



Minutes of the meeting of the **Council** held Virtually on Tuesday 21 July 2020 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, Mr R Briscoe, Mr J Brown, Mr A Dignum, Mrs J Duncton, 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, Mrs S Taylor and Mr P Wilding

Members not present: Rev J H Bowden and Mr A Sutton

Officers present all items:

1 **Minutes**

RESOLVED

That the minutes of the Annual Council meeting held on 19 May 2020 be approved.

2 **Urgent Items**

The Chair confirmed that she would be accepting no late items.

3 **Declarations of Interests**

The following declarations of personal interest were made in respect of agenda item 8:

- Cllr Apel as a Chichester District Council (CDC) appointed trustee of Pallant House Gallery
- Cllr Oakley as a member of West Sussex County Council and Tangmere Parish Council
- Cllr Bangert as a trustee of Tuppenny Barn
- Cllr Purnell as a member of West Sussex County Council
- Cllr Plowman as Chairman of the Neighbourhood Plan Steering Group
- Cllr Duncton as a member of West Sussex County Council
- Cllr Donna Johnson as a member of Selsey Town Council
- Cllr Kate O'Kelly as a member of West Sussex County Council
- Cllr Francis Hobbs as a CDC appointed member of Visit Chichester

4 Chairman's Announcements

Apologies were received from Cllr Bowden and Cllr Sutton.

5 Public Question Time

The following public questions were read by Mr Dicker:

On the 3rd March 2020 I raised a point of order and this has not been minuted. My point of order is that you the council voted on the 24th September 2019 on the plan for the delivery of the local plan. This included public consultation at the end of March 2020. This was the "will of the council" You have never voted to delay "the will of the council". Your own monitoring officer stated and I quote:

"Cabinet cannot work to undermine Council decisions, and must be what is Wednesbury reasonable". Have they been I will let you councillors decide.

Councillor Lintill told us that the local plan timetable was to be reviewed following Government advice.

Q1. I have asked under FOI for the Government advice. The disclosure copied to councillors and the press has no government advice but a report from local government consultants stating that, and again I quote:

"It is clear that the programme of work required to be completed before submission is extensive, and a number of key tasks are yet to be completed and in some case programmed for completion".

Who is responsible for the abject failure of the local plan work? Where is the so called Government advice quoted by Councillor Lintill and why has it not been made available under FOI.

Q2. Where is the revised timetable (not on your website) and when will the revised plan come for public consultation and when will the decision on the SDNP unmet housing need be made by this council. Especially in light of the failure of the previous plan what is your confidence in any new proposed dates being met?

Q3. DPIP is an untransparent decision making body. On 18th March 2020 the minutes should have been disclosed under FOI. The ICO stated that due to covid reasonable delays can be expected. Is 4 months reasonable and when will I see the minutes. What have DPIP and CDC got to hide.

I ask again who is failing you as councillors on the local plan. We the public have no faith or confidence in your executive or officers ability to plan let alone deliver against a plan in what is now a critical function to prevent random unchecked housing development. I hope the press are taking note.

Cllr Taylor responded as follows:

Thank you for your questions.

In response to your 1st question I would say:

Following the meeting last year with the Minister for Local Government and Homelessness, Council officers met with officials from the Ministry for Housing, Communities and Local Government (MHCLG) and the Planning Advisory Service (PAS). To clarify, the PAS is part of the Local Government Association but is funded by a grant from MHCLG to provide advice to councils on planning matters. PAS is therefore the appropriate body to provide advice to Councils on progressing Local Plans to ensure they are capable of being found sound at examination. As previously explained, the process of preparation of a Local Plan is complex and iterative. It is also reliant on specialist technical evidence based studies to inform decisions about where new development can be located and the on-going input from statutory consultees to support this. We are making progress with the next version of our local plan and further information is available on our website about this. I would also make the point (and as advised at the Council meeting in March), that the Local Plan forms part of the Council's policy framework for which the full Council, rather than the Cabinet, is responsible. I understand that you have been sent a copy of the PAS advice which has also been made available to all members.

As to Question 2:

The Council website has a page "Timeline - Local Plan Review" which sets out the next steps and what needs to happen for the Plan to progress to the next stage. The timeline envisages that the Plan will be published for public consultation in spring 2021. However, this is subject to a range of factors, not all of which are in the Council's control. The decision on any unmet need arising from the South Downs National Park or elsewhere will be taken when the proposed submission plan is considered by Members. The Council is following advice from PAS to maximise the chances of bringing forward a sound plan in the most timely manner.

And as to Question 3:

You ask whether the time that your request has been reasonable. As you are aware the Information Commissioner advice was that Councils should properly prioritise urgent Covid related activities and that such requests be put on hold and on the basis of that advice I do consider that the delay has been reasonable in light of the wider pandemic.

The request for DPIIP papers under the Freedom of Information Act is, however, currently being actioned and it is anticipated that a decision will be made by the qualified person, i.e. the Council's Data Protection Officer, by the end of July. I have already outlined in my response to questions 1 and 2 the progress being made and timescales anticipated for the next stage of the Local Plan review and would add finally that with regards to your concern about unchecked housing development, the Council's Planning Committee has recently approved an Interim Policy Statement for Housing Development with which to guide proposals for development.

I would also add that DPIIP is not a decision making body. Instead it makes recommendations to Cabinet and where appropriate Full Council.

Following the debate Cllr Moss indicated that he noted the questions were one of a series and that he intended to add the broad issue of the Local Plan to the Overview and Scrutiny committee work list. He was advised that he could do so under his delegated powers as Chairman of that Committee and that no decision by Full Council was required to enable the Scrutiny Committee activity so long as the work was within the Overview and Scrutiny Committee terms of reference.

6 Supporting Leisure Centres

Cllr Briscoe was invited to introduce the report.

Cllr Briscoe then moved the recommendation which was seconded by Cllr Lintill.

Cllr Hughes proposed that a progress report be presented to Overview and Scrutiny Committee (OSC) in November. This was seconded by Cllr Sharp. Cllr Lintill explained that it would not be necessary as the part II item later on the agenda confirms that a report will be presented to OSC. Cllr Hughes then confirmed that he would withdraw his proposal if the point could be noted in the minutes.

Cllr Brown requested that any spare capacity at the Leisure Centres be considered for free referrals from the council's social prescribers.

Members voted on the officer recommendation which was carried.

RESOLVED

That any further extension of support during the closure and recovery phase, up to a maximum of the current monthly amount be delegated to the Director of Growth and Place in consultation with the Leader, the Cabinet Member for Community Services and Culture and the Chair of the Overview and Scrutiny Committee for a period up to three months.

7 Financial Impact of Covid-19

Cllr Wilding was invited to introduce the item.

Cllr Wilding moved the recommendations which were seconded by Cllr Lintill.

Cllr O'Kelly proposed an amendment to recommendation 1v to read:

The Council should prioritise the identification and development of new income generation ideas.

The proposal was seconded by Cllr Brown.

A number of members supported the amendment which reverted the recommendation back to that made by the Corporate Governance and Audit Committee. Some members also discussed striking the right balance between generating income and maintaining reserves.

In response to a request for clarification Mrs Hotchkiss confirmed that Chichester Festival Theatre receives £187,000 per annum in its current funding agreement with the council and Pallant House Gallery receives £130,000 per annum. Both agreements currently run until 2022.

Members voted on the amendment put forward by Cllr O'Kelly which was not carried.

Members then voted on the officers recommendations which were carried.

RESOLVED

1. That the minimum level of reserves be reduced to £4m.
2. That up to £8,070,000 be released from reserves to address the in year impact of the pandemic.
3. That the Council should work towards achieving a balanced budget over the next 5 years, using reserves in the intervening years to help balance the budget.
4. That officers continue to pursue income generating initiatives, where there is a sufficiently robust business case, as part of the recovery process.

8 Covid 19 Recovery Plan and future services framework

(Please note that the full debate for this item can be viewed on the webcast which has been published here <http://chichester.nucast.live/>)

The Chair drew members' attention to a correction to the numbering of the report. On page 12 of the agenda pack the section entitled 'Alternatives Considered' should be number 7, 'Resource and Legal Implications' number 8, 'Consultation' number 9, 'Community Impact and Corporate Risks' number 10, 'Other Implications' number 11, 'Appendices' number 12 and 'Background Papers' number 13.

Cllr Lintill was then invited to introduce the report.

Cllr Lintill moved the recommendations which were seconded by Cllr Taylor.

A number of members requested information on how the recovery teams would be made up as some members had already been approached. Cllr Lintill confirmed that the memberships had not been decided. She added that the timings of the meetings would be decided by the Cabinet member/s, Directors and Advisors. The meetings would not be formally minuted as these are informal groups and oversight of the recovery plans lay with Overview and Scrutiny Committee and Cabinet. A number of members requested feedback to the wider membership.

With regard to a request for smaller registered charities to be included in the grants funding Cllr Briscoe explained that the criteria for inclusion is currently being drawn up by officers but would include smaller local charities.

Cllr Moss suggested the inclusion of Fishbourne Roman Palace, the Oxmarket and the Weald and Downland Museum in the economic impact study for the Novium, Chichester Festival Theatre and Pallant House Gallery. Cllr O'Kelly then proposed the suggestion which was seconded by Cllr Moss. Both Mrs Hotchkiss and Mr Bennett explained that the recommendation would have to be worded as such to take account of consulting with the additional organisations to see if they wished to be included. Mrs Shepherd also clarified that the proposal is for the cost of the study to be split into thirds equally between the parties involved.

Cllr Tim Johnson then put forward the following amendment which was seconded by Cllr Donna Johnson:

Council recommend that Cabinet consider enhancing their decisions of 07 July and approve the formation of a separate Peninsula Recovery Group at their next meeting.

Some members did not support the recommendation as some parishes on the Peninsula did not support the proposal, thought it was a duplication of work if the Group were formed and also the implication for other areas of the district where an additional Group is not set up.

In support of the recommendation some members discussed that the Group reflects the needs of the residents now and would address the particular needs of the peninsula.

In a vote the amendment was not carried.

Cllr Plowman then put forward the following amendment which was seconded by Cllr Hughes:

That the Chichester Neighbourhood Plan City Centre Task Force be included as a Partner Organisation for the Economic Recovery Action plans. (Pages 32, 33).

Some members did not support the recommendation and discussed the inclusion of the City Council already.

In support of the recommendation some members discussed the importance of bringing in those who can help to drive change.

In response to suggestions that the proposal was undemocratic Mr Bennett confirmed that it was not undemocratic but urged members to debate with kindness and respect.

In a vote the amendment was not carried.

Cllr Adrian Moss then put forward the following amendments which were seconded by Cllr O'Kelly:

At Page 75, Appendix 5, Future Services Framework

Add in new Key area, Paragraph 4

(Minor technical change.....)

The proposal is to break this project down into 4 key areas;

New key area No 2

2) Commercial activities: An outward facing review of all commercial activity to identify opportunities to boost income to the council from council service and other commercial activity.

Key area 2) becomes 3) Policy Option

Key area 3) becomes 4) Service Prioritisation

Page 76, New Paragraph for Commercial Activity

2. Commercial Activities

Officers continue to pursue income generating opportunities, where there is a sufficient robust business case and the activity is in line with local government published protocols.

Business generating initiatives should include opportunities that enhance the lives of our residents and provides services that directly benefit our residents and local businesses whilst helping the Council reduce reliance on Council Tax and the Local Government Finance Settlement each year.

2. Policy Options becomes 3. Policy Options

3. Service Prioritisation becomes 4. Service Prioritisation

THIS WILL ALSO NECESSITATE CHANGES AS FOLLOWS

Page 12, 6.5

New

Stage 2 Commercial Activity. This stage challenge the council to look at new innovative way to pursue income generating ideas that enhance the services provided by the Council to the local community including businesses, whilst generating an income to the Council.

Stage 2. Policy Options becomes Stage 3. Policy Options

Stage 3. Service Prioritisation becomes Stage 4. Service Prioritisation

Some members did not support the recommendation due to the development of commercial ideas already being covered under section 7 and it already being a priority in the Corporate Plan.

In support of the recommendation some members discussed the importance of bringing ideas that avoid the reliance on council tax and generate income.

Following a vote the amendments were not carried.

Cllr Brown then suggested combining his amendment with Cllr Sharp's amendment in order to take one vote. Cllr Sharp was in agreement.

Cllr Brown proposed the following amendment which was seconded by Cllr Moss:

At c.iv add: "Priority for Economic Recovery Grants to be given to carbon-neutral schemes or those which will lessen the carbon footprint of economic activities."

Cllr Sharp then added the following amendment which was seconded by Cllr Moss:

Re: 8.a (NEW: the current a-c become b-d) add:

Council notes the serious impact COVID-19 has had and is still having on our communities, residents' health, well-being and livelihoods and on the Council's finances. But at the same time, climate change presents just as much a threat as ever. The Council therefore believes that sustainability and tackling Climate Change should be a "golden thread" running through all this Council's COVID-19 Recovery Action Plans.

Some members did not support the recommendation due to the limitations it would put on the grants fund for small organisations.

In support of the recommendation some members discussed the importance of green industries going forwards.

In a vote the amendments were not carried.

Following the earlier suggestion by Cllr Moss to include the Fishbourne Roman Palace, the Oxmarket and the Weald and Downland Museum in the economic impact study for the Novium, Chichester Festival Theatre and Pallant House Gallery which had been formally proposed by Cllr O'Kelly and seconded by Cllr Moss the following amendment was agreed to be voted on for recommendation cii:

To contribute £20k towards an economic impact study for Novium, CFT and PHG. To be funded from reserves and that officers will approach the Weald and Downland Museum, Oxmarket and Fishbourne Roman Palace to see if they would be interested in inclusion in the study on the same terms.

The Chair then put the officer recommendations to the vote with the inclusion of amendment above. The vote was carried.

RESOLVED

That Council:

- a) Approves the Covid 19 Recovery Action Plans for the four thematic areas as set out in appendices 1-4;
- b) Approves the Future Services Framework as set out in appendix 5;
- c) Approves the following policy options:
 - (i) to forego the Homefinder's fee at a cost of £20k pa;
 - (ii) To contribute £20k towards an economic impact study for Novium, CFT and PHG (to be funded from reserves) and that officers will approach the Weald and Downland Museum, Oxmarket and Fishbourne Roman Palace to see if they would be interested in inclusion in the study on the same terms as the other parties.
 - (iii) to increase the current level of support for Visit Chichester by £100k per year in years 2020/21, 2021/22 & 2022/23 and provide new support of £130k per year in 2023/24 & 2024/25, and that delegated powers is given to the Director for Growth and Place to approve a new Service Level Agreement with Visit Chichester following consultation with the Cabinet Member for Communities and Cabinet Member for Growth, Place and Regeneration;
 - (iv) to create a new grants fund of £500k. To include £250k for a Community Recovery Grants Fund and £250k for an Economic Recovery Grants Fund, and that delegated powers are given to the Director of Housing & Communities and the Director of Growth and Place to approve criteria for the grants following consultation with the Cabinet Member for Communities

and Cabinet Member for Growth, Place and Regeneration respectively. To be funded by reducing the sum allocated for parish NHB grants by an equivalent amount.

9 **Co-option of Cllr Tim Johnson to the Overview and Scrutiny Committee**

Cllr Moss was invited to introduce the item. He confirmed that the Committee were in support of the recommendation.

Cllr Moss moved the recommendation which was seconded by Cllr Apel.

Members voted on the Overview and Scrutiny Committee recommendation which was carried.

RESOLVED

That Council agrees for Cllr Tim Johnson to be co-opted to the Overview and Scrutiny Committee in a non-voting capacity for the remainder of the 2020/21 Committee Cycle.

10 **Overview and Scrutiny Committee 2019-20 Annual Report**

The Chair explained that there were some minor amendments to the report. On page 92 the Community Task and Finish Group findings were reported back to the July 2020 meeting and on page 93 the Corporate Plan Task and Finish was not cancelled, it went ahead.

Cllr Moss was invited to introduce the report. He also took the opportunity to thank Mr Hyland, Mrs Bushby, Mrs Rudziak and Miss Davis for their help and support.

The Chair then noted the report on behalf of the Council.

11 **Motions Procedure**

Cllr Dignum as Chair of Corporate Governance and Audit Committee was invited to introduce the report.

Cllr Dignum then moved the recommendation which was seconded by Cllr Lintill.

Members then voted on the officer recommendations which were carried.

RESOLVED

1. That Council adopt the motions procedure and that the Constitution be amended accordingly.
2. That the Monitoring Officer be directed to prepare guidance on the application of the motions procedure for members.

12 **Urgent Decision Notice - Parking Charges**

The Chair noted the urgent decision notice on behalf of the Council.

13 **Questions to the Executive**

The Chair explained that there would be no questions to the executive due to the length of the meeting. It was explained that members would be able to send their questions to Democratic Services with the questions and answers to be published online.

14 **Late Items**

There were no late items.

15 **Exclusion of the press and public**

Cllr Lintill moved the recommendation to go into part II which was seconded by Cllr Taylor. There were no objections so the Chair made the following resolution on behalf of the Council:

That in respect of agenda items 16 and 17 the public, including the press, should be excluded from the meeting on the grounds of exemption under Parts 1 to 7 of Schedule 12A of the Local Government Act 1972, as indicated against the item 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 that information.

16 **Increasing the provision of short stay accommodation at Freeland Close**

Cllr Lintill was invited to introduce the item.

Cllr Lintill moved the recommendation which was seconded by Taylor.

Members voted on the recommendations which were carried.

RESOLVED

1. That the updated Project Initiation Document in Appendix 1 be approved.
2. That the additional funding requirements of the scheme as yet not released and detailed in paragraph 8.1 be approved.
3. That delegated powers be granted to the Director of Housing and Communities and the Director of Corporate Services following consultation with the Cabinet Member for Housing and the Cabinet Member for Finance Corporate Services, Revenues and Benefits, to award the development contract.

17 **Urgent Decision Notice - Leisure Centres**

The Chair noted the urgent decision notice on behalf of the Council.

The meeting ended at 7.13 pm

CHAIRMAN

Date: