

# Public Document Pack

**JOHN WARD**  
Director of Corporate Services

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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 **Committee Rooms - East Pallant House** on **Tuesday 21 May 2024** at **6.00 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

**9 May 2024**

## AGENDA

- 1 **Election of the Chair of the Council**  
This will be followed by the declaration of acceptance of office.
- 2 **Appointment of the Vice-Chair of the Council**  
This will be followed by the declaration of acceptance of office.
- 3 **Urgent Items**  
The Chair will announce any urgent items which due to special circumstances are to be dealt with under Late Items.
- 4 **Chair's Announcements**  
Apologies for absence will be notified at this point.  
  
The Chair will make any specific announcements.
- 5 **Public Question Time**  
In accordance with Chichester District Council's scheme for public question time the Council will receive any questions which have been submitted by members of the public in writing by noon two working days before the meeting. Each questioner will be given up to three minutes to ask their question. The total time allocated for public question time is 15 minutes subject to the Chair's discretion to extend that period.
- 6 **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.
- 7 **Minutes** (Pages 1 - 16)  
The Council is requested to approve as a correct record the minutes of the

meeting held on 19 March 2024.

**8 Appointment to Committees (Pages 17 - 21)**

The Council is requested to consider the report and its appendix and make the following resolution:

**That the Council agrees the Committee memberships as set out in the appendix to the report.**

**9 Appointments to External Bodies (Pages 23 - 27)**

The Council is requested to consider the report and its appendix and make the following resolutions:

- 1. That the Council agrees the appointments to the external bodies for 2024 – 2025 as set out in the appendix to this report.**
- 2. That the Council authorise the Monitoring Officer in consultation with the Leader to transfer appointments to the same appointee Member where the name of the external body changes.**

### **RECOMMENDATIONS BY THE CABINET**

To consider the following recommendations of the Cabinet requiring the approval of the Council.

**10 Adoption of the Chichester Harbour Management Plan 2024-2025**

Members are requested to consider the report and appendix as set out on pages 11-116 of the agenda pack for the 16 April 2024 Cabinet and make the following resolution:

**That Council agree that the Chichester Harbour Management Plan 2024-2025 is adopted.**

**11 Chalk Stream Resilience Project - Arun and Rother Rivers Trust**

Members are requested to consider the report and appendix as set out on pages 13-24 of the agenda pack for the 14 May 2024 Cabinet and make the following resolution based on the recommendation listed:

**That Council agrees that funding for the Arun and Rother Rivers Trust's (ARRT) Chalk Stream Resilience project of £180,000 (£60,000 per year for three years) is allocated from General Fund Reserves.**

*Please note the resolution is correct at the time of going to print but may be subject to change at the Cabinet meeting on 14 May 2024.*

**12 Designated Protected Areas - Policy for applying for a Waiver**

Members are requested to consider the report and appendix as set out on pages 25-36 of the agenda pack for the 14 May 2024 Cabinet and make the following resolutions based on the recommendations listed:

- 1. That Council approve the introduction of a policy for determining applications to Homes England seeking a waiver in designated protected areas (dpa), as attached at appendix 1.**
- 2. That Council approve that delegated authority be granted to the Divisional Manager for Housing, Revenues and Benefits to make minor changes to the policy and as set out in section 5 of the policy.**

*Please note the resolutions are correct at the time of going to print but may be subject to change at the Cabinet meeting on 14 May 2024.*

## **RECOMMENDATIONS BY COMMITTEES**

None.

## **OTHER REPORTS**

None.

### **13 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.

### **14 Exclusion of the press and public**

The Council is asked to consider whether the public, including the press, should be excluded from the meeting on the grounds of exemption under Parts I to 7 of Schedule 12A of the Local Government Act 1972, as indicated against the item and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information. **The reports dealt with under this part of the agenda are attached for members of the Council and senior officers only (salmon paper).**

*Please note there are no restricted items scheduled to be considered at this meeting.*

## NOTES

- 1) 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.
- 2) The press and public may view the report appendices which are not included with their copy of the agenda on the Council's website at Chichester District Council - Minutes, agendas and reports unless they contain exempt information.
- 3) Subject to Covid-19 Risk Assessments members of the public are advised of the following:
  - Where a member of the public has registered a question they will be invited to attend the meeting and will be issued a seat in the public gallery.
  - You are advised not to attend any face to face meeting if you have symptoms of Covid.
- 4) Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council's Constitution]

## MEMBERS

Mrs C Apel  
Mr J Cross  
Mr I Ballantyne  
Mrs T Bangert  
Mr R Bates  
Mr D Betts  
Mr S Boulcott  
Mr B Brisbane  
Mr R Briscoe  
Mr J Brookes-Harmer  
Mr J Brown  
Ms J Brown-Fuller  
Ms B Burkhart  
Mrs H Burton  
Mx R Chant  
Mr M Chilton  
Ms M Corfield  
Ms H Desai

Mr G Evans  
Mrs E Hamilton  
Mr C Hastain  
Ms O Hickson  
Mr F Hobbs  
Mrs D Johnson  
Mr S Johnson  
Mr T Johnson  
Mr A Moss  
Ms E Newbery  
Mr T O'Kelly  
Mr H Potter  
Ms S Quail  
Mrs S Sharp  
Mr C Todhunter  
Mr J Vivian  
Ms V Weller  
Mr T Young

# Public Document Pack Agenda Item 7



Minutes of the meeting of the **Council** held in the Committee Rooms, East Pallant House on Tuesday 19 March 2024 at 2.00 pm

**Members Present:** Mrs C Apel (Chair), Mr J Cross (Vice-Chairman), Mr I Ballantyne, Mrs T Bangert, Mr R Bates, Mr D Betts, Mr B Brisbane, Mr R Briscoe, Mr J Brookes-Harmer, Mr J Brown, Ms J Brown-Fuller, Ms B Burkhart, Mrs H Burton, Mr R Chant, Ms M Corfield, Ms H Desai, Mr G Evans, Mrs E Hamilton, Mrs D Johnson, Mr S Johnson, Mr T Johnson, Mr A Moss, Ms E Newbery, Mr T O'Kelly, Mr H Potter, Ms S Quail, Mr C Todhunter, Mr J Vivian and Mr T Young

**Members not present:** Mr S Boulcott, Mr M Chilton, Mr C Hastain, Ms O Hickson, Mr F Hobbs, Mrs S Sharp and Ms V Weller

**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) and Mr J Ward (Director of Corporate Services)

## 95 Minutes

In a vote the following resolution was agreed:

### RESOLVED

That the minutes of the Full Council meeting for the Budget held on 27 February 2024 be approved as a correct record.

## 96 Urgent Items

There were no late items.

## 97 Declarations of Interests

6. Petition - Car Group Meeting at East Beach Car Park.  
Donna Johnson, Other Registerable Interests (ORI), Cllr Donna Johnson declared an interest in agenda item 6 as Vice-Chair of Selsey Town Council.

6. Petition - Car Group Meeting at East Beach Car Park.  
Timothy Johnson, Other Registerable Interests (ORI), Cllr Tim Johnson declared an interest in agenda item 6 as a member of Selsey Town Council.

13. Motion from Cllr Vivian.

John Cross, Other Registerable Interests (ORI), Cllr Cross declared a personal interest in agenda item 13.

## 98 Chair's Announcements

Apologies for absence were received from Cllr Boulcott, Cllr Hastain, Cllr Hickson, Cllr Hobbs, Cllr Sharp and Cllr Weller.

Cllr Apel announced that she would be hosting a charity wine tasting event on 3 May 2024 for her Chairs charities.

## 99 Public Question Time

Cllr Apel explained that a third public question had been submitted but had not been excepted as it related to an ongoing planning matter.

The following public question and answers were received:

### **Question from Simon Lloyd- Williams:**

Of the 19 shop fronts on West Street, between the Cross and Tower Street, 13 are empty. Most for the last 5 years. What proactive actions has the Council taken to revitalise these shops?

### **Cllr Moss provided the following response:**

Thank you for your question Mr Lloyd-Williams.

It has been a challenging environment for businesses over the last few years, and for the retail sector in particular. The impact of the pandemic has been seen in high streets across the country and the growth of online retailing continues to shape significant changes in the use of the high street.

It is a common misconception that we are able to choose which businesses and shops go in which particular premises. This is not the case, it is up to individual businesses to choose whether to come to the city or not, and in the case of larger retail chains this will be based on the needs and aims of that business. Over the last few years some of the larger chains have changed and adapted their business models. If a retail business does choose to come to Chichester, then they liaise with private landlords who own the business premises.

We do not set the rents business premises. This is done by the individual landlord of each property, and we have no influence over this.

We also have no control over the levels of business rates payable. We collect them on behalf of central government which then considers how this money is redistributed across the country. The national Valuation Agency sets the rateable value, and a formula is then applied by central government to work out the rates that a business pays.

With regards to premises in West Street, there are 11 units between the Cross and Tower Street and 4 of these are empty – the former Post Office, the former House of Fraser

building, the former Edinburgh Woollen Mill premises and the former Sofa Workshop premises.

We are aware that the owners of the House of Fraser intend to come forward with their proposals for the building, any plans to change the building would need to come forward in a planning application.

We have reached out to the agents of the other empty premises; the agents have not shared any proposals or information relating to these buildings.

While we are not in control of these premises, we do strongly support businesses where we are able to do so. Our Economic Development team is here for businesses across the district and provides advice and support and access to available grants and other schemes. For example we have offered an Enabling Grants Scheme for small and independent businesses across the district; a Shop Front Grant scheme for high street based businesses in the district and an Independent Retailers Grant scheme.

From these schemes

- Since 2019 we have supported 17 businesses in Chichester City Centre with an Enabling Grant to make improvements in their businesses.
- We have supported 23 City Centre businesses with a Shop Front Grant
- We have supported 8 City Centre businesses with an Independent Retailers Grant

We have also delivered Independent Retail businesses training to high street based businesses in the district and over 30 City Centre businesses have benefitted from the free training workshops and one to one follow up.

We have part funded a free West Sussex online hub for businesses to access recorded training sessions at a time of their choice which suits their business needs.

A new free coaching programme for independent high street businesses is planned for later this year.

The Invest Chichester project works hard to attract businesses to the district or businesses looking to relocate, in order to boost the local economy. This includes a website to promote the opportunities for businesses in our district including promoting our high streets. Linked to this, we work closely with the BID to guide any prospective businesses considering locating in the city.

As part of the Chichester Vision, we are working with partners on further actions for the high street, For example, there is a dedicated working group on the Evening and Night time Economy (ENTE) which is an area we know that many consumers and visitors to the city wish to see to support the local economy.

As a council we also appreciate the important role that events can play in bringing people to the city and encouraging footfall, so through our events strategy we have been working hard to increase the number and variety of different events in the city centre to help support the local economy.

Chichester BID are working alongside the Cathedral to enable the Cathedral Green to become a viable, accessible event space. It is felt if we can drive regular, high-volume

footfall to the area south of the vacant units cited through creating activity and interest in this part of the city, then potential investors will see the opportunity to get involved and invest in this historic part of the city.

The Council is also in the process of developing a Regeneration Strategy for the City, this strategy will look to:

- Set out the overall direction of travel and act as a catalyst for change through which the Council will look to work in partnership to influence change and investment in the city.
- Set out potential key areas, strategic land and physical assets that will help respond to the wider issues and opportunities and
- Provide a clear framework for decision making, including a high-level viability assessment of potential development sites to help steer investment priorities and identifying priority outcomes from regeneration.

The Strategy will sit alongside the Chichester Vision and Economic Development Strategy as well as the adopted local plan and emerging local plan.

Cllr Moss explained that he hoped that explained how the council is looking to regenerate the city.

Mr Lloyd-Williams was permitted a supplementary question. He began to ask a question with reference to a leaflet he had received from a parliamentary candidate. Cllr Moss explained that the district council is not the place to discuss matters relating to a parliamentary candidate.

**Question from The Reverend Canon Bruce Ruddock:**

How can CDC possibly justify risking a huge outlay of £250,000 on a high risk initiative such as an ice rink on Priory Park in December, which is budgeted to make a loss, at a time of huge stringency throughout the country, and when so many projects, especially the buildings on the Park, are either on hold or moving forward at a snails pace, and have been for years?

**Response from Cllr Brown-Fuller:**

Thank you for your question, Reverend Ruddock.

The Cabinet has agreed an Initial Project Proposal Document which included estimation of cost and potential income for a festive ice rink. This identified an estimated cost to the council of £5,000. This is based on a cost of £245,000 to deliver the project and a potential income of £240,000.

The council is currently undertaking the procurement exercise for the project and once returns have been received, these will be reviewed before considering to progress the project to the next stage. In addition to the potential income directly generated from ticket sales, advertising, and concessions we also expect there to be additional benefit to car park income, local shops and food and drink outlets as a result of additional visitors to the city centre over the period of the project.



The council are progressing a number of improvements to buildings within Priory Park, with improvements to the public toilets commencing this month. We are also working closely with Priory Park Cricket Club to develop plans for the white pavilion.

In addition, work continues on the brick pavilion with an option appraisal being completed identifying potential uses and building works required. Currently we are working on bringing forward the building for community use involving local community groups.

Reverend Ruddock was permitted a supplementary question. He asked given the effect of climate change on soft ground over the past two months and the possible impact of machinery on that ground why no consideration has been given to using hardstanding ground for the proposed ice rink. He also questioned the choice in relation to the Council's Events Strategy from 5 April 2022. In addition he asked why that Strategy had recently been amended online. Cllr Brown-Fuller explained that the Strategy refers to the fabric of the park which is the buildings in the park rather than the grass which can be treated and will grow back. She added that the council had considered the option of hardstanding and also considered the amount of time it would take to revise the plans. If further work were undertaken it would delay the process and would not allow enough time for an ice rink this year. Cllr Brown-Fuller explained that the council wished to progress the event this year. With reference to the Events Strategy update on the website she agreed to investigate further.

#### 100 **Petition - Car Group Meeting at East Beach Car Park**

Cllr Apel explained that a Petition to 'Allow Manhood Classics to return to using East Beach Car Park in Selsey' had been received by the council and agreed for inclusion in the agenda. She outlined the procedure as set out on the agenda front sheet to the meeting.

Mr Payne was then invited to speak for five minutes. He outlined the reason for the use of East Beach car park which related to its location. He discussed the benefits of the Car Club for those involved. He also explained that the Club has supported many local events. He wished to note that the community nature of the event and the impact on the local economy due to the additional local footfall. He explained that following communication from the council in December and January the Club had been disappointed. He explained that the Club had sent in a Freedom of Information request to ask the nature of the complaint made against the Club. He then outlined the support that had been received for the Club including that of the local MP Gillian Keegan and Selsey Town Council including Cllr Donna Johnson. He explained that since corresponding with the council the Club had increased its public liability to £10 million and a risk assessment had also been undertaken. He asked the council for their support.

As Cabinet member for events Cllr Brown-Fuller was then invited to comment first. She thanked Mr Payne for the Petition and also those who had taken the time to sign the petition. Cllr Brown-Fuller then explained that although the Club had been meeting for many years officers were not aware of the meets until the complaint was received. She noted the update of insurance. She then drew attention to the Forward Plan and explained that a new Policy is due to be discussed at the April meeting of the Cabinet. She noted that not all car parks are the same and the Policy will need to reflect that.

Mr Bennett wished to add a point of clarification. With regard to the Freedom of Information request refusal he explained that there are strict rules around information

sharing and a decision had to be made as to whether the nature of the complaint would (even if providing a redacted version) be able to identify the complainant. Strict rules had been followed in making the determination by officers trained in information and data sharing. Following the tests it was determined that it would not be possible to share the complaint even in redacted form. He added that The Federation of British Historical Vehicles Club had been in contact to not they are satisfied that concerns have been heard and will be taken into account at the forthcoming discussions.

Cllr Brown-Fuller then proposed the following resolution which was seconded by Cllr Desai:

***Council thanks the petition organisers for presenting the petition and proposes to Cabinet that following the debate held at Council full consideration is taken by Cabinet to the adoption of a new policy due to be presented at Aprils Cabinet meeting.***

Cllr Briscoe noted his support for the Club. He explained that he would rather support the recommendation of the Club to return as soon as possible rather than support the recommendation put forward to wait for the Policy. Mr Ward explained that the letting of council land is an executive matter. The council can make it views known so that Cabinet can take those into account.

Cllr Burton spoke in support of a new Policy. She felt that it could be inclusive and bring more diversity to the community.

Cllr Tim Johnson thanked officers for their work to date on the new Policy in particular the hard work of Mrs Murphy. He asked whether it be advisable to restrict the Policy to charitable organisations given they have more rules and regulations they must adhere too. Mr Ward explained that all events covered by the Policy would be required to have suitable insurance in place. He added that when the draft Policy is published members will have an opportunity to provide comments.

Cllr Donna Johnson noted the level of activity on the matter. She wished to acknowledge the strength of public feeling but also noted that she understood the reason why the Club cannot currently use the car park. She thanked officers for asking parishes effected about the use of car parks in the future. She thanked those who facilitated the Petition.

Cllr Vivian wished to speak in gentle support of the Petition. He urged that the Policy facilitates genuine car enthusiasts.

Cllr Hamilton declared that her husband is one of the enthusiasts who attends. She gave her support to the Petition.

Cllr Brown noted that the principle of supporting use of the car parks for community use is supported.

Mr Ward confirmed that a proposal had been put forward, seconded by Cllr Desai.

Cllr Brown-Fuller repeated her proposal ahead of a vote.

In a vote the following resolution was agreed:

## RESOLVED

**Council thanks the petition organisers for presenting the petition and proposes to Cabinet that following the debate held at Council full consideration is taken by Cabinet to the adoption of a new policy due to be presented at April's Cabinet meeting.**

Mr Payne then asked Mr Bennett regarding the Freedom of Information request what the nature of the complaint related to. Mr Bennett reiterated his earlier comments about the decision not to disclose the information. He added that as a council it's important that people feel confident to raise concerns with the council. He confirmed that in this case the nature of the complaint would be too informative to identify the individual.

### 101 **CCS Street Cleaning and Grounds Maintenance Vehicle Replacement Programme**

Cllr Moss moved the recommendation which was seconded by Cllr Brown. In Cllr Chilton's absence Cllr Moss then introduced the item.

Cllr Brown wished to note that the proposal is the maximum carbon reduction level that can be achieved at his time. He also noted that it is the best value for money at this time. He clarified that the diesel vehicle is required to allow for towing requirements which are not currently available in the electric vehicles that the council could purchase.

Cllr Burkhart requested further information relating to the differences in cost of electric and diesel vehicles and differences in their performance. Mr Howard was invited to the table and he explained that electric vehicles are generally more expensive to purchase. He confirmed that the proposal seeks the opportunity to test two different vehicle types to see how they perform. He explained that one vehicle will be used by the street cleaning team with the other vehicle used by the grounds maintenance team.

Cllr Briscoe then drew attention to section 5.5 of the report. He asked whether it shows that the diesel vehicle is more expensive. He also asked whether hydrogen had been considered. Mr Howard explained that hydrogen has not come to market yet. He confirmed that vehicle replacements in the future will look consider all options available at the time. Mr Ward explained that section 7.1 of the report shows two new diesel vehicles as row 3 and row 7. Row 4 and 6 are the two new electric vehicles. Mr Howard added that the difference is due to the electric tipper having a lower specification requirement and also being on offer from the manufacturer. Therefore the comparison for the two sets of vehicles is not direct as they have different specification requirements.

Cllr Tim Johnson noted that electric vehicles generally have a lower running cost. Mr Howard confirmed that is the theory.

In a vote the following resolution was agreed:

## RESOLVED

**To release £531,500 from the fleet asset replacement programme to procure the vehicles and charging points detailed in section 5 of this report.**

## 102 Implementation of Weekly Food Waste Collections for Households

Cllr Moss moved the recommendations which were seconded by Cllr Brown. In Cllr Chilton's absence Cllr Moss then introduced the item.

Cllr Bangert asked if consideration could be given to a food waste depot in the north of the district in order to reduce the carbon emissions associated with transporting food waste. Mr Carter explained that Midhurst had been considered but West Sussex County Council (WSSCC) had ruled it not possible at this stage.

Cllr Briscoe asked whether the use of hydrogen could be considered. Cllr Moss assured Cllr Briscoe that the question had been asked. Mr Carter explained that the prototype of the hydrogen model is not likely to be available for a further 10 years.

Cllr Hamilton explained that she would be voting against the recommendations as she did not want to encourage food waste. She asked what is being done to encourage the use of the composting. Cllr Moss explained that government had legislated that the council has to provide food waste collection. Mr Carter explained that 50% of local authorities in England are already carrying out food waste collection. He explained that the pattern has been that when people throw food waste into a food waste bin over time the levels reduce as people choose to throw away less.

Cllr Chant asked given that other council's are carrying out the service successfully what can be applied in Chichester to save officer time and money. Cllr Moss explained that Mr Carter has been working with colleagues across WSSCC. Mr Carter added that he is part of the WRAP group that brings learning points together across the locality.

Cllr Brown clarified that the deadline to comply with providing food waste does not allow for any further work to take place or to wait for any developments in the use of hydrogen. He confirmed that a fleet of electric vehicles would not allow the council to meet its statutory requirements. Cllr Brown also clarified that there are not enough electric charging vehicles at the Depot at this stage.

Cllr Brown-Fuller noted the local council's are required to cover the costs.

Cllr Brisbane commented on the practicalities of composting for some residents.

Cllr Burkhart requested the planned timeline. She also asked if there is any way to direct waste into a large scale compost heap. Cllr Moss explained that the timeline is set out in the Cabinet papers. Mr Carter explained that procurement of vehicles would be a challenge due to every local authority requiring them. In terms of location an anaerobic digester will be used in the Horsham plant to take all the food waste in the county. It will provide agricultural fertiliser.

In a vote the following resolutions were agreed:

### **RESOLVED**

- 1. Approval of the Project Initiation Document for the implementation of weekly food waste collections for households.**

2. **Agreement of the project governance arrangements, including the establishment of a Project Board and associated Terms of Reference as outlined in the PID, to provide strategic direction and project oversight.**
3. **That £1,355,683 be released from council General Fund reserves to fund the estimated shortfall in funding of Capital and transition costs.**
4. **Agreement that the procurement process to acquire the necessary vehicles, ancillary equipment, and containers in order to deliver the new service is commenced.**
5. **That delegated authority be given to the Director of Corporate Services, in consultation with the Cabinet Member for Finance, Corporate Services and Chichester Contract Services, to conclude the procurement process, award contracts, and approve capital and transition cost expenditure of up to £2,598,700 in order to expedite the service design and procurement project stages.**

### 103 Council Tax Second Home Premium

Cllr Betts moved the recommendations which were seconded by Cllr Moss. Cllr Betts then introduced the item.

Mr Ward asked Mr Bennett, the Monitoring Officer to clarify if members should declare an interest if they have a second home in the district. Mr Bennett confirmed that an interest should be declared and it would preclude that member from participation in the debate and the vote.

No declarations were made.

Cllr Brown-Fuller asked if funds could be ringfenced for the areas most effected. Mr Ward explained that the money generated would be allocated to the general income fund. He added that the council could decide to ringfence the money.

Cllr Ballantyne asked if the policy goes far enough to tax second homes. Cllr Betts explained that some second homes will have to be excluded due to the exemptions set. These may include those properties actively marketed, annexes and holiday park homes where residents cannot occupy the property for the whole calendar year.

Cllr Chant requested a legal definition of substantially furnished. Mr Jobson was invited to the table. He explained that there is no definition as it is proportionate to the size of the property – each assessment would be made on its own facts by his inspecting officers.

Cllr Burton asked how Air BnB would be affected. Mr Jobson explained that the Government is looking to tighten the business rate rules. If a property does not fall in the business rates category it will be subject to council tax. Mr Jobson explained that members may receive more queries from the public as the Council Tax team would be contacting more property owners to ensure they are in the correct category.

Cllr Briscoe supported the proposals. He asked whether the additional monitoring would require more staff. He also asked if the numbers can be used in the Local Plan. Mr Jobson responded and explained that additional staffing resources are being discussed. He added that every customer being charged an empty home premium is entitled to appeal. This will have a significant time impact. Mr Jobson confirmed that the council would be asked to determine which house is the main residence. Depending on location will depend on the

premium. In relation to the Local Plan Mr Frost explained that it was unlikely that the numbers could be used.

Cllr Potter asked what process will be used to investigate second homes. Mr Jobson explained that officers would in the first instance make an appointment. They may ask questions such as electrical use of the property, ID, children's schooling locations. Mr Jobson explained that the council knows which properties are second homes and will continue to gather information to ensure any changes are investigated.

Cllr Donna Johnson thanked Mr Jobson for explaining the monitoring. She explained that on the Manhood Peninsula second home ownership has resulted in an increase in property prices. She asked if funds could be allocated to the communities who are most affected.

Cllr Brown requested clarification of the £580,000 income figure. Mr Jobson explained that he had taken the proposed exceptions into consideration so the estimate is as accurate as possible.

Cllr Betts wished to thank Mr Jobson for his exceptional work.

Cllr Burkhart left the meeting.

In a vote the following resolutions were agreed:

#### **RESOLVED**

- 1. For 2025-2026 a premium of 100% be charged on all eligible residential properties that are not occupied as a main residence and are substantially furnished.**
- 2. Subject to the outcome of the Government's consultation concerning the exceptions to the premium, the criteria for the second home premium policy, be delegated to the Director of Housing and Communities in consultation with the Cabinet member for Housing, Revenues and Benefits.**

#### **104 Revised Local Development Scheme 2024-2027**

Cllr Brisbane moved the recommendation which was seconded by Cllr Moss. Cllr Brisbane then introduced the item.

Cllr Briscoe asked if chalk streams are a protected habitat. Cllr Brown explained that chalk streams are not protected habitat but agreed to follow up with further detail after the meeting.

Cllr Burkhart returned to the meeting.

In a vote the following resolution was agreed:

#### **RESOLVED**

**That Council approves the revised Local Development Scheme.**

Members took a 10 minute break.

105      **Senior Staff Pay Policy Statement 2024-2025**

Cllr Moss was absent for the introduction of the item.

Cllr Brown moved the recommendation which was seconded by Cllr Brown-Fuller. Cllr Brown then introduced the item. He drew members attention to page 15 of the agenda pack for the meeting, an updated appendix 7 containing revised mileage information.

In a vote the following resolution was agreed:

**RESOLVED**

**That the Council agrees the Senior Staff Pay Policy Statement 2024-2025 for publication.**

106      **Appointment of Data Protection Officer**

Cllr Moss moved the recommendation which was seconded by Cllr Brown. Cllr Moss then introduced the item.

Cllr Potter noted that no finer person could be appointed to the position. Cllr Moss was in agreement.

In a vote the following resolution was agreed:

**RESOLVED**

**That the Council appoint Mr Graham Thrussell to the role of Data Protection Officer to the Chichester District Council.**

107      **Motion from Cllr Vivian**

Cllr Vivian moved his Motion which was seconded by Cllr O'Kelly.

Cllr Vivian outlined his Motion as set out on page 21 of the agenda pack for the meeting. He shared his personal story with members. He raised concerns that the NHS Trust could not confirm the temporary suspension of the service and whether it would return.

Cllr Bangert as Cabinet member for Communities gave her support to the Motion. She urged all members to encourage Dementia Friendly communities. She supported the request that Cllr Moss write to the local MP's and the NHS. She urged all councillors to support the Motion.

Cllr Bates discussed his own personal story. He outlined the value of Sage House, a charity which requires funding to continue its work. He asked members to consider how people will be looked after.

Cllr O'Kelly wished to note that the council member for WSCC had also raised the issue with no result so far.

Cllr Donna Johnson spoke in favour of the Sussex Dementia service remaining.

Cllr Briscoe saw no reason for anyone to vote against the Motion and gave his support to the Motion. He added that there is a limited amount that the district council can do including lobbying as the Motion states.

Cllr Evans wished to give his support to the Motion. He shared his personal story. He explained the importance of supporting the families who are in turn supporting family members with dementia. He thanked Cllr Vivian for bringing the Motion forward.

Cllr Moss supported the Motion and also agreed to write the letters requested. He also shared his personal story.

Cllr Brown-Fuller wished to thank those who had shared their personal stories. She explained that she had visited Sage House the previous week and spoke in support of the work that they do.

Cllr Betts wished to echo the words of members. He explained that Sage House would be fundraising and encouraged everyone to get involved.

Cllr Burkhart wished to echo the sentiments of members. She gave her support to the Motion.

Cllr Briscoe asked if the Leader could write to Sage House to thank them for their work. Cllr Moss agreed.

Cllr Vivian wished to thank members for their input and support. He was then invited to sum up his Motion. He explained how the Motion supports patients and families and the services they depend on.

Cllr Bangert explained that the member reference in section 4 of the resolution should be Cllr Hastain. This was amended.

In a vote the Motion as follows was agreed:

**Council resolves that:**

- 1. The closure of NHS dementia assessment services in West Sussex, although temporary, is unacceptable, and that the Council opposes any future suspension or closure of the service.**
- 2. The Council thanks the Sage House team in Tangmere for their work in plugging the service gap left by Sussex Partnership NHS Foundation Trust.**
- 3. The Leader of the Council, Cllr Moss, shall write to the MPs for Chichester and Arundel and South Downs constituencies respectively, as well as the Department of Health, urging them to ensure that the funding to the Sussex Dementia Assessment service remains in place and that the future of the service is guaranteed.**
- 4. Similarly, that the Council representative to the West Sussex Health and Adult Social Care Scrutiny Committee, Cllr Hastain, is requested to lobby that Committee to prioritise the future provision of the Dementia Assessment service.**



The following questions to the Executive were received:

Cllr Cross requested an update on the loans given to help with the recovery from the Midhurst fire. Cllr Brisbane responded. He explained that there are two owners of the buildings damaged by the fire and the management of the site is a matter for the South Downs National Park Authority. He added that the owners are awaiting a settlement from insurers. The South Downs National Park Authority has offered pre planning application advice. Cllr Brisbane added that most of the direct costs had been recovered from one owner so far. Mr Frost added that arrangements have been agreed through the South Downs National Park Authority to recover approximately 90% of the costs attributable to one of the building owners.

Cllr Quail asked what Chichester would be doing to celebrate the 80<sup>th</sup> Anniversary of D Day. Cllr Bangert responded as Military Champion for the council. She explained that she is encouraging people to commemorate on 6 June 2024. The City Council will be hosting events and there will also be a talk on 8 June 2024 with families from Thorney Island.

Cllr Evans asked in relation to Hyde residents cases in Northchapel and Kirdford what can be done to help the most vulnerable. He asked if the council could establish a vulnerable residents register to help. Cllr Betts explained that he had been working on the Hyde issues since becoming Cabinet member for Housing. He explained that officers and members would be meeting to collate information. A summit with Hyde, members and officers will be arranged.

Cllr Ballantyne asked whose responsibility it is to bring flood zones to the attention of property buyers. Cllr Brisbane responded. He explained that a conveyancing solicitor would ask the council about potential flood risk. He explained that the council can liaise with the lead local flood authority in reaching any decision re planning permission.

Cllr Young left the meeting.

Cllr Chant requested an update on the unauthorised incursion at Northgate car park. Cllr Moss thanked Cllr Chant for the question. Mrs Rudziak was invited to provide an update. She confirmed that there are now only two caravans in the car park which are intending to move onto the transit site. Cllr Bangert and Mrs Rudziak would also be meeting with WSCC, the Police and other parties to discuss further.

Cllr Burton asked what the council has done to support the economic regeneration of Midhurst since the fire. Cllr Desai explained that the council has encouraged people to support local. Significant resources were given to the town including £300k and marketing activities. Grants are being given to those eligible. A recovery group is developing a new website and a town team are developing a new Midhurst business partnership and events programme. The council also works with Midhurst Vision Partnership. Midhurst also benefited from UK Shared Prosperity Fund. Cllr Desai wished to thank Cllr Brown-Fuller and Cllr Burton for their help.

Cllr Briscoe in relation to the unauthorised incursion asked how much revenue is lost. He also asked whether the Police acted quickly enough. Mrs Rudziak explained that the Police reviewed the support they provide. Support is provided on a scale of distress reported by residents.

Cllr Bates asked what help the National Planning Policy Framework has been to planning applications in the district. Cllr Brisbane responded. He explained that the council has been able to demonstrate a four year housing land supply as now required by government for a temporary 2 year period and that this should assist the Council in its decision making.

Cllr Potter raised a press matter and was advised by the Monitoring Officer that he may not want to discuss press matters. Cllr Potter suggested that the council provide a statement to GB News as requested. Cllr Apel asked for the matter to be dealt with offline.

#### 109 **Late Items**

There were no late items.

#### 110 **Exclusion of the press and public**

Cllr Moss proposed the Council went into Part II in relation to items 17 and 18. This was seconded by Cllr Brown.

In a vote the following resolution was agreed:

#### **RESOLVED**

**That with regard to agenda items 17 and 18 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.

#### 111 **Allocation of Commuted Sums to Deliver Affordable Housing - Chichester**

Cllr Betts moved the recommendation which was seconded by Cllr Moss. Cllr Betts then introduced the item.

Questions were received from Cllr Bangert and Cllr Chant which were responded to by Cllr Betts.

In a vote the following resolution was agreed:

#### **RESOLVED**

**That the resolutions as set out in sections 2.1 and 2.2 of the report be agreed.**

#### 112 **Allocation of Commuted Sums to Deliver Affordable Housing - Midhurst**

Cllr Betts moved the recommendation which was seconded by Cllr Moss. Cllr Betts then introduced the item.

In a vote the following resolution was agreed:

**RESOLVED**

**That the resolutions as set out in sections 2.1 and 2.2 of the report be agreed.**

The meeting ended at 5.21 pm

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CHAIRMAN

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Date:

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**Chichester District Council**

**Annual Council**

**21 May 2024**

**Appointment to Committees**

**1. Contact**

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

**2. Recommendation**

**2.1. That the Council agrees the Committee memberships as set out in the appendix to the report.**

**3. Background**

3.1 The Council is required to appoint Committee memberships at its annual meeting.

**4. Alternatives Considered**

4.1. Appointments are required for the effective running of the Council’s committees.

**5. Resource and Legal Implications**

5.1. This is a statutory requirement.

**6. Consultation**

6.1. Appointments are discussed with the Group Leaders and existing Chairs of Committee by the Leader of Council.

**7. Community Impact and Corporate Risks**

7.1. Appointments are made in line with Political Balance requirements.

**8. Other Implications**

<b>Are there any implications for the following?</b>		
	Yes	No
<b>Crime and Disorder</b> 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?		✓
<b>Climate Change and Biodiversity</b> 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).		✓
<b>Human Rights and Equality Impact</b> 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.		
<b>Safeguarding and Early Help</b> 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?		✓
<b>General Data Protection Regulations (GDPR)</b> 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"> <li>• systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals.</li> <li>• large scale processing of special categories of data or personal data relation to criminal convictions or offences.</li> <li>• 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.</li> <li>• large scale, systematic monitoring of public areas (including by CCTV).</li> </ul> Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.		✓
<b>Health and Wellbeing</b> 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.		✓
<b>Other</b> (please specify)		✓

9. **Appendices**

9.1. List of Committee Memberships 2024/25

10. **Background Papers**

10.1. None.

**Annual Council****21 May 2024****List of Committee Memberships 2024/25****Alcohol and Entertainment Licensing Committee and General Licensing Committee**

Membership = 10 (7 Lib Dem, 2 Green and Local Alliance, 1 Conservative)

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Chair = Iain Ballantyne	LD
Vice-Chair = Rhys Chant	LD
Clare Apel	LD
Tracie Bangert	LD
Bill Brisbane	LD
Jess Brown-Fuller	LD
Tim O'Kelly	LD
Tim Johnson	G & LA
Henry Potter	C
Val Weller	G & LA

**Appeals Committee**

Membership = 5 (plus 2 substitutes) (5 Liberal Democrat, 1 Green and Local Alliance, 1 Conservative)

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Chair = Tim O'Kelly	LD
Vice-Chair = Clare Apel	LD
Roy Briscoe	C
Jonathan Brown	LD
John Cross	LD
Donna Johnson	G & LA
Adrian Moss	LD

**Corporate Governance and Audit Committee**

Membership = 8 (6 Liberal Democrat, 1 Green and Local Alliance, 1 Conservative)

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Chair = Richard Bates	LD
Vice-Chair = Tim O'Kelly	LD
Iain Ballantyne	LD
Jonathan Brown	LD
Mark Chilton	LD
Maureen Corfield	LD
Francis Hobbs	C
Tim Johnson	G & LA

**Executive Directors Disciplinary Committee**

Membership = 5 (3 Liberal Democrat, 1 Green and Local Alliance, 1 Conservative)

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Iain Ballantyne	LD
Richard Bates	LD
Mark Chilton	LD
Tim Johnson	G & LA
Henry Potter	C

**Investigation and Disciplinary Committee**

Membership = 5 (plus 2 substitutes) (3 Liberal Democrat, 1 Green and Local Alliance, 1 Conservative)

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Jess Brown-Fuller	LD
Rhys Chant	LD
Maureen Corfield	LD
Oona Hickson	LD
Tim Johnson	G & LA
Henry Potter	C
Charles Todhunter	LD

**Overview and Scrutiny Committee**

Membership = 11 (7 Liberal Democrat, 2 Green and Local Alliance, 2 Conservative)

Note – amended from statutory entitlement by 1 from Liberal Democrats to Conservative

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Chair = Donna Johnson	G & LA
Vice-Chair = Brett Burkhart	C
Joseph Brookes-Harmer	LD
Charlie Hastain	LD
Oona Hickson	LD
Eleanora Newbery	LD
Henry Potter	C
Sarah Quail	LD
Sarah Sharp	G & LA
Charles Todhunter	LD
James Vivian	LD



### Planning Committee

Membership = 13 (8 Liberal Democrat, 2 Green and Local Alliance, 3 Conservative)

Note – amended from statutory entitlement by 1 from Liberal Democrats to Conservative

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Chair = Charles Todhunter	LD
Vice-Chair = John Cross	LD
Richard Bates	LD
David Betts	LD
Roy Briscoe	C
Joseph Brookes-Harmer	LD
Brett Burkhart	C
Hannah Burton	LD
Donna Johnson	G & LA
Stephen Johnson	LD
Henry Potter	C
Sarah Quail	LD
Val Weller	G & LA

### Redundancy Committee

Membership = 5 (3 Liberal Democrat, 1 Green and Local Alliance, 1 Conservative)

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Roy Briscoe	C
Joseph Brookes-Harmer	LD
Jonathan Brown	LD
Gareth Evans	LD
Tim Johnson	G & LA

### Standards Committee

Membership = 7 (5 Liberal Democrat, 1 Green and Local Alliance, 1 Conservative)

<b>Proposed Membership 2024/25 Councillors Name</b>	<b>Political Party</b>
Chair = James Vivian	LD
Steve Boulcott	G & LA
Roy Briscoe	C
Rhys Chant	LD
Maureen Corfield	LD
John Cross	LD
Eleanora Newbery	LD

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**Chichester District Council**

**Annual Council**

**21 May 2024**

**Appointment to External Bodies**

**1. Contact**

Nicholas Bennett – Divisional Manager for Democratic Services  
Telephone: 01243 534684 e-mail: [nbennett@chichester.gov.uk](mailto:nbennett@chichester.gov.uk)

**2. Recommendation**

- 2.1. **That the Council agrees the appointments to the external bodies for 2024 – 2025 as set out in the appendix to this report.**
- 2.2. **That the Council authorise the Monitoring Officer in consultation with the Leader to transfer appointments to the same appointee Member where the name of the external body changes.**

**3. Background**

- 3.1 The Council is asked by various bodies to appoint representatives to attend their relevant committees on behalf of the authority. Most appointments are made by the Cabinet as the terms of reference for the Cabinet include the authority *to appoint or nominate persons to outside organisations which relate to functions of the Cabinet.*

**4. Proposal**

- 4.1 Set out in the appendix are the details of the organisations, number to be appointed and names of Members or officers proposed for nomination.
- 4.2 Where external bodies make a change to the title of that group it can become an administrative burden to bring the appointment back to full Council. The delegation under 2.2 will reduce the burden of such changes and the appendix would simply be changed in year and then reported only by way of notice to the next year's Annual Council.

**5. Alternatives Considered**

- 5.1. There are no alternatives to be considered as the Council makes its appointments by statutory obligation.

**6. Resource and Legal Implications**

- 6.1. A position as an appointed representative of the Council as a Councillor interest is dealt with differently to a normal position with another body as the appointees are present on behalf of council and not as a personal interests.

**7. Consultation**

- 7.1. Appointments are discussed with the Group Leaders.

## 8. Community Impact and Corporate Risks

8.1. 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.

## 9. Other Implications

<b>Are there any implications for the following?</b> 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
<b>Crime and Disorder</b> 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?		✓
<b>Climate Change and Biodiversity</b> 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).		✓
<b>Human Rights and Equality Impact</b> 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.		✓
<b>Safeguarding and Early Help</b> 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?		✓
<b>General Data Protection Regulations (GDPR)</b> 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"> <li>• systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals.</li> <li>• large scale processing of special categories of data or personal data relation to criminal convictions or offences.</li> <li>• 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.</li> <li>• large scale, systematic monitoring of public areas (including by CCTV).</li> </ul> Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.		✓
<b>Health and Wellbeing</b> 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		✓

<p>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><b>Other</b> (please specify)</p>		<p>✓</p>

10. **Appendices**

10.1. Appointments to External Bodies 2024-2025

11. **Background Papers**

11.1. None.

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**Annual Council****21 May 2024****List of External Bodies Appointments made by Full Council**

<b>Role</b>	<b>Proposed Appointees for 2024-25</b>
Chichester Conservation Advisory 2 appointees	Bill Brisbane Sarah Quail
Portsmouth Water Forum	Roy Briscoe
Western Sussex Hospital NHS Trust Council of Governors	Donna Johnson
Western Health and Adult Special care Committee	Richard Bates
Bourne Community College (Officer)	Sarah Peyman
Bourne trust Board (Officer)	Sarah Peyman
Chichester Harbour Conservancy	Stephen Johnson Iain Ballantyne Richard Bates (Res) Oona Hickson (Res)
South Downs National Park	John Cross
West Sussex Pensions Forum	Mark Chilton

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