

Public Document Pack

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.

Public Document Pack Agenda Item 2



Minutes of the meeting of the **Cabinet** held in the Committee Rooms at East Pallant House Chichester on Tuesday 7 March 2017 at 09:30

Members Present	Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mrs P Hardwick, Mrs G Keegan, Mrs P Plant, Mrs C Purnell and Mrs S Taylor
Members Absent	Mr R Barrow
Officers Present	Mr M Allgrove (Planning Policy Conservation and Design Service Manager), Mrs H Belenger (Accountancy Services Manager), Mr A Buckley (Corporate Improvement Officer), Mr S Carvell (Executive Director), Mr T Day (Environmental Coordinator), Mrs K Dower (Principal Planning Officer (Infrastructure Planning)), Mrs T Flitcroft (Principal Planning Officer (Local Planning)), Mr A Frost (Head of Planning Services), Mrs L Grange (Housing Delivery Manager), Mr S Hansford (Head of Community Services), Mr P E Over (Executive Director), Mr T Radcliffe (Human Resources Manager), Mr M Regan (Senior Estates Surveyor (Development Support)), Mr B Riley (Contracts Manager), Mrs L Rudziak (Head of Housing and Environment Services), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Senior Member Services Officer) and Mr J Ward (Head of Finance and Governance Services)

337 **Chairman's Announcements**

Mr Dignum welcomed the members of the public, the press representative and Chichester District Council (CDC) members and officers who were present for this meeting.

There were no late items for consideration under agenda item 15 a) or b).

Apologies for absence had been received from Mr Barrow.

All members of the Cabinet were present; Mrs Keegan arrived shortly after the start of the meeting.

[**Note** Hereinafter in these minutes CDC denotes Chichester District Council]

338 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 7 February 2017, which had been circulated with the agenda (copy attached to the official minutes).

There were no proposed changes to the minutes.

Decision

The Cabinet voted unanimously on a show of hands to approve the minutes without making any amendments.

RESOLVED

That the minutes of the Cabinet's meeting on Tuesday 7 February 2017 be approved without amendment.

Mr Dignum then duly signed and dated the final (twenty-third) page of the official version of the aforesaid minutes as a correct record.

339 **Declarations of Interests**

The following declaration of interest was made in respect of agenda item 11 (Grant Application – St Wilfrid's Hospice (South Coast) "Dreambuilding"):

- Mrs P C Plant declared a personal interest as she lived in close proximity to the site on which the new hospice would be constructed.

340 **Public Question Time**

No public questions had been submitted for this meeting.

[**Note** Minute paras 341 to 353 below summarise the consideration of and conclusion to agenda items 5 to 17 inclusive but for full details (excluding exempt agenda item 17) please refer to the audio recording facility via this link:

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=754&Ver=4>]

341 **Chichester Site Allocation Development Plan Document - Proposed Submission Update Report**

The Cabinet received and considered the agenda report and its four appendices (copies attached to the official minutes).

The report was presented by Mrs Taylor.

Mrs Flitcroft, Mr Allgrove, and Mr Frost were in attendance for this item.

Mrs Taylor (a) summarised the consultation and examination process (section 4 and paras 6.16 and 6.17 of the report), (b) referred to appendices 1 (consultation responses proposing major modifications) and 4 (soundness tests) and (c) reviewed the situation as to the flood zone modelling work which the Environment Agency (EA) had not yet undertaken on the site to the rear of Sturt Avenue Lynchmere/ Camelsdale pursuant to the resolution made by the Council meeting on 22 November 2016. The EA's comments on fluvial flood risk were set out in appendix 2 and summarised in para 6.6 of the report. She also reviewed the issues of groundwater flooding with the views of West Sussex County Council (WSSCC) as the Lead Local Flood Authority (LLFA) (paras 6.8 to 6.10), highway safety (para 6.11) and site access (para 6.12) in the report. She explained the officers' reasons for concluding that the site should not be removed from the Chichester Site Allocation Development Plan Document: Proposed Submission (SA DPD) (paras 6.7, 6.10 and 6.13 to 6.15).

Mrs Flitcroft, Mr Allgrove, and Mr Frost did not wish to add to Mrs Taylor's introduction.

Mrs Hardwick argued for removing the site from the SA DPD. She was supported in this by Mrs N D Graves, her co-ward member for Fernhurst, whom Mr Dignum allowed to address the Cabinet. Officers responded to the points made by Mrs Hardwick and Mrs Graves.

Mrs Hardwick's submission included the following points:

- The EA had not undertaken the flood zone modelling work which the Cabinet on 1 November 2016 (recommendation (4) in minute 277) and then the Council on 22 November 2016 had sought with a view to being satisfied that the EA did not object to the inclusion of the site for reason of flood risk. The EA had stated (page 38) that the remodelling work to be undertaken might result in changes to the Flood Map for the area. There was a demonstrable lack of evidence as to how the site would be categorised between the three flood zones. It was, therefore, premature to include this site within the SA DPD.
- She quoted remarks made by Mr Dignum at that time that there was a need for a 'robust confirmation' by the EA of the absence of a flood risk and that this needed to be crystal clear and not ambiguous. The fourth recommendation made by the Cabinet to the Council seeking such a confirmation was a key requirement.
- The need for robust evidence as to flood risk must be treated as a prospective requirement and not a retrospective one.
- The entire site was at risk of groundwater flooding and the information regarding it, which the local parish council had been instrumental in making available, had only been submitted late to the LLFA and it had been unable to carry out a site-specific assessment and no site visit had taken place. A report commissioned by the developers which stated that there were no

groundwater flooding issues was incorrect in the light of the response by the LLFA.

- The fluvial flood risk information was out of date and incorrect; there could be no certainty at all as to the nature and extent of the flood risk.
- The inclusion of the site within the SA DPD would be tantamount to a grant of planning permission in principle. It would be, therefore, a serious step to take and required clear supporting evidence. It should be noted that statutory regulations to the effect that a site allocation constituted permission in principle were expected to come into force in due course and underlined this point (even if they would not have retrospective effect).
- The consultation response by Thames Water expressing concerns about site access was subject to compliance with certain conditions and so was tentative.
- The assessment of the competing merits could not be carried out currently because it was not possible to weigh up, for example, the sustainability of the site and the flood risk where the evidence in respect of the latter was currently lacking.

Mrs Graves said that she concurred completely with Mrs Hardwick. She believed that it was premature to include the site. She commented on points of detail with regard to the site access: she and others had considerable concerns about what was being proposed in terms of its design features and that it was likely to have a detrimental urbanising impact in a rural area. A final response from Thames Water was awaited. The site was not, moreover, an example of sustainable development.

Mr Allgrove replied to the points made by Mrs Hardwick and Mrs Graves as follows:

- There was sufficient evidence to justify the inclusion of this site within the SA DPD. Despite the absence of the EA's flood zone modelling work, the site promoters had provided detailed information about flood risk. The site could accommodate ten dwellings. The LLFA had responded to the consultation and the further clarification which had been subsequently obtained satisfied officers that the development of the site would be safe and would not increase flooding elsewhere.
- The detail of the regulations as to how site allocations were to be treated in relation to a 'permission in principle' was unknown and it would be surprising if they had retrospective effect. It was correct that the inclusion of a site within a SA DPD was in effect an acceptance of development in principle but the detailed planning application (which had not yet been submitted) would still have to comply *inter alia* with the *Chichester Local Plan: Key Policies 2014-2029* (CLP).
- It was premature to consider now points of detail such as site access, in respect of which in any event Thames Water had indicated what it would require to make the SA DPD sound with regard to this site.

- The site was sustainable in terms of its accessibility to local facilities and also the town of Haslemere and its railway station.
- The view of officers was that there was far more evidence in support of the inclusion of this site than was often the case.

Mrs Taylor remarked that as with almost any site there were issues to address. Although it was in an area prone to flood risk the CLP had policies to apply in such cases eg Policy 42 (Flood Risk and Water Management). It should be remembered that a site allocation was not a grant of planning permission and any such proposal would have to be considered in the normal way against relevant national and local planning policies and all other material planning considerations. In her judgment there was no justification for removing the site from the SA DPD. Issues as to soundness would be considered by the planning inspector at the examination.

Mr Dignum invited comments from other members of the Cabinet on what he termed was in effect a judgment call on whether this site should be included in the SA DPD.

The consensus of opinion by those members, having regard to the available evidence and the advice of officers, was that on balance the site should be included in the SA DPD.

Mr Frost said that notwithstanding the allocation of this site by the DPD was tantamount to 'permission in principle', this would not obviate the normal development management process for determining outline and reserved matters applications. The detail of the proposed regulations relating to 'permission in principle', including transitional arrangements, was unknown. The applicant would have to comply with the exacting requirements of a technical details consent.

Mr Allgrove said that it was not known when the EA's modelling report would be available. It was probably not going to be published before the examination into the SA DPD, which was scheduled for July 2017.

Decision

At the end of the discussion the Cabinet voted on a show of hands by six votes in favour of making the recommendations set out below and one against (Mrs Hardwick).

RECOMMENDED TO THE COUNCIL

- (1) That the Site Allocation Development Plan Document: Proposed Submission, including the retention of the allocation to the rear of Sturt Avenue Lynchmere, and associated documents be approved for submission to the Secretary of State for examination.
- (2) That the Proposed Modifications to the Site Allocation Development Plan Document: Proposed Submission as set out in the schedule in appendix 1 be approved for submission to the Secretary of State.

- (3) That during the examination into the Site Allocation Development Plan Document: Proposed Submission the Head of Planning Services, following consultation with the Cabinet Member for Planning Services, be given delegated authority to agree minor amendments to the Site Allocation Development Plan Document.

342 **Consideration of Consultation Responses and Modifications to Chichester District Council's Infrastructure Business Plan 2017-2022**

The Cabinet received and considered (a) the agenda report, (b) its first appendix and (c) the cash flow and spending plan table (para 1.18) from appendix 2 which was circulated initially as the third agenda supplement and then in a corrected version in the amended third agenda supplement (copies attached to the official minutes).

The second appendix had not been included within the agenda papers due to its size and had been published online instead and a hard copy deposited in the Members Room at East Pallant House (copy attached to the official minutes).

The report was presented by Mrs Taylor.

Mrs Dower, Mr Allgrove, and Mr Frost were in attendance for this item.

Mrs Taylor explained the nature and purpose of the Infrastructure Business Plan (IBP) and referred to (a) the consultation responses received as set out in section 3 of the report and appendix 1 to the report and (b) the outcome of the meeting of the CDC/West Sussex County Council (WSSCC) Infrastructure Joint Member Liaison Group (IJMLG) on 8 December 2016 with respect in particular to WSSCC's Bike It project (paras 3.8 to 3.10 of the report) and the West Sussex Coastal Commissioning Group's request for Community Infrastructure Levy (CIL) funding (para 3.11). Para 3.4 set out the amount of CIL collected to date.

The aforementioned officers did not wish to add to Mrs Taylor's introduction.

Mr Dignum remarked that CDC members of the IJMLG, particularly Mr S J Oakley (the CDC ward member for Tangmere), had taken a robust approach to ensure that CIL monies would, if awarded, be properly spent on education. He pointed out that WSSCC Legal Services had agreed with the advice of CDC Legal Services that WSSCC's Smarter Choices Bike It project should be deleted from the CIL spending because among other reasons it was a revenue and not a capital project (para 3.10). CDC members of the IJMLG had emphasised that real (hard) infrastructure provision was essential to promote safer cycling in the city rather than so-called soft infrastructure measures such as publicity.

Mrs Hardwick commended the excellent work done by officers in preparing and updating the IBP on an ongoing basis.

Mr Dignum singled out in particular Mrs Dower for her sterling work with the IBP.

Decision

The Cabinet voted unanimously on a show of hands in favour of the recommendations set out below.

RECOMMENDED TO THE COUNCIL

- (1) That the proposed responses to the representations received and subsequent modifications to the Infrastructure Business Plan as set out in appendix 1 to this report be approved.
- (2) That the amended Infrastructure Business Plan including the Community Infrastructure Levy Spending Plan in appendix 2 be approved.

343 Revenues, Benefits and Customer Services Project

The Cabinet received and considered the agenda report and its appendix (copies attached to the official minutes).

The report was introduced by Mrs Plant.

Mr Buckley was in attendance for this item.

Mrs Plant outlined how the Revenues, Benefits and Customer Services Project (RBCSP) was one of what would be several in-house CDC projects to be undertaken following the decision by the Cabinet on 10 January 2017 not to pursue the shared services proposal with two other local authorities. The details of the RBCSP were set out in full in the project initiation document (PID) appended to the report and the three key work-streams were summarised in section 5 of the report, a particular feature of which would be the deployment of new software to enable a significant increase in customer self-service functionality. The estimated annual revenue savings to be generated by the RBCSP were set out in para 7.3 of the report and section 7 of the appended PID. The project plan timetable was detailed in section 11 of the PID.

Mr Buckley did not seek to add to Mrs Plant's presentation.

Members spoke in support of the RBCSP.

Mr Buckley, Mr Ward and Mrs Shepherd responded to members' questions with regard to (a) the continued availability of Customer Services to assist individuals with the use of the software (para 9.1 of the report); (b) the Channel Shift Targets table in Appendix A to the PID (page 83); (c) the transfer of investigation of revenue benefit fraud from local authorities to the Department for Work and Pensions and the verification procedure for information provided by customers (CDC's corporate fraud remit was now subsumed within its Internal Audit section); (d) the objective of achieving an overall reduction in staffing levels across both services would involve full consultation and engagement with staff as outlined in section 8 of the report (which included CDC's employment stability policy) with a view to mitigating RBCSP's impact on staff and the risk of staff leaving the organisation ahead of

possible redundancies as well as supporting staff and affording an opportunity to learn new skills and seek promotion opportunities.

Mrs Keegan emphasised the importance of broadband roll-out across Chichester District if customers were to be expected to use the new software system. She also asked for details of the current staff turnover rate and the average length of service for staff within both services.

Mr Buckley undertook to provide after this meeting a written answer to Mrs Keegan's question about staff turnover and length of service.*

Decision

The Cabinet voted unanimously on a show of hands in favour of the resolutions and also the recommendation to the Council set out below.

RESOLVED

- (1) That the Revenues, Benefits and Customer Services Project Initiation Document in the appendix to the report be approved.
- (2) That it be noted that from 2018-2019 the annual revenue budget will include savings estimated at £177,000 as a result of this project, rising to an estimated £224,000 by the 2020-2021 budget.

RECOMMENDED TO THE COUNCIL

That a total budget of £327,000 to be allocated from reserves to fund the one-off delivery costs be approved.

*[**Note** A written answer by Mr Buckley to Mrs Keegan's question was circulated by Member Services to all CDC members the day after this meeting and a copy is attached to the official minutes for information]

344 Senior Staff Pay Policy Statement

The Cabinet received and considered the agenda report and its appendix, which itself had nine appendices (some of which were available to read only as online versions because they were unchanged from the equivalent annual report approved in 2016) (copies attached to the official minutes).

The report was introduced by Mrs Plant.

Mr Radcliffe was in attendance for this item.

Mrs Plant explained that CDC had a statutory duty to publish an annual pay policy statement for its statutory and non-statutory chief officers and the senior staff immediately reporting to them. She drew attention to the draft Senior Staff Pay Policy Statement which was appended to the report and highlighted the main salary figures in para 6 thereof.

Mr Radcliffe did not wish to add to Mrs Plant's introduction.

There was no discussion of the item.

Decision

The Cabinet voted unanimously in favour of the recommendation set out below.

RECOMMENDED TO THE COUNCIL

That the Senior Staff Pay Policy Statement be published.

345 Chichester Contract Services - Review of Staff Grading Structure

The Cabinet received and considered the agenda report and its two appendices (copy attached to the official minutes).

In the absence of Mr Barrow the report was introduced by Mrs Plant.

Mr Riley was in attendance for this item.

Mrs Plant summarised section 3 of the report, drawing attention in para 3.5 to the mutual concern expressed about the lack of career progression opportunities for Chichester Contract Services (CCS) staff. She referred to the current and proposed grades and salaries tables in Appendix 1 and the national salary table with local Hay grades and points in Appendix 2. Section 7 of the report set out the cost of the new grading structure and how it would be funded. She paid tribute to the hard work by CCS staff.

Mr Riley did not wish to add to Mrs Plant's introduction but in reply to a question by Mrs Taylor he said that individual assessment and not key performance indicators would be used to determine the staff salaries.

Mr Dignum said that he fully endorsed Mrs Plant's commendation of the CCS staff, a fact that had been recognised by the recent external consultancy report produced by WYG UK and considered with approval by the Cabinet at its previous meeting on 7 February 2017 (minute 332 refers).

Decision

The Cabinet voted unanimously on a show of hands to make the resolution set out below.

RESOLVED

That the introduction of the new grading structure for CCS grounds, streets and waste staff be approved at a total cost of £90,000 pa to be funded from efficiency savings.

346 Allocation of Commuted Sum to Fund Affordable Housing

The Cabinet received and considered the agenda report (copy attached to the official minutes).

The report was presented by Mrs Purnell.

Mrs Grange and Mrs Rudziak were in attendance for this item.

Mrs Purnell explained the background and the proposal with reference to paras 3.2, 3.3, 4.1, 4.2, 5.1 and 7.1 of the report. She pointed out that most of the housing registered providers had advised CDC that they were no longer interested in delivering small sites as those were relatively expensive to deliver. In many cases their objective was now to maximise economies of scale as a result of reduced funding and government cuts. The average commuted sum received by CDC from developers in lieu of an affordable house on site was £75,000; the grant per unit in this case was £64,000. This Hyde scheme would make a good use of the commuted sums funds, meeting two of the four objectives set out in the recently approved Housing Strategy Review namely (a) to attract investment to meet specific local needs eg bungalows, disabled units, redevelopment of outdated or difficult to let housing and (b) to make small schemes viable eg rural schemes, those with high design costs or with additional amenity requirements (para 3.2).

Mrs Grange and Mrs Rudziak did not add to Mrs Purnell's introduction.

Mrs Keegan, who was the ward member for Rogate where the site was located, spoke first and contributed further during the debate. She spoke against the scheme and made the following points:

- Small sites such as this one were normally expensive to deliver and tended to be chosen to meet a local demand. Here, however, there was a strong objection by residents in Rogate to this development. She had undertaken a survey in the parish, which revealed that people were in favour of affordable housing but not on that site. Local people felt that their opinion was not being heard.
- The proposed site had well-known and ongoing problems with foul drainage. The problems endured by residents were worse than disgusting. Given the sewage issue it was very difficult to see how the site would be bought privately.
- There were car parking issues by virtue of the estate roads being used by drivers at the start and end of the school day to deliver children to and collect them from the adjacent primary school (which wished to expand and would thereby exacerbate the problem). Local residents had hoped that this site could be used for car parking, thereby alleviating the congestion during each end of the school day. It was very important in principle and in view of the concept of community land trusts to have due and serious regard to the wishes of local people as to how this site ought to be used in the best possible way.

- It was possible to find a much better site within the parish for affordable homes.
- There was a concern locally about the proposed units being either unoccupied or used by people from outside Chichester District. She personally doubted that these three homes would be made available only to Rogate residents.
- Although the parish council had originally supported the proposed use for this site that had been a mistake, hence the change of mind, which was unrelated to a change in the parish council's membership.
- In short there would be a lot of pain for a tiny gain (three properties), losing the opportunity to make a better use of the site that insofar as this scheme was concerned would be subsidised by CDC for the totally wrong purpose.

Mrs Grange responded to members' questions on the following points of detail:

- There were 191 households on the housing register within the South Downs National Park (SDNP) area of Chichester District and currently there were only three prospective new affordable rented homes in the whole of the SDNP area (all in Midhurst) and there were no more due to be built in the foreseeable future. CDC was working hard with housing associations and community land trusts to identify other sites.
- A neighbourhood development plan (NDP) door-to-door survey in September 2015 showed that 44 respondents were in favour of more affordable housing for local families within the parish. The draft NDP had yet to identify any suitable affordable housing sites in the parish.
- Hyde was well aware of the foul drainage issues and was seeking funds in part to address those problems. Southern Water had recently carried out works to improve the existing drainage and it appeared that there had been no recent problems.
- The scheme would provide 13 (instead of the usual five) additional car parking spaces on this site with a vehicle turning space, all of which would have to be provided prior to occupancy commencing.
- In 2016 there had been a slow turnover of vacancies in Rogate, largely associated with changes in Hyde's allocations team being moved from Chichester to London and a number of properties were wrongly advertised which had caused a delay.
- This was a brownfield site in a settlement policy area. If Hyde did not develop the site for affordable housing it was likely that it would sell the site on the open market for market homes to be built, an outcome not desired by the parish council.

- There would be nomination rights to ensure that occupants were local people rather than coming from, say, London. CDC had a local connection requirement in its general allocation policy.

Mrs Purnell emphasised the need for affordable housing in the parish (and beyond) and this site had the requisite planning permission for three houses. The drainage and parking issues were not, therefore, relevant. Originally the parish council had supported this use of the site and the proposal had been taken forward accordingly but since then the parish council had changed in its composition. CDC no longer operated an open housing register. The use of the site for parking should have been raised and considered much longer ago.

Mrs Plant, Mrs Lintill and Mr Dignum spoke in favour of the scheme in view of the need for affordable housing, the local connection requirement, the risk that the site would otherwise be lost to market housing and that the drainage and car parking issues were not relevant in the light of grant of planning permission.

Decision

The Cabinet voted by a show of hands on the resolution below. There were six votes in favour of the recommendation in para 2.1 of the report and Mrs Keegan voted against it.

RESOLVED

That an additional £51,000 commuted sum monies be allocated to The Hyde Group to fund in part three affordable rented housing units at Parsonage Estate Rogate.

347 Grant Application - St Wilfrid's Hospice (South Coast) "Dreambuilding"

[**Note** As recorded in minute para 339 above Mrs Plant declared a personal interest in respect of this item]

The Cabinet received and considered the agenda report (copy attached to the official minutes) and its confidential Part II appendix which was circulated to CDC officers and relevant officers only.

The report was introduced by Mrs Lintill.

Mr Hansford was in attendance for this item.

Mrs Lintill explained how the Grants and Concessions Panel (GCP), of which she was the chairman, had considered at its meeting on 19 January 2017 an application by St Wilfrid's Hospice (SWH) for a grant of £50,000 towards the cost of building a new hospice at Bosham. The GCP agreed an award of £25,000, the maximum sum allowed under Mrs Lintill's delegation. The GCP had referred to the Cabinet consideration of the merits of awarding all or any part of the additional £25,000 in the light of the matters set out in the report and the Part II appendix.

Mr Hansford did not wish to add to Mrs Lintill's comments.

During the discussion Mrs Plant said whilst that she was very supportive of SWH and the excellent work undertaken by its staff, she was mindful of the many other demands and needs in Chichester District which were also worthy candidates for an award under CDC's grants and concessions scheme.

Referring to the important service provided by SWH, Mrs Keegan, Mrs Taylor and Mrs Hardwick spoke with wholehearted support for acceding to an award of an extra £25,000.

In the light of the apparent approval by several members for awarding an additional £25,000, Mr Dignum read out a proposed resolution the text of which appears below.

Decision

The Cabinet was on a show of hands in favour of the resolution below, with six members being in support and one abstention by Mrs Plant.

RESOLVED

In the light of the decision of the Grants and Concession Panel to offer a grant of £25,000, that a further sum of £25,000 be added from the New Homes Bonus reserve in order to offer a total grant of £50,000 to the St Wilfrid's Hospice (Southcoast) "Dreambuilding" project towards the cost of a new hospice.

[**Note** At the end of this item there was short adjournment between 11:20 and 11:24]

348 Post Project Evaluation of the Financial Management System Project

The Cabinet received and considered the agenda report and its two appendices (copies attached to the official minutes).

The report was presented by Mrs Hardwick.

Mrs Belenger was in attendance for this item.

Mrs Hardwick commented that the report described the success of this major project which had been delivered on time, was under budget by some £52,500 and had resulted in significant ongoing direct revenue savings of over £150,000 pa in total. Those savings derived from (a) £55,000 per year cost savings for the system (para 5.4); (b) a further £75,000 of savings as a result of consequential staff cost reductions in the accountancy service (para 5.5); and (c) another £25,000 per annum from the discontinuation of the business objects reporting tool (para 5.5). This new financial system was not just a system upgrade but was in fact a catalyst for a major service review of accountancy and budget systems across CDC. Budget managers were now in control of and accountable for their own financial data. Wherever they were working, all staff could access real-time up-to-date financial data in relation to their service area, thereby raising efficiency and improving (i) transparency and accountability and (ii) workflow and business processes. If those

less tangible benefits sharpened the focus of all management on the financial implications of actions and events in their areas, they would be no less valuable than the financial savings.

As to the commendation in para 7.1 of the enormous commitment made by staff into this project, Mrs Hardwick expressed her gratitude not only to Mrs Belenger and team for this excellent report but also to the wider implementation team (over the life of the project) who had put in so much extra time and effort and without whose dedication this multi-faceted project would not have been achievable, namely:

- Mark Dolan (formerly Systems Accountant but now in ICT Support Analyst),
- Carol Anderson-Towner (Exchequer Manager),
- Katie Tucker (Technical and Systems Accountant),
- David Cooper (Group Accountant),
- Karen James (ICT Database Administrator),
- Michelle Beach (Revenue Accountant),
- Alan Storie (Capital Accountant),
- Peter Sargent (Accountant - Asset Register Capital Project),
- Phil Pickard (Procurement Officer)
- Rod Walters (Assistant Procurement Officer)

Mrs Keegan referred to her extensive experience of such IT projects and remarked that this particular project was almost unique in being a fabulous achievement.

Mr Dignum likewise commended not only the project but particularly the people who had so successfully secured its delivery.

The Cabinet had no comments or recommendations which it wished to make.

Decision

The Cabinet voted unanimously on a show of hands in favour of the resolution below.

RESOLVED

That the findings of the Post Project Evaluation be noted.

349 West Sussex Joint Minerals Local Plan: Proposed Submission - Consultation Response

The Cabinet received and considered the agenda report and the appended map (copies attached to the official minutes).

The report was introduced by Mrs Taylor.

Mrs Flitcroft and Mr Allgrove were in attendance for this item.

Mrs Taylor summarised section 3 of the report. With reference to the West Sussex Joint Minerals Local Plan (JMLP) she drew particular attention to its four key

components (para 3.4); Policy M10, which dealt with safeguarding of minerals supply infrastructure and would ensure the retention of Chichester railway sidings (para 3.7); the importance of minerals safeguarding (paras 3.8 to 3.11); and CDC's proposed response to the JMLP consultation (paras 3.13, 4.1 and 5.2 to 5.4).

Mrs Flitcroft and Mr Allgrove did not wish to add to Mrs Taylor's presentation.

In reply to a question by Mrs Keegan about JMLP policies on fracking, Mrs Taylor and Ms Flitcroft said that the JMLP had such policies but there were no potential fracking sites in the Chichester Local Plan area.

Decision

The Cabinet voted unanimously on a show of hands in favour of the resolution below.

RESOLVED

That the comments set out in paras 5.2 to 5.4 of the report to the West Sussex Joint Minerals Local Plan: Proposed Submission Draft Joint Minerals Local Plan be endorsed.

350 Sussex Energy Tariff

The Cabinet received and considered the agenda report with its appendix (copies attached to the official minutes).

The report was presented by Mrs Purnell.

Mr Day was in attendance for this item.

Mrs Purnell summarised sections 3, 4 and 5 of the report and referred to the appended draft letter of commitment.

Mr Day commented that CDC wished to lend its support to this partnership project with a view to trying to encourage householders to switch energy suppliers (many of whom would probably not otherwise contemplate doing so) and thereby benefit from lower energy costs with attendant benefits.

In reply to a question by Mrs Hardwick as to whether CDC would be selling electricity, Mr Day said that there was no current intention to do so, not least because CDC did not currently generate surplus electricity. If this were to happen in the future officers would look to see if it could be included in the tariff.

The Cabinet agreed with the suggestion that (a) the word 'the' should be substituted for 'a' in the third line of the recommendation in para 2.1 of the report and (b) the words 'attached to the report' should be inserted between 'Council' and 'regarding' in the fourth line.

Decision

The Cabinet voted on a show of hands unanimously in favour of the recommendation below (with the aforementioned amendment).

RESOLVED

That the Head of Housing and Environment Services, following consultation with the Cabinet Member for Housing and Environment Services, be authorised to sign the letter of commitment for West Sussex County Council attached to the report regarding Chichester District Council's participation in the Sussex Energy Tariff.

351 Late Items

As stated by Mr Dignum in his announcements at the start of this meeting, there were no late items for consideration by the Cabinet.

352 Exclusion of the Press and Public

Decision

It was proposed, seconded and unanimously supported that the following resolution should be passed to exclude the press and the public from the meeting during the consideration of agenda item 17 (Acquisition of Additional Temporary Housing Accommodation).

RESOLVED

That the public and press be excluded from the consideration of the report and its appendix for agenda item 17 (Acquisition of Additional Temporary Accommodation) on the grounds that it is likely that there would be in respect of that item 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 that information.

353 Acquisition of Additional Temporary Accommodation

The Cabinet received and considered the confidential Part II report with its two appendices which were circulated to CDC members and relevant officers only.

Mrs Purnell presented the report.

Mr Regan and Mrs Grange were in attendance for this item.

The aforementioned officers did not wish to add to Mrs Purnell's introduction.

During the discussion Mr Regan and Mr Ward responded to members' questions on points of detail.

The Cabinet accepted officers' advice that the word 'freehold' should be inserted in the first line of recommendation (1) below immediately before the word 'property' so as to make it clear that it was the freehold that would be purchased.

Decision

The Cabinet voted unanimously on a show of hands in favour of the recommendations (as amended in the case of (1)) below.

RECOMMENDED TO THE COUNCIL

- (1) That the purchase of the freehold property shown hatched black in appendix 1 to the report on the terms set out in paragraph 4.7 of the report be approved and that the Head of Commercial Services be authorised to conclude the purchase following completion of due diligence investigations.

- (2) That the allocation of the sums in paragraphs 6.1 and 6.2 of the report from the Housing Investment Reserve to cover the costs of purchase, ancillary costs and the appointment of consultants to carry out a full options appraisal be approved.

[**Note** The meeting ended at 11:46]

CHAIRMAN

DATE

Chichester District Council

THE CABINET

9 May 2017

Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document

1. Contacts

Report Author:

Sue Payne - Planning Policy Officer

Telephone: 01243 534722 E-mail: spayne@chichester.gov.uk

Cabinet Member:

Susan Taylor - Cabinet Member for Planning Services

Telephone: 01243 514034 E-mail: sttaylor@chichester.gov.uk

2. Recommendations

2.1. That the Council be recommended to:

(1) Adopt the Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document (set out in appendix 1 to this report); and

(2) Approve the proposed responses to representations received (set out in appendix 2 to this report).

3. Background

3.1. In 2007, Chichester District Council, Havant Borough Council and Chichester Harbour Conservancy jointly produced "Design Guidelines for new dwellings and extensions (Chichester Harbour Area of Outstanding Natural Beauty). This was revised in August 2010. No statutory public consultation process was undertaken on the document and it currently therefore has limited weight as a material consideration.

3.2. To enable a number of existing guidance documents and more up to date information to be assimilated and have greater weight, it was agreed to produce a joint Supplementary Planning Document (SPD) with Havant Borough Council, working closely with Chichester Harbour Conservancy.

3.3. The Cabinet approved the joint SPD for public consultation on 1 November 2016. A total of 23 respondents commented, making a total of 66 representations. All the representations have been considered and where appropriate amendments have been made to the SPD. These are shown in the revised document, attached at appendix 1, either as text struck through where it is to be deleted or bold where text is to be added. When adopted the joint SPD will replace the 2010 design guidelines.

3.4 Recently, the Development Plan and Infrastructure Panel (DPIP) considered the draft SPD and suggested some alterations, which have been incorporated into the document attached at appendix 1.

4. Outcomes to be Achieved

4.1. Adoption of the SPD will provide further guidance as to how Chichester District Council will implement Policy 43 (Chichester Harbour Area of Outstanding Natural Beauty) of the Chichester Local Plan: Key Policies. This should result in:

- ensuring that the character of the AONB is conserved and enhanced;
- higher quality proposals for development and a speedier decision making process in relation to planning applications submitted for consideration; and
- the provision of clear guidance to assist the local planning authorities in determining planning applications.

5. Proposal

5.1 That subject to proposed amendments following public consultation the joint SPD be adopted.

6. Alternatives Considered

6.1 To not provide further guidance on how local plan policies will be implemented in the AONB. The councils would then have to continue to rely on the existing Design Guidelines which do not carry significant weight.

7. Resource and Legal Implications

7.1 There are no significant resources or legal implications arising from the adoption of the joint SPD.

8. Consultation

8.1 The joint SPD was the subject of formal consultation for 6 weeks from 10 November to 22 December 2016. The representations received and the responses proposed are included in appendix 2 of the report.

9. Community Impact and Corporate Risks

9.1 The joint SPD seeks to conserve and enhance the natural beauty of the landscape and thereby the physical environment of Chichester Harbour. As a valued facility for recreation and enjoyment to residents and visitors alike the impact on the local community is positive.

9.2 There are no corporate risks.

10. Other Implications

Crime and Disorder	None
Climate Change	None
Human Rights and Equality Impact This Supplementary Planning Document expands on the vision and objectives of the adopted Chichester Local Plan: Key Policies 2014-2029. An Equalities Impact Assessment was prepared for the Chichester Local Plan: Key Policies 2014-2029 and this showed that the Local Plan had no adverse impacts.	None
Safeguarding and Early Help	None

11. Appendices

- 11.1 Appendix 1 – Joint Chichester Harbour Area of Outstanding Natural Beauty Draft Supplementary Planning Document – available to view online only with one hard copy in the Members Room at East Pallant House
- 11.2 Appendix 2 – Joint Chichester Harbour Area of Outstanding Natural Beauty Draft Supplementary Planning Document Representations and the Councils’ Responses – available to view online only with one hard copy in the Members Room at East Pallant House

12. Background Papers

- 12.1 None

Chichester District Council

THE CABINET

9 May 2017

Procurement of New Vehicles: Chichester Contract Services

1. Contacts

Cabinet Member:

Roger Barrow - Cabinet Member for Contract Services

Telephone: 01243 601100 E-mail: rbarrow@chichester.gov.uk

Report Author:

John Hoole - Transport Manager

Telephone: 01243 521183 E-mail: jhoole@chichester.gov.uk

2. Recommendation

- 2.1. That the Cabinet awards the contract 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 per para 5.1 of the report).**

3. Background

- 3.1. Two x 26 tonne refuse vehicles are coming to the end of their useful life and need to be replaced to meet future service demand
- 3.2. The vehicles that are due to be replaced vary in age from ten to 12 years. Disposal in late 2017 should be the optimum time to attract the best vehicle residuals.
- 3.3. Funds are available in the Asset Replacement Reserve approved by the Council in February 2017 for both these vehicles to be replaced.
- 3.4. Tenders for these vehicles were invited, in compliance with Public Contract Regulations 2015, using the EU compliant 4 year Framework Agreement for Refuse Vehicles Outright Purchase established by Braintree District Council. Tender invitations were sent to all pre-qualified suppliers and 4 responses were received. Please see the attached tender evaluation report (appendix 1) and evaluation matrix (appendix 2). The most economically advantageous tender, taking into consideration whole life costs and environmental characteristics, was received from Supplier D.

4. Outcomes to be Achieved

- 4.1. Replacement vehicles that offer reduced full-life costs and meet business need. Main areas of savings will come from reduced maintenance costs, improved fuel economy and reduced CO₂ emissions.

5. Proposal

5.1. That Supplier D is awarded the contract at a total cost of £317,566, excluding VAT, as it is the most economically advantageous tender taking into consideration whole life costs and environmental characteristics.

5.2. The tenderers will be advised of the Cabinet's decision.

6. Alternatives Considered

6.1. Contract hire and leasing options were reviewed and subsequently rejected on the basis of whole life cost.

7. Resource and Legal Implications

7.1. The vehicle replacement programme is funded from the corporate Asset Replacement Reserve.

7.2. The procurement process has been checked by the procurement officer and who is satisfied with adherence to procurement regulations. There is a small risk of legal challenge during the Alcatel (post contract award) period.

8. Consultation

8.1 None is required.

9. Other Implications

Crime and Disorder		None
Climate Change The vehicles to be purchased have reduced CO ₂ emissions and improved fuel efficiency		Yes
Human Rights and Equality Impact		None
Safeguarding		None

10. Appendices

10.1. Appendix 1 Tender Evaluation Report

10.2. Appendix 2 Evaluation matrix and scores

Invitation To Tender: Tender Evaluation Report

Outright purchase of 2 x 26 tonne Refuse Vehicles
for Chichester Contract Services

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1. Executive Summary

- 1.1. The procurement strategy for the project was to ensure that sufficient suitably qualified Potential Providers were invited to tender to meet the requirements of Chichester Contract Services (CCS).
- 1.2. Using the OJEU compliant Four Year Framework Agreement for Refuse Vehicles Outright Purchase established by Braintree District Council on behalf of other District Councils in the UK, 5 (five) potential providers were selected to receive an Invitation to Tender.
- 1.3. 4 (four) Tender Responses were received and all were deemed to have submitted an administratively compliant Tender Response.
- 1.4. Tenders were evaluated in accordance with the approved Evaluation Process and Methodology. The evaluation was undertaken using a traditional paper based evaluation. A copy of the Evaluation Process and Methodology documents are available on request from John Hoole, CCS Transport Manager
- 1.5. The results of the evaluation are attached as Appendix 2.
- 1.6. On the basis of the results in Appendix A, the Tender Evaluation Team recommends a contract be awarded to Supplier D subject to any challenges during the Alcatel period.
- 1.7. The Tender Evaluation Team seeks to obtain approval from Cabinet to award a Contract to the tenderer identified in 1.6 above.
- 1.8. Subject to approval, a standard Award Letter covering [Alcatel](#) will be issued to the successful Tenderer and an unsuccessful Letter covering [Alcatel](#) will be issued to unsuccessful Tenderers.

2. Purpose

- 2.1. The purpose of this document is to present a recommendation to Cabinet for consideration and approval. The recommendation is based on the results of the Tender Evaluation carried out by the Tender Evaluation Team on the responses to the supplies ITT.

3. Introduction

- 3.1. This report has been compiled on behalf of the CCS Tender Evaluation Team following the completion of the evaluation of responses to the Invitation to Tender (ITT) for the purchase of quantity 2 x 26 tonne refuse vehicles.
- 3.2. An Executive Summary has been provided, supplemented with supporting Appendices. Further information or points of clarification should be addressed to John Hoole.

4. Evaluation Process

- 4.1. Tender Receipt and Opening
- 4.2. Compliance Check
- 4.3. Qualitative and Commercial Evaluation
- 4.4. Tender Clarification (not necessary)

5. Evaluation Results

5.1. Qualitative Results

Responses were received from 4 (four) tenderers. Tenderers were requested to provide prices for a Mercedes chassis together with a bespoke body and a suitable bin lift.

The Invitation to Tender stated that the contract, if awarded, will be awarded on the basis of the most economically advantageous offer, taking into consideration the following criteria:

- Price/cost effectiveness
- Quality and compliance to specification
- Company profile
- Technical support

Supplier D's tender was scored the highest for Specification, Technical support and Company profile. The following points were considered in their evaluation:-

- An up to date body design compliant to the Council's specification and requirements
- 10 service centres, 45 mobile engineers
- Made in England from start to finish, bodies are shot blasted before painting.
- 2yr full warranty
- 2yr warranty on body structure and hydraulics.
- Proven track record of reliability and good cost effectiveness
- Self warranty work
- Fitted hopper floor liner included in the price which will increase life expectancy
- Electronic parts catalogue.
- IP65 sealed electrical looms
- UK parts supply
- All repair work can be done on site
- Product is known to Chichester Council

5.2. Commercial Results

As prices for bin lifts are reasonably standard (approx. £23k), price comparisons were based on the lowest price for the chassis and body only, which was received from Supplier B @ £155,292 per unit.

Prices from Suppliers A & D were within £1,700 of each other with the marginally most expensive bid coming from Supplier D @ £158,783 per complete unit.

Supplier C's price totalled £162,902 per complete unit

6. Overall Score

- 6.1. Following agreement of an overall score for each Tenderer and taking into consideration all qualitative and commercial elements of the responses, an evaluation sheet was completed. This can be found at Appendix 2.

7. Recommendation

- 7.1. The recommendation of the Tender Evaluation Team is that a Contract be awarded to Supplier D (unit price bid of £158,783 for the chassis, body & bin lift), subject to any challenges during the Alcatel period.
- 7.2. Subject to approval, a standard Award Letter covering Alcatel will be issued to Successful Tenderers and an Unsuccessful Letter covering Alcatel will be issued to unsuccessful Tenderers.
- 7.3. Both successful and unsuccessful Tenderers will be provided with the opportunity to receive feedback in accordance with best practice.

**Chichester Contract Services: Procurement of 2 x new Refuse Collection Vehicles 2017
Evaluation Matrix & Scores**

	Contractor A	Contractor B	Contractor C	Contractor D
Price per vehicle	£314,208	£310,584	£325,804	£317,566
Financial Score	Score (a) (out of 40) 39.8	Score (a) (out of 40) 40	Score (a) (out of 40) 38.1	Score (a) (out of 40) 39.4
Ability to meet specification	Score (b) (out of 25) 22.5	Score (b) (out of 25) 22.5	Score (b) (out of 25) 12.5	Score (b) (out of 25) 22.5
Technical Support	Score (c) (out of 25) 20	Score (c) (out of 25) 20	Score (c) (out of 25) 12.5	Score (c) (out of 25) 22.5
Availability of Support	Score (d) (out of 10) 8	Score (d) (out of 10) 8	Score (d) (out of 10) 4	Score (d) (out of 10) 8
Overall Score	(out of 100) 90.3	(out of 100) 90.5	(out of 100) 67.1	(out of 100) 92.4

Chichester District Council

THE CABINET

9 May 2017

Recording of Committee Minutes - Pilot Extension

1. Contacts

Report Author Nicholas Bennett – Legal and Democratic Services Manager
Telephone: 07860 786052 E-Mail: nbennett@chichester.gov.uk

Cabinet Member Philippa Hardwick – Cabinet Member for Finance and Governance Services
Telephone: 01428 642464 E-Mail: Phardwick@chichester.gov.uk

2. Recommendation

2.1. That the Cabinet approves 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.

3. Background

3.1 At the Council meeting on 22 September 2015, when considering a recommendation from the Cabinet regarding government regulations on openness of local government, it was resolved (minute 43) that:

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

3.2 The trial completed in January 2017 and all the above meetings were recorded. However there remain some issues with the system provided by the contractor and recordings of two meetings were not capable of being properly heard or accessed after the meetings. Several further meetings required significant officer time to correct problems with recordings so that they could be accessed.

3.3 Since those problems Democratic Services officers have worked closely with colleagues in IT and facilities as well as the contractor to overcome these issues, including the implementation of further procedures and changes to the physical layout of related hardware including the Wi-Fi hub. Whilst this has led to a significant improvement in performance, the benefits of the system do not appear to have been fully achieved. Until very recently there remained some lack of confidence in the ability of the contractor to deliver consistent performance. Until those issues were settled officers felt unable to publicise wider awareness of the system.

- 3.4 The benefits of the system remain as set out in previous reports – simple access by the public including persons who would otherwise find it difficult to attend meetings. It enables live broadcast which is of particular benefit for high-significance matters such as certain large planning applications. Some savings in officer time in hand-recording minutes are also being realised and also in investigating complaints about alleged conduct and statements made in meetings.
- 3.5 Against these benefits, the annual cost of the system is £3900 per annum. An increase in set-up time and monitoring time has been required, though it is hoped that as the technology is improved and the problems have been addressed this impact will reduce.

4. Outcomes to be Achieved

- 4.1 To extend the trial to increase public awareness of the system during that extension and to assess whether the recent improvements to the system have been effective and whether recording of the Council's meetings is of sufficient benefit compared to the cost incurred.

5. Proposal

- 5.1 Given the problems that have been experienced during the initial trial period more time is needed to enable a full assessment. It is, therefore, proposed that the current trial is extended for one year to January 2018 and during that time the Democratic and Legal Services Manager will undertake a further review of the effectiveness and public use of the system.

6. Alternatives Considered

- 6.1 The alternatives considered are whether or not to proceed with the existing contract or alternatively whether to test the market again through a further procurement exercise. The present contract is on a year-by-year basis so all options are open.
- 6.2 The views of IT and Facilities have been sought and the clear opinion is that having put significant effort into installing and improving the systems, several of which changes have been achieved only recently, an extension to the pilot is the best way forwards at this time.
- 6.3 The market for systems of this kind is relatively young and changing to another system at this time is likely to lead to similar issues of integration with any other product.

7. Resource and Legal Implications

- 7.1 Funding of the contract will be £3,900 per annum funded from existing budget. The costs of the microphone system have been dealt with separately and are not relevant to this contract as the sound system would remain in place whatever recording system is used.

8. Consultation

- 8.1 Members were all invited to attend microphone system demonstrations to allow them involvement in deciding the initial specification of the future system.
- 8.2 Colleagues in Democratic Services, Facilities and IT have been part of the group testing the system through the first pilot period.

9. Community Impact and Corporate Risks

- 9.1 An audio record of the Council's main meetings published online will allow local people to have access to, and an understanding of, the Council's decision making processes. Those who find it difficult to attend meetings, due to disability, caring responsibilities, work commitments or access to transport, will be able to benefit. Due to the technical problems above the system has not yet been actively marketed to the public.
- 9.2 Having an audio record on file may work to reduce the number of people who attend meetings even further. Alternatively, the number of residents listening to recordings is very low. To this point the information on use is limited, however 8335 minutes of meeting time has been recorded – though only 101 listeners have used the system, for an average listen time of only ten minutes. The number of listeners includes officer and member hits so the public use of this system has been very low indeed. At the end of the one year pilot the Council would need to assess the value of audio recording meetings to assess whether it should be continued or not.

10. Other Implications

Crime and Disorder	No
Climate Change	No
Human Rights and Equality Impact Those who find it difficult to attend meetings, due to disability, caring responsibilities, work commitments or access to transport, will find the audio recordings beneficial.	Yes
Safeguarding	No
Other	No

11. Appendices

None

12. Background Papers

None

Chichester District Council

THE CABINET

9 May 2017

Recreational Disturbance at Pagham Harbour – Revision to the Joint Approach to Mitigation with Arun District Council

1. Contacts

Report Author:

Tom Day - Environmental Co-ordinator

Telephone: 01243 534584 E-mail: tday@chichester.gov.uk

Cabinet Member:

Carol Purnell - Cabinet Member for Housing and Environment Services

Telephone: 01243 605927 E-mail: cpurnell@chichester.gov.uk

2. Recommendations

- 2.1. That the revisions to the joint scheme of mitigation for Pagham Harbour Special Protection Area in appendix 1 to this report be endorsed.**
- 2.2. That the reduced level of developer contributions to the joint scheme set out in appendix 2 to this report be approved.**
- 2.3. 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.**
- 2.4. 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.**

3. Background

- 3.1. Pagham Harbour is designated as a Special Protection Area (SPA) for its internationally important bird populations. Increases in human population associated with new housing development would, without mitigation measures, cause a negative impact on the SPA. Permitting new housing development would not comply with the Habitat Regulations without a strategic scheme of mitigation measures, funded 'in perpetuity'. Such a scheme has been in place for Chichester Harbour for some time, a joint scheme with Arun District Council was agreed by Cabinet in January 2016 for Pagham Harbour. Since then Arun's projected housing numbers have increased significantly, leading to revisions to the scheme.

4. Outcomes to be Achieved

- 4.1. The main purpose of this report is to allow the continued delivery of housing in the area around Pagham Harbour SPA and to protect the bird populations of Pagham Harbour.
- 4.2. The joint scheme of mitigation enables the delivery of the Chichester Local Plan (2014-2029) (CLP). The need for mitigation measures within a 3.5km zone around the harbour is set out in Policy 51 of the CLP Key Policies document.

5. Proposal

- 5.1. The Cabinet agreed a joint scheme of mitigation for Pagham Harbour in January 2016. Since that time Arun's projected housing numbers within the zone of influence for the harbour have increased from 855 to 4,555, triggering a revision to the agreed scheme. The additional dwellings will generate additional contributions, but the level of mitigation effort, and expenditure, will now increase from 0.5 FTE to 1.5 FTE staff to be hosted by the Royal Society for the Protection of Birds (RSPB) Pagham. This increases the annual expenditure from the £18,000 agreed in January 2016 to £55,000.
- 5.2. At the same time the Solent mitigation scheme (Bird Aware Solent) have adopted an 80 year definition of 'in-perpetuity' rather than the 125 year definition initially used by the Pagham scheme. In revising the Pagham scheme, the opportunity has been taken to harmonise with the Solent scheme. This, together with the increased scale of development, brings the average amount required per dwelling down from £1,275 to £871. Appendix 2 gives more detail on this calculation.
- 5.3. Arun's Cabinet agreed the proposed changes at their meeting on 10th April. A memorandum of understanding for the delivery of mitigation by RSPB Pagham as site managers is being drawn up, initially for five years with the option to extend this to ten.

6. Alternatives Considered

- 6.1. This is a revision to an existing scheme. A wider range of alternatives were considered in the report of January 2016. The main alternative considered at this stage was to stick with the 125 year definition of in-perpetuity. However in the light of Natural England accepting the Solent scheme's use of 80 years, there was considered to be a risk of challenge from developers on the grounds of unnecessary cost and inconsistency.

7. Resource and Legal Implications

- 7.1. The implications were considered in more depth in the previous report. The need for staff time to set up an agreement with Arun and the RSPB was envisaged at that time
- 7.2. The increase in the sums of money passing through the scheme should not increase the administrative burden significantly as the level of development in Chichester District remains the same. More developments in Arun will fall into the scheme, but those contributions will be collected by Arun DC and only

passed on to CDC as lump sums at pre-defined points in the year.

8. Consultation

- 8.1 Natural England and the RSPB's area manager were consulted on the proposed revisions to the scheme, and both supported the changes.

9. Community Impact and Corporate Risks

- 9.1. The main community impact will be to facilitate the continued delivery of housing development in the zone of Influence (3.5 km of Pagham Harbour SPA boundary). The delivery of the Local Plan targets will have positive impacts for housing provision and for economic development. The scheme is designed to have a neutral environmental effect, in other words that the bird populations are unaffected by the new development.
- 9.2. The main corporate risk is rates of return on investment remaining below even the low rate used in the calculations (0.55% rising to 2.5% long-term). In order to manage this risk, the rate of return will be monitored and any necessary adjustments made to the scheme during the delivery stage of the housing developments, in order to address any potential shortfall that could arise from lower return rates.

10. Other Implications

	Yes	No
Crime and Disorder		X
Climate Change		X
Human Rights and Equality Impact		X
Safeguarding and Early Help		X

11. Appendices

- 11.1. Revised Joint Scheme of Mitigation.
11.2. Pagham Harbour SPA Joint Scheme of Mitigation – cost calculations.
11.3. Map of the 3.5km Zone of Influence.

12. Background Papers

- 12.1. Report to Cabinet 5 January 2016

Recreational Disturbance of Bird Populations at Pagham Harbour: Revised Joint scheme of Mitigation with Arun District Council.

Chichester District Council – May 2017

Introduction

Pagham Harbour is designated as a Special Protection Area (SPA) for its internationally important bird populations. Increases in human population associated with new housing development would, without mitigation measures, cause a negative impact on the bird population of the SPA. Permitting new housing development by Chichester and Arun District councils would not comply with the Habitat Regulations without a strategic scheme of mitigation measures being in place. The scheme will be funded by developers and has to be capable of sustaining itself financially 'in perpetuity', which means for 80 years in practice. A similar scheme (known as Bird Aware Solent) has been in place for Chichester Harbour for some time.

Joint Scheme of Mitigation.

Discussions between the two Districts, the Royal Society for the Protection of Birds (RSPB), who are the site managers, and Natural England (NE) have led to the formulation of the following package of mitigation measures.

- Provision of 1.5FTE Visitor Experience officer (VEO) post at RSPB Pagham. The role of the VEO will be to educate and inform visitors and the surrounding community about recreational disturbance, its impacts on birds and wildlife-friendly ways to behave when visiting the coast and Pagham in particular. The role would also include enforcement of the existing bye-laws if required
- Provision of general 'Dog Initiatives' – a broad range of measures (jointly with Bird Aware Solent) to encourage responsible dog ownership at the coast and visits to alternative dog – friendly sites. This will be based on similar schemes that have been run for the Graylingwell and Roussillion redevelopment and the Dorset Heaths Dog Project
- Independent monitoring surveys (every two or three years) to check on the effectiveness of the scheme and the mitigation measures and adjust the scheme delivery if required.

The VEO posts are based on the RSPB's full cost recovery model for externally funded posts. This cover all employment cost, accommodation overheads and supporting resources (transport, materials, public events, training). The scheme makes allowance for these costs to increase by 2% a year for the full 80 years of the scheme.

£2,000 p.a. for Dog Initiatives and £1,000 p.a. for monitoring are included within the initial costs with a view to these being delivered through a Service Level Agreement with the SRMP, who are procuring these services on a larger scale to cover the whole of the Solent SPAs. In addition a contingency of £1,000 is included in case of additional service needs or costs in any of the three delivery areas.

Coverage of the Scheme.

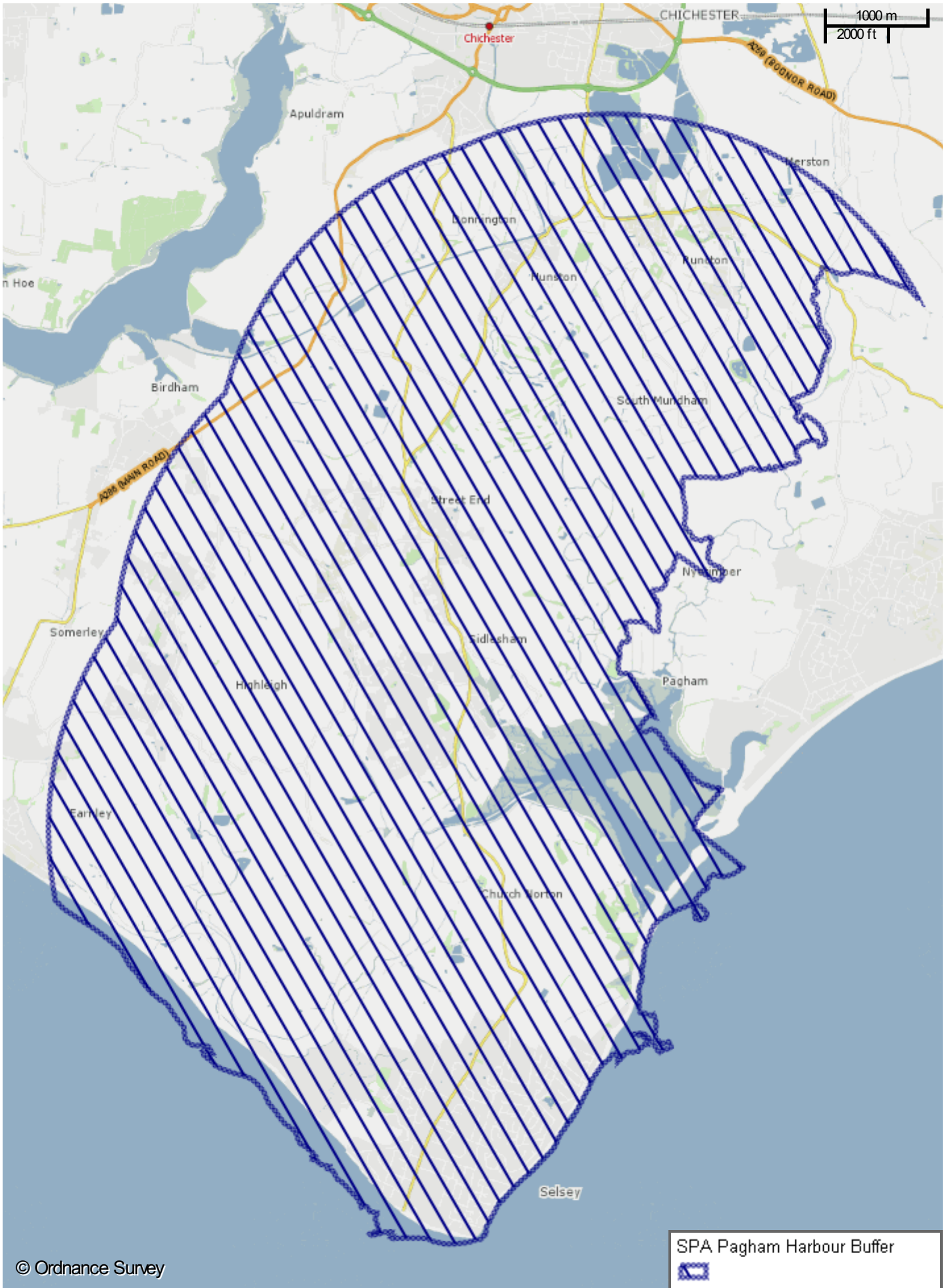
Policy 51 of the Chichester Local Plan 2014-2029 sets out the zone of influence within which additional development is likely to have an impact on the harbour unless it is mitigated. Based on visitor surveys this is 3.5km from the SPA boundary. The split in the road networks between the Sidlesham side of the harbour and the Pagham side results in different visitor patterns on the Arun side and their zone of influence is 5km (i.e. including all of Bognor Regis)

All net new dwellings within these zones of influence require mitigation measures in order to meet the Habitats Regulations 2010. The scheme costs are calculated on the Local Plan figures for both Districts. Those in Arun have been increased, since the scheme was originally approved, and are now 4,555 within the zone of influence over the whole plan period (an increase of 3,700 due to several major developments now planned for around Bognor Regis). The figure for Chichester District remains at 425 dwellings within the 3.5km zone over the whole of the 2014-2029 period of the adopted plan. A Local Plan review is underway in Chichester District and the number of dwellings within the 3.5 km zone of influence may increase as a result, at which point the scheme may need to be revised again. The scheme's expenditure has been increased to 1.5FTE posts to mitigate for the increased numbers in Arun, and the increased contributions from the additional dwellings covers this expenditure.

The joint scheme outlined above is considered by Natural England to be sufficient to meet the requirements of the Regulations. Applicants for planning permission can implement their own schemes of mitigation, but without delivery within the harbour (i.e. through RSPB), these are unlikely to meet the regulatory tests, and they have to be funded for 80 years (in-perpetuity) which would impose a considerable burden on developers. A local authority run scheme is therefore a mean of facilitating development in our respective areas.

Pagham Harbour SPA Joint Scheme of Mitigation revised version with full costs covered for 80 years									
Year	2017	2018	2019	2020	2021	2022	2023	2024	2025
Costs to be met (inc indexation)	£55,000	£56,100	£57,222	£58,366	£59,534	£60,724	£61,939	£63,178	£64,441
Contribution to revenue costs	£55,000	£54,801	£54,598	£54,391	£54,179	£53,964	£51,509	£48,252	£44,168
Contribution to in perpetuity fund (inc indexation)	£236,200	£240,924	£245,742	£250,657	£255,670	£260,784	£266,000	£271,320	£276,746
Contributions from developer	£291,200	£295,725	£300,340	£305,048	£309,850	£314,748	£317,509	£319,571	£320,914
Carried Forward	£0	£236,200	£477,124	£722,866	£973,524	£1,229,194	£1,489,978	£1,755,978	£2,027,297
Interest Rate (now capped at 2.5%)	0.55%	0.55%	0.55%	0.55%	0.55%	0.55%	0.70%	0.85%	1.00%
Interest Earned	£0	£1,299	£2,624	£3,976	£5,354	£6,761	£10,430	£14,926	£20,273
Developer Contribution	£236,200	£240,924	£245,742	£250,657	£255,670	£260,784	£266,000	£271,320	£276,746
Total Funds	£236,200	£477,124	£722,866	£973,524	£1,229,194	£1,489,978	£1,755,978	£2,027,297	£2,304,043
Total costs to be met	£4,685,349								
Cost per house @ 4980 dwellings in plan periods	£871	£882	£893	£904	£915	£927	£938	£950	£962
Income that year @332 dwellings / year average	£289,172	£292,787	£296,446	£300,152	£303,904	£307,703	£311,549	£315,443	£319,386
Total income from contributions	£4,738,469								
Average contribution over 15 year plan period	£951.5								

Pagham Harbour SPA Joint Scheme of Mitigation revised vers									
Year	2026	2027	2028	2029	2030	2031		2095	2096
Costs to be met (inc indexation)	£65,730	£67,045	£68,386	£69,753	£71,148	£72,571		£257,736.60	£262,891.33
Contribution to revenue costs	£39,234	£33,422	£26,709	£19,066	£10,467	£883			
Contribution to in perpetuity fund (inc indexation)	£282,281	£287,926	£293,685	£299,559	£305,550	£311,661			
Contributions from developer	£321,514	£321,349	£320,394	£318,625	£316,017	£312,544			
Carried Forward	£2,304,043	£2,586,324	£2,874,251	£3,167,936	£3,467,494	£3,773,044		£588,215.43	£345,184.22
Interest Rate (now capped at 2.5%)	1.15%	1.30%	1.45%	1.60%	1.75%	1.90%		2.50%	2.50%
Interest Earned	£26,496	£33,622	£41,677	£50,687	£60,681	£71,688		£14,705.39	£8,629.61
Developer Contribution	£282,281	£287,926	£293,685	£299,559	£305,550	£311,661		£0.00	£0.00
Total Funds	£2,586,324	£2,874,251	£3,167,936	£3,467,494	£3,773,044	£4,084,705		£345,184.22	£90,922.50
Total costs to be met									
Cost per house @ 4980 dwellings in plan periods	£974	£986	£999	£1,011	£1,024	£1,036			
Income that year @332 dwellings / year average	£323,379	£327,421	£331,514	£335,658	£339,853	£344,102			
Total income from contributions									
Average contribution over 15 year plan period									



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Pagham Harbour SPA

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SPA Pagham Harbour Buffer



Agenda Item 11

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