



Minutes of the meeting of the **Council** held in Committee Rooms, East Pallant House on Tuesday 19 July 2016 at 11.00 am

**Members Present:** Mrs E Hamilton (Chairman), Mrs C Apel, Mr G Barrett, Mr R Barrow, Mr P Budge, Mr M Cullen, Mr I Curbishley, Mr A Dignum, Mrs P Dignum, Mrs J Duncton, Mr J F Elliott, Mr J W Elliott, Mr N Galloway, Mrs N Graves (Vice-Chairman), Mr M Hall, Mrs P Hardwick, Mr R Hayes, Mr G Hicks, Mr L Hixson, Mr P Jarvis, 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, Mrs P Plant, Mr H Potter, Mrs C Purnell, Mr J Ransley, Mr J Ridd, Mr A Shaxson, Mrs J Tassell, Mrs S Taylor, Mr N Thomas, Mrs P Tull, Mr D Wakeham and Mrs S Westacott

**Members not present:** Mr J Connor, Mr T Dempster, Mr M Dunn, Mr B Finch, Mr F Hobbs, Caroline Neville, Mr S Oakley and Mr R Plowman

**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)

## 125 Minutes

### RESOLVED

That the minutes of the annual meeting of the Council held on 17 May 2016 be signed as a correct record.

## 126 Urgent Items

There were no urgent items for consideration at this meeting.

## 127 Declarations of Interests

Mrs Hamilton, as a member of the Birdham Parish Council, declared a personal and prejudicial interest in Agenda Item 6 (Making the Birdham, Tangmere and Wisborough Green Neighbourhood Plans) (see minute 130 below). She withdrew to the public seating area and did not take part in the discussion or vote on the matter.

Mrs Keegan declared a personal and prejudicial interest in agenda item 11 (Chichester City Centre Management – Renewal of Chichester BID) (see minute 135 below), as being the Council's appointed representative on the Chichester City Centre Partnership. She did not vote on this matter.

## 128 Chairman's announcements

The Chairman:

- (1) explained to members that she had just unveiled a signed portrait of HM the Queen outside the Council Chamber to commemorate her 90<sup>th</sup> birthday;
- (2) thanked the Chief Executive and John Ward, Joanna Timm and the elections team, and other polling station and count staff for conducting the Referendum on 23 June.
- (3) Thanked and congratulated all the staff involved in arranging the Chichester Triathlon on 2 and 3 July 2016. This was the 10<sup>th</sup> year of the Triathlon, which had grown from a field of 140 people on one day, to a two-day event with 250 children participating on the Saturday, and 870 adults on the Sunday.
- (4) reminded members about the Members briefing session on 12 September covering:
  - 2.00 pm Southern Gateway Masterplan
  - 3.00 pm Devolution
  - 3.30 pm Welfare Reform.
- (5) explained that a list of events at which she and the Vice-Chairman had represented the Council would be emailed to members in future.

## 129 Public Question Time

No public questions had been submitted.

## 130 Making the Birdham, Tangmere and Wisborough Green Neighbourhood Plans

Mrs Hamilton, as a member of the Birdham Parish Council, declared a personal and prejudicial interest in this item. She withdrew to the public seating area and did not take part in the discussion or vote on the matter.

(Mrs Graves in the chair)

Mrs Taylor (Cabinet Member for Housing and Planning), seconded by Mr Dignum, moved the recommendations of the Cabinet, explaining that, on 9 February 2016, the Cabinet had approved that the Birdham and Tangmere Neighbourhood Development Plans proceed to referendum, and on 8 March had approved that the Wisborough Green Neighbourhood Development Plan proceed to referendum. The referenda had been held on 5 May 2016, and in each case over 50% of votes cast were in favour of the Plan. The actual results were:

	Turnout	Proportion in favour
Birdham	45.86%	90%
Tangmere	21.18%	89.8%
Wisborough Green	36.58%	83.18%

Mr Hayes (Chairman of the Planning Committee) commended the Council's planning policy officers and the parish councils for their hard work in achieving these results.

## RESOLVED

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

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

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

(Mrs Hamilton returned to the chair)

### 131 **Chichester Site Allocation: Draft Development Plan Document (DPD): further consultation**

The Council considered the draft Site Allocation: Preferred Approach Development Plan Document circulated with the agenda (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 Chichester Local Plan required delivery of 7,388 dwellings a year from 2012 to 2029. A large proportion would be in strategic development locations, but other sites would be identified in neighbourhood development plans or in the Site Allocation Development Plan Document (DPD). Public consultation on the DPD had taken place in January and February 2016, but since then progress on some neighbourhood plans and further information on a previously discounted site had resulted in some changed proposals requiring a further round of consultation. These changes related to:

- A site at Highgrove Farm, Bosham, to meet the parish's indicative housing number of 50, following removal of proposed housing allocations from the neighbourhood plan on the Examiner's recommendation.
- A new site for housing to the rear of Sturt Avenue, Lynchmere.
- Definition of the Local Centre of East Wittering.

As a result of the additional consultation, the timetable for the DPD had been delayed by six months, with submission to the Secretary of State for examination now expected to be in March 2017.

Mr Barrett asked whether the Local Centre was entirely in East Wittering, as it appeared to him that part of it might be within the parish of West Wittering. Mrs Taylor replied that she expected that this would be clarified through the consultation process.

Mr Shaxson, Mrs Hardwick and Mrs Graves expressed concerns about the inclusion of the site at Lynchmere, which had been previously discounted, partly because it had a history of flooding. They asked for an assurance that the Council was not committed to development on this site, but would consider the results of consultation. Mrs Taylor confirmed that the results of the consultation would be considered; this would lead to the

production of a pre-submission DPD, which would be subject to a further statutory public consultation before examination. The inclusion of the site in the DPD at present was, therefore, far from final and its potential would be carefully considered.

## **RESOLVED**

(1) That further public consultation be approved on the Site Allocation: Preferred Approach Development Plan Document, as set out in the Appendix to the report, for eight weeks from 28 July until 22 September 2016.

(2) That authority be delegated to the Head of Planning Services to enable minor editorial and typographical amendments to be made to the document prior to its publication.

## **132 Chichester District Council Annual Report 2015-16**

The Chairman explained that, because the Council agenda had been produced before the Cabinet meeting on 12 July, members had been sent an update sheet drawing attention to five minor textual alterations approved by the Cabinet as follows:-

Page 13 5th para: the reference to 'channels' in the second line is now changed to 'ways of contacting us'.

Page 13 last para: the reference to '1,000,000 vulnerable people and saved thousands of lives' now reads '1,000,000 vulnerable people and saved thousands of lives in the district and beyond'.

Page 14 first para: the reference to '21,000 clients – from young carers to senior citizens' now reads '21,000 clients – from young carers to senior citizens, of which some 2,800 are Chichester district residents'.

Page 17 para 2: reference to 'the Grange' now reads 'the Grange Midhurst'.

Page 24 last para, first bullet: reference to 'two responsible dog events' now reads 'two responsible dog-owner events'.

Mr Dignum (Leader of the Council), seconded by Mrs Lintill, moved the recommendation of the Cabinet. He explained that the Annual Report described the key achievements of the Council over the past year. It focussed on significant achievements and future objectives, and in addition there was a great deal of regular work not recorded in the Report. He commended all members to read it.

With reference to the section on Planning Policy, Mrs Apel expressed concerns about waste water treatment for new development in the City of Chichester. She was concerned that the use of package sewage treatment plants could result in further discharge into Chichester Harbour. The water quality of the Harbour was currently rated medium and the Harbour Conservancy was concerned that any further influx could result in the water quality becoming poor and wildlife being adversely affected.

Mrs Taylor replied that a Surface Water and Foul Drainage Supplementary Planning Document was being prepared and developers would be given guidance on the remaining

capacity in existing waste water treatment works; and what to do if there was inadequate capacity. Mr Carvell added that foul drainage and water quality were key considerations in the determination of planning applications, which would be carefully scrutinised to ensure satisfactory means of disposal and discharge before approval.

**RESOLVED**

That the Annual Report 2015-16 be approved, subject to the amendments agreed by the Cabinet.

**133 Chichester in Partnership - Community Strategy 2016-2021**

Mrs Lintill (Cabinet Member for Community Services), seconded by Mr Dignum, moved the recommendation of the Cabinet.

She explained that Chichester in Partnership (CIP) had been formed in 2002. The Local Government Act 2000 placed a duty on local authorities to prepare a Sustainable Community Strategy (SCS) to promote and improve the economic, social and environmental well-being of their areas, and contribute to the achievement of sustainable development. This was rescinded in 2012, but unlike other Local Strategic Partnerships (LSPs) CIP had continued to flourish, becoming more focussed, with action plans and strategies being developed, priorities set, outcomes planned and projects delivered. In December 2015 partners had felt the existing SCS to be dated and not reflecting the ethos of the Partnership. They had agreed to complete a light touch review of the SCS in consultation with the core and wider partnership. The result was a new strategy that was shorter and easier to read with fewer priorities. Each partner was being asked to take the revised SCS through its formal approval process.

The Overview and Scrutiny Committee reviewed the work of the CIP each year, and had recommended approval of the revised strategy. The Committee had also recommended that “consideration is given to establishing an emergency fund for Chichester in Partnership for the period 2016-2021 to ensure its ability to function in times of hardship.”

In consequence of this, the Cabinet had approved an amendment to the second recommendation, which was set out on the update sheet.

**RESOLVED**

- (1) That the Community Strategy 2016-2021 be adopted.
- (2) That a £10k funding reserve be made available, to be managed by the Cabinet Member for Community Services and the Head of Community Services as the Council’s representatives to Chichester in Partnership, in order to attract match funding to support new or existing projects with proven benefits to vulnerable residents that would otherwise fail for lack of short term funding.

**134 A27 Contributions - Adoption of amendment to the Planning Obligations and Affordable Housing Supplementary Planning Document**

Mrs Taylor (Cabinet Member for Housing and Planning), seconded by Mr Dignum, moved the recommendations of the Cabinet.

She reminded the Council that Local Plan Policy 8 described a co-ordinated package of improvements to the A27 Chichester Bypass junctions to mitigate the traffic impact arising from the major housing developments proposed in the Local Plan. She drew attention to the scale of the financial cost of the mitigation package set out in Appendix 3 of the Cabinet report and to the method of calculation in the table in paragraph 1.6 of that Appendix, which required each development of more than 50 dwellings to pay a contribution per dwelling based on the estimated number of trips generated that would use the A27 junctions. Developers would be required to enter into a Section 106 agreement requiring them to enter into a Section 278 Agreement with Highways England to pay the contribution. The scheme was intended to mitigate the impact of new development, not to remedy current difficulties. She pointed out that the Community Infrastructure Levy (CIL) examination had found the proposed charge to be viable and that, in the consultation, the developers had raised no objections in principle.

Mr Cullen asked whether, before the introduction of CIL, there had been any developers' contributions to trunk road improvements.

Mr Carvell explained that, before CIL, such requirements had been governed either by planning conditions or negotiated through Section 106 agreements. Under the arrangements now proposed, the contributions secured for the mitigation works on the A27 junctions would go directly to Highways England.

Members asked whether the developers' contributions should be devoted to improvements on the local road networks, rather than the trunk road, for example the Selsey Tram roundabout on the A286 in Donnington. It was explained that the use of Section 106 agreements and separate CIL contributions could continue to be used for local road improvements required as a result of new development.

Members also referred to the Highways England consultation, which had just started, on a major improvement scheme for the A27 Chichester By-pass, and enquired whether, given that the mitigation package proposed under the Council's scheme was to deal with improvements required as a result of new development, it was legitimate for these contributions to be used for the major scheme. They also enquired whether the £11m expected from the Council's scheme met Highways England's expectations.

Mrs Taylor explained that planning applications in relation to the new developments were being submitted and Section 106 agreements were being negotiated now, and could not wait for the outcome of the A27 consultation and route design. Mr Dignum added that the District Council and the County Council had committed to contribute £10m each to the A27 improvement scheme, and the developers' contributions would cover the District Council's contribution.

Mr Potter questioned whether the council should approve the recommendation when there were so many uncertainties about the future improvement of the A27. He also suggested that not all developers had responded to the consultation, Persimmon being an example. However, Mr Taylor replied that all developers had had the chance to respond. Failure to proceed with the scheme would miss an opportunity to obtain contributions from new development towards necessary improvements to the A27 junctions. The Chief Executive added that this could put the Local Plan in jeopardy.

Mr Ridd expressed concern that Highways England seemed only to be concerned with the A27 and regarded all other roads as not being their responsibility. However, it was

important to see the whole picture and to take account of the knock-on effect on local roads of changes to the A27. Mr Ransley supported this and asked that the Cabinet Member should write to the responsible minister to urge that delivery of infrastructure after development was considered and brought together. Mrs Taylor agreed to write accordingly.

## **RESOLVED**

- (1) That, because there are no adverse comments from the Statutory Bodies and for the reasons set out in the Criteria and screening opinion set out in Appendix 2 to the Cabinet report, it be determined that a Strategic Environmental Assessment is not required in respect of the proposed amendment to the Planning Obligations and Affordable Housing Supplementary Planning Document (SPD); and
- (2) That the approach for securing A27 contributions proposed in the consultation be agreed, and that the amendments to the Planning Obligations and Affordable Housing Supplementary Planning Document (SPD) be formally adopted by including the additional wording set out in Appendix 3 to the Cabinet report.

### **135 Chichester City Centre Management - Renewal of Chichester BID**

Mrs Lintill (Cabinet Member for Community Services), seconded by Mr Finch, moved the recommendation of the Cabinet.

She explained that Chichester's City Centre Business Improvement District (BID) was one of over 200 BIDs in place across the country. Chichester BID had been established five years ago, its formation being driven by this Council's Economic Development Service in conjunction with the Chamber of Commerce.

A number of City Centre functions, formerly undertaken or overseen by the Council, had been transferred to the BID, including:

- City Centre management and events
- the annual Christmas lights
- the ChiBAC (Chichester Business Against Crime) initiative

Since 2012, Chichester BID had also provided a good deal of marketing and promotion of the City Centre, and improved its physical organisation and general safety and security.

BIDs were business led partnerships created through a ballot process with all business ratepayers in the BID area voting on whether the BID goes ahead. By law a BID had to be renewed every five years, giving business ratepayers the opportunity to vote again to decide whether or not the BID should continue for a further term.

Chichester's City Centre BID was nearing the end of its first five-year term and wished to seek renewal for a further term of five years. Accordingly, it had undertaken extensive consultation with local businesses and had prepared its Renewal Business Proposal for the next five years.

While the BID did not achieve everything it set out to do in its first term, overall it had been a success, and, for its second term, proposed to build on those successes.

If the BID was not renewed it would cease from 31st March 2017. A number of City Centre management, organisational and promotional functions would then stop or need to be re-allocated to other bodies, including Christmas lights and festivities, events and promotions, ChiBac and city centre safety, advocacy and support to businesses. Similarly, the additional activities proposed for the next five years would not happen.

The progress of the BID had been reviewed annually by the Overview and Scrutiny Committee, and at its meeting on 5 July the Committee had recommended the Cabinet to support the BID's renewal plans and that the level of support provided by the Council to the BID's strategic partnership be considered and that a brief report be requested to identify how joint objectives could be better delivered.

The BID's Renewal Business Proposal was in line with the Council's strategic objectives, and complemented its emerging strategy for the visitor economy and the Chichester Vision.

## **RESOLVED**

That the Leader of the Council be authorised to vote in accordance with Cabinet's decision in relation to the ballot to renew the BID.

### **136 Treasury Management Policy 2016-2017 Update**

Mrs Hardwick (Cabinet Member for Finance and Governance), seconded by Mr Dignum, moved the recommendation of the Cabinet. She explained that minor adjustments were required to the Council's treasury management strategy to reflect the necessary framework changes in the limits etc., as detailed in appendix 1 to the Cabinet report, rather than a complete update in terms of context and the market. This was because the framework of the strategy enabled the treasury team to have the flexibility required to make decisions, taking into account the prevailing market conditions, when considering investment opportunities for the Council's surplus funds.

For example, it had been the Council's intention to invest up to £10m in the Local Authority Property Fund. Having placed £5m in the fund in February 2016, it was intended to place a further £5m in May 2016; however in light of the referendum and possible impact on commercial property values, officers held off making further investments in the fund at that time. However, the recommended capital limits would still permit this, if conditions made it appropriate.

Officers were looking at alternative investment opportunities including different pooled funds, such as bond funds or multi-asset funds that had a diversified pool of equity, bond and property exposures. The use of any new investment vehicles would have due diligence undertaken by officers, including taking external advice in order to fully understand the risks attached, and prior approval by the Head of Finance and Governance Services.

The advice from Arlingclose (the Council's Treasury advisors) regarding the use of the Local Authority Property Fund, was to buy and hold these funds for the long term, so that the income was the main source of return, and the Council had time to ride out the ups and downs of capital values. A formal revaluation of the existing Property Fund investment was currently awaited, and it was likely that there would be a reduction in value. However, the property fund investment was intended to be a long term investment.



Mrs Hardwick added that the Cabinet had asked for a further report later in the year on any significant changes in market conditions that might affect the Strategy. However, she made the following interim statement.

“The economic outlook for the UK has changed significantly following the referendum result. However, the financial markets seem to have stabilised following the initial shock.

“In the short term, the economy is expected to slow due to the uncertainty which is likely due to deferred investment decisions, but the equity markets seem to have remained relatively positive and calmer in the early weeks of July. This might reflect a more optimistic longer term investment horizon, due to evidence supporting the view that trading nations outside the EU such as Australia, New Zealand and China are already making overtures to the UK about establishing trade deals, having been frustrated with the lack of progress with EU negotiations.

“Sterling has depreciated in response to the Governor of the Bank of England indicating that further monetary easing may be necessary in the near future, especially if gilt yields start to rise due to concerns over the UK economy. However, the Monetary Policy Committee did not reduce the Base Rate at its last meeting, which surprised many analysts.

“Officers will be formally reporting the 2015-16 Treasury Management outturn report and the first quarter’s performance for 2016-17 to the September Cabinet meeting. They will also be reporting on whether any changes in the economic climate post-Brexit warrant any further changes to the Treasury Management Strategy.

“It is also worth noting that recent benchmarking of our portfolio compared to other Arlingclose clients, has confirmed that we are well placed for any repercussions due to the referendum outcome.”

Mr Ransley asked that the Cabinet should be reminded of and review the changes approved today, when considering the later report on market conditions, because they allowed officers greater latitude in making investment decisions, and that should be reviewed in the overall context. Mrs Hardwick confirmed this and added that the revised Strategy had also been considered and supported by the Corporate Governance and Audit Committee.

## **RESOLVED**

That the revised Treasury Management Strategy 2016-17 be approved.

### **137      Review of the Constitution**

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

Mrs Hardwick (Cabinet Member for Finance and Governance), seconded by Mrs Taylor, moved the recommendation of the Cabinet. She reminded the Council that they had appointed a Task and Finish Group (TFG) comprising herself, Mrs Apel, Mrs Lintill, Mr Ridd and Mrs Tull to review the Council’s Constitution and advise Cabinet and Council on any changes, in particular, on how decisions are made and the effective operation of the

Council's business. The TFG had met twice and its conclusions were summarised in paragraphs 4.4 and 4.5 and Section 6 of the Cabinet report.

Mr Budge drew attention to the proposed deletion in Article 5 of the provision that "The Chairman may promote a Chairman's Charity appeal for the charity or charities of his choice during his term of office." He felt that this was a valuable provision which should be retained. Mrs Hardwick replied that the TFG had strongly supported its deletion. It seemed invidious to single out a particular charity for a special effort which would inevitably require Council resources to support the Chairman and manage the fund.

#### **RESOLVED**

That the revised Constitution, as set out in the background paper to the Cabinet report, including the significant alterations described in section 6 of the Cabinet report, be approved.

#### **138 Overview & Scrutiny Committee Annual Report 2015/16 and Work Programme 2016/17**

Mrs Apel (Chairman of the Overview and Scrutiny Committee), seconded by Mrs Graves, moved receipt of the Overview and Scrutiny Committee's Annual Report 2015/16 and Work Programme 2016/17 (copy attached to the official minutes). She added that the Committee had had a busy year. She thanked the members of the Committee and the supporting officers, Mrs Jones, Miss Higenbottam, and Mr Hansford.

#### **RESOLVED**

That the Overview and Scrutiny Committee's Annual Report 2015/16 and Work Programme 2016/17 be noted.

#### **139 Questions to the Executive**

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

##### *(a) Question: Surplus land at The Grange, Midhurst*

Mr Thomas asked Mrs Keegan for an update on marketing for disposal the surplus land at The Grange, Midhurst

##### *Response:*

Mrs Keegan (Cabinet Member for Commercial Services) replied that officers were making sure that there was an agreement in principle from the South Downs National Park Authority to grant planning permission for the site to be developed in the way it was being marketed. This was being sought in writing to give confidence to the marketing offers. That had resulted in a slight delay, before formal marketing commenced towards the end of this month. Some expressions of interest had already been received. The offers would then be analysed by officers and reported to the Cabinet meeting in November.

*(b) Question: Gypsies and travellers*

Mr Shaxson commented that there seemed to be an alarming number of incursions by gypsies and travellers, despite the existence of the transit site at Westhampnett. He asked whether the site was too small, and what was planned for the future.

*Response:*

Mrs Lintill (Cabinet Member for Community Services) replied that she did not have the number of incursions there had been in the 2016 season, but she would find out and give a written reply. The transit site did provide a facility for the police to direct travellers to. If the whole group was too big to be accommodated at the transit site, part of the group could be directed there, and frequently the whole group would move out of the county rather than split. Mrs Lintill advised that she would provide a written answer.

Mr Hall added that the transit site was working effectively and a local liaison group monitored its operation.

*(c) Question: Southern Rail*

Mr Lloyd-Williams referred to the recent decision by the Overview and Scrutiny Committee to ask that a letter be sent to the District's Members of Parliament about the chaos on Southern Rail services, and asked whether that letter had been sent and, if so, whether a reply had been received.

*Response:*

Mr Dignum (Leader of the Council) replied that he had not yet received the formal request to write the letter.

*(d) Question: Visit Chichester*

Mrs Apel made reference to the preparation of a Vision for Chichester, and asked whether it would address the issue of tourism. She referred to the decision some years ago to grant £50,000 to Visit Chichester, and asked whether that had been well spent.

*Response:*

Mr Dignum (Leader of the Council) replied that a Tourism Strategy would be drawn up after the Vision for Chichester was completed because part of the Vision would need a way of attracting tourism to the City. The Council might need to reconsider its decision to get out of tourism except for one Tourist Information Centre.

The Chief Executive added that the Council did not currently fund Visit Chichester, but the Strategy would be reviewed and a decision whether to contribute would be made early next year.

Mr Over declared an interest as a Director of Visit Chichester, but stated that the £50,000 grant had been mainly spent on website development and members could judge whether it had been well spent by visiting the website.

*(e) Question: Racial hate crime*

Mrs Dignum reported that a number of ward members had received letters expressing concern about the recently reported rise of racist and xenophobic incidents and hate crimes, following the EU referendum. She understood that the police kept a record of such crimes and asked whether there had been an increase in such incidents in Chichester District.

*Response:*

Mrs Lintill (Cabinet Member for Community Services) replied that she wished to reassure residents that there had not been any significant increase of this type of crime in the Chichester District to date. However, the most up to date data suggested there had been two cases which might be linked to the EU referendum and there had been some reports of anti-English graffiti and behaviour.

She wanted to make it absolutely clear that discriminatory behaviour of any kind would not be tolerated. Everyone had the right to feel safe in their communities and any kind of hate crime was unacceptable in any circumstances.

The Council worked very closely with the police and other partners through the Chichester District Community Safety Partnership. The Partnership not only monitored crime in the District, but it also identified actions that needed to be tackled or responded to. This included running campaigns to tackle certain behaviours such as race hate crime. The Partnership was leafleting via Community Wardens, high risk areas (Natures Way, Pepper farms) and universal services eg GP surgeries, to encourage reporting.

The Council's Community Wardens also provided a reassuring presence on many of the District's streets. They were integrated into the communities in which they worked. They were always available to listen to any concerns that people might have. They also knew which agencies were best placed to respond to particular issues.

If any residents had been affected by, or had witnessed, this type of behaviour, they should be encouraged to report this to the police on 101 or email [101@sussex.pnn.police.uk](mailto:101@sussex.pnn.police.uk). Concerns could also be reported on both the District Council's and County Council's websites.

*(f) Question: Community Infrastructure Levy*

Mr Ransley referred to the members' briefing by West Sussex County Council (WSCC) officers on the Community Infrastructure Levy, in which they had stated that WSCC was a co-ordinator and commissioner of infrastructure provision. He asked whether the District Council had any oversight to scrutinise and monitor their performance.

*Response:*

Mrs Taylor drew attention to the Section 106/CIL protocol on the Council's website. This provided that, before release of identified CIL funds to external public bodies (infrastructure commissioners), the District Council would normally require a Legal Development Agreement/Service Level Agreement once sufficient CIL money had been collected to cover the total costs of the projects to be funded in any financial year. To

ensure that the money is spent on the agreed project and to the indicated timetable agreed with the District Council as Charging Authority, CIL funds would be released in arrears either on completion of projects or in staged payments as agreed by the Head of Planning Services. The Corporate Governance and Audit Committee would monitor the effectiveness of this protocol and that any risks are being managed in ensuring that monies are spent in accordance with the legal agreement (in the case of S106), and Legal Development Agreement/Service Level Agreement (in the case of CIL) and within the required timescales.

*(g) Question: Chichester City Floral Decorations*

Mr John F Elliott congratulated Mr Budge (Mayor of Chichester) on the floral decorations of the City.

**140      Exclusion of the press and public**

**RESOLVED**

That the public, including the press, be excluded from the meeting for the following items on the grounds that it is likely that there would be a disclosure to the public of 'exempt information' of the description specified in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A to the Local Government Act 1972 and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

**141      Plot 21, Terminus Road Chichester**

Mrs Keegan (Cabinet Member for Commercial Services), seconded by Mr Dignum, moved the recommendations of the Cabinet, drawing attention to the revised recommendation as shown on the update sheet.

Mrs Keegan explained that, in June 2015, the Cabinet had approved a budget for the demolition of the existing building and redevelopment of this site with a single unit, subject to a pre-let agreement being in place before the new unit is built. Unfortunately, marketing of the site had failed to secure such a pre-let agreement. However, an offer had been received from a developer proposing to take a long lease to construct a five unit speculative industrial scheme. A market overview report had been commissioned from a local commercial agent whose report indicated that there was good demand for such units.

Whilst accepting the offer from a developer was a low risk option, it also offered a relatively low return. It was, therefore, proposed that the Council should itself proceed with the development of a five-unit speculative development, but in two stages – initially to draw up a detailed design, obtain detailed planning permission and tender for construction, to be followed by a further report to Cabinet on current market conditions and expected return on investment before proceeding with a construction contract. She added that, even if market conditions worsened and some units became hard to let or rents reduced, the expected return on investment would still be better than cash on deposit or the local authority property fund.

Mrs Keegan answered members' questions about the scale of investment and the rate of return, accepting that the rate of return should take into account the value of the land.

## RESOLVED

- (1) That funding of the amount set out in recommendation 2.1(i) of the Cabinet report is released from Capital Reserves to enable the detailed design, planning matters and pre-construction tender process to be progressed for a five unit scheme.
- (2) That the balance of the estimated total project cost is allocated from capital reserves and that, following the tender process, a report is brought back to Cabinet to review capital costs, return on investment, and prevailing condition of the property market before the budget is released to enter into a construction contract.

The meeting ended at 1.00 pm

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CHAIRMAN

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Date:

## WRITTEN ANSWERS TO QUESTIONS

### Minute 139 Questions to the Executive

*(b) Question: Gypsies and travellers*

Mr Shaxson commented that there seemed to be an alarming number of incursions by gypsies and travellers, despite the existence of the transit site at Westhampnett. He asked whether the site was too small, and what was planned for the future.

*Response:*

Mrs Lintill (Cabinet Member for Community Services) replied that she did not have the number of incursions there had been in the 2016 season, but she would find out and give a written reply. The transit site did provide a facility for the police to direct travellers to. If the whole group was too big to be accommodated at the transit site, part of the group could be directed there, and frequently the whole group would move out of the county rather than split. Mrs Lintill advised that she would provide a written answer.

*Written response:*

Following the question which you asked in Council on 19 July 2016 concerning the apparent number of incursions by Gypsy Travellers despite the Transit Site, I now set out the number of incursions for 2014/15 and 2015/16 for comparison, countywide and within the Chichester District.

The Transit site opened in May 2015. WSCC only started acting on behalf of all Districts and Boroughs in all unlawful encampments since May 2015 therefore data before then may not be complete, however CDC's is. I would also refer you to the Cabinet report of 3 December 2013 para.4.5 (c) stating CDC had experienced 51 incursions in 2013/14 to date.

A full post project evaluation is being conducted, coming to Cabinet on 4 October 2016 and I would reserve further comment until I have seen the full analysis, save to say the site is as big as the land available allowed and it was always intended to provide another option for use of police powers not previously available and not a total solution.

1 April 2014 to 31 March 2015 – 117 encampments in WSCC of which 70 were Gypsy Travellers ( others include so called New Age Travellers and temporary Van Dwellers)

1 April 2014 to 31 March 2015 – 19 in Chichester District

Average stay on site 5 – 10 days and majority dependent on court hearing for resolution

1 April 2015 to 31 March 2016 – 100 in WSCC of which 61 were Gypsy Travellers

1 April 2015 to 31 March 2016 – 21 in Chichester District

Average stay on public land unauthorised sites 1 – 3 days range of interventions of police powers, transfer to Transit Site, decline offer of the site and move on and court action.

The full analysis for the PPE report will seek to identify how many times the Transit Site has been full and unavailable when there has been an unauthorised encampment.