the very wet morning many people had made the effort to turn out and use the facilities for free. There was a very happy atmosphere.

It was pleasing to see young children enthusiastically enjoying the yoga taster sessions.

26 **Public Question Time**

No public questions had been submitted for this meeting.

27 **Annual Report of the Corporate Governance and Audit Committee 2017-2018**

The Council considered the Corporate Governance and Audit Committee's (CGAC) annual report for 2017-2018 on CDC's governance arrangements, which had been circulated at pages 15 to 16 of the Council agenda.

Mrs P Plant (Bosham and the CGAC Vice-Chairman) formally moved the recommendation in the agenda report and this was seconded by Mr S Lloyd-Williams (Chichester North and a CGAC member).

Mrs Plant summarised the annual report by explaining (a) the need for CDC to have, as it did, an efficient and effective governance process; (b) the three highest risks during the period identified in the Corporate Risk Register; (c) the five-year financial model; (d) the seven fundamental principles of good governance; and (e) other potential risk issues.

There was no discussion of this item.

Decision

On a show of hands the members voted unanimously in favour of making the resolution set out below with no votes against and no abstentions.

RESOLVED

That the Corporate Governance and Audit Committee's Annual Report for 2017-2018 on Chichester District Council's governance arrangements be noted.

28 **Community Governance Review - Harting and Rogate Parishes**

The Council considered a recommendation made to it by the Boundary Review Panel (BRevP) at its meeting on Friday 7 September 2018, the text of which appeared on the face of the Council agenda. A plan of the area the subject of the proposed community governance review (CGR) and boundary change was circulated with the agenda.

Mr S Lloyd-Williams (Chichester North and a BRevP member) formally moved the recommendation and this was seconded by Mrs J Kilby (Chichester East and a BRevP member).

In the absence of the BRevP chairman Mr J Ridd (Donnington) and the vice-chairman Mr G McAra (Midhurst), Mr Lloyd-Williams presented the BRevP's recommendation. He summarised the consideration given by the BRevP at its meetings on 23 February 2018, 3 May 2018 and 7 September 2018 to the request by Harting Parish Council (at the behest of a local resident of one of the dwellings which would be affected by the proposed boundary change) for a CGR to be undertaken. The intention was to move an area, which included three residential properties and some industrial units, from the parish of Rogate to the parish of Harting. The BRevP had previously recommended to the Council that a CGR

consultation be undertaken, following which it was now recommending that the Council should approve the boundary change having regard to the outcome of the consultation and that the boundary change would be (a) reflective of the identities and interests of the communities in the area as stipulated and (b) effective and convenient pursuant to section 93 of the Local Government and Public Involvement in Health Act 2007.

Mr A Shaxson (Harting), who had attended the BRevP's recent meeting in order to assist its understanding of the local area and the background to the request, spoke in support of the recommendation. He suggested, however, that the proposed new parish boundary should be adjusted so that it followed natural geographical features rather than the line of overhead cables.

Mrs D Shepherd (Chief Executive) advised that this could not be done without first undertaking a further community governance review consultation on that specific proposal if the Council was minded to accede to Mr Shaxson's suggestion.

Mr Shaxson did not pursue his proposal.

Dr K O'Kelly (Rogate) said that the BRevP's recommendation proposed what was overall a sensible boundary change. She thanked everyone who had worked on behalf of the community to achieve this outcome.

Decision

On a show of hands the members present voted unanimously in favour of the BRevP's recommendation with no votes against and no abstentions.

RESOLVED

That having considered the responses from a consultation on the community governance review of the parish boundary between Harting and Rogate, the Council approves:

- (1) The transfer of the three residential properties known as Ashleigh, Briarswood and Prestwood and a number of industrial units from the parish of Rogate to the parish of Harting as denoted on the map appended to the agenda report.
- (2) The publication of the outcome of the community governance review, following which the appropriate reorganisation order is made and all necessary arrangements are carried out.

29 Questions to the Executive

The questions to the Executive asked by members and the responses given were as follows:

Question: Consultation with members about land disposal at The Grange Midhurst

Mr S Morley (Midhurst) stated that he was confused by the statement in para 3.8 of the agenda supplement report to the Overview and Scrutiny Committee on Tuesday 18 September 2018 regarding the Grange disposal namely: 'District members were kept informed regarding progress of the tender returns at Full Council and were aware that it would come to the September Cabinet for a decision. This was also publicised through the forward plan. A pre-cabinet briefing for ward members was also offered.' He said that he

did not recall receiving the level of information suggested in that paragraph and additionally he was unable to attend the eleventh hour briefing prior to the Cabinet meeting which had been arranged for local members.

Response

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) replied that he would defer to officers for a written response to be prepared.

[**Note** A written response by **Mrs J Hotchkiss** (Director of Growth and Place) was circulated by e-mail to all members on Wednesday 3 October 2018]

Question: Information for members about land disposal at The Grange Midhurst

Dr K O’Kelly (Rogate) remarked that the Cabinet’s decision on this matter had been very controversial in the community. She said that for members to be able to carry the community with them on the narrative of this process, it would be really helpful to have as much information as possible to explain how the resultant position was reached. She requested details of the three marketing exercises, namely when, how long and how widely they were undertaken, and details also of the bids received, in particular the significant bids and the less credible ones. Such information would assist local members and the communities they represented to understand how the outcome occurred and how to go forward from this point. Members would observe confidentiality in what they told their constituents.

Response

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) replied that he would defer to officers for a written response to be prepared but pointed out that some of the details requested might be exempt material.

[**Note** A written response by **Mrs J Hotchkiss** (Director of Growth and Place) was circulated by e-mail to all members on Monday 29 October 2018]

Question: Preferred bidder for land disposal at The Grange Midhurst

Caroline Neville (Stedham) referred to an e-mail from a constituent sent to her after the Overview and Scrutiny Committee (OSC) meeting on Tuesday 18 September 2018, which mentioned a pre-application made by the preferred bidder and received by CDC on Wednesday 29 August 2018. This came as a surprise to her and other local ward members. She wished to know why they had not been informed of this fact at the Cabinet, the pre-OSC briefing for local members and at the OSC meeting itself. She wished to know when CDC decided to choose that particular preferred bidder. She had also received a letter from another constituent which mentioned his efforts to obtain information from CDC about the site since January 2018 and that he had been told that CDC had a preferred bidder and that it would not be considering any other offers. She asked if that preferred bidder was the same as the one mentioned to her in late August 2018.

Response

Mrs D Shepherd (Chief Executive) said that the pre-application enquiry was a planning matter which was outside the Council meeting's remit [Standing Order 16.4 in Part 4 of the *Constitution*] and since the South Downs National Park Authority (SDNPA) was the local planning authority it was likely that the SDNPA would determine the matter. Details of the preferred bidder were known to members both at the Cabinet's meeting on Tuesday 4 September 2018 and when the OSC considered the call-in request on Tuesday 18 September 2018.

Mrs J Hotchkiss (Director of Growth and Place) added that said the point about whether it was the same or different preferred bidder had been asked and answered at the meeting of the OSC.

Question: Request for a policy to brief local members sooner and more frequently

Mr F Hobbs (Easebourne) advocated having a CDC policy of bringing together local ward members to brief them about relevant issues and matters of concern in their communities more frequently and at an early stage ie sooner rather than later than was currently the case.

Response

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) said that members were aware of CDC's intention since 2006 to dispose of the site and that there had been three marketing exercises. Members were entitled to ask officers any questions they had about the process. He said that **Mrs J Hotchkiss** (Director of Growth and Place) would provide in due course details of the process followed.

Mrs D Shepherd (Chief Executive) reminded members that they were or ought to have been aware that officers had throughout been implementing a policy decision to sell the land at The Grange in order to recover part of the cost of rebuilding the leisure centre.

