



Minutes of the meeting of the **Cabinet** held in Committee Room 1 - East Pallant House on Tuesday 2 June 2015 at 1.30 pm

Members Present: Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mr B Finch, Mrs P Hardwick, Mrs G Keegan and Mrs S Taylor

Members not present:

In attendance by invitation:

Officers present all items: Mrs D Shepherd (Chief Executive), Mr S Carvell (Executive Director), Mr P E Over (Executive Director), Mr J Ward (Head of Finance and Governance Services) and Mr P Coleman (Member Services Manager)

1 **Welcome**

The Chairman opened the meeting by welcoming those present. He especially welcomed the five new Cabinet Members. He thanked Mrs Eileen Lintill, Deputy Leader of the Council, for her support and help to him since his election as Leader.

2 **Minutes**

RESOLVED

That the minutes of the special meeting of the Cabinet held on 24 April 2015 be signed as a correct record.

3 **Urgent Items**

There were no urgent items for consideration at this meeting.

4 **Declarations of Interests**

No interests were declared at this meeting.

5 **Public Question Time**

No public questions had been submitted.

6 **Land at Church Road, Chichester**

Further to minute 726 of 11 February 2015, the Cabinet considered the report circulated with the agenda (copy, except Appendix 2, attached to the official

minutes), An updated version of the restricted Appendix 2 (list of offers received and impact on projected capital receipt) was circulated at the meeting.

Mrs Keegan introduced the report. She reminded the Cabinet of the decision at the meeting on 11 February to resubmit the extension of time planning application and to market the site with the benefit of the remaining life of the outline permission. The site had been marketed and the schedule of bids received was set out in Appendix 2.

Mr Legood (Valuation and Estates Manager) explained that the tender was not straightforward, because it was based on the provision of affordable housing units and planning position as well as sale price. However, further clarification of the detail of the tenders received had been obtained since the writing of the report and the officers now had a clear recommendation in favour of bidder number 2 on Appendix 2, which provided significant benefits in terms of receipt and affordable homes. This offer was subject to satisfactory planning permission, for which the bidder would submit a new application. Officers, therefore, sought approval to proceed with this bidder, subject to due diligence, in order to enter into a conditional contract subject to planning permission. Officers also sought the Cabinet's instructions on how to proceed with another bidder, should bidder number 2 fail to complete, in terms of affordable housing percentage and minimum acceptable sale price.

Members of the Cabinet expressed preference for bidder number 2, subject to due diligence. Mr Over explained that due diligence required officers to be satisfied that the bidder had the resources to pay the offered sale price and to develop the site with the proposed number of houses, 75% of which would be affordable.

By leave of the Chairman, Mr Ransley suggested that, given the high financial and social importance of the site, final decisions on the sale terms to the preferred bidder or any other bidder should be made by the Cabinet and not delegated to officers. This would require omitting recommendation 2.3 and adding to 2.2 'subject to cabinet approval'. He felt that there was no urgency to sell, given that the marketing exercise had demonstrated an appetite in the market to purchase and develop the site. The Cabinet's responsibility should be to achieve best value, including provision of the appropriate number of affordable housing units.

Mr Over pointed out that the marketing exercise had warmed up the market and it was important to proceed now.

The Cabinet agreed that the Cabinet Member for Commercial Services should be consulted before officers exercised delegated powers. After discussion they agreed that any sale to an alternative bidder, in the event of the sale to the preferred bidder failing, should be at a price not less than the minimum acceptable sale price proposed in Appendix 2 and with a minimum affordable housing proportion of 40%. In selecting this proportion, the Cabinet recognised the need to balance desirability with achievability. Although a requirement of 50% had previously been placed as a planning obligation on the site, this had represented a 10% premium on the percentage required by then current planning policy. The percentage required in the draft Local Plan, which had been found sound by the Inspector and was expected to be adopted at the next meeting of the Council, had now fallen to 30% and so a

figure of 40% would still represent a 10% premium in recognition of the acute need for affordable housing in Chichester.

RESOLVED

- (1) That the company referred to in paragraph 6.4 of the report be selected as the preferred bidder, subject to due diligence.
- (2) That the Head of Commercial Services be authorised to undertake further negotiations with the selected preferred bidder and, following consultation with the Cabinet Member for Commercial Services, to conclude a sale of the land.
- (3) That, should the sale to the selected preferred bidder not complete, the Head of Commercial Services be authorised, following consultation with the Executive Director and with the Cabinet Member for Commercial Services, to conclude a sale to another bidder at an affordable housing percentage of not less than 40% and of not less than the figure stated in Appendix 2 (exempt) as the acceptable minimum sale price.

7 Plot 21 Terminus Road Chichester

Further to minute 709 of 6 January 2015, the Cabinet considered the report circulated with the agenda (copy, except restricted Appendix, attached to the official minutes), Mrs Keegan introduced the report, referring to the previous consideration by the Cabinet of proposals for this site, and the outcomes to be achieved, which were set out in section 5 of the report.

Cabinet members expressed the view that the proposal represented a good use of capital assets and a good return on investment. They had been re-assured about the original under-estimate of the costs of demolishing buildings and clearing the site because of the discovery of the needs for asbestos removal, which had not been anticipated.

RECOMMENDED TO COUNCIL

That Option 3 in the Project Initiation Document (PID) be approved as the Plot 21 Terminus Road Redevelopment Project and

- (1) That funding of £66,000 is released from Capital Reserves to enable the demolition and planning matters to be progressed immediately.
- (2) That the balance of the estimated total costs set out in section 7 of the PID (Appendix) be released subject to a pre-let agreement being in place delivering a minimum return on investment as set out in section 3.8 of the PID.

Infrastructure Business Plan: Terms of Reference and Appointment of Joint Member Liaison Group

Further to minute 660 of 14 October 2014, the Cabinet considered the report circulated with the agenda (copy attached to the official minutes). Mrs Taylor introduced the report.

She explained that the Community Infrastructure Levy (CIL) had been introduced by the Government in 2010, to allow local planning authorities to raise a levy from development that could be used to contribute towards the infrastructure needed to support the growth of the area. The Council was making good progress with its CIL draft charging schedule, which was being examined by a Government Inspector on 9-10 June 2015. Depending on when the Examiner's report was received, it was hoped to adopt the schedule later in the year. Coupled with the adoption of the Local Plan, this would enable collection of CIL to support the development envisaged in the Local Plan.

In October 2014, the Cabinet had considered the arrangements for governance of CIL, which needed to be carefully planned and managed to ensure that it was spent to the best effect. At the centre of the governance arrangements was preparation of an Infrastructure Business Plan (IBP), which would identify infrastructure needs and priorities and the sources of funding. In recognition of the fact that West Sussex County Council (WSSCC) was a major provider of infrastructure, it was proposed that a Joint Member Liaison Group, comprising members of the District Council and WSSCC, should be established to oversee the preparation of the IBP.

Mr Finch welcomed the proposal, but enquired how negotiations and consultations with parish councils, which were entitled to a share of CIL, would be managed. Many parish councils were preparing neighbourhood plans, which identified local infrastructure needs.

Mrs Dower (Planning Policy Project Manager) replied that a series of workshops had been held with parish councils, who had provided lists of projects for incorporation in the IBP. Parish councils could decide autonomously how to spend their share of CIL, but it was hoped that they would do so in co-operation with other infrastructure commissioners in order to achieve best effect.

The Chairman commented that Chichester City Council's priorities might have changed following the election, and Mr Frost (Head of Planning Services) gave a reassurance that the IBP was an iterative process and parish councils would have an opportunity to comment on the draft IBP during a consultation which would follow its initial consideration by the Joint Member Liaison Group.

The Chief Executive confirmed that final decisions on the allocation of CIL and the Council's own capital programme would be made by the full District Council on consideration of the Cabinet's recommendations as part of the annual budget.

RESOLVED

- (1) That the Joint Member Liaison Group be established with the Terms of Reference appended to the report.

- (2) That the District Council's appointments to the Joint Member Liaison Group comprise the Leader of the Council, the Cabinet Member for Housing and Planning and Mr Simon Oakley from the Development Plan and Infrastructure Panel.

9 Appointments to Panels, Forums and other Groups 2015-2016

The Cabinet considered the report circulated with the agenda (copy attached to the official minutes). The Chairman introduced the report and Mr Coleman (Member Services Manager) reported the nominations made by minority party groups. The Chairman drew attention to the proposed revised membership and terms of reference of the Development Plan and Infrastructure Panel and the proposed transfer of delegated powers relating to grants and concessions. He also drew attention to paragraphs 3(f) and (g) of the report.

At the Chairman's invitation Mr Finch explained the proposal to discontinue the IT Advisory Group. This had previously had two roles: to draw on the expertise of members who had relevant experience from commerce and industry; and to approve projects. However, chief officers and heads of service had delegated powers to approve asset renewal projects and a Business Improvement Board of senior officers and the Cabinet Member had been set up to scrutinise and manage performance of all projects. No other core business of the Council had a members' advisory group, which would overlap with the arrangements he had just described. However, the benefit of members' expertise could be brought to bear through the appointment of a special adviser to the Cabinet Member, and he was currently considering this.

RESOLVED

- (1) That the membership of Panels and Forums for 2015/16 be as follows:-

BOUNDARY REVIEW PANEL (6)

Mr John Ridd (C)*	Mr Simon Oakley (C)
Mr Myles Cullen (C)	Mr Josef Ransley (C)
Mr Gordon McAra (IND)	Mr Simon Lloyd- Williams (C)

DEVELOPMENT PLAN AND INFRASTRUCTURE PANEL (10)

Mrs Susan Taylor (C)*	Mr Bob Hayes (C)
Mr Myles Cullen (C)	Mr Simon Oakley (C)
Mr Tony Dignum (C)	Mr Richard Plowman (LD)
Mrs Janet Duncton (C)	Mrs Carol Purnell (C)
Mr Mark Dunn (C)	Mr Darren Wakeham (C)

GRANTS AND CONCESSIONS PANEL (8)

Mrs Eileen Lintill (C)*	Mrs Norma Graves (C)
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Mrs Clare Apel (LD)	Mrs Denise Knightley (C)
Mr Ian Curbishley (C)	Mrs Penny Plant (C)
Mr John F Elliott (C)	Mrs Tricia Tull (C)

JOINT EMPLOYEE CONSULTATIVE PANEL (5)

Mr Bruce Finch (C)*	Mr Josef Ransley (C)
Mr Roger Barrow (C)	Mrs Sandra Westacott (LD)
Mr Bob Hayes (C)	

STRATEGIC RISK GROUP (5)

Cabinet representatives

Mr Tony Dignum (C)
Mrs Eileen Lintill (C)
Mrs Philippa Hardwick (C)

The Chairman of the Strategic Risk Group to be appointed at its first meeting. The Cabinet Member for Finance and Governance to have overall responsibility for risk management.

CHICHESTER DISTRICT PARKING FORUM (5)

Mrs Gillian Keegan (C)*	Mr Nigel Galloway (C)
Mr John Connor (C)	Mr Steve Morley (IND)
Mr Tony Dignum (C)	

(2) That the Development Plan Panel be re-constituted as the Development Plan and Infrastructure Panel, with membership and terms of reference as set out in Appendix 2.

(3) That the delegation of powers relating to grants and concessions be transferred from the Cabinet Member for Finance and Governance to the Cabinet Member for Community Services, and that the Cabinet Member for Finance and Governance be empowered to act if the Cabinet Member for Community Services has a prejudicial interest or is otherwise unavailable.

(4) That the IT Advisory Group be discontinued.

10 Appointments to External Organisations

The Cabinet considered the report circulated with the agenda (copy attached to the official minutes).

The Chairman introduced the report and commented that the value of continued membership of some of the organisations listed should be reviewed. He, therefore, proposed that members appointed to these organisations should be asked to report

back, before the appointments were made for 2016-17, on whether there was continued merit in member representation in terms of the interests either of the Council or the ward member.

RESOLVED

- (1) That representatives be appointed to serve on the external organisations for 2015-2016, as set out in the Appendix to this report.
- (2) That members appointed to these organisations be asked to report by April 2016 on whether there is continued merit in a member being appointed, taking account of the interests of the District Council and/or the ward member.

11 Exclusion of the Press and Public

The press and public were not excluded for any part of the meeting.

The meeting ended at 2.20 pm

CHAIRMAN

Date: