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## 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 22 January 2019 at 14:00** for the transaction of the business set out in the agenda below.

A handwritten signature in black ink, appearing to read 'Diane Shepherd'.

**DIANE SHEPHERD**  
Chief Executive

**Monday 14 January 2019**

### NOTES

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

- **13:00** Open Forum
- **13:45** Intermission

(2) Members are requested to bring with them to this meeting their copies of the agendas and agenda supplements for the Cabinet's meetings on Tuesday 4 December 2018 and Tuesday 8 January 2019. Those agenda papers may also be viewed in the committee papers section of Chichester District Council's website and exempt material for the Cabinet meetings on the extranet via logging into Modern.Gov.

## AGENDA

### PRELIMINARY MATTERS

1 **Approval of Minutes** (pages 1 to 34)

After an initial welcome and the reading of the emergency evacuation procedure by the presiding chairman, the Council will be asked to approve as a correct record the minutes of the meeting on Tuesday 20 November 2018, a copy of which is circulated with this agenda.

## 2 **Late Items**

The presiding chairman will announce any late including urgent items which are to be dealt with under agenda item 15 (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 presiding 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 10 inclusive, which were made by the Cabinet at its meetings on Tuesday 4 December 2018 and Tuesday 8 January 2019.

At its meeting on Tuesday 8 January 2019 the Cabinet also made recommendations to the Council in respect of two confidential exempt agenda items, which appear at agenda items 17 and 18 below.

### **A - TUESDAY 4 DECEMBER 2018**

## 6 **Financial Strategy and Plan 2019-2020**

The material relevant to this item is the report on pages 33 to 37 of the agenda and 1 to 19 of the (main) agenda supplement considered by the Cabinet at its meeting on Tuesday 4 December 2018.

The following recommendations were made by the Cabinet to the Council:

### **RECOMMENDATIONS TO THE COUNCIL**

- (1) That the key financial principles and actions of the five year Financial Strategy set out in appendix 1 to the agenda report be approved.

- (2) That the current five year Financial Model detailed in appendix 2 to the agenda report be noted.
- (3) That, having considered the recommendations from the Corporate Governance and Audit Committee, the Minimum Level of the General Fund Reserves be set at £6.3m.
- (4) That the Director of Corporate Services be given delegated authority, following consultation with the Cabinet Member for Corporate Services, to accept the government's offer to participate in the 75% localisation business rate pilot for 2019-2020, if the West Sussex councils' bid is successful or if not to revert back to the Coastal West Sussex existing pooling arrangement for the coming financial year.
- (5) That the current resources position as set out in appendix 3 to the agenda report be noted.

**7 Increasing the Provision of the Council's Temporary Accommodation at Freeland Close Chichester**

The material relevant to this item is the report on pages 39 to 43 of the agenda and 21 to 43 of the (main) agenda supplement considered by the Cabinet at its meeting on Tuesday 4 December 2018.

The following recommendation was made by the Cabinet to the Council:

**RECOMMENDATION TO THE COUNCIL**

That the allocation of £102,000 from the Housing Investment Reserve be approved to enable the scheme design to be finalised and submitted for planning approval.

**B - TUESDAY 8 JANUARY 2019**

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

The material relevant to this item is the report on pages 19 to 21 of the agenda and 1 to 107 of the (main) agenda supplement considered by the Cabinet at its meeting on Tuesday 8 January 2019.

The following recommendation was made by the Cabinet to the Council:

**RECOMMENDATION TO THE COUNCIL**

That the submitted Local Plan Site Allocation Development Plan Document 2014-2029, amended to include all the main modifications recommended by the planning inspector to make the Plan sound, together with other more minor modifications already agreed with the inspector, be adopted and published (including any consequential and other appropriate minor amendments) in accordance with regulation 26 of the Town and Country Planning (Local Planning) Regulations 2012.

## 9 **Corporate Pay Review**

The material relevant to this item is the report on pages 23 to 30 of the agenda and its appendix considered by the Cabinet at its meeting on Tuesday 8 January 2019.

The following recommendations were made by the Cabinet to the Council:

### **RECOMMENDATIONS TO THE COUNCIL**

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

## 10 **Initial Project Proposals 2019-2020 and Corporate Plan** (pages 35 to 61)

The material relevant to this item is the report at pages 31 to 34 of the agenda and its nine appendices\* at pages 109 to 135 of the (main) agenda supplement considered by the Cabinet at its meeting on Tuesday 8 January 2019.

\*During the meeting amendments were made to seven of the nine of the appendices and accordingly all of the appendices as amended are being circulated with this agenda.

In addition to resolutions made by the Cabinet, the following recommendations were made to the Council:

### **RECOMMENDATIONS TO THE COUNCIL**

- (1) That it be agreed that the Corporate Plan approved in January 2018 shall remain unchanged for the year 2019-2020.
- (2) That the release of £206,000 from Chichester District Council's General Fund Reserve to fund the feasibility work and small projects identified in para 5.2 (as amended) of the agenda report for 2019-2020 be approved and that £30,000 of this funding be released with immediate effect to allow for the Novium business plan feasibility work.

[**Note** Para 5.2 (f) of the agenda report was amended by the deletion of the second bullet point namely 'Branding (Chichester) - £40,000 for consultants']

### **RECOMMENDATIONS BY COMMITTEES AND PANELS**

NONE

## QUESTIONS TO THE EXECUTIVE

### 11 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

### 12 Constitutional Amendment (pages 63 to 68)

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

#### RESOLUTIONS BY THE COUNCIL

- (1) That the membership of committees shall be amended as set out in the appendix to the agenda report from the date of the May 2019 elections.
- (2) That the Monitoring Officer be required to provide a report annually to the Corporate Governance and Audit Committee as to the use of his delegated powers to amend the Constitution.
- (3) That the wording regarding the approval of designation of neighbourhood areas in accordance with the Neighbourhood Planning (General) Regulations 2012 be amended to further state: '...and following the Director of Planning and Environment informing the appropriate Cabinet Member and the relevant ward member(s)'.
- (4) That the Monitoring Officer be directed to amend the Constitution to clarify that attendance by members for the purposes of section 85 (1) of the Local Government Act 1972 shall be limited to the Council or a committee to which that member is allocated only.
- (5) That the consideration by the Task and Finish Group of the Monitoring Officer delegations as to the Constitution and its recommendation that these remain unchanged be noted.
- (6) That the delegation to the Deputy Section 151 Officer be amended such that the post-holder shall have delegation in the absence of the Section 151 Officer for all financial matters.

### 13 Discharge of Litter Enforcement Functions (pages 69 to 77)

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

#### RESOLUTION BY THE COUNCIL

That it be noted that the Chief Executive intends to use the power conferred by Article 10.02 in Part 2 of the Constitution of Chichester District Council to discharge the enforcement functions detailed in para 5.2 of the agenda report to

East Hampshire District Council under powers granted to local authorities under section 101 of the Local Government Act 1972.

**14 Urgent Decision: Gatwick Airport Draft Master Plan 2018**

There is no written report for this agenda item, which is for noting only.

In accordance with para 36 in section 4.5 in Part 4 of Chichester District Council's Constitution, (a) the recent decision by the Cabinet in respect of this matter that it was to be taken as a matter of urgency and (b) the reason for that urgency are hereby being formally reported to the Council.

At its meeting on Tuesday 8 January 2019 the Cabinet considered a report on the Gatwick Airport Draft Master Plan 2018. The report appears at pages 35 to 40 of the agenda and its two appendices at pages 137 to 140 of the (main) agenda supplement. All members have received those papers and have been requested to bring them to this meeting of the Council. The Cabinet accepted the recommendation in para 2.1 of the report. Having heard at the meeting from the Chairman of the Council, Elizabeth Hamilton, the Cabinet resolved furthermore to treat its decision on this matter as being urgent and so it would not be subject to Chichester District Council's call-in procedure.

The Cabinet's two-part resolution was as follows:

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

The Council is requested to note the following points:

- (a) The Cabinet considered the decision to be taken in respect of this matter was urgent and so should not be subject to the call-in process.
- (b) Any delay caused by the call-in process, if it were to be invoked with regard to this matter, would seriously prejudice Chichester District Council's interest and/or the public interest, namely the opportunity to influence the emerging Master Plan for Gatwick Airport which has been prepared on behalf of the airport owners as an expression of intent for the future development of the airport. Given the potential implications arising from the draft Master Plan for Chichester District, including residents in the northern parishes, it was considered to be necessary to set out Chichester District Council's position within the stipulated time-limited opportunity.
- (c) The consent of the Chairman of the Council was obtained that the decision was reasonable in all the circumstances and that it should be treated as a matter of urgency.

## FINAL MATTERS

### 15 **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.

### 16 **Exclusion of the Press and Public**

The Council is asked in respect of agenda items 17 (St James Industrial Estate) and 18 (Staffing Matters) to make the following resolution:

#### **RESOLUTION BY THE COUNCIL**

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 (a) in the case of agenda item 17 Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) and (b) in the case of agenda item 18 Paragraph 1 (information relating to any individual) and because, in all the circumstances of the case in (a) and (b), the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

### 17 **St James Industrial Estate Chichester**

The material relevant to this item is the confidential exempt\* agenda report and its two appendices which were printed on salmon-coloured paper for members and relevant officers only within the Cabinet papers for the meeting on Tuesday 8 January 2019; the report is at pages 61 to 66 in the agenda and the appendices are at pages 141 to 153 of the (main) agenda supplement.

In addition to resolutions made by the Cabinet, the following recommendation was made by the Cabinet to the Council:

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

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

\*[**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 Paragraph 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]

## 18 **Staffing Matters**

The material relevant to this item is the confidential exempt\* agenda report and its two appendices which were printed on salmon-coloured paper for members and a very limited number of officers only within the second agenda supplement for the Cabinet meeting on Tuesday 8 January 2019.

The following recommendations were made by the Cabinet to the Council:

### **RECOMMENDATIONS TO THE COUNCIL**

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

\*[**Note** The 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 Paragraph 1 (information relating to any individual) 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 P Wilding
Dr K O'Kelly	[ONE VACANCY]