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A meeting of the **Cabinet** will be held in Committee Room 2 - East Pallant House on **Tuesday 4 February 2020 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 Late Items.
- 2 **Approval of Minutes** (Pages 1 - 14)
The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 7 January 2020.
- 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 **Draft Treasury Management, Investment and Capital Strategy 2020-21** (Pages 15 - 17)
The Cabinet is requested to consider the agenda report and its appendices and make the following resolutions and recommendation to Council as set out below:
 1. That Cabinet considers the Treasury Management Policy Statement, the Treasury Management Strategy Statement, the Investment Strategy and relevant Indicators for 2020-21.

2. That Cabinet considers the Council's Capital Strategy for 2020-21 to 2024-25.
3. That the documents in 2.1 and 2.2 are recommended to Council for approval.

6 Budget Spending Plans 2020-21 (Pages 19 - 26)

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

That the Cabinet recommends to the Council:

1. That a net budget requirement of £14,235,800 for 2020-20 be approved.
2. That Council Tax be increased by £5.00 from £160.81 to £165.81 for a Band D equivalent in 2020-21.
3. That the uncommitted revenue budget of £483,900 be transferred to the General Fund Reserve to mitigate the deficit expected in 2021-22.
4. Should the final settlement differ from the draft settlement, the sum in 3.1 (c) above be adjusted accordingly.
5. The capital programme, including the asset renewal programme (appendix 1c and 1d of the agenda report) be approved.

That the Cabinet further notes:

1. The current estimated resources position set in appendix 2 of the agenda report, and
2. The budget variances included in the Draft Budget Spending Plan as set out in appendix 1b of the agenda report.

7 Consideration of consultation responses and modifications to the District Council's Infrastructure Business Plan 2020-2025 (Pages 27 - 31)

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

The Cabinet recommends to the Council that it:

1. Approves the proposed responses to the representations received and subsequent modifications to the Infrastructure Business Plan (IBP) as set out in Appendix 1; and
2. Approves the amended IBP including CIL Spending Plan attached as Appendix 2.

Please note that full version of appendix 2 is available online only.

OTHER DECISIONS

- 8 **Authority's Monitoring Report 2018-2019** (Pages 33 - 38)
The Cabinet is requested to consider the agenda report and its appendix and make the following resolutions:
1. That Cabinet approve the Authority's Monitoring Report 2018-2019 for publication.
 2. That the Director of Planning and the Environment be authorised, following consultation with the Cabinet Member for Planning Services, to make any minor amendments to the Authority's Monitoring Report prior to its publication.
- 9 **Corporate Debt Recovery Policy** (Pages 39 - 65)
The Cabinet is requested to consider the agenda report and its appendix and make the following resolutions as set out below:
1. That the Cabinet approves the new Corporate Debt Recovery Policy.
 2. That the Cabinet notes the Council's response to the recommendations from the Money Advice Service.
- 10 **New Local Biodiversity Action Plan 2020 - 2024** (Pages 67 - 84)
The Cabinet is requested to consider the agenda report and its appendices and make the following resolution as set out below:
- That Cabinet approves the new Local Biodiversity Action Plan (LBAP) for the period 2020 – 2024, as detailed in Appendix 1.
- 11 **Revenues System Contract Renewal** (Pages 85 - 89)
The Cabinet is requested to consider the agenda report and make the following resolution as set out below:
- That Cabinet approve the extension of the support and maintenance contract with Northgate Public Services for Revenues & Benefits software for five years.
- 12 **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
- 13 **Exclusion of the Press and Public**
The Cabinet is asked to consider in respect of agenda item 14 (Disposal methodology for land at Church Road, Chichester) 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 (printed on salmon paper).

EXEMPT KEY DECISIONS

- 14 **Land at Church Road, Portfield, Chichester** (Pages 91 - 95)
The Cabinet is requested to consider the agenda report and its appendix and make the following resolution as set out below:

That Cabinet note the site remains surplus to requirements and agree that officers proceed with the disposal process as set out in section 5.2 of this 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.

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Minutes of the meeting of the **Cabinet** held in Committee Room 2 - East Pallant House on Tuesday 7 January 2020 at 9.30 am

Members Present 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

Members Absent

In attendance by invitation

Officers Present Mr S Ballard (Senior Environmental Protection Officer), Miss K Davis (Democratic Services Officer), Mr T Day (Environmental Coordinator), Miss Stephanie Evans (Environmental Coordinator), Mr A Frost (Director of Planning and Environment), Mr T Horne (Principal Environmental Health Officer), Mrs T Murphy (Divisional Manager for Place) and Mr T Whitty (Divisional Manager for Development Management)

84 **Chairman's Announcements**

Mrs Lintill greeted Chichester District Council (CDC) members, officers and all those present.

There were no apologies for absence.

85 **Approval of Minutes**

The Cabinet received the minutes of the meeting held on 3 December 2019 which had been circulated with the agenda.

There were no proposed changes to the minutes.

RESOLVED

That the minutes of the Cabinet meeting held on 3 December 2019 be approved.

86 **Declarations of Interests**

There were no declarations of interest.

87 Public Question Time

Mrs Lintill explained that due to the number of questions received she would not allow supplementary questions on this occasion in order to keep to the 15 minutes allocated for public questions. Please note that further publication questions had been submitted but were not read out as the questioner or representative were not present at the meeting.

The following public questions were received (the responses provided are indicated in italics below).

Mr Broughton asked the following question:

Regarding 'Chichester District's Climate Emergency Initial Action Plan 2020 – 2025', it is pleasing that there is an action to 'Set a Local Authority Area-wide target for District CO2 reductions', however the proposed target of 10% year on year until 2025 is not nearly enough to respond to what has been declared an emergency. If this target was extended to 2030, then the reduction would be 65%. Several local authorities, including neighbouring Arun District, have set targets of net zero by 2030, i.e. 100% reduction.

Also, as the energy system of the future is going to be more distributed, and locally generated energy could be cheaper, could one of the targets of the Action Plan be based on the amount of renewable energy generated within the Local Authority Area, especially considering we live in one of the sunniest parts of the UK. A proportion of the energy demand within the Local Authority Area would be a good indicator.

The following answer was provided:

The Council's Environment Panel, in drawing up the Initial Action Plan, carefully considered the question of targets. The target in the draft plan is an area wide one, applying to a large range of activities, some of them outside of our control and influence. The target is a 10% year on year reduction to run until 2025 and to be reviewed by then at the latest. Achieving this will require a mixture of action by the Council, by central government and its agencies, and by individuals and businesses. We note that Arun's target for 2030 only refers to its own operations, not the whole of that District. The CDC area-wide target was set to align with the UK target of net carbon neutrality by 2050. The Panel acknowledged that this target on its own will not achieve the level of carbon reduction needed long term, and that to do so it must increase after 2025. However the 10% is a considerable increase from the 3-5% achieved year on year over the last decade and this reflects our ambition to drive a step change in action locally whilst remaining within the bounds of the achievable. The achievement of such area-wide targets relies on a national action plan that is still to be announced. If this arrives before the detailed action plan is approved then we will have an opportunity to review our target at that point.

As an indicator, the amount of renewable energy generated within the District would be a useful one, although data on small scale installations may be time-consuming to collate. In drawing up the next stage of the plan we will consider milestones and

indicators for monitoring the implementation of the plan. This would include an assessment of the readily available sources of data.

Mr Maber asked the following question:

With reference to Resourcing and Scope of Chichester District's Climate Emergency Plan:

I request the Full CDC Meeting agree and commit to Net Zero Carbon by 2030, please? It is vital that CDC grasp the magnitude of the need ... failure to do so would be letting everyone down. Appointing a Climate Emergency Officer of the highest calibre requires this clearly defined objective, and is line with the U.N.'s Intergovernmental Panel on Climate Change (IPCC). Furthermore, this new Climate Emergency Officer's remit should incorporate liaison with others towards Biodiversity and Nature Conservation, together with Community Updates to disseminate information and involve the Community.

E.g.1) Scope for sustainable travel infrastructure to be enhanced as nature corridors and refuges.
[cycling and walking: minimal carbon footprint + better air quality + health] + Trees Etc.

E.g. 2) A lead role in Planning Applications ... the literally miles of plastic sheeting used on the Whitehouse Farm reptile relocation scheme - littering the site for approaching two years - is a example worthy of consideration - where will all that plastic sheeting be disposed of?
[Huge fossil fuel Carbon footprint in manufacture and environmental impact of once used plastic sheet]

E.g. 3) A lead role in managing Climate Change Impacts. In other words: Input to Planning and Mitigation. For example rising sea level [Increasing Flood Risk] and rising temperatures [Air Conditioning] Etc.

Please be aware of the long list of Councils that have committed to Net Zero Carbon by 2030, including our neighbouring Arun, Adur and Worthing, Portsmouth and many more ... and that it is vital that Chichester DC grasp the magnitude of the need ... failure to do so would be letting everyone down.

The following answer was provided:

As the answer to Mr Broughton's question refers to, the question of target setting and dates has been extensively considered by the Environment Panel in drawing up the Initial Action Plan. It is unclear from the question whether you are suggesting we should commit to 'Net Zero Carbon by 2030' as an organisation (as Arun DC and Adur and Worthing Councils have done) or as the whole local authority area (like Portsmouth City). The proposed initial area-wide target of 10% year on year up to 2025 is aligned with the UK national target date of 2050, which in turn is aligned with the IPCC report on avoiding dangerous climate change that you refer to. On the remit of the proposed officer's role, the Panel was also very mindful of the already broad remit of the role and the range of actions to be delivered in two years. For

this reason the role's focus will be on carbon reduction. Of course, adaption to climate change, planning and ecology and sustainable travel infrastructure are all important areas as well. However, bearing in mind the danger of spreading one person's time too thinly, we have decided to take these areas of work forward using the existing staff resources within the District Council that are already dedicated to those issues.

Ms Gaskin, Chichester City Council asked the following question:

Would CDC investigate working with BID and our public transport providers to introduce a trial price reduction scheme to encourage commuter and leisure travel into the Chichester Area with a view of boosting visitor numbers, the local economy and improving the uptake of sustainable transport.

The following answer was provided:

Whilst the district council works in partnership with a number of organisations such as the BID and Visit Chichester through the vision process, we are not the lead organisation for public transport – this would be either West Sussex County Council or other public transport operators. Further information relating to the potential to extend public transport subsidies should therefore be directed to West Sussex County Council, who would be responsible for negotiating subsidies. As a Council we continue to support the local tourism economy through Visit Chichester who promote tourism across the district and have recently worked with the train operators to promote Chichester as a visitor destination using public transport.

Ms Carter, Chichester City Council asked the following question:

Could CDC fund the provision of re-usable, refillable coffee cups and water containers for the rough sleepers on our streets? This would reduce waste and would encourage engagement with local businesses.

The following answer was provided:

Provision of re-useable, refillable coffee cups and water containers for rough sleepers does not fall within the Council's remit as Housing Authority and may present hygiene issues if they cannot be washed regularly. The Council does, however, work closely with other partners to support Rough Sleepers and will put this idea on the agenda of the multi-agency Rough Sleepers Panel to consider whether and how this proposal could most effectively be delivered. This proposal may be an initiative that the City Council may like to take forward itself.

Ms Noble asked the following question:

It is noted that in the proposed 'Chichester District's Climate Emergency Initial Action Plan 2020 – 2025' there is a section entitled 'Communication and Promotion of Lifestyle Changes'. Considering that young people today are going to inherit the climate that we have created, could the council actively engage with young people about the council's plans for their future climate.

The following answer was provided:

Engaging with all sections of our community is important for a successful Action Plan, young people especially so. There is more work to be done in developing the actions fully, particularly on Action 22 the climate commission. This could involve not just educational institutions such as the university, college, and schools but also with representatives of their student bodies and other relevant groups. We would also welcome suggestions for specific groups or ways of engaging that would help us achieve what you suggest.

Ms Towers, Chidham and Hambrook Parish Council asked the following question:

Safeguarding and enhancing Strategic Wild Life corridors has, quite rightly, been considered an essential part of ensuring the sustainability of bio diversity and wild life in the face of development in Chichester District. In the event of the HLF bid being successful the funding will ensure the future of the project for five years, including the vital post of Wild life officer continuing. Although what happens after that is unclear. If it is unsuccessful there is a considerable shortfall and there are no plans to forward an enhancement programme or to continue the post of Wild Life Officer. Instead any protection of the wild life corridors will be left to the vagaries of developers and ad hoc arrangements with volunteer groups. This is very concerning and would seem to be a dereliction of responsibility to ensure that the corridors are safeguarded from major developments. What assurances can the Council give that:

- a) The wild life corridors will have sufficient and specific protection from development outside the normal planning system, which developers seem good at circumventing?
- b) What assurances are there that the wild life corridors will have protection further than the five year project time frame?

The following answer was provided:

The District Council intends to protect and to enhance the corridors, but using different mechanisms for these two separate objectives.

Protection will rely on a new Local Plan Policy. We will submit this as part of the Local Plan Review, with a supporting evidence base to help justify the policy before the Plan Inspector. Assuming that the policy is accepted at the plan examination, the intention is that this will form a long term planning policy protection, running beyond the lifetime of the local plan. This strategic policy can then be implemented through subsequent plan documents, neighbourhood plans and development management decisions. This long term nature of the protection requires a high standard of evidence and in addition the support of communities and parish councils will be of great help in guiding it through the examination process.

The enhancement of the corridors is our aim in preparing the report on today's agenda. This seeks to achieve more than the planning system alone could. It will rely on a successful funding bid, and on the support of local landowners. The nature

of such bids is time limited, but they provide an opportunity to work at a scale that we would be unlikely to achieve relying on the council's own resources alone. Once the needed enhancements are in place 'on the ground' (assuming a successful bid) then they will benefit from the on-going and long term protection of the planning system.

Mrs Lintill then concluded public question time.

88 **Climate Emergency Initial Action Plan**

Mrs Lintill clarified that the Cabinet recommendations are first to approve the Climate Emergency Action Plan and then to recommend to Council funding for a Climate Emergency Officer for a two year period.

Mrs Plant then introduced the report. She drew attention to the local level response to the Climate Emergency Declaration and explained that the council would endeavour to do the following as part of the Climate Emergency Action Plan:

- Implement carbon reduction measures
- Access funding through Homes England from the Graylingwell development
- Increase tree planting
- Reduce green waste
- Consider transport options with local partners
- Consider lifestyle options with local partners

Mrs Plant explained that the Environment Panel had been tasked with evaluating all possible options for how best to implement the Action Plan and had agreed on a recommendation to fund a full time Climate Emergency Officer for a two year period. The Panel had agreed that the postholder should ideally be experienced in carbon reduction and energy management projects.

Mr Day then provided background on the Low Carbon Chichester Fund offered by Homes England following the development agreement at Graylingwell.

Mrs Evans then clarified that the Action Plan included in the agenda pack is interim. If the Climate Emergency Officer role is approved the postholder would be tasked with creating a more detailed Action Plan.

Mr Wilding raised a point of concern relating to the planned reduction of CO2 emissions as he explained that the emission levels were likely to be out of the council's control. Mrs Evans explained that the Low Carbon Graylingwell funding is aimed at projects which seek to reduce carbon emissions. Mr Wilding responded by outlining that transport and heating systems are two of the highest carbon emitters. Mr Day clarified that the carbon reduction levels would be calculated by taking account of national and community actions in addition to those of the council.

Mrs Taylor with reference to page 24 of the agenda pack relating to the Local Plan Review queried the timelines. Mrs Evans explained that the wording makes allowances for possible changes.

Mrs Graves with referenced to page 18 of the agenda pack sought clarification on tree planting. Mrs Evans explained that the Strategic Wildlife Corridor project would help considerably.

Mr Briscoe acknowledged that the 10% carbon reduction target is both realistic and achievable. He encouraged the Climate Emergency Officer to work in partnership with other local organisations to provide a positive platform for the future.

Mrs Lintill welcomed the proposal and the initial Action Plan.

Mrs Lintill then invited Miss Barrie and Mrs Sharp to ask their pre-submitted member questions (the answers provided are in italics below).

Miss Barrie asked the following:

With the very limited budget allocated to the work of the proposed new environment officer – will the cabinet please commit to a specific date for carbon neutrality for the council to work towards. This will enable said officer to use their post to influence and motivate officers to create and implement policy and make decisions that will enable us to meet our climate change obligations and responsibilities.

The following answer was provided:

The Council's Initial Action Plan includes a target to 2025. This has been developed to align with the UK target of net carbon neutrality by 2050 and our aim is to deliver the UK national target of carbon neutrality by 2050 at a local level. This target differs from those committed to by some other authorities in that it is an area-wide target for carbon reductions, as opposed to a target just for the Council's own operations.

Mrs Sharp asked the following question:

Midlothian, Nuneaton and Bedworth, Fareham, East Cambridgeshire, High Peak, Surrey Heath, Dartford, Tewkesbury, Wrexham, Rossendale, Epping Forest, Hyndburn, Southend – on Sea, Aylesbury Vale, Rother, Bolton, Falkirk, Ipswich, Tendring, Craven, Uttlesford, Vale of Glamorgan, Mid Suffolk, Telford and Wrekin, Woking, Folkestone and Hyde, South Ribble, East Suffolk, Peterborough, Isle of Wight, Kettering, Amber Valley, Lincoln, Chiltern, Adur and Worthing, Exeter, Guildford, Babergh, Braintree, Cherwell, Sutton, Blackburn with Darwen, Arun, Harrow, Rugby South Tyneside, Eastleigh, Wokingham, Canterbury, Darlington, Basingstoke and Deane, Sefton, Colchester, West Lancashire, Elmbridge, Dacorum, Tunbridge Wells, Cannock Chase, South Gloucestershire, Crawley, Rochdale, Broxtowe, Hammersmith and Fulham, Wolverhampton, Melton, Liverpool, Wandsworth, Worcester, Chelmsford City, Croydon, Lewes, Stratford on Avon, Pendle, Eden, Gloucester City, Thanet, North Kesteven, Merton, Burnley, St Alban's City, Bury, Staffordshire Moorlands, Richmond upon Thames, Eastbourne, Watford, Tonbridge and Malling, North East Derbyshire, Brent, West Berkshire, Dumfries and Galloway, Moray, Renfrewshire, Swansea, Islington, Blackpool, West Oxfordshire, Swale, Greenwich, Gravesham, Harborough, Torbay, Redbridge, Rushmore, Northamptonshire, Welwyn Hatfield, Warrington, Mole Valley,

Birmingham, Caerphilly, Derbyshire Dales, Mid Devon, Gateshead, Wakefield, North Hertfordshire, Three Rivers, Glasgow, Monmouthshire, North of Tyne, Newham, Isles of Scilly, Maidstone, Newcastle upon Tyne, Ealing, Newcastle under Lyme, Oxfordshire, Southwark, Cardiff, Redcar and Cleveland, Leeds, Hull, Suffolk, York, Portsmouth, Haringey, Plymouth, Bath and North East Somerset, Bedford, Herefordshire, Rushcliffe, Carlisle, Reading, Lewisham, Wiltshire, Carmarthenshire, Somerset West and Taunton, North Somerset District Council, Cheltenham, Edinburgh, Lancaster, Leicester, Milton Keynes, Lambeth, Cornwall, Brighton and Hove, Scarborough, Forest of Dean, Stroud, Bristol are the councils that have declared the intention to become carbon neutral by 2030. Without a specific date to work towards, does the Cabinet feel we will deliver a true incentive to implement policies in line with our climate change declaration? Could the Cabinet please commit to a date of 2030 in line with Chichester City Council and the other councils listed above?

The following answer was provided:

In drawing up the initial Action Plan we have set targets that are challenging but achievable for a District Council. Our aim is to deliver the UK national target of carbon neutrality by 2050 at a local level. Many of the authorities listed have a target for 2030, but only for their own operations, which are in turn only a very small part of the area wide carbon emissions. We have set an area wide target for carbon reductions, however to deliver a target of area-wide neutrality by 2030 would rely on as yet unknown national and international actions. Some of the authorities listed may have set such targets in order to lobby for the future government action and resources to deliver such targets without knowing whether they can deliver the target. That is not a route that we suggest the Council should pursue. However the national policy context is rapidly changing and we will keep our plan and its targets under review.

Mrs Lintill then acknowledged that a message of support was received from another member after the member question deadline. She confirmed that the message had been shared with the Portfolio Holder.

Decision

The Cabinet then voted unanimously to make the resolution and recommendation below.

RESOLVED

That the Climate Emergency Initial Action Plan as presented in Appendix 1 be approved.

RECOMMENDATION TO COUNCIL

That a Climate Emergency officer post at a total cost of £120,000, plus an operational budget of £30,000, is funded from reserves for 2 years (full time) to support delivery of the Action Plan.

89 **Rumbolds Hill, Midhurst Air Quality Management Area**

Mrs Plant introduced the report. She explained that the council has a statutory air quality duty and where an area has failed or is likely to fail air quality an Air Quality Action Plan (AQAP) must be produced. She confirmed that Rumbolds Hill, Midhurst had failed its nitrogen dioxide levels since 2015 and the council therefore has a statutory obligation to declare an Air Quality Management Area (AQMA). She then drew attention to the report detailing the background to the item and referenced the five consultation responses received. She confirmed that officers had been working with Midhurst Vision Steering Group, Midhurst Town Council, South Downs National Park Authority and West Sussex County Council to produce actions for inclusion in the AQAP. The draft AQAP will be brought to Cabinet in mid-2020 prior to going out to consultation.

Mrs Taylor with reference to page 39 of the agenda pack sought clarification on the air pollutants included in the AQMA. Mr Ballard confirmed that the statutory obligation is to measure nitrogen dioxide only. He explained that any actions taken as part of the AQAP are likely to have wider benefits.

Mr Briscoe sought clarification on how nitrogen dioxide is generated. Mrs Plant explained that it is caused as a direct result of a chemical reaction between nitrogen and oxygen. When the two gases meet a heat source such as in a car engine they react and produce nitrogen dioxide.

Mrs Lintill sought clarification on who holds the responsibility for the AQAP. Mr Ballard confirmed that the council is responsible for assessing and then writing the AQAP. The statutory guidance requires both authorities to work together towards a solution.

Decision

The Cabinet then voted unanimously to make the resolutions below.

RESOLVED

1. That the responses to the proposed Rumbolds Hill, Midhurst, Air Quality Management Area public consultation exercise be noted.
2. That the authority delegated to the Director of Planning and the Environment in consultation with the Director of Housing and Communities to make and seal an Air Quality Management Area Order at Rumbolds Hill, Midhurst as shown at Appendix 1 of this report and to commence preparation of an Air Quality Action Plan be noted.

90 **Allocation to Panels**

Mrs Lintill briefly introduced the item.

Decision

The Cabinet then voted unanimously to make the below.

RESOLVED

That Cllr Janet Duncton be appointed to the Development Plan and Infrastructure Panel.

91 **Off-Street Parking Proposals Response to Consultation**

Mr Bell introduced the report. He explained that following consideration of the consultation responses it is proposed that all car parking charge be increased as detailed in the report. He confirmed that due to the changes in the high street the increase would only be implemented for one year. This would be followed by a further review prior to any changes for 2021/22 followed by a further public consultation.

Mrs Murphy added that consultation had also been undertaken into combining all parking orders into one order, increasing rural car park season ticket prices and implementing a £2 per hour rate for the central Chichester car parks Little London and Baffins Lane. If agreed the changes would be advertised prior to implementation.

Mrs Plant referred to the positive impact on reducing air pollution by increasing the central car park rates.

Decision

The Cabinet then voted unanimously to make the resolutions below.

RESOLVED

1. That the increase in car parking charges as set out in sections 5.1 to 5.3 of the report be approved.
2. That the consolidation to the Parking Order as set out in section 5.4 of the report be approved.
3. That the Director of Growth and Place be authorised to give appropriate notice of any revised charges or changes as set out within this report pursuant to the Off-street Parking Places (Consolidation) Order 2018 and the Road Traffic Act 1984.

92 **Revised Fees and Charges 2020 for the Animal Welfare Licensing Regime**

Mrs Plant introduced the report. She explained that changes to legislation in 2018 had resulted in an increase in licensing fees based on Defra guidance. At the time the fees were calculated on the predicted cost of running the service. Following a year of officers facilitating the process a revised set of fees have been created

based on the reasonable cost of providing the service. The costs are designed to be neutral and do not seek to make a profit.

Mrs Taylor referenced dog day care centres and asked to what extent the council is able to ensure that as many individuals and organisations are covered by the legislation. Mr Horne confirmed that dog walking is not licensable. Mr Ballard added that the council liaises with the RSPCA and also carries out its own research to identify organisations that may require licensing. He explained that this has an implication on officer time and resources.

Mrs Graves requested clarification on how the various price changes had been calculated. With reference to the hire of horses/donkeys Mr Horne confirmed that officer time is not required for every visit as officers will seek advice following veterinary inspection of the health of the animals. Mr Ballard added that over the year there have been 25 new licences under this category most of which were compliant.

Mr Briscoe asked whether guide dog training and similar activities are subject to the charges. Mr Horne confirmed that guide dog training and similar activities are exempt.

Decision

The Cabinet then voted unanimously to make the recommendation below.

RECOMMENDATION TO THE GENERAL LICENSING COMMITTEE

That the revised Animal Licensing fees and charges for 2020 as set out in the appendix to this report be considered by the General Licensing Committee.

93 South Downs National Park Authority Extension to Development Management Agency Agreement

Mrs Taylor introduced the report. She explained that the council provides a development management service for the South Downs National Park Authority (SDNPA) for the area of the SDNP that falls within the district. The current S106 agreement was entered into on 1 October 2017 and was set for a three year term with the potential to extend for a further two years subject to the agreement of both parties. As part of the Agreement the council is paid per application. The Agreement provides the additional benefit of involvement by the Council in development proposals within SDNP which equates to 70% of Chichester district. The costs received reflect costs incurred in delivering the development management service in the national park. It is agreed that the Agreement is mutually beneficial to both parties with the SDNPA confirming that Chichester is its best performing host authority. As a result it is proposed that the two year extension be agreed.

Decision

The Cabinet then voted unanimously to make the resolution below.

RESOLVED

That an extension of the current Agreement with the South Downs National Park Authority (SDNPA) be approved under section 101 of the Local Government Act 1972 to enable the Council to continue to provide a development management service to the SDNPA for a further two years to 30 September 2022 on the basis of the previously agreed terms of the Section 101 Agreement including the Service Level Agreement and related Protocols.

94 Strategic Wildlife Corridors Project

Mrs Plant introduced the report. She explained that in addition to Chichester Harbour, Pagham Harbour and SDNPA which are all important areas for wildlife in the district there are many other valuable habitats and species along the A27 corridor and surrounding areas. The wildlife corridors connect wildlife and Local Plan Review policies have been created to protect those links. Mrs Plant then explained that in order to secure a living landscape, future enhancements are needed. It is therefore proposed that a bid be submitted to the Heritage Lottery Fund with the purpose of protecting and enhancing these wildlife corridors. The project would be in two phases in line with Heritage Lottery Fund rules. The first stage would be development and the second implementation. The bid must be submitted by March 2020 and needs to demonstrate the council's commitment to hosting a Community Wildlife Officer post and the provision of match funding. The project will expand to the east of the city and continue the current work with local groups.

Mrs Evans added that the approach is ground breaking if the bid is successful it is hoped that the council will be used as a best practice case study across the country.

Mr Briscoe then provided positive feedback from his ward.

Mrs Taylor expressed the commitment of the council to the wildlife of the district.

Mrs Lintill then took the opportunity to commend the officer that prepared the bid.

Decision

The Cabinet then voted unanimously to make the resolutions below.

RESOLVED

1. That the submission of an application to the National Heritage Lottery Fund for the funding of a 5-year Strategic Wildlife Corridors Project be approved.
2. That the annual contribution of £10,000 from reserves for 5-years as match funding towards the project and to allow the continued funding of the Council's Community Wildlife Officer Post be approved.

95 Late Items

There were no late items.

96 **Exclusion of the Press and Public**

There was no requirement to exclude the press and public.

The meeting ended at 11.35 am

CHAIRMAN

Date:

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Chichester District Council

CABINET

4 February 2020

Draft Treasury Management, Investment and Capital Strategies 2020-21

1. Contacts

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2. Recommendation

- 2.1. **That Cabinet considers the Treasury Management Policy Statement, the Treasury Management Strategy Statement, the Investment Strategy and relevant Indicators for 2020-21.**
- 2.2. **That Cabinet considers the Council's Capital Strategy for 2020-21 to 2024-25.**
- 2.3. **That the documents in 2.1 and 2.2 are recommended to Council for approval**

3. Background

- 3.1. Local authorities' treasury management activities are prescribed by the Local Government Act 2003 and Regulations issued under this Act. The Chartered Institute of Public Finance and Accountancy's (CIPFA) Treasury Management Code of Practice (the Code) derives its legal status from these statutory Regulations.
- 3.2. The draft Treasury and Investment Strategy presented at an appendix 2 to this report are designed to comply with this regulatory framework.
- 3.3. The Council is also required by the Code to produce a Capital Strategy which should:
 - provide a high-level overview of how capital and treasury intentions contribute to the provision of local services; and,
 - describe how risks to future financial sustainability are managed.
- 3.4. A draft capital Strategy is included in this report at appendix 3.
- 3.5. Although every attempt has been made to reduce the technical content of this report, by its very nature the report is specialised in parts and the glossary of terms in Appendix 5 aims to aid members understanding of some terms used.

4. Outcomes to be achieved

- 4.1. The Treasury Management and Investment Strategies for 2020-21 and the Council's Capital Strategy for 2020-21 to 2024-25 are approved before 1 April 2020 in accordance with CIPFA's Treasury Management in the Public Services: Code of Practice and the MHCLG's investment Regulations.

5. Alternatives that have been considered

- 5.1. The Treasury Strategy contains details of alternatives that have been considered. There is no 'do nothing' option in the table below as the Council is required to approve a Treasury and Investment Policy for 2020-21 as well as its Capital Strategy before 31 March 2020.
- 5.2. The remaining alternatives that have been considered are, briefly:

Alternative	Impact on income and expenditure	Impact on risk management
Invest in a narrower range of counterparties and/or for shorter times	Interest income will be lower	Lower chance of losses from credit related defaults, but any such losses may be greater
Invest in a wider range of counterparties and/or for longer times	Interest income will be higher	Increased risk of losses from credit related defaults, but any such losses may be smaller
Introduce Ethical, Social and Governance (ESG) factors into investment decisions	Unknown and would depend on investments made	Increased risk that we would be unable to find sufficiently secure counterparties to spread risk, leading to increased risk of loss. This would contravene investment Regulations issued by the MHCLG requiring security to be given highest priority.

6. Resource and legal implications

- 6.1. The Council may be putting its financial standing at risk, as well as failing to meet the requirements of the Local Government Act 2003, if it failed to follow the revised Treasury Management Code and the Investment Guidance. Acceptance of the recommendations in this report would not only help avoid this risk, but would demonstrate that the Council's financial matters continue to be managed prudently
- 6.2. The Treasury Management Strategy and the Prudential Indicators reflect various assumptions of future interest rate movements and Government support for capital expenditure. These assumptions have been taken into account in the 5 year model underpinning the Council's Financial Strategy and resources statement.
- 6.3. Appendix 1 to the Treasury Strategy contains details of the interest rate assumptions that have been used in developing this strategy.

7. Consultation

- 7.1. The forthcoming financial year's Treasury Management Strategy, Investment Strategy and Capital Strategy documents were considered by Corporate

Governance and Audit Committee on 23 January and a verbal update will be provided on any comments.

8. Community impact and corporate risks

- 8.1. The statutory and regulatory framework under which the treasury management function operates is very stringent, and each authority has to decide its own appetite for risk and the rate of return it could achieve. Risk management is covered within the Treasury Management Strategy and specifically within TMP 1, an extract of which is shown in appendix 4.

9. Other Implications

	Yes	No
Crime & Disorder		✓
Climate Change 1. Ethical, Social and Governance (ESG) factors are increasingly being recognised as a factor in the wider Treasury sector. The Council acknowledges this and will continue assess when and if it is appropriate to embed ESG principles in Treasury Strategies for future periods whilst operating within the Regulatory framework applicable to the sector.	✓	
Human Rights and Equality Impact		✓
Safeguarding and Early Help		✓
General Data Protection Regulations (GDPR)		✓
Health and Wellbeing		✓
Other (Please specify): 1. Compliance with the Local Government Act 2003 2. Non- compliance or loss of an investment due to default by a counterparty could affect the financial wellbeing of the council dependent on the size of the loss and the ability to fund losses from its unallocated reserves.	✓	

10. Appendices

- 10.1. Appendix 1 – Summary of amendments between 2019-20 and 2020-21
- 10.2. Appendix 2- Treasury Management Policy Statement, Treasury Management Strategy Statement, Treasury Prudential Indicators and Annual Investment Strategy for 2020-21.
- 10.3. Appendix 3 – Capital Strategy 2020-21 to 2024-25
- 10.4. Appendix 4 - Treasury Management Practices (TMP's) Extract of TMP 1 Risk Management.
- 10.5. Appendix 5 - Glossary

11. Background Papers

- 11.1. None.

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Chichester District Council

THE CABINET

4 February 2020

Budget Spending Plans 2020-21

1. Contacts

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Cabinet Member:

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2. Executive Summary

The Financial Strategy was approved by Full Council on 3 December 2019, which included the key financial principles and 5 year Financial Model that underpin the Council's approach to financial planning for the medium term.

In preparing for the 2020-21 annual revenue budget any major variances identified in this current year, which are also expected to have an ongoing impact, have been reflected in the draft budget. The draft budget also takes into account any service delivery changes, service cost pressures and other funding pressures that are in line with the Council's key priorities. The key major variances are set out in appendix 1 of this report.

The draft budget assumes a £5 council tax rise.

Full Council will set the budget and council tax in March 2020. This report concentrates on the proposed budget spending plans, which are a robust financial estimate of the resources required to deliver council services and reflects the Provisional Local Government Finance Settlement for 2020-21.

3. Recommendations

3.1 That the Cabinet recommends to the Council:

(a) That a net budget requirement of £14,235,800 for 2020-20 be approved.

(b) That Council Tax be increased by £5.00 from £160.81 to £165.81 for a Band D equivalent in 2020-21.

- (c) That the uncommitted revenue budget of £483,900 be transferred to the General Fund Reserve to mitigate the deficit expected in 2021-22.**
- (d) Should the final settlement differ from the draft settlement, the sum in 3.1 (c) above be adjusted accordingly.**
- (e) The capital programme, including the asset renewal programme (appendix 1c and 1d of the agenda report) be approved.**

3.2 That the Cabinet further notes:

- (a) The current estimated resources position set in appendix 2 of the agenda report, and**
- (b) The budget variances included in the Draft Budget Spending Plan as set out in appendix 1b of the agenda report.**

4. Background

- 4.1 This report sets out the proposed annual budget for revenue spending for the forthcoming financial year 2020-21 and the rolling 5 year capital and asset replacement programmes. The detailed revenue budget builds upon the work undertaken for the Financial Strategy, which was considered by the Cabinet at its November 2019 meeting and by the Council in December 2019.
- 4.2 The draft financial settlement from the Government was broadly as anticipated. Effectively the 2020-21 settlement is an extension to the previously agreed four-year settlement that covered the period 2016-17 to 2019-20 due to Government Funding reforms being delayed until 2021-22.
- 4.3 Whilst the provisional settlement was broadly in line with the assumptions reflected in the Financial Strategy's 5 year Model, one major change is that the proposed budget reflects a council tax increase of £5 instead of the 2% that was used in the strategy. This generates additional income of £270,667 per year, rather than £174,104 which a 2% increase would have generated. Another difference is due to lower retained business rates of £3.421m instead of the £3.659m reflected in the 5 year model. The impact of this and other changes means that the projected surplus has reduced from £759,000 down to £483,900.
- 4.4 As anticipated the New Homes Bonus scheme (NHB) announced as part of the provisional financial settlement for 2020-21 will be for one year only rather than a four year grant. This underlines the Government's intention that this scheme will be phased out by 2023-24. For 2020-21 the Council has been awarded in total £1.585m of NHB which was broadly in line with the assumption of £1.540m within the 5 year Financial Strategy.
- 4.5 The Financial Strategy is broadly balanced by 2023-24, although it currently anticipates a deficit in 2021-22 and 2022-23 of £302,000 and £200,000 respectively. Surplus funds from the 2020-21 budget could therefore be utilised to address these anticipated deficits and avoid otherwise necessary service reductions.

4.6 The draft budget process is an all-inclusive process with the Divisional Managers and service budget managers working with the accountancy team, under the leadership of the Strategic Leadership Team (SLT). The result is a robust process ensuring financial resources match service delivery priorities.

5. Outcomes to be Achieved

5.1 A robust financial estimate of the resources needed to deliver council services in 2020-21.

5.2 To seek the Cabinet's approval on the draft spending plans and to make appropriate recommendations to the Council to determine the council tax at its meeting on 3 March 2020.

5.3 To set a balanced budget, which is a statutory requirement, and to maintain adequate reserves to be able to address any budgetary fluctuations in the short term, bearing in mind the anticipated deficit in 2021-22 and 2022-23.

6. Proposal

Council Spending – Budget for 2020-21

6.1 The purpose of this report is to consider the draft budget spending plans ahead of the Council meeting in March, when the council tax and budget will be set for the forthcoming financial year. The plans, if adopted, will set the spending parameters for services and officers for 2020-21.

6.2 The Council has a statutory duty to prepare a balanced annual revenue budget and it is also good financial management to do so within the context of its medium term financial strategy. The key variables in achieving a balanced financial position for 2020-21 are the levels of income from fees and charges, budget pressures in some service delivery areas, income from business rates and the use of council reserves.

6.3 The revenue estimates for 2020-21 are shown in the summarised Comprehensive Income and Expenditure Statement (CIES) in appendix 1a. This summary provides for the net cost of each Cabinet portfolio and also for the main services within each portfolio area.

6.4 The draft spending plans are based on opting for a council tax increase of £5 per Band D property; this will generate an additional £270,667 per year for the council. This will assist the authority to meet its long term objective of protecting public services to its community. The council tax referendum principles for shire district councils were set as the higher of either 1.99% or £5 (which equates to an increase of 3.1%).

6.5 The draft budget requirement is calculated after deducting income arising from fees and charges; the remaining balance has to be financed from council tax, retained business rates and other government grants. Currently the Council receives around £16.8m of income each year from fees and charges for services e.g. car parking, trade and green waste, estates rents, planning and building control fees.

- 6.6 The draft budget requirement includes a number of service cost pressures and service delivery changes identified during this budget cycle, the details of which are set out in appendix 1b along with growth items amounting to £75,000.
- 6.7 The draft budget shows a net surplus of £483,900 for 2020-21. The expectation reflected in the Financial Strategy is that in future years the Government's funding review will reduce funding to shire district councils further. This combined with cost pressures and uncertainty concerning some of the Council's income streams means that officers currently anticipate a shortfall in resources in the following two years. It is therefore prudent to reserve the 2020-21 surplus by transferring it to the Council's General Fund Balance in order to off-set future deficits and avoid un-wanted service reductions.
- 6.8 Members and officers are currently working with the LGA to help focus members' priorities for future years. This may ultimately require some resource reallocation within the base budget, or from reserves, to ensure identified priorities can be delivered. In the meantime reserving the 2020-21 surplus will assist in that process.
- 6.9 If there is any change in the final settlement for 2020-21, it is recommended that this should be dealt with by adjusting the amount transferred to the General Fund Balance.
- 6.10 SLT and budget managers are required to adhere to robust proactive financial management principles to protect the Council's financial position, including monitoring both in year budgets and considering the medium term financial strategy. This ensures that the Council is able to be proactive rather than reactive to securing the financial stability over the medium term.

Capital Programme and Asset Renewal Programme (ARP)

- 6.11 The current Capital Programme is set out in appendix 1c. This is based on schemes previously approved by the Cabinet or the Council.
- 6.12 Appendix 1d sets out the projects within the five-year Asset Renewal Programme. These are funded via contributions from the Council's revenue budget into a reserve set up for this purpose. This ensures the Council is able to fund its replacement assets on a recurring basis. The annual contribution to this fund now stands at £1.423m following a detailed review of the services' asset requirements as part of the budget process. Under the Council's Constitution and in accordance with the project management process (i.e. those over £50,000) will be subject to a Project Initiation Document (PID) before funds are released.
- 6.13 The anticipated spend on infrastructure projects is based on the latest approved Infrastructure Business Plan (IBP), which are contained within appendix 1c. These projects will be subject to approval in accordance with the Community Infrastructure Levy (CIL) governance arrangements, and the adherence to the Council's Constitution.
- 6.14 Linked to the spending plans of the Council are the Capital Strategy and the Treasury Management and Investment Strategies. These are also on this meeting's agenda for Cabinet to consider, taking into account the spending plans contained in this report.

Reserves

- 6.15 The current Resources Statement is detailed in appendix 2. This indicates that the Capital Programme and Asset Renewal Programme remain funded from the Council's own resources. This should be read in conjunction with appendix 3 which sets out the different reserves held by the Council as at 31 March 2019, their purpose and the authorisation required to fund expenditure against those reserves.
- 6.16 The minimum level of reserves was agreed by Council in December to remain at £6.3m.

Capital Prudential Indicators and Minimum Revenue Provision (MRP) Policy

- 6.17 As part of the budget process the Council needs to ensure that all of its revenue and capital expenditure and any borrowing are prudent and sustainable. This includes taking into account its arrangements for repaying any debt, through the Minimum Revenue Provision (MRP) policy.
- 6.18 The Council's Treasury Management Strategy and Policy for 2020-21 is set out elsewhere on this agenda, which is linked to the Council's spending plans and the management of its cash flows and investments decisions.
- 6.19 Appendix 4 sets out the statutory capital prudential indicators and the Council's MRP policy for the coming financial year and the Council's plans detailed in the Capital Strategy.

7. Alternatives Considered

- 7.1 The Council is legally obliged to set a balanced budget, and the draft budget has therefore been prepared on that basis. However, the level of council tax is a local determination, taking into account the government's criteria and expectation of tax increases before triggering a local referendum. The criteria announced as part of the provisional financial settlement in December 2019, was that council tax can be increased by the higher of 1.99% or £5; therefore members could forgo some of the in-year surplus by reducing the level of increase currently incorporated in the proposed budget for 2020-21. However, foregoing an increase impacts all subsequent years as well. With a deficit anticipated for the following two years this option is not recommended.
- 7.2 Members could choose to allocate the surplus resources in 2020-21. Any recurring expenditure would however, worsen the already anticipated deficits in 2021-22 and 2022-23. Even allocating the surplus to one-off expenditure items would mean that the currently anticipated deficits, which still need to be met, may have to be funded by reducing services in some areas. Retaining the 2020-21 surplus gives members greater flexibility in reviewing their priorities going forwards, and in balancing budgets over the forthcoming years.

8. Resource and Legal Implications

- 8.1 The primary objective of this report is to determine the budget spending plans for 2020-21 against a background of ever-tightening financial constraints on public

services. The estimates represent robust financial projections for the provision of council services, and adhere to the statutory obligation to set a balanced budget.

- 8.2 Section 25 of the Local Government Act 2003 requires the Section 151 Officer i.e. the Director of Corporate Services to report to members on the robustness of the estimates and the adequacy of reserves when considering the budget and council tax. This is so that members have authoritative advice available to them when making decisions on a budget that sets out estimates of what they plan to spend on each of the services. It is the view of the Director of Corporate Services that the processes followed are sound and well established, the resultant estimates are robust, and reserves are at an adequate level.
- 8.3 Regular monitoring reports are brought to members covering revenue budgets, the capital programme and asset replacement programme, along with updates to the Financial Strategy and plan including analysis of the resources and the affordability of the capital programme. The Director of Corporate Services having considered the risks associated with the Council's capital investment plans is of the view that they are affordable, having taken into account the measures that the authority has in place for mitigating against those risks. These measures include ensuring the adequacy of reserves to be held, regular monitoring of expenditure against the capital programme, and the expected resources available to fund those capital investment plans as detailed in the Capital Strategy.
- 8.4 The Director of Corporate Services is satisfied that the estimates used for Business Rates (the NNDR 1) are robust and prudent. This annual return is required by the end of January and therefore will have been submitted to government before the date of the Cabinet meeting. As in previous years this return is required by the Ministry of Housing, Communities and Local Government (MHCLG) to be authorised by the Council's Section 151 Officer i.e. the Director of Corporate Services.

9. Consultation

- 9.1 In line with previous years, the revenue budget spending plans were considered by a task and finish group set up jointly by the Overview and Scrutiny, and Corporate Governance and Audit Committees. This is a very useful debate in terms of testing the changes in the budget from 2019-20 to the draft budget for 2020-21.
- 9.2 The Draft Budget Spending Plan has been made available via the Council's website at [Annual budget: Chichester District Council](#) to encourage feedback on the budget and the balance of spending against taxation. This gives the opportunity for any interested party to state their opinion on priorities and resource allocation. Any comments received will be made available to members either at the Cabinet or the Council before the council tax and budget are set.

10. Community Impact and Corporate Risks

- 10.1 Where services have been changed or reduced through the Council's deficit reduction programme, the community impact will have been minimised as far as possible. Any significant impact to the community will have been assessed as part of the Cabinet's decision process at that time. General service efficiencies which do not impact on the community are managed by the Council's management team in

consultation with the Cabinet members. This report represents the culmination of those previous decisions.

- 10.2 The growth items included in the proposed budget takes account of increased service delivery demands, service delivery changes and other budget pressures which are linked to the Council's key priorities.
- 10.3 The resources statement currently indicates a surplus of resource after taking into account all commitments. However, this statement includes a number of capital receipts that are not yet secured. In considering the risks associated with the proposed spending plans, the potential liquidity risk (cash flow) is considered within the Treasury Management and Investment Strategies included elsewhere on the Council's agenda.
- 10.4 Following the recent general election future government funding may become clearer as the sector is awaiting further consultations on the outcome of the Fair Funding Review, the localisation of business rates and the Comprehensive Spending Review. These are expected later this year.
- 10.5 Due to the potential impact on the economy as a result of Brexit and the new Government's view on public service spending there remains a great deal of uncertainty, which may have an impact on the Council's financial stability in the medium term. These risks will need to be monitored closely as further detailed information is obtained.
- 10.6 The Council's own reliance on income generating services may be adversely affected by economic uncertainty which could impact the community that uses the council's discretionary services. The impact of this risk has been considered in the draft budget as £200,000 of income has been removed from the car parking income target for 2020-21 reflecting a reduction in use of car parking being experienced in the current year.

11. Other Implications

	Yes	No
Crime and Disorder		✓
Climate Change and Biodiversity		✓
Human Rights and Equality Impact		✓
Safeguarding and Early Help		✓
General Data Protection Regulations (GDPR)		✓
Health and Wellbeing		✓

12. Appendices

12.1 Appendix 1 - Draft Budget Spending Plan 2020-21 (Incorporating appendices 1a to 1d)

- Appendix 1a Draft Summarised Income and Expenditure Account.
- Appendix 1b Analysis of major budget variations
- Appendix 1c Capital and Projects Programme 2020-21 to 2024-25
- Appendix 1d Asset Replacement Forecast 2020-21 to 2024-25

12.2 Appendix 2 - Capital Programme Resource Statement

12.3 Appendix 3 – Reserves Statement

12.4 Appendix 4 – Capital Prudential Indicators and MRP Policy

13. Background Papers

13.1 None

Chichester District Council

Cabinet

4 February 2020

Council

3 March 2020

Consideration of consultation responses and modifications to the District Council's Infrastructure Business Plan 2020-2025

1. Contacts

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2. Recommendation

2.1 That Cabinet recommends to the Council that it:

- (i) Approves the proposed responses to the representations received and subsequent modifications to the Infrastructure Business Plan (IBP) as set out in Appendix 1; and**
- (ii) Approves the amended IBP including CIL Spending Plan attached as Appendix 2.**

3. Background

- 3.1 The IBP is updated each year. It prioritises the strategic infrastructure projects from the Infrastructure Delivery Plan (IDP) necessary to deliver the growth identified in the Chichester Local Plan, particularly within the five year period 2020-2025. It includes updates and new projects put forward by WSCC and the key infrastructure commissioners. Appendix A of the IBP (see Appendix 2 of this report, the full version of which which can be accessed via the link in Section 11 below) includes the most up to date list of local projects which the City, Town and Parish Councils intend to deliver from their proportion of the CIL.
- 3.2 The IBP sets out the methodology for selecting which infrastructure projects have been prioritised for funding from the Community Infrastructure Levy (CIL) during the five year period from 2020 to 2025, which ones will be funded from S106/S278 agreements and which infrastructure projects are to be, or would need to be, funded from other sources.

- 3.3 The Infrastructure Business Plan (IBP) has been subject to consultation with the City, Town and Parish Councils, West Sussex County Council (WSCC), Neighbouring Planning Authorities including the South Downs National Park Authority and key infrastructure delivery commissioners. The consultation ran for six weeks from 7 October to 18 November 2019.
- 3.4 The Chichester Growth Board met on 9 January 2020 and DPIP met on 16 January 2020 to consider the proposed responses to the representations received as a result of the consultation. Appendices 1 and 2 reflect their views.
- 3.5 The consultation resulted in responses being received from WSCC, and the following City, Town and Parish Councils: Bosham; Chichester City; Chidham and Hambrook; Donnington; Kirdford; Lavant; Loxwood; Southbourne; Tangmere; Westbourne; Wisborough Green, and the following key Infrastructure Commissioners: Highways England, and the University of Chichester. The consultation responses are summarised in Appendix 1 of this report.
- 3.6 Most of the consultation responses related to:
- Re-phasing of projects;
 - Updates to the text of the IBP;
 - Projects to be deleted as they have been delivered or are no longer required;
 - Updated details/costs for the projects; and
 - New projects to be added.
- 3.7 Since the implementation of the CIL on 1 February 2016, £9,828,007 has been collected to date (4 December 2019). This includes £491,400 (5%), which potentially could have been used for monitoring (although only £145,598 was used as of the end of the last financial year), and £7,578,040 for District Council CIL spend. At the end of October 2019 the total amount handed over to Parishes to date was £1,666,648.
- 3.8 Projects delivered during 2019 from CIL and other funding sources include:
- IBP/293 Local Land Drainage – East Beach Sea Outfall, Selsey;
 - IBP/571 Improvements to vehicular access to North Hall, Loxwood;
 - IBP/573 Extension to storage facility, Loxwood;
 - IBP/397 Upgrade to Tangmere Wastewater Treatment Works, Tangmere;
 - IBP/802 New aluminium parish noticeboard, Funtington;
 - IBP/624 Install WiFi to the village hall, Chidham & Hambrook;
 - IBP/713 Improvements to St. Wifrid’s Church Hall, Chidham & Hambrook;
 - IBP/737 Maybush Copse – wheelchair access, Chidham & Hambrook;
 - IBP/521 Provision of double yellow lines at the junctions of Lumley Road/Main Road, Lumley Road/Pagham Close and Pagham Close/Sadlers Walk, Southbourne;
 - IBP/196 Brandy Hole Copse, Chichester;
 - IBP/194 Enhancements to the Lavant Biodiversity Opportunity Area, Lavant & Westhampnett;
 - IBP/747 Historical/wildlife information board to be sited along Catch Pond, Chidham & Hambrook;
 - IBP/811 Signage and SIDs, Chidham & Hambrook;
 - IBP/35 Improvements and additional equipment for village hall, Donnington;

- IBP/43 Village hall extension, Donnington;
- IBP/708 Bus shelters, Chichester City;
- IBP/721 Cheshire Crescent, Tangmere;
- IBP/738 Replacement of cycle racks, Chichester City
- IBP/739 Lighting in Littern Gardens and 8 Heritage Columns at the war memorial, Chichester City;
- IBP/344 Kingsmead Avenue / Palmers Field Avenue traffic management, Chichester City;
- IBP/580 Ensure superfast broadband coverage of 95% of the area and basic broadband coverage of 100% of the area in line with government targets, District-wide;
- IBP/776 Loxwood School outdoor area, Loxwood.

3.9 Looking forward, WSCC has identified a number of school expansion projects, further information is expected about which schools will be expanded. More accurate costings can be provided once school expansions are confirmed, this together with other sources of funding will enable the CIL requirement to be updated.

3.10 WSCC has requested the addition of two new transport projects, which will be considered for inclusion within the CIL Spending Plan, at the start of the new IBP process at the joint officers' group meeting in June 2020:

- IBP/840 (College Lane/Spitalfields Road Junction improvements) to make it suitable for shared use in years 2021/2022 cost estimate £60,000 to be fully funded from CIL; and
- IBP/841 (Chidham Sustainable Transport Improvements) to widen existing footways to accommodate shared use to start 2022/2023, requesting £500,000 from CIL together with S106 from new developments at total cost estimate £1.8 – 2m.

3.11 With regards to existing projects, WSCC has sought a number of amendments some of which are set out below:

- WSCC is currently undertaking feasibility work for IBP/349 A286 Birdham Road/B2201 (Selsey Tram Roundabout) junction. This project is currently included in the CIL Spending Plan for £111,000 but the costs have increased and the CIL request is now for £440,000. The reason for this price increase is that the options now under consideration are different from the scheme envisaged at the time planning permission was granted;
- That IBP/353 (Sustainable transport corridor, City Centre to Westhampnett) is moved back from 2019/2020 to 2020/2021;
- That IBP/659 (school access improvements – drop off and pick up arrangements at expanded primary schools – Manhood Peninsula) is moved back from 2020/2021 to 2021/2022;
- That IBP/665, 655 and 654 be amalgamated into two projects and the costs equally divided, therefore IBP/654 has been deleted, and IBP/655 (Phase 2 of the Chichester Road Space Audit) for £375,000 has been re-phased from 2020/2021 to 2021/2022, and IBP/665 (Phase 1 of the Chichester Road Space Audit) is now 375,000 for 2020/2021

The effect of these changes to the IBP CIL Spending Plan, and adjustments relating to the amount of CIL expected to be collected in relation to the housing trajectory December 2019 are shown in Appendix 2.

4. Outcomes to be Achieved

- 4.1 The IBP will be reviewed and rolled forward annually. It includes all the key infrastructure projects within the Local Plan area, monitors their progress and identifies which infrastructure projects have been selected to be funded from the District Council's CIL in the five year period, together with the City, Town and Parish Councils' CIL spending plans. Through the production of the IBP, the Council can prioritise the infrastructure that will be delivered utilising CIL funds to meet the needs generated by development

5. Proposal

- 5.1 The purpose of this report is to consider the representations received as a result of the consultation and suggested modifications to be made to the IBP as highlighted in this report at Appendix 1 and to approve the IBP 2020-2025 and CIL spending plan set out at Appendix 2. Due to the length of the full IBP, it is available to view via the link in Section 11 below.

6. Alternatives Considered

- 6.1 The alternative is not to have an IBP, or not to have a formal process for selecting projects to be funded from the CIL. Many local authorities that have been collecting CIL allocate it to projects without having a formal process for doing so. The disadvantage of this approach is that it does not provide 'up front' certainty about which infrastructure projects will be funded and no guarantee that the infrastructure delivery commissioner will be able to provide the infrastructure in time to accompany the growth of the area. It also ignores the need to work in partnership with West Sussex County Council and parish councils.

7 Resource and Legal Implications

- 7.1 The projects selected for CIL funding must be published and monitored in the new Infrastructure Funding Statement to conform to the 2019 CIL Regulations.

8 Consultation

- 8.1 The projects within this IBP were identified through consultation with West Sussex County Council, key infrastructure providers, and the City, Town and Parish Councils.

9 Community Impact and Corporate Risks

- 9.1 This IBP will provide transparency about which projects have been and will be funded from the CIL within the five year rolling plan period and which infrastructure projects will be funded from other sources. It will enable the Council to have more control over the timing of infrastructure to accompany new development. The risks are as follows:
- That the rate of housebuilding changes from that projected;

- That further changes are made to the CIL regulations which will remove types of development from paying the levy, creating a larger funding gap than identified in this IBP;
- That other sources of funding fail to materialise;
- That consensus is not reached over which projects should be prioritised for CIL funding;
- That infrastructure delivery commissioner(s) funding priorities change;
- That identified sources for part-funding are withdrawn;
- That the parish councils do not spend their CIL within five years of receipt and thus the District Council as Charging Authority may ask for its return; and
- That the total amount of infrastructure provided is insufficient to mitigate the impact of development.

10 Other Implications

	Yes	No
Crime and Disorder		✓
Climate Change and Biodiversity		✓
Human Rights and Equality Impact		✓
Safeguarding and Early Help		✓
General Data Protection Regulations (GDPR)		✓
Health and Wellbeing		✓
Other (please specify)		✓

11 Appendices

11.1 Appendix 1: Summary of Representations and Proposed Modifications to the IBP

11.2 Appendix 2: Infrastructure Business Plan 2020-2025, as modified. The full version is available electronically only (via the link below) due to its length, with the exception of the CIL spending plan.

<https://chichester.moderngov.co.uk/ieListDocuments.aspx?CIId=135&MIId=1171>.

12 Background Papers

12.1 None.

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Chichester District Council

Cabinet

4 February 2020

Authority's Monitoring Report 2018-2019

1. Contacts

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2. Recommendation

- 2.1 That Cabinet approve the Authority's Monitoring Report 2018-2019 for publication.**
- 2.2 That the Director of Planning and the Environment be authorised, following consultation with the Cabinet Member for Planning Services, to make any minor amendments to the Authority's Monitoring Report prior to its publication.**

3. Background

- 3.1 The Authority's Monitoring Report (AMR) is published annually by Chichester District Council and is the main mechanism for assessing the performance, implementation and outcomes of the Local Plan. The AMR for 2018-2019 is appended to this report.
- 3.2 The AMR covers the period 1 April 2018 to 31 March 2019, although significant events occurring since 31 March 2019 are also noted. The AMR is prepared in line with a requirement set out in the Localism Act 2011 for local planning authorities to publish annual information reporting progress with Local Plan preparation, details of any neighbourhood development order or neighbourhood development plan within the Plan area as well as details on all CIL receipts, expenditure and section 106 agreements. It also needs to report activity relating to the duty to cooperate and show how the implementation of policies in the Local Plan is progressing using key indicators.
- 3.3 Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the basic information authorities monitoring reports must contain, although local authorities have discretion to include any other useful information relating to planning policy preparation and performance. This report uses the monitoring framework contained in Appendix G of the Chichester Local Plan: Key Policies 2014-2029 (Chichester Local Plan).

- 3.4 The AMR covers the Chichester Local Plan area, so excludes that part of the District which falls within the South Downs National Park. However, the data for two policy indicators (EN1 and EN6) in the 'Policy Indicators - Environment' section of the AMR relate to the whole of Chichester District (including the National Park). In addition, one of the policy indicators (EN3) in the 'Policy Indicators - Environment section' covers a section of the Solent shoreline, and includes data from one site (Warblington) located outside the District due to set survey routes.

4. Outcomes to be Achieved

- 4.1 The preparation of the AMR ensures that policies in the adopted Local Plan are effectively monitored and indicates whether any changes need to be considered if a target has not been met.

5. Proposal

- 5.1 The purpose of this report is to update Members on performance against local planning policy indicators over the monitoring period and to seek member endorsement of the AMR 2018-19. Minor changes have been made to the AMR following the meeting of the Development Plan and Infrastructure Panel on 16 January 2020. These changes are to the sections relating to the A27, Waste Water and Section 106 financial contributions. Key highlights from the AMR are summarised below.

Local Plan Progress

- The Council approved an update to the Local Development Scheme (LDS) covering the Chichester Local Plan area in September 2019. However, the LDS versions most relevant to this AMR were published in January and November 2018.
- Following the responses received to the Preferred Approach stage of consultation between 13 December 2018 and 7 February 2019, additional evidence is now being prepared. Accordingly, the timetable for the Local Plan Review will continue to be revised as necessary.
- The Site Allocation Development Plan Document (DPD) which identifies non-strategic sites for housing, employment and other development requirements in conformity with the Chichester Local Plan, was adopted in January 2019.
- The timetable for the Noise and Air Quality Supplementary Planning Documents has been revised with consultation due to take place in spring 2020 with adoption in 2021.

Neighbourhood plans

- A total of 21 parishes within, or partly within, the Chichester Local Plan area are subject to Neighbourhood Plan Area Designations. Two areas, North Mundham and Sidlesham, were designated during the period April 2018 to March 2019.

- Consultation on the submission version of the Boxgrove neighbourhood plan took place between April and June 2018 whilst the Examiner's report on the Selsey neighbourhood plan was published in October 2018. No new neighbourhood plans were 'made' in the monitoring period. To date a total of 9 neighbourhood plans within the Chichester Local Plan area have been 'made'.

Community Infrastructure Levy Contributions

- Between 1 April 2018 and 31 March 2019, CIL receipts totalled £4,016,475.59 and total CIL expenditure equated to £48,158.00, which was spent on enhancements to the Lavant Biodiversity Opportunity Area and provision of wheelchair accessible paths and floating islands on the ponds at Brandy Hole Copse.
- The AMR provides information on the amount of CIL receipts passed to the City and Parish Councils in the area.
- Between 1 April 2018 and 31 March 2019, 125 Section 106 agreements and Unilateral Undertakings were signed relating to planning permissions granted in the Chichester Local Plan Area and providing for contributions to the District Council of £539,332 with almost £400,000 spent on recreational mitigation at Chichester and Pagham Harbours. Further contributions were also obtained towards West Sussex County Council services and specific obligations to enter into Section 278 agreements with Highways England to secure contributions towards improvements to the A27. The sum of £1,664,005 was secured in relation to the A27 for Highways England.

Economy

- Employment floorspace completions in 2018-19 (Use Classes B1-B8) totalled 22,775.8 sq.m (gross), or 20,101.8 sq.m (net). Completions were much higher than the average in recent years largely due to almost 10,000 sqm of additional floorspace at Portfield Quarry (Glenmore Business Park). Overall, a total of 93,980.1 sq.m gross (60,834.8 sq.m net) has been completed in the Local Plan area over the period 2012-2019.
- Progress has been made on several allocated sites, in particular, development at Glenmore Business Park progressed with 43 units completed between 2018 and 2019. B1 office space amounting to 680 sqm has also been completed at Ellis Square in Selsey.
- Glasshouse permissions were granted within Sidlesham and Runcton HDAs during the monitoring period.
- Primary shopping frontages in non-A1 use within Chichester Centre slightly exceeded the target 25% during the monitoring period. The monitoring framework will trigger a review of policy if the target is exceeded by 10%.

Housing and Neighbourhoods

- The National Planning Policy Framework (NPPF) sets a requirement to maintain a five year supply of deliverable housing sites. The Five Year Supply Statement

which includes the housing trajectory has been published on the Council website.

- The adopted Local Plan makes provision to deliver a total of 7,388 additional dwellings over the period 2012-2029. A total of 654 net dwellings were completed in the year to 31 March 2019 which significantly exceeds the Local Plan housing requirement of 435 net dwellings per year. There remains a cumulative shortfall of 28 net dwellings since the Plan monitoring base date of 1 April 2012, but as the rate of annual completions is expected to continue to increase, this shortfall should be overcome within the next year.
- Considerable progress is being made towards future housing delivery at the Strategic Development Locations (SDLs) allocated in the Local Plan, and at strategic sites at settlement hubs. Development of the first phase of 398 dwellings is under construction at Shopwhyke Lakes, with the remainder of the total of 585 dwellings having outline permission. Development of 300 dwellings on land between Stane Street and Madgwick Lane, Westhampnett has commenced (Westhampnett/North East Chichester SDL). At West of Chichester, outline planning permission was granted in April 2018 for the first phase of development (750 dwellings) with reserved matters in respect of appearance, landscaping, layout, scale, SANGs land, primary road, surface drainage and utilities routing all approved in December 2018. Reserved matters for 73 dwellings and 91 dwellings were permitted in October and November 2019 respectively. The Council has now selected a development partner in order to bring forward delivery of development at the Tangmere strategic site. In total, 495 dwellings have been completed on strategic sites since 2012.
- At the Settlement Hubs, all of the remaining strategic housing requirement now has planning permission with the majority of developments underway or expected to commence shortly. During the year to 31 March 2019, a total of 314 net dwellings were completed on parish housing sites. This brings the total completions on parish sites since the start of the Local Plan period to 882 net dwellings, with a total of 212 dwellings remaining to be delivered. Actual recorded net completions on sites of less than 6 dwellings since 1 April 2012 has averaged 60 dwellings per year, well in excess of the Local Plan target.
- A total of 145 affordable homes were completed in the Local Plan area over the year 2018-19. In the period since 1 April 2012, a net total of 830 affordable dwellings have been built representing around 30% of all net dwellings completed which is in line with the Plan target.
- During the monitoring period, 2 sites were granted permanent planning permission for gypsy and traveller pitches with a total of 60 gypsy and traveller pitches being granted permanent planning permission in the Plan area since 2012. A further 8 pitches have been granted permanent planning permission since the end of the monitoring period.

Environment

- In Chichester District (including the National Park), 51.6% of Sites of Special Scientific Interest (SSSI) are considered to be in a favourable condition, which is similar to the overall West Sussex County figure of 51.4%. Of the SSSI in the

District assessed as being in unfavourable condition, 84 are categorised as recovering, 3 assessed to be declining, with a further 18 units showing no change. Parts of the Chichester Harbour SSSI were reclassified from unfavourable recovering to unfavourable no change in February 2019. Overall 90.3% of the SSSI area is in favourable or recovering condition, falling slightly short of achieving the Natural England target of 95%. The District Council is working closely with Natural England and other partners including the Chichester Water Quality Group to determine the best way to address this, both through planning policy and when considering planning applications.

- Data and information relating to recreational disturbance within the Chichester and Pagham Harbour Special Protection Areas; nitrogen levels in the three Air Quality Management Areas (AQMA); Conservation Area Character Appraisals; carbon dioxide emissions and changes in areas of biodiversity importance is also presented in the Policy Indicator-Environment section of the AMR. Of note, the nitrogen levels in two AQMAs have either stayed the same (Orchard Street) or decreased (Stockbridge) though one AQMA has increased slightly (St Pancras). The trend in domestic carbon dioxide emissions reveals domestic emissions fell over the three year period whilst transport emissions steadily increased. However, overall, carbon dioxide emissions did decline.

Strategic Infrastructure

- Over the year to 31 March 2019, the Environment Agency continued to be consulted on all relevant planning applications. Initial objections made by the EA were usually addressed through incorporating their recommended conditions into planning decisions. Only one application (ref: 19/00223/DOC) for the discharge of conditions relating to surface water quality was approved despite the EA resolving not to recommend the condition to be discharged. Details received by the applicant were considered by the Council to be acceptable with regard to the development permitted.

6. Alternatives Considered

- 6.1 No alternative has been considered since preparation of the AMR is a statutory requirement for all local planning authorities.

7. Resource and Legal Implications

- 7.1 The AMR is prepared using the resources within the Planning Policy team.

8. Consultation

- 8.1 None.

9. Community Impact and Corporate Risks

- 9.1 One of the main purposes of preparing an AMR is to provide updated information for communities and interested parties on planning policy performance.

10. Other Implications

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

11. Appendix

11.1 Chichester District Council Authority's Monitoring Report 2018-2019.

12. Background Papers

12.1 None.

Chichester District Council

CABINET

4 February 2020

Corporate Debt Recovery Policy

1. Contacts

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2. Recommendation

2.1. That the Cabinet approves the new Corporate Debt Recovery Policy.

2.2. That the Cabinet notes the Council's response to the recommendations from the Money Advice Service.

3. Background

3.1. In response to the Taking Control of Goods (Fees) Regulations 2014 which came into force on 6 April 2014, Cabinet approved the Council's Corporate Debt Recovery Policy in October 2014. The aim of this Government legislation was to clarify the law, introduce a transparent fee structure and regulate the enforcement industry.

3.2. As a result of the legislation, debtors (who owe money to a third party) and creditors (who are owed money) should now easily understand their rights and be assured that there is no scope for unlawful force when enforcing debts. Standards of behaviour are guaranteed by a mandatory training regime and there are now appropriate standards for entering the enforcement profession (previously known as the bailiff profession). The public now get better information and guidance, so that they know where to go for help when in financial difficulties, and what their rights are when something goes wrong.

3.3. The Council's policy was last refreshed in September 2017, and a new Write off Policy was established with the aim of clearly setting out under what circumstances a debt is deemed to be irrecoverable, so that the Revenue Recovery Team (at that time) could submit the debt for write off approval by the Section 151 Officer (formerly known as the Head of Finance & Governance Services), or other specific officers authorised to approve the write off of smaller debts under the approved policy.

3.4. In view of the legislation, the Corporate Debt Recovery Policy was developed to promote a co-ordinated approach in the Council at an early stage in the recovery process so that debtors are better able to manage multiple debts to the Council,

and it also acknowledged that vulnerable people may need extra assistance in dealing with their financial affairs.

- 3.5. Also to ensure a consistent approach one team was given the responsibility to manage the recovery and enforcement of all unpaid corporate debts with the exception of parking fines, which are subject to the Civil Enforcement of Parking legislation and managed by the Car Parking Service. The parking fines are normally due for payment within 28 days of being issued, but the service operate a payment plan policy for individuals where exceptional circumstances apply, which is consistent with the Council's Corporate Debt Recovery Policy.
- 3.6. The Council's Constitution states, (under Part 3, Item 24 Page 67), that the Director of Corporate Services has the delegated authority to "Write-off of outstanding accounts, which are considered to be irrecoverable, subject to members being informed of the total amount of such write-offs". The debts written off between 1 April 2018 and 31 March 2019 were published on Modern.gov for members in September 2019 and are a background paper for this report.

4. Outcomes to be achieved

- 4.1. That a new Corporate Debt Recovery Policy is approved which updates the Council's approach to debt management including roles and responsibilities, and incorporates the Council's write off arrangements. Thereby ensuring that the policy remains up to date, relevant and is clear and transparent about its approach for debt management, recovery action and the write off of debt where it is deemed to be uncollectable.
- 4.2. To seek to achieve the 6 steps of good practice for local authorities as advocated by the Money Advice Service to improve the Council's collection practices.

5. Proposal

- 5.1. The Corporate Debt recovery and Write off Policies have remained unchanged since they were last approved in 2017, and officers felt that the 2 policies should be amalgamated and a complete refresh undertaken. This was also an opportunity to take account of changes to the Council's management structure and the Corporate Debt Recovery Team, after the Revenues & Benefits service review, which has made changes to those undertaking recovery actions within the Council.
- 5.2. The new policy in appendix 1 is an overarching generic approach for income collection and debt management, with greater detail for those income streams where different legislation needs to be taken into account for debt recovery actions, and where the service has responsibility for recovery action rather than the corporate Taxation Team.
- 5.3. It also states when the council will charge interest for late payment, which has not been expressed anywhere before or advocated, even for corporate/commercial debtors.

- 5.4. It expands on the fair debt collection approach, the use of enforcement agents, and sets out the roles and responsibilities of officers under the policy, including the delegation of write offs for lesser sums, which reflects better the accountability and knowledge of such cases.
- 5.5. The policy sets out the reporting of write offs for lesser amounts to the Director of Corporate Services, along with the quarterly write off approval procedures. These reporting requirements are to aid the annual write offs report to members as prepared by the Revenues Operations Manager.
- 5.6. It also sets out a new regular reporting requirement to the Strategic Leadership Team (SLT) so senior managers are aware of the financial risk of non-collection and the service areas impacted.
- 5.7. Also in response to the Money Advice Service and their “Stop the Knock” research campaign which sets out 6 recommendations for local authorities to consider to improve their collection process; the Council’s response to those recommendations are set out:

(i) **Make a clear statement to reduce the Council’s use of enforcement agents (formerly known as bailiffs) over time.**

Council’s response: Any use of enforcement agents is usually a last resort in the debt recovery process, which is not evoked without considering the type of debtor involved in accordance with the Council’s debt recovery policy.

This approach is also illustrated by the data from the Money Advice Service, which stated that “Chichester District Council is amongst the 51% of councils in England and Wales that have reduced its use of bailiffs over the last two years - in 2018/19, Chichester District Council passed 1,174 council tax debts, 738 parking debts and 65 other debts to bailiffs - a total of 1,977 debts, representing an overall decrease of 32% since 2016/17”.

(ii) **Review the Council’s signposting to free debt advice, including phone/online channels**

Council’s response: This information was already contained within the 2017 policy, and is in the new policy being considered by the committee. The Council’s website will be reviewed to make any further improvements to aid sign posting as necessary.

(iii) **Adopt the Standard Financial Statement (SFS) to objectively assess affordability**

Council’s response: Officers are currently assessing the use of this statement in its debt management processes and procedures in the relevant service areas.

(iv) Put in place a formal vulnerability policy covering residents in vulnerable circumstances

Council's response: This information was already contained within the 2017 policy and is in the new policy being considered by the committee.

(v) Exempt Council Tax Support recipients from enforcement action

Council's response: The Council continues to give a high level of support to those claimants that are financially vulnerable in its communities since the introduction of local Council Tax Reduction schemes, by maintaining levels of support to claimants in comparison with the National means tested Council Tax Benefit scheme that it replaced. There may be claimants where 100% level of support is not given, but the use of enforcement agents for this type debt would only be used as a last resort.

(vi) Sign the Council Tax Protocol and review the Council's current practices against the 'Supportive Council Tax Recovery' Toolkit

Council's response: Officers are currently considering this toolkit and its use by those involved in Council Tax recovery action, and if appropriate, it will be incorporated into the procedures used by the service.

6. Alternatives that have been considered

- 6.1. It is considered that a corporate wide policy for the recovery process of money owed to the Council, and the write off of irrecoverable debts ensures that there is a transparent and clear process for debtors to understand. This ensures that the approach is consistent for all income streams as debtors may have arrears with more than one service department of the Council.

7. Resource and legal implications

- 7.1. The adoption of the new policy, does not in itself have any resource implications, but aids transparency and understanding about the procedures and processes relating to debt recovery and write off protocols within the Council. This is because, as part of the Council's budget process the bad debt provision is reviewed for all its aged debt and the provision is adjusted as necessary. Provisions are also reviewed during the production of its statutory final accounts, to consider the debts written off during the year and whether the bad debts provisions remain sufficient or not.
- 7.2. The policy continues the promotion of good practice and a consistent approach in the recovery of debts, and the recommendation to write off any debts that are considered to be irrecoverable, after any necessary consultation with the relevant service and Legal Service's advice.

8. Consultation

- 8.1. In developing the policy consultation has been carried out with a number of services across the Council of the new Corporate Debt Recovery Policy

incorporating the write off arrangements. These included the Income and Payments team, Revenues and Benefits Service, Estates, Housing and Legal Services, plus the Divisional Manager for Community Services from a financial inclusion viewpoint; before consulting with the Strategic Leadership Team.

- 8.2. The Corporate Debt Recovery Policy was considered by the Corporate Governance and Audit Committee on 23 January and a verbal update will be provided on any comments.

9. Community impact and corporate risks

- 9.1. Lack of timely and appropriate debt recovery action may result in the loss of income due, higher levels of write offs and increasing bad debt provision requirements.
- 9.2. Reputational risk and not adhering to the Council’s corporate priorities where the service user pays, increasing the risk to its financial resilience.
- 9.3. The Corporate Debt Recovery Policy has provided debtors with the assurance that the Council recognises that some individuals and commercial organisations can have problems paying and that the Council aims to provide assistance to help them meet their obligations.
- 9.4. The equality impact assessment has been reviewed to take account of the new policy being proposed, and no changes were required.
- 9.5. This policy in no way promotes a two tier system, as there will always be customers who pay their bills on time and those who don’t. The policy was established to support individuals and commercial organisations to deal with their debts, as they would still be expected to pay what is due.
- 9.6. The policy also sets out clearly when the Council will consider writing off debts that it considers to be irrecoverable. However, should a debt need to be re-instated because the reason for write-off is no longer valid e.g. absconded and the debtor is subsequently found or assets identified, then the Council will reinstate the debt if appropriate to do so and within any time limitations.

10. Other Implications

	Yes	No
Crime & Disorder:		X
Climate Change and Biodiversity:		X
Human Rights and Equality Impact: An updated Equalities Impact Assessment has been carried out and has concluded that these policies will have a positive impact on some individuals with protected characteristics and a neutral effect on other groups.	X	
Safeguarding and Early Help:		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing		X

11. Appendices

11.1. Appendix 1 – New Corporate Debt Recovery Policy

12. Background Papers

12.1. Equalities Impact Assessment

12.2. Debt Write Offs between 1 April 2018 and 31 March 2019



Chichester District Council

Corporate Debt Recovery Policy

(New – October 2019)

DRAFT

A CORPORATE DEBT FRAMEWORK

1. When is this Policy effective from?

This Policy is effective from 1 March 2020 and supersedes the Corporate Debt Recovery Policy and Write-Offs Policy which was last updated and approved by Cabinet in September 2017.

This Policy will be reviewed in February 2023 or at an earlier time dependent upon the outcome of the Government consultations on:

- Breathing space – proposal to give someone in problem debt the right to legal protections from creditor action while they receive debt advice and enter an appropriate debt solution. The plan would enable someone in problem debt to enter a statutory agreement to repay their debts to a manageable timetable. Individuals entering a plan would receive legal protections from creditor action for the duration of their plan.
- And review of Council Tax debt recovery - have committed to making Council Tax (CT) collection system fairer and more efficient. New guidance due to improve how councils recover unpaid CT and end aggressive enforcement tactics. Government sought input from charities, debt advice organisations and councils on the new guidance

2. Why do we have this policy?

Reason

The Council raises a significant proportion of its total income through local taxes and charges, and has a duty to ensure that all monies owed to it (debts) are collected efficiently and effectively for the benefit of its residents.

The vision of corporate debt management for the Council is:

“To maximise the amount of collectible debt through the efficient collection of income, within a framework of customer care and client sensitivity.”

Purpose

This policy details the Council’s corporate approach to debt recovery including how it prioritises debt outstanding. The Council will make every effort to ensure that best practice is applied to all debt collection and recovery activities within appropriate legal powers. This policy applies to both individuals and companies subject to the application of relevant legislation.

This policy embraces the objective:

To balance the effective collection of monies due to the Council to maximise income collection, whilst ensuring that a fair, proportionate and consistent

approach is taken to the recovery of sums that are not paid when due, with the aim to avoid increased indebtedness.

3. Policy Aims

Underpinning this policy is the general principle that the citizens and businesses have a responsibility to pay for the services they receive from the Council and the charges for which they are liable.

The preference is for services to gain upfront payment for any new services that require payment, and not rely on invoices.

Wherever possible and when appropriate, services will not be provided until payment has been made and cleared funds received.

The key aims of this policy are to:

- To improve the levels of income collected by the Council and reduce levels of arrears (debts);
- To provide a number of mechanisms for payments to be made to, and to make the process of payment as easy as possible for customers;
- To ensure that all amounts due are collected according to the agreed payment criteria, and encourage payment by the most efficient method;
- To ensure that all relevant information provided to debtors is clear in setting out what action may be taken if a debt remains unpaid;
- Apply best practice and transparency to debt collection, using cost effective, fair collection and recovery practices;
- Ensure a professional and timely approach to recovery action for all the different types of debt owed to the Council;
- Treat individuals consistently and fairly and in accordance with the Council's Equalities Strategy;
- Promote a coordinated approach towards managing multiple debts owed to the Council,
- Ensure that people in genuine financial difficulty are supported to claim any benefits they are entitled to and where appropriate are signposted towards free debt advice;
- Acknowledge that some people struggle to pay their bills and to adopt a more preventative approach to indebtedness where appropriate,

- Ensure that vulnerable people are supported to manage their financial affairs effectively, including the payment of debt.

4. Who must comply with the policy?

This policy applies to all staff responsible for the administration and collection of debt for the Council.

5. What is the policy?

The Council's policy is, first and foremost, that all debt due to the Council is payable and all necessary steps should be taken to ensure that it is recovered. The Council recognises that some people do not pay their debts for a variety of reasons. This may include poverty or other financial hardship, which the Council will balance against its duty to collect. Conversely, this policy outlines a robust approach to those who can pay but won't pay.

The Council's debt collection and recovery policy is fair to everyone regardless of their age, race, gender, disability, sexuality or religious belief. This policy is in addition to existing legislation and is designed to enhance the procedures already in place to collect debt.

The need for people in debt to communicate their financial status is important. Where a person makes contact with the Council, their circumstances will be considered with a view to agreeing a reasonable payment arrangement (taking into consideration any statutory constraints or timescales), minimising recovery action and helping to alleviate hardship.

Payment arrangements for any sundry debtor accounts raised in the Council's Financial Management system (Civica) may be agreed by the service area, subject to liaison/consultation with the Taxation Team (especially if debt recovery action has commenced). The Income and Payments Team must also be informed to reflect the payment arrangement in the Council's financial system.

Where people fail to make contact or maintain agreed arrangements, recovery action will continue.

No policy can ever completely address the difficulties faced by some people and families on low incomes. The approach to recovery will therefore be sensitive to individual circumstances and take into account multiple debts owed within statutory limitations.

The Council will:

- provide individual debtors in financial hardship with advice on relevant benefits, discounts, relief and exemptions to prevent a worsening situation and / or signpost appropriate debt agencies;
- consider longer-term payment arrangements for debtors suffering genuine hardship, although this may not be available for some debts with statutory timescales, such as Penalty Charge Notices (parking tickets);

- take into account all debts owed to the Council (excluding parking tickets) , with the debtor's consent, to ensure that the Council does not increase hardship where different council services are seeking to recover debts; and
- maintain and review this policy, as necessary, so that it remains in line with any anti-poverty strategies and actions approved by the Council.

6. How is this policy implemented?

This policy supports existing legislation and is designed to enhance the procedures that are in place to assist with the collection of debt. Although there are variations in the procedures relating to different debts, they must reflect the Council's requirement for a corporate approach to recovering debt as set out in this policy.

6.1 Fair debt collection

There are various methods available to recover outstanding debts that are mentioned in this policy. The Council may appoint Enforcement Agents to recover local taxation arrears and other debts where authorised to do so. Only certificated enforcement agents can take control of goods for local taxation and road traffic debts. The fees charged to the debtor are governed by legislation. The ability to pay is a paramount concern when considering debt recovery.

This Council supports fair debt collection and recovery practices and makes the following commitments to support this.

It will:

- ensure there is a process in place to ensure that bills and statutory documents are accurate, timely and clear;
- provide appropriate and easy payment methods (e.g. direct debit, on line and automated payment line for the majority of income streams);
- encourage people and businesses that fall into arrears to contact us and agree to payment arrangements appropriate to their circumstances and the Council's requirements;
- help to reduce the effect of debt on people on low incomes by informing people of the general availability of income-related benefits such as Job Seekers' Allowance, Tax Credits, Universal Credit, Pension Credit and by ensuring that maximum benefit take-up occurs;
- advise people and businesses where they can get independent advice with financial problems (e.g. Citizens Advice Bureau). A list of some other organisations where money management and budgeting advice can be obtained is attached to this Policy in **Appendix 1**;

- identify deliberate non-payers or those who delay payment and take timely and effective enforcement action;
- focus on collecting the charge set rather than how the charge is arrived at. Some charges and debts have a process for appealing the charge. The debt and/or charge should be paid in the first instance pending the outcome of any dispute/appeal. The Council gives a commitment that payment will not prejudice the outcome of any appeal process and that it will refund the payment should the appeal be successful (excluding Road Traffic Debts); and
- consider reducing or remitting debt in cases of extreme hardship where legislation and discretionary powers allow for this.

6.2 Vulnerable People

The Council recognises that some members of the community may be considered to be more vulnerable and, therefore, may require additional support in dealing with their financial affairs.

Vulnerability does not mean that a person will not be required to pay amounts they are legally obliged to pay. However, where a person is recognised to be vulnerable consideration should be given to;

- Allowing longer to pay,
- Postponing enforcement action,
- Assisting the person to claim benefits, discounts or other entitlements,
- Supporting people to access sources of independent advice,
- Providing information in an accessible format,
- A temporary payment arrangement with lower repayment than would normally be agreed,
- Where appropriate engagement with third parties in order to assist the debtor with their financial affairs,
- Returning debt to Chichester District Council if the debt has been pursued by the Enforcement Agent.

The cause of vulnerability may be temporary or may be permanent in nature and the degree of vulnerability will vary widely. In some circumstances it will be appropriate to liaise with or seek further advice from other agencies that may be involved in working with the customer. The definition of vulnerability can be found in the Appendix 2 to this document.

Should a debt proceed to an Enforcement Agent, an agreed vulnerability policy is in place.

6.3 Prioritisation of Recovery

All debt is recoverable. Priority of recovery will be based upon various factors such as:

- Age of debt
- Amount
- Debtor Type
- Number
- Creditor Type

Referrals to enforcement or collection agents to collect debts or take control of goods will only be undertaken where there is a reasonable likelihood of recovering the debt.

6.4 Charging Orders

A charge against the property will be considered if the liable party is the owner. Upon obtaining a charge, consideration will be given to ordering a sale of the property to repay the debt owed. This will be based on several factors such as the amount owed, the lack of a suitable offer of repayment, the composition of the household and the liable party's capacity.

6.5 Use of Enforcement & Collection Agents

The Council reserves the right to use Enforcement Agents and collection agents as it sees fit, where it is allowed by law to so do.

Enforcement Agents are governed by Regulations made under the Tribunals, Courts & Enforcement Act 2007 such as The Taking Control of Goods Regulations 2013, The Taking Control of Goods (Fees) Regulations 2014 and The Certification of Enforcement Agents Regulations 2014.

Enforcement Agents will be expected to be members of the Civil Enforcement Association (CIVEA) and comply with the CIVEA Code of Conduct. If not members of CIVEA, they will be expected to demonstrate similar codes of practice and complaints handling.

The Council may issue specific instructions as to its own requirements on the conduct of enforcement and collection agents acting on its behalf either directly or through partnership arrangements. Contracts with Enforcement Agents are actively monitored to ensure they are operating in line with National Standards.

6.6 Insolvency

Bankruptcy and liquidation proceedings will be considered where the debt or combined debts are above the statutory minimum threshold and it is considered cost effective to do so.

The Council may appoint or approve an insolvency practitioner to act on its behalf in any insolvency proceedings either on its own or with others.

6.6 Writing off Debt

The Council will make every effort to collect monies due, in order to maximise the resources it has available to provide good quality services to its community. However, it also recognised that there will be occasions when debts become irrecoverable and will need to be considered for write off in accordance with the Council's Constitution Financial Regulations Section 4 Income 1(v). In such circumstances prompt and regular write off of such debts is good practice, as this allows for a correct calculation of bad debt provision each year, and avoids wasting resources chasing debt where there is no realistic prospect of recovery.

The Council will seek to minimise the cost of write offs to the local taxpayer by taking all necessary action to recover what is due. All debts will be subject to full collection, recovery and legal proceedings as outlined in this policy.

Write off is only appropriate where:

- The demand or invoice has been raised correctly and is due and owing;
- That every effort has been made to recover the debt, in the form of reminders, final notices and any other relevant recovery action undertaken; and
- There is a justified reason why the debt should not be pursued further.

The definition of irrecoverable is "a debt that will never be paid to the person owed, and is considered to be uncollectable for whatever reason, and should therefore be written off."

Justified Reasons

Whilst it is not possible to list every scenario which could make a debt suitable for write off; however, the following factors could be appropriate depending on the circumstances.

The responsibility for recommending whether a debt is suitable for write off to the Director of Corporate Services (S.151 Officer) is set out in Section 12 (Roles & Responsibilities). Services must take into account any advice or guidance from Legal Services or the service area's Divisional Manager.

The most common circumstances where a debt may be written off have been categorised as follows:

Table 1

Reason	Description
Insolvency	Debtor is the subject of bankruptcy, individual voluntary arrangement, liquidation, company voluntary arrangement, an administration order, or administrative receivership proceedings or has ceased to trade or is subject to a Debt Relief Order.
Unenforceable	Debtor is overseas or the debt is over 6 years old.
Abscond	Tracing agents/search engines or other methods have been unable to find the debtor.
Uneconomical to collect	Balance too small for further actions, or the costs associated with collecting the outstanding debt is prohibitive.
Uncollectible	Custodial sentences/remitted debts/system rounding/where all due process has been undertaken to recover the debt (as detailed in procedures), but despite using all available / appropriate recovery options, the debt is still deemed uncollectible.
Deceased	Insufficient funds in an estate to settle the debt.
Vulnerable	Where a debtor has no realistic means of paying the debt due to vulnerability, and all due process as detailed in the procedures, including third party support, has been followed.

The Council reserves the right to reinstate, within statutory deadlines, any debt where it becomes apparent the circumstances for write off are no longer applicable, i.e. a debtor is traced/funds become available.

In cases where the debtor is jointly and severally liable for the debt with another party, recovery action will continue against all liable individuals and only if this action fails, will monies be recommended for write off.

6.7 Credit Balances

Where an account has been overpaid or falls into credit for some other reason, with the agreement of the customer, the overpayment or credit will be refunded or may be transferred to reduce another debt owed by the customer. All refunds will be repaid by electronic transfer to a UK bank account, and only by cheque in exceptional circumstances.

(i) Customer Accounts (Sundry Income)

The refunds are processed by the Income and Payments Team and all necessary checks will be made for any other outstanding debts to the council. Whilst the customer's permission may be required to transfer to another outstanding debt, every reasonable effort must be made not to refund the credit whilst other debt is outstanding.

(ii) Council Tax and Business Rates

These are refunded by the Taxation Team. Credits which cannot be traced or refunded which are over 6 years old are transferred to the General Fund Reserve.

(iii) Accommodation Services – License Fees

These are refunded by the Housing Service, or any credits which cannot be traced or refunded to the licensee which are over 6 years old are transferred to the General Fund Reserve.

Once all checks have been carried out; not knowing the whereabouts of the creditor (or not having sufficient information to determine how or when a credit is to be refunded) will be an acceptable reason for the writing off the credit. A record should be kept should the creditor subsequently be traced and the credit will be repaid, if economic to do so.

Checks need to be undertaken to see whether any refund is genuine and that money laundering is not being attempted.

6.8 Specific Debt Recovery

(i) Council Tax

Council Tax recovery procedures are laid down by statute in The Council Tax (Administration and Enforcement) Regulations 1992 and subsequent amendments. Reminder Notices and Final Warning notices will be issued as required by law.

Continued non-payment after the issue of Reminder and Final Notices may result in a Liability Order being awarded by a Magistrates' Court.

Enforcement action can include collection by an Enforcement Agent, attachment to benefits or earnings or ultimately insolvency proceedings, committal to prison or a charge against the property, which can lead to an order of sale.

(ii) Non-Domestic Rate (Business Rates)

Non-Domestic Rates recovery procedures are laid down by the Non-Domestic Rate (Collection and Enforcement) (Local Lists) Regulations 1989 and subsequent regulations and amendments.

Reminder Notices and Final Notices will be issued as required by law.

Continued non-payment after the issue of Reminder and Final Notices may result in a Liability Order being awarded by a Magistrates' Court.

Enforcement action can include collection by an Enforcement Agent, or ultimately insolvency, committal to prison (for an individual) or a charge against the property, which can lead to an order of sale.

(iii) Housing Benefit & Council Tax Support

Housing Benefit overpayments are reclaimed in accordance with Regulations 99 – 107 of The Housing Benefit Regulations 2006 (as amended). In addition, there are debt recovery procedures in place where Housing Benefit has been overpaid but where the debtor is no longer in receipt of payment.

How to repay a benefit overpayment can be found at:

[Overpayments: Chichester District Council](#)

(iv) Landlord and Tenant Act

Individuals or businesses entering into commercial lease arrangements with the Council will be expected to comply with the terms therein including payment of rent and other monies due.

In the event of a breach of the payment terms by the tenant, the Council will undertake such steps, as may be available to it, under relevant legislation to seek recovery of any monies due.

(v) Civil Parking Enforcement

The recovery and enforcement of Road Traffic Debts is carried out by Parking Services and is subject to Civil Enforcement parking legislation by way of the Traffic Management Act 2004. Road Traffic Debts are due immediately at point of issue and should a charge remain unpaid following the correct service of statutory documents, enforcement action will take place.

Parking Services operate a payment plan policy for individuals that prove exceptional circumstances apply, which is consistent with the Council's Corporate Debt Recovery Policy. It is also the case that the three tiered appeals process exists, whereby customers can dispute a charge but also that the charge is discounted by 50% within the first 14 days from the issue of a Notice.

Any recovery action and write off of Road Traffic irrecoverable debt is in line with the Council's Corporate Debt Recovery Policy. A senior member of the service will review each case considered for write off of parking enforcement notices.

(vi) Accommodation Services - Licence fees, Homefinder rents, deposits and rent in advance payments and recharges

Individuals entering into licences or tenancy agreements with the Council will be expected to comply with the terms therein including payment of rent and other monies due.

In the event of a breach of the payment terms by the licensee or tenant, the Council will undertake such steps, as that may be available to it, under relevant legislation to seek recovery of any monies due depending upon the type of legal relationship applicable to the accommodation.

6.9 Miscellaneous Income (Customer Accounts/Sundry Income)

The preference is for services to gain upfront payment for any new services that require payment, and not rely on invoices, if payment before the service is appropriate and lawful.

Customers are encouraged to pay invoices by the Council's preferred payment method of direct debit where they receive ongoing services where monthly, quarterly or annual charges apply or instalments.

All Customer Accounts (excluding Council Tax, Business rates, Business Improvement District Invoices and Road Traffic Debts) are required to be paid in 10 working days, unless a lease or contractual arrangement specifies otherwise. Customer Accounts arrears are collected in accordance with local procedures that are reviewed periodically and reflect best practice wherever practicable (see Appendix 3 for the high level process details).

6.10 Interest and Cost Charges

Debtors are made aware with their invoice of the possibility of interest and charges being levied, should their payment be received late. In the majority of cases, this does not present a problem and payments are received on time.

However, in a minority of cases, where payments are received late, in accordance with legislation, such as the Late Payment of Commercial Debts (Interest) Act 1998, interest and charges can be levied. The interest and charges applied are prescribed by Government and will be applied to all debts with the exception of the following:

- Debts incurred by public service bodies, charities and private individuals;
- Any debt under £1,000, regardless of debtor type; and
- Any payments received less than 14 days late, regardless of the debtor type.
- Or where the agreement contains its own interest remedy for late payment i.e. lease or contract.

However, should a debt in excess of £1,000 from those excluded debtors remain unpaid after a period of time, such as 90 days, interest and charges will be applied.

6.11 Writing Back Debt and Costs

Under the Council's Constitution the Director or Corporate Services (Section 151 Officer) has delegated authority to approve the write off of outstanding accounts, which are considered to be irrecoverable, subject to members being informed of the total amount of such write offs each year.

For recovery action undertaken by the Taxation Team, after any necessary consultation with the Council's Legal Service, the team will submit a quarterly schedule to the Director of Corporate Services to request any debts it considers to be irrecoverable in accordance with this policy (Corporate Debt Recovery Policy) and in accordance with the write off scheme of delegation as set out paragraph 6.12 (iii).

Services will be notified of the debts recommended and approved for write off.

In considering the write off of debts the Taxation Team will be mindful of statutory limitations relative to the type of debt e.g. commercial and residential property lettings etc.

For debts administered and recovery action undertaken by Parking Services or Housing Services, the teams will submit a quarterly schedule to the Director of Corporate Services to request any debts it considers to be irrecoverable in accordance with this policy (Corporate Debt Recovery Policy) and the write off scheme of delegation as set out in paragraph 6.12 (iii).

6.12 Roles and Responsibilities

The Council will publish and promote its Corporate Debt Recovery Policy and the steps taken to recover debt, so our customers understand the consequences of non-payments.

(i) Services Teams

For customer accounts the service teams are responsible for the raising of invoices and the creating of credit notes as necessary, query resolution and keeping the Finance System notes records up to date in relation to the debtor account, especially where payment is agreed within the 35 day terms (standard recovery route).

Delayed payment or requests to pay by instalments must be referred to the Taxation Team (if recovery action has commenced by the team), and the Income and Payments Team (as the payment arrangement must be set up in the Finance System (Civica)).

Accommodation services license fees debtor records are administered and maintained by the Housing Service using a standalone housing rental accounting system.

The Parking Service administers and maintains Road Traffic debtor records on their own standalone system.

(ii) Debt Recovery

Recovery action responsibility for the collect of outstanding debts is set out in Table 2 for the different service areas, and officers must adhere to the Council's Corporate Debt Recovery Policy to ensure consistency, fairness, transparency and effectiveness when dealing with the debtor.

Where the Taxation Team are responsible for agreeing any payment arrangements for Sundry (Miscellaneous) Debts with the customer, these are subject to discussions with the relevant service e.g. Estates Service to avoid any unintended acceptance of a breach of a lease.

Table 2

Debt type	Administration and Recovery Action by
Council Tax	Revenue & Benefits – Taxation Team
Non Domestic Business Rates (NDR)	Revenue & Benefits – Taxation Team
Housing Benefit/Council Tax Reduction Overpayment Recovery	Revenue & Benefits – Taxation Team
Customer Accounts (Sundry (Miscellaneous) Debtors)	Income & Payments Team and Taxation Team
Road Traffic Debts	Parking Services
Housing – Homeless Hostel Rents & associated service charges etc.	Housing – Accommodation Service Team

(iii) Section 151 Officer - Scheme of Delegation for Write Offs

Under the Constitution ultimately decisions on what classes of debt should be written off is matter for the Director of Corporate Services (or their Deputy S.151 Officer in their absence).

To achieve an efficient write off process the following delegation is adopted by the Director of Corporate Services, the precise elements which he authorises as being suitable for write off by other officers are set out in the schedule below:

- a. For debts up to but not exceeding £100 (including aggregated debts for one debtor), the delegated authority rests with the relevant Service Manager (refer to Table 2) and reviewed by the Divisional Manager. The service manager must provide a quarterly summary of the approved write offs and the justified reason to the Revenues Operations Manager for inclusion in the quarterly statistical reports for the Director of Corporate Services and the annual report to members.
- b. For debts greater than £100 but not exceeding £1,000 (including aggregated debts for one debtor), the delegated authority rests with the relevant Divisional Manager. The reporting requirements are as set out in section a. which officers must be adhered to.
- c. For debts greater than £1,000 (including aggregated debts for one debtor), the write off request is submitted to the Director of Corporate Services for approval. (This action can also be undertaken by the Divisional Manager Financial Services as the Deputy Section 151 Officer.)

The above procedures will also apply to the treatment of credit balances where the customer is untraceable in accordance with paragraph 6.7.

(iv) Reporting & Compliance

This policy will be made available to all staff dealing with income collection and recovery via the staff intranet.

Each unit/section will be responsible for ensuring that this policy is adhered to and implemented effectively. Divisional Managers and budget managers have a responsibility to monitor and report debt arrears on a monthly basis using the Aged Debt Report and completing the Monthly Aged Debt Return to the Income and Payments Team, and are required to seek advice from the Director of Corporate Services (S.151 Officer) if support is required to manage a debt issue.

Officers from the Taxation Team and Income and Payments Team should report regularly to the Strategic Leadership Team (SLT), so that management are aware of the financial risk of non-collection for the authority for its income streams where debt recovery action is being undertaken. An aged debt report annotated with accounts referred to the Taxation Team to be compiled quarterly, along with the quarterly write off reports for the Director of Corporate Services (Section 151 Officer).

The Council's Internal Audit & Investigations Team will test compliance with this Policy.

Paying an invoice - additional help

<https://www.chichester.gov.uk/payinvoice>

Customers should understand the priority of debts owed to the council and the consequences of not paying them:

Consequences of not paying debts	
Payment owed	Consequence of not paying
Council tax	Can result in an enforcement agent, an attachment to earnings/benefit, or imprisonment
Non-domestic rates	Can result in an enforcement agent, imprisonment or liquidation
BID	Can result in enforcement agent or imprisonment
Rent and temporary accommodation licence fee arrears	Can result in eviction
Commercial Rent Arrears	Can result in forfeiture of the lease
Licence fees	Can result in the licence being revoked
Court orders	Can result in County Court bailiff action
Housing benefit	Can result in attachment of earnings/benefit and County Court recovery action
Invoiced debts	Can result in withdrawal of service and County Court recovery action

Additional help and advice can be obtained from the following Independent Organisations.

You may also want...

Other websites

- [Advice UK - Advice Providers Network](#) (Opens in a new window)
- [Age UK West Sussex](#) (Opens in a new window)
- [Citizens Advice Bureau - Chichester and District](#) (Opens in a new window)
- [National Debtline](#) (Opens in a new window)
- [Step Change debt charity](#) (Opens in a new window)
- [Debt and borrowing - Money Advice Service](#) (Opens in a new window)

Cannot find the information you are looking for?

- **Housing Benefit**

Email: benefits@chichester.gov.uk

Telephone: +44 01243 534509

Recovery and enforcement action

- If you are having financial difficulties it is important that you talk to us. Help and advice is available - see our 'Paying an invoice - additional help' page.
- If you have a query regarding a service please contact the relevant department direct.
- Early communication is really important in helping to solve problems. I
- If payment is still not received the debt will be passed to the Revenues Enforcement team.

Actions which may be taken

The following are examples of action which may be taken if a payment plan is not agreed:

- [Final court action warning letter](#)
- [County court proceedings](#)
- [Collection agency](#)

Final court action warning letter

A final court action warning letter will be issued. This includes a financial information form which invites a proposal for payment of the debt; however, it may not always be appropriate to accept payment by instalments. If you believe you should not have to pay the bill at this stage you **must** tell us. The court will expect you to act reasonably in exchanging information and documents relevant to the proceedings, and you should respond within 7 days. If court proceedings are issued it may affect your credit rating and you will be liable for any additional legal fees incurred. Late payment interest and additional costs will be claimed on all qualifying debts.

County Court proceedings

After a Final Court Action Warning letter has been issued, if the balance remains unpaid a County Court claim may be issued. This will result in a County Court Judgement (CCJ) which will affect your credit rating. Any costs incurred will be payable by you. Once a CCJ has been obtained the court will be instructed to enforce payment. This can be through:

- An order to attend the court for questioning
- An attachment of earnings
- Enforcement Agent action to seize goods
- Bankruptcy proceedings (for debts over £750)
- Third party debt order taken directly out of an account
- A charging order may be obtained on your property which will remain in place until

the property is sold. This may be enforced sooner by requesting an order for sale

Collection agency

Outstanding invoices may be referred to a collection agency who will call at your property to collect the outstanding amount.

Cannot find the information you are looking for?

- **Recovery and enforcement**

Email: cdcrevenues@chichester.gov.uk

Telephone: +44 01243 534512

DRAFT

Vulnerable Customers

Whilst the Council accepts that vulnerability is not in its self a cause of debt, but can mean an inability, temporary or otherwise, for people to manage their liabilities due to lack of funds or the ability to manage their financial affairs.

So the Council will be vigilant for the signs and symptoms of “vulnerability” to safeguard our most vulnerable customers and reassure them.

Customers who are considered vulnerable may fall into one or more of the following categories:

- The elderly
- People with a disability
- The seriously ill
- People who appear to have mental health issues including dementia
- The recently bereaved
- Single parent families
- Pregnant women
- Unemployed people or those experiencing uncertainty in the short term employment status or benefit receipt
- Those who have obvious difficulty in understanding, speaking or reading English
- Addiction issues (drugs, alcohol, gambling).
- A person who has recently experienced changes in their lifestyle that means they are temporarily unable to deal with their financial affairs (e.g. fleeing domestic violence, leaving prison, leaving care etc.). Such cases will be reviewed periodically.
- A person who may have been or is currently being exploited (such as modern slavery).

This list is not exhaustive; it has been drawn up to promote fairness and a consistent approach but it is acknowledged that there may be many other causes of vulnerability. Decisions regarding vulnerability should remain unfettered by laid down policy and each case should be considered on its individual merits.

When considering how a debt should be repaid by a 'vulnerable' customer, individual circumstances will be taken into account and greater flexibility will be considered.

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Appendix 3

Customer Accounts - Process for collecting debts

Service	No. of Days Between Action	Letter Reference Type	Action
1. DRStandard: a. Reminder 1 b. Reminder 2 c. Recovery 1 d. Recovery 2	21 days 14 days 7 days 10 days	DR1 DR2 DR3 DR4	<ul style="list-style-type: none"> • DR3 warning of Debt Collection Agency (DCA) • DR4 referred to Debt Collection Agency (DCA)
2. DREstates: a. Reminder 1 b. Reminder 2 c. Recovery 1 d. Letter Before Action	21 days 14 days 7 days 10 days	DR1 DR2 DR3 DR5	* Subject to lease provisions
3. DRLicensing: a. Reminder 1 b. Reminder 2 c. Recovery - Prem 1 d. Recovery – Prem 2	21 days 14 days 7 days 10 days	DR1 DR2 DRLC3 DRLC4	<ul style="list-style-type: none"> • DRLC3 Licencing Suspension Warning Letter • DRLC4 Licence Suspension
4. DRTradeWaste (TW) – billing in arrears a. Reminder 1 b. TW Reminder 2 c. Recovery 1	21 days 14 days 7 days	DR1 DRTW2 DRTW3	<ul style="list-style-type: none"> • DRTW2 Collection suspension warning • DRTW3 Collection suspended
5. DRClosed a. Closed Account b. Collection Agency		DR6 DR4	Taxation Team Taxation Team

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Chichester District Council

CABINET

4 FEBRUARY 2020

New Local Biodiversity Action Plan 2020 - 2024

1. Contacts

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2. Recommendations

2.1 That Cabinet approves the new Local Biodiversity Action Plan (LBAP) for the period 2020 – 2024, as detailed in Appendix 1.

3. Background

- 3.1 In 2000, the Council produced its first Local Biodiversity Action Plan “A Wealth of Wildlife”. The principle aim of the plan was the protection and enhancement of biodiversity within Chichester District. The document outlined the key biodiversity landscape features in the District and included a separate action plan detailing how the Council would aid biodiversity projects over the following 3 years.
- 3.2 The LBAP was subsequently revised in 2003, 2007 and 2010.
- 3.3 In 2015, the action plan was again updated to produce the most recent LBAP covering the period, 2015 - 2019. It brought together the Council’s actions to demonstrate compliance with the statutory Biodiversity Duty on Local Authorities as required by the Natural Environment and Rural Communities Act 2006. Section 40 of the Act sets out a general duty for local authorities to have regard to conserving biodiversity in all their functions and decision-making.
- 3.4 Progress on the delivery of actions within the 2015-2019 LBAP was monitored and the monitoring report is included in Appendix 2. Key successes of the 2015- 2019 LBAP include:
- Supporting £39,000 of biodiversity projects through the Grants and Concessions Scheme;
 - Supporting the Manhood Wildlife and Heritage Group in delivering the Fixing and Linking Our Wetlands (FLOW) Project on the Manhood Peninsula, including securing over £500k from the Heritage Lottery Fund;
 - Supporting the schemes to mitigate the increased recreational disturbance at Chichester and Pagham Harbours;
 - Delivering a £50K biodiversity enhancement scheme along the River Lavant, funded by Community Infrastructure Levy;

- Coordinating the delivery of biodiversity enhancements at Brandy Hole Copse Local Nature Reserve, including coppicing, installation of an accessibility path and smaller bi-monthly management tasks through the Green Gym;
- Drafting policies and supporting information on natural environment; biodiversity; trees and hedgerows and strategic wildlife corridors for the Local Plan Review.

4. New Local Biodiversity Action Plan 2020 - 2024

4.1 The new LBAP, which will run from 2020 until 2024, is included in Appendix 1. Key actions proposed under the updated LBAP include:

- Strategic Wildlife Corridors Project – secure funding from the National Heritage Lottery Fund for delivering a project which will provide biodiversity enhancement to the proposed Strategic Wildlife Corridors within Chichester District;
- Fixing and Linking Our Wetlands (FLOW) Project – oversee the completion of the FLOW project on the manhood peninsula;
- Naturalising Chichester’s Green/Blue Spaces – identify sites within Chichester’s parks to be wilded to create biodiversity rich spaces;
- Local Plan Review Policies – support the wildlife policies through the Local Plan Review Examination.

4.2 Cabinet is asked to approve the updated LBAP for the period, 2020 – 2024.

5. Resource and Legal Implications

5.1 The LBAP will be overseen by the Environmental Strategy team but it includes actions from services across the Council. Once it has been approved by Cabinet it will be published.

5.2 Resourcing to deliver the actions within the LBAP will generally come from the existing budget and staffing allocation, in combination with relevant services across the Council and partner organisations. External funding of over £1 million over 5 years is being sought through the National Heritage Lottery Fund for the Strategic Wildlife Corridors Project, which will be match funded by £50,000 from Council reserves, as agreed by Cabinet at its meeting on 7 January 2020.

6. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change and Biodiversity Positive impacts from the replacement of the current action plan	X	
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing Increasing access to natural green space and outdoor activity, such as the Green Gym, has benefits to health and wellbeing	X	

7. Appendices

7.1 Appendix 1 – New Local Biodiversity Action Plan 2020 – 2024

7.2 Appendix 2 – Monitoring report for LBAP 2014 – 2019.

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CHICHESTER DISTRICT COUNCIL'S LOCAL BIODIVERSITY ACTION PLAN 2020-2024

I. Creating an Accurate Picture

Outcome: A comprehensive record of the presence and location of important habitats and species within the District has been established and maintained

Action Details	Timescale	Delivery/Progress	Partners involved
Increase ecological data across the District			
Continue to support the Sussex Biodiversity Record Centre (SxBRC) in its role as a repository for all species and habitat data in the District through our Service Level Agreement	Annually		SxBRC
Ensure that all ecological surveys submitted as part of the Development Management process are forwarded to the Records Centre every quarter	Quarterly		SxBRC
Maintain CDC's Ecological Network Maps (for Water Voles, Bats, Dormice, Barn Owls, Chalkhill Blue Butterflies, Northern Lapwings)	On going		
Share CDC's Ecological Network Maps with partner organisations	On going		
Support the Sussex Biodiversity Record Centre in the Local Wildlife Sites Initiative. Environment Team will sit on the 'expert panel' to assess and designate LWS's in Chichester District and West Sussex	On going		SxBRC

II. Protecting, Maintaining, Restoring and Creating

Outcome: Chichester District's Ecological Networks are comprehensive and resilient through the protection, management and enhancement of important wildlife sites and habitats, the components that connect them and the species that use them

Action Details	Timescale	Delivery/Progress	Partners involved
Protection of the Harbours			
Reduce the recreational pressures on Chichester Harbour through supporting Bird Aware Solent, policies in the local plan, and the Bird Aware Solent Strategy	Ongoing		Bird Aware Solent partnership (14 local authorities)
Continue to support the Pagham Harbour Mitigation Scheme to	Ongoing		Arun DC, RSPB

reduce recreation pressure on Pagham Harbour.			Pagham
Support Regional Initiatives			
Wildlife Corridors Project <ul style="list-style-type: none"> Secure Heritage Lottery Funding for development and delivery phase of the project <ul style="list-style-type: none"> Development Phase proposed start 1st Aug 2020 Delivery Phase proposed start 1st Nov 2022 – 31st October 2025 	2025		SDNPA, Chichester Harbour Conservancy, SWT, MWHG
Support Local Initiatives			
Brandy Hole Copse (BHC) Local Nature Reserve <ul style="list-style-type: none"> Continue to manage the Copse through direct maintenance and supporting the volunteer groups working at BHC by leading 'Green Gym' Conservation Volunteers every Tuesday Provide administrative and organisational support to projects Continue to implement the coppicing rotation at the site through a 'Wood for Work' scheme. This will benefit the biodiversity that relies on rotation coppice to thrive Continue to represent the Council at the BHC Management Board meeting Update, develop and deliver the BHC Management Plan Provide PR updates about work and events to engage Chichester residents 	On going		
Ecological Network Mapping – using the maps to identify sites for enhancements within the District	By 2023		
Graylingwell/Roussillon redevelopments – through the s106 funded community Wildlife Officer post, we will continue working in partnership with the Community Development Trust to continue to promote biodiversity at the site	Project due to complete in 2020		MWHG, CCDT
Fixing and Linking Our Wetlands (FLOW) Project - improving and enhancing the Manhood Peninsula wetlands habitat. Support the Manhood Wildlife and Heritage Group's (MWHG) ditch condition and wetland habitat on the whole of Manhood Peninsula and ensuring the project has a strong legacy.	2020/1		MWHG, RSPB, CHC, MPP, NE, SWT, WSCC and Parish Councils
Naturalising Chichester's Green Spaces - areas to be identified set-aside and 'wilded' to create biodiversity rich spaces within Chichester's parks. Support Green Spaces team by surveying	Ongoing		

these sites in the initial growing year, this will determine management regime for each site. Identify tree planting opportunities. This will feed into WSCC Pollinator Action Plan			
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III. Advice and Funding

Outcome: Projects and initiatives that halt the decline of important species and habitats are supported through advice and signposting

<i>Action Details</i>	<i>Timescale</i>	<i>Delivery/Progress</i>	<i>Partners involved</i>
Encourage applications to and provide advice on CDC's Grants and Concessions Scheme for projects that will enhance the District's biodiversity.	On going		
Advise CDC Services of their obligations under the Biodiversity Duty (Section 40 of the Natural Environment and Rural Communities Act 2006) and updates further to the Environment Bill, conduct walkover biodiversity surveys of CDC owned sites subject to development or change of use and identify protected species surveys required.	On going		

IV. Planning

Outcome: Protection and improvement of the natural environment is a core objective of the planning system in Chichester District

<i>Action Details</i>	<i>Timescale</i>	<i>Delivery/Progress</i>	<i>Partners involved</i>
Support the development of the biodiversity policies within the Local Plan Review and Neighbourhood Plans	2021		
Ensure that biodiversity is fully considered in the master planning of the Strategic Development Sites	Ongoing		
Ensure that biodiversity is fully considered in the Development Management process by responding to planning consultations on ecological matters	On going		Arun DC, SDNPA

V. Awareness and Promotion

Outcome: Residents of Chichester District are well informed on the wealth of biodiversity within the District, particularly CDC's Parks and Gardens

<i>Action Details</i>	<i>Timescale</i>	<i>Delivery/Progress</i>	<i>Partners involved</i>
Promote biodiversity projects and achievements: <ul style="list-style-type: none"> • Regular biodiversity news in 'Initiatives' magazine • Regularly update the LBAP pages of the CDC website • Promote Brandy Hole Copse as an accessible local nature reserve through the CDC website • Through capitalising on joint opportunities to protect biodiversity and reduce the use of SUPs (as detailed with within SUPs action plan) 	On going		
Encourage biodiversity in CDC Parks and Gardens and Estates: <ul style="list-style-type: none"> • Continue to develop wildlife areas within CDC parks and Gardens • Advise relevant CDC departments on biodiversity and planting for wildlife, climate change and the threat of drought and identify opportunities for enhancements within the Council's Estate • Provide the public with information on biodiversity in CDC reserves, parks and gardens • Support Green Spaces team in updating the mowing contracts to ensure our parks are not 'green deserts'. 	On going		

VI. Updating and Reporting

Outcome: Timely internal progress reports and updates are produced

<i>Action Details</i>	<i>Timescale</i>	<i>Delivery/Progress</i>	<i>Partners involved</i>
Produce annual progress reports for OSC. Reports will also be required for Cabinet if additional funding is required	Annually		
Environment team to update LBAP actions every quarter	Quarterly		

List of CDC's project partners

**West Sussex County Council
South Downs National Park Authority
Chichester Harbour Conservancy
Solent Forum
Manhood Wildlife and Heritage Group
Sussex Wildlife Trust
Bird Aware Solent
Transition Chichester
RSPB
Manhood Peninsula Partnership
Natural England
Chichester Community Development Trust
Graylingwell and Roussillon Park**

CHICHESTER DISTRICT COUNCIL'S LOCAL BIODIVERSITY ACTION PLAN 2015-2019

I. Creating an Accurate Picture

Outcome: A comprehensive record of the presence and location of important habitats and species within the District has been established and maintained

Action Details	Timescale	Delivery/Progress	Partners involved
Increase ecological data across the District			
Continue to support the Sussex Biodiversity Record Centre (SxBRC) in its role as a repository for all species and habitat data in the District through our Service Level Agreement	Annually	CDC has continued to support SxBRC through its annual SLA, funded jointly by Planning Policy, Development Management and Environmental Strategy	SxBRC
Ensure that all ecological surveys submitted as part of the Development Management process are forwarded to the Records Centre	Quarterly	CDC Ecologist submits surveys to the Records Centre, every quarter.	SxBRC
Maintain and enhance CDC's Ecological Network Maps (for Water Voles, Bats, Dormice, Barn Owls, Chalkhill Blue Butterflies, Northern Lapwings)	On going	On-going	
Share CDC's Ecological Network Maps with partner organisations	On going	Shared with Sussex Wildlife Trust and Sussex Biodiversity Records Centre	SWT, MWHG
Support the transition of Chichester's Ecological Network Maps on to CDC's General Mapping System so that they can be used throughout the organisation	2015	The layers have been included on the updated CDC intranet mapping system	

II. Protecting, Maintaining, Restoring and Creating

Outcome: Chichester District's Ecological Networks are comprehensive and resilient through the protection, management and enhancement of important wildlife sites and habitats, the components that connect them and the species that use them

Action Details	Timescale	Delivery/Progress	Partners involved
Protection of the Harbours			
Work with the Manhood Wildlife and Heritage Group and other partners to reduce the recreational pressures on Chichester Harbour through implementing the Solent Recreation Mitigation Partnership (SRMP) interim strategy, policies in the local plan and	2017/8	The SRMP has now been re-branded as Bird Aware Solent. Wardens have been in post since winter 2016. The interim strategy was adopted in 2015 and was	Bird Aware Solent partnership (14 local

from 2017 the SRMP final strategy		replaced by a full strategy in March 2018. A full monitoring programme is also in place and funding for site specific access improvements in Chichester Harbour has been approved in July 2019.	authorities)
Agree an implementation plan to mitigate the increased recreational pressure on Pagham Harbour with key partners including Natural England, RSPB, WSCC and Pagham Harbour Local Nature Reserve staff.	2016/7	A revised joint scheme of mitigation was agreed by Chichester and Arun in 2017 taking into account increased housing numbers in Arun District. RSPB Pagham has agreed to host 1.5FTE posts to address recreational disturbance, similar to the work of the Bird Aware Solent wardens. Legal agreements have been signed and developer contributions have now built up sufficiently to allow for the first (full time) post to be advertised (July 2019) to start September 2019.	Arun DC, RSPB Pagham
Support Regional Initiatives			
West Weald Landscape Project – continue to support the project, including attendance at Steering Group Meetings.	On going	Officer support for the Steering Group and £12,000 in funding secured through the Grants and Concessions Scheme	SWT, Woodland Trust, Butterfly Conservation, SDNPA, Forest Commission, Natural England, Horsham DC, Parish Councils (Wisborough Green and Kirdford)
Medmerry – ensure that Medmerry receives the necessary protection through the planning system and utilise opportunities to influence habitat creation at the site and in the surrounding Coastal Plain	On going	Responded to consultation on Medmerry Paths by Environment Agency (Jan 2015) Medmerry receives same protection as designated sites as it is compensatory habitat.	EA
Support Local Initiatives			

<p>Brandy Hole Copse (BHC)</p> <ul style="list-style-type: none"> • Continue to manage the Copse through direct maintenance and supporting the volunteer groups working at BHC • Continue to implement the coppicing rotation at the site 	On going	<p>Coppicing undertaken on small scale. Support for the Copse through Green Gym at the Copse funded through CDC Grants and Concessions and Awards for All £10,000 in Community Infrastructure Levy allocated to BHC</p> <p>A new access path has been installed and a pond vegetation island.</p>	
<p>Ecological Network Mapping – using the maps identify sites for enhancements within the District</p>	2015/16	<p>Mapping used to identify the Lavant Watershed as an area for enhancements which was successful in securing CIL funding (£50000)</p> <p>Lavant Enhancement Project delivered 2018/19</p>	ARRT, Goodwood Estate
<p>Graylingwell – working in partnership with the Community Development Trust to continue to promote biodiversity at the site</p>	On going	<p>A programme of events was held annually at Graylingwell through the Graylingwell and Roussillon Mitigation project. However, continued problems with access to a wildlife translocation site for volunteers has meant that since 2017 the project officer has concentrated on an expanded programme of activity in Southbourne and Fishbourne instead</p>	MWHG, CCDT
<p>Fixing and Linking Our Wetlands (FLOW) Project - improving and enhancing the Manhood Peninsula wetlands habitat. Support the Manhood Wildlife and Heritage Group's (MWHG) ditch condition enhancement project and application to the Heritage Lottery Fund for expanding the work to cover the wetland habitat on the whole of Manhood Peninsula</p>	2015/6	<p>Supported the MWHG with their application to the HLF for development funding for the FLOW project (Feb/Mar 15). FLOW successful in its application to HLF for development funding of £36,000. CDC on the project board. FLOW successful in securing £543,000 in HLF for delivery phase of the project.</p>	MWHG, RSPB, CHC, MPP, NE, SWT, WSCC and Parish Councils
<p>Grow Chichester – support Transition Chichester in the development of the project, which aims to transform public spaces into productive, biodiversity rich spaces, focusing on Oaklands Park, Whyke Community Orchard and Bishops Palace Garden Vegetable Plot</p>	2015/6	<p>The funded phase of the project was completed in March 2015. However work at the sites is ongoing.</p>	Transition Chichester

III. Advice and Funding

Outcome: Projects and initiatives that halt the decline of important species and habitats are supported through advice and signposting

Action Details	Timescale	Delivery/Progress	Partners involved
Encourage applications to and provide advice on CDC's Grants and Concessions Scheme for projects that will enhance the District's biodiversity.	On going	SWT – West Weald Landscape Project Phase 2 - £12,000 Bat Research Unit - £5,000 for the Barbastelle Bat Colony Research Project Harting Pre-School - £1,000 for Outdoor playspace and access to nature project Edwardian Cemetery Singleton £5,000 Brandy Hole Copse Green Gym £9,000 Botany Bay Outdoor Classroom £5,000 Kirdford and Wisborough Green Parishes Wildlife Group £1000 East Beach Pond Path £1000 Midhurst Green Volunteers £1000	SWT, Woodland Trust, Butterfly Conservation, SDNPA, Forest Commission, Natural England, Horsham DC, Parish Councils (Wisborough Green and Kirdford) Bat Research Unit Harting Pre-School, Singleton Parish Council, TCV, Friends of Brandy Hole Copse, Botany Bay CIG, MWHG, Midhurst Green Volunteers
Provide advice and guidance on community orchards and continue to promote the Grants and Concession Scheme for community orchard projects.	On going		
Advise CDC departments of their obligations under the Biodiversity Duty (Section 40 of the Natural Environment and Rural Communities Act 2006), conduct walkover biodiversity surveys of CDC owned sites subject to development or change of use and	On going	May 2015 – work on invasive species. CDC informed of Japanese Knotweed on their land (Leigh). Action taken to control it. Also to track down landowners of two	

identify protected species surveys required.		<p>other sites.</p> <p>Joint work undertaken with land drainage to ensure wildlife considered during ditch clearance works.</p> <p>Walkover surveys for potential sites for Gypsy and Travellers Transit Site</p> <p>Joint working with Tree Officer on ensuring protection of bats with tree work.</p> <p>Use of Chinese lanterns prohibited on CDC land and balloons restricted.</p> <p>Working with housing to inform housing associations of their wildlife obligations and encourage making space for wildlife.</p>	
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IV. Planning

Outcome: Protection and improvement of the natural environment is a core objective of the planning system in Chichester District

<i>Action Details</i>	<i>Timescale</i>	<i>Delivery/Progress</i>	<i>Partners involved</i>
Support the development of the biodiversity polices within the Local Plan and Neighbourhood Plans	2015 – 2018	Neighbourhood Plans: Kirdford, Fernhurst, Fishbourne, Chidham and Hambrook, Tangmere, Southbourne, Selsey, Birdham, Wisborough Green, Bosham, Rogate and Rake, Lavant, Westbourne plus maps Policies on Natural Environment, Green Infrastructure, Trees and Hedgerows and Strategic Wildlife Corridors included in draft Local Plan Review	
Ensure that biodiversity is fully considered in the master planning of the Strategic Development Sites and in the development of the Green Infrastructure Planning Document	2016	Information provided on Green Infrastructure to the development of the Infrastructure Delivery Plan. Contributed to the development of the Infrastructure Business Plan (Spring 2015) Produced the Green Infrastructure Delivery Document (Jan 2016)	
Increase the use of the Sussex Biodiversity Record Centre (SxBRC) by Development control officers and planning applicants	On going		

Ensure that biodiversity is fully considered in the Development Management process by responding to planning consultations on ecological matters	On going	Provide ecological responses to over 300 applications per year for CDC and the SDNPA and also provided ecological support to Arun DC's planning service	Arun DC, SDNPA
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V. Awareness and Promotion

Outcome: Residents of Chichester District are well informed on the wealth of biodiversity within the District, particularly CDC's Parks and Gardens

<i>Action Details</i>	<i>Timescale</i>	<i>Delivery/Progress</i>	<i>Partners involved</i>
Promote biodiversity projects and achievements: <ul style="list-style-type: none"> • Regular biodiversity news in 'Initiatives' magazine • Regularly update the LBAP pages of the CDC website • Promote Brandy Hole Copse as an accessible local nature reserve through the CDC website 	On going	New LBAP launched on CDC website (Jan 2015) New LBAP featured within February 2015 Members Bulletin Eco-networks project featured in Town and Country Planning Association Magazine (Jan 2015) May 2016 – Hedgehog awareness press release November 2016 – Members Bulletin article on FLOW Delivery Funding Summer 2017 – Initiatives article on FLOW, ditches and trees/hedges with Initiatives magazine January 2018 – Green Gym articles on CDC website. Also on TCV twitter.	Forest Research UK

<p>Encourage biodiversity in CDC Parks and Gardens and Estates:</p> <ul style="list-style-type: none"> • Continue to develop wildlife areas within CDC parks and Gardens • Advise relevant CDC departments on biodiversity and planting for wildlife, climate change and the threat of drought and identify opportunities for enhancements within the Council's Estate • Provide the public with information on biodiversity in CDC reserves, parks and gardens 	On going	<p>Support the South Pond Group with the restoration works at South Pond Midhurst, including reinforcing the pond islands, moving the silt from the middle of the pond to the edges to create shallow areas and planting of water plants.</p> <p>£10,000 secured for BHC green gym through Grants and Concessions which was match funded by Awards for All</p> <p>£10,000 CIL funded for BHC</p>	South Pond Group TCV
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List of CDC's project partners as of 1 January 2015

**West Sussex County Council
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Chichester Harbour Conservancy
Solent Forum
Manhood Wildlife and Heritage Group
Sussex Wildlife Trust
Transition Chichester
RSPB
Manhood Peninsula Partnership
Natural England
Chichester Community Development Trust
Graylingwell and Roussillon Park**

Chichester District Council

CABINET

4 February 2020

Revenues Systems Contract Renewal

1. Contacts

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2. Recommendation

- 2.1. **That Cabinet approve the extension of the support and maintenance contract with Northgate Public Services for Revenues & Benefits software for five years.**

3. Background

- 3.1 Northgate Public Services are the current provider of Revenues & Benefits software for the Council, this software enables the Council to deliver statutory Revenues & Benefits Services across the District. In 2017 significant investment was made into enhancements to the existing software to allow the service to transform as part of a major service review. This investment and transformation continues. Therefore in July 2019 Cabinet approved the recommendation to allow officers to open negotiations with Northgate to secure a five year extension to the existing support and maintenance contract to commence on 1 April 2020.

4. Outcomes to be achieved

- 4.1. That the extension of the current support and maintenance contract for a period of five years is approved so that the contract amendment with Northgate can be finalised and agreed to be in place by 1 April 2020.

5. Proposal

- 5.1. That Cabinet approve the recommendation to extend the existing Northgate Support & Maintenance contract for a period of five years. This recommendation is based on best value for money and gives consideration to the future of Revenues & Benefits Services. The market in this sector is static and the Council have invested in new products as part of the 2017 service review. Some of the new modules are yet to be fully utilised therefore Officers recommend that a five year extension gives time for these to be fully embedded in service delivery and for return on investment to be realised. Furthermore a longer extension gives greater certainty in terms of budget planning.

- 5.2. Officers have negotiated 3 and 5 year options with Northgate this is detailed in the tables in appendix 1. The five year option offers the opportunity to fix the cost of core Revenues Support & Maintenance. Information @Work (document management) and Software as a Service (SaaS) (online hosted) modules will be subject to indexation, estimated at 3% for illustration purposes. Risk Based Verification will remain fixed as previously negotiated.
- 5.3 As advised to Cabinet in July 2019 significant investments have been made to new software to enable the Revenues Division to deliver online services. The five year option gives time for service transformation to be fully achieved, and represents best value for money.
- 5.4 The only opportunity for further savings to be made at present is with the inclusion of hosted services. This has been discussed and discounted at the present time as it is cost prohibitive and requires a corporate decision on cloud based services.

6. Alternatives that have been considered

- 6.1 The three year option has been considered. However Officers recommend the savings delivered by the five year option. This gives greater stability to the service and allows for better budget planning.
- 6.2 In 2019 Officers considered the prospect of a full procurement exercise to include alternative suppliers. This was discounted as it would be expensive and given the investment in new Northgate products in 2017 it would take a long time for return on investment to be realised. Cabinet agreed the sole supplier approach in July 2019 and allowed Officers to enter into negotiations with Northgate.
- 6.2 Officers have also considered hosted services and started preliminary discussions with the ICT Manager about cloud based services and how advancements in this area will potentially transform local government IT Services. It was decided that at this stage it is too early to enter into such a relationship with Northgate predominantly as the cost is prohibitive. This could change over the course of the five year contract, however Northgate advise that this can be added at any stage during the contract and would be subject to separate negotiation.

7. Resource and legal implications

- 7.1. Legal Services have been consulted and fully support both the approach and the favoured option. They will review the contract once received from Northgate.
- 7.2. If the Council chose to do nothing Northgate could issue a legal demand preventing further use of their software, and the service would effectively cease to function from 1 April 2020.
- 7.3. The proposed contract extension is within existing budget therefore no further funding is being sought.

8. Consultation

No formal consultation has been carried out however discussions have been carried out with the appropriate members of the Senior Leadership Team, IT and Legal.

9. Community impact and corporate risks

- 9.1. If an extension to the existing contract is not in place by the 31st March 2020 then the service will be operating without a contract. As such Northgate could issue a legal demand preventing further use of their software, this would severely impact service delivery and generate significant legal costs.

10. Other Implications

	Yes	No
Crime and Disorder		No
Climate Change and Biodiversity		No
Human Rights and Equality Impact		No
Safeguarding and Early Help		No
General Data Protection Regulations (GDPR)		No
Health and Wellbeing		No
Other (please specify)		No

11. Appendices

Appendix 1 – Northgate Cost Options Table - exempt

12. Background papers

None

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