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Minutes of the meeting of the **Cabinet** held Virtually on Tuesday 8 September 2020 at 9.30 am

**Members Present** Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr M Bell, Mr R Briscoe, Mr A Dignum, Mrs P Plant, Mr A Sutton and Mr P Wilding

**Members Absent**

**In attendance by invitation**

**Officers Present** Mr T Ayling (Divisional Manager for Planning Policy), Mr S Ballard (Senior Environmental Protection Officer), Mr N Bennett (Divisional Manager for Democratic Services), Mr A Buckley (Corporate Improvement and Facilities Manager), Mr M Catlow (Group Accountant (Technical and Exchequer)), Ms H Chivers (Planning Policy Officer), Mrs K Dower (Principal Planning Officer (Infrastructure Planning)), Ms Stephanie Evans (Environmental Coordinator), Mr A Frost (Director of Planning and Environment), Miss L Higenbottam (Democratic Services Manager), Mrs J Hotchkiss (Director of Growth and Place), Mrs T Murphy (Divisional Manager for Place), Mrs D Shepherd (Chief Executive), Dr Andrea Smith (Climate Change Officer) and Mr J Ward (Director of Corporate Services)

## 27 **Chair's Announcements**

The Chair welcomed