



Minutes of the meeting of the **Overview & Scrutiny Committee** held Virtually on Tuesday 15 September 2020 at 9.30 am

**Members Present:** Mr A Moss (Chairman), Mr K Hughes (Vice-Chairman), Mrs C Apel, Mrs T Bangert, Mr G Barrett, Mrs N Graves, Mr D Palmer, Mr C Page, Mr H Potter, Mrs S Sharp and Mr T Johnson (Co-optee)

**Members not present:**

**In attendance by invitation:**

**Officers present:** Mrs L Rudziak (Director of Housing and Communities), Ms P Bushby (Divisional Manager for Communities), Mr T Ayling (Divisional Manager for Planning Policy), Mr L Foord (Divisional Manager for Communications, Licensing & Events), Mrs J Hotchkiss (Director of Growth and Place), Mrs T Murphy (Divisional Manager for Place), Mrs S Peyman (Divisional Manager for Culture), Mrs E Reed (Environmental Housing Manager), Mrs J Westbrook (Corporate Improvement Officer), Western (Housing Delivery Manager) and Mr A Frost (Director of Planning and Environment)

## 17 **Chairman's Announcements**

The Chairman welcomed officers, councillors and members of the public to the meeting of the Overview and Scrutiny Committee.

## 18 **Minutes**

### **RESOLVED**

That the minutes of the Overview and Scrutiny Committee held on 30 June 2020 be approved as a correct record.

#### *Matters Arising:*

*Minute 11 – Community Safety TFG:* Mrs Bushy clarified that the police community support officers had been allocated much larger areas based on the West Sussex County Council divisions.

*Minute 12 – Affordable Housing TFG:* Member welcomed Mr Western back to his housing role following deployment to Covid 19 duties.

Miss Davis provided an update to the progress of recommendations arising from the last meeting.

**19 Urgent Items**

There were no urgent items.

**20 Declarations of Interests**

Mrs Apel declared a personal interest as a trustee of Stonepillow.

Mr Moss declared a personal interest as he knew Mr Dicker when they were both candidates in the District Council elections.

Mrs Sharp declared a personal interest as she was a Chichester City Council appointed member on the Chichester BID.

**21 Public Question Time**

There were no public questions.

**22 Local Plan Progress and Process**

The Committee considered this report, which had been brought to the Committee at the request of the Chairman of the Overview and Scrutiny Committee at the Council meeting on 21 July 2020, following a public question received from Mr Dicker at that meeting.

Mr Ayling and Mr Bennett outlined the report. Mr Dicker's previous public questions to both Cabinet and Council surrounding the Local Plan had been circulated to the Committee.

Mr Dicker was invited to address the Committee. He outlined his concerns about the Plan since the proposal to publish the Preferred Approach consultation in December 2018. He explained why he considered the Council was failing to deliver the Local Plan and how the Council was managing the process. He explained his concerns about the role and processes of the Development Plan and Infrastructure Panel (DPIP) and its decisions. He was concerned that responders to the Plan had not been notified of its delay.

Mr Bennett responded to Mr Dicker's statement. He would relook at the variation of decisions made by Cabinet. He advised that he had looked at legislation and case law and had concluded that decisions once made by Full Council may as far as practicable and lawful subsequently amended or rescinded where necessary for operational and executive reasons by the Executive. This point was where he fundamentally disagreed with Mr Dicker's position. It was clearly wrong for a second committee to purport to rescind a decision in full. He advised that in hindsight it may have been better for the date of implementation to state "on this date or later" in respect of the Plan timelines. But it had not been done in this way by any other authority that he had seen. Therefore, he remained content that Cabinet and Council decisions had been made at the right time and in line with legislation and

the Council's constitution. He undertook to provide a more considered written answer in respect of some of the issues raised by Mr Dicker, including issues concerning DPIIP and some factual points that required addressing.

Mr Ayling advised that he hoped that officers would be able to put a bit more clarity on some of the questions Mr Dicker has raised and that this was a positive way forward.

Mr Frost addressed the Committee in respect of Mr Dicker's comments. He clarified the range of responses previously provided to Mr Dicker by officers. The report before members was a direct response to Mr Dicker's concerns about the responses previously provided to him. The officers' view was that Mr Dicker's allegations were largely unsubstantiated. He referred to the complexity of the Plan process and the significant land use planning constraints faced by the Planning Authority. It was a question of members recognising that the task was substantial and significant. The Council was taking a sensible and pragmatic approach having been advised by the Planning Advisory Service not to submit the Plan prematurely. Officers were currently working on a revised Plan programme. He hoped members would avoid additional work for the Planning Policy Team, which would detract them from moving forward with the complex evidence based work to support the new planning policies.

The Chairman informed Mr Dicker that he and Mr Bennett would be in contact in due course to take this matter forward.

Mr Bennett and the Chairman agreed to have a discussion outside of the meeting about how the process could work, if the Committee members were to be involved in that discussion or would receive a report of the findings.

The Chairman requested that the information provided to Mr Dicker should be circulated to the Committee. The Chairman advised that it was important to have an open discussion on this matter to ensure it was dealt with appropriately and that everyone involved was fully consulted.

Mr Bennett advised he had some clarity on how the final issues would be addressed and would discuss them. He would undertake a frank review of the Local Plan process undertaken by the Council and hoped members were reassured that officers would look at the right issues.

The Chairman advised that everyone would be kept informed of progress. He commented on the urgency to get the Local Plan through.

## **RESOLVED**

That the contents of the report and the comments made by the Committee and the agreed way forward on this matter are noted.

## **23 Review of the Housing Register and Allocation Scheme**

Mr Western introduced his report. In referring to 6.2.4 of the report, widening access to some of the properties located in rural areas might create flexibility where there were different patterns of need and supply and was a matter worth

consideration by the Overview and Scrutiny Committee. The bidding process portal, detailed in paragraph 6.2.5, had been delayed to November 2020.

The Committee considered the range of issues in relation to the Housing Register and Allocation Scheme as follows:

- Members considered the setting up of a Task and Finish Group to look at the issues to consider, wider consultation with the members, and the extent of external consultation.
- A suggestion was made that there should be more targeted housing provision for carers and provision for former service personnel.
- It was suggested that the Citizens Advice Bureau, current and prospective tenants, and resident's associations where there was a lot of social housing should be added to the list of consultees.
- Need to look at other councils' housing allocation policies to see how they work.
- Further investigation should take place to see how the condition of properties affected the low demand and refusals.

## **RESOLVED**

1. That the Committee has considered the range of issues in relation to the Housing Register and Allocation Scheme and how members might be involved in the forthcoming review of the Council's policy in this area;
2. That a Housing Register and Allocation Scheme Task and finish Group be set up. The membership to consist of Mr Barrett, Mrs Graves (Chairman), Mr Hughes and Mrs Sharp.

## **24 Housing Standards Financial Assistance and Enforcement Policy 2021-26**

Mrs Reed introduced this item. The committee's views were sought on the Housing Standards Financial Assistance and Enforcement Policy 2021-26 prior to consultation with stakeholders. If members wished to let her know of any additional comments they wished to make outside of the meeting they were welcome to do so.

The Committee made the following comments and received answers to questions, including the following:

- The Chairman advised that Mrs Reed had noted a couple of typographical amendments required.
- It was acknowledged by members that there were particular challenges in some rural areas of the District. Members advised that they would be interested to see further information on this issue in due course.
- A question was asked in relation to the district's electric energy capacity. The Chairman suggested that this was something for the Cabinet member for Housing, Communications, Licensing and Events and the Cabinet member for Environment and Chichester Contract Services to discuss.
- Mrs Reed agreed with the suggestion that all larger landlords in the District should be approached to encourage them to renovate their properties. It was noted that officers always investigated when notified of concerns about poor housing conditions.

- The reference to Council owned housing would be removed.
- Gypsy and Travellers, whilst not specifically mentioned in the report, could apply for a Home Repairs Assistance grant.
- Mrs Sharp advised that she would contact Mrs Reed directly concerning the further questions that she had.

## **RESOLVED**

That the comments made by the Committee on the draft Housing Standards Financial Assistance and Enforcement Policy 2021-26 prior to consultation with stakeholders be noted.

The Committee adjourned for a 10 minute break.

## **25 Events Strategy and Events Policy**

The Committee considered this report.

Mr Foord provided an overview of the draft Events Strategy, developed to establish a year round programme of events to meet the needs of communities in the District, following public consultation between May and July 2019. Mrs Peyman provided an overview of the draft Events Policy, produced to provide a clear framework for the programming and operation of events on Council owned land and to support the objectives of the Events Strategy.

The Chairman referred to the receipt of comments from the Chichester North East Quadrant Resident's Association, which he had forwarded to the Committee.

Mr Bell was invited to address the Committee. Whilst he supported the overall draft Events Strategy he raised some concerns about the Policy. In particular Ward members should be consulted on any proposals for the use of Council land at the hiring enquiry stage and brand quality control for Chichester, Midhurst, Petworth and Selsey brands stipulated in the terms and conditions.

The Chairman, Mr Foord and Mrs Peyman responded to Mr Bell's comments as follows:

The Chairman asked that if there was a need to put the Policy through the Traders Market and the Events task and finish groups before it was presented to Cabinet to make sure it had the support of all District councillors.

Mr Foord advised that he believed the Strategy was fully supported by District councillors. He reassured members that approved events would be sympathetic to the unique needs of the District. The consultation had showed that parks and open spaces were desirable locations for appropriate events from those who had responded to the consultation exercise. He referred to the statutory regimes that the Council was required to follow in terms of consultation associated with applications under the Licensing Act 2003. In terms of the brand, he advised there was no legal ability for the Council to restrict the use of the word "Chichester" in an event name.

Mrs Peyman agreed to add notification of the Ward member when an application for the hire of land was received in Section e), Operational Requirements, of the Policy. Due to the wide ranging nature of events, it could be difficult to agree definitive start and finish times. Licensable events were often dealt with as part of the Safety Advisory Group (SAG) and licensing application process. Appropriate event setting up start times and finish times when works should be completed, were considered via the Noise Management Plan and in conjunction with the Environmental Protection Team, to reduce disruption. Priory Park was primarily for community use, when taking into account the number of days and the amount of space used for events.

Members made the following comments and officers responded as follows:

- A comment was made that the use of less central parks and open spaces in Chichester, such as the Amphitheatre and Florence Park would be welcome.
- Mr Foord agreed that there was a need to progress the micro event element. He encouraged community event organisers to approach the Council for appropriate advice from a health protection perspective as well as licensing where appropriate.
- There was a need to recognise the difference between constructive input and the genuine concerns of residents, against those who did not want events happening near them.
- The quantity of events should not be put before the quality of events.
- Mrs Hamilton was invited to address the Committee about her work with the organisers of the Festival of Chichester for an event due to take place during 2-4 July 2021. She invited members to take part in the event in some way.
- Mrs Peyman advised the draft Events Policy took account of previous consultation for individual events. Officers used their knowledge of individual parks as well as knowledge of the benefits events brought to the District. It was a balancing act, hence why officers had addressed the number and frequency of events in each area carefully. It was understood that some events may cause some disruption to local residents or businesses, but would also bring a number of economic, cultural and social benefits to the District. Although the draft Events Policy was District wide, the majority of Council owned parks and open spaces were located in Chichester. Officers were encouraging the organisers of the Festival of Chichester to use the whole of the District for fringe events.
- Mrs Hotchkiss reported that officers had consulted the Parks Group on the policy setting and the Markets Group was consulted on the events aspect.

Mrs Hotchkiss reiterated the importance of getting the events framework in place and in a timely manner. The Council had already been approached about the holding of potential Christmas events.

The Chairman noted the Committee's support for the draft Events Strategy and Events Policy, which would assist in getting more events to take place, and for their consideration at Cabinet on 6 October 2020. He asked for a final check with relevant members to see if they had any further comments for consideration by Cabinet. He advised members that they could ask to address Cabinet with their own comments or he could attend Cabinet to present the view of the Committee as a whole.

## **RECOMMENDED**

That the comments of the Overview and Scrutiny Committee on the draft Council's Events Strategy and Events Policy be recommended to Cabinet

### **26 Review of Business Improvement District (BID)**

Mrs Murphy outlined this report and asked the Committee to determine if it considered the outcomes to be achieved, detailed in paragraphs 4.1 to 4.4, captured what the Council would like to see going forward.

The Committee made the following comments and received answers to questions, including the following:

Officers responded to members' questions and comments:

- Mrs Hotchkiss agreed there was a need for a joined up approach for the future of the High Street. The BID and the Chamber of Commerce needed to strengthen their involvement within the Chichester Vision and the newly formed Chichester High Street Group and move forward as one voice.
- Mrs Hotchkiss advised that there were different BID models operating in other local authority areas, some of which were performing better than others, but the majority had achieved a BID 2 or BID 3 process.
- The BID was praised for the work undertaken to support Chichester centre businesses during the current difficult financial climate.
- Mr Bell, observing the Committee, was invited to address the Committee as the Chichester Central Ward Member.

It was agreed that an additional paragraph, 4.5 should be added: "Officers and the Chichester BID are invited to look at best practice elsewhere in the Country in developing the BID, and or alternative bodies, to enhance its work in Chichester".

## **RESOLVED**

- 1) That the update relating to Chichester Business Improvement District (BID) be noted.
- 2) That the potential outcomes in paragraphs 4.1 to 4.4, and additional paragraph 4.5 as above, capture CDC's expectations of a Business Improvement District in the future be agreed.

(Mrs Sharp abstained from voting)

### **27 Meeting Timings - Verbal Report**

The Committee discussed the future timings of the Overview and Scrutiny Committee meetings and a move to afternoon meetings.

## **RESOLVED**

That the Overview and Scrutiny Committee invites officers to identify suitable dates when the Committee can meet in the afternoon and at the same time maximise opportunities for the use of the East Pallant House committee rooms.

**28 Affordable Housing Task and Finish Group - Verbal report**

The Chairman of the Affordable Housing Task and Finish Group, Mr Hughes, provided an update on progress. The first meeting of the TFG would take place on 29 October 2020.

**29 Corporate Plan Mid-Year Review Task and Finish Group - Terms of Reference**

The Terms of Reference and the membership for this Task and Finish Group were agreed.

**RESOLVED**

That Mrs Apel (Chairman), Mrs Bangert, Mr Moss and Mr Palmer are confirmed as members of the Corporate Plan Task and Finish Group.

**30 Forward Plan**

The Committee noted the Forward Plan for the period 1 October 2020 to 31 January 2020.

**31 Late Items**

There were no urgent items.

The meeting ended at 1.05 pm

---

CHAIRMAN

---

Date: