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A meeting of the **Cabinet** will be held in Committee Room 2 at East Pallant House on **Tuesday 6 February 2018 at 09:30**

MEMBERS: 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

AGENDA

1 Chairman's Announcements

The chairman will make any specific announcements for this meeting and advise of any late items which will be given consideration under agenda item 13 (a) or (b).

Apologies for absence will be taken at this point.

2 Approval of Minutes (pages 1 to 9)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 9 January 2018, a copy of which is circulated with this agenda.

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 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 Budget Spending Plans 2018-2019 (pages 10 to 17)

The Cabinet is requested to consider the agenda report and its four appendices in the agenda supplement and to make (a) the following recommendations to the

Council and (b) in addition resolutions with regard to the matters indicated:

A - RECOMMENDATIONS TO THE COUNCIL

- (1) That a net budget requirement of £12,988,300 for 2018-2019 be approved.
- (2) That Council tax is increased by £5 from £150.81 to £155.81 for a band D equivalent in 2018-2019.
- (3) That the Investment Opportunities Reserve is increased by £820,200.
- (4) That, should the final settlement differ from the provisional settlement, any increase or decrease be dealt with by adjusting the transfer to the Investment Opportunities Reserve above.
- (5) The capital programme, including the asset renewal programme (appendix 1c and 1d).

B - RESOLUTIONS BY THE CABINET

The Cabinet is recommended in the agenda report to give further consideration to and make resolutions with regard to:

- (1) The current resources position (appendix 2).
- (2) The budget variances included in the Draft Budget Spending Plan as set out in appendix 1b including growth items.

6 Consideration of Consultation Responses and Modifications to Chichester District Council's Infrastructure Business Plan 2018-2023 (pages 18 to 21)

The Cabinet is requested to consider the agenda report and its two appendices* in the agenda supplement and to make the following recommendations to the Council:

That the Council:

- (1) Approves the proposed responses to the representations received and subsequent modifications to the Infrastructure Business Plan as set out in appendix 1.
- (2) Approves the amended Infrastructure Business Plan including CIL Spending Plan attached as appendix 2.

*[Note The appendices attached to the agenda report are as follows:

- (1) Appendix 1: Summary of Representations and Proposed Modifications to the IBP
- (2) Appendix 2: Chichester District Council's Infrastructure Business Plan 2017-

2022 as modified - CIL spending plan extract only (the entire document, which is lengthy, may be viewed electronically on Chichester District Council's website within the committee papers page for this meeting although a monochrome hard copy will be available in the Members Room at East Pallant House)]

7 Draft Treasury Management Strategy 2018-2019 (pages 22 to 25)

The Cabinet is requested to consider the agenda report and its four appendices in the agenda supplement and to make the following recommendations to the Council:

That the Council approves:

- (1) The Treasury Management Policy and Treasury Management Strategy Statement for 2018-2019 as contained in appendix 2 of the agenda report.
- (2) The Investment Strategy 2018-2019 as detailed in the Treasury Management Strategy Statement.
- (3) The Prudential Indicators and Limits for 2018-2019 included in appendix 2 of the agenda report.

KEY DECISIONS

8 Disposal of 2 The Gardens College Lane Chichester (pages 26 to 30)

The Cabinet is requested to consider the agenda report and its two appendices, the second of which is Part II restricted* for the information of members and relevant officers only (printed on salmon paper), and to make the following resolution:

That the property be declared surplus to requirements and the Head of Commercial Services be authorised to proceed with the disposal of the land and property at 2 The Gardens College Lane Chichester by auction as set out in section 5 of the report.

[***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*]

9 East Pallant House Options Appraisal (pages 31 to 37)

The Cabinet is requested to consider the agenda report and its Part II restricted* appendix, which is for the information of members and relevant officers only (printed on salmon paper), and to make the following resolution:

- (1) That Chichester District Council continues to use East Pallant House as the primary office accommodation for the organisation.
- (2) That officers continue to identify opportunities to provide office accommodation for partners, voluntary sector or commercial organisations as those opportunities arise to ensure office space is fully utilised and

operating costs are kept to a minimum.

[***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*]

OTHER DECISIONS

10 **Article 4 Directions for Chichester Conservation Area** (pages 38 to 43)

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

- (1) That the implementation of an “Immediate” Article 4 direction to cover minor alterations as set out in appendix 1 to the agenda report to dwellings within the Chichester Conservation Area be approved.
- (2) That the implementation of a “non-immediate” Article 4 direction to cover installation of solar panels on buildings within the Chichester Conservation Area be approved.
- (3) That decisions to confirm and implement the directions referred to in (1) and (2) above be taken by the Head of Planning Services following consultation with the Cabinet Member for Planning Services and the ward members for the Chichester Conservation Area within six months of the Directions being made.

11 **Contaminated Recycling Bin Policy** (pages 44 to 48)

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

- (1) That the Contaminated Recycling Bin Policy as endorsed by the Waste and Recycling Panel be approved.
- (2) That delegated authority be granted to the Chichester Contract Services Manager to issue fixed penalties or other notices for waste and waste-receptacle related offences including (but not limited to) powers under the *Clean Neighbourhoods and Environment Act 2005* and sections 46A to 46D of the *Environmental Protection Act 1990* (as amended).

12 **Local Strategic Statement 3 and Statement of Common Ground** (pages 49 to 51)

The Cabinet is requested to consider the agenda report and its appendix in the agenda supplement and to make the following resolution:

That the approach to addressing strategic planning issues within West Sussex and Greater Brighton through the production of Local Strategic Statement 3 and a Statement of Common Ground be endorsed, as set out in the report to the West Sussex and Greater Brighton Strategic Planning Board (attached as an appendix to the agenda report).

13 **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

14 **Exclusion of the Press and Public**

The Cabinet is asked to consider in respect of agenda item 15 (Amendment to Scope of Negotiations for Concessions Contract) making a resolution that the public including the press should be excluded from the meeting on the following grounds of exemption in Schedule 12A to the *Local Government Act 1972* namely Paragraph 1 (information relating to any individual) and 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 confidential exempt Part II report for agenda item 15 is attached for members of Chichester District Council and relevant officers only (printed on salmon paper)]

15 **Amendment to Scope of Negotiations for Concessions Contract** (pages 52 to 55)

The Cabinet is requested to consider the agenda report, which is Part II* confidential material with a restricted circulation to Chichester District Council members and relevant officers only (printed on salmon-coloured paper), and to make the following resolution:

That the Cabinet approves an extension to the scope of the negotiations it has previously authorised in accordance with the proposal contained within section 5 of the agenda report.

*[**Note** The grounds for excluding the public and press during this item are that it is likely that there would be a disclosure to them of 'exempt information' of the description specified in Paragraphs 1 (information relating to any individual) and 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 THE CABINET

Standing Order 22.3 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.