

Public Document Pack

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Notice of Meeting

To All Members of Chichester District Council

You are hereby summoned to attend the annual meeting of **THE COUNCIL** which will be held in **Virtual** on **Tuesday 27 April 2021** at **2.00 pm** for the transaction of the business set out in the agenda below.

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

DIANE SHEPHERD
Chief Executive

19 April 2021

AGENDA

- 1 **Election of the Chairman**
This will be followed by the declaration of acceptance of office.
- 2 **Appointment of the Vice-Chairman of the Council**
This will be followed by the declaration of acceptance of office.
- 3 **Minutes** (Pages 1 - 28)
The Council is requested to approve as a correct record the minutes of the meetings held on 2 March 2021 and 12 March 2021.
- 4 **Urgent Items**
The Chair will announce any urgent items which due to special circumstances are to be dealt with under Late Items.
- 5 **Declarations of Interests**
Members and officers are reminded to make any declarations of disclosable pecuniary, personal and/or prejudicial interests they may have in respect of matters on the agenda for this meeting.
- 6 **Chair's Announcements**
Apologies for absence will be notified at this point.

The Chair will make any specific announcements.

7 **Review of Political Balance** (Pages 29 - 33)

The Council is requested to make the following resolutions:

That

1. the review of political balance arrangements set out below be approved; and
2. that membership of committees and sub committees be approved by members at the meeting; and
3. the calculations set out in this report are applied in making appointments to committees.

8 **Appointment to Committees** (Pages 35 - 37)

The Council is requested to make the following resolutions:

1. That the Council appoints to Committees as set out in the attached appendix.
2. That the Council agrees the continued appointment of Cllr Lintill (Chair), Cllr Dignum, Cllr Oakley and Cllr Moss to represent the Council on the Chichester District Growth Board for 2021/22.

Please note that the appendix to the report is to follow.

9 **Appointments to External Organisations** (Pages 39 - 43)

The Council is requested to make the following resolution:

That the Council appoints to external bodies as set out in the attached appendix.

RECOMMENDATIONS BY THE CABINET

None.

OTHER REPORTS

None.

10 **Late Items**

To consider any late items as follows:

- a) Items added to the agenda papers and made available for public inspection.
- b) Items which the Chair has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting.

11 **Exclusion of the press and public**

There are no restricted items for consideration at this meeting.

NOTES

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.

MEMBERS

Mrs E Hamilton
Mrs C Apel
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
Mrs J Duncton
Mr J Elliott
Mr G Evans
Mrs J Fowler
Mrs N Graves
Mr F Hobbs
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
Mr P Wilding

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Public Document Pack Agenda Item 3



Minutes of the meeting of the **Council** held in Virtual on Tuesday 2 March 2021 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, Mrs J Duncton, Mr J Elliott, Mr G Evans, Mrs J Fowler, Mrs N Graves, Mr F Hobbs, 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: Mr K Hughes

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), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

74 **Minutes**

With reference to page 4 of the Full Council minutes for 19 January 2021 Cllr Brown wished to be noted as seconding the motion rather than Cllr Bowden.

With regard to the minute 60 from 19 January 2021 Highways England should be referenced.

Cllr Brown also requested a supplement including the voting of the recorded votes where that is appropriate within the Constitution.

RESOLVED

That the minutes of the Full Council meeting held on 19 January 2021 and 29 January 2021 be approved subject to the above amendments.

75 **Urgent Items**

One urgent item had been accepted which is detailed below.

76 **Amendment to Constitution on Vice Chairman authority**

Mr Bennett was invited to introduce the report. Cllr Lintill then moved the recommendation which were seconded by Cllr Taylor.

Cllr Oakley proposed an amendment to amend the line to add 'change with the consent of the Chairman'. This was seconded by Cllr Brown

Members voted virtually on the recommendation which was carried.

RESOLVED

That the Monitoring Officer be directed to amend the Constitution to remove the requirement that a Vice Chair may only chair a meeting in the absence of the Chairman to that meeting subject to the above amendment.

77 **Declarations of Interests**

A number of declarations of interest were made however the related items were subsequently deferred.

78 **Chair's Announcements**

Cllr Apel confirmed that Cllr Hamilton had asked if she could Chair the meeting which she had agreed to do. She then explained that she would take the Budget and Council Tax items first, then the part II items and then if time permitted return to the agenda proper.

Apologies for absence were received from Cllr Hughes.

79 **Public Question Time**

Cllr Apel explained that supplementary questions would not be allowed on this occasion and should instead be sent to Democratic Services. The following questions were asked:

Question from Maureen O'Grady:

Would the CDC give serious thought to establishing a Climate Forum: comprising of remaining interested members of the Climate Assembly, established by the Sortition Foundation, plus volunteers from Eco-chi?

Answer from Cllr Plant:

Thank you for your question. Within the Climate Emergency Action Plan, the Council has committed to setting up a Climate Assembly later this year and there was much support for this idea when we consulted on the draft action plan last Autumn.

The Council is yet to procure an external organisation to support this action, however, the aim is that those participating in the Assembly will be residents who have been selected to reflect the demographic profile of the District and we hope to engage with a wide range of residents who vary in their understanding of and engagement with climate change issues.

The members of the Citizen's Assembly will make informed recommendations to the Council on the delivery of the Climate Emergency Action Plan and therefore I would not wish to pre-empt the findings of the Assembly. However, on the same point, I would not wish to rule out a Climate Forum as a possible outcome.

The Council, in this first detailed action plan, has focused on delivery of carbon savings that largely fall within its remit of control. However we will also continue to support existing district wide initiatives, such as Gillian Keegan's, MP, Conference on Climate Change, as well as engaging with local groups where these support the actions in the plan, such as the new and existing working groups. These will provide further opportunities for individuals and organisations to work together to develop practical solutions to reduce greenhouse emissions across the District.

Questions from Andrew Kerry-Bedell:

1. Given CDC has only added four small new sites to its Brownfield register in 2020, and there are none on the list with no planning permission, how can the Council assure residents that every single possible site in the whole district has been fully reviewed for the latest Brownfield register?
2. Parishes like Southbourne have a Council allocation of 1,250 houses that they have agreed to and are putting into a new Neighbourhood Plan, so why is it on the 5YHLS CDC has only 300 houses listed for Southbourne?
3. Can the Council confirm that it will review the whole December 2020 list of 9,579 houses, listed in major allocations and individual parish housing allocations, to include them on the last 5YHLS?
4. What date with the new 5YHLS be issued to the public?

Answer from Cllr Taylor:

Thank you for your questions. I will answer each in turn

1. The latest Brownfield Register update included a review of all sites submitted for the HELAA 2020 and any sites submitted for inclusion on the register via our webpage or through Member submission. To be included in the register the site must meet a number of criteria, including over a size threshold, considered suitable for development under Local Plan policy, and available for development. Some of the brownfield sites included in the HELAA 2020 are not included on the register because they are located outside of a settlement boundary and therefore not considered appropriate for residential development under Local Plan policy.

2. The five year land supply can only include development which is reasonably expected to be delivered within 5 years. With regards to Southbourne, the most recent housing supply position statement included a proportion of the dwellings which have planning permission. It did not include delivery of the remainder of the 1,250 dwellings envisaged at Southbourne because there was insufficient evidence at that time that any further dwellings would be delivered within 5 years. Since then, the Southbourne Neighbourhood Plan has progressed further and the next housing supply position statement will be able to take this into account. However, as with all sites, it is critical to remember that it is what we can demonstrate is likely to be delivered within 5 years – not the total amount of development envisaged on a site.

3. *The figure of 9.579 homes mentioned in the question is not recognised. However, I can confirm that it is intended to undertake a full review of the housing supply position with specialist advisors, to ensure the Council has a robust and defensible position on housing supply.*

4. *It is anticipated that the next update to the 5 year housing supply statement will be prepared with a base date of 1 April 2021, and be available around July 2021.*

Question from Richard Weavis (on behalf of SOSCA):

Given that the Local Plan is unlikely to be adopted for at least another two years does the Council have a District wide strategy for approving housing development applications that will support the housing numbers in the emerging Local Plan, and will any such strategy require that approved developments will not be inhabited until all adequate off-site supporting infrastructure is complete, as pledged by the Conservative Party Manifesto.

Answer from Cllr Taylor:

Thank you for your question.

In addition to the adopted Local Plan which remains an important part of the Development Plan for the area and is the starting point for assessing planning applications, the Council has prepared an Interim Position Statement for Housing Development (IPS). This Statement provides a mechanism for the Council to provide clarity and confidence in relation to how planning applications for housing should be determined in the period that the Council is unable to demonstrate a five year supply of housing and until the Local Plan Review is adopted. The IPS applies to the Local Plan area and not to the part of Chichester District which is within the South Downs National Park, and seeks to ensure appropriate opportunities for housing development in locations which are sustainable.

The IPS requires proposals submitted under the IPS to set out how necessary infrastructure will be secured, having regard to a number of evidence documents including the Infrastructure Delivery Plan, the Surface Water and Foul Drainage Supplementary Planning Document, and the Approach to securing development contributions to mitigate additional traffic impacts on the A27 Chichester Bypass Supplementary Planning Document. The timing of delivery of significant infrastructure is frequently a complex matter and the Council is guided on this by the relevant statutory consultees.

Question from Carey Mackinnon:

How confident is the Council that these current plans will not receive the same level of objections and that there will be no further unwanted delay to preparing the Plan?

Answer from Cllr Taylor:

Thank you for your question.

The Local Plan must show how development can proceed without unacceptable traffic impacts. In the absence of a national road scheme for the A27, this means the onus is on the Council to investigate further whether the development needs the Council is expected to address can be met in full, and that includes confirming if the package of measures set out alongside the *Preferred Approach* Local Plan are deliverable.

It is clear that any transport mitigation package arising from the emerging Local Plan will be linked to the wider public debate around the future of the A27. That is unfortunate, but appears unavoidable. Once the technical work for the Local Plan is complete we will have a full understanding of the relative merits or otherwise of this proposal and the Council will be presented with a report in order to consider this important matter in the summer.

Question from Sarah Cunliffe:

I am a local international film-maker and biologist. Given the proposed delay of the Local Plan to 2023, I believe it is vital that sufficient protection is in place to prevent irreversible damage to the unique environment around Chichester caused by the current developer free-for-all. The status of the Chichester Harbour SSSI is in critical condition per the Natural England report published on 23rd February. It is now classed as 90% unfavourable condition, 80% unfavourable declining. Susan Taylor has publicly argued that a moratorium is not possible or desirable. I argue that a delay on ALL significant planning applications is CRITICAL to properly assess the environmental impact on the area and to properly assess failing infrastructure such as Southern Water's sewage works. There is precedence. Natural England brought about a "moratorium" of sorts on all new development in the Solent area in 2019 post the 2018 judgement from the Court of Justice of the European Union (the 'Dutch Case'). The Partnership for South Hampshire (PfSH) estimates as a result some 4,500 dwellings are currently in a backlog awaiting consent both solely and/or principally because of the ongoing nitrate issues in the Solent. The Chichester Harbour also has a massive nitrate problem. I would like to ask if the Council, based on the clear legal precedence of the Dutch Case and what is happening in the Solent, if they will work together with the key regulators and government to action a delay on planning applications as a priority.

Answer from Cllr Taylor:

Thank you for your question. Can I firstly reassure you that we work closely with Natural England, the Environment Agency, Southern Water and other relevant agencies in relation to water quality on an ongoing basis, including through the Chichester Water Quality Group. Since the Dutch Case we have also been working closely with the PfSH authorities through the PfSH Water Quality Group to identify solutions to the nitrates issue, including jointly funding an officer working on mitigation options across the Solent area, including Chichester Harbour.

All relevant planning applications currently have to demonstrate that they do not add nitrates into the Harbour, providing mitigation where this is an appropriate solution. Impacts are assessed through Habitats Regulations Assessment and this would need to demonstrate that there was no adverse impact on the protected areas. Applications that cannot meet this requirement will not be granted planning permission. Relevant agencies are consulted through the development management process, and applications would not be permitted if Natural England raised an objection.

We also work closely with Southern Water and the Environment Agency in relation to waste water treatment and there is already an adopted Position Statement in place limiting new waste water connections to Apuldram WWTW.

These measures taken together, and agreed with relevant statutory agencies, are designed to ensure that developments that are allowed do not have an adverse environmental impact on the water quality of Chichester Harbour. They do not equate to a “moratorium” on development, and without clear advice and objections to all relevant planning applications from Natural England and the Environment Agency that this is necessary, such an approach would not be justified or appropriate. Natural England and other agencies, including government departments MHCLG and DEFRA (who are currently developing a Solent Nitrate Trading Pilot) , are working closely with local authorities including Chichester to find solutions to ensure that appropriate housing development can continue across the Solent area.

Questions from Jane Towers:

Earlier in the month the Cabinet Member for Planning was reported across many media outlets as saying the Local Plan Review was the top priority for the District Council and that no difficulties were being hidden. What was not reported was the fact that the timetable has slipped yet again. The current timetable puts the Plan TWO years behind the original date of March 2020. In the meantime, Parishes have been struggling to complete their Neighbourhood Plans and the Council can no longer demonstrate a five-year supply of housing leaving communities being inundated with speculative developers which could result to hundreds of homes being built in inappropriate and unsustainable locations. This is a major failure on the part of the District Council.

Chichester Harbour is in particular danger of serious harms through recreational disturbance and water quality. Planning applications in Chidham and Hambrook alone stand at 460 houses, 300 of them in close proximity to the AONB.

- 1. How can this possibly lead to (I quote) ‘an opportunity to create a better future for our residents and businesses’ and ‘creating a fairer, healthier and greener district’ when agricultural land is built over, traffic increased and the environment and ecology of the area damaged beyond repair?*
- 2. You say that measures are in place to protect the local plan area from inappropriate speculative development but how confident can we be that those measures, such as the Interim Position Statement are robust enough.*
- 3. Would our communities not have been better protected from speculative planning applications if the new green field sites in the 2020HELAA had been fully assessed for deliverability and sustainability?*
- 4. Is it the case brownfield sites are excluded from the Brownfield Site Register if they are outside the settlement boundary, as defined by the Local Plan or Neighbourhood Plan, but a green field site outside the settlement boundary is considered suitable?*

Answers from Cllr Taylor:

Thank you for your questions. I will answer each in turn.

In answer to question 1, it is acknowledged that the proposed timetable represents a significant extension, however there are complex strategic issues which must be resolved before the Local Plan Review can be concluded, and which are critical for the Council to be able to demonstrate that it has prepared a sound plan. I must also emphasise the point that making effective and rapid progress on the plan is reliant upon proactive engagement by statutory agencies (e.g. Southern Water and Highway England) and so is not wholly

within the council's control, despite our widespread requests to those agencies and to the Government for further and timely support.

At the examination into the Local Plan Review, the Council will be expected to demonstrate that it has done all that it reasonably can to meet the housing and other development needs identified by government. Whilst I appreciate the concerns being raised, we have no option therefore but to complete the evidence gathering work, although we do intend to take stock of the evidence and consider our options going forward via reports to Cabinet and Council in July.

In the meantime, the Council must continue to determine applications on their own merits, in the context of national and local policy, which includes, for example, the consideration of development impacts on infrastructure and the environment.

In terms of question 2, the Council is currently not able to demonstrate a five year supply of housing as required by national policy, meaning there is a presumption in favour of sustainable development, and the Council is at risk of receiving speculative applications. The Council has prepared the Interim Position Statement for Housing (IPS) to draw together adopted and emerging plan policies to provide clarity to applicants to guide development to the most appropriate and sustainable locations in the Plan area, requiring applicants to consider criteria including locational sustainability, for example, the proximity of a proposed site to settlement boundaries. Whilst the IPS does not form part of the adopted development plan, it is a material consideration in the determination of planning applications, and has been in use since July 2020. It is worth noting the Council has recently been supported on appeal by an Inspector on the grounds that a small residential development proposal would be out of keeping with the character of an area – showing that where harm can be demonstrated in planning terms, refusal of planning permission can be justified.

In response to question 3, the Housing and Economic Land Availability Assessment (HELAA) is a technical document which assess the availability, deliverability and developability of sites for housing or economic development. The Local Plan Review process has identified updated housing and economic needs as well identifying constraints to development that affect the Plan area strategically, for example flood risk associated with climate change, transport, and wastewater capacity. The 2020 HELAA takes a broad view of suitability in order to present the widest range of options for potential development.

It is worth noting that the HELAA does not dictate how any subsequent planning applications are dealt with. Discounting a site in the HELAA process would not of itself protect a site from development. Of more importance is the underlying reasons. The 2020 HELAA is based closely upon the criteria set out in the National Planning Policy Framework, enabling the Council to ensure that the Plan is prepared considering the full range of available options.

In response to your fourth question, in order for sites to be included on the Brownfield Land Register, they must be available for residential development, and must meet the criteria set out in government guidance, which includes considering whether the site is appropriate under the policies of the development plan, which includes the adopted Local Plan, Site Allocations Development Plan Document and made Neighbourhood Plans. In this respect, sites that are detached from the settlement boundary are not considered to be

appropriate for residential development and cannot be included on the Brownfield Land Register. Greenfield land is also not suitable for inclusion on the Register.

80 **Model Code of Conduct**

This item was deferred.

81 **Reduction in Number of Parish Councillors on Rogate Parish Council**

This item was deferred.

82 **Budget Spending Plans 2021-22**

Cllr Wilding was invited to introduce the report. Cllr Wilding then moved the recommendations which were seconded by Cllr Lintill.

Cllr Brown then introduced his amendment motion detailed in the agenda pack which was seconded by Cllr O'Kelly.

Cllr Wilding as Cabinet Member for Finance responded to the proposal first. He asked whether pension and employee costs had been considered and if they had whether they had been benchmarked. He explained that a PID could be brought forward at any point once the proposal had been fully costed.

Cllr Plant as Cabinet Member for the Environment then responded. She noted that the proposal contained some good ideas. She explained that a consultant was already instructed to consider all of the council owned properties and a new post would need further consideration by the Environment Panel and Cabinet. She added that consideration should be given to where the proposal overlaps with work being undertaken, where the proposals rely on central government funding and where the proposals relate to discretionary spending items which would need to be discussed under the Future Services Framework.

Cllr Plant proposed the following counter motion:

That these motions be passed to the Environment Panel for its detailed consideration and for Environment Panel to subsequently advise Cabinet on the way forward.

The counter motion was seconded by Cllr Lintill.

Cllr Plowman explained he supported the amendment motion as it addressed the need to take action on Climate Change.

Cllr Hobbs explained that he supported the counter motion as the Environment Panel would be able to work on the proposals and put forward a PID if required.

Cllr Elliott asked that the salary of proposed posts be reconsidered in order to attract someone with the right skill set.

Cllr O'Kelly explained that she supported the amendment motion as it would give the Environment Panel a clear steer on its focus.

Cllr Bowden explained that he supported the amendment motion as allocating funding demonstrates support for action on the Climate Emergency.

Cllr Donna Johnson explained that she saw the proposal as an investment rather than an expense.

Cllr Sharp explained that the amendment motion would support the need for behaviour change.

Cllr Briscoe explained that the amendment motion was premature in being brought before Full Council.

Cllr Lintill explained that she agreed with Cllr Hobbs and supported Cllr Plant's counter motion. She added that Cllr Elliott's salary comment could then be addressed by the Environment Panel.

Cllr Purnell explained that she felt the amendment motion should be allocated to the Environment Panel and worked up to a full Business Plan before being considered any further by Cabinet or Full Council.

Cllr Sutton explained that he did not oppose the amendment motion in principle but that it would be better placed discussed by the Environment Panel. He added that consideration needed to be given to where the funding would come from and the impact that would have on other areas the council funds.

Cllr Oakley aired caution in overcommitting to something which the council has no power over. He also explained that there would be potential overlap with the West Sussex County Council projects.

Cllr Bangert gave her support to the amendment motion.

Cllr Brown responded and explained his disappointment in the amendment motion not being supported by members of all political parties.

Cllr Lintill responded and explained that the proposed referral to the Environment Panel was not dismissing the ideas.

As legally required a recorded vote was carried out. The vote for Cllr Plant's counter motion was as follows:

Cllr Apel – Against
Cllr Bangert – Against
Cllr Barrett – For
Cllr Barrie – Against
Cllr Bell – For
Cllr Bowden – Against
Cllr Briscoe – For
Cllr Brown – Against
Cllr Dignum – For
Cllr Duncton – For
Cllr Elliott – For
Cllr Evans – Against

Cllr Fowler – Against
Cllr Graves – For
Cllr Hamilton – For
Cllr Hobbs – For
Cllr Hughes – Absent
Cllr Donna Johnson – Against
Cllr Tim Johnson – Against
Cllr Lintill – For
Cllr Lishman – Against
Cllr McAra – For
Cllr Moss – Against
Cllr Oakley – For
Cllr O’Kelly – Against
Cllr Page – For
Cllr Palmer – For
Cllr Plant – For
Cllr Plowman – Against
Cllr Potter – For
Cllr Purnell – For
Cllr Rodgers – Against
Cllr Sharp – Against
Cllr Sutton – For
Cllr Taylor - For
Cllr Wilding – For

The vote was carried 20 votes to 15 with one absent member.

RESOLVED

That the amendment motions submitted by Cllr Brown be passed to the Environment Panel for its detailed consideration and for Environment Panel to subsequently advise Cabinet on the way forward.

Cllr Moss then introduced his amendment motion explaining that since its submission he had been in conversation with Cllr Dignum and Cllr Sharp individually and was agreeable to combining all points raised. The amendment motion therefore reading:

That Full Council agrees to remit the motion to the Economic Recovery Group for further consideration and subsequently to bring back a report to the June 2021 meeting of Overview and Scrutiny Committee. The plans and strategies to comply with the aims set out in CDC’s Climate Change Declaration and support an inclusive and socially just recovery.

The amendment motion was seconded by Cllr Plowman.

Cllr Plowman explained that he was in support of the motion as it gives the opportunity to look at the recovery as a whole.

Cllr Dignum acknowledged Cllr Moss accepting his proposed amendment and explained that he had since invited Cllr Moss to join the Economic Recovery Group.

Cllr Donna Johnson explained the importance of building a brand for the district.

Cllr Moss responded and explained that he had sought advice of senior officers and was therefore prepared to work further on the figures included in the amendment motion.

Cllr Sharp thanked Cllr Moss for including her amendment to the end of the motion.

Cllr Lintill and Cllr Hobbs then both gave support to the amendment motion.

Cllr Bell explained that he was minded to support the amendment motion but did not support the last sentence proposed by Cllr Sharp. Cllr Moss confirmed that he had agreed the inclusion of the sentence.

As legally required a recorded vote took place on the amendment motion as amended submitted by Cllr Moss. The vote was as follows:

Cllr Apel – For
Cllr Bangert – For
Cllr Barrett – For
Cllr Barrie – For
Cllr Bell – Abstain
Cllr Bowden – For
Cllr Briscoe – For
Cllr Brown – For
Cllr Dignum – For
Cllr Duncton – For
Cllr Elliott – For
Cllr Evans – For
Cllr Fowler – Absent during vote
Cllr Graves – For
Cllr Hamilton – For
Cllr Hobbs – For
Cllr Hughes – Absent
Cllr Donna Johnson – For
Cllr Tim Johnson – For
Cllr Lintill – For
Cllr Lishman – For
Cllr McAra – Abstain
Cllr Moss – For
Cllr Oakley – Abstain
Cllr O’Kelly – For
Cllr Page – Abstain
Cllr Palmer – For
Cllr Plant – Abstain
Cllr Plowman – For
Cllr Potter – Abstain
Cllr Purnell – For
Cllr Rodgers – For
Cllr Sharp – For
Cllr Sutton – Abstain
Cllr Taylor – For
Cllr Wilding - Abstain

The vote was carried by 26 votes with 8 abstentions and two absent members.

RESOLVED

That Full Council agrees to remit the motion to the Economic Recovery Group for further consideration and subsequently to bring back a report to the June 2021 meeting of Overview and Scrutiny Committee. The plans and strategies to comply with the aims set out in CDC's Climate Change Declaration and support an inclusive and socially just recovery.

Members then turned to the substantive recommendations. Mr Ward explained that recommendation D was no longer required and therefore recommendation E would become recommendation D.

As legally required a recorded vote took place with the vote as follows:

Cllr Apel – For
Cllr Bangert – For
Cllr Barrett – For
Cllr Barrie – For
Cllr Bell – For
Cllr Bowden – Against
Cllr Briscoe – For
Cllr Brown – Against
Cllr Dignum – For
Cllr Duncton – For
Cllr Elliott – For
Cllr Evans – For
Cllr Fowler – For
Cllr Graves – Absent during vote
Cllr Hamilton – For
Cllr Hobbs – For
Cllr Hughes – Absent
Cllr Donna Johnson – For
Cllr Tim Johnson – For
Cllr Lintill – For
Cllr Lishman – For
Cllr McAra – For
Cllr Moss – For
Cllr Oakley – For
Cllr O'Kelly – Against
Cllr Page – For
Cllr Palmer – For
Cllr Plant – For
Cllr Plowman – For
Cllr Potter – For
Cllr Purnell – For
Cllr Rodgers – For
Cllr Sharp – Against
Cllr Sutton – For
Cllr Taylor – For
Cllr Wilding - For

The vote was carried by 30 votes to 4 with two absent members.

RESOLVED

- a) That a net budget requirement of £15,041,200 for 2021-22 be approved.
- b) That Council Tax be increased by £5.00 from £165.81 to £170.81 for a Band D equivalent in 2021-22.
- c) That a contribution from the General Fund Reserve of £2,099,300 be approved to help fund the 2021-22 budget.
- d) The capital programme, including the asset renewal programme (appendix 1c and 1d of the agenda report) be approved.

83 Council Tax Resolution

Cllr Wilding was invited to introduce the report. Cllr Wilding then moved the recommendation which was seconded by Cllr Lintill. Mr Ward confirmed that he had nothing to add as no amendments had been made effecting the recommendations.

As legally required a recorded vote was carried out. The vote was as follows:

Cllr Apel – For
Cllr Bangert – For
Cllr Barrett – For
Cllr Barrie – For
Cllr Bell – For
Cllr Bowden – For
Cllr Briscoe – For
Cllr Brown – For
Cllr Dignum – For
Cllr Duncton – For
Cllr Elliott – For
Cllr Evans – For
Cllr Fowler – For
Cllr Graves – For
Cllr Hamilton – For
Cllr Hobbs – For
Cllr Hughes – Absent
Cllr Donna Johnson – For
Cllr Tim Johnson – For
Cllr Lintill – For
Cllr Lishman – For
Cllr McAra – For
Cllr Moss – For
Cllr Oakley – For
Cllr O’Kelly – For
Cllr Page – For
Cllr Palmer – For
Cllr Plant – For
Cllr Plowman – For
Cllr Potter – For
Cllr Purnell – For
Cllr Rodgers – For

Cllr Sharp – For
Cllr Sutton – For
Cllr Taylor - For
Cllr Wilding – For

The vote was carried unanimously by 35 votes with one absent member.

RESOLVED

That having considered the Cabinet's budget proposals from their meeting of 16 February 2021 Full Council approves the Council Tax Resolutions as set out in Appendix A of the Cabinet reports from that date.

84 Beach Management Plan 2021-2026

This item was deferred.

85 Consideration of Consultation Responses Received on Chichester District Council's Draft Infrastructure Business Plan 2021-2026

This item was deferred.

86 Housing Standards Financial Assistance and Enforcement Policy 2020-2025

This item was deferred.

87 Local Plan Review Preferred Approach: Part 2 Development Management Policies, Policies Map, Habitats Regulation Assessment and Sustainability Appraisal

This item was deferred.

88 Revised Local Development Scheme 2021-2024

This item was deferred.

89 Section 106 Allocation for Chichester Community Development Trust

This item was deferred.

90 Senior Staff Pay Policy 2021/22

91 2021-22 Treasury Management & Investment Strategy and Capital Strategy update

This item was deferred.

92 Questions to the Executive

This item was deferred.

93 **Late Items**

No late items were considered at this stage of the meeting.

94 **Exclusion of the press and public**

Cllr Lintill proposed that the meeting went into part II in relation to agenda items 21, 22, 23 and 24. This was seconded by Cllr Taylor.

The Council then voted to go into part II.

RESOLVED

That with regard to agenda items 21, 22, 23 and 24 the public including the press should be excluded from the meeting on the grounds of exemption in Schedule 12A to the Local Government Act 1972 namely Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

Members took a short break.

95 **Leisure Management Contract 2021-2022**

Please note that this item was taken in part II. A video recording was made of the full debate.

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

Questions and comments were received from Cllr Purnell, Cllr Bowden and Cllr Oakley. Cllr Briscoe provided responses.

Members then voted virtually on the recommendations which were carried.

RESOLVED

That the proposed Cabinet recommendations as set out in sections 2.1a and 2.1b of the Cabinet report for 16 February 2021 as amended and circulated as an addendum to Full Council be agreed.

96 **St James Industrial Estate Chichester**

Please note that this item was taken in part II. A video recording was made of the full debate.

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

Questions and comments were received from Cllr Plowman, Cllr Oakley, Cllr Sutton, Cllr Sharp and Cllr Oakley. Cllr Dignum, Mrs Hotchkiss, Mr Bennett, Mrs McKay and Mr Gregory all provided responses.

Members then voted virtually on the recommendations which were carried.

RESOLVED

That the proposed Cabinet recommendations stated at 3.1, 3.2, 3.3 and 3.4 of the Cabinet report for 2 March 2021 be approved.

97 Stray Dog Kennelling Services

Please note that this item was taken in part II. A video recording was made of the full debate.

Cllr Plant introduced the report. Cllr Plant then moved the recommendation which was seconded by Cllr Lintill.

Questions and comments were received from Cllr Lintill, Cllr Donna Johnson, Cllr Moss and Cllr Tim Johnson. Mr Ballard provided responses.

Members then voted virtually on the recommendations which were carried.

RESOLVED

That the proposed Cabinet recommendations stated at 2.1 of the Cabinet report for 2 March 2021 be approved.

98 Coastal and Land Drainage Engineering Service

Please note that this item was taken in part II. A video recording was made of the full debate.

Cllr Plant introduced the report. Cllr Plant then moved the recommendation which was seconded by Cllr Lintill.

Questions and comments were received from Cllr Purnell, Cllr Taylor and Cllr Moss. Mrs Stevens provided responses.

Members then voted virtually on the recommendations which were carried.

RESOLVED

That the proposed Cabinet recommendations stated at 2.1, 2.2, 2.3, 2.4 and 2.5 of the Cabinet report for 2 March 2021 be approved..

Cllr Apel confirmed to members that another meeting would be called to receive the deferred items at 9.00am on 12 March 2021.

The meeting ended at 6.01 pm

CHAIRMAN

Date:

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Minutes of the meeting of the **Council** held in Virtual on Friday 12 March 2021 at 9.00 am

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, Mrs J Duncton, Mr J Elliott, Mr G Evans, Mrs J Fowler, Mrs N Graves, Mr F Hobbs, Mrs D Johnson, Mr T Johnson, Mrs E Lintill, 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: Mr K Hughes and Mrs S Lishman

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 L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

99 **Urgent Items**

There were no urgent items.

100 **Declarations of Interests**

The following declarations of interest were made:

- Cllr Donna Johnson – Items 6 and 9 – A personal interest as Vice-Chair of Selsey Town Council.
- Cllr Purnell – Items 6, 7 and 9 – A personal interest as a member of Selsey Town Council and West Sussex County Council.
- Cllr Duncton – Item 9 – A personal interest as a member of West Sussex County Council.
- Cllr Oakley – Item 7 – A personal interest as a member of Tangmere Parish Council and West Sussex County Council.
- Cllr Dignum – Item 11 – A prejudicial interest as an appointed member of the Chichester Community Development Trust.

101 **Chair's Announcements**

Cllr Apel explained that as Vice-Chair she would be taking the Chair again today as the items discussed were those deferred from the meeting held on 12 March 2021 which she had chaired. This had been agreed with Cllr Hamilton.

Cllr Apel then explained that the following items would be brought forward in the agenda:

- Local Plan Review Preferred Approach: Part 2 Development Management Policies, Policies Map, Habitats Regulation Assessment and Sustainability
- Senior Staff Pay Policy 2021-22
- 2021-22 Treasury Management & Investment Strategy and Capital Strategy update

Apologies for absence were received from Cllr Hughes and Cllr Lishman.

102 **Local Plan Review Preferred Approach: Part 2 Development Management Policies, Policies Map, Habitats Regulation Assessment and Sustainability Appraisal**

Cllr Taylor introduced the report. Cllr Taylor then moved the recommendation which was seconded by Cllr Lintill.

Cllr Sharp put forward an amendment to ensure a protective policy towards cycle and footpaths. This was seconded by Cllr Barrie.

Mr Frost explained that it could be taken as a minor amendment. However, he added that as a consequence of this proposal, new planning policy could be unnecessarily restrictive.

Members then voted virtually on the amendment which was not carried.

Cllr Bowden then proposed an amendment to part 1 (b) to add the words, with the exceptions of the following:

1. In the response to Policy DM2 on p. 29 of the appendix, last sentence of the 1st paragraph to be amended to read, *“The HEDNA 2020 provides key evidence on housing need and highlights the very high affordability ratio in the District. CDC will take into account these consultation responses on affordable housing, alongside the HEDNA evidence, and maximise the proportion of Affordable Housing to the limits of viability as it updates Policy DM2”*
2. In the response to Policy DM 17 on p. 51 of the appendix, the 3rd line of the response to be amended to read, *“...accommodate new/cleaner technologies, so that the Policy can become as ambitious as practicable over the Plan period.”*

The amendment was seconded by Cllr Brown.

Mr Frost confirmed that the amendment could be accommodated.

Members then discussed the difference in using the word optimise rather than maximise. Cllr Bowden explained that he had considered both but wished to maintain his amendment with the word maximise. Mr Bennett confirmed that legally either word would be acceptable in the context.

Members then voted virtually on Cllr Bowden’s amendment which was carried.

Members then voted virtually on the substantive recommendations which were carried.

RESOLVED

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 for publication on the Council's website (as amended).
- c) The Director of Planning and the Environment is authorised, following consultation with the Cabinet Member for Planning Services, to make minor amendments to the Summary of Representations and Responses prior to its publication.
- d) That the issues raised in the Summary of Representations document and the other relevant issues summarised in section 9 of this report are noted as key considerations for the ongoing production of the Local Plan.

103 **Senior Staff Pay Policy 2021/22**

Cllr Wilding introduced the report. Cllr Wilding then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendation which was carried.

RESOLVED

That the Senior Staff Pay Policy Statement 2021-2022 be published.

104 **2021-22 Treasury Management & Investment Strategy and Capital Strategy update**

Cllr Wilding introduced the report. Cllr Wilding then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendations which were carried.

RESOLVED

1. That the following documents as detailed in the report be approved:
 - Treasury Management Policy Statement
 - Treasury Management Strategy Statement
 - Investment Strategy and relevant Indicators for 2021-22
2. That the Capital Strategy for 2021-22 to 2025-26 be noted.

105 **Model Code of Conduct**

Cllr Plowman introduced the report as Chair of the Standards Committee. Cllr Plowman then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendation which was carried.

RESOLVED

That the Local Government Association 'Model Councillor Code of Conduct 2020 be adopted.

106 Reduction in Number of Parish Councillors on Rogate Parish Council

Cllr Oakley introduced the report as Chair of the Boundary Review Panel. Cllr Oakley then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendation which was carried.

RESOLVED

That the Council approves that a community governance review be undertaken with a view to reduce Rogate Parish Council from 13 to 9 councillors.

107 Beach Management Plan 2021-2026

Cllr Plant introduced the report. Cllr Plant then moved the recommendation which was seconded by Cllr Taylor.

Cllr Hamilton requested clarification of whether the deliveries of shingle would be via road or sea. Mr Henly responded by explaining that the deliveries of stone would continue to take place via road as the quantities required are not viable via sea.

Cllr Moss and Cllr Johnson both spoke in favour of the recommendation.

Cllr Barrett requested confirmation of who has responsibility for the beach by East Head at West Wittering. Mr Henly confirmed that the owner is West Wittering Estates who work closely with the council on sustainable management.

Cllr Oakley requested information on where the shingle moves to and referred to sea level concerns. Mr Henly explained that shingle drifts to Pagham, Littlehampton and beyond. With regard to the sea level, it is rising and storms are getting worse so future significant works are likely to be required.

Cllr Bowden asked whether the council has a duty to protect the East Wittering beach as there is no housing. Mr Henly explained that access is maintained to East Head and it is not being left to breach.

Cllr McAra asked for information on where the shingle is sourced from. Mr Henly explained that it is dredged off shore. The council uses relic sites and sources larger material rejects. The council is also looking at sourcing shingle from Littlehampton.

Cllr Plowman asked whether visitors impact on erosion. Mr Henly confirmed that the impact is negligible.

Cllr Plant wished to note how pleased she was to hear the questions and answers from members engaging in this subject area in her portfolio.

Members then voted virtually on the substantive recommendations which were carried.

RESOLVED

1. That Council gives authority to the Director of Planning and Environment to apply to the Environment Agency to draw down £250k per year of Flood Defence Grant in Aid for the Beach Management Plan (BMP).
2. That Council approves the funding referred to in paragraph 2.1 above to be spent in line with the Beach Management Plan 2021-26 Schedule of Works shown at Table 1.
3. That should the Beach Management Plan Schedule of Works, set out in Table 1, require amendment during this period, that authority to amend the schedule is delegated to the Director of Planning and Environment following consultation with the Cabinet Member for the Environment and Chichester Contract Services.
4. That the Director of Planning and Environment be authorised to procure and award contracts for work in accordance with the BMP 2021-26 and Financial Standing Orders.

108 **Consideration of Consultation Responses Received on Chichester District Council's Draft Infrastructure Business Plan 2021-2026**

Cllr Taylor introduced the report. Cllr Taylor then moved the recommendation which was seconded by Cllr Lintill.

Cllr O'Kelly explained that she was pleased that Cabinet had supported IBP 355 Real Time Passenger Information (RTPI) screens at Chichester City. Cllr Bangert, Cllr Donna Johnson and Cllr Sharp also gave support to IBP 355 having experienced the benefits first hand.

Cllr O'Kelly added that Coventry Council had been using a mobility credits system in order to exchange old vehicles for mobility credits for public transport which she hoped could be investigated further. Cllr Sharp thanked Cllr O'Kelly for bringing this to members attention.

Cllr Plowman and Cllr Sharp welcomed further debate on IBP/398 Medical Centre planned for the new strategic development at Whitehouse Farm, West of Chichester City.

Cllr Oakley asked members to concentrate on strategic measures given the limits of this type of funding and the scale of highways works required. Cllr Sharp echoed the concerns

Cllr Moss echoed Cllr Oakley's comments and thanked Cllr Taylor for the report.

Cllr Brown explained that parish council's often struggle to deliver large infrastructure projects and require the support of larger organisations like the council in order to help parishes combine their funding.

Mr Ward added that recommendation 2 from the agenda front sheet should be amalgamated with recommendation 1.

Members then voted virtually on the substantive recommendation which was carried.

RESOLVED

That Council:

1. Approves the proposed responses to the representations received as amended and subsequent modifications to the Draft Infrastructure;
2. Approves the Business Plan 2021-2026 as set out in Appendix 1; and;
3. Approves the amended IBP including the CIL Spending Plan attached as Appendix 2.

109 **Housing Standards Financial Assistance and Enforcement Policy 2020-2025**

Cllr Sutton introduced the report. Cllr Sutton then moved the recommendation which was seconded by Cllr Lintill.

Cllr Sharp then proposed an addition to section 2 of the Housing Standards Financial Assistance and Enforcement Policy to read that a review of the funding requirements would be undertaken on a yearly basis by the Environment Panel and a full review of policy and funding requirements is undertaken at the end of Year 3. This was seconded by Cllr Bowden.

Cllr Sutton gave his support to the amendment.

In response to questions from Cllr Bangert Mrs Reed explained that the Disabled Facilities Grants budget is being used and the grants available have been promoted to those who qualify. With regard to category 1 hazards 9% relate to poor heating and insulation. With regard to lack of property for downsizers planning policy is governed by the HEDNA.

Cllr Plant queried what Cllr Sharp's amendment would mean for the Environment Panel in terms of what they would do with the data. Cllr Sharp explained that the Panel would review progress.

Cllr Brown requested clarification of whether it is intended to improve fuel efficiency or raise the minimum. Mrs Reed explained that the council is trying to raise the level as far as possible.

Cllr Dunton asked members to consider the 3500 listed buildings in the district.

Members then voted virtually on Cllr Sharp's amendment which was read out by Mrs Shepherd. The amendment was carried as follows:

RESOLVED

That progress relating to the Housing Standards Financial Assistance and Enforcement Policy be reviewed by the Environment Panel on a yearly basis.

Members then voted virtually on the substantive recommendation which was carried.

RESOLVED

1. That the Housing Standards Financial Assistance and Enforcement Policy 2021-2026 set out in the appendix is approved.
2. That the remaining existing budgets are used together with £233K, repurposed from the Affordable Housing Capital fund, to provide the financial assistance required to support this policy, as set out in 7.1, and a review of the policy and funding requirements is undertaken in year 3.

3. That the enforcement of the new Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 be delegated to the Director of Housing and Communities for enforcement under the new policy.
4. That the use of monies received through the issuing of fines to be used to meet the cost and expenses incurred in, or associated with, carrying out any such enforcement work.
5. That delegation be given to the Divisional Manager for Housing following consultation with the Cabinet Member for Housing, Communications, Licensing and Events to make minor amendments to the policy as required.

110 **Revised Local Development Scheme 2021-2024**

Cllr Taylor introduced the report. Cllr Taylor then moved the recommendation which was seconded by Cllr Lintill.

Cllr Taylor clarified that the Local Development Scheme is essentially a timetable for the production of local development documents and should be treated as such.

Cllr Moss proposed an amendment of an addition to the recommendation as follows:

That the revised Local Development Scheme be approved and that the Council report on the “Local Plan, Strategic Infrastructure and Way Forward” is considered by the July Council meeting.

This was seconded by Cllr Bowden.

Cllr Lintill explained that the intention is that a report will be taken to July Full Council and if that is not possible a Special Full Council will be called.

Cllr Bowden then asked members to support acknowledging what had happened with the delay in the Local Plan Review and to apologise to residents. He proposed the following amendment:

Chichester District Council acknowledges and welcomes the widespread public concern over the Local Plan Revision, and deeply regrets all further delay. The Council asks its residents to understand that the delay is due to: an impossible timetable imposed by Central Government on Plan Preparation; together with the tardiness and equivocation of its statutory consultees, including Sothorn Water, the Environment Agency, Natural England and Highways England. The Council is well aware that the resulting delay puts in jeopardy the unique environment of the District and the Chichester Harbour AONB, and in the longer term the health of us all, the residents. The Council believes that, given the constraints, the Revised Local Development Scheme is the best response we can make to a situation from which Central Government has removed local control.

This was seconded by Cllr Moss.

Mr Ward confirmed that the amendment could be taken as a minor amendment.

Cllr Taylor thanked Cllr Bowden for his amendment. She then explained that many of the issues regarding the delay to progress on the Local Plan had come from delays in response from some of the statutory agencies.

Cllr Evans explained his concern in the delay and the impact in the resulting speculative development in Loxwood and Kirdford. He explained that the current infrastructure did not support the level of development.

Cllr Barrett shared concerns regarding a timeline to share with residents.

Cllr Purnell asked members to support the Local Development Scheme but also acknowledged concerns regarding difficulties associated with a Stockbridge link road. Cllr Taylor responded by explaining that a solid evidence base is required before a decision can be taken on that issue.

Mr Frost reminded members that the council has an adopted Local Plan. He also explained that due to the time required to complete the Local Plan review, the weight of some policies concerning housing delivery is currently reduced. He confirmed that the July Full Council meeting would be the place to discuss the Stockbridge Link Road further. He asked members to consider the use of emotive language in Cllr Bowden's proposed amendment.

Cllr Briscoe explained that he agreed with the principle of Cllr Bowden's amendment but also agreed with Mr Frost about reconsidering some of the wording.

Cllr Plowman and Cllr Donna Johnson then added their support to the amendment. Cllr O'Kelly also added her support to the amendment and explained that she felt it important that follow up meetings are chased with key MP's and that there is effective and constructive challenge to the delays that have occurred.

Cllr Duncton added that she would like more emphasis on the north of the district in the Local Plan.

Cllr Lintill responded to Cllr O'Kelly and explained that she had been in regular contact with MP Gillian Keegan to put forward the council's case. She added that Mr Frost had also helped draft a letter to Robert Jenrick MP too. Cllr Lintill then reminded members that the Development Plan and Infrastructure Panel sees all evidence for the Local Plan and is a politically balanced Panel.

Cllr Oakley acknowledged the widespread frustration with the delay to the Local Plan review. He asked officers whether there is a Plan B regarding the Stockbridge Link Road. Mr Frost explained that officers are working on a Plan B. With regard to the Stockbridge Link Road the findings of the Feasibility Study are required. Mr Frost added that members are required to have a Local Development Scheme timetable.

Cllr Purnell and Cllr Potter then shared their disappointment at the comments made by some members and emphasised that there is still a Local Plan in place.

Cllr Sutton similarly outlined his frustrations with some of the comments made and wished to clarify that MP Gillian Keegan is prevented from speaking on these matters in the House of Commons due to her ministerial duties.

Cllr Apel then sought confirmation from Cllr Bowden as to whether he wished to continue with his amendment motion. Cllr Bowden confirmed that he did. Cllr Bowden provided Mr Bennett with a copy of his motion which was read out before members took a virtual vote. The virtual vote was carried.

RESOLVED

Chichester District Council acknowledges and welcomes the widespread public concern over the Local Plan Revision, and deeply regrets all further delay. The Council asks its residents to understand that the delay is due to: an impossible timetable imposed by Central Government on Plan Preparation; together with the tardiness and equivocation of its statutory consultees, including Sothorn Water, the Environment Agency, Natural England and Highways England. The Council is well aware that the resulting delay puts in jeopardy the unique environment of the District and the Chichester Harbour AONB, and in the longer term the health of us all, the residents. The Council believes that, given the constraints, the Revised Local Development Scheme is the best response we can make to a situation from which Central Government has removed local control.

Members then voted virtually on the substantive recommendation which was carried.

RESOLVED

That the revised Local Development Scheme be approved.

111 **Section 106 Allocation for Chichester Community Development Trust**

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

Members then voted virtually on the substantive recommendation which was carried.

RESOLVED

That Council approves the release of £141,250 Section 106 Sport and Leisure monies plus interest accrued to the date of release to Chichester Community Development Trust.

112 **Questions to the Executive**

Due to the length of the meeting Cllr Apel requested members send any Questions to the Executive to Democratic Services for publication with the minutes.

113 **Late Items**

There were no late items.

114 **Exclusion of the press and public**

There was no requirement to exclude the press and the public.

The meeting ended at 1.16 pm

CHAIRMAN

Date:

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Chichester District Council

Annual Council

27 April 2021

Review of Political Balance

1. Contact

Report Author

Nicholas Bennett – Divisional Manager for Democratic Services
Telephone: 01243 534657 e-mail: nbennett@chichester.gov.uk

2. Recommendation

2.1. That

- **the review of political balance arrangements set out below be approved; and**
- **that membership of committees and sub committees be approved by members at the meeting; and**
- **the calculations set out in this report are applied in making appointments to committees.**

3. Background

3.1. The council has a duty, under Section 15 of the Local Government and Housing Act 1989 to maintain the representation of different political groups in line with the political balance rules set out in the Act and subordinate regulations. This provides the framework for the appointments to committees. Councillor Hughes resigned but until an election is held the balance calculations remain as they were at the time of the previous political mandate.

4. Proposal - the rules and their application

4.1. The composition of the Council therefore remains as follows:

Conservatives = 17 (47.26%)
Liberal Democrats = 10 (27.78%)
Green = 2 (5.56%)
Labour = 2 (5.56%)
Local Alliance = 2 (5.56%)
Independent Group = 3 (8.4%)

4.2. Many of the seats have to be allocated in accordance with the rules of political balance. The following principles apply so far as reasonably practicable. They are applied in descending order of importance and are quoted in plain English rather than wording taken directly from the statute:

- a) Not all seats on the committee are allocated to the same political group.
- b) The majority party has a majority of the seats on each committee.

- c) Each political group is entitled to its proportion of the total number of seats on all the ordinary committees added together, according to the proportion the group holds of seats on the Full Council.
- d) Subject to (c) each political group is entitled to its proportion of the number of seats on each individual committee.

4.3. If more than one minority group are the same size where their entitlement to seats on a committee is less than one, one or other group should take its entitlement. This means the minority groups may wish to reach agreement between themselves as to which group should take each seat. If they both put forward a nomination the Full Council will determine which nomination should be granted the seat.

4.4. The four ordinary committees concerned are:

Corporate Governance and Audit Committee	8 seats
Planning Committee	13 seats
Alcohol and Entertainment Licensing Committee and General Licensing Committee	10 seats
Standards Committee	7 seats
Total	38 seats

4.5. The total seats due per group are as follows:

Conservatives	38 x composition 47.26% = 17.95 seats (18)
Liberal Democrats	38 x composition 27.78% = 10.56 seats (11)
Green Party	38 x composition 5.56% = 2.11 seats (2)
Labour	38 x composition 5.56% = 2.11 seats (2)
Local Alliance	38 x composition 5.56% = 2.11 seats (2)
Independent Group	38 x composition 8.4% = 3.19 seats (3)

4.6. If these proportions are applied to individual committees the results are as indicated in Table 1:

Table 1	Con	LD	Green	Labour	Local Alliance	Independent Group
Corporate Governance and Audit Committee (8)	4	2	0*	0*	0*	1
Planning Committee (13)	6	4	1*	1*	1*	1
Alcohol and Entertainment Licensing Committee and General Licensing Committee (10)	5	3	0*	0*	0*	1
Standards Committee (7)	3	2	0	0	0	1
Total	18	11	0*	0*	0*	4*

4.7. The equal entitlement of the Green, Labour and Local Alliance parties means that Council needs to decide upon which of those parties has a seat on Corporate Governance and Audit Committee. This position is matched for the Alcohol and Licensing Committee. Each of these parties is entitled to two seats across the four committees shown above.

- 4.8. Again, the equal entitlement means that the Green, Labour and Local Alliance Parties means that Council needs to decide upon which of them takes the two seats at Planning Committee.
- 4.9. The Independent Group have seats as of right as a proportion of each committee, but this results in them holding four seats so Council needs to decide which Committee they do not hold a position.
- 4.10. The Overview and Scrutiny Committee is not included in the list above but the seats on its still need to be allocated to parties in the proportion of seats that they have on the whole Council as indicated in Table 2 below. In this case there are 2 remaining seats that need to be allocated between the three minority groups. By agreement between the groups these will now be held by the independent and labour parties. It is intended that the Green party will seek to have an observing position in that Committee as was done last year for the Local Alliance Party.
- 4.11. The Leader will advise Council of her recommendations as to the final make up of all Committees including Overview and Scrutiny at the meeting.

Table 2	Con	LD	Green	Labour	Local Alliance	Independent Group
Overview and Scrutiny Committee (11)	6	3	0	0	1	0

- 4.12. The various committees and panels concerned with discipline and dismissal of senior staff are also not ordinary committees but still need to be allocated to parties in the proportion of seats that they have on the whole Council. In each case in table 3 below there is one seat available for each minority group (Green, Labour or Local Alliance) and one for the Independent Member.

Table 3	Con	LD	Green	Labour	Local Alliance	Independent Group
Investigation and Disciplinary Committee (5+2 subs)	3	2	TBC	TBC	TBC	1
Appeals Committee (5 + 2 subs)	3	2	TBC	TBC	TBC	1
Executive Directors Disciplinary Appeal Panel (3 + 2 subs)	2	1	TBC	TBC	TBC	TBC
Redundancy Appeal Panel (3 + 2 subs)	2	1	TBC	TBC	TBC	TBC

- 4.13. The political groups regulations do not apply to the Cabinet, the Alcohol and Entertainment Licensing Committee established under the Licensing Act 2003 and the Independent/Parish Remuneration Panels.
- 4.14. Generally the Council is obliged to appoint to the committees the members proposed by the respective political groups (section 16 (1) of the Local Government and Housing Act 1989). However, the Council does not have to adhere to the political groups regulations if:
- a) a political group does not use up its allocation (regulations 13 to 15).
 - b) notice of alternative proposed allocations is given to all members and no member objects (Section 17 of the Local Government and Housing Act 1989 and regulation 20).

- c) an area committee covers an area or population which is less than 40% of the total and the committee members are drawn from that area (regulation 16A) (this does not apply as the council has no area committees).

5. Alternatives Considered

5.1. No alternatives were considered as this is a statutory obligation.

6. Resource and Legal Implications

6.1. The normal obligations to hold meetings were suspended by operation of the Coronavirus Act 2020 but the Council remains entitled to make decisions as to committee membership if it so decides and may make those decisions in virtual meetings.

7. Consultation

7.1. The Leader has discussed the above with all Group Leaders.

8. Community Impact and Corporate Risks

8.1. None.

9. Other Implications

Are there any implications for the following? If you tick "Yes", list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9		
	Yes	No
Crime and Disorder The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		✓
Climate Change and Biodiversity Are there any implications for the mitigation of/adaptation to climate change or biodiversity issues? If in doubt, seek advice from the Environmental Strategy Unit (ESU).		✓
Human Rights and Equality Impact You should complete an Equality Impact Assessment when developing new services, policies or projects or significantly changing existing ones. For more information, see Equalities FAQs and guidance on the intranet or contact Corporate Policy.		✓
Safeguarding and Early Help The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services?		✓
General Data Protection Regulations (GDPR) Does the subject of the report have significant implications for processing data likely to		✓

<p>result in a high risk to the rights and freedoms of individuals? Processing that is likely to result in a high risk includes (but is not limited to):</p> <ul style="list-style-type: none"> • systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals. • large scale processing of special categories of data or personal data relation to criminal convictions or offences. • Any larger scale processing of personal data that affects a large number of individuals; and involves a high risk to rights and freedoms eg based on the sensitivity of the processing activity. • large scale, systematic monitoring of public areas (including by CCTV). <p>Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.</p>		
<p>Health and Wellbeing The Council has made a commitment to ‘help our communities be healthy and active’. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families, carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.</p>		✓
<p>Other (please specify)</p>		✓

10. **Appendices**

10.1. None.

11. **Background Papers**

11.1. None.

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Chichester District Council

Annual Council

27 April 2021

Appointment to Committees

1. Contact

Report Author

Nicholas Bennett – Divisional Manager for Democratic Services
 Telephone: 01243 534657 e-mail: nbennett@chichester.gov.uk

2. Recommendation

2.1. **That the Council appoints to Committees as set out in the attached appendix.**

2.2. **That the Council agrees the continued appointment of Cllr Lintill (Chair), Cllr Dignum, Cllr Oakley and Cllr Moss to represent the Council on the Chichester District Growth Board for 2021/22.**

3. Background

3.1 The Council is asked by various bodies to appoint representatives to attend their relevant committees on behalf of this authority.

4. Alternatives Considered

4.1. No alternatives were considered.

5. Resource and Legal Implications

5.1. None. A position as an appointed representative of the Council is dealt with differently to a normal position with another body as the appointees are present on behalf of council and not personal interests.

6. Consultation

6.1. None.

7. Community Impact and Corporate Risks

7.1. By working with the bodies in question the council is aware of their activity and can work to improve the community impact in a mutually beneficial way.

8. Other Implications

Are there any implications for the following?		
If you tick "Yes", list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9		
	Yes	No
Crime and Disorder The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions		✓

on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		
Climate Change and Biodiversity Are there any implications for the mitigation of/adaptation to climate change or biodiversity issues? If in doubt, seek advice from the Environmental Strategy Unit (ESU).		✓
Human Rights and Equality Impact You should complete an Equality Impact Assessment when developing new services, policies or projects or significantly changing existing ones. For more information, see Equalities FAQs and guidance on the intranet or contact Corporate Policy.		✓
Safeguarding and Early Help The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services?		✓
General Data Protection Regulations (GDPR) Does the subject of the report have significant implications for processing data likely to result in a high risk to the rights and freedoms of individuals? Processing that is likely to result in a high risk includes (but is not limited to): <ul style="list-style-type: none"> • systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals. • large scale processing of special categories of data or personal data relation to criminal convictions or offences. • Any larger scale processing of personal data that affects a large number of individuals; and involves a high risk to rights and freedoms eg based on the sensitivity of the processing activity. • large scale, systematic monitoring of public areas (including by CCTV). Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.		✓
Health and Wellbeing The Council has made a commitment to ‘help our communities be healthy and active’. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families, carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.		✓
Other (please specify)		✓

9. Appendices

9.1. List of Appointments

10. **Background Papers**

10.1. None.

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Chichester District Council

Annual Council

27 April 2021

Appointment to External Bodies

1. Contact

Report Author

Nicholas Bennett – Divisional Manager for Democratic Services
 Telephone: 01243 534657 e-mail: nbennett@chichester.gov.uk

2. Recommendation

2.1. That the Council appoints to external bodies as set out in the attached appendix.

3. Background

3.1 The Council is asked by various bodies to appoint representatives to attend their relevant committees on behalf of this authority.

4. Alternatives Considered

4.1. No alternatives were considered.

5. Resource and Legal Implications

5.1. None. A position as an appointed representative of the Council is dealt with differently to a normal position with another body as the appointees are present on behalf of council and not personal interests.

6. Consultation

6.1. None.

7. Community Impact and Corporate Risks

7.1. By working with the bodies in question the council is aware of their activity and can work to improve the community impact in a mutually beneficial way.

8. Other Implications

Are there any implications for the following?		
If you tick "Yes", list your impact assessment as a background paper in paragraph 13 and explain any major risks in paragraph 9		
	Yes	No
Crime and Disorder The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		✓
Climate Change and Biodiversity Are there any implications for the mitigation of/adaptation to climate change or biodiversity issues? If in		✓

doubt, seek advice from the Environmental Strategy Unit (ESU).		
Human Rights and Equality Impact You should complete an Equality Impact Assessment when developing new services, policies or projects or significantly changing existing ones. For more information, see Equalities FAQs and guidance on the intranet or contact Corporate Policy.		✓
Safeguarding and Early Help The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services?		✓
General Data Protection Regulations (GDPR) Does the subject of the report have significant implications for processing data likely to result in a high risk to the rights and freedoms of individuals? Processing that is likely to result in a high risk includes (but is not limited to): <ul style="list-style-type: none"> • systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals. • large scale processing of special categories of data or personal data relation to criminal convictions or offences. • Any larger scale processing of personal data that affects a large number of individuals; and involves a high risk to rights and freedoms eg based on the sensitivity of the processing activity. • large scale, systematic monitoring of public areas (including by CCTV). Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.		✓
Health and Wellbeing The Council has made a commitment to ‘help our communities be healthy and active’. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families, carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.		✓
Other (please specify)		✓

9. Appendices

9.1. List of Appointments

10. Background Papers

10.1. None.

CHICHESTER DISTRICT COUNCIL

APPOINTMENTS TO EXTERNAL ORGANISATIONS

(Number of representatives shown in brackets)

2021-2022

ORGANISATION	CURRENT REPRESENTATIVES 2020-2021	PROPOSED REPRESENTATIVES 2021-2022
1. Action in Rural Sussex (1)	Kate O'Kelly (LD)	Kate O'Kelly (LD)
2. Brandy Hole and East Broyle Copse – Local Nature Reserve Management Board (1)	Clare Apel (LD)	Clare Apel (LD)
3. Chichester Business Improvement District Board (1 + alternative director)	Martyn Bell (C) <i>Alternative Director –</i> Clare Apel (LD)	Martyn Bell (C) <i>Alternative Director –</i> Clare Apel (LD)
4. Chichester Community Development Trust (1)	Tony Dignum (C)	Tony Dignum (C)
5. Chichester Conservation Area Advisory Committee (2)	Susan Taylor (C) Richard Plowman (LD)	Susan Taylor (C) Richard Plowman (LD)
6. Chichester Festival Theatre (1)	Judy Fowler (LD)	Judy Fowler (LD)
7. Chichester Ship Canal Restoration Project Board (1)	No appointment made 2019	No appointment made 2019
8. Chichester Vision Delivery Steering Group (1)	Martyn Bell (C)	Martyn Bell (C)
9. Coastal West Sussex Partnership (1+ substitute)	Adrian Moss (LD) <i>Substitute – Eileen Lintill (C)</i>	Adrian Moss (LD) <i>Substitute – Eileen Lintill (C)</i>
10. Coast to Capital Joint Committee (2)	Eileen Lintill (C) Adrian Moss (LD)	Eileen Lintill (C) Adrian Moss (LD)
11. Community Safety Partnership (1)	Roy Briscoe (C)	Roy Briscoe (C)
12. District Councils' Network (1)	Eileen Lintill (C)	Eileen Lintill (C)
13. Goodwood Aerodrome Consultative Committee (1)	John-Henry Bowden (LD)	John-Henry Bowden (LD)
14. Goodwood Motor Circuit Consultative Committee (1)	Richard Plowman (LD)	Richard Plowman (LD)
15. iESE Transformation Limited (1)	Peter Wilding (C)	Peter Wilding (C)
16. Local Government Association – Coastal Issues Special Interest Group (1)	Penny Plant (C)	Penny Plant (C)
17. Local Government Association – General Assembly (1)	Eileen Lintill (C)	Eileen Lintill (C)
18. Local Government Association – Sparsity Partnership for Delivering Rural Services (1)	Kate O'Kelly (LD)	Kate O'Kelly (LD)
19. Manhood Peninsula Partnership (1)	Graeme Barrett (C)	Graeme Barrett (C)
20. Partnership for Urban South Hampshire (PUSH) (a) PUSH Joint Committee (2) (b) Solent Recreation Mitigation Partnership	(a) Susan Taylor, Diane Shepherd, Chief Executive (b) Toby Ayling,	(a) Susan Taylor, Diane Shepherd, Chief Executive (b) Toby Ayling,

Project Board (1) (c) Planning & Infrastructure Panel (2)	Planning Policy, Conservation & Design Service Manager (c)Susan Taylor (C) Toby Ayling, Planning Policy, Conservation & Design Service Manager	Planning Policy, Conservation & Design Service Manager (c)Susan Taylor (C) Toby Ayling, Planning Policy, Conservation & Design Service Manager
21. Petworth Vision Ltd (1)	Alan Sutton (C)	Alan Sutton (C)
22. Portsmouth Water Customer Forum (1)	Simon Oakley (C)	Simon Oakley (C)
23. Rolls Royce Liaison (1)	Francis Hobbs (C)	Francis Hobbs (C)
24. Rural Mobile Youth Trust (1)	No appointment at this time	No appointment at this time
25. South East Employers (1 + substitute)	Norma Graves (C)	Norma Graves (C)
26. South East England Councils (1)	Eileen Lintill (C)	Eileen Lintill (C)
27. Standing Conference on Problems Associated with the Coastline (SCOPAC) (1 + deputy)	Graeme Barrett (C) <i>Deputy – Penny Plant (C)</i>	Graeme Barrett (C) <i>Deputy – Penny Plant (C)</i>
28. Sussex Downs and Coastal Plain LEADER Local Action Group (1)	Jonathan Brown (LD)	Jonathan Brown (LD)
29. Sussex Police and Crime Panel (1 + deputy)	Roy Briscoe (C) <i>Deputy – Clare Apel (LD)</i>	Roy Briscoe (C) <i>Deputy – Clare Apel (LD)</i>
30. The Parking and Traffic Regulations Outside London Adjudication Joint Committee (1 + deputy)	Eileen Lintill (C)	Eileen Lintill (C)
31. Tourism South East (1)	Mrs J Hotchkiss, Director of Growth and Place Services	Mrs J Hotchkiss, Director of Growth and Place Services
32. Visit Chichester Ltd (1)	Francis Hobbs (C)	Francis Hobbs (C)
33. Western Sussex Hospitals NHS Trust Council of Governors (1)	Donna Johnson (LA)	Position Removed
34. West Sussex and Greater Brighton Strategic Planning Board (1)	Susan Taylor (C)	Susan Taylor (C)
35. West Sussex Civilian Military Partnership Board (1)	Tracie Bangert (LD)	Tracie Bangert (LD)
36. West Sussex Forum for Accessible Transport (1)	Clare Apel (LD)	Clare Apel (LD)
37. West Sussex Health and Adult Social Care Committee (1)	Tracie Bangert (LD)	Tracie Bangert (LD)
38. West Sussex Joint Leaders Group (1)	Eileen Lintill (C)	Eileen Lintill (C)
39. West Sussex Rural Partnership (1)	Eileen Lintill (C)	Eileen Lintill (C)
40. Wey and Arun Canal Trust Completion Strategy Steering Group (1)	Gareth Evans (LD)	Gareth Evans (LD)

Longer Term Appointments

ORGANISATION	APPOINTMENTS	PROPOSED REPRESENTATIVES 2021-2022
41. Bourne Community College Governing Body (1)	(4 year appointment until 2021) Diane Shepherd – Chief Executive	
42. Bourne Trust Board (1)	(4 year appointment until 2021) Diane Shepherd – Chief Executive	
43. Chichester College Group Corporation Board of Governors (1)	(4 year appointment until 2021) Jane Dodsworth – Director of Residents’ Services replaced by Cllr Taylor through year	Cllr Susan Taylor will proceed as Council representative
44. Chichester Harbour Conservancy (2 + 2 deputies)	(3 year appointment until 2022) Adrian Moss (LD) Graeme Barrett (C) <i>Reserve:</i> <i>Penny Plant (C)</i>	ONGOING
45. Pallant House Gallery – Trust and Company (1)	(Up to 4 year appointment expiring on any 30 September) Clare Apel (LD)	Note that Cllr Apels position was reconfirmed during the year to match PHG membership cycle.
46. Pallant House Gallery - Public Programmes Advisory Group	Tracie Bangert	Tracie Bangert
47. South Downs National Park Authority (1)	(appointment is for councillor’s term of office, ie until May 2022) Henry Potter (C)	ONGOING
48. West Sussex Pensions Forum	John Ward, Director of Corporate Services	ONGOING

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