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) replied to further comments by two members, namely (a) **Mr S Morley** (Midhurst) was not a CDC member at the time that the policy decision was made and so he was not aware and as a member he had not known how to answer his constituents' repeated questions as he was not been kept informed as he should have been and (b) it had been apparent to **Mrs E Hamilton** (now West Wittering but formerly Easebourne) that whatever had been told to residents by CDC, the local perception was that Waitrose would be opening a store in Midhurst and this was very keenly anticipated. **Mr Dignum** said that it was or ought to have been plainly obvious to everyone that Waitrose would not introduce a store in the town since it had been very well publicised that its national store opening programme had been discontinued. It was then for the rest of the market to seize the initiative but CDC had received just one retail bid since that time which itself was not substantive.

Question: Fracking and acidisation and permitted development rights

Mr A Moss (Fishbourne) referred to the consultation by the government on whether test drilling for fracking and acidisation sites should be treated as permitted development, thereby removing the need for the local planning authority to grant planning consent. The dangers of fracking and acidisation in the South Downs were well known as those processes could cause serious contamination to water courses and Chichester Harbour. He asked **Mr A Dignum** (Leader of the Council and Cabinet Member for Growth and

Place) to agree with him and to confirm that it was critical that such activities should be subject to the planning process and determined locally.

Response

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) replied that he would very much prefer such matters to be the subject of locally determined planning applications.

Question: Conservative councillors' views on planning consent for fracking and acidisation

Mr A Moss (Fishbourne) pointed out that 65% of Conservative councillors surveyed by the Campaign for Rural England said that in such cases the local planning authority should decide whether or not to grant planning consent.

Response

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) agreed with that finding and added that fracking and acidisation applications fell to be determined by West Sussex County Council or the South Downs National Park Authority (SDNPA).

Mrs N Graves (Fernhurst) cited the example of a fracking application within her ward which was refused after a thorough consideration (including a site tour) by the SDNPA.

Question: Fracking and acidisation: permitted development or development consent order

Mr S Oakley (Tangmere) queried whether the government proposal might in fact be to treat such infrastructure projects as part of the development consent order process rather than be a matter for permitted development rights.

Response

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) thought that was probably correct but he could not provide confirmation in the absence of **Mr A Frost** (Director of Planning and Environment).

Question: Impact of Brexit on public services

Mr J Brown (Southbourne) referred to the September 2018 issue of *First* magazine for local government, which reported that 'dozens of councils had seized the initiative and produced their own analyses of the potential impact of Brexit on public services'. He said that the government continued to publish Brexit impact reports and CDC was conducting its own Brexit impact assessment, which was due to report in November 2018. He asked: (1) whether CDC had received any advice from the government at this stage to assist it with planning for Brexit with or without a deal; (2) whether the government was going to provide CDC with any information; and (3) whether CDC was working with others in the region to identify risks and/or opportunities to lobby for devolution of additional powers to local level including over inward investment, transport, infrastructure and skills for if or when the UK left the EU.

Response

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) said that the impact of Brexit was being considered on CDC, the community and certain services it provided eg in particular the housing market due to growing unemployment if there was instability after Brexit. CDC did have a stress and strain buffer in its reserves if required to respond to any economic turbulence post-Brexit. A report was due to be considered later in the week at an informal meeting of the Cabinet with the Senior Leadership Team. He was unaware as yet of any information from the government. There was not at this point any co-ordination by CDC with other councils.

Mrs D Shepherd (Chief Executive) confirmed that very little information on the subject had so far been made available. She noted that the detail on the Local Government Association website was of a very high level.

Question: Cancellation of the Vélo South cycling event

Mr A Shaxson (Harting) referred to the longstanding concerns he and local residents and businesses had expressed about this event, particularly the lack of adequate consultation with the communities about the extensive road closures and the consequent impact on their lives and livelihoods. CDC might have been a so-called bit-player in all of this (it was a member of the Safety Advisory Group) but it was nonetheless an important one. The CDC logo appeared on Vélo South publicity material. Despite the late cancellation of the event for inclement weather reasons, lessons needed to be learned in readiness for a similar event which could be held in 2019 or thereafter and so (a) a fresh proposal should be debated on behalf of the community at a Council meeting and (b) proper consultation should occur before a future event was given approval to proceed.

Response

Mr J Connor (Cabinet Member for Environment Services) said that CDC was not even a bit-player; it had had no role at all. The event was arranged by a private organisation. Highways issues were the responsibility of West Sussex County Council and Sussex Police. CDC's sole involvement was as a member of the Safety Advisory Group. The use of the CDC logo would be investigated by the Cabinet and CDC's Senior Leadership Team (SLT).

Question: Use of the Chichester District Council logo on Vélo South promotional material

Dr K O'Kelly (Rogate) asked whether in his previous response **Mr Connor** (Cabinet Member for Environment Services) meant that the Cabinet rather than the Council would decide CDC's position *vis-à-vis* future Vélo South events.

Response

Mr J Connor (Cabinet Member for Environment Services) clarified his comments by saying he meant that the unauthorised use by CSM Sport and Entertainment LLP (CSM) of the CDC logo would be considered by the Cabinet at its informal meeting with SLT later in the week. In his opinion CSM would need to give appropriate assurances to CDC about such events before it could use the logo. In his personal opinion CDC should not express a view either way on future events and confine itself to participating in the Safety Advisory Group.

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) added that CDC had given its support in principle without knowing the details of the event. It became apparent later that it was difficult to balance the competing factors of the obvious pleasure the event would give to thousands of cyclists and the serious adverse impact on local businesses (which had not been entirely avoided with the cancellation of the event). In future CDC would have to be satisfied and confident first of all as to the details of route closures and diversions (some of these had been unacceptably extensive and involving main instead of using available minor roads) and also that there was clear community support before it would signal its approval, a decision in respect of which should be made by the Council. He hoped that there could be an event in the future but it might have to be on a smaller scale.

Mr S Oakley (Tangmere) commented that in his view this event was clearly a matter for CDC given that the Cabinet frequently made decisions with respect to the local economy and economic development and this event gave rise to obvious CDC functions such as litter clearance, community safety and parking contingency provision.

Mr F Hobbs (Easebourne) pointed out that notwithstanding the separation of functions between the various tiers of local government, the reality was that in the community's perception local government was viewed as a single entity and so CDC was at risk of being blamed along with other councils involved in the Vélo South event.

Question: Prospect of Chichester District Council building its own housing stock

Dr K O'Kelly (Rogate) referred to the Housing Task and Finish Group (HTFG) report on housing standards and future needs which had been considered by the Overview and Scrutiny Committee on Tuesday 18 September 2018. In view of the work being undertaken with community land trusts and rough sleeping, and the prospect of losing funding from West Sussex County Council for housing related support services from April 2019, she asked if consideration would be given to CDC building its own housing stock to be let at a social rent.

Response

Mrs J Kilby (Cabinet Member for Housing Services) said that CDC did not have a housing revenue account and it was unlikely that the idea of creating a housing stock would be adopted, although it had not been discussed. It was hoped that CDC could provide additional housing via its housing partners by increasing the supply of affordable housing, redeveloping sites, improving housing for elderly persons and putting housing in more central locations. She and officers would be examining the proposals presented by the HTFG.

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) said that he was not in favour of CDC re-establishing a council house building department and in his view registered social landlords were the vehicle for doing this. The government had announced £2 bn of funding to be available for housing associations and councils which had a housing stock with effect from 2022. He hoped that members and officers would work with housing associations to secure a share of this funding. CDC would collaborate with Homes England to provide housing at the Southern Gateway development and (after a delay of several years) at the Portfield site.

Question: Local Plan Review housing targets and greenbelt biodiversity proposals

Mr S Oakley (Tangmere) sought an update on (a) the housing targets envisaged in the emerging Local Plan Review and (b) the greenbelt proposal to separate Chichester from nearby urban centres, thereby supporting CDC's biodiversity objectives.

Response

Mrs S Taylor (Cabinet Member for Planning Services) said that a report on greenbelt would be considered by the Development Plan and Infrastructure Panel at its meeting on 1 November 2018. CDC was waiting for the government to confirm the methodology to be adopted for calculating housing numbers. In the meantime the current formula had to be used.

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) added that the housing numbers for all local authorities in England were 266,000 and the government had pledged a target of 300,000. It was not known how the 12% increase would be applied eg whether all authorities would share this additional demand or instead that a differential would be applied.

Question: Collection of used disposable nappies and household waste for recycling

Mr A Moss (Fishbourne) sought confirmation that, in view of the urgency to increase its recycling targets, CDC was pursuing options to collect used disposable nappies and household waste for recycling.

Response

Mr R Barrow (Cabinet Member for Residents Services) said that CDC was in discussion with West Sussex County Council about this issue but no final decision had been made. He would be attending the next Inter Authority Waste Group meeting with **Mr K Carter** (Divisional Manager Chichester Contract Services) and would report back to members thereafter.

[**Note Mr Carter**, who had recently commenced as the successor to **Mr B Riley** (Contracts Manager), stood up in the Council Chamber to be introduced by **Mr Barrow**]

Question: The current number of unimplemented planning permissions

Mr M Hall (Lavant) asked, having regard to the issue of housing targets, for details of the current number of unimplemented planning permissions.

Response

Mrs S Taylor (Cabinet Member for Planning Services) undertook to provide a written response with the up-to-date figures.

[**Note** A written response by **Mrs S Taylor** (Cabinet Member for Planning Services) was circulated by e-mail to all members on Tuesday 25 September 2018]

Question: Increased powers for community wardens

Mrs C Apel (Chichester West) commended CDC's community wardens for the fantastic job which they performed but with almost nil powers. She was aware of some mention being made in CDC of the wardens being given some powers in view of the police cut-backs and as a result of which communities were feeling vulnerable in the face of drug problems. She asked if CDC would be making representations so that community wardens could have more powers.

Response

Mrs E Lintill (Cabinet Member for Community Services) acknowledged that CDC's community wardens were very successful. Part of the reason for that success was that they were not considered by the public to be part of the police or acting in an otherwise official capacity. There was a concern that if they were given enforcement powers, there could be diminishing of their community contact role. They might then be viewed as akin to police constable support officers, which could discourage people from feeling as free to talk and open up to them as they currently did. It should be remembered that the wardens had a wide community remit beyond the enforcement role some would like them to develop. This was why they had not as yet been given powers but it was an issue which would be kept under review.

[Note End of Questions to the Executive]

30 Southern Gateway Regeneration - LEP Funding

The Council considered the report and its appendix for this item which had been circulated at pages 19 to 21 of the Council agenda.

Mr A Dignum (Leader of the Council and Cabinet Member for Growth and Place) formally moved the recommendation in the agenda report and this was seconded by Mrs E Lintill (Cabinet Member for Community Services).

Mr Dignum presented the agenda report. He first read out the two recommendations and then summarised the background to them as follows. The Council approved the Southern Gateway Masterplan on 21 November 2017. CDC secured £5 m of Coast to Capital Local Enterprise Partnership (LEP) funding subject to an agreement with LEP which was approved by the Council on 6 March 2018 and signed on 27 March 2018. Thereafter progress had been slower than expected, mainly due to the delay in the courts being transferred to Homes England from the Ministry of Justice. The courts would now close on 21 December 2018 and part of the replacement provision would be a pop-up court in the CDC committee rooms for 43 Fridays a year. Officers had also identified relocation sites for Royal Mail and Stagecoach. The project had now reached a stage where key strategic decisions were required in order to progress the implementation. Some of those decisions would involve significant use of the LEP grant, the first instance of which would be reported to the Cabinet at its meeting on 2 October 2018. As the Council had not approved a budget to spend the £5 m funding from the LEP, the CDC constitution would require every item of expenditure to be reported to the Council for approval. The need to refer such decisions to the Council could cause undue delay and might prejudice delivery of the project eg the decision recommended to be made by the Cabinet on 2 October 2018 would not be ratified by the Council at its meeting on 20 November 2018. Such delay was a serious issue as the

LEP agreement provided that the £5 m must be spent by 31 March 2019. All LEP funding expenditure would be incurred in accordance with the LEP agreement. Accordingly the Council was now being asked to give delegated authority to the Cabinet as outlined in the two recommendations.

Mr A Moss (Fishbourne) said that he understood the Leader's reasons for these recommendations and also his concerns that the LEP funding should not be imperilled. However, he expressed his reticence at the Council relinquishing the responsibility for determining such matters itself. Whilst he expressed his total confidence in Mr P Over as the Deputy Chief Executive to exercise the proposed delegation in the second recommendation after consulting with the Leader and the CDC members of the Growth Board, he suggested that it would in the circumstances be appropriate also to consult both himself as Leader of the Liberal Democrats and also Mr A Shaxson as Leader of the Independents.

Mr J Brown (Southbourne) commented that £5 m of Coast to Capital Local Enterprise Partnership (LEP) funding was a significant sum and expenditure of that magnitude required public oversight. He remained sceptical of the Southern Gateway proposal and was minded to vote against these recommendations. However, he would support Mr Moss's proposal if this was pursued to a vote.

Mr Dignum said that he did not accept Mr Moss's proposal, which was without precedent. Any spending decision would be in accordance with the masterplan and the LEP funding agreement, on the advice of the Deputy Chief Executive and Mr J Ward as the Section 151 Officer and would also be scrutinised by the Monitoring Officer. Officers would implement spending decisions within the very broad framework budget set by the Council.

Mr Ward commented that the Council's constitutional role was to set and approve the revenue and capital budgets and thereafter officers were delegated the authority to deliver their objectives and priorities. The sum of £5 m should be seen in the context of the Council's total capital budget of £34 m.

Mr Moss did not pursue his proposal.

It was noted that the second recommendation as it appeared in the agenda would need to be amended to clarify that it was only the CDC (and not the West Sussex County Council) members of the Growth Board who would be consulted in addition to the Leader of the Council. Accordingly the vote would be on that basis.

Decision

On a show of hands the members present voted by a majority in favour of the two recommendations, amended as aforesaid, with three votes against and two abstentions.

RESOLVED

- (1) That the Cabinet be delegated the ability, when required, to expend the Coast to Capital Local Enterprise Partnership (C2C LEP) funding in accordance with the funding agreement.
- (2) That the Deputy Chief Executive, after consultation with the Leader of the Council and the Chichester District Council Growth Board members, be delegated the ability to spend up to £250,000 of LEP funding in accordance with the funding agreement.

31 **Late Items**

As stated by the Chairman during agenda item 2, there were no late items for consideration at this meeting.

32 **Exclusion of the Press and the Public**

As there were no exempt agenda items or material for consideration, the press and public were not excluded from any part of this meeting.

[**Note** The meeting ended at 15:06]

CHAIRMAN

DATE

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Chichester District Council

THE COUNCIL

20 November 2018

Committee Calendar of Meetings - May 2019 to May 2020

1. Contacts

Author

Lisa Higenbottam - Democratic Services Officer

Telephone: 01243 534684 E-mail: lhigenbottam@chichester.gov.uk

Cabinet Member

Peter Wilding - Cabinet Member for Corporate Services

Telephone: 01428 707324 Email: pwilding@chichester.gov.uk

2. Recommendation

That the committee calendar of meetings for May 2019 to May 2020 be approved.

3. Background

- 3.1 The committee calendar of meetings runs from the Annual Council meeting held in May of each year to the May of the following year.

4. Outcomes to be Achieved

- 4.1 The calendar provides a timetable to enable the effective planning of Chichester District Council (CDC) business.

5. Proposal

- 5.1 The Council is requested to approve the committee calendar of meetings for May 2019 to May 2020 detailed in the appendix to this report. The start times of meetings remain as per the previous year, except where indicated due to the member induction programme following the May 2019 elections.
- 5.2 If required the dates and times of the meetings might be adjusted following prior arrangement with the relevant committee chairman. Where necessary special meetings may also be arranged.

6. Alternatives Considered

- 6.1 None.

7. Resource and Legal Implications

- 7.1 None.

8. Consultation

8.1 Senior CDC officers have been consulted.

9. Community Impact and Corporate Risks

9.1 None.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		✓
Climate Change and Biodiversity		✓
Human Rights and Equality Impact		✓
Safeguarding and Early Help		✓
General Data Protection Regulations (GDPR)		✓

11. Appendix

11.1 Committee Calendar of Meetings May 2019 to May 2020

12. Background Papers

None.

CALENDAR OF MEETINGS 2019-2020

Committee	Abbr	Day of week	Time	Meetings p.a.	Venue for meetings	Contacts
All Parishes meeting		Monday	19:00	2	Alternate venues - north of district / both committee rooms at EPH	Democratic Services
Boundary Review Panel		As required				Democratic Services
Business Routeing Panel	BRP	Monday	14:00	1	Training Room	J Mildred
Cabinet		Tuesday	09:30	11	Committee Room 2 (audio)	SLT
Chichester in Partnership	LSP	Tuesday	14:00	4 (TBC)	Either committee room	A Loaring
Community Safety Partnership	CSP	Thursday	14:00	4 (TBC)	Either committee room or Arun DC	A Loaring
Corporate Governance & Audit Committee	CGAC	Thursday	09:30	4	Committee Room 2 (audio)	H Belenger, S James
Council		Tuesday	14:00	9	Both committee rooms (audio)	SLT
Development Plan & Infrastructure Panel	DPIP	Thursday	14:00	12	Committee Rooms	A Frost, M Allgrove
Licensing and Alcohol & Entertainment Licensing		Wednesday	09:30	3	Committee Room 2 (audio)	L Foord
Grants & Concessions Panel	GCP	Wednesday	09:30	5	Either training room	D Hyland
Growth Board		Varies	14:00	2 (rest TBC)	Either training room	Democratic Services
Joint Employee Consultative Panel	JECP	Thursday	14:30	4	Either training room	T Radcliffe
National Farmers Union Annual Liaison meeting		Ad hoc		1 (TBC)		Democratic Services
Overview & Scrutiny Committee	OSC	Tuesday	09:30	5	Committee Room 2 (audio)	L Rudziak, D Hyland
Planning Committee		Wednesday	09:30	12	Committee Rooms (audio)	A Frost, T Whitty
Planning Site Visit	SV	Monday	09:30	12	Planning site	A Frost, T Whitty
Standards Committee		Ad hoc				Democratic Services
Strategic Risk Group	SRG	Thursday	14:00	2	Either training room	H Belenger
Waste & Recycling Panel	W&RP	Monday	10:00	4 (min 2 to take place)	Training Room	A Huggett
WSCC Community Local Committees (North and South Chichester)	CLC	Ad hoc	19:00	6	Around the district	WSCC

WSCC School Term dates

Summer term	23 April 2019 to 23 July 2019
Autumn term	2 September 2019 to 20 December 2019
Spring term	6 January 2020 to 3 April 2020
Summer term	20 April 2020 to 20 July 2020

CALENDAR OF MEETINGS 2019-2020

	MAY 2019	JUNE 2019	JULY 2019	AUGUST 2019	SEPTEMBER 2019	OCTOBER 2019
Monday			1		2 Planning Site Visit	
Tuesday			2		3 Cabinet	1 Cabinet
Wednesday	1		3 Member Induction AM / GCP - 2pm		4 Planning Committee	2 Planning Committee
Thursday	2 Elections		4 DPIP	1 DPIP	5 Member Induction AM / DPIP - PM	3 DPIP
Friday	3		5	2	6	4
Monday	6 May Day	3 Member Induction AM / Planning Site Visit AM /	8 Planning Site Visit	5 Planning Site Visit	9	
Tuesday	7 Member Induction AM/PM	4 Cabinet/Special Council	9 Cabinet	6	10 OSC	8
Wednesday	8 Member Induction PM	5 Member Induction AM/PM	10 Planning Committee	7 Planning Committee	11	9
Thursday	9 Member Induction PM	6 Planning Committee	11	8	12 JECF	10
Friday	10	7	12	9	13	11
Monday	13 Party Group Meetings	10 Growth Board	15 All Parishes - venue north of the district	12	16	14
Tuesday	14 Member Induction	11 WSCC North CLC 7pm	16	13	17	15
Wednesday	15 Member Induction PM	12	17	14	18 GCP	16 Licensing
Thursday	16 Member Induction	13 DPIP	18	15	19	17
Friday	17	14	19	16	20	18
Monday	20 Member Induction AM/PM	17 Member Induction AM/PM	22 Member Induction AM/PM / AM -	19	23	21 W&RP
Tuesday	21 Member Induction AM Annual Council PM	18 Member Induction AM / OSC - 2pm / WSCC South CLC 7pm	23 Council	20	24 Member Induction AM Council 2.30pm	22
Wednesday	22 Member Induction AM/PM	19 Licensing	24	21	25	23 GCP
Thursday	23 Member Induction AM/PM	20 Member Induction AM/PM	25 Member Induction AM / CGAC - 2pm	22	26 SRG	24 CGAC
Friday	24	21	26	23	27	25

Monday	27 Spring Bank Holiday	24 Local Plan Review Briefing AM	29	26 Summer Bank Holiday	30 Planning Site Visit	28
Tuesday	28	25	30	27		29
Wednesday	29 Member Induction	26	31	28		30
Thursday	30 Member Induction	27 JECP		29		31 DPIP
Friday	31	28		30		

CALENDAR OF MEETINGS 2019-2020

	NOVEMBER 2019	DECEMBER 2019	JANUARY 2020	FEBRUARY 2020	MARCH 2020	APRIL 2020	MAY 2020
Monday		2 Planning Site Visit		3 Planning Site Visit	2 Planning Site Visit		4 May Day
Tuesday		3 Cabinet AM		4 Cabinet AM	3 Cabinet AM / WSCC South CLC 7pm		5 Cabinet AM / Planning Site Visit PM
Wednesday		4 Planning Committee	1 New Year's Day	5 Planning Committee	4 Planning Committee	1 Planning Committee	6 Planning Committee
Thursday		5	2	6 DPIP	5 DPIP	2 DPIP	7 DPIP
Friday	1	6	3	7	6	3	8
Monday	4 Planning Site Visit	9	6 Planning Site Visit	10 All Parishes - venue EPH	9	6	11
Tuesday	5 Cabinet	10	7 Cabinet	11	10	7 Cabinet	12
Wednesday	6 Planning Committee / WSCC South CLC 7pm	11	8 Planning Committee	12 Licensing	11 GCP	8	13
Thursday	7	12 JECP	9 Growth Board	13	12 SRG	9	14
Friday	8	13	10	14	13	10 Good Friday	15
Monday	11	16	13	17	16	13 Easter Monday	18
Tuesday	12 WSCC North CLC 7pm	17	14	18	17 OSC / WSCC North CLC 7pm	14	19 Annual Council
Wednesday	13	18	15	19	18	15	20
Thursday	14	19	16 DPIP	20	19 JECP	16	21
Friday	15	20	17	21	20	17	22
Monday	18	23	20 W&RP	24	23	20 W&RP	25 Bank Holiday
Tuesday	19 OSC	24	21 OSC	25 Special Council	24 Council	21	26
Wednesday	20	25 Christmas Day	22 GCP	26	25	22	27
Thursday	21	26 Boxing Day	23 CGAC	27	26 CGAC	23	28
Friday	22	27	24	28	27	24	29
Monday	25	30	27		30 Planning Site Visit & BRP	27	
Tuesday	26 Council	31	28 Council		31	28	
Wednesday	27		29			29	
Thursday	28 DPIP		30			30	
Friday	29		31				

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