

Minutes of the meeting of the **Council** held in Committee Rooms - East Pallant House on Tuesday 22 September 2015 at 2.30 pm

**Members Present:** Mr N Thomas (Chairman), Mrs C Apel, Mr G Barrett, Mr R Barrow, Mr P Budge, Mr J Connor, Mr M Cullen, Mr I Curbishley, 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 P Hardwick, Mr G Hicks, Mr F Hobbs, Mrs G Keegan, Mrs J Kilby, Mrs D Knightley, Mrs E Lintill, Mr S Lloyd-Williams, Mr L Macey, Mr G McAra, Mr S Morley, Caroline Neville, 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 T Dempster, Mrs E Hamilton, Mr R Hayes, Mr L Hixson, Mr P Jarvis, Mrs J Tassell and Mrs S Westacott

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

#### 34 **Minutes**

##### **RESOLVED**

That the minutes of the meeting of the Council held on Tuesday, 14 July 2015, be signed as a correct record.

#### 35 **Urgent Items**

There were no urgent items for consideration at this meeting.

#### 36 **Declarations of Interests**

Mrs Duncton and Mr Oakley declared personal interests as members of West Sussex County Council in agenda item 7, Infrastructure Business Plan – approval for consultation.

Mr Budge declared a personal interest as a member of Chichester City Council in the same item.

#### 37 **Chairman's announcements**

The Chairman announced that he and the Vice-Chairman had between them represented the Council at a number of events since the last meeting. He particularly mentioned the following.

The “Get Active” Festival on Sunday 6 September. During the morning there had been an unsuccessful attempt to break the Guinness Book of Records entry for passing the ball.

The effort had failed by about 20 passes. In the afternoon a wide range of sports and activities had been demonstrated, and between 3,000 and 4,000 people had attended. He congratulated the sport and leisure team, and their supporters, for arranging the Festival.

He had also attended a Hymnathon arranged by the Friends of Sussex Hospices at Lancing College Chapel on Sunday 20 September 2015, to raise money for hospices.

**38 Public Question Time**

No public questions had been submitted.

**39 Chichester District Council Annual Report 2014-15**

The Council received the draft Annual Report 2014-2015 (copy attached to the official minutes). Mr Dignum (Leader of the Council), seconded by Mrs Lintill, moved the recommendation of the Cabinet. He described the Annual Report as an excellent summary of a year of real progress. He explained that the Cabinet Members had each approved their section of the report and all members had had the opportunity to read it. He, therefore, commended it to the Council for approval.

Mr Shaxson and Mr Ransley referred to the report and local performance indicators relating to The Novium Museum (pages 9 and 13 of the report) how staff distinguished visitors to the museum from those who simply visited the tourist information centre and shop, and questioned whether the figures were accurate. Mrs Hotchkiss (Head of Commercial Services) explained that there was an infra-red counter on the door of the museum and those going beyond the front desk were counted as visitors to the museum. The figures (LPI 220) for users of tourism services included telephone, email, website and letter as well as personal visitors. Mrs Dignum added that, from her experience as a volunteer, the museum staff were vigilant and there were a surprising number of tourism enquiries. The museum's finances would be enhanced by provision of a proper café.

Mr Oakley pointed out that the report on Planning Enforcement (page 17 of the report) gave no figures for the previous year and so comparisons were not possible. Mrs Apel reminded the Council that the Overview and Scrutiny Committee had reviewed planning enforcement about a year ago and had noted a considerable improvement in performance at that time.

**RESOLVED**

That the Annual Report 2014-15 be approved.

**40 Infrastructure Business Plan - Approval for consultation**

The Council received the draft Infrastructure Business Plan (IBP) (copy attached to the official minutes). Mrs Taylor (Cabinet Member for Housing and Planning), seconded by Mr Dignum, moved the recommendations of the Cabinet.

She explained that the IBP was reliant on the Community Infrastructure Levy (CIL) being in place by the end of 2015, and its assumptions had been made on the basis that the rates would remain as submitted for Examination. The CIL Charging Schedule was still at the Examination stage. It was unlikely that the Examiner would issue his report before the end of September 2015, and thus it was unlikely that the CIL would be adopted before October 2015.

This was the first time that the Council had prepared a Draft Infrastructure Business Plan. Its purposes were:-

- to ensure that infrastructure was delivered in time to support the development identified in the Local Plan;
- to ensure the CIL was spent to best effect
- to select the priority for projects to be funded.
- to identify infrastructure that will be funded from S106 and other sources besides the CIL.

The draft IBP concentrated on the projects that needed to be funded during the first five years from 2016 to 2021, particularly those that were to be funded from CIL.

The IBP would be a 'living' document and would be rolled forward and updated each year to reflect funding availability, development delivery rates and revised infrastructure requirements.

If approved by the Council, the draft document would be subject to six weeks consultation with stakeholders from 1 October to 12 November 2015. Their comments and any modifications would be reported back to the Joint Member Liaison Group on 2 December, then to the Development Plan and Infrastructure Panel (DPIP) for consideration on 14 January, before going to Cabinet for approval on 2 February 2016, and Council on 8 March 2016 for budget and CIL allocation approval.

Mrs Taylor explained that the table at paragraph 1.18 was the most important part of the IBP. This showed which projects had been shortlisted for CIL funding in each of the five years. The remaining balance was rolled forward into the following year.

The rest of the IBP set out the methodology for identifying the projects to be funded from CIL and the long list of projects put forward by others. There was a relatively small amount of money to begin with, but parish councils would also have a proportion of CIL that could be spent on smaller projects.

The DPIP had expressed concerns about funding the Smarter Choices infrastructure items that related to behaviour change in order to encourage modal switch away from reliance on the private car. Instead, the DPIP would prefer the money to be spent on hard engineering projects such as new cycling infrastructure, or a combination of Smarter Choices to follow on from the harder measures.

The Joint Member Liaison Group had met on 4 September to discuss the spending plans and had agreed that West Sussex County Council (WSSCC) would look at providing a more balanced approach to encourage modal switch away from the private car to accompany a reduced amount of funding for Smarter Choices. This approach could include bringing forward projects originally identified in the long list for the medium/long term such as filling in gaps in the cycle network.

WSSCC had also indicated that it was refining the work relating to educational requirements, and might need less of the CIL for school places, owing to the availability of Basic Needs Grant from the Government. WSSCC would not be in a position to provide information on the revised projects, nor on the additional transport projects, before the IBP

was published for consultation, and would therefore provide this information during the consultation period itself.

She added an additional recommendation to that on the agenda in order to delegate authority to make typographical and other minor amendments to the draft IBP.

Mr Oakley commented that the IBP was an evolving process and the Council was ahead of other district councils in West Sussex. Parish councils had produced a long list of possible projects and would be faced with significant choices between them because there would be a funding deficit. There was, therefore, a need to identify priorities, and also to ensure that infrastructure providers did not off-load onto CIL projects that should be funded from other sources.

Mr Ransley commented about the length and complexity of the IBP and asked that a briefing should be provided to members in order to assist them to explain it to parish councils during the consultation period. The Leader of the Council agreed to this suggestion and pointed out that it was important to manage expectations.

Mr Plowman congratulated officers on drafting the IBP, and commented that it would need to be continually updated. Paragraph 6.4 of the IBP showed the scale of the funding deficit. He felt that there was a need to build houses in the right place and at the right price, and infrastructure was needed to build communities. He believed that the Government's focus was wrong. There were more than enough planning permissions, but there was a failure by developers to deliver the houses for which permission had been given. He believed that there was insufficient competition and that developers had incentives to maintain high prices through shortage. He believed that planning permission should carry an obligation to deliver.

Mr McAra asked whether the South Downs National Park Authority would be producing a similar document, and Mr Dunn replied that the Authority was currently consulting on its Preferred Options Local Plan. CIL receipts in the National Park were not likely to be great because there would be relatively less development there compared with the rest of the District. He encouraged members with wards in the National Park to keep themselves informed about development in their wards, to respond to the Local Plan consultation and to attend meetings of the National Park Authority. Mr Ransley pointed out that school places in his ward, which was partly in the National Park, were under stress and enquired how the National Park Authority would contribute to delivery.

Mr Barrett reported that the Peninsula Community Forum had held a workshop involving parish councils and would shortly publish a wish-list for its area.

Mr Cullen expressed concern that the CIL would drive up the cost of houses. There should be a sliding scale whereby CIL rates were less for smaller houses. Mrs Taylor reminded the Council that CIL was based on the area of houses and, therefore, reflected different sizes of property, and Mr Dignum commented that regulations did not allow a sliding scale.

Mrs Apel asked why the Council did not provide loans to pay for the construction of new homes and infrastructure. Mrs Taylor replied that the Council was considering possibilities, such as community land trusts. Mr Budge referred to self-build housing and Mr Dignum added that WSCC were using a company to build houses to let on their land. These various options would be explored as part of the current revision of the Housing Strategy.

Mr Hall asked that officers should produce figures of dwellings with planning permission, and those started but not complete, so that the size of developers' land banks could be understood. Mrs Taylor said that she would provide a written answer.

Members asked that the South Downs National Park Authority be added to the list of consultees on the IBP.

#### **RESOLVED**

(1) That the Council's first draft Infrastructure Business Plan 2016/2021 be approved for consultation with West Sussex County Council, neighbouring district councils, City, town and parish councils, the South Downs National Park Authority and key infrastructure delivery commissioners for a period of six weeks from 1 October to 12 November 2015.

(2) That the Head of Planning Services be authorised to make typographical and other minor amendments to the draft Infrastructure Business Plan 2016/2021 following consultation with the Cabinet member for Housing and Planning.

#### **41 Upgrade of Heating and Ventilation Systems, South Wing, East Pallant House, Chichester**

Mr Finch (Cabinet Member for Support Services), seconded by Mrs Keegan, moved the recommendations of the Cabinet. He drew attention to the Project Initiation Document (PID) that had been approved by the Cabinet on 8 September 2015, and explained why the Cabinet had recommended the Council to approve funding of £186,300 from reserves. The south wing of East Pallant House accommodated the Revenues and Benefits team on the ground floor and the Planning team on the first floor. The staff had very uncomfortable working conditions due to draughts. The heating and ventilation plant serving the south wing had been installed in 1983. The installation had been substantially modified in the mid 90's and again in 2007 and it had been hoped that it would continue until the 2020's. However, because of problems with the original design this was unsustainable, and action was needed to provide comfortable working conditions and improved flexibility in use of space.

The options, described in the PID, were to do nothing, but this would not address the serious problems; option 1 which would be a cheaper alternative but would deal only with part of the problem and not provide additional flexibility; and the preferred option 2, which would address the limitations of the original design and provide a small energy saving. If approved it was intended to make the improvements over the next six months.

#### **RESOLVED**

That £186,300 be released from capital reserves, to fund the upgrade of the heating and ventilation plant including associated costs and fees.

#### **42 Safeguarding Policy**

The Council received the draft revised Safeguarding Policy (copy attached to the official minutes). Mrs Lintill (Cabinet Member for Community Services), seconded by Mr Dignum, moved the recommendations of the Cabinet. She explained that the Overview and Scrutiny Committee had assessed the Council's Safeguarding Policy in 2013, as a result of which a new combined policy covering children and vulnerable adults had been

introduced, relevant to the roles and responsibilities of this Council. The introduction of the Care Act 2014, with obligations for local authorities with effect from April 2015, and national guidance including “Working Together” had now prompted a review of the existing policy. The new policy had to be compliant with the county-wide policies.

The principal changes were described in paragraph 5.2 of the Cabinet report, and the revised Policy was more succinct. She asked all members and staff to ensure that they understood their responsibilities.

Mr Shaxson asked for guidance on circumstances where members should seek Disclosure and Barring Service (DBS) checks. Mrs Lintill replied that this would be unusual but depended on a member’s activity, and promised written advice. Mr Lloyd-Williams drew attention to the section on radicalisation and asked about training for staff and members, given the need for safeguarding against extreme violence. The Chief Executive explained that the Council would be working with WSCC to train all staff, and could offer child protection training to members, if required.

#### **RESOLVED**

(1) That the revised Safeguarding Policy be approved.

(2) That the Head of Community Services be authorised to approve minor amendments to the Policy in line with local working arrangements.

#### **43 Recording and Broadcasting of Committee Meetings**

The Council received the report circulated with the agenda (copy attached to the official minutes). Mr Finch (Cabinet Member for Support Services) introduced the debate, and explained that having debated the matter at its meeting on 8 September 2015, the Cabinet had expressed a preference for webcasting, but had agreed to ask the Council which of the options for audio recording or web-casting of key committee meetings should be implemented for a one year pilot. The views of the Council would be reported to the Cabinet for decision at its meeting on 8 October 2015. He re-iterated that the Council needed to consider the issues of the transparency of local democracy and the costs to the public purse and drew attention to the costs of a one year trial, being £3,900 for audio recording only and £22,238 for full web-casting.

Mrs Dignum expressed a preference to proceed with publication of audio recording only. She believed that costs of web-casting had been under-stated and the longer term cost of £70,000-£80,000 if continued after the trial period needed to be taken into account. She felt that the viewing figures of West Sussex County Council’s (WSCC) webcasts were derisory. Whilst understanding the need for transparency she had never had a request for this in her time as a councillor and believed local residents had higher priorities for public spending, such as community wardens.

Mr Shaxson believed that, whether published or not, the Council should make and keep an audio record of meetings, in case of subsequent challenge or complaint. He accepted that there could be a case for web-casting highly controversial debates on a one-off basis, but was suspicious of the viewing figures in view of the impact on them of viewing by officers and members.

Mr Oakley commented that the questions were whether the Council needed to record meetings and whether there was a demand from residents. He agreed with Mr Shaxson that an audio record should be made and kept. He believed that publication of an audio-recording would instil improved discipline in proceedings, whereas video-recording might encourage performance. Although he appreciated the costs per resident were relatively low, he felt there was no public demand and that public money should not be spent on lofty, idealistic nice-to-haves.

Mr Connor agreed with Mr Shaxson that an audio-record of proceedings should be kept. However, he felt that the Council should take a cautious approach in view of the current financial outlook. He doubted whether the costs over the long term could be justified by the demand. Having consulted members of the Selsey Town Council he was broadly in favour of web-casting, but felt that the Council should not proceed with it until the financial situation improved.

Mrs Purnell agreed that the full cost, not just the cost of a trial, should be considered.

Mr Plowman agreed that it was a question of timing. Local business people would not support this at present.

Mr Hobbs felt that the speed of technological change meant that web-casting would come at some point. He was surprised at the costs quoted, and felt they were excessive. He agreed all meetings should be recorded, but that few needed to be webcast.

Mr Finch replied that the costs were based on 140 hours web-casting, which would cover the Council, Cabinet and principal committees. He felt that the Council should not adopt a technologically inferior solution.

Mr Ransley felt that the Council should not resist progress. He pointed out that, compared with other Council expenditure, the costs were not exorbitant for an improvement in transparency. He pointed out that WSCC's webcasts averaged 1340 hits per meeting, and even if the Council achieved only 200-300 it would be money well-spent. Webcasts of Planning Committee meetings would be of community benefit. If the trial proved that there was insufficient demand, it could be discontinued.

Mr Dunn suggested that technology would improve and the proposal was premature at present. He had been Chairman of WSCC at the time web-casting had been introduced there, and he was concerned that it had led to grand-standing and prolixity at meetings.

Mr McAra supported audio recording only on the grounds that it was cheaper, that it would achieve a record of proceedings, and that he was dubious about the viewing figures quoted.

Mr Barrow stated that he was in favour of web-casting and not persuaded by the arguments against. He felt that web-casting would provide a true record of proceedings and it would enhance accountability. He felt that it was a means by which the Council could show residents what it was doing on their behalf, and the webcasts could be marketed through social media. He felt that there was a demand, in particular, for video recording of Planning Committee meetings.

A vote was taken and 23 members voted in favour of publication of audio-recording only and 14 in favour of publication of an audio and video recording, i.e. web-casting.

## RESOLVED

That the Cabinet be recommended to undertake a one year trial of publication of audio recordings of proceedings at Council, Cabinet, Planning, Overview and Scrutiny and Corporate Governance and Audit committee meetings.

### 44 **Arrangements for Dealing with Standards Allegations under the Localism Act 2011**

The Council received the draft revised Arrangements for Dealing with Standards Allegations under the Localism Act 2011 (copy attached to the official minutes). Mrs Hardwick (Chairman of the Standards Committee), seconded by Mrs Apel, moved the recommendation of the Standards Committee. She reminded the Council that, as required by the Localism Act 2011, the Council had approved its Code of Conduct for members and also had published arrangements for dealing with allegations that district and parish councillors had failed to comply with the Code of Conduct. Since 2012, there had been 23 complaints; eight of these had proceeded to the Assessment Sub-Committee and one to a formal investigation and a hearing. However, fifteen cases were discontinued by the Monitoring Officer without reference to the Assessment Sub-Committee. In eight of these cases, she had determined that they did not relate to a code of conduct matter at all, but were rather a challenge to an expression of fact or opinion during a debate. In the remaining seven she had consulted one of the Council's two independent persons before informing the complainants that referral to the Assessment Sub-Committee was not justified.

The Standards Committee now proposed amendments to the published arrangements to formalise this process of validation, and some other minor amendments.

## RESOLVED

That the Council's *Arrangements for Dealing with Standards Allegations under the Localism Act 2011* be amended as shown in the report circulated with the agenda and that the Monitoring Officer is given all delegated powers specified therein.

### 45 **Questions to the Executive**

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

#### *(a) Question: Chichester Court House*

Mrs Apel asked the Cabinet whether they had any thoughts about the proposed closure of Chichester Court House.

#### *Response:*

Mr Dignum (Leader of the Council) replied that the Court House was owned by the Ministry of Justice. An objection to its closure would be submitted on the Council's behalf. If the Court House was closed the future of the property would be considered by the Chichester Vision group, along with other buildings in the Southern Gateway area.

Mrs Hardwick (Cabinet Member for Finance and Governance) read the gist of the soon-to-be submitted response, as follows:-



"The Council is aware of and grateful for the consultation response prepared by Chichester Pallant Barristers' chambers on behalf of the local legal service providers. The Council notes the content of that consultation and supports those representations. The following issues are submitted further to and in addition to those commendable representations by the local lawyers.

"The County Council estimates show that growth of population within this District will be 10% over the next decade. In addition the Council notes that Chichester is the only University town in West Sussex and also has a significant element of the population who are temporary workers in the agricultural industry who tend to be drawn from younger age groups. As such it is anticipated that much of the growth of population in this part of West Sussex will be in the younger age bracket unlike other areas. The Council notes the Office for National Statistics information on crime would suggest that younger people are disproportionately likely to be the victims of crime.

"The Council also notes that Chichester is a "hub" for legal services with a large number of large, medium and small sized legal firms accumulated here. This local network provides significant benefits to the area and mutual efficiencies to the population and businesses operating in the area. Any closure of the Courts in the District is likely to have a significant impact on the legal companies and their operations. Closures may also have a significant impact in that those businesses (and other firms who provide support services to them) may close or transfer to other locations. The advantages of this service element of the economy, and many other businesses which rely upon them, is significant to the economic social and cultural capacity of this area and has been a focus for local business development by Local Authorities in the area.

"Further the Council notes the issue of travel to other Courts and the impact it has upon enforcing bodies, witnesses and defendants. Current indications are that civil claims will be heard in Hastings and Brighton (a distance of over 2 hours each way by train), and criminal matters at Worthing (a distance of over 1 hour each way by train). Taking into account that many people living outside Chichester but in the district need to travel by bus or car to join a train journey it is likely to be physically impossible for many people in the outer edges of the District to get to Court for morning sessions. This of course will have a disproportionate impact upon the less well- off, rurally isolated and other vulnerable groups.

"Assuming a typical 3 hearings a week for this Council, and also assuming 2 witnesses plus the lowest level of advocate used by this Council per case, the direct cost of travel and officer time is estimated to be between £26,000 and £58,000 per annum – and we are just one of the many enforcement bodies based in Chichester which is the administrative centre for the West Sussex County as well as the District. In addition there will be a further significant cost where external lawyers such as barristers are used as advocates for hearings when the Council will be liable for their travel time. These costs can of course be multiplied many times for the persons using the Combined Court Centre as defendants, applicants or private claimants."

*(b) Question: Chichester Vision*

Mr Plowman commended the work being done on a Vision for Chichester. He reminded the Leader of the Council of the work "Towards a Vision for Chichester" dated 2004 and updated in 2006. This had used methodology followed by the Countryside Commission to

obtain the views of local people, including a questionnaire distributed to 20% of the population. He volunteered to participate in the Working Group.

*Response:*

Mr Dignum (Leader of the Council) thanked Mr Plowman for his reminder of this work which contained some very interesting ideas. He asked Mr Plowman to send a copy of it to Mr Stephen Oates, Economic Development Manager, who would be responsible for the Chichester Vision project.

*(c) Question: Waste disposal and recycling*

Mr Shaxson reminded the Cabinet Member for the Environment of questions he had asked at the annual Council meeting on 19 May and asked what progress was being made towards achieving the EU requirement to recycle 50% of domestic waste by 2020; whether West Sussex County Council (WSSCC) had secured a long-term contract for disposal of the Refuse Derived Fuel from the Brookhurst Wood Mechanical Biological Treatment plant, near Horsham; and whether air pollution in Rumbolds Hill, Midhurst was being measured.

*Response:*

Mr Barrow (Cabinet Member for Environment) replied that, since his previous written answer, he had participated in meetings of the Inter Authority Waste Group. In his view there was no satisfactory strategy for the achievement of the 50% target, and the group's aim was to develop a strategy over the year ahead. He felt that the key was to develop the Council's green waste service. He had no further information about WSSCC's arrangements for disposal of Refuse Derived Fuel, but would be attending a meeting with them shortly. He would provide a written answer about measurement of air quality at Rumbolds Hill.

*(d) Question: New Homes*

Mr Lloyd-Williams asked whether the Government's target to build one million new homes during the lifetime of the current Parliament affected the Council's newly adopted Local Plan.

*Response:*

Mrs Taylor (Cabinet Member for Housing and Planning) replied that it did not. However, the Local Plan had to be reviewed within five years, and the district's objectively assessed housing needs would be re-assessed.

*(e) Question: CO<sub>2</sub> emissions*

Mr Galloway asked whether the Cabinet Member for Environment was aware that Chichester had the highest district CO<sub>2</sub> emissions rate in West Sussex at 8.142 tonnes per head, and whether he shared his concern over this figure and believed that the Council's air quality action plan was sufficiently robust.

While he was not advocating this measure, it had been reported last week that the Government was considering increased charges for diesel vehicle entering some city centres and one of the reasons for this had been an increase in rates of respiratory illnesses in children.

He asked whether the Cabinet Member would ensure with relevant cabinet colleagues that the impact on the air we breathe in Chichester would feature as part of the road space audit for the city which WSCC was carrying out and would be considered as part of any proposals that might come forward during the development of the new Chichester Vision.

*Response:*

Mr Barrow (Cabinet Member for Environment) replied that he was aware that Chichester had the highest CO<sub>2</sub> rate in West Sussex, and had been reviewing with officers why this was the case. Looking at CO<sub>2</sub> emission across the country, it appeared to be highest in the most affluent areas of the country. Chichester was one of those areas.

The CO<sub>2</sub> emission figure quoted related to industrial and agricultural activity, domestic energy use, car and train travel.

Chichester district had higher emissions from transport compared to more urban districts and also higher domestic emissions due to the fact that there were large numbers of solid walled properties in rural areas which are off mains gas.

Closer inspection of detailed emission data showed that in the domestic/household sector Chichester District had higher emissions from fuels other than electricity and gas than other authorities. This reflected the high numbers of properties which were off grid and therefore relying on oil and LPG

Chichester District also had high levels of emissions from transport on A roads and minor roads compared to other authorities. This was again due to the rural nature of the District and people travelling on these roads for work and leisure.

Emissions from Industry and Commercial sector were also higher, as their use of "other fuels", i.e. not gas or electricity, was significantly higher than the other Districts, mainly due to local industries such as horticulture.

It should be noted however that CO<sub>2</sub>, while contributing to climate change, was not harmful to health at these ambient levels.

The Air Quality Action Plan (AQAP) was concerned with tackling airborne emission of all substances toxic to health. In Chichester the air quality issues related to traffic and so the AQAP was mainly about encouraging alternative modes of transport, low emissions transport and embedding air quality considerations in relevant policy areas and developments.

There were some particular air quality hotspots, Stockbridge Roundabout, St Pancras and Orchard Street, where the Council might be at risk of EU infraction fines in the future

The restriction of diesel vehicles, referred to as a 'low emission zone', was not actively under consideration in Chichester District at the moment but was not precluded by the current AQAP.

He believed that the AQAP was sufficiently robust and allowed the flexibility for the Council to respond to relevant government grants as they arise. The current work stream included the possibility of further electric vehicle charging facilities in Council car parks, electric

vehicles as part of the Council's fleet, contributing to the emerging Chichester Vision and working with schools to encourage children to cycle to school. The Council was also keen to support initiatives to provide more cycle routes. The Council also worked in partnership with Your Energy Sussex (YES) to encourage more efficient use of energy.

He agreed to arrange that officers ask WSCC to include air quality in the forthcoming road space audit.

*(f) Question: Permitted Development*

Mr Ransley asked whether there had been an increase in dwellings provided as a result of permitted development orders.

*Response:*

Mrs Taylor (Cabinet Member for Housing and Planning) replied that she would provide a written answer.

Mr Carvell added that there was no significant number of new dwellings being provided as a result either of permitted development orders or of permitted conversion of commercial premises.

*(g) Question: 75<sup>th</sup> Anniversary of Battle of Britain Flight, Goodwood Airfield*

Mr Plowman referred to the road traffic attracted to the Chichester area to view the 75th Anniversary of Battle of Britain Flight, from Goodwood Airfield on 15 September 2015. Many people had parked in the car parks of retail stores in the Portfield area, causing build-up of traffic and eventual gridlock. He thought that normally events at Goodwood were very well-regulated and asked whether the Police had been informed and involved on this occasion.

Mr Barrow (Cabinet Member for Environment) replied that everyone had been taken by surprise by the public interest and he would try to find out more information.

Mr Oakley replied that Goodwood could not have been surprised because tickets had been sold out for several weeks before the event. He pointed out that the only way of getting in or out of East Chichester had been via the Oving Road traffic lights.

Mr Potter pointed out that the event had been organised by Boulton Ltd, and not by the Goodwood Estate.

Mr Cullen commented that it behoved the Council to ask WSCC to find out what had happened and what lessons could be learned to ensure similar traffic congestion did not occur again.

Mr Dunn added that the flight had been a wonderful display and should be celebrated.

Mr Ransley agreed that in view of the traffic chaos and its economic impact some sort of investigation seemed justified.

The Council noted the report circulated with the agenda (copy attached to the official minutes) to the effect that, at its meeting on 8 September, the Cabinet had resolved that, as a matter of urgency, the following persons are appointed to form the Council's Independent Remuneration Panel and Parish Remuneration Panel:

Mr Michael Bevis  
Mr John Pressdee  
Mr John Thompson

**47 Exclusion of the press and public**

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

The meeting ended at 4.54 pm

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CHAIRMAN

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Date:

## WRITTEN ANSWERS TO QUESTIONS

**Minute 40 Infrastructure Business Plan - Approval for consultation***Question:*

Mr Hall asked that officers should produce figures of dwellings with planning permission, and those started but not complete, so that the size of developers' land banks could be understood.

*Response by Mrs Susan Taylor, Cabinet Member for Housing and Planning*

The information below only covers the Chichester Local Plan area (outside the National Park) and only includes housing developments of 6 or more dwellings.

There are currently 46 housing sites of 6+ dwellings with planning permission (or prior approval for conversion from office to residential).

A breakdown of the current development progress of these sites is provided below.

	<i>Number of sites</i>	<i>Number of dwellings (outstanding)</i>
Detailed permission - not started	15	424
Detailed permission - under construction	18	1,112
Outline permission	12	1,134
Unlikely to be implemented	1	10
<b>Grand Total</b>	<b>46</b>	<b>2,680</b>

The majority of sites with detailed planning permission (full permission, reserved matters) or prior approval are now under construction. In addition, a number of developments in the 'Not started' category are currently subject to applications for discharge of planning conditions, indicating that start of development is likely to occur in the near future.

There are a significant number of large sites with outline permission, although several of these are currently subject to applications for detailed planning permission. Most outline permissions require submission of reserved matters within 2 or 3 years of the permission being granted.

Overall, there are very few sites with planning permission where there is no ongoing landowner or developer activity. On current evidence, I do not consider that there is any significant evidence of developer land banking in the Plan area at the current time.

## **Minute 42 Safeguarding Policy**

*Question:*

Mr Shaxson asked for guidance on circumstances where members should seek Disclosure and Barring Service (DBS) checks.

*Response by Mrs Eileen Lintill, Cabinet Member for Community Services:*

As a general rule, the generic responsibilities of ward work does not require a DBS check, but Members are encouraged to adopt the safeguarding policy and for their own protection should certainly avoid any of the practices detailed in page 9 of the Policy (Page 129 of the Council papers).

However, in their Ward role, Members may be invited or choose to take on other local responsibilities. In situations such as working in or regularly visiting a school or nursing home, vetting including DBS check maybe a prerequisite.

It is hard to think of less formalised situations that wouldn't otherwise be discouraged by the Policy, but we recognise that there may be circumstances that might justify the local Members participation. The issue is where there is a presumption that, as a publically elected figure, a District Councillor is considered to be more responsible or otherwise suited to the role. Without judgement on Members personal attributes, it is important to remember that the role is not a qualification. If any uncertainty exists, both with the best interests of Adults / Children and Young People, and the potential exposure to accusation, Members are encouraged to seek guidance about the appropriateness of such activities they are looking to undertake and the necessity to undertake a DBS check before proceeding.

## **Minute 45 Questions to the Executive**

*(c) Question: Waste disposal and recycling*

Mr Shaxson reminded the Cabinet Member for the Environment of questions he had asked at the annual Council meeting on 19 May and asked what progress was being made towards achieving the EU requirement to recycle 50% of domestic waste by 2020; whether West Sussex County Council (WSCC) had secured a long-term contract for disposal of the Refuse Derived Fuel from the Brookhurst Wood Mechanical Biological Treatment plant, near Horsham; and whether air pollution in Rumbolds Hill, Midhurst was being measured.

*Response by Mr Roger Barrow, Cabinet Member for Environment:*

Thanks for your questions at Council yesterday

As you are probably already aware, WSCC are yet to tender a contract for RDF refuse derived fuel. The positive news is that the Brookhurst Wood MBT plant has now been fully commissioned and is now in operation. As I stated in reply to your previous question, WSCC need to run the plant for some time to establish the detailed composition of the products coming out of the plant before they can specify an RDF contract. As I explained, I will be attending an Inter Authority Waste Group meeting at Horsham in October, when I will be seeking an update.

With regard to air quality in Rumbolds Hill, as I advised in my last reply, Environmental Health started monitoring for Nitrogen Dioxide at Rumbolds Hill in July 2015 using a monthly exposed diffusion tube. Once they have a year's worth of data and it has been bias-corrected, it will be published in August 2016.