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A meeting of the **Cabinet** will be held in The Assembly Room - The Council House (Chichester City Council), North Street, Chichester on **Tuesday 3 December 2019 at 9.30 am**

MEMBERS: Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr M Bell, Mr R Briscoe, Mrs N Graves, Mrs P Plant and Mr P Wilding

## AGENDA

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

The Chairman will make any specific announcements for this meeting and advise of any late items which due to special circumstances will be given urgent consideration under agenda item 10 b).

### 2 **Approval of Minutes** (Pages 1 - 10)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 5 November 2019.

### 3 **Declarations of Interests**

Members are requested to make any declarations of disclosable pecuniary, personal and/or prejudicial interests 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 as amended by Full Council on 24 September 2019 the Cabinet will receive any questions which have been submitted by members of the public in writing by noon two working days before the meeting. Each questioner will be given up to three minutes to ask their question. The total time allocated for public question time is 15 minutes subject to the Chairman's discretion to extend that period.

## RECOMMENDATIONS TO COUNCIL

### 5 **Extending Ultrafast Public Connectivity** (Pages 11 - 14)

The Cabinet is requested to consider the agenda report and make the following resolutions and recommendation to Council:

1. That the Cabinet resolves to enter into an agreement with Cityfibre for an

extension of the Council's full fibre connectivity using the West Sussex County Council's framework using the seven year revenue model.

2. That the Cabinet delegates authority to the Director of Corporate Services and the Cabinet Member for Corporate Services the final approval of sites and contract detail.
3. That Cabinet recommends to Council to underwrite the cost of the contract and that any costs not met by the Business Rates Pool for 2019/20 up to a maximum of £743,000 over a seven year period starting no earlier than 2021.

## **6 Local Plan Review - Responses to Preferred Approach Consultation and Way Forward (Pages 15 - 28)**

The Cabinet is requested to consider the agenda report and its appendices and make the following recommendations to the Council:

1. That:
  - a. the Summary of Representations included as Appendix 1 to this report is noted.
  - b. the proposed Council responses to the representations set out in that document are agreed, and
  - c. the Director of Planning and the Environment be authorised, following consultation with the Cabinet Member for Planning Services, to make minor amendments to the Summary of Representations and Responses prior to its publication.
2. That the issues raised in the Summary of Representations document and the other relevant issues summarised in section 9 of this report are noted as key considerations for the ongoing production of the Local Plan.
3. That the programme of further technical work set out in section 11 of this report is endorsed.
4. That the implications for the distribution of development set out in section 12 of this report are endorsed, subject to further technical work and testing through Sustainability Appraisal and Habitats Regulations Assessment being completed.

## **7 Resurfacing, Improved Drainage and additional site enhancements at Westhampnett Depot (Pages 29 - 37)**

The Cabinet is requested to consider the agenda report and its appendices and make the following resolutions and recommendations to the Council:

1. That Cabinet approves the inclusion of environmental and operational enhancements to the scheme set out section 5, subject to Council's approval of the additional costs.
2. That Cabinet approves the appointment of Contractor B for undertaking the resurfacing, improved drainage, environmental and operational enhancements and associated work at CCS Depot, and delegates authority to the Director of Corporate Services to conclude the detail of the contract following consultation with the Cabinet member for the Environment and

Contract Services.

3. That Cabinet recommends to Council to increase the budget from £592,000 to £850, 000, £650,000 funded from reserves and £200,000 from the Asset Replacement Programme. To enable the inclusion of additional works as set out in Section 5.

**Please note that the appendix to this report is part II on the grounds 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.**

### **NON-EXEMPT KEY DECISION**

#### **8 Determination of the Council Tax Base 2020-2021 (Pages 39 - 46)**

The Cabinet is requested to consider the agenda report and its appendices and in order to comply with section 35 of the Local Government Finance Act 1992 make the following resolutions:

1. No item of expenditure shall be treated as 'special expenses' for the purposes of section 35 of the Local Government Finance Act 1992.
2. This resolution in (2.2) shall remain in force for the 2020-2021 financial year.
3. The calculation of the Chichester District Council's taxbase for the year 2020-2021 be approved.
4. The amounts calculated by Chichester District Council as its council taxbase be those set out in appendices 1 and 2 to this report.

### **OTHER DECISION**

#### **9 Disabled Facilities Grants - Staff Resources (Pages 47 - 49)**

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

That a Senior Environmental Health Officer (DFG Specialist) and two Specialist Housing Standards Officers are appointed to deliver the West Sussex Disabled Facilities Grants Policy 2020-24 within Chichester District to be funded from the Council's annual Disabled Facilities Grant funding.

#### **10 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

## 11 Exclusion of the Press and Public

The Cabinet is asked to consider in respect of agenda item 14 (Southern Gateway) and agenda item 15 (Proposed pre-let at St James Industrial Estate) whether 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.

**(Note:** The report and its appendices within this part of the agenda are attached for members of the Council and relevant only officers only and are printed on salmon paper)

### EXEMPT RECOMMENDATION TO COUNCIL

## 12 Southern Gateway

The Cabinet is requested to consider the agenda report and its appendices and make the following recommendations to the Council (**please note the report and appendices will follow**):

1. Following “standstill” and dealing with any issues arising, and confirmation that WSCC have cleared their own governance processes, including call-in, that the Council select Developer A on Heads of Terms shown in Appendix 1 to deliver the Southern Gateway Masterplan regeneration project pursuant to the outcome of the Evaluation Report at Appendix 2 once matters of detail are finalised with the bidder.
2. On the assumption that Council approve the selection of Developer A that Cabinet:
  - 2.1. Delegate authority to the Deputy Chief Executive or the Director of Growth and Place, after consultation with the Strategic Leadership Team, the Leader and Cabinet Member for Growth, Place and Regeneration, (and the Growth Lead at WSCC assuming WSCC are a party to the agreement) to approve and execute the Development Agreement based on Heads of Terms.
  - 2.2. Approve the appointment of Jones Lang LeSalle and Browne Jacobson LLP to support the Council in the implementation of the project, funded from the cost undertaking to be entered into by the appointed development partner and/or the balance of One Public Estate (OPE) funding.
  - 2.3. Subject to the appointment of a development partner that the land owned by the District Council be formally declared surplus to requirements and be offered up to support the regeneration on the terms set out in paragraph 6 and to remove the land from the Councils parking order at the appropriate time.

2.4. Note that authorise officers will investigate a “Land equalisation” proposal and bring forward options to a future Cabinet.

2.5. That the District Council requests WSCC to and County officers agree a scheme of delegation that enables District Council officers as project lead to grant consents required on behalf of WSCC provided there is no financial detriment to WSCC.

### EXEMPT KEY DECISION

13 **St James Industrial Estate Chichester** (Pages 51 - 56)

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

Following consultation with the Cabinet Member for Growth, Place and Regeneration, the Director of Growth & Place be authorised to agree terms for a pre-let of space at St James Industrial Estate in accordance with the proposal set out in section 5 of the report.

### 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 Chichester District Council (CDC) incurring expenditure which is, or the making of savings which are, significant having regard to the CDC’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 CDC’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 the Chairman's consent in writing by email in advance of the meeting. They should do this by noon on the Friday before the Cabinet 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 their discretion to allow the contribution without the aforesaid notice.