



Minutes of the meeting of the **Overview & Scrutiny Committee** held Virtually on Tuesday 17 November 2020 at 2.00 pm

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

Members not present: Mrs N Graves

In attendance by invitation: Ms K Bourne (Chichester Festival Theatre), Mr D Evans (Chichester Festival Theatre), Mr S Martin (Pallant House Gallery) and Ms N Cutler (Honey PR Ltd)

Officers present: Ms P Bushby (Divisional Manager for Communities), Ms K Standing (Divisional Manager, Revenues, Benefits and Customer Services), Mrs J Hotchkiss (Director of Growth and Place), Mr S Ballard (Senior Environmental Protection Officer), Mrs T Murphy (Divisional Manager for Place), Mrs S Peyman (Divisional Manager for Culture) and Mr J Ward (Director of Corporate Services)

39 **Chairman's Announcements**

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

40 **Urgent Items**

The Chairman announced that there were three urgent items for consideration at this meeting. They related to the Budget Task and Finish Group - Appointment of three members of the Committee, Call In – Review of Parking Charges and Call In – Electric Vehicle Charging Infrastructure.

41 **Declarations of Interests**

Mrs Apel declared a personal interest as a trustee and Friend of Pallant House Gallery.

Mrs Apel declared a personal interest as a Friend of Chichester Festival Theatre.

Mrs Bangert declared a personal interest as due to her work with Pallant House Gallery.

Mr Bell declared a personal interest as Friend of Pallant House Gallery.

Mr Moss declared a personal interest as Mrs Tidy, in attendance for the Call In of the Review of Parking Charges item, was a resident of Fishbourne located within the Harbour Villages Ward he represented.

42 **Public Question Time**

There were no public questions.

43 **Future Customer Services Delivery**

The Committee considered this report, circulated with agenda.

Ms Standing introduced this item that set out proposals to modernise the Council's Customer Service Centre and achieve financial savings. These proposals included moving away from the traditional face to face service to a modern service promoting digital channels and online payments. Floor walkers would be on hand to provide assistance to customers using the self service facilities in the reception area and requests for face to face meetings would be triaged before approved. Since the beginning of the Covid 19 pandemic the Council had closed its offices to the public, encouraging customers to access services online and offering an appointment only service instead. An assessment of channel data during this period had seen a noticeable increase in services accessed via the Council's website and this project would continue to build on this.

Ms Standing responded to members questions and comments:

- Discussions were in place to ensure the online services accessed by customers were clear and easy to access to ensure good communication and plain English. A Council Customer Focus Group had been set up that would enable residents to provide feedback on proposed improvements.
- The Customer Services survey was ongoing and completed monthly. A more streamlined electronic approach was being looked into, which would enable a larger number of customers to be take part in the survey.
- Ms Standing was not aware of customers suffering as a result of the loss of face to face contact. If the Survey found large numbers of residents were struggling with IT to access the Councils services, consideration would be given to the running of short courses to assist them.
- A member commented that poverty affected some residents' access to IT and was concerned that there would be no staff resources to deal with enquiries. Ms Standing advised that, subject to the reduction of two staffing posts, the current staffing capacity would be used to assist those who require more support.

The Committee welcomed the proposed improvements and the provision to assist those who were less IT literate.

Ms Standing undertook to share the Customer Satisfaction survey as more result were received.

RECOMMENDED

That the Overview and Scrutiny Committee commends the report and invites Cabinet to:

1. Ensure all screen views and printed documents are in plain English;
2. Ensure the telephone response times are an absolute priority;
3. Ensure the Council keeps the highest standard of services where people are visiting our offices; and
4. Ensure support for people with limited access to IT or limited IT skills

44 Chichester Festival Theatre Monitoring Report

The Chairman welcomed Mrs Kathy Bourne, Executive Director and Mr Daniel Evans, Artistic Director from Chichester Festival Theatre, and Mrs Peyman to the meeting. He expressed appreciation for all the work the Theatre had done with the community during the Covid 19 pandemic.

Mrs Bourne and Mr Evans outlined their Annual report for 2019-2020, that set out the activities that had taken place since the last annual report that demonstrated the benefits of the Chichester Festival Theatre to the District. The increased ticket sales had enabled the Theatre to end the financial year on a good financial footing. The lockdown period, caused by the Covid 19 pandemic had resulted in the Theatre having to cancel all of its summer season. However the Theatre had been determined to continue with its community work and had been able to provide a digital theatre experience, which had been well received. All staff had been retained with the use of the furlough scheme. More recently the Theatre had to cancel the autumn season, however it was hoped that the Theatre will be able to show its Christmas productions and was moving forward planning its 2021 season, which will have a shorter spring season.

Mrs Bourne and Mr Evans responded to questions concerning the Annual report with regard to the effect of car parking charges on audience figures and with regard to their sustainable transport travel plans both for staff and audiences.

The Chairman advised that any questions from the Committee concerning the Theatre not relating to the Annual report would be forwarded separately to Mrs Bourne and Mr Evans for a response.

RESOLVED

That the Committee has received the Chichester Festival Theatre 2019-2020 annual monitoring report and agrees performance is in line with the monitoring framework.

45 Pallant House Gallery Monitoring Report

The Committee considered this report circulated with the agenda.

Mrs Peyman was joined by Mr Martin who presented the Pallant House Gallery Annual report for 2019-2020 and provided a summary of the year.

Mr Martin expressed thanks to the Council for its continued support to the Gallery, which had been required to close in March 2020 during the first 'lockdown' period, due to the Covid 19 pandemic. He added that a key project during the year had been the completion of a move to 100% renewable energy.

Mrs Apel a Trustee of Pallant House Gallery congratulated the Gallery for the way it had managed the reopening of the Gallery during this summer.

Mr Martin responded to members' questions as follows:

- A number of volunteers were unable to continue during the Pandemic due to shielding. An appeal had resulted in 28 new volunteers with many in the younger age group.
- He undertook to look into a suggestion to place artwork in the windows of vacant retail units, as part of the Gallery's Community Programme. He referred to the Gallery's Christmas advent calendar window display initiative, which he hoped would take place again this December.
- He undertook to raise the matter of food waste recycling with the Gallery restaurant, which was run as a separate franchise.
- He believed that there were also referrals from the local MIND group in Chichester and undertook to look into this with the Community Programme Manager.
- Mr Martin updated the Committee on the latest position regarding the issue of the leaking roof and other repairs which were progressing. A 25 year plan for the conservation of the Gallery's buildings would be produced.

On behalf of the Committee the Chairman thanked Mr Martin for attending and hoped the Gallery had a successful re-opening.

RESOLVED

That the annual report from Pallant House Gallery be received and agree that performance is in line with the monitoring framework.

46 Visit Chichester Monitoring Report

The Committee considered this report circulated with the agenda.

Mrs Peyman was joined by Mr Hobbs, Chairman and the CDC appointed representative for Visit Chichester, and Ms Cutler from Honey PR.

The Chairman thanked Mr Hobbs for the presentation given to all members of the Council, earlier in the day, updating them on the rebranding and launch for the new "The Great Sussex Way" website.

Mr Hobbs introduced the report and drew attention to the key achievements set out in paragraph 4 of the report. He advised that interviews for a new Chief Executive were due to take place the following day.

Ms Cutler advised the Committee that any member who had not been able to join the Visit Chichester presentation, was welcome to attend a further session on 19 November 2020.

The Chairman thanked Mr Hobbs for his summary of what Visit Chichester was doing for the District,

RESOLVED

That the annual update report from Visit Chichester for 2018-19 be noted and it be agreed that Visit Chichester is achieving performance in line with the Service Level Agreement.

(The Committee adjourned for a break from 3.25pm to 3.40pm)

47 Corporate Plan Review Task and Finish Group Final Report

Item deferred.

48 Southern Water - Discussion on the way forward

Item deferred.

49 Forward Plan

Item deferred.

50 Asset Management

Item deferred.

51 Leisure Services Performance Review

Item deferred.

52 Exclusion of the Press and Public

The press and public were not excluded from the meeting due to the exempt items for consideration being deferred.

53 Future Services Framework - Efficiency Savings and Policy Options

Item deferred.

54 Late Items - Budget Task and Finish Group - Appointment of Three Members of the Committee

This matter was considered as a matter of urgency under section 100B(4)(b) of the Local Government Act 1972 in order to comment on proposed changes on the approved base budget for compiling the 2021-22 budget in advance of Cabinet consideration in February 2021.

Mr Ward presented the Terms of Reference and the scoping of this proposed review.

It was proposed and seconded that Mrs Apel, Mr Moss and Mr Palmer be appointed to the Task and Finish Group, and that Mr Johnson would act as a substitute. On being put to a vote the proposal was carried.

RESOLVED

That the terms of reference for the budget Task and Finish Group be approved; and That Mrs Apel, Mr Moss and Mr Palmer be appointed to the Budget Task and Finish Group, and that Mr Johnson would act as a substitute.

55 Late Items - Call In - Review of Parking Charges

Cabinet decision 66 of 3 November 2020 – *Review of Parking Charges* had been called in, in accordance with the provisions set out in the Constitution, by Councillors Plowman, Apel, Bowden, Bangert, Evans and Johnson.

The criteria identified by Mr Plowman for calling in the decision was that a) the decision is likely to cause distress, harm or significant concern to a local community or to prejudice individuals within it and h) Whether the views of the members requesting the call-in were taken into account in arriving at the decision.

Mr Plowman was invited to present his evidence on behalf of the Call In signatories in respect of the decision taken by Cabinet to consult on proposals to increase the Council's parking charges from 1 April 2021. The Call In request stated that the proposal to increase parking charges would cause significant harm to the local economy with detrimental effects on the local businesses leading to a further decline of the Chichester city centre and High streets in the District. The impact of these charges during the current Covid 19 pandemic and the long-term ability to recover long after the new charges were implemented was not fully considered by Cabinet in their debate.

Mr Plowman added a request that the Committee recommend to full Council that there should be no car parking charges in Chichester and in other high streets as deemed appropriate for the current local down period up to 1 January 2020. He also asked for a new Parking Strategy to be devised that supported local businesses.

Mr Plowman wished to call a witness, Mrs Tidy, who presented the views of local businesses in support of the call in.

Mr Dignum, Cabinet member for Growth, Place and Regeneration was invited to respond to the call in and put the case for the decision made by Cabinet.

Mrs Hotchkiss explained that each year the Council reviewed its parking charges in accordance with its Fees and Charges Policy. She explained the role of the Chichester District Parking Forum and that the results of the public consultation, yet to take place, would be considered by Cabinet before a final decision was made.

Mr Ward advised that a parking charge increase freeze would have a detrimental impact on the Council's financial budget, as an underlying principal within the Financial Strategy was that any increase in the Council's forecast base budget had to be met by either additional funding or a reduction in spending elsewhere in the budget.

Mrs Murphy set out the consultation process for parking charge increases. There was no requirement to bring the results of the consultation to Cabinet unless objections to the proposals were received.

Mr Bennett clarified that members were debating on whether the Cabinet decision to take the proposed parking charge increases to consultation required to make was 1) contrary to the Council's normal decision making requirements, 2) contrary to the Council's Policy Framework or 3) the Council's Budget. Members should be mindful of whether they need further information from Cabinet or whether they thought Cabinet should consider further information to explain why the decision was taken. He pointed out the Call In had been made prior to the public consultation on the proposals and therefore the full evidence was not yet available. For a decision to be legally compliant the Council would normally seek to consult in a way that was required under the relevant Statute. Referring to Mr Plowman's additional request, he advised members that they were required to keep within the Call In issues. Although one of the options in the Council's Constitution referred to an option for the Committee being to refer the matter back to Full Council he did not recommend this. Full Council was not the decision making body and in any case, would have to refer the matter back to Cabinet to reconsider their decision.

Mr Plowman made a closing statement. He was of the view that the Call in was not about the consultation, it was the Cabinet decision to increase the Council's parking charges. He referred to the implications of the Covid 19 pandemic and stated that the decision to increase parking charges was before the pandemic. He asked that Cabinet be requested to reconsider the decision, so that it could be reviewed in light of the pandemic and the financial effect it was having on local businesses.

Mrs Hotchkiss responded to comments concerning the timing of the Chichester District Parking Forum decision, which were incorrect. The Forum's decision on the parking charges had not been taken before the start of the pandemic, but at the meeting held on 9 September 2020. Clarification was given that the Cabinet decision was to go out to public consultation for the implementation from 1 April 2021.

The Chairman summed up the views expressed during the meeting and referred to the Council's need to be financially prudent. He provided a comparison of the parking costs of some surrounding councils and some further away and advised that it was about the quality of the 'offer' not the cost to park. He felt this Council was in the difficult position of neither having destination or larger shops. He referred to the

number of currently empty shops and said that Chichester could no longer draw in the large number of people that it had done historically. The Council should do everything in its powers to encourage people to visit with car parking being a small element of that. Therefore, on balance and taking into account the comments of Mr Johnson in respect of his suggestion that the Council could use some of its reserves, there was a duty to the Council's residents and shop owners to keep the costs of car parking down. He was not totally satisfied that Cabinet had considered that point sufficiently in their debate.

The Chairman reminded the committee of the options available to them to either refer the decision back to the decision maker, Cabinet, for reconsideration, or to accept the Cabinet decision in which the decision stands.

Mr Bennett provided advice on the voting process.

The members voted on the recommendation below.

RECOMMENDED

That the Cabinet reconsider the decision made at its meeting on 4 November 2020 relating to Item 14 Review of Parking Charges taking into account the comments made by the Committee.

56 Late Items - Call In - Electric Vehicle Charging Infrastructure

This matter was considered as a matter of urgency under section 100B(4)(b) of the Local Government Act 1972.

Cabinet decision 64 of 3 November 2020 – *Electric Vehicle Charging Infrastructure* had been called in, in accordance with the provisions set out in the Constitution, by Councillors Brown, Sharp, Fowler, O'Kelly, Hughes, Bowden, Barrie and Bangert.

The criteria identified by Mr Brown for calling in the decision was that b) the matter has not been subject to consultation or debate with relevant interested parties, c) the delay in implementing the decision is likely to cause significant harm to the council or others and d) the decision is against an approved policy or budget provision of the council.

Mr Brown was invited to present his evidence on behalf of the Call In signatories in respect of the decision taken by Cabinet, having considered the recommendation from the Environment Panel, not to join the WSCC concession contract for the planning, installation and deployment, service and maintenance of electric vehicle charge points (EVCP) across the county of West Sussex but to monitor usage of the Council's electric vehicle charge points and keep under review whether the Council wishes to join the contract at a future date.

Mr Brown was of the opinion that the Council's Climate Change Emergency had not been properly considered in Cabinet's decision, which would undermine the Council's ability to meet the objectives set out in its draft Climate Action Plan. He was concerned there were no plans for the Council to introduce further electric

charging points across the District. This was an opportunity for the Council to take a lead on the provision of EVCPs for a single solution across the County. If the Council joined at a later date it would have no vote or 'seat at the table'. There was both a County and a National Strategy for the roll out of EVCPs.

Mrs Plant, Cabinet member for the Environment and Contract Services was invited to respond to the Call In and put the case for the decision made by Cabinet. Once the details of the concession contract were known, Cabinet would consider a further report and make an informed decision.

Mr Ballard explained that before a decision was taken the details of all available concessions contracts should be known, so as to understand the market offer. A graph showing usage for the District's 18 electric vehicle charging points in the District from December 2019 to August 2020 was displayed for members. It showed usage was low. Therefore, it was suggested there was not sufficient urgency to refer the decision back to Cabinet the resolution made gave the Council the necessary flexibility to have a watching brief, and to assess and understand the full impact of WSCC's contract once received. WSCC's list of proposed charging point sites did not duplicate the District Council's site. The urgency of Climate Change was understood, however it was important to ensure the right decision was made to use the Council's assets to the best effect.

During the discussion a number of comments were made. A member raised the issue of whether it was premature to provide further EVCPs when at this early stage in the roll out of electric cars when other options, such as hydrogen, were emerging. A comment was made that the Government was considering bringing forward its ban on the sale of new petrol and diesel engine cars and vans from ahead of the current deadline of 2030. There was some concern expressed that the contract details were not available, but noted the assurance made by Mrs Plant that Cabinet would consider the contract when available. A member referred to the currently disjointed and complicated approach to the provision of EVCPs and welcomed any attempt to work together to provide in a coordinated approach.

The Chairman noted that the other District and Borough councils in West Sussex had signed up without knowing the details of the contract. The Council should be at the forefront in providing of EVCPs in working together with the other Councils to make sure this Council had the same system in place. On balance he considered some of the arguments made not to join the scheme at this stage were not correct and that the Council should move forward with the WSCC scheme and welcomed a coordinated approach.

Mr Brown made a closing statement with regard to his reasons for urgency. The Council would have the option to join at a later date with the parish councils, as a collaborating party. However, although the deadline had recently passed, joining at this stage as a key delivery partner, would give the Council the opportunity to sit on the board and help shape the process, which would include being involved in the contract writing process.

The Chairman reminded the committee of the options available to them to either refer the decision back to the decision maker, Cabinet, for reconsideration, or to accept the Cabinet decision in which the decision stands.

Mr Bennett provided advice on the voting process.

RESOLVED

To refer the decision back to the decision maker for reconsideration taking into account the comments made by the committee.

RECOMMENDATION

That the Cabinet reconsider the decision made at its meeting on 3 November 2020 relating to Item 12 Electric Vehicle Charging Infrastructure taking into account the comments made by the Committee.

The meeting ended at 5.20 pm

CHAIRMAN

Date: