

Public Document Pack



Minutes of the meeting of the **Council** held in The Assembly Room - The Council House (Chichester City Council), North Street, Chichester on Tuesday 3 December 2019 at 2.00 pm

Members

Present:

Mrs E Hamilton (Chairman), Mrs C Apel (Vice-Chairman), Mrs T Bangert, Mr G Barrett, Miss H Barrie, Mr M Bell, Rev J H Bowden, Mr R Briscoe, Mr J Brown, Mr A Dignum, Mr J Elliott, Mr G Evans, Mrs J Fowler, Mrs N Graves, Mr F Hobbs, Mr K Hughes, Mrs D Johnson, Mr T Johnson, Mrs E Lintill, Mrs S Lishman, Mr G McAra, Mr A Moss, Mr S Oakley, Dr K O'Kelly, Mr C Page, Mr D Palmer, Mrs P Plant, Mr R Plowman, Mr H Potter, Mrs C Purnell, Mr D Rodgers, Mrs S Sharp, Mr A Sutton, Mrs S Taylor and Mr P Wilding

Members not present:

Officers present all items:

Mr N Bennett (Divisional Manager for Democratic Services), Mr A Frost (Director of Planning and Environment), Miss L Higenbottam (Democratic Services Manager), Mrs J Hotchkiss (Director of Growth and Place), Mr P E Over (Executive Director & Deputy Chief Executive), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

60 **Minutes**

The Chairman extended a warm welcome to all those present and read out the emergency evacuation procedure for Chichester City Council. The Chairman then welcomed Cllr Janet Dunton who had been elected to Loxwood ward at the recent by-election.

Mr Brown requested an amendment to minute 56, paragraph 3 to refer to Karen Alan, Customer Engagement.

In a show of hands the Council voted to approve the minutes of the Council meeting held on 24 September 2019 subject to the above amendment.

RESOLVED

That the minutes of the Council meeting held on 24 September 2019 be approved and signed by the Chairman as a correct record of the meeting subject to the above amendment.

61 **Urgent Items**

The Chairman confirmed that there were no urgent items.

62 **Declarations of Interests**

Mr Hobbs declared a personal interest in respect of agenda item 15 as Chairman of Visit Chichester.

Mr Plowman declared a personal interest in respect of agenda item 15 due to an informal association with a local pressure group.

Mrs Duncton, Dr O’Kelly, Mr Oakley and Mrs Purnell all declared personal interests in respect of agenda item 15 as members of West Sussex County Council which is a partner in the Southern Gateway project.

63 **Chairman's Announcements**

There were no apologies for absence.

The Chairman gave a speech on behalf of all members wishing Mr Over, Deputy Chief Executive, a long, happy and healthy retirement after 33 years service at the District Council.

Mr Over then responded thanking the Chairman and members for their kind words.

64 **Public Question Time**

The following public questions were received. The responses are indicated in italics below.

Mr Dicker asked the following questions:

1. Cabinet met this morning and may have made changes to the fundamental recommendations to this council this afternoon without time for public scrutiny due to the 2 day submission of public questions rule. The public therefore request that in support of transparency any fundamental changes from this morning’s decisions should allow questions to this council on the agenda? The question/s cannot of course be prepared in advance.
2. Under issues raised no comment is made about the quality of the consultation document and in particular the different standards for assessing land suitability for the development including proximity to SDNP and Harbour boundaries. How many comments were made and what are the council doing to address these valid concerns.
3. In light of the changes to national planning policy how will the changes be reflected in the plan prior to the next round of consultation and specifically: “This guidance, along with other Government initiatives such as the emerging National Flood and Coastal Erosion Risk Management Strategy for England will need to be reflected as appropriate in the ongoing technical work for the Local Plan Review.”

4. Can the council please explain why the housing numbers have increased in line with this comment: The first new option (Option 1B) was developed from the Preferred Approach Option 1A, but sought to maximise numbers at the locations East of Chichester and South West of Chichester. With a small increase in the Parish numbers, this leads to an increase in housing provision from 4,900 to 5,625 (c.700 dpa).
5. Why is there no identifiable option that looks at land around Goodwood for both employment and residential space. Yet later in the document it states that further investigation is required around employment space near Goodwood.
6. When will this council make a decision on the unmet housing need from the SDNP
7. The Peter Brett Report is very detailed. From a scanned reading prior to the submission of questions I can see no mention of the modelling and policy excluding the link road that Councillor Taylor stated would be undertaken. Where is this in the PB report or when will it be conducted if it is not in the report. (This question is likely to change in light of the response from the cabinet)

Mrs Taylor provided the following responses:

Thank you for your questions. Answering each in turn –

1. *The list in section 8 of the report, of significant issues is not intended to be exhaustive and members are asked to consider the full range of responses. Section 5 of the report outlines the consultation process, and section 6 of the report reflects on the consultation process and how it may be improved. With regards to the assessment of the suitability of land for development, the covering report highlights that further consideration will be given to landscape capacity and proximity to the sensitive environment of the AONB and confirms that the availability of suitable sites will be reviewed in an update of the Housing and Economic Land Availability Assessment.*
2. *Any changes in government policy will be reflected upon and where necessary the plan updated. The government has stated that the National Flood and Coastal Erosion Risk Management Strategy for England will be published in 2020 and members will be updated accordingly.*
3. *In line with national planning policy, the plan should be informed by the consideration of options and alternatives through the sustainability appraisal process. The outcomes of that testing is set out in Appendix 4 to the Local Plan way forward report. However the total number of dwellings referred to is the sum of all the potential locations for development which are included in that option – it does not represent the target for development in the emerging plan. Ultimately the next iteration of the plan will set out a new housing target justified with reference to the evidence of need, infrastructure and environmental constraints and ensuring the certainty of delivery.*
4. *The refresh of the Housing and Economic Land Availability Assessment, which is referred to in sections 11 and 12 of the report will be considering all available land including that around Goodwood.*

5. *The unmet need from the South Downs National Park will be considered next year as this council finalises its proposed submission draft plan. That consideration will need to be based on factors including - confirmation of the position of the national park authority; the availability of sites within the Chichester Plan area; environmental and infrastructure constraints; and sustainability and habitats regulations assessment.*
6. *Further work to consider the transport implications of a mitigation strategy which excludes the Stockbridge Link Road is underway and the initial results are being discussed with West Sussex County Council as Highway Authority and Highways England. The outcomes of this work will inform the Plan and the results reported back to Members and interested parties in due course.*

With regard to question 1 Mr Bennett replied as follows:

I do understand the concern. Whilst it is never the Councils preference to hold several meetings on the same day, it is sometimes forced upon us by other statutory procedural timelines and that is the issue here to achieve the requirements of the consultation. There is no legal restriction upon doing this but we will continue to try to avoid doing so wherever we can.

The Chairman then permitted Mr Dicker to ask a supplementary question as follows:

How many comments were made on the Preferred Approach Plan and what is the council doing to address these valid concerns?

Mr Frost replied as follows:

A further written response will be provided.

Ms Boize asked the following question:

At a time of commitment to tree retention and planting, my question relates to the Southern Gateway development.

For context, the Southern Gateway's Chichester Gate piazza shows us what can go wrong. It has not become 'an important meeting and circulation space, carefully detailed with good quality materials and furniture'. It is grey and bleak. The couple of planted trees has long gone. There is no shade. The piazza is scorching hot in summer sun.

The Managing Agent CBRE said that all expenditure proposed to the tenant businesses is scrutinised. It appears to me with no acknowledgement of the piazza's contribution to visitors' well-being, enjoyment and to the environment. The County Council sold the former Girls' High School playing fields to a private company and as Chichester Gate is privately owned (nowadays by the GE empire) none of our councils has any influence, authority or enforcement over the piazza. Have I understood the situation correctly? Does this Council agree with this? Can this Council get the two trees replanted?

My question is this – At a time of commitment to tree retention, planting and landscaping, my question relates to the Southern Gateway development.

As the development process gets underway, will this Council's policy be to retain for future decades enforceable influence and authority over landscaping, including parcels of land

that have been or might be sold now and in the future to private companies or bodies which may wish to have independent control?

Mrs Taylor responded as follows:

Thank you for your question. Your question appears to be in two parts. The first asks whether the District Council has any influence, authority or enforcement over the Chichester Gate piazza and specifically the trees planted therein. The District Council has no land ownership powers it can influence over the Chichester Gate development. As you correctly identify this was WSCC land and you should contact them direct to see if they retained any control when they sold the land. The District Council's powers in this instance would therefore relate to the use of the Council's planning powers as the Local Planning Authority as part of the determination of planning applications for the development. In this respect, I would expect the Council to consider the use of both suitable planning conditions and/or section 106 planning obligations to secure the provision and retention of new trees and other vegetation as part of an agreed landscape scheme(s). The Council's planning enforcement powers can be used to secure replacement planting where necessary and expedient to do so. Unfortunately, it is not reasonable for the LPA to require trees that die or become diseased to be replaced indefinitely but I will ask relevant officers to investigate the position regarding the two trees at Chichester Gate that you refer to.

Mr Bell then responded as follows:

The second part of your question relates to Southern Gateway. Specifically it asks whether the District Council will retain influence and authority over landscaping. In this instance the District Council will retain its enforcement control described in my response to your first question above. However, as scheme promotor (and part land owner) it will also enter into a development agreement with a development partner and through that agreement we will exercise influence over the nature of the development to ensure that it conforms to the requirements of the adopted masterplan and approved development brief. However, as the development progresses the developer will draw down ownership of the land (to enable the development to be funded) and future control will revert to those contained within the planning acts."

The Chairman then permitted Ms Boize to ask a supplementary question as follows:

Having already consulted WSCC would you agree that passing over responsibility of the piazza was a mistake and assuming there is no enforcement authority available what can be done next to ensure the two trees that were destroyed are reinstated?

Mrs Taylor deferred to officers and Mr Frost replied as follows:

As this Council was the local planning authority, we will arrange for the planning permission, including any relevant Section 106 agreement and planning conditions to be checked to see whether there is any scope to require replacement trees to be planted.

Ms Gaskin asked the following question:

Why has CDC failed to implement the revised Planning Policy Guidance on climate change with a resultant (estimated) 40,000 additional tonnes of carbon being released from new housing in the district.

Colin Medland's letter to Diane Shepherd relates to this issue 'New homes in climate emergency'.

Mrs Taylor provided the following response:

We last consulted on the Local Plan Preferred Approach in December 2018 – Feb 2019 - although this predated the latest changes to the Planning Practice Guidance in March 2019, the preferred approach already proposed challenging targets for the sustainable design of new development, in draft Policy DM16, as one example. As we continue work on reviewing the plan we will of course have full regard to the content of both the Planning Practice Guidance and the National Planning Policy Framework, and any new relevant evidence in relation to climate change. Development Management also have regard to these when considering planning applications.

The Chairman then permitted Ms Gaskin to make a supplementary comment as follows:

Since May 2019 there have been a number of new district councillors and it is important that they consider the Climate Emergency in making decisions particularly those who sit on Planning Committee.

The Chairman then concluded public question time.

65 Increasing the provision of the Council's Temporary Accommodation at Freeland Close, Chichester

The Chairman explained that the Council is requested to note the urgent decision taken relating to increasing the provision of the Council's Temporary Accommodation at Freeland Close, Chichester which could be found on page 29 of the agenda pack.

On behalf of the Council the Chairman formally noted the decision.

66 Determination of Council Tax Reduction Scheme for 2020 - 2021

The Chairman invited Mr Wilding to introduce the report and referred members to pages 13 to 15 of the Cabinet agenda for 5 November 2019 and pages 1 to 32 of the supplement to the Cabinet agenda for 5 November 2019.

Mr Wilding explained that the Welfare Reform Act and Local Government Finance Acts of 2012 abolished the national Council Tax Benefit (CTB) scheme and a framework for local authorities to create their own local Council Tax Reduction (CTR) schemes was put in place from 1 April 2013. The council has been operating a CTR scheme for the last seven years and it is proposed to keep the scheme unchanged for the eighth year with the exception of alterations that bring the scheme in line with changes to legislation which have already occurred within the Housing Benefit scheme. These changes include the uprating of premiums, personal allowances and deductions. Mr Wilding confirmed that the council's main aim remains to maintain levels of support to the least well off in its communities by maintaining levels of support which existed prior to April 2013 when localised CTR commenced. He explained that the council is one of a small number of councils that continues to provide a CTR scheme with up to a maximum award of 100%.

Mr Wilding proposed the recommendation which was seconded by Mrs Lintill.

In a show of hands the Council voted in favour.

RESOLVED

That the proposed Council Tax Reduction Scheme for 2020-2021 be approved.

67 Financial Strategy and Plan 2020-21 to 2024-25

The Chairman invited Mr Wilding to introduce the report and referred members to pages 17 to 22 of the Cabinet agenda for 5 November 2019 and pages 33 to 51 of the supplement to the Cabinet agenda for 5 November 2019.

Mr Wilding explained that the report updates the Financial Strategy and Plan for 2020/21 and creates the framework for how the council's budget and council tax is set which will be considered by the Cabinet in February 2020. The 2020/21 financial strategy is set in the context of current political uncertainty and the continuing expectation of reduced central government funding for local government. The major changes that were expected to come in from the 2020-21 settlement have been delayed by a year, so now the 2020-21 settlement will be for one year only. Due to the delay the council will retain the business rates growth achieved so far for one year longer than anticipated. Much of the council's other income remains dependent on the local economy and is therefore less predictable.

Mr Wilding outlined Appendix 1 which describes the council's key priorities, one of which is to manage its finances prudently and effectively. He explained that the financial strategy is linked to this specific priority along with the council's key financial principles that underpin the Council's financial planning approach. Appendix 2 outlines the updated 5 Year Financial Model, reflecting the consolidated budget from the service areas, central government funding and the most up-to-date estimates for the wider council activities. There are a number of estimates contained within the Model including the assumption of a 2% increase in council tax each year. However, Mr Wilding explained that low taxing local authorities like Chichester District Council may be allowed to set a £5 increase in council tax. The final decision on the council tax rates will be made by Full Council in March 2020.

Mr Wilding then referred to the assumptions relating to pensions, West Sussex County Council cuts and the New Homes Bonus scheme and how it is likely that the Financial Model will continue to evolve. He then outlined Appendix 3 which sets out the anticipated resources position of reserves and assets in the medium term and confirmed that the capital programme remains affordable without the need to borrow.

Mr Hughes commented that a number of grammatical errors within the document. He gave examples relating to *Outside Bodies and Investment Strategy*. He also drew attention to the Brexit deadline which required updating. He explained that he was unhappy to support the document given the amendments required. Mr Ward clarified the reference to Outside Bodies referring to the number of examples across the council where Outside Bodies are used and the extensive shared services exercise across a number of services. With regard to investment strategy he confirmed that members had been invited to Treasury Management training on 16 December 2019 and the Treasury Management Strategy would come to Full Council for sign off next year. With regard to the general wording of the document he explained that often financial jargon is used. He then drew attention to the fact that the document had already been through Corporate Governance and Audit Committee and the Cabinet.

Mr Brown then requested that members consider the intention of the Policy and suggested that it should not be refused on the grounds of grammatical error. He added that officers could be asked to clarify the sentences where necessary.

Mr Hughes responded that it would be difficult to sign off on a document which contained a number of errors.

Mr Hobbs commented that the errors are textual and did not affect the main focus of the document.

Mr Wilding proposed the recommendations which were seconded by Mrs Lintill.

In a show of hands the Council voted in favour. Four members chose to abstain from the vote.

RESOLVED

1. That the key financial principles and actions of the five year Financial Strategy set out in appendix 1 to the agenda report be approved.
2. That the current five year Financial Model detailed in appendix 2 and the Resources Statement in appendix 3 to the agenda report be noted.
3. That, having considered the recommendations from the Corporate Governance and Audit Committee, the Minimum Level of the General Fund Reserves is set at £6.3 million.

68 Extending Ultrafast Public Connectivity

The Chairman invited Mr Wilding to introduce the report and referred members to pages 11 to 14 of the Cabinet agenda for 3 December 2019.

Mr Wilding explained that in 2017 the council signed up to a countywide Gigabit project. Part of the project was an award to West Sussex County Council (WSSCC) of a government grant funded contract to create a fibre network connection for public sector sites across the county. Cityfibre won the contract and the project is now in the final stages. He explained that the council now has an opportunity to use the cool off arrangement to connect a further 50 council assets in Chichester city such as Westward House, Westgate centre and offices. The project requires new fibre infrastructure installation across the city but in turn will provide ultrafast connectivity to the council's assets and increase fibre and digital infrastructure across the city, benefitting the local community and the local economy. The cost of the project is estimated at £743,000 over seven years and is likely to be met from the WSSCC Business Rates Retention Pool. Mr Wilding confirmed that there is also a project relating to better connectivity in the rural areas.

Mr Barrett requested clarification on whether the council's servers would be updated to cope with the demand. Mr Mildred confirmed that the servers are in the process of being rebuilt to utilise the new connection including it linking to the disaster recovery system at the Depot.

Dr O'Kelly noted that it was positive that other more rural areas in the district would be considered for future projects.

Mr Plowman requested clarification on the projects funding. Mr Ward confirmed that it is fully anticipated that the project would be paid for by the Business Rates Retention Pool.

Mrs Lintill drew attention to section 6.3 of the Cabinet report which explained that the project would connect Chichester considerably quicker than the government scheme which anticipated adoption in 2033.

Mr Wilding proposed the recommendation which was seconded by Mrs Lintill.

In a show of hands the Council voted in favour.

RESOLVED

That the Council underwrites the cost of the contract and that any costs not met by the Business Rates Pool for 2019/20 up to a maximum of £743,000 over a seven year period starting no earlier than 2021.

69 Local Plan Review Way Forward

The Chairman invited Mrs Taylor to introduce the report and referred members to pages 15 to 28 of the Cabinet agenda for 3 December 2019 and the appendices in the supplementary appendices pack.

Mrs Taylor explained that a consultation on the Local Plan Review took place over an eight week period from 30 December 2018 until 2 February 2019. A total of 3200 representations were received from 729 respondents. The report sets out a summary of the representations received for Part I of the Local Plan Review Preferred Approach which relates to Strategic Policies and Allocations. A separate report to Cabinet and Council will address representations on Part II of the Plan relating to Development Management Policies. Mrs Taylor drew attention to appendix 1 to the report which contains the initial council response and paragraph 8 of the report. She explained that paragraph 9 sets out a number of new issues which require consideration including the declaration of a Climate Emergency and the discharge of nitrates into Solent and the impact this has on future development. Mrs Taylor confirmed that A27 discussions remain ongoing with Highways England and WSCC regarding the nature and finance of improvement works and this uncertainty will need to be addressed within the Local Plan. She then drew attention to the Schedule as set out in appendix 3 to the report and the Sustainability Appraisal detailed in paragraph 4 of the report. She confirmed that further technical work is required.

Mrs Lintill then reminded members that in responding to the report they should consider that the council is currently in Purdah.

Mr Brown commented on the high number of noted responses and raised concerns about how this could give the public a negative perception of the council. With reference to the ongoing Road Transport Study he then referred to what he viewed as the critical Southbourne road bridge. Mrs Taylor responded to Mr Brown's comments. She explained that officers had put a lot of time and work into the Plan to date and that they were dealing with a number of complex issues.

Mr Barrett noted that a number of responses were similar to the 2013 Local Plan Review. He requested clarification on why the Peter Brett Study had not included the northern bypass option. He also asked why a number of aspects of the current Local Plan had not

been implemented. He then asked why there is no reference to Southern Gateway. He also asked when the southern option would start and how long it would take. Mrs Taylor responded to Mr Barrett's questions. She explained that it was likely that the 2019 responses would be similar to the 2013 responses as people largely comment on the same main factors. With regard to the current Local Plan she explained that as it runs until 2029 there is ample time for more project implementation. She also explained that there was no Government funded road scheme in either RIS 1 or RIS 2 (Road Investment Strategy) for the A27 and therefore the draft Local Plan scheme is only required to mitigate against the impact of new development and would not deal with the current capacity issues on the A27.

Mr Moss commented that the training of new members should not be an excuse for the level of progress and raised concerns that members would not have enough time to fully scrutinise the final decisions as the right level of public consultation would also be required. Mrs Taylor responded to Mr Moss. She explained that the training of new members is the reason why officers had to take a step back. Mr Frost then confirmed that as and when the evidence base is completed it will be published online so not all documents will be given to members in one go.

Mr Johnson referred to page 237 of agenda pack which explains that more distribution strategies would be coming forward. He requested clarification on how members could agree to endorse today if there are more strategies yet to be considered. Mr Frost responded to Mr Johnson and explained that members are being asked to note the overall progress to date and endorse the programme of work.

Mr Johnson then proposed that recommendation three be amended to state that members *note* rather than *endorse*. This was seconded by Mrs Johnson.

Mr Evans requested clarification on how many homes would be included in the north of the Plan area and where would they be located. Mr Frost responded to Mr Evans. He referred Mr Evans to paragraph 12.12 of the report on page 24 of the agenda pack. He added that the revised Housing and Employment Land Availability Assessment would be brought to members in the new year.

In relation to the Peter Brett report Mr Page raised concerns regarding the disruption and inconvenience that would be caused to the south and east of the A27.

Mrs Sharp then reminded members that at some stage a decision would have to be made and members should be mindful of that. She requested further discussion regarding the Peter Brett report and sustainability routes. She then requested clarification on whether members would be able to vote on sections of the Local Plan document or whether the vote would be to agree the Local Plan as a whole document. Mrs Taylor responded to Mrs Sharp. She clarified that the Local Plan is due to be submitted for examination by July 2020. She explained that the Peter Brett report remains ongoing and that the next stage of the Local Plan review would be reported to Council in its entirety. Mr Ayling added with regard to sustainability routes the Plan must satisfy Highways England and therefore although ambitions should not be limited they must be measured and clear.

Rev Bowden requested an officer's report to the next Development Plan and Infrastructure Panel regarding the risks associated with the Local Plan and the A27. Officers agreed to do so.

Mr Oakley commented on the amount of work that would be required to complete the Local Plan. He then requested information relating to the cost to date to facilitate the Local Plan Review and the anticipated future spend to complete the project. With regards to the A27 he raised concerns about the impact on the Local Plan if a viable option could not be demonstrated. He also commented on the need to demonstrate a reasonable funded delivery plan. He then requested clarification on whether section 11.1f of the report includes Pagham Harbour. He then highlighted the importance of the waste water works at Tangmere to support the volume of new houses. With regard to 11.1c line 3 of the report he requested confirmation on whether the cumulative impact assessment would include the transport impact on the number of houses proposed to the east of Chichester and the Portfield roundabout. He also requested reassurance that the Peter Brett work would fully consider the implications of the closure on the A27. Mr Ayling responded to Mr Oakley. He explained that 11.1f of the report relating to the nitrates work did consider Pagham Harbour. The reason Pagham Harbour is highlighted is due to its different classification with Natural England. He also confirmed that the transport assessment would consider all development. Mr Frost then confirmed that a written response would be provided to Mr Oakley regarding the cost of the Local Plan.

Mrs Apel commented on the number of trees lost to committee papers. Mrs Shepherd responded and reminded members that they could opt for a paperless option which could be discussed further outside of the meeting.

Mr Moss then requested it be made clear that all respondents should receive a reply to their comments on the Local Plan Review other than a response to say that their comments have been noted.

Mr Hughes raised concerns regarding the provision of new houses without the provision of new schools given that a number of local schools are already oversubscribed. Mrs Taylor responded to Mr Hughes. She explained that West Sussex County Council (WSCC) is consulted on the Infrastructure demands arising from new development and it is the county who decide whether there is a need for additional school places. Mrs Lintill added that the decision is linked to anticipated birth rates. As a WSCC member Mr Oakley gave an example of the Graylingwell site where the ultimate demographics of the site did not justify the planned spend on a school.

Mrs Johnson then commented on the difficulty in ensuring public support for the Local Plan when there are minimum numbers of houses but no maximums. Mrs Taylor responded to Mrs Johnson. She explained that it is not possible to give a maximum number but confirmed that if the council has no Local Plan there would be no control over the maximum numbers. Mrs Johnson responded that the wording of the consultation documents needs to be open, honest and transparent. Mr Frost added that not having an up to date Local Plan would lead to speculative applications and a greater number of applications succeeding on appeal.

The Chairman read out the proposed amendments to the recommendations as follows:

- The addition ofand supplementary material prior to its publication to the end of recommendation 1c
- Replacing *endorsed* with *noted with recognition that they are....* to recommendation 4

Mrs Taylor proposed the recommendations including the first amendment which were seconded by Mrs Lintill. The seconded amendment had been proposed by Mr Johnson and seconded by Mrs Johnson.

In a show of hands the Council voted in favour.

RESOLVED

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

Members took a short break.

70 Resurfacing and Improved Drainage at Westhampnett Depot

The Chairman invited Mrs Plant to introduce the report and referred members to pages 29 to 37 of the Cabinet agenda for 3 December 2019. The Chairman reminded members that the appendix to the report is a restricted document.

Mrs Plant introduced the item. She drew attention to the details of the proposal as set out on pages 29 to 37 of the report. The project seeks to overhaul the foul drainage system at the Depot and will create a pumped connection to Stane Street. The project will also overhaul the storm water drainage storage system creating new gullies, soakaways and a fuel interceptor. The HGV parking area will be levelled and fully resurfaced and a new enclosed vehicle washdown facility installed. Mrs Plant explained that the addition of several environmental and operational improvements would result in significant additional costs if carried out separate to the main project. She outlined the additional enhancements which include:

- A new one way system for vehicles entering and exiting the site
- LED Flood lighting
- Electric vehicle charging including installation of cable stays under the surface
- A rainwater storage system
- Increased CCTV cameras
- Number plate recognition at the entrance gate

Mrs Plant confirmed that the additional enhancements total £195,000 resulting in an overall total cost of £850,000. In addition WSCC have agreed in principle to connect the gypsy and traveller transit site to the main sewer system, funded by WSCC.

Mrs Plant advised that officers had secured a window of 14 weeks to store vehicles offsite during the works. Mr Ward added that due to the critical timescale outlined in section 4.9 of the report the Chairman of the Council had agreed to take the decision as urgent and as such the decision was not subject to call-in (please see urgent notice attached to the final minutes).

Mr Carter outlined a minor amendment to page 33 of the report which should refer to an existing budget of £592,000 rather than £595,000.

Mr Barrett requested clarification on whether the public amenity tip would remain open throughout the works. Mrs Plant explained that the works would take place at the Depot only.

Mrs Plant proposed the recommendation which was seconded by Mrs Lintill.

In a show of hands the Council voted in favour.

RESOLVED

That Council agrees to increase the budget from £592,000 to £850,000 of which £600,000 funded from reserves and £200,000 from the Asset Replacement Programme to enable the inclusion of additional works as set out in Section 5 of the report.

71 Questions to the Executive

The Chairman advised that there would be no *Questions to the Executive* during Purdah. Members should submit questions relating to the operational day to day running of the Council in writing to SLT who will respond in consultation with the relevant Cabinet member.

72 Late Items

There were no late items.

73 Exclusion of the press and public

The Chairman explained that the one exempt item for consideration is a recommendation made by the Cabinet at its meeting on 3 December 2019.

The Chairman read the resolution to exclude the press and public as detailed below.

Mrs Lintill proposed the recommendation to exclude the press and public which was seconded by Mrs Taylor.

In a show of hands the Council voted in favour.

RESOLVED

That in accordance with section 100A of the Local Government Act 1972 (the Act) the public and the press be excluded from the meeting during the consideration of agenda item 15 for the reason that it is likely in view of the nature of the business to be transacted that there would be disclosure to the public of 'exempt information' being information of the nature described in Paragraphs 1 (information relating to any individual) and 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A to the Act 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.

74 **Southern Gateway**

The Chairman invited Mr Bell to introduce the report and referred members to the restricted supplement to the Cabinet agenda for 3 December 2019. Mr Over introduced two consultants who had been advising the council on the project who explained further detail regarding the recommendation contained within the report.

Mr Over and the consultants then responded to member's questions and comments.

During the debate Mr Plowman put forward a proposal to defer the item until the new year to address member's comments regarding the need for additional time to consider the documents associated with the report. Mr Plowman later withdrew his proposal.

The Chairman temporarily left the room and the Vice-Chairman took the Chair during that time.

Mrs Lishman left the meeting prior to the vote.

Mr Moss requested a recorded vote which was agreed by the wider membership.

The results of the vote were as follows:

Clare Apel - Against
Tracie Bangert – Against
Graeme Barrett - For
Heather Barrie – Abstained
Martyn Bell - For
John-Henry Bowden - Against
Roy Briscoe - For
Jonathan Brown - Against
Tony Dignum - For
Janet Duncton - For
John W Elliott - For
Gareth Evans - Abstained
Judy Fowler - For
Norma Graves - For
Elizabeth Hamilton – For
Francis Hobbs – For
Kevin Hughes - Abstained

Donna Johnson - Against
Tim Johnson - Against
Eileen Lintill - For
Sarah Lishman – left before the vote so no vote
Gordon McAra - For
Adrian Moss - Abstained
Simon Oakley - For
Kate O’Kelly - Against
David Palmer - For
Chris Page - For
Penny Plant – For
Richard Plowman – Against
Henry Potter - For
Carol Purnell – For
David Rodgers - Against
Sarah Sharp – For
Alan Sutton – For
Susan Taylor – For
Peter Wilding – For

Totals of 22 for, 9 against, 4 abstained and 1 no vote.

RESOLVED

Following “standstill” and dealing with any issues arising, and confirmation that WSCC have cleared their own governance processes, including call-in, that the Council select Developer A on Heads of Terms shown in Appendix 1 to deliver the Southern Gateway Masterplan regeneration project pursuant to the outcome of the Evaluation Report at Appendix 2 once matters of detail are finalised with the bidder.

The Chairman then formally closed the meeting and wished everyone a good Christmas.

The meeting ended at 6.20 pm

CHAIRMAN

Date:

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Notice of the Making of an Urgent Decision

Section 4.5, paragraph 36 on page 124 of the Chichester District Council's *Constitution* provides for an urgent decision to be made if consent is obtained from the Chairman of the Council that the decision is reasonable and should be treated as a matter of urgency. In the absence of the Chairman, the consent of the Vice-Chairman should be sought. In the absence of both the Vice-Chairman and the Chairman the consent of the Chief Executive or their nominee should be sought. Where such a decision is made it is reported for noting to the next available meeting of the Council together with the reasons for urgency.

A decision of this nature has been made as set out below:

Decision title	Award of contract for resurfacing of Westhampnett Depot
Decision taker	Cabinet
Decision date	3 December 2019
Decision details	Following a competitive tendering exercise Cabinet will be asked to award a contract for resurfacing and other works at the Westhampnett depot.
Reason for urgency	<p>To facilitate the resurfacing project temporary off-site parking arrangements have been negotiated with a third party. However they have indicated a fixed window of opportunity for this. A possible call-in of the cabinet decision would make it impossible to utilize the off-site parking which would in turn jeopardise the programme of works at the depot with operational implications and possible increased costs to the Council.</p> <p>It is therefore requested that the contract award decision be deemed urgent, and therefore exempt from possible call-in.</p>
Date of the Full Council meeting to receive report	3 December 2019

Name: John Ward – Director of Corporate Services
 Service Area: CCS – Corporate Services
 Date: 13 November 2019

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