

# Public Document Pack

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## Notice of Meeting

### To All Members of Chichester District Council

You are hereby summoned to attend a meeting of **THE COUNCIL** in the Council Chamber, East Pallant House East Pallant Chichester West Sussex PO19 1TY on **Tuesday 14 July 2015 at 2.30 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

**Tuesday 7 July 2015**

### NOTES

- (1) *This Council meeting will be preceded by the following:*
  - a. *An Induction Session on Partners and Partnerships at 11.00 am*
  - b. *Lunch at 12.30 pm*
  - c. *An Open Forum for members with the Cabinet and Senior Leadership Team at 1.15 pm*
  - d. *A brief presentation on personal safety at 2.00 pm*
- (2) *Members are asked to bring with them to the meeting their copy of the agenda and the accompanying papers for the meetings of the Cabinet held on 2 June and 7 July 2015.*

### AGENDA

*This agenda should be retained for future reference with the minutes of this meeting*

### PART 1

- 1 **Minutes** (Pages 1 - 12)  
To approve as a correct record the minutes of the annual meeting of the Council held on Tuesday, 19 May 2015.
- 2 **Urgent Items**  
Chairman to announce any urgent items which due to special circumstances are to

be dealt with under agenda item 18.

**3 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.

**4 Chairman's announcements**

**5 Public Question Time**

Questions submitted by members of the public in writing by noon on the previous working day (for a period up to 15 minutes).

**DECISIONS TO BE MADE BY THE COUNCIL**

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

*The reports giving rise to these recommendations are in the papers for the meetings of the Cabinet on 2 June and 7 July 2015. These are available in the committee papers section of the Council's website and in the Members Room.*

*Because this agenda is despatched before the meeting of the Cabinet on 7 July, the recommendations below may be subject to amendments, which will be reported orally at the Council meeting.*

**6 Plot 21 Terminus Road Chichester**

*(See report at Agenda item 5 (pages 5 – 18) of the Cabinet papers of 2 June 2015)*

**RECOMMENDED**

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.

**7 Making the Loxwood Neighbourhood Plan**

*(See report at Agenda item 5 (pages 9 – 10) of the Cabinet papers of 7 July 2015)*

**DRAFT RECOMMENDATION**

That the Loxwood Neighbourhood Plan be made part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

**8 Adoption of the Chichester Local Plan: Key Policies**

*(See report at Agenda item 6 (pages 11 – 46) of the Cabinet papers of 7 July 2015)*

**DRAFT RECOMMENDATION**

(1) That the submitted *Chichester Local Plan: Key Policies 2014 – 2029*, amended to include all the main modifications recommended by the planning inspector to make the plan sound, together with other more minor modifications already

agreed with the inspector, be adopted and published (including any consequential and other appropriate minor amendments) in accordance with Regulation 26 of the *Town and Country Planning (Local Planning) Regulations 2012*.

- (2) That the *Chichester's Southern Gateway* supplementary planning guidance remains as a material consideration where relevant to applications for planning permission.
- (3) That the *Sites in Chichester City North Development Brief* remain as a material consideration where relevant to applications for planning permission.
- (4) That the *Provision of Service Infrastructure related to new development in Chichester District* supplementary planning guidance remains as a material consideration until it is superseded by the *Planning Obligations and Affordable Housing SPD*, which will be adopted at the same time as the *Community Infrastructure Levy Charging Schedule*.
- (5) That it is noted that the *Interim Statement on Planning for Affordable Housing* is superseded by the adoption of the Local Plan.

- 9 **Revised Local Development Scheme 2015-2018**  
(See report at Agenda item 7 (pages 47 – 61) of the Cabinet papers of 7 July 2015)

**DRAFT RECOMMENDATION**

That the draft revised Local Development Scheme 2015-2018 be approved for publication on Chichester District Council's web site.

- 10 **Enterprise Gateway Project, Plot 12 Terminus Road, Chichester**  
(See report at Agenda item 8 (pages 62 – 70) of the Cabinet papers of 7 July 2015)

**DRAFT RECOMMENDATION**

That the additional budget of £2,224,860 be allocated from capital reserves.

- 11 **Disciplinary action against statutory officers: The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015**  
(See report at Agenda item 9 (pages 71 – 83) of the Cabinet papers of 7 July 2015)

**DRAFT RECOMMENDATIONS**

- (1) That the provisions, extracted from 'The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015', as set out in Appendix 1 to the Cabinet report, be substituted for the current Procedural Standing Order 28.
- (2) That consideration of an updated Disciplinary Procedure for the Chief Executive, Section 151 Officer and Monitoring Officer be deferred pending the outcome of national negotiations.
- (3) That the terms of reference of the Appeals Committee be expanded, as set out in Appendix 3 to the Cabinet report, to incorporate the terms of reference of the

Executive Directors and Heads of Service Disciplinary Appeal Panel and the Redundancy Appeal Panel, and that these two Panels be abolished;

- (4) That members be appointed to the Investigation and Disciplinary Committee and the Appeals Committee on the nominations of the political groups on the basis that one minority group member is appointed as a substantive member of each committee.

12 **HR Policies Report Statement**

*(See report at Agenda item 10 (pages 84 – 105) of the Cabinet papers of 7 July 2015)*

**DRAFT RECOMMENDATION**

That the revised Disciplinary and Contract Termination Procedure and Flexible Working Policy be approved.

13 **Boundary Review of West Sussex County Council**

*(See report at Agenda item 11 (pages 106 – 109) of the Cabinet papers of 7 July 2015)*

**DRAFT RECOMMENDATION**

That the Boundary Review Panel be authorised to respond to West Sussex County Council's proposed scheme of county electoral divisions for Chichester District, to West Sussex County Council and/or to the Local Government Boundary Commission for England by the end of August 2015.

14 **Overview and Scrutiny Committee - Annual Report 2014/15 and Work Programme 2015/16 (Pages 13 - 22)**

**RECOMMENDED**

That the the Overview and Scrutiny Committee's Annual Report 2014/15 and Work Programme 2015/16 be noted.

15 **Annual Report of Corporate Governance and Audit Committee (Pages 23 - 25)**

**RECOMMENDED**

That the Corporate Governance & Audit Committee report on the Council's governance arrangements be noted.

16 **Questions to the Executive**

(maximum of 40 minutes duration)

17 **Membership of the Licensing Committees**

On the recommendation of the Leader of the Conservative Party Group to appoint Mr Paul Jarvis to replace Mrs Carol Purnell on the Alcohol and Entertainment Licensing Committee and the General Licensing Committee.

18 **Consideration of any late items as follows:**

Items added to the agenda papers and made available for public inspection. Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting.

19 **Exclusion of the press and public**

There are no restricted items for consideration.

However, the documents listed below include information which is considered to be

exempt under Paragraph 3 of Schedule 12A of the Local Government Act 1972. If the discussions in respect of items 6 and 10 on the agenda above so warrant it, the Council will be asked to consider whether the public, including the press, should be excluded from the meeting on the grounds of exemption under Paragraph 3 of Schedule 12A of the Local Government Act 1972, 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.

## **6 Plot 21 Terminus Road Chichester**

Cabinet 2 June 2015: Agenda Item 5 - Appendix Project Initiation Document  
**10 Enterprise Gateway Project, Plot 12, Terminus Road, Chichester**

Cabinet 7 July 2015: Agenda Item 8 - Appendix

### 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. 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)

### **MEMBERS**

Mr N Thomas	Mr F Hobbs
Mrs C Apel	Mr P Jarvis
Mr G Barrett	Mrs G Keegan
Mr R Barrow	Mrs J Kilby
Mr P Budge	Mrs D Knightley
Mr J Connor	Mrs E Lintill
Mr M Cullen	Mr S Lloyd-Williams
Mr I Curbishley	Mr L Macey
Mr T Dempster	Mr G McAra
Mr A Dignum	Mr S Morley
Mrs P Dignum	Caroline Neville
Mrs J Duncton	Mr S Oakley
Mr M Dunn	Mrs P Plant
Mr J F Elliott	Mr R Plowman
Mr J W Elliott	Mr H Potter
Mr B Finch	Mrs C Purnell
Mr N Galloway	Mr J Ransley
Mrs N Graves	Mr J Ridd
Mr M Hall	Mr A Shaxson
Mrs E Hamilton	Mrs J Tassell

Mrs P Hardwick  
Mr R Hayes  
Mr G Hicks  
Mr L Hixson

Mrs S Taylor  
Mrs P Tull  
Mr D Wakeham  
Mrs S Westacott



Minutes of the annual meeting of the **Council** held in Committee Rooms - East Pallant House on Tuesday 19 May 2015 at 2.30 pm

**Members Present:** Mr N Thomas (Vice-Chairman), Mrs C Apel, Mr G Barrett, Mr R Barrow, Mr P Budge, Mr J Connor, Mr M Cullen, Mr I Curbishley, Mr T Dempster, Mr A Dignum, Mrs P Dignum, Mrs J Duncton, Mr M Dunn, Mr J F Elliott, Mr J W Elliott, Mr B Finch, Mr N Galloway, Mrs N Graves, Mr M Hall, Mrs E Hamilton, Mrs P Hardwick, Mr R Hayes, Mr G Hicks, Mr L Hixson, Mrs G Keegan, Mrs D Knightley, Mrs E Lintill, Mr L Macey, Mr G McAra, Mr S Morley, Mr S Oakley, Mrs P Plant, Mr R Plowman, Mr H Potter, Mrs C Purnell, Mr J Ransley, Mr J Ridd, Mr A Shaxson, Mrs S Taylor, Mrs P Tull and Mr D Wakeham

**Members not present:** Mr F Hobbs, Mr P Jarvis, Mrs J Kilby, Mr S Lloyd-Williams, Caroline Neville, Mrs J Tassell and Mrs S Westacott

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

## 1 **Election of Chairman of the Council**

Mr Martyn Bell, Chairman of the Council, welcomed newly-elected members to the meeting.

He thanked the Chief Executive, Executive Directors and officers for their help during his term of office. He also thanked the Member Services team, and especially Mrs Katherine Jeram who had acted as his personal assistant. He also thanked his wife, Toom, for accompanying him to many civic events. He thanked members of the previous council for their support for him and the events he had arranged, especially the commemoration of Holocaust Memorial Day 2015 and the opening of the Priez Memorial display in The Novium Museum.

He also paid tribute to the work of members of the previous council, who had not been re-elected, and expressed particular appreciation of the long and distinguished service of Tony French, Andrew Smith and Anne Scicluna.

He then invited nominations for election as Chairman of the Council for the ensuing year.

Mr Dignum, seconded by Mr Finch, proposed that Mr Thomas be elected Chairman of the Council. No other nominations were received and it was

**RESOLVED**

That Mr Nick Thomas be elected Chairman of the Council for the ensuing year.

*Mr Thomas took the Chair and read and signed his declaration of acceptance of office in the prescribed form.*

Mr Thomas thanked the Council for electing him. He also thanked Mr Bell for a splendid two years as Chairman of the Council, during which he had attended over 100 civic events.

**2 Appointment of Vice-Chairman of the Council**

The Chairman invited nominations for appointment as Vice-Chairman of the Council for the ensuing year.

Mr Hicks, seconded by Mr Dignum, proposed that Mrs Hamilton be appointed Vice-Chairman of the Council. No other nominations were received and it was

**RESOLVED**

That Mrs Elizabeth Hamilton be appointed Vice-Chairman of the Council for the ensuing year.

*Mrs Hamilton read and signed her declaration of acceptance of office in the prescribed form.*

**3 To receive the report of the Returning Officer on the District Council Elections held on 7 May 2015**

The Council received and noted the Report of the Returning Officer on the District Council elections held on 7 May 2015 (copy attached to the official minutes).

The Chairman thanked Mrs Shepherd and her staff, who had arranged a series of elections (general, district council and parish councils) with seamless efficiency.

Mrs Shepherd drew attention to the mis-spelling of the name of Mrs J Kilby in the printed list of councillors elected for the Chichester East ward. She reported that there were 18 new councillors, and offered the help and support of herself and her staff to all members.

**4 Minutes**

**RESOLVED**

That the minutes of the meeting of the Council held on 10 March 2015 be signed as a correct record.

5 **Urgent Items**

There were no urgent items for consideration at this meeting.

6 **Declarations of Interests**

No interests were declared at this meeting.

7 **Chairman's announcements**

The Chairman drew attention to the outstanding work of the previous council, congratulating the councillors and staff on their achievements. He especially expressed gratitude to Mr Tony French (sitting in the public seating area), who had been a member of the Council since its establishment in 1973, except for the period 1977-1979. Mr French had been a great help and mentor to new councillors, irrespective of political party.

Mr Thomas welcomed the eighteen new councillors, who brought new enthusiasm to the Council. He especially drew attention to Thomas Dempster, at age 22 the youngest ever member of the Council.

8 **Election of the Leader of the Council**

The Chairman invited nominations for election as Leader of the Council for the ensuing four years.

Mr Hayes, seconded by Mr Finch, proposed that Mr Dignum be elected as Leader of the Council. No other nominations were received and it was

**RESOLVED**

That Mr Tony Dignum be elected Leader of the Council for the ensuing four years.

Mr Dignum thanked the Council for electing him as Leader and undertook to do his best to deserve that support during his term.

He drew attention to the wonderful inheritance the new Council had from the old. The Council had a strong financial position. To cope with massive cuts in central government support a high level of savings had been achieved, so avoiding having to make significant reductions in services. A Local Development Plan had been delivered and the Inspector's report was expectantly awaited.

All this achievement had been possible through a combined, committed effort on the part of the Cabinet, councillors and the excellent team of officers.

He paid a special tribute to his four former colleagues in the old Cabinet who all had given unstinting and exemplary service to the Council and with whom he had worked as part of a harmonious team.

He also praised especially the contributions of members who had not returned. He singled out as a truly exceptional chairman, Martyn Bell, and the previous Leader, Heather Caird, who personally took responsibility within the Cabinet for delivering the Local Plan. The Council also had said goodbye to two 40-year veterans, Anne Scicluna and Tony French, and to 16 other members.

## 9 **Cabinet**

Mr Dignum (Leader of the Council) announced the following membership of the Cabinet and described their allocated portfolios:

<b>Name</b>	<b>Role and Portfolio</b>
Tony Dignum	Leader of the Council
Eileen Lintill	Deputy Leader of the Council Community Services
Roger Barrow	The Environment (including Contract Services)
Susan Taylor	Housing and Planning
Gillian Keegan	Commercial Services
Bruce Finch	Support Services
Philippa Hardwick	Finance and Governance

The new Cabinet members introduced themselves as follows:-

### **Roger Barrow** **Cabinet member for the Environment**

“I joined the Council this year after a 43 year career with the John Lewis Partnership behind me, where I held a number of senior management positions in both John Lewis and Waitrose.

“I worked on a number of new store openings and during my final five years was head of the flagship John Lewis and Waitrose Food and Home store in Canary Wharf, where I held executive responsibility for a team of 750 staff and a multimillion pound turnover.

“A qualified Yachtmaster and keen fisherman, upon taking early retirement in 2006, I started my own marine business in Chichester and set up as a business and marketing coach for small businesses.”

### **Susan Taylor** **Cabinet member for Planning and Housing**

“A Solicitor for 23 years, specialising in land and property law, I retired in 2010. Prior to retirement, I worked for five years in the Social Housing Department of a large legal firm in Southampton. Whilst there I acted for a number of Housing

Associations, including Hyde Martlet and Affinity Sutton. Since retirement, I have worked as a volunteer at the CAB, specialising in property and housing.

“I have served as a councillor with the London Borough of Croydon, on the Planning Committee and as Vice-Chairman of the Licensing Committee. For the past five years I have been a parish councillor with West Itchenor Parish Council and for four years have been Chairman of the Planning Committee of that Council.”

**Gillian Keegan**  
**Cabinet member for Commercial Services**

“I was elected to the Council for Rogate Ward in 2014. Previously I was a global business executive with more than 25 years' experience in building and leading high quality teams to manage critical business relationships ensuring commercial success. I have a technology background with expertise in growing revenue through a combination of strategy, marketing, sales leadership and commercial execution.

“I developed my international business experience with roles including IT Procurement Manager, Commercial Director, Vice President Global Sales and Chief Marketing Officer working at board level within companies including the Travel, Technology, E-Commerce, Financial Services and Manufacturing sectors.

“I hold a BA Hons in Business Studies and a Sloan Fellowship from London Business School.”

**Bruce Finch**  
**Cabinet member for Support Services**

“I have been District Councillor for Southbourne since 2011, along with Bob Hayes and Graham Hicks, and was recently elected to the parish council. I undertake assignments for a Big 4 management consultancy leading transformation programmes in the UK and Europe, in both the private and public sectors. A former Royal Naval Officer and proud and active supporter of the Armed Forces, I am highly experienced in developing government outcomes at Ministerial level to meet new challenges. I look forward to continuing to serve all of the electors of Chichester District in delivering high quality support services.”

**Philippa Hardwick**  
**Cabinet member for Finance and Governance**

“I represent the Fernhurst Ward, on the north border of the District. I have lived in Lynchmere for nine years with my husband and four children. I started work as an economist at Unilever, where I studied for the Chartered Institute of Management Accounting exams. I later trained as a barrister and practised in Commercial law for 15 years. More recently I have served on the board of trustees of a national grant-giving foundation which manages £70m of assets and distributes over £2m in grants each year. Having been a parish councillor, since February 2009 I have been a member of this council, representing the Plaistow ward. I have served on several committees including the Standards, Planning and Corporate Governance Committees.”

Mr Dignum stated that his aim as Leader was to work with the Cabinet, all the councillors and officers to take forward the Council to meet the challenges ahead.

As before, the Cabinet would first and foremost do its best to protect existing services from cuts as the Council faced an expected year by year reduction in central government grant.

The Cabinet would also continue to look for ways of delivering those services more efficiently and of making more profitable use of cash reserves, whilst at all times maintaining a policy of financial prudence.

New Homes Bonus receipts would continue to be used for community use. However, the definition of community use would be widened. Officers would now be asked to identify services that could be funded on a continuing basis to meet proven community needs where there were currently gaps in public provision. The Council would continue to be a compassionate council, helping the needy, and looking for ways to help them to be self-supporting.

Around 70% of Council income depended on income earned by services and from the Council's share of business rates. Therefore, the Council had a very direct interest in a strong local economy. The Cabinet would take an even more active part in facilitating local economic growth and play an increasing part in helping those who choose work to become qualified and equipped to succeed at interview.

The Council would have to meet potential expensive new challenges, like the EU requirement to recycle 50% of domestic waste by 2020, up from the present 42%.

High house prices made home ownership difficult for many young people. So the Council must do what it could to facilitate the supply of homes to rent, whether public or private. The Cabinet would also be overseeing the implementation of the Local Development Plan, which was designed to provide sufficient homes with the least harm to the environment. So the Cabinet would work with the County Council and the parishes to identify the most important new infrastructure to be financed by developers alongside the new homes.

This was a big agenda but together the Cabinet and Council could tackle it and strive to do the best for this wonderful district.

## 10 **Review of Political Balance**

The Council considered the report circulated with the Agenda (copy attached to the official Minutes). The Chief Executive explained the requirements of the Local Government and Housing Act 1989, and the principles governing the political balance rules. She drew attention to the percentages of seats taken by each political group and to the apportionment of seats on committees to the political groups set out in tables 1, 2 and 3.

She added that because the two minority groups were the same size, agreement between them had been sought and achieved on the allocation of seats between them.

Mrs Apel had been appointed as leader of the Liberal Democrat group and Mr Shaxson as leader of the Independent Group. It had been agreed that Mr Shaxson would be Leader of the Opposition.

**RESOLVED**

That the review of political balance arrangements set out in the report be approved and Tables 1, 2 and 3 be applied in making appointments to committees.

**11 Appointment and Membership of Committees and their Chairmen and Vice-Chairmen**

The Council considered the report circulated with the agenda and the version with listed nominations tabled at the meeting (copy attached to the official minutes).

Mr Dignum proposed that the Council should defer making appointments to the Investigation and Disciplinary Committee, Appeals Committee, Executive Directors and Heads of Service Disciplinary Appeal Panel and Redundancy Appeal Panel. These committees were all concerned in various ways with the discipline or dismissal of senior officers. They had never met, and there were no immediate plans for them to meet.

One of the last acts of the previous Government had been to issue new Regulations governing aspects of these procedures. These required changes to the Council's Standing Orders and would impact on the terms of reference of these committees. A report would be submitted via Cabinet to the next meeting of the Council about these changes.

He suggested, therefore, that appointments should wait until these changes have been made.

**RESOLVED**

(1) That appointments to Committees for 2015/16 be made as shown in the appended report.

(2) That appointments to the Investigation and Disciplinary Committee, Appeals Committee, Executive Directors and Heads of Service Disciplinary Appeal Panel and Redundancy Appeal Panel be deferred until the next meeting.

**12 Appointments to External Organisations**

The Council considered the report circulated with the agenda and the version with listed nominations tabled at the meeting (copy attached to the official minutes).

Mr McAra moved

(1) that Mr Shaxson be appointed as the Council's representative on the South Downs National Park Authority; and

(2) that the appointment be made by secret ballot, with Standing Order 9.6 being suspended in accordance with Standing Order 21 to enable this.

On a vote being taken the proposal to suspend Standing Order 9.6 was lost by 21 votes to 15.

On a vote being taken by show of hands Mr Dunn, rather than Mr Shaxson, was appointed as the Council's representative on the South Downs National Park Authority

#### **RESOLVED**

That appointments to external organisations be made as shown in the appended report.

#### **13 Public Question Time**

No public questions had been submitted.

#### **14 Byelaw Enforcement**

The Council received the report of the Legal Service Manager, circulated with the agenda (copy attached to the official minutes).

Mrs Hardwick (Cabinet Member for Finance and Governance), duly seconded, moved the recommendation of the Cabinet. She explained that the Legal Service had reviewed the enforcement of District Council's byelaws. Enforcement of the byelaws depended not only on whether there had been a perceived breach of the byelaw, but whether it was in the public interest to take enforcement action, such as prosecution. The recommendation to delegate action to Chief Officers and Heads of Service clarified the basis of enforcement, and had the merits of simplicity, clarity and consistency.

In reply to a question by Mr Plowman, Mrs Hardwick confirmed that no changes to the byelaws themselves were being proposed.

Mr Connor explained that problems had arisen in his ward with residents demanding that the council prosecute fishermen for infringement of byelaws in storing boats and equipment on the sea wall during inclement weather. He believed that officers had managed the situation well and he supported the recommendation as clearly enabling officers to exercise discretion.

Mr Cullen suggested that officers should review the Council's byelaws, which had mostly been passed many years ago, to check their current relevance.

## RESOLVED

That the following addition be made to the powers granted to any Chief Officer and Heads of Service under the Constitution:

“To authorise any action under Council Byelaws including prosecution.”

### 15 Questions to the Executive

Questions to members of the Cabinet and responses given were as follows:

*(a) Question: Air pollution, Orchard Street, Chichester*

Mr Plowman referred to Orchard Street, Chichester, as one of the most polluted areas of the city. He asked the Cabinet Member for the Environment to check whether measurement of air pollution, particularly real time monitoring, in Orchard Street was taking place and, if so, what the recent results were.

*Response:*

Mr Barrow (Cabinet Member for the Environment) agreed to provide a written answer.

*(b) Question: Air pollution, Rumbolds Hill, Midhurst*

Mr Shaxson referred to Rumbolds Hill, Midhurst as a pollution hotspot which had been close to qualifying as an air quality management site some years ago. He believed that, since that time, road traffic had increased. He asked the Cabinet Member for the Environment whether air pollution in Rumbolds Hill was being measured and, if not, whether it could be.

*Response:*

Mr Barrow (Cabinet Member for the Environment) agreed to provide a written answer.

*(c) Question: Waste and Recycling*

Mr Shaxson reminded the Cabinet Member for the Environment that he would need to work in partnership with West Sussex County Council (WSCC) and the other district and borough councils in West Sussex on both waste collection and disposal in order to achieve the EU requirement to recycle 50% of domestic waste by 2020. He asked whether WSCC had secured a long-term contract for disposal of the Refuse Derived Fuel from the Brookhurst Wood Mechanical Biological Treatment plant, near Horsham.

*Response:*

Mr Barrow (Cabinet Member for the Environment) agreed to provide a written answer.

*(d) Question: Gypsies and travellers incursions in District Council car parks*

Mr Oakley asked the Cabinet Member for Finance and Governance whether she would report back how much revenue had been lost to the Council in the last financial year owing to traveller incursions in car parks, as this would provide a basis for comparison of the effectiveness of the transit site at Westhampnett.

*Response:*

Mrs Hardwick (Cabinet Member for Finance and Governance) replied that she noted Mr Oakley's request.

*(e) Question: Electoral review of Chichester District*

Mr Oakley asked whether an outline timetable for the electoral review of Chichester District was available.

*Response:*

The Chief Executive explained that the previous Council had agreed to ask the Local Government Boundary Commission for England (LGBCE) to carry out an electoral review of Chichester District, with a view to reducing the number of councillors to approximately 35 or 36, to be implemented for the district council elections in 2019. The LGBCE would be making a decision on whether to conduct a review later in the year, and she would send an outline timetable to all members in due course.

Mrs Tull asked whether the Members' Task and Finish Group would be re-convened, and the Chief Executive replied that members would be involved in the review.

*(f) Question: Gypsies and travellers transit site, Westhampnett*

Mrs Apel asked whether the new transit site for gypsies and travellers had been occupied and whether it was reducing unauthorised traveller incursions in the district.

*Response:*

Mrs Lintill (Cabinet Member for Community Services) reminded the Council that the transit site was managed by West Sussex County Council as a county-wide resource. The site was currently occupied, but it was too early to determine its effectiveness in deterring unauthorised encampments.

Mr Oakley added that the site was currently occupied by a two-caravan unit, which had been directed there from Sompting. A six-caravan group of travellers had left the county because they did not wish to go to the transit site.

The meeting ended at 3.40 pm

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CHAIRMAN

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Date:



## Chichester District Council

### Overview and Scrutiny Committee - Annual Report 2014/15

#### Introduction by the Chairman

It seems extraordinary to think this will be the last year that this report will be prepared with the excellent committee we have at the moment. None of us knows what the situation will be after 7 May. Whatever happens there will be changes with the committee.

On that note I feel we have achieved another very constructive and full year. As you can see there have been a number of Task and Finish groups which have made useful recommendations, most of which have been accepted. The 70% acceptance rate by Cabinet on the committee's recommendations I would say is commendable. I hope the new committee will be able to be as proactive.

Scrutiny is a part of local government which must be recognised for the good and constructive messages it sends. It should be applied to all parts of our lives. I do hope that in the future we will have the time to put an issue forward for the national scrutiny awards.

Once again thank you members of the committee for all the support, suggestions and help you have given me. Thank you Steve, Bambi and Lisa for all the work you do and I hope all concerned are really proud of what has been done.

**Clare Apel**  
**Chairman of the Overview & Scrutiny Committee**

#### Scrutiny at Chichester District Council

Scrutiny is the way in which non-executive members of the council hold the Cabinet to account. They do this by reviewing existing council policy or decisions and by inputting into the development of new policies before the Cabinet approves these. In some cases they may ask for a decision (made by the Cabinet) to be re-considered before it is implemented to make sure all possible outcomes are thought through. These are called call-ins.

The committee has the power to hold partner authorities and other public bodies to account by requiring information from them and requiring them to 'have regard' to the committee's report or recommendations.

#### Setting the OSC work programme for 2014/15

The 2014/15 OSC work programme was developed taking into account:

- the Corporate Plan projects agreed by Cabinet
- the Forward Plan of Cabinet key decisions over the next few months
- projects identified from individual Service Plans
- items proposed or raised by Members
- topics included in last year's work programme which were delayed
- topics requiring members' involvement suggested by the Business Routeing Panel

A number of Task and Finish Groups were set up to carry out reviews in more depth and to report back to the main committee. These task and finish group reviews are detailed later in

the report. Space was left in the work programme for topical issues that often arise during the year.

All Members were consulted in the development of this work programme through a member workshop held on 23 May 2014.

### **The impact and influence of scrutiny**

The Overview & Scrutiny Committee met five times in 2014/15. The Chairman meets with the committee half an hour before each meeting to enable discussion about the agenda items and to agree a line of questioning for each topic.

Task and Finish Groups are used to hear witnesses and scrutinise papers in detail and report to one committee in order to maximise the volume and depth of its work.

A total of 16 recommendations were made by the committee to the Cabinet during the year. Thirteen recommendations were agreed, with two yet to be considered, giving a 93% achievement at this stage. Three recommendations were also made to the Council's Community Safety Partnership, which the Partnership has noted.

There were no call-ins' this year. Cabinet Members have shown strong support for the scrutiny process by attending relevant OSC meetings.

Of the 48 members on the council, 15 are on the OSC. With Cabinet Members and other interested members attending meetings or involved in task and finish groups this relates to 71% of all members being involved in scrutiny in some form or other during the year.

### **Members' training and development**

- Mrs C Apel attended the Centre for Public Scrutiny annual conference and awards on 10 June 2014.
- Mr A Chaplin attended the South East Seminar on developing affordable housing supply and examining market schemes on 2 July 2014.
- Mrs C Apel also attended the LGiU Being an effective Councillor: Influencing Skills day on 20 November 2014.

### **Main areas of work for overview and scrutiny this year and outcomes/achievements**

<b>Areas of focus</b>	<b>Outcomes/achievements</b>
Planning Enforcement Strategy Review	The committee endorsed the revised Planning Enforcement Strategy and recommended it to Cabinet, who approved the strategy on 9 September 2014.
The Novium	The committee considered and endorsed the vision, aims and objectives in the Novium Business Development Strategy and recommended it to Cabinet. Cabinet subsequently agreed the Strategy, one of the key actions of which was the removal of charging for entry to local collections from 17 November 2014.
Development Management Service	The committee considered the Development Management Service performance review and noted the new staffing structure and the improved performance of the team. The committee recommended to Cabinet that the Planning Committee structure be reviewed in May 2016, one year after implementation.

Housing Strategy Delivery Plan 2013-18	The committee noted the housing delivery achievements and the delivery of milestones in the Housing Strategy Delivery Plan and endorsed the new Housing Strategy Delivery Plan dates.
The adoption of new models of affordable housing delivery including shared equity	The committee considered the new models of affordable housing delivery and approved the proposed Intermediate Housing Policy. The committee requested a future paper on community land trusts in 2015.
Midhurst Community Leisure Facilities	The committee considered the Grange operational report and noted the operational performance of the Grange against the original budget. The committee will consider the post project evaluation in July 2015.
Careline Business Plan	The committee considered the Careline Business Plan progress report. The committee noted Chichester Careline's progress against the business plan for 2013/14 and financial and business planning position in 2014/15.
Chichester in Partnership (CIP) Health Action Plan	The CIP Health Action Plan review of progress report, circulated prior to the committee meeting of 17 March 2015.
Think Family Neighbourhoods – Selsey Project Evaluation	The committee considered the Think Family Neighbourhoods Selsey Project Evaluation. The committee recommended to Cabinet that the Council support the SelseyWorks project in its transition to a sustainable service model and commits to continue the Council's services outreach support. The committee noted the lessons learnt and endorsed continued support for the Think Family Neighbourhood work.
Community Land Trusts	The committee received a report on community land trusts for consideration, circulated prior to the committee meeting of 17 March 2015.
Chichester City Centre Partnership	The committee received a review of the Business Improvement District (BID), circulated prior to the committee meeting of 17 March 2015. The committee requested the Chairman of the BID provide an oral report in six months' time.

### Task & Finish Groups

The work of the Task and Finish Groups is described below along with the outcomes achieved.

<p><b>Tourism Task and Finish Group</b> Mr G McAra (Chairman), Mrs C Apel, Mr N Thomas, Mrs N Graves and Mrs B Tinson</p>
<p><b>Areas of focus</b> – Review of the delivery model which Visit Chichester is working to and consideration as to whether the structure is right and fit for purpose. A strong destination management organisation (DMO) for the district, raising the profile of the district as a visitor destination and increasing tourism business to the district. Consideration of the in-kind support which the Council can provide to Visit Chichester. The Tourism Task and Finish Group considered the Visit England model and analysis of other delivery models e.g. Visit York, Visit Winchester, GoLakes, Visit Peaks, Canterbury, Oxford etc. to understand the attributes of the best performing models and how to encourage private sector investment and new models of funding. All council members were invited to a presentation on tourism</p>

and destination management from Mrs Melanie Sensicle, Chief Executive of Visit County Durham on 22 July 2014. The group also considered the Coastal West Sussex study into destination management.

**Outcomes** – The final report had been delayed to the March 2015 meeting. The committee recommended to cabinet that a clear three to five year tourism brief be established which sets the aspiration, establishes the baseline information and leads the initiative to bring partners together under one strategy.

#### **Committee Audio System and Recording Meetings Task and Finish Group**

Mr S Lloyd-Williams (Chairman), Mr P Clementson, Mr R Hayes, Mr G Hicks and Mr G McAra

**Areas of focus** – At Council on 23 September 2014, when considering a recommendation from Cabinet regarding Government regulations on openness of Local Government, including a requirement to allow any member of the public to take photographs, audio record or film proceedings of all meetings, excluding Part 2 agenda items, a member reminded the Council of the previous proposal to audio record certain meetings which had failed to gain majority support. He was concerned that the Council would not have its own full record of proceedings to rebut any misrepresentation or out-of-context use of press or public recordings. Council members agreed and asked him to bring forward for consideration a further proposal on recording meetings. At the November 2014 meeting of the Overview & Scrutiny Committee Members agreed to set up a task and finish group to consider options around a replacement microphone/audio system and to reconsider future recording of meetings. The group discussed options to resource future audio recording or webcasting of the Council's meetings. Three suppliers of microphone systems were invited to demonstrate to the task and finish group and other members.

**Outcomes** – The group recommended that a new microphone system be purchased from the Council's Asset Replacement Programme budget with the capability of audio recording council meetings. The committee recommended to Cabinet that a one year pilot be approved to audio record and make available Cabinet, Planning and Overview and Scrutiny meetings online. Cabinet on 7 April agreed with the purchase of the microphone system but requested that further research be undertaken into the costs of webcasting instead of audio recording.

#### **Community Safety Review Task and Finish Group**

Mrs N Graves, Mr B Hayes (Chairman), Mrs G Keegan, Mr H Potter and Mr N Thomas

**Areas of focus** – The Overview and Scrutiny Committee has a statutory duty in accordance with Sections 19 and 20 of the Police and Justice Act 2006 to review the district's Community Safety Partnership (CSP) by holding the CSP to account for its decision making, scrutinising the performance of the CSP and undertaking policy reviews of specific community safety issues. The group held two meetings at which various partners were asked to attend to give evidence. The Community Interventions Manager and Head of Community Services gave members an update on the various projects and initiatives they are contributing to in the CSP Business Plan. Chief Inspector Justin Burtenshaw, District Commander of Chichester, Sussex Police spoke on crime performance, challenges and priorities. The WSCC Better Communities Manager spoke about the Safer West Sussex Partnership work. Mrs E Lintill, Chairman of the CSP and the Council's representative on the Police and Crime Panel (PCP) talked about the relationship between the CSP and the PCP and the council's Community Safety Officer and a representative from A2 Dominion talked about partnership working in Chichester East.

**Outcomes** – The final report of the group was considered at the March 2015 meeting of the OSC committee. The committee supported the proposed priorities for the Community

Safety Partnership (CSP) plan 2015/16 and recommended to the CSP to consider encouraging the amalgamation of Rural Watch, Farm Watch, Horse Watch and Boat Watch to provide a more comprehensive Community Watch service and to focus on utilising technology to effectively and efficiently spread community safety information.

#### **Corporate Plan Task and Finish Group**

Mr J Cherry (non-member), Mrs P Dignum (Chairman), Mr S Lloyd-Williams and Mr H Potter

**Areas of focus** – To consider mid-year progress on actions and targets in the Corporate Plan and to identify any further action that needs to be taken to challenge poor performance and to reduce any risk to an acceptable level.

**Outcomes** – The council's key projects were monitored for successful delivery. After review the group was happy with action proposed to be taken to address poor or delayed performance.

#### **Education Task and Finish Group**

Mr B Hayes, Mrs N Graves, Mrs J Tassell and Mrs Tinson (Chairman).

**Areas of focus** – The group was established, following a previous OSC review in 2012, to consider the current performance of schools in the Chichester district, the current status of secondary schools and children's readiness for school (i.e. the under 5s at first entry to primary school). The group received presentations from the Corporate Information Officer with educational performance data of Chichester primary and secondary schools and information on the supply of pre-school settings across the district; the WSCC Head of Schools to clarify and validate the performance figures and explain any slippage in performance, to give his opinions on the overall direction of travel; to explain WSCC role in managing performance and WSCC relationship with and influence over academies; the WSCC General Advisor for Area A Schools to give more in-depth information about desktop performance monitoring on school results carried out and to explain value added scores and students' improvement information; the WSCC Principal Manager Early Childhood, Children's Services to hear about Early Years and 'readiness for school' initiatives, to receive an overview of early years provision in the area and to explain the key themes and areas of action; the Community Interventions Manager, to hear about the work which her team is doing as part of the Think Family Programme and on Early Help strategies and the Director of Education, The Kennall Academies Trust, to give his perspective on performance in the Trust's schools, their direction of travel and related details, his views on readiness for school issues and what we can do/how we can work closely together to identify and ensure help for those families who need it.

**Outcomes** – The group was reassured on a number of points. The key points from the review were that the Council should commit to support family friendly policies and consider how it could support Early Years and Early Help structures which support families with young children seeking or identified as needing help, that the Council works with WSCC to increase funding for the Think Family Phase 2 by working with partners who have made savings as a result of the benefits of the Think Family Programme e.g. DWP, police, accident and emergency etc; and that an open dialogue is maintained with local schools through Members' involvement as governors. The OSC agreed to undertake a further review of educational attainment in the district in early 2016 when there may be new Government educational policies and performance monitoring targets in place and it is likely that more schools in the Chichester district will have converted to academy status. The recommendations to support family friendly policies and support Early Help were taken to Cabinet on 3 March 2015 to support a recommendation to implement the WSCC Early Help program.

### **Budget Task and Finish Group**

Overview and Scrutiny Members: Mr R Hayes (Chairman), Mr S Lloyd-Williams and Mrs B Tinson and Corporate Governance and Audit Committee Members: Mr R Marshall, Mrs T Tull and Mr A French

**Areas of focus** – This group has representatives from both the Overview & Scrutiny (performance and policy remit) and Corporate Governance & Audit Committees (governance and risk remit). The group considered the 5 Year Financial Model and Statement of Resources 2014-15 to 2019-20 and the projected revenue budget variations for 2014-15 and 2015-16.

**Outcomes** – Members involvement with budget scrutiny prior to presentation of the Budget to Cabinet in February 2015 and Full Council approval in March 2015. The group were satisfied with the explanation of projected variances on the 2014/15 budget.

### **WSSC Select Committee liaison**

The following members have attended WSSC Select Committees and reported back to the committee on issues of interest to the Chichester district and local residents.

- Mrs C Apel - Children & Young People's Services Select Committee
- Mrs P Dignum – is the council's representative on the Health & Adults Social Care Select Committee (HASC)

The Council can submit concerns regarding any health issue to the HASC for consideration via its Business Planning Group (BPG) which meets quarterly. A concern in 2014 was the proposed new depot for South East Coast Ambulance Service (SECAMB) in Tangmere. Representatives from SECAMB were invited to present to the full Council before its September meeting. Members were reassured that there would be no detriment to service delivery for Chichester residents.

### **West Sussex Joint Scrutiny**

Mrs C Apel is on the West Sussex Joint Scrutiny Steering Group, a group of scrutiny members from the seven districts and boroughs of West Sussex who get together to suggest joint scrutiny reviews on issues of common interest to all authorities.

Following a review of the previous year's operation, the Joint Scrutiny terms of reference and protocol were updated in July 2014.

A review of Community Advice Services was carried out by a task and finish group in the Autumn 2014, following which the final report was circulated to all District and Borough Councils in West Sussex. Members of the Overview & Scrutiny Committee were consulted for comment in advance of the report's consideration by Cabinet in October 2014. Cabinet approved the recommendations which were to act jointly with WSSC and its District and Borough Councils to procure a Community Advice Service for a period of five years with the option to extend the contract for up to a further five years. The service specification was agreed along with the annual funding contribution.

## OSC WORK PROGRAMME 2015/16

Issue	Background	Scrutiny method Corporate Priority?	Officer
<b>2 July 2015</b>			
Committee work programme 2015/16	➤ To consider and agree the work programme for the current year.	Monitoring and review	B Jones
Chichester in Partnership - Getting People into Work Strategy – Progress against Action Plan	➤ OSC April 2014 requested that a further report be brought back in one year's time, at end of three year action plan. ➤ Monitoring role	Monitoring and review Corporate priority	A Loaring
Cultural Grants – Task and Finish Group final report	➤ Review of annual performance 2014/15 in relation to funding given; review of SLAs 2015/16. Monitoring role. ➤ Task and Finish Group to meet April 2015.	Monitoring and review	S Hansford
Review of the Internal Lettings Agency (Homefinder)	➤ OSC Sept 2013 requested further review after three year operation. Review in advance of Cabinet consideration in July.	Monitoring and review	R Dunmall
Homelessness Strategy Review	➤ Deferred from November 2014. Existing Strategy expires 2014. Scheduled for Cabinet July 2015.	Policy review Corporate priority	M Grele
The Grange Post Project Evaluation	➤ Agreed by OSC 18 November to carry out this review in advance of this report going to Cabinet in July 2015	Monitoring and review	J Hotchkiss
Call in of Cabinet decision re Land at Church Road, Chichester	➤ Cabinet decision 3 on this issue has been called in by J Ransley et al.	Monitoring and review	P Legood
<b>15 September 2015</b>			
Local Flood Risk Management Work Plan	➤ West Sussex Joint Scrutiny TFG to be reconvened to carry out review in July 2015. Mr H Potter representative in previous review.	Monitoring and review	L Rudziak
Housing Renewal Strategy	➤ Consider in advance of Cabinet ➤ Deferred from July 2015	Policy review	R Dunmall

<b>17 November 2015</b>			
Housing Strategy review	<ul style="list-style-type: none"> <li>➤ Review strategy in light of central government's review of Housing supply.</li> </ul>	Policy review Corporate priority	L Grange
<b>** Corporate Plan mid-term Review</b>	<ul style="list-style-type: none"> <li>➤ Task and Finish Group to review October 2015 and report back to OSC Nov 2015</li> <li>➤ Agree Terms of Ref at September 2015 meeting</li> </ul>	Monitoring and review Corporate priority	J Mildred
<b>12 January 2016</b>			
<b>** Budget review</b>	<ul style="list-style-type: none"> <li>➤ Task and Finish Group to meet Dec 2015 and report back to Jan 2016 OSC</li> <li>➤ Agree Terms of Reference at Nov 2015 OSC</li> </ul>	Monitoring and review Corporate priority	J Ward
ASB Act and Enforcement Policy	<ul style="list-style-type: none"> <li>➤ Policy to Cabinet December 2014. Review implementation early 2016</li> <li>➤ Circulate report outside of meeting for information</li> </ul>	Monitoring and review Corporate priority measure on ASB	S Hansford
<b>** Voluntary Action Arun &amp; Chichester</b>	<ul style="list-style-type: none"> <li>➤ Following OSC review in Sep/Oct 2013 and Cabinet Jan 2014 agreement to the re-commissioning of voluntary and community support services, VCAC agreement was renewed for a period of 2 years until March 2016 (in line with WSCC contract).</li> <li>➤ A further review of VAAC performance is required ( to allow further re-commissioning of this service to commence April 2016.</li> <li>➤ Terms of Reference to be agreed at Nov 2015 meeting.</li> <li>➤ TFG to meet Nov/Dec 2015 and report to Jan 2016 OSC.</li> </ul>	Monitoring and review Policy review	S Hansford
Improving the Health of our Communities and Workforce	<ul style="list-style-type: none"> <li>➤ Assessing corporate project outcomes and progress against action plan which coordinates corporate resources on three health priorities – staff sickness &amp; health, wellbeing, dementia; may need funding to deliver any shortfall in our priorities</li> </ul>	Monitoring and review Corporate priority	E Thomas
Think Family Expansion Programme	<ul style="list-style-type: none"> <li>➤ Include neighbourhood work – Chichester East, Tangmere and Selsey</li> </ul>	Monitoring and review Corporate priority	S Hansford

	<ul style="list-style-type: none"> <li>➤ Evaluate outcomes and consider future key worker post funding options</li> </ul>		
Business Improvement District review	<ul style="list-style-type: none"> <li>➤ Review outcomes from Business Plan. Tie in to review of financial information.</li> </ul>	Monitoring and review Corporate priority	J Hotchkiss
<b>15 March 2016</b>			
<b>** Community Safety Partnership review</b>	<ul style="list-style-type: none"> <li>➤ Statutory annual review of the CSP</li> <li>➤ Agree Terms of Reference at Jan 2016 meeting.</li> <li>➤ TFG to meet once Feb 2016 and report to OSC Mar 2016.</li> </ul>	Monitoring and review Policy review Corporate priority measures x 3	S Hansford P Bushby
Novium - Business Plan & Commercial Services	<ul style="list-style-type: none"> <li>➤ Review of Business Plan</li> </ul>	Monitoring and review	J Hotchkiss
Westgate Leisure Business Plan	<ul style="list-style-type: none"> <li>➤ Review of Business Plan</li> </ul>	Monitoring and review	J Hotchkiss
Housing Allocations Scheme Review	<ul style="list-style-type: none"> <li>➤ Reviewed by OSC June 2013; agreed that rural allocations policy elements of scheme be reviewed by OSC every 3 years i.e. next in 2016. Also any changes of a non-policy nature made to the scheme should be reported to the OSC, but signed off by L Rudziak.</li> </ul>	Policy review Corporate priority	R Dunmall/ Ian Owen
OSC Annual Report 2015/16 and Work Plan 2016/17	<ul style="list-style-type: none"> <li>➤ Produce a 2015/16 annual report along with work programme for 2016/17</li> </ul>	Monitoring and review	B Jones
<b>** Hyde review</b>	<ul style="list-style-type: none"> <li>➤ Review and analyse outcomes of key performance information and compare against 2015 information detailed in Hyde presentation to Council 10 March 2015.</li> <li>➤ Agree Terms of Reference at Jan 2016 meeting</li> <li>➤ TFG to meet Jan/Feb 2016 and report to OSC Mar 2016.</li> </ul>	Monitoring and review Public interest	L Rudziak
<b>** Cultural Grants – review</b>	<ul style="list-style-type: none"> <li>➤ Task and Finish Group to consider SLAs with theatre and gallery in advance of presentation to OSC.</li> <li>➤ Agree Terms of Reference at Jan 2016 meeting.</li> <li>➤ TFG to consider Jan/Feb 2016 and present to Mar 2016 OSC.</li> <li>➤ Theatre and Gallery reps to attend.</li> </ul>	Monitoring and review Policy review	S Hansford

Careline Business Plan	➤ Review outcomes	Monitoring and review	S Hansford
Tourism Strategy	➤ Town and City Centre research to be undertaken as a result of Initial Project Proposal Document agreed by Cabinet Jan 15. Project Initiation Document to Cabinet Jul 15 will seek funding for research/ tourism developments and will set out consultation with OSC on the Tourism Strategy at the appropriate point – possibly March 2016.	Policy Development Corporate priority	J Hotchkiss

**\*\* denotes Task and Finish Group**

## Chichester District Council

Council – 14 July 2015

### Report of Corporate Governance and Audit Committee

#### Background

The council is responsible for ensuring that its business is conducted in accordance with the law and proper standards and that public money is safeguarded and properly accounted for and used economically, efficiently and effectively.

To this end members and senior officers are responsible for ensuring that proper arrangements exist for the governance of the Council's affairs and stewardship of its resources.

In November '13 the Corporate Governance & Audit Committee considered the Strategic and Organisational risk registers to ensure the adequacy of the Council's actions to control and manage risks.

In June '14 the Accountancy Services Manager met with the Heads of Service to re-assess all the Organisational Risks to ascertain if the risks still apply, and whether the initial risk score was correct or not. Where the risk was still relevant, they were re-scored taking into the account the mitigating action. Of the 10 Strategic Risks 7 have been scored as high, these will be reviewed on a quarterly basis by CMT and considered by the Strategic Risk Group.

During 2014/2015 the seven highest risks identified in the Corporate Risk Register were:

- **Deficit Reduction (Balanced Budget):** That the council is unable to set a balanced budget. This is an on-going risk.
- **Visions Priorities:** Lack of clear vision and priorities that is forward looking with members and officers not adhering to shared visions and priorities.
- **Project Management:** Failure to deliver key projects due to ineffective programme and / or project management skills.
- **Health & Safety:** Failure to adhere to H&S policies and procedures leading to the death or injury of an employee or third party resulting in prosecution.
- **Local Plan:** Failure to have an approved plan in place to protect the local environment and to deliver Housing Targets for the District. Council unable to collect Community Infrastructure Levy.
- **Business Continuity:** That a business continuity incident occurs and the organisation fails to respond effectively and continue to deliver services.
- **Contract Management:** Failure to manage contracts where contractor or key partner fails to deliver goods and / or services which prevents the council from delivering its corporate plan objectives for both projects and services.

The Council has taken early action as the current financial crisis started and has, over the last five years achieved almost £7.8m of savings. This has enabled the Council to set balanced budgets without the need to draw against reserves. Current predictions are that there is a need to find further savings to maintain a balanced position. The council will need to save a further £2.4m over the next three years and there is a plan to deliver this. Cabinet have agreed the Deficit Reduction Plan of £2.4m but officers and members will keep this under review.

## **Annual Governance Statement**

The Annual Governance Statement has been prepared in accordance with the CIPFA / SOLACE guidance on “Delivering Good Governance in Local Government”. The Statement clearly sets out the 6 fundamental principles of good governance:

- i. Determining the council’s purpose, its vision for the local area and intended outcomes for the community.
- ii. Members and officers working together to achieve a common purpose with clearly defined functions and roles.
- iii. Promoting our values and upholding high standards of conduct and behaviour.
- iv. Taking informed and transparent decisions and managing risk.
- v. Effective Management – capacity and capability of members and officers.
- vi. Engaging with local people and other stakeholders to ensure robust accountability.

CIPFA guidance also requires an Annual Review of Partnerships which has been produced by Internal Audit.

Internal Audit reviewed a sample of Partnerships to see whether the appropriate governance arrangements were in place. From the sample selected some of the Partnerships had been set up without referring to the partnership guidance. The guidance states that all partnerships that the council is involved in must have the following in place:

- Terms of Reference
- Action Plan with SMART (Specific, Measurable, Achievable, Realistic and Time Bound) outcomes, outcome measures and planned timescales.
- Risk Assessments
- Exit Strategy
- Lines of Accountability
- Regular Reviews
- Set financial arrangements
- Partnership register, to contact the Partnership Officer when setting up a new partnership or reviewing an existing one in order for the partnership register to be kept up to date.

In some cases information relating to Partnerships has been taken from the Service’s Service Plan, when reviewing these further some had been incorrectly classified as a

Partnership. The Partnership Officer will be contacting the relevant services to discuss the information on their service plans.

It is recommended that staff refer to the guidance when forming or reviewing a Partnership.

### **Significant Issues & Risks**

The drafting of the Annual Governance Statement has highlighted some risks that have come to light which are receiving attention from those charged with governance.

- **The impact on the Council and the future Grant settlement calculation and loss of external income streams**  
The council has identified likely reductions from government and from local income streams. The report to cabinet “Transformation of Council Services” emphasised the need to continue to plan for the future and to be able to “flex the model” should the need arise. The implementation of the Deficit Reduction Plan will identify efficiencies or increased income to address the expected shortfall by 2017/2018.
- **Business Continuity**  
The Health & Safety Manager has continued to work with the services to ensure that there is an adequate business continuity plan and that the findings from the Business Impact analysis prepared by Zurich have been implemented. In December a full exercise was carried out which raised a number of actions; these were completed by the end of March.
- **Emergency Planning**  
The Head of Housing and Environment undertook an Emergency Planning review, the review highlighted West Sussex County Councils plans for the future, and the options available to the Council. It was decided that Chichester will operate a shared service between Arun and Chichester with two members of Housing & Environment assisting.
- **Westgate Centre Carbon Trust contract**  
The council has received formal responses from tenderers for the replacement of the CHP’s at Westgate. All tenderers have been asked to tender for a CHP solution or a Discounted Energy Purchase Scheme.
- **Failure of the Local Plan**  
The Council have submitted the Local Plan to the Government and are awaiting their opinion as to whether the plan can be classified as sound.

Other than those areas set out above, which are themselves subject of further on-going review, members of the Committee are assured that key systems are in place within the council. This is supported by the internal audit service, which has the responsibility to review independently and report to Committee.