Minutes of the meeting of the **Council** held in Committee Rooms, East Pallant House on Tuesday 21 March 2023 at 2.00 pm

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| **Members Present:** | Mrs E Hamilton (Chairman), Mr H Potter (Vice-Chairman), Mrs C Apel, Mrs T Bangert, Mr G Barrett, Miss H Barrie, Rev J H Bowden, Mr B Brisbane, Mr R Briscoe, Mr J Brown, Mr A Dignum, Mrs J Duncton, Mr J Elliott, Mrs N Graves, Mrs D Johnson, Mr T Johnson, Mrs E Lintill, Mr G McAra, Mr A Moss, Mr S Oakley, Mrs P Plant, Mr R Plowman, Mrs C Purnell, Mr D Rodgers, Mrs S Sharp, Mr A Sutton, Mrs S Taylor and Mr P Wilding |
| **Members not present:** | Mr M Bell, Mr G Evans, Mrs J Fowler, Mr F Hobbs, Mrs S Lishman, Dr K O'Kelly, Mr C Page and Mr D Palmer |
| **Officers present all items:** | Mrs L Baines (Democratic Services Manager), Mr N Bennett (Divisional Manager for Democratic Services), Mr A Frost (Director of Planning and Environment), 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) |

217 **Minutes**

In relation to the Special Full Council meeting on 24 January 2023 Cllr Brown proposed the following amendments which were seconded by Cllr Moss.

Page 6, third paragraph:

Cllr Brown drew attention to the Wildlife Corridor running through site A8. He raised concerns that shrinking the Wildlife Corridor would conflict with the environmental evidence, thereby creating risk at examination. He suggested passivhaus and Fabric First could and ought to have been incentivised more. He explained that accommodating greater density of housing on sites could maximise green space retained for people and nature...

Page 9, second paragraph:

Cllr Brown explained that his priority is the ability to plan. i.e. Any additional housing should be planned. He referred members to the conclusion reached by the examiner for the Southbourne Neighbourhood Plan: that because an out of date Local Plan did not make specific provision for more housing the community should not be allowed to plan new development - but at the same time there was no mechanism to prevent unplanned housing over and above the allocation in the out of date Local Plan being approved.

**RESOLVED**

That the minutes of the Special Full Council meeting held on 24 January 2023 (subject to the amendments above) be approved as a correct record.

**RESOLVED**

That the minutes of the Full Council meeting held on 31 January 2023 be approved and signed as a correct record.

218 **Urgent Items**

There were no urgent items.

219 **Declarations of Interests**

Cllr Sharp declared a personal interest in respect of agenda items 8, 9 and 10 as a member of West Sussex County Council.

Cllr Oakley requested clarification from the Monitoring Officer regarding whether he would have an interest in the Compulsory Purchase Order item if there is a link to County Highways land. Mr Bennett clarified that neither Compulsory Purchase Order related to land owned by West Sussex County Council so there was no requirement to declare an interest on that basis.

220 **Chair's Announcements**

As this was the last Full Council meeting of the administration Cllr Hamilton thanked all members for their contributions over the last four years.

Cllr Hamilton explained that Agenda Item 16 was no longer required as it had been concluded by the resolutions made at the Special Budget Full Council meeting held on 7 March 2023.

Apologies for absence were received from Cllr Bell, Cllr Evans, Cllr Fowler, Cllr Hobbs, Cllr O'Kelly, Cllr Lishman and Cllr Palmer.

Cllr Hamilton then invited Cllr McAra to speak about the Midhurst fire at the Angel Inn in North Street. Cllr McAra wished to thank everyone for their help in coming together to support the residents of Midhurst following the fire. He also passed on thanks on behalf of Cllr Fowler who was unable to be at the meeting. He noted with thanks the response of the District and Town Council. He also announced that the Council would be providing free parking in Midhurst into April as businesses in the town remained opened.

221 **Public Question Time**

The following public question and answers were read:

**Question from David Williams:**

The process of getting to this point has been long and contentious. I'll start with a bit of history. An earlier owner of the site made a Statuary Declaration to the Land Registry in January

2010 claiming he had a Right of Way to use the track to Crooked Lane. Back in 2010 CDC was going to purchase the site and an agreement was drawn up, interestingly, the CDC Executive Board had identified lack of ownership of the track as a risk Once this Declaration was seen by the public it's accuracy was challenged, resulting in the Land Registry removing this claimed Right of Way from the title deeds in October 2012 CDC's agreement to purchase was terminated April 2013 So at the time Hyde purchased the Land in Jan 2014 it was well known that the vendor was not able to grant any ROW over the track. Hyde would have purchased the land knowing full well that it did not include the access track and there was no ROW to use the track. Under 2012 version of National Planning Policy Framework ( NPPF) para 173 sites should be deliverable. Most would consider a site without an access as not deliverable. At the original planning hearing this rule was ignored, problems with the track were classified as a "private legal matter" then 3 yrs later when it is obviously not deliverable and the planning approval was about to run out CDC agreed to amend the wording of conditions to allow a material start. Issues with the track were now classified as "a complex civil matter" still no mention that the site might need a CPO. Is it the proper use of a CPO to get Hyde out of a poor decision that they took to purchase a site without an access. Without an access a site is not deliverable, and why your all here today. Nobody in CDC or Hyde wants to back down. The amount of time and money spent on this project has got to make a mockery of any cost normally associated with delivering social housing. And talking of money the fact that Hyde has guaranteed to underwrite costs associated with a CPO, ignores the fact that Hyde is in receipt of taxpayers money by way of Housing benefit, so while the potentially large cost of a CPO might not appear on CDC's budget the taxpayer will still pay.

My question is this,

Is it right and proper for the Council to use CPO powers to overcome the problem Hyde gave itself by making a poor commercial decision to purchase a development site without control over the access particularly as during the planning stage it was regarded as a private legal matter?

**Answer from Cllr Sutton:**

Please be assured that the Council does not take decisions to recommend or authorise a compulsory purchase order lightly. Decisions are made within very clearly defined legislation and the Council is required to give full consideration of this and not look beyond it. Members will be applying those legal requirements alone and are fully aware that such powers are a very serious matter.

The first question the authority will need to consider is whether the acquisition of the land will facilitate the carrying out of development, re development or improvement in or in relation to the land. Secondly it will consider whether that development will contribute to the promotion or improvement of the economic, social or environmental well being of the area.

In relation to Hyde please be advised that Hyde is a registered provider of social housing, and their funding and financial status is regulated by the Regulator of Social Housing.

**Question from David Wade-Smith:**

The councils case to use a CPO depends on proving a large housing need. So in the Public Document Pack there is about 50 pages on Housing need, lots of colourful tables and graphs, proving a large requirement for affordable homes in the Chichester district. However, this is an H9 Exception Site which comes with it's own set of rules. It is not like a

normal development site. An exception site is allowed on land not usually available for building,( in this case building on the AONB ) and one of the rules is that it meets a need of people with a local connection , in this case Birdham, not a need for social housing from other Parishes. There is a definition of " Local Connection" in CDC's H9 Document which does not include people from other Parishes. In CDC's Housing Need Evidence page 18 table 13 In Birdham there are only 7 on housing list A-C, and back in 2013 it was only 10. Only households in bands A-C are considered to be in a high priority housing need. Also over the resent years the need in Birdham has been met in other ways. Affordable homes have been built in Birdham :

Longmeadow 10 in July 2013,
Tawney Nursery 12 in Nov 2013,
Rowan Nursery 7 in Mar 2020

So there never has been a need to justify this development or now a CPO.

My Question is this,

As an exception site, it is only for the needs of people with a Birdham connection. There is not a large enough need in Birdham to justify the use of a CPO?

**Answer from Cllr Sutton:**

The planning application was considered against policy H9 of the Chichester Local Plan Review 1999, which was the adopted local plan at the time of the decision. At the time of determining the planning application there were 39 households on the Council's housing register with a local connection to the Parish of Birdham, and planning permission was granted because there was a local identified need. The planning permission, is subject to a S106 Planning Obligation that requires the dwellings to be offered to people with a local connection to Birdham in the first instance. If there is no need for household with a Parish Connection then a connection to the other nearby Parishes on the Manhood Peninsula would be required. These measures would ensure the housing would meet a local need.

The Local Plan 2014-29 identified a future provision of 50 homes were needed in Birdham and this need remains unmet. To date 37 homes have been delivered.

There are currently 18 households with a local connection to Birdham on the Council's housing register. However, this figure is a snapshot in time and will change when new families are formed, families grow, or residents wish to return to the parish for work or family.

**Question from Tony Corkett:**

Good afternoon, I have lived for over 8 years at Copperfields which is next to the farm track and opposite the school. At certain times of the day during school term time, I see parents parking along Crooked Lane and taking their children in and out of school. At these times Crooked Lane becomes congested as there is only room for one vehicle to travel along Crooked Lane whilst parents are looking for parking spaces. The CPO would create a road opposite the Birdham Primary School which will lead to an increased risk to the safety of children and their carers particularly at school drop off and pick up times. There is public concern that delivery vans, refuse vehicles and additional cars travelling along the farm track access road will create further congestion and an accident blackspot.

The GM Traffic consultants study (Road Safety Audit) was carried out over 10 years ago in January 2013. This report did not state the time of the site visit. It did not mention the proximity of the school, but it did say the traffic was light. At the planning stage, decisions on the suitability of the access track used this report. The report is now out of date (expiry after five years). The school has had the addition of a nursery, the traffic has increased and I believe a new Road Safety Audit is necessary.

Would the Council recommend a new Road Safety Audit being performed at school drop off times and pick up times (in term time) in order to help assess the safety risks to vulnerable children that a dangerous junction would create?

**Answer from Cllr Sutton:**

The planning permission for this small scale development was granted after consideration of the information submitted with the application and following consultation with the Local Highways Authority. The planning permission has been implemented and therefore the developer has a lawful fall-back position to complete the development. As such, no further road safety audit is required for the development.

222 **Changing Places toilet facilities - notification of grant award**

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

Cllr Dignum introduced the item.

In a vote the following resolution was agreed:

**That the capital funding of £210,000 for Changing Places facilities is accepted and that Officers continue to progress the projects for delivery of the schemes across the district.**

223 **Senior Staff Pay Policy Statement 2023-2024**

Cllr Wilding moved the recommendation which was seconded by Cllr Lintill.

Cllr Wilding introduced the item.

In a vote the following resolution was agreed:

**That the Council be recommended to publish the Senior Staff Pay Policy Statement 2023-2024.**

224 **Enabling the Delivery of Affordable Housing on the Crooked Lane, Birdham Exception Site**

Cllr Sutton moved the recommendation which was seconded by Cllr Lintill.

Cllr Sutton introduced the item. Members were referred to the A3 colour sheet on their desks which was a copy of page 45 enlarged. Mrs Rudziak wished to clarify that at the Cabinet meeting on 7 March 2023 it had been stated that the Planning Committee had been on a site visit to the site in question. The site visit was proposed but not agreed and therefore any member site visits were not arranged for the Committee by the council. She

apologised for any confusion this had caused. Mr Bennett then reminded members that the report was being heard in public but there were part II papers covering some elements which if members wished to discuss would require the meeting to go into Part II. He suggested that if members wished to speak on the Part II papers and remain in public session they refrain from referring to specific people and names. He added that the advice of the Monitoring Officer carried weight. He then confirmed the decision members were facing was not a planning application as this had already been agreed but instead the need to meet two tests. The first whether the proposed Compulsory Purchase Order (CPO) can facilitate the authorised planned development. The second whether the CPO can improve the economic, environmental and/or social wellbeing of the area.

Mr Bennett then referred to a minor amendment which Cllr Moss would be putting to the Council. He confirmed that adding reference to ' the School Streets Project' would be a minor amendment if accepted by the Chair.

Cllr Moss confirmed that he wished to propose the following minor amendment:

To amend the resolution to add 3.3 to read:

*For West Sussex County Council to implement the Safer School Streets project at Birdham School.*

The minor amendment was seconded by Cllr Brisbane.

Cllr Sutton raised a point of order that he had not had sight of the amendment. Mr Ward clarified that under the council's Motion's Procedure section two allows eight motion types without notice. The eighth example is a minor amendment. He confirmed his advice to the Chair that this could be classed as a minor amendment, but the final decision on this is the Chairman's. Cllr Hamilton accepted the amendment as a minor amendment and invited members to comment on the minor amendment first.

Cllr Moss explained that he had visited the site and looked at the access in detail particularly at school times. He had noted the traffic challenges and concerns of those living close by and/or requiring access.

Cllr Apel also noted her concern relating to the traffic at the site.

Cllr Sutton gave his support to the minor amendment.

Cllr Barrett gave his support to the minor amendment noting the limited parking.

Cllr Sharp gave her support to the minor amendment suggesting a number of alternative methods of travelling to school such as walking buses and school streets.

Cllr Purnell requested the addition of the words 'to request' which were accepted by the Chair.

In a vote the minor amendment was agreed:

**RESOLVED**

**To request West Sussex County Council to implement the Safer School Streets project at Birdham School.**

Cllr Hamilton then turned to the substantive recommendations and invited members to speak.

Cllr Briscoe spoke in favour of the recommendations noting the need for affordable housing which had been demonstrated by the report. He explained that there were currently only two other exception sites on the Peninsula at North Mundham and in the Witterings.

Cllr Brown agreed the need for affordable homes. With reference to the five neighbours of the access track he requested clarification of whether that access would be maintained and whether the ownership of the land had been resolved. Mr Bennett explained that the council would first try to agree a private treaty however the CPO allows the council to acquire ownership of the land with the intention of passing that to Hyde. With regard to the five neighbours the land would be public highway so they would retain a right of way but would not be able to block the right of way for others to access.

Cllr Brisbane requested clarification of whether the red line indicated on the report plan was the same as the red line on the original planning application. Officers agreed to cross check and amend as needed before the final submission of documentation.

Cllr Brisbane noted the housing deficit outlined on page 70 of the report pack in table 17. He added that page 66 demonstrated in table 13 that of the 18 households on the Housing Register linked to the Manhood Peninsula 13 were linked to Birdham. He further noted with reference to page 71, paragraph 4.3 that the Neighbourhood Plan had accepted the site.

Cllr Plowman asked members to consider for the future the need for a site visit in this instance noting that the original request at Planning Committee had been turned down. Mr Bennett clarified that whether a site visit would be appropriate at the planning application stage is  set out in guidance advice provided by officers but is not a legal requirement. Mr Frost added that the decision made by the Planning Committee was valid and stood.

Cllr Bangert raised a query relating to page 105, section 11.31 of the report.

Cllr Sharp explained that although many residents had written to members to let them know they felt there was no requirement for the affordable homes the officer report provides evidence to suggest there is.

Cllr Barrett noted that applicants in adjoining parishes can also apply.

Cllr Timothy Johnson joined the meeting during the debate. He explained that he had driven to the site with Cllr Donna Johnson and asked whether the track to the site would be sufficient for the number of homes. He asked whether there could be a deferral for further options to be explored. Cllr Briscoe explained that the track had been deemed suitable in the planning application. Cllr Timothy Johnson proposed a minor amendment to request:

*Further work into a longer route not coming out by the school.*

Cllr Hamilton explained that she would not be accepting the amendment as she viewed it as a major amendment and linked to the planning application which was not relevant to the decision on the CPO. Mr Bennett added that alternative routes had been prevented by legal covenants.

Cllr Sutton raised a point of order that Cllr Timothy Johnson had missed part of his opening introduction which had addressed the matter. Mr Bennett explained that it is a choice for individual members to reflect on whether they have heard enough of the information presented and debate in order to make a decision on the matter. Mr Bennett recommended a short adjournment to explain the part II matter to Cllr Timothy Johnson. This was not required as Cllr Brown suggested that by answering whether section 10.9 of the report had been dealt with already could provide the answer needed. Mr Bennett confirmed it had. Cllr Timothy Johnson then withdrew his proposal.

In a vote the following resolutions were agreed:

**3.1 Council authorises the use of Compulsory Purchase powers as set out in Section 226(1)(a) of the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 to compulsorily acquire the Order Land identified within Appendix 1, and in particular that the Council makes the Order.**

**3.2 The Director of Housing and Communities is authorised, following consultation with the Cabinet Member for Housing, Communications, Licensing and Events, to:**

**a. settle the final form and content of the Order and all associated documentation and take all action needed to pursue the Order and secure its confirmation.**

**b. negotiate, agree terms and enter into agreements with interested parties including agreements for the withdrawal of objections or undertakings not to enforce the Order on specific terms including where appropriate removing land or rights from the Order or to request the modification of the Order by the Secretary of State;**

**c. implement the Order powers following confirmation of the Order and so acquire title to and/or take possession of the Order Land.**

**3.3 To request West Sussex County Council to implement the Safer School Streets project at Birdham School.**

Members took a short break.

225 **Tangmere Compulsory Purchase Order 2023**

Cllr Sutton moved the recommendation which was seconded by Cllr Lintill.

Cllr Sutton introduced the item. Members were referred to the A3 colour sheet on their desks which was a copy of page 45 enlarged.

Cllr Oakley spoke in support of provision of new housing including affordable housing. He requested clarification on the inclusion of areas 7, 8 and 9. He also requested an undertaking for representatives from the council to meet with the residents of Saxon Meadow to consider their concerns. He also asked the Cabinet Member for Planning Cllr Taylor to agree to include the local ward members in future consultation as stated in the original resolution 2.

Mr Whitty in relation to page 45 of report explained that the land indicated in purple relates to CPO1. The two parcels of land indicated in green are 19D which is National Highways non adopted land and 19E which is Heaver interest. The remaining land indicated in pink (plots 19A, 19C, 19F) is adopted highway.. Plots 19C, 19D and 19E are to be included as part of the Compulsory Purchase Order (CPO) or will be transferred by negotiation to the council as part of the process. In response to Cllr Oakley's request to meet residents of Saxon Meadow Mr Whitty explained that either the council or specialist CPO advisers would be able to do so.

The Council's consultant Peter Home then provided further clarification relating to the plots of land in the proposal.

In response to Cllr Oakley's request Cllr Taylor agreed that whilst she is Cabinet Member for Planning she would undertake to include ward members in the consultation process.

Cllr Bowden requested clarification of the small pink corner on the A3 version of page 45 provided to members. Mr Whitty clarified that it was part of the CPO.

Cllr Plowman then spoke in favour of the CPO.

In a vote the following resolutions were agreed:

**That following consideration of this report:**

**(1) the Council authorises the use of Compulsory Purchase powers as set out in Section 226(1)(a) of the Town and Country Planning Act 1990 to compulsorily acquire the Order Land identified within Appendix C, and in particular that the Council makes the Order;**

**(2) the Director of Planning and the Environment be authorised, following consultation with the Cabinet Member for Planning Services, to:**

- **a. settle the final form and content of the Order and all associated documentation and take all action needed to pursue the Order and secure its confirmation;**

- **b. negotiate, agree terms and enter into agreements with interested parties including agreements for the withdrawal of objections or undertakings not to enforce the Order on specific terms including where appropriate removing land or rights from the Order or to request the modification of the Order by the Secretary of State; and**

- **c. implement the Order powers following confirmation of the Order and so acquire title to and/or take possession of the Order Land.**

226 **Motion from Cllr Taylor**

Cllr Taylor proposed her Motion which was seconded by Cllr Lintill. She then outlined her Motion as follows:

*In recognition of the fact that District Councils and Borough Councils are considered best placed to meet the needs of their own residents, this Council resolves to write to its two MPs, to urge the Secretary of State for Levelling Up, Housing and Communities, that:*

1. *District and Borough Councils should be empowered to :*
    - *i) Set fees and charges to meet the needs of their residents, and which cover the actual costs of delivering the services, for example, but not exclusively, planning fees, and*
    - *ii) To increase charges on second and holiday homes.*
2. *The bureaucracy required of local government when applying for government funding should be significantly reduced , to enable officers to concentrate on meeting the needs of their communities.*
3. *Realistic funding to cover the costs should be provided to local government, when required to enact central government legislation.*

The Chair then invited Cllr Bowden to speak on his amendment. He proposed his amendment which was seconded by Cllr Brown. The amendment was as follows:

*This Council welcomes the Budget Announcement of more devolution of powers to two Metro-Mayor Councils and, in recognition of the fact that District Councils and Borough Councils are considered best placed to meet the needs of their own residents, this Council resolves to write to its two MPs, to urge the Secretary of State for Levelling Up, Housing and Communities to take the next logical step and provide that:*

1. *District and Borough Councils should be empowered to :*
    - *i) To set fees and charges which meet the needs of their residents , and which cover the actual costs of delivering the services, for example, but not exclusively, planning fees, and*
    - *ii) To increase charges on second and holiday homes.*
    - *iii) To devolve more power and responsibilities to Parish Councils*
2. *The continual drip-feed of designated funds for which local councils have to apply and compete should be aggregated into the annual settlement and distributed on a per capita basis, to eliminate the costly bureaucracy required of local government when applying for government funding, to enable officers to concentrate on meeting the needs of their communities, and locally-elected Councillors to allocate direct to local need.*
3. *Realistic funding to cover the costs should be provided to local government, when required to enact central government legislation.*

Cllr Plowman then spoked in favour of the amendment noting a wish to see more delegated authority.

Cllr Purnell asked members whether parishes had been consulted on whether they would wish to receive greater powers and whether costs such as planning appeals would be met

by parishes if those powers were given. She aired caution on the provision of individual councillor budgets.

Cllr Moss in response to Cllr Purnell explained that there are parishes who have welcomed the idea of greater delegated powers. With regard to individual councillor budgets he noted that many councils operate this system across the country.

Cllr Oakley agreed with Cllr Purnell's concerns relating to whether all parishes would be able to resource additional responsibilities.

Cllr Lintill explained that she was prepared to write the letter to central Government with the amendments included.

Cllr Brown suggested a minor amendment to 1 iii to read:

*To devolve more power and responsibilities and associated funding to Parish Councils.*

Cllr Bowden accepted the minor amendment and therefore provided a seconder.

Both Cllr Brown and Cllr Bowden explained that they would accept the original Motion or their amendment.

Cllr Wilding spoke in support of the Motion. He did not support the amendment of additional powers to parish councils.

Cllr Sharp explained that she also did not support additional powers to parish councils due to resourcing.

Cllr Duncton explained that she would not support the additional powers to the parish councils either and would prefer to support the original Motion.

Cllr Plant spoke in support of the Motion.

Cllr Dignum spoke in support of the original Motion and the amendment.

Cllr Brisbane explained that when he had been a member of London borough the budgets were agreed at Committee level.

Cllr Brown then proposed an additional minor amendment as to 1 iii to read:

*To devolve more power and responsibilities and associated funding to willing Parish Councils.*

Cllr Bowden accepted the minor amendment and therefore provided a seconder.

Cllr Taylor agreed to incorporate all amendments into her original Motion.

Cllr Oakley raised concerns that the latest minor amendment which added the word 'willing' raised the issue of funding not accounting for those that may need it if they are not able to provide the resource.

Cllr Purnell explained that she would not vote for or against the amended Motion.

Cllr Bowden was then invited to read out the Motion as amended in full. Cllr Taylor confirmed that she was in agreement with the wording.

In a vote the Motion as follows was carried:

**RESOLVED**

**This Council welcomes the Budget Announcement of more devolution of powers to two Metro-Mayor Councils and, in recognition of the fact that District Councils and Borough Councils are considered best placed to meet the needs of their own residents, this Council resolves to write to its two MPs, to urge the Secretary of State for Levelling Up, Housing and Communities to take the next logical step and provide that:**

1. **District and Borough Councils should be empowered to :**

    **i) To set fees and charges which meet the needs of their residents , and which cover the actual costs of delivering the services, for example, but not exclusively, planning fees, and**
    **ii) To increase charges on second and holiday homes.**
    **iii) To devolve more power and responsibilities and associated funding to willing Parish Councils**

2. **The continual drip-feed of designated funds for which local councils have to apply and compete should be aggregated into the annual settlement and distributed on a per capita basis, to eliminate the costly bureaucracy required of local government when applying for government funding, to enable officers to concentrate on meeting the needs of their communities, and locally-elected Councillors to allocate direct to local need.**
3. **Realistic funding to cover the costs should be provided to local government, when required to enact central government legislation.**

227 **Questions to the Executive**

The following Questions to the Executive were asked with responses that followed:

Cllr Oakley asked the council's current position with regard to installing new litter and dog waste bins in response to Parish Council requests. Cllr Plant explained that the council has found it difficult to support additional dog waste bins as collection rounds are at capacity and as such has instead adopted an approach of encouraging waste to be taken home.

Cllr Apel asked a question on behalf of Cllr Evans. The question was with regard to the Local Plan consultation period not being long enough. She explained that residents in the Loxwood ward are largely unhappy with the Local Plan and do not feel there was enough opportunity to reply. She asked if there is any scope to extend the consultation period. Cllr Taylor explained that the consultation period was eight weeks and the process is set by central Government. Mr Frost added that the website provided details for residents to contact the Planning Policy team if they had an issue with submitting their comments. He added that there were around 1500 representations.

Cllr Plowman in relation to Southern Gateway explained that virtually all the reports and discussion on the Southern Gateway had been in Part 2 Confidential. He noted that he understood that Part 2 information remains confidential until released in Part 1 or Press releases and there is no time limit. He questioned whether much of that information over time is now no longer confidential or even at the time could have been in the public domain. He raised concerns that it had meant answering simple questions from members of the public had been difficult and led to speculation. He asked if he could be informed of the consultant fees and costs that had been incurred to date on the Southern Gateway excluding LEP and other grants. He requested the answer be provided in Part I.

Cllr Dignum responded. He explained that excluding LEP and other grants, Chichester District Council had approved a budget for £75,000 to support the delivery of the project . Of this £5,600 has been spent leaving £69,400 available within the budget . This expenditure has been related to communications, the production of website design material and photography , printing , travel costs and room hire. All expenditure relating to consultant fees, valuations, land transactions , site investigation work, architect drawings including civil engineering drawings , structural surveys, legal fees, traffic safety audits, data collection and modelling has been allocated to the £5 million Coast to Capital Local Enterprise Partnership grant and One Public Estate grants. All reports to Cabinet and Council are assessed to establish if they can be in the first instance a Part I report, however, if it is evident that it is likely that there would be a disclosure to the public of 'exempt information' as set out in Part I of Schedule 12A to the Local Government Act 1972, the reports are taken in Part Two. Mrs Hotchkiss agreed to provide Cllr Plowman with the costs in written form.

Cllr Brown explained that Chichester residents had responded generously towards refugees and the council has provided support too. He asked whether there was agreement with him that the government's language around refugees has been inappropriate. He asked if the Leader would write to the Home Secretary to ask her to stop using inflammatory language and to concentrate on providing safe and legal ways for asylum seekers to claim refuge and combat the people smugglers that exploit them. Cllr Lintill explained that in order to write the letter she would have wanted the views of the Council as a whole and as this had not been obtained she suggested that whilst Cllr Brown sought to obtain agreement from Council he could write to the Home Secretary himself.

228 **Late Items**

There were no late items.

Cllr Sutton noted thanks to the members who would not be standing for election for their services to the council over the last four years.

Cllr Timothy Johnson noted thanks to Cllr Hamilton for her role as Chair of the Council, Cllr Lintill for her role as Leader of the Council and Cllr Moss for his role as Leader of the Opposition.

229 **Exclusion of the press and public**

Cllr Hamilton then read the Part II resolution in relation to agenda items 14 and 15 which was proposed by Cllr Lintill and seconded by Cllr Taylor.

The Council then voted to go into part II.

**RESOLVED**

That with regard to agenda items 14 and 15 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.

230 **Letting of premises at Willow Park, Terminus Road**

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

Cllr Dignum introduced the item.

Questions and comments were received from Cllr's Apel, Sharp and Oakley. Cllr Dignum and Mrs Hotchkiss provided responses.

In a vote the following resolution was agreed:

**That terms be agreed for a lease of premises at Willow Park, as set out in Appendix 1 (exempt).**

231 **Letting of premises at Woodruff Centre, Terminus Road**

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

Cllr Dignum introduced the item.

Comments were received from Cllr's Moss and Plowman. Cllr Dignum responded.

In a vote the following resolution was agreed:

**That the rental terms be agreed for a lease of premises at Woodruff Centre, as set out in Appendix 1 (exempt).**

232 **Leisure Management Contract**

Cllr Hamilton explained that Agenda Item 16 was no longer required as it had been concluded by the resolutions made at Special Budget Full Council meeting held on 7 March 2023.

The meeting ended at 5.23 pm

CHAIRMAN Date: