



Minutes of the meeting of the **Cabinet** held in Committee Room 2 at East Pallant House East Pallant Chichester on Tuesday 11 July 2017 at 09:30

Members Present	Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mr J Connor, Mrs J Kilby, Mrs S Taylor and Mr P Wilding
Members Absent	Mrs P Hardwick
Officers Present	Mr M Allgrove (Planning Policy Conservation and Design Service Manager), Mr N Bennett (Legal and Democratic Services Manager), Mr S Carvell (Executive Director), Mr M Catlow (Group Accountant (Technical and Exchequer)), Mrs V Dobson (Neighbourhood Planning Officer), Mrs J Dodsworth (Head of Business Improvement Services), Mrs T Flitcroft (Principal Planning Officer (Local Planning)), Mr L Foord (Licensing Manager), Mr A Frost (Head of Planning Services), Mr A Gregory (Project Manager - Estates), Mr S Hansford (Head of Community Services), Mr P Harrison (Strategic Asset Management Surveyor), Mr D Hyland (Community and Partnerships Support Manager), Mr P Legood (Valuation and Estates Manager), Mr J Mildred (Corporate Policy Advice Manager), Mr S Oates (Economic Development Manager), Mr P E Over (Executive Director), Mr T Radcliffe (Human Resources Manager), Mrs R Rogers (Benefits Manager), Mrs D Shepherd (Chief Executive), Mrs A Stevens (Environment Manager), Mr G Thrussell (Senior Member Services Officer), Mr J Ward (Head of Finance and Governance Services) and Mr T Whitty (Development Management Service Manager)

379 **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 was one apology for absence, namely from Mrs Hardwick.

All other members of the Cabinet were present.

The third agenda supplement gave details of one late item for consideration under agenda item 18 (Late Items), namely: Recommendation of the Overview and Scrutiny Committee: Supporting Chichester Business Improvement District. In view of the relationship between this late matter and agenda item 10: Appointment to the BID Board, it would be considered during item 10.

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

380 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Monday 19 June 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 Monday 19 June 2017 be approved without amendment.

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

381 **Declarations of Interests**

The following declarations of personal interests were made by members of the Cabinet and CDC members present as observers in respect of the stated agenda items:

Agenda Item 5: Approval of the Vision for Chichester City Centre

(a) Mrs C M M Apel as a member of Chichester City Council (West Ward)

(b) Mr A P Dignum as a member Chichester City Council (North Ward)

(c) Mrs J L Kilby as a member of Chichester City Council (East Ward)

(d) Mr L Macey as a member Chichester City Council (North Ward)

(e) Mr Oakley as a member of West Sussex County Council (Chichester East Division)

(f) Mr R E Plowman as a member of Chichester City Council (West Ward)

(g) Mrs L C Purnell as a member of Selsey Town Council

Agenda Item 10: Approval of the Vision for Chichester City Centre and

Agenda Item 18: Late Item – Recommendation of the Overview and Scrutiny Committee: Supporting Chichester Business Improvement District

(h) Mr A P Dignum as a CDC appointed member of the Chichester City Centre Partnership

Agenda Item 11: Chichester Market

(i) Mr J C P Connor as two of the traders lived close to his address

Agenda Item 13: Delivery of the Tangmere Strategic Development Location

(j) Mr S J Oakley as a member of Tangmere Parish Council

Agenda Item 14: Pallant House Gallery – Revised Articles of Association

(k) Mr A P Dignum as a Friend of the Pallant House Gallery

Agenda Item 16: Public Spaces Protection Order – Dog Control

(l) Mr S J Oakley as a member of West Sussex County Council (Chichester East Division)

382 **Public Question Time**

No questions by members of the public had been submitted for this meeting.

383 **Approval of the Vision for Chichester City Centre**

The Cabinet received and considered the agenda report and its three appendices in the first agenda supplement (copies attached to the official minutes).

The report was presented by Mr Dignum.

Mr Oates was in attendance for this item.

Mr Dignum said that members had agreed in discussion with officers on the need for a vision for the future of the city of Chichester. It was essential such a vision was supported by the city's stakeholders, the three local authorities based in the city, businesses and residents. Accordingly a steering group had been established by a Project Partners Group, developed with many stakeholders and with a number of surveys. This collaborative work had culminated in a six-week public consultation, the results of which revealed overwhelming support for the *Vision*. The aims were to agree a clear definition of 'what do we want Chichester City Centre to be' ie what is to be the future form and function of the city centre. This would include (1) defining Chichester city centre's offer as a vibrant and attractive commercial and cultural

focal point serving residents, workers and visitors, across all demographics; (2) identifying development opportunities realisable without damaging the heritage and in partnership between the private sector and others in the public sector (the Southern Gateway was a prime example aimed at attracting significant new inward investment into the city, thereby generating economic growth and the creation of jobs); and (3) creating a well-managed, well-coordinated, and well promoted city centre to attract visitors.

A central objective had been a drive to generate new ideas and to provide the key data required to take an informed view. The proposals in the *Vision* had, therefore, been shaped by field research, reviews of previous plans and strategies, facilitated workshops attended by representatives of community and business organisations, and a comprehensive range of studies including (a) research into comparable towns and cities and (b) qualitative and quantitative studies into usage of and satisfaction with the city and its facilities among residents, businesses, workers and visitors.

In short the *Vision* aimed to develop the city thus: ' Attractive, distinctive, and successful ...Embracing its heritage and creating opportunity for all, Chichester's City Centre will be inspiring and welcoming, and at the heart of one of the UK's leading visitor destinations.'

Three major themes were established during the development process:

- *'Living' - An Accessible and Attractive City Centre*

To achieve this, Chichester city centre will:

- Be easily accessible but with less traffic, less pollution, further pedestrianisation and well-co-ordinated public transport
- Give more priority for walking and cycling
- Have attractive streets and open spaces
- Be attractive and welcoming to students and young people, while enhancing life for older people
- Encourage more city centre living with a range of accommodation for all demographics
- Be a 'smart' city that is digitally connected ensuring access to digital services to all

- *'Working' - A Vibrant and Growing Economy*

Chichester will have homes for all ages and will be a prestige city where entrepreneurs, employers and employees wish to be. Chichester City Centre will achieve this by:

- Being a city centre that pursues well-co-ordinated development opportunities making better use of public sector land
- Attracting and retaining businesses from a wide range of high earning sectors
- Being a centre of learning

- Retaining graduates and developing a skilled workforce to meet the needs of the city's economy
- *'Visiting' - A Leading Visitor Destination*

Chichester city centre will be a leading centre of artistic, cultural and heritage excellence at the heart of one of the UK's leading visitor destinations, which will by day be bustling with shoppers enjoying the best retail experience in the South.

Once the *Vision* had been approved and adopted, a delivery plan and timetable would be produced and it was proposed to establish a Chichester Vision Delivery Steering Group (CVDSG). The action plan and the governance arrangements for the CVDSG would be brought to the Cabinet for approval in October 2017.

The Cabinet was requested to recommend the final text (appendix 1 to the report) for approval by full Council, which would also have the opportunity to consider a draft colour version of the design and illustrative images for the *Vision*. A similar process of review and approval is taking place in the other local authorities and the Chichester BID.

Mr Oates emphasised that this was a partnership project and he cited the participating partner organisations. He alluded to the significant level of support for the *Vision* project and the detailed review and research work that had been undertaken in producing the draft *Vision*. Chichester City Council had approved the draft *Vision* (with suggested amendments) the previous week.

Cabinet members commended the draft *Vision* as a remarkable collaborative and well-supported project, which was very exciting and ambitious, and they congratulated everyone involved in working on and producing it. The Southern Gateway masterplan would be one very important means of taking forward the *Vision* once adopted.

Mrs Taylor asked about the consultation's low response rate in the 16-24 age group and how the city's University and College including the student unions had been involved in the process. Mr Oates acknowledged the challenge posed generally in society about how to engage young people to participate in consultations but added that whilst the response rate was fairly low and naturally a higher level would have been preferred, it was nonetheless pleasing that it had been that high and there had been an important piece of work undertaken with the 18-21 age group.

Mr Dignum concluded by stating that the *Vision* was not a prescriptive document but espoused a broad aspiration and that specific policies such as those relating to air quality and litter would be developed in the spirit of the *Vision* to have a beneficial impact on the city centre.

Decision

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

RECOMMENDED TO THE COUNCIL

- (1) That the final text for the Chichester Vision document be approved.
- (2) That authority be delegated to the Economic Development Manager following consultation with the Leader of the Council to enable minor amendments to be made to the document after any further comments from project partners.

384 Chichester District Council Annual Report for 2016-2017

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

The report was presented by Mr Dignum.

Mr Mildred was in attendance for this item.

Mr Dignum remarked that whilst it was customary for the Cabinet at this meeting not to review the report in detail, the hard work put into producing it was to be commended. Members were encouraged to familiarise themselves with the report which detailed the wide-ranging work carried out by CDC and the many achievements delivered on behalf of the District's communities. There would be an opportunity to ask questions at the Council meeting later in the month when the report would be formally received. He thanked Mr Mildred and all officers for their extensive efforts in preparing the report.

Mr Mildred alluded briefly to the details in the report regarding the key achievements in 2016-2017 and the performance indicators for 2017-2018.

Decision

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

RECOMMENDED TO THE COUNCIL

That the Chichester District Council Annual Report for 2016-2017 be received.

385 Making the Lavant Neighbourhood Development Plan

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

The report was presented by Mrs Taylor.

Mrs Dobson was in attendance for this item.

Mrs Taylor summarised section 3 of the report and presented the recommendation.

There was no discussion of this matter.

Decision

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

RECOMMENDED TO THE COUNCIL

That subject to a successful referendum the Lavant Neighbourhood Development Plan be made part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

386 South Downs National Park Authority - Development Management Agency Agreement

The Cabinet received and considered the agenda report and its three appendices in the first agenda supplement, the second and third of which were confidential Part II exempt material (copies of the report and the first appendix attached to the official minutes).

The report was presented by Mrs Taylor.

Mr Frost and Mr Whitty were in attendance for this item.

Mrs Taylor summarised the history from 2011 to date of the legal agreements between CDC and the South Downs National Park Authority (SDNPA) for the delivery by CDC of a development management service on behalf of the SDNPA. She explained the principal change relating to how payments would be calculated in the new agreement, which could operate for up to five more years with effect from October 2017. The new arrangements for determining payment levels were set out in paras 6.4 to 6.11 of the report. The draft section 101 agreement was in appendix 1; its four schedules were summarised in para 6.1 of the report, which also mentioned certain matters were still being negotiated and it was expected that these would be satisfactorily resolved. Para 6.7 summarised the details in the two confidential Part II appendices. The justification and benefits for entering into the new agreement were set out in sections 5 and 7 of the report. Section 9 reported the views expressed by CDC's Overview and Scrutiny Committee (OSC) at its meeting on 23 June 2017, which included two recommendations to the Cabinet in paras 9.3 and 9.4.

Mr Frost commented that a very thorough review of the SDNPA's agency arrangements with other authorities had been undertaken during the previous nine months, with the focus being clearly put on the approach to determining payments. The confidential details in appendices 2 and 3 disclosed how much work had been done on examining the cost approach based on case types.

During the debate Mr Frost, Mrs Shepherd and Mrs Taylor responded to members' questions and comments on points of details which included the following matters:

- (a) The accuracy of the costs estimate and the possible need for each party to discuss options in the event that the costs proved to be above or below the estimate.
- (b) The third line in para 4.5 of the report required clarification to say that the SDNPA had made an offer to CDC for CDC to undertake the development management functions on its behalf.
- (c) The use of section 106 monies and Community Infrastructure Levy monies: the former were specifically allocated to a particular development; the latter would be received by the SDNPA for infrastructure anywhere within the SDNP; if there was a concern that the SDNPA was spending monies without consulting the local parish council, then this should be raised with the SDNPA.

The two recommendations by the OSC (para 9.3) were considered by the Cabinet in the light of an overview given by Mr Carvell. Mrs Apel, the OSC chairman, commented on the OSC's rationale for making them. With regard to the second recommendation relating to a task and finish group being established to review the resources allocated for enforcement, Mrs Shepherd advised that it should be borne in mind that the SDNPA was commissioning this service from CDC and the SDNPA was very satisfied with CDC's work. There was an agreed enforcement protocol which should be observed. The SDNPA could not be compelled to have a higher standard of enforcement service merely because CDC required it.

The consensus was in favour of supporting the OSC's first recommendation but not the second, on the basis that the proposed establishment of a task and finish group was considered to be premature.

Mr Dignum said in closing that (a) CDC as the local planning authority was responsible for providing a first class planning service for the Chichester Local Plan area and within the SDNP on behalf of the SDNPA on an agency basis, in the latter case it would deal with the vast majority of those planning applications; (b) the agency agreement would set in place arrangements on a long-term basis; (c) this would enable CDC to continue to be involved in development management matters across Chichester District; and (d) the agreement would enable CDC to recover a proportion of its overhead costs.

Decision

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

RECOMMENDED TO THE COUNCIL

- (1) That a new Agreement be entered into with the South Downs National Park Authority (SDNPA) under section 101 of the Local Government Act 1972 to enable Chichester District Council to continue to provide a development management service to the SDNPA for up to three years initially until 30 September 2020 and, subject to a further report to the Cabinet and the

Council, for a further two years up until 30 September 2022 if the arrangements are working effectively and agreeable to both authorities.

- (2) That the Head of Planning Services be authorised to conclude negotiations on the section 101 Agreement including the Service Level Agreement and related Protocols and complete the Agreement.
- (3) That the proposed basis for payments set out in appendix 1 and 2 for the delivery of a development management service to the SDNPA be agreed.

RESOLVED

That having regard to the recommendations made by the Overview and Scrutiny Committee set out in para 9.3 of the Cabinet agenda report:

- (1) Officers be authorised to work with the South Downs National Park Authority to develop (with district and parish councillors) a communications protocol.
- (2) A corporate task and finish group to review the resources allocated to enforcement in relation to the SDNPA Enforcement Protocol and Chichester District Council's Enforcement Strategy should not be established at the present time.

387 Plot 21 Terminus Road Chichester

The Cabinet received and considered the agenda report and its two appendices in the first agenda supplement, the second of which was confidential Part II exempt material (copies of the report and the first appendix attached to the official minutes).

The report was presented by Mr Dignum.

Mr Gregory and Mr Harrison were in attendance for this item.

Mr Dignum said this was a redevelopment by CDC of a Council owned brownfield site in Terminus Road, Chichester. In July 2016 CDC had approved allocating £2.083m to the construction of six units ranging from of 230m² each. Planning permission had been granted. The proposed contractor had been appointed at a cost just below the budget figure. Subject to the rents achieved the return would be 7.5 to 8.4%. CDC had been advised that there was a strong market for this type of unit and that it was highly likely that if an aggressive marketing campaign was adopted some of the units could go under offer during the build-out period. A key driver behind building the scheme had been to improve the economy of the local area by attracting new employers and/or providing an opportunity for an existing Chichester-based company to relocate to the site and so expand economic activity in Terminus Road. The site represented the upper level of CDC's offer for small businesses, The Woodruff Centre and St James Industrial Estate being the intermediate stage two and the Enterprise Centre which was now under construction being entry stage one. Completion was anticipated for May 2018.

The officers did not wish to add to Mr Dignum's introduction.

There was no discussion of this item.

Decision

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

RESOLVED

That the updated information relating to the capital cost of the project in the confidential appendix 2 and the Return on Investment (ROI) in section 8 of the agenda report be noted and the budget to enter into a contract with the preferred contractor, contractor (A), to deliver the business unit scheme on Plot 21 Terminus Road Chichester be released.

388 Appointment to the BID Board

The Cabinet received and considered (a) the agenda report for agenda item 10 and (b) the third agenda supplement, which set out details of a late item (agenda item 18) of a recommendation to the Cabinet about supporting the Chichester Business Improvement District, which had been made by the Overview and Scrutiny Committee (OSC) at its meeting on 13 June 2017 (copies of the report and the third agenda supplement attached to the official minutes).

As advised by Mr Dignum during agenda item 1, the aforementioned late item would be taken as part of agenda item 10 rather than 18 in view of the related subject matter namely the Chichester BID.

The report for agenda item 10 and the third agenda supplement were presented by Mr Dignum.

No officers were in attendance for this item.

Mr Dignum referred to the self-explanatory report on the proposed additional appointment to the BID Board.

There was no discussion of that proposal, which was supported by the Cabinet.

With respect to the OSC recommendation that CDC carry out early consultation with the BID in relation to the city such as transport issues, Local Plan development and Southern Gateway, Mr Dignum advised that he had replied to Mrs Apel (the OSC chairman) saying that he intended to give a full briefing to the BID Board at its meeting on 18 July 2017 about the *Vision*, the Chichester Local Plan Review etc insofar as they affected the city centre.

Mr Carvell confirmed that CDC had specific arrangements in place to consult the Chichester BID with regard to relevant planning policy matters.

Mr Dignum invited the Cabinet to support the OSC recommendation, which met with a consensus of approval without the need to discuss the matter. It was noted, however, that insofar as the OSC's reference to 'transport issues' was concerned,

that was a matter which fell within the remit of West Sussex County Council and so ought to be omitted from the text of the Cabinet's resolution.

Decision

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

RESOLVED

- (1) That Jane Kilby be appointed as the 'Alternative Director' (substitute member) to serve as Chichester District Council's representative on the BID's Board.
- (2) That having regard to the recommendations made by the Overview and Scrutiny Committee set out in para 9.3 of the Cabinet agenda report, Chichester District Council carries out early consultation with the BID in relation to proposals which affect the city such as Local Plan development and Southern Gateway.

389 Chichester Market

The Cabinet received and considered the agenda report and its two appendices in the first agenda supplement, the second of which was confidential Part II exempt material (copies of the report and the first appendix attached to the official minutes).

The report was presented by Mr Connor.

Mr Legood and Mr Foord were in attendance for this item.

Mr Connor said the first anniversary of the Chichester Wednesday market being held in North Street and East Street would be on 16 August 2017. The inception of the Wednesday market in the city centre precinct area of North and East Streets on a one-year trial basis was in response to a reported decline in the use of the traders' market located in the Cattle Market (the Saturday market remained there). An associated Street Trading Consent (covering for example detailed operational practices and health and safety matters) was negotiated by officers with the market operator.

In March and May 2017 a Traders' Market Task and Finish Group (TFG) met to assess the success or otherwise of the city centre trial market. This included a six-week public consultation carried out by CDC's Communities team and it addressed city centre businesses, market traders and customers/visitors with the aim of assessing the operation of the market. The market operator also commissioned its own survey and separately arranged for city centre retailers to complete a short questionnaire. The Chichester BID was consulted. The TFG held a question and answer session attended by BID representatives and the market operator. A summary of the mixed consultation responses was in appendix 1 in the third agenda supplement. Residents were generally positive about the market eg that it was convenient and livened up the city and interest was expressed in having more fresh food outlets. There was also negative feedback eg the market 'obstructs shop fronts and similar goods are sold on the market to high street retailers'. Some retailers

outside the precinct area considered the market had had a negative impact on their business although retailers on the pedestrianised streets tended to think that they benefitted from the presence of the market in proximity to their shops. In view of concerns expressed by businesses about quality, position (location of market) and presentation, the TFG agreed that these points needed further consideration with the market operator. The traders who responded were unanimous in the view that they would continue to attend the market as long as it stayed in the city centre.

The report's recommendations in section 3 were based on the TFG's recommendations ie that officers be authorised to renew the Street Trading Consent held by the current market operator for the running of a Wednesday market for a further period of two years. Officers would continue to work with the operator to ensure that the improvements identified by the TFG as a result of the consultation exercise were addressed as recommended in para 3.2 of the report. Para 3.3 made provision with regard to Christmas markets.

The officers did not wish to add to Mr Connor's introduction.

In the discussion the positive impact of having a city centre market in terms of variety and vibrancy was acknowledged while expressing the hope that the presentation issues would be satisfactorily addressed.

In response to members' points about the appearance of the stalls, Mr Legood and Mr Foord said that notwithstanding the obvious benefits of the market being centrally located and offering goods which could not be purchased elsewhere, clearly issues such as the height of stalls and the extent to which they were obscuring shop fronts were key presentation matters to be addressed. Officers would be working closely with the operator and individual traders to address three particular issues, namely the need for (a) consistent stall skirts, (b) clear plastic canopies to avoid obscuring shop façades and (c) hand-made direction signs for the shops behind the stalls. Meat traders were welcome in principle but it was not currently possible to deliver products via a modest-sized vehicle.

Decision

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

RESOLVED

- (1) That officers be authorised to renew the Street Trading Consent held by the current market operator for the running of the Wednesday Market for a further period of two years.
- (2) That improvements to the presentation of the market be obtained in accordance with the recommendations of the Task and Finish Group.
- (3) That the Street Trading Consent shall make provision for a Christmas Market to be held in the precinct for nine days in 2017 and 2018 (affecting one Wednesday market each year) and account shall be taken of this in the grant of a new Street Trading Consent with the possibility of an alternative trading day to be offered in lieu of the lost Wednesdays.

390 Council Tax Reduction Scheme for 2018-2019

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

In the absence of Mrs Hardwick the report was presented by Mr Dignum.

Mrs Rogers was in attendance for this item.

Mr Dignum said that the *Welfare Reform Act 2012* and the *Local Government Finance Act 2012* abolished the national council tax benefit scheme and put in place a framework for local authorities to create their own local council tax reduction (CTR) schemes from April

2013 for working age claimants. Pensioners would still receive support based on national rules, so local schemes applied to working age claimants only. Since its introduction CDC's local scheme had broadly followed the rules of the pre-April 2013 CT benefit scheme and the current housing benefit (HB) scheme. Accordingly applicants were being supported as much as they had been under the previous scheme arrangements, which was unlike a significant number of local authorities which had amended their schemes so that most CTR claimants had to pay some CT. CDC's CTR scheme had remained unchanged since April 2013, apart from the annual uprating of applicable amounts and state benefits in line with the HB scheme. Consequently people on the lowest incomes in Chichester District were being protected and could still claim a reduction to cover the full cost of their CT. In 2013 Universal Credit (UC) was introduced in pathfinder local authorities and after a very slow implementation the full roll-out in CDC for all new claimants was scheduled for April 2018. This would necessitate dealing with possible monthly adjustments to recipients' benefit income, which would in turn affect their CTR entitlement. Since this would cause CDC's administrative costs to increase when the government's contribution to those costs had been cut, officers proposed using a banding scheme. This would make CTR changes for minor income variations unnecessary and keep the cost of administration to a minimum while providing maximum support for those on the lowest incomes. The Cabinet was now requested to approve a consultation on the existing scheme and the proposed banded scheme.

Mrs Rogers did not wish to add to Mr Dignum's introduction.

In the Cabinet's discussion members welcomed the roll-out of UC but also emphasised the importance of the banded scheme to ensure that there would be no significant losers in the community and to achieve administrative simplicity to assist claimants.

Decision

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

RESOLVED

That the Head of Finance and Governance Services be authorised following consultation with the Cabinet Member for Finance and Governance Services to prepare and consult upon a draft 2018-2019 council tax reduction scheme options as proposed in appendix 1, to be brought back to the Cabinet in November 2017 for recommendation to the Council.

391 **Delivery of the Tangmere Strategic Development Location**

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

The report was presented by Mrs Taylor.

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

Mrs Taylor summarised the report, which addressed how CDC proposed to secure via the use of compulsory purchase powers the delivery of one of the key strategic development location sites required to deliver the housing numbers stipulated in the *Chichester Local Plan: Key Policies 2014-2029* (CLP) and thereby ensure that CDC was able to demonstrate an ongoing five-year housing land supply. In doing so she referred in the report to paras 4.2 to 4.8 and the details of the complex CPO process as set out in section 6 (the indicative timescale was given in paras 6.19 to 6.21). Appendix 2 delineated the extent of the land currently expected to be the subject of a CPO. The public interest test which CDC must (and believed it would) satisfy and the relatively recently reissued government guidance on seeking a CPO were covered in paras 6.15 to 6.18. Appendix 1 identified the benefits of CDC contracting with a development partner. Sections 7, 8 and 10 considered the alternatives to the CPO process and the case for CDC now actively to pursue a CPO.

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

Mr Dignum drew attention to paras 6.4 (member briefing session) and 6.12 (reference to the Cabinet and the Council as progress was made). He said that notwithstanding the complexity of the process CDC was determined to secure the delivery of 1,000 homes and the associated infrastructure and development envisaged in the CLP.

There was no discussion but members supported the proposed use of the CPO process.

Decision

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

RESOLVED

- (1) That the use of Chichester District Council's compulsory purchase and associated powers (which at this stage are anticipated as likely to include but

not be limited to those under the Town and Country Planning Act 1990 and the Local Government Act 1972) to facilitate comprehensive development at Tangmere SDL be supported in principle, subject to Chichester District Council being satisfied that the acquisition of each interest or right to be acquired is justified in the public interest.

- (2) That in conjunction with the appointed CPO advisors, work shall commence on the selection process to identify a suitable development partner (master developer) to deliver a masterplan for the Tangmere SDL and a subsequent scheme that delivers the comprehensive development of the Tangmere SDL in accordance with the adopted Chichester Local Plan and 'made' Tangmere Neighbourhood Development Plan.
- (3) That it be approved that Knight Frank (CPO Advisor), Citicentric (CPO Surveyor/non-legal advice) and Davitt Jones Bould (legal advice) be retained to assist Chichester District Council in carrying out the above steps subject to remaining within the overall approved budget provision for the project.
- (4) That the officers be authorised to undertake the next steps as set out in section 6 of the agenda report.

[**Note** At the end of this item there was a short adjournment between 10:43 to 10.54]

392 **Pallant House Gallery - Revised Articles of Association**

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

The report was presented by Mrs Lintill.

Mr Hansford and Mr Hyland were in attendance for this item.

Mrs Lintill summarised the governance changes which had taken place within the Pallant House Gallery (PHG), in consequence of which there would need a revision of the PHG's articles of association. The draft document for approval was in appendix 1 and had been carefully scrutinised by officers (sections 5 and 8).

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

There was no discussion of this item.

Mr Dignum pointed out that the PHG had recently received a significant vote of confidence in being awarded £89,119 for a four-year period by the Arts Council England.

Decision

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

RESOLVED

That the revised Articles of Association for the Pallant House Gallery in the appendix to the agenda report be approved.

393 Pay Policy

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

The report was presented by Mr Wilding.

Mrs Dodsworth and Mr Radcliffe were in attendance for this item.

Mr Wilding said that in order to deliver efficient, effective yet affordable services to its customers CDC needed to be able to recruit and retain good quality staff. At its meeting on 6 September 2016 the Cabinet considered an options appraisal aimed at achieving that outcome. A number of factors were taken into account in considering each of the options:

- CDC's existing grading structure had not been reviewed for 29 years.
- The need to include the national living wage rate within the grading structure.
- The results of a recent salary benchmarking exercise across the public and private sector.
- The need to ensure CDC had a fair and consistent salary structure.
- The need to remain an attractive and competitive employer

Section 6 of the report set out the options considered by the Cabinet. As a result of the options appraisal, the Cabinet authorised officers to undertake a comprehensive review of posts against a set of agreed principles on a service-by-service basis. The new pay policy was now before the Cabinet. It stipulated CDC's principles which would be applied when evaluating a job role and associating a salary to that role. It set out the legal statutory requirements and commitment to the national salary framework and was designed to give staff an understanding of the factors which were taken into account in determining a salary grade for any job role.

The Joint Employee Consultative Panel (JECP) received a report at its meeting on 22 August 2016, setting out the benchmarking data and options appraisal and it had continued to have regular updates at each subsequent meeting. The JECP considered the proposed pay policy and proposals at its meeting on 26 June 2017. Minor changes were incorporated into the Pay Policy Statement as a result of that consultation. The staff representatives had requested at the JECP's recent meeting that there should be no reductions in staff salaries as a result of the pay review and that CDC's longer-term aspiration should be to achieve the median public sector pay level for all posts. Those points were not supported by the CDC councillor JECP members because the option of aiming to achieve median public sector pay for all posts was considered as part of the options appraisal but not supported as it was unaffordable when costed. The primary objective of undertaking a comprehensive review of all posts was not about saving money but ensuring a fair and consistent approach.

Mrs Dodsworth advised that there was one minor change to the Job Profiles para in the Employment Policy Statement in appendix 1 (page 67) namely that the words 'in consultation with the relevant staff member if applicable' would be added after 'the service manager' and before 'and this will be used'. This change was made at the request of the JECP and was supported by officers; it reflected current practice in any event.

The amended text is highlighted in yellow in the first of the Cabinet's resolutions below.

This amendment was noted and accepted by the Cabinet.

In a brief discussion the work in producing the new pay policy was commended.

Decision

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

RESOLVED

- (1) That the proposed Pay Policy Statement as outlined in appendix 1 to the agenda report be approved subject to the following amendment highlighted in yellow in the 'Job Profiles' para namely:

'Job Profiles

In order to ensure consistent evaluation and to focus authors of job documentation to consider the three factors required to evaluate a post, a new Job Profile template has been developed (see Appendix 1 Job Profile template). This combines the job description and person specification into one document and is also used where necessary for recruitment advertising and contracts of employment. This new Job Profile will be used by future Hay panels when evaluating posts. Each council post will have a Job Profile written for it by the service manager **in consultation with the relevant staff member if applicable** and this will be used to commence the evaluation process. Service managers should refer to the re-evaluation process managers' guide and will receive support as necessary from the HR or Corporate Improvement teams.'

- (2) That a comprehensive review of posts based on the Pay Policy Statement be authorised to ensure a consistent and fair pay structure.
- (3) That the release of £25,000 from reserves be authorised to fund temporary staffing within the Human Resources service to support the implementation of this project.

394 Public Spaces Protection Order - Dog Control

The Cabinet received and considered the agenda report and its five appendices in the first agenda supplement (copies attached to the official minutes).

The report was presented by Mr Connor.

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

Mr Connor explained that as a result of the repeal of dog control orders on 1 October 2017 CDC would be replacing them with public space protection orders (PSPO) and the statutory power to do so, the nature of PSPOs and the procedure for introducing them including public consultation was set out in sections 3 and 8 of the report. The consultation responses were detailed in appendices 3 and 4. The consequential amendments made as a result of those responses were detailed in appendix 5. The outcomes to be achieved by the new PSPOs were set out in section 4 of the report.

Mrs Stevens said that all of the consultation response received, which varied widely in favour of fewer or stricter controls, had been carefully considered.

During the debate Cabinet and other CDC members expressed their support for the proposed new PSPOs, recognising that the majority of dog owners acted responsibly and there were benefits to people in having a dog. Mrs Stevens, Mrs Rudziak and Mr Connor responded to their questions and comments on various matters which included:

- (a) The public was welcome to contact CDC with information about dog fouling incidents; indeed local residents and visitors were seen as CDC's eyes and ears in enforcing these powers.
- (b) The Friends of Priory Park were contacted as part of the consultation but there was no response to the point about whether dogs on leads should be allowed there. This park and the Bishop's Palace Gardens were two enclosed public recreation areas in the city where dogs were prohibited and in significantly minimising public health risks associated with dog fouling as a result, children could play safely and enjoy family picnics. The rest of the city had a range of public open spaces where dogs could be exercised.
- (c) The enforcement by CDC officers would be undertaken by two dog wardens and the foreshore officers. This was considered to be a reasonable level of control to encourage people to respond in the right way and to achieve an even greater consensus by the public that irresponsible care of dogs in public places was socially unacceptable. In view of the aggressive behaviour by some dog owners and their dogs, the use of body cameras was being considered for the dog control enforcement officers. Such cameras in particular were shown to be particularly effective in lowering aggression. Proposals to consider such measures were due to be brought to the Cabinet later in 2017.
- (d) The concerns which led to the response submitted by the National Farmers Union (pages 260 to 261) were explained.
- (e) The PSPO would not apply to people with disabilities who required a dog.

- (f) The need, if required, to clarify (a) the meaning of 'public open space' in the second line of para 6 in Schedule 1 in appendix 1 to the agenda report so as to read for example 'publically accessible land' and (b) whether CDC's car parks should be included in para 3 of the aforesaid Schedule 1 would be investigated by officers after this meeting. If appropriate such amendments would be made under the use of a delegated authority which ought to be included in the resolutions to be made by the Cabinet.

[Note Following the meeting, the points raised in (f) above by Mr Oakley were duly considered and the advice of CDC's Legal Services was sought, as a result of which it was not considered necessary to amend the PSPO]

The Cabinet supported the making of a second resolution conferring a delegated authority.

Decision

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

RESOLVED

- (1) That the making of the Public Spaces Protection Order - Dog Control relating to the behaviours and geographical areas as set out in appendices 1 and 2 to the agenda report be authorised.
- (2) That the Head of Housing and Environment Services be authorised following consultation with the Cabinet Member for Environment Services to enable minor amendments to be made to the documents in (1) above.

395 Treasury Management 2016-2017 Out-turn Report

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

The report was presented by Mr Dignum.

Mr Catlow was in attendance for this item.

Mr Dignum said that this item principally reported on CDC's overall treasury management performance and provided a summary of activity for the last financial year and also information on CDC's capital expenditure and financing and prudential indicators for the same period. CDC continued to manage a cash portfolio of between £50m and £60m, depending on the collection and payment cycles for local taxation and council expenditure. The overall return for 2016-2017 was 1.25%, of which the primary driver was CDC's £10m investment in the Local Authority Property Fund which continued to produce a revenue return in line with its long-term average of just over 4%. CDC's shorter term investments produced a return of 0.76% across the year, slightly above the peer comparative group. The disparity between those two returns showed the importance of evolving CDC's treasury strategy to maximise revenue return while avoiding losses and defaults and

ensuring that CDC's bills could be paid on time. Para 4.2 summarised how the treasury function had evolved over the last 12 months by focussing on diversifying into alternative forms of approved investment and improving CDC's monitoring and reporting of activity by using benchmarks and red/amber/green reporting. CDC's improved ability to forecast cash flows both in the short-term and across a longer time horizon would continue to drive effective investment, especially given the continuing economic and regulatory background (summarised in appendix 3). Despite some uncertainty on the timing of CDC's capital programme (appendix 2), the improved cash flow forecasting developed to date had allowed CDC to invest a further £8m in 2017-2018 in external multi-asset and other pooled funds. These were expected to generate an improved return of 3 to 4%. As to CDC's estates portfolio (paras 8.1 and 8.2), CDC continued to manage a substantial portfolio of income generating properties, to which was recently added 2 to 3 East Street in Chichester. Overall those properties produced an income in excess of £2.5m per annum.

Mr Catlow referred to para 3.3 of the report and advised that the Corporate Governance and Audit Committee had not made any key comments.

There was no discussion of this item.

Decision

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

RESOLVED

That (a) the review of Treasury Management activity and performance for 2016-2017 and (b) the final Prudential Indicators for 2016-2017 to 2021-2022 as detailed in appendix 2 to the agenda report be noted.

396 Late Items

Save for the item the subject of the third agenda supplement (Recommendation of the Overview and Scrutiny Committee: Supporting Chichester Business Improvement District) being taken as part of agenda item 10 above instead of during this item, there were no late items for consideration at this meeting.

397 Exclusion of the Press and Public

There were no substantive Part II items listed on the agenda for this meeting and the confidential Part II appendices for agenda items 8 (South Downs National Park Authority – Development Management Agency Agreement), 9 (Plot 21 Terminus Road Chichester) and 11 (Chichester Market) were not discussed. Accordingly no resolution to exclude the press and the public was required to be made at this meeting.

[**Note** The meeting ended at 11.35 am]

CHAIRMAN

DATE: