

JOHN WARD
Head of Finance and Governance Services

Contact: Graham Thrussell on 01243 534653
Email: gthrussell@chichester.gov.uk

East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY
Tel: 01243 785166
www.chichester.gov.uk



A meeting of the **Cabinet** will be held in the Old Court Room The Council House (Chichester City Council) North Street Chichester on **Tuesday 9 May 2017 at 09:30**

MEMBERS: Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mrs P Hardwick, Mrs G Keegan, Mrs P Plant, Mrs C Purnell and Mrs S Taylor

AGENDA

1 **Chairman's Announcements**

The chairman will make any specific announcements for this meeting and advise of any late items which due to special circumstances will be given urgent consideration under agenda item 9 a) or b).

2 **Approval of Minutes** (pages 1 to 17)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 7 March 2017.

[**Note** The meeting scheduled for Tuesday 4 April 2017 was cancelled for lack of business]

3 **Declarations of Interests**

Members are requested to make any declarations of disclosable pecuniary, personal and/or prejudicial interests which they might have in respect of matters on the agenda for this meeting.

4 **Public Question Time**

In accordance with Chichester District Council's scheme for public question time and with reference with to standing order 6 in Part 4 A and section 5.6 in Part 5 of the Chichester District Council *Constitution*, the Cabinet will receive any questions which have been submitted by members of the public in writing by 12:00 on the previous working day. The total time allocated for public question time is 15 minutes subject to the chairman's discretion to extend that period.

RECOMMENDATIONS TO THE COUNCIL

5 **Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document** (pages 18 to 20)

The Cabinet is requested to consider the agenda report and its two appendices (which are available to view only electronically with one hard copy of each in the Members Room at East Pallant House) and to make the following recommendations to the Annual Council meeting:

That the Council:

- (1) Adopts the Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document (set out in appendix 1 to the agenda report) and
- (2) Approves the proposed responses to representations received (set out in appendix 2 to the agenda report).

KEY DECISIONS

6 **Procurement of New Vehicles: Chichester Contract Services** (pages 21 to 28)

The Cabinet is requested to consider the agenda report and its two appendices and to make the following resolution:

That the contract be awarded to Supplier D for the purchase of two x 26 tonne (Gross Vehicle Weight) refuse collection vehicles at a total cost of £ 317,566 excluding VAT (chassis/body and bin lifter) funded from the Asset Replacement Reserve (as set out in para 5.1 of the agenda report).

OTHER DECISIONS

7 **Recording of Committee Minutes - Pilot Extension** (pages 29 to 31)

The Cabinet is requested to consider the agenda report and to make the following resolution:

That a one-year extension to the pilot to audio record and publish the Council, the Cabinet, the Planning Committee, the Overview and Scrutiny Committee and the Corporate Governance and Audit Committee meetings online be approved.

8 **Recreational Disturbance at Pagham Harbour - Revision to the Joint Approach to Mitigation with Arun District Council** (pages 32 to 39)

The Cabinet is requested to consider the agenda report and its three appendices and to make the following resolutions:

- (1) That the revisions to the joint scheme of mitigation for Pagham Harbour

Special Protection Area in appendix 1 to this report be endorsed.

- (2) That the reduced level of developer contributions to the joint scheme set out in appendix 2 to this report be approved.
- (3) That the increased expenditure of the joint section 106 funds on the scheme of mitigation as specified in para 5.2 of this report be approved.
- (4) That the Head of Housing and Environment Services be authorised to enter into an agreement with the Royal Society for the Protection of Birds and Arun District Council to deliver mitigation measures for a five-year period, with the option to extend this to ten years.

9 **Late Items**

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

10 **Exclusion of the Press and Public**

The Cabinet is asked to consider in respect of agenda items 11 (Investment Opportunity) and 12 (Land in Ellis Square Selsey – Land Disposal) whether the public including the press should be excluded from the meeting on the following ground of exemption in Schedule 12A to the *Local Government Act 1972* in the case of each item namely Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and because in all the circumstances of the case the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

[Note The reports and appendices within this part of the agenda are attached for members of the Council and relevant only (printed on salmon paper)]

11 **Investment Opportunity** (pages 40 to 72)

The Cabinet is requested to consider the confidential* agenda report and its appendix and to make the following the following recommendation to the Council:

That the Council:

- (1) Approves the release of the sum and from the funds as stated in the agenda report to make the subject acquisition.
- (2) Authorises the Head of Commercial Services, following completion of due diligence and consultation with the Cabinet Member for Commercial Services, to approve the final terms of this acquisition.

***[Note** 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*.]

12 Land in Ellis Square Selsey - Land Disposal (pages 73 to 76)

The Cabinet is requested to consider the confidential* agenda report and its appendix circulated to members and relevant officers only and to make the following resolutions:

- (1) That the freehold sale of the site shown on plan 5256 (attached as appendix 1 to the agenda report) be approved on the terms detailed in para 5.1 of the report.
- (2) That the Head of Commercial Services be authorised to approve the final detailed terms of disposal.
- (3) In the event that the sale recommended in para 5.1 of the report does not proceed, the Head of Commercial Services be authorised to conclude a sale to an alternative party, on terms no less favourable than those set out in the report, after consultation with the Cabinet Member for Commercial Services.

*[**Note** 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*.]

NOTES

1. The press and public may be excluded from the meeting during any item of business wherever it is likely that there would be disclosure of 'exempt information' as defined in section 100A of and Schedule 12A to the *Local Government Act 1972*.
2. The press and public may view the report appendices which are not included with their copy of the agenda on the Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless they contain exempt information.
3. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council's *Constitution*]
4. A key decision means an executive decision which is likely to:
 - result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates or
 - be significant in terms of its effect on communities living or working in an area comprising one or more wards in the Council's area or
 - incur expenditure, generate income, or produce savings greater than £100,000.

NON-CABINET MEMBER COUNCILLORS SPEAKING AT CABINET

Standing Order 22.3 of Chichester District Council's *Constitution* provides that members of the Council may, with the chairman's consent, speak at a committee meeting of which they are not a member, or temporarily sit and speak at the committee table on a particular item but shall then return to the public seating area.

The Leader of the Council intends to apply this standing order at Cabinet meetings by requesting that members should *normally* seek his consent in writing by email in advance of the meeting. They should do this by noon on the day before the meeting, outlining the substance of the matter that they wish to raise. The word "normally" is emphasised because there may be unforeseen circumstances where a member can assist the conduct of business by his or her contribution and where he would therefore retain his discretion to allow the contribution without notice.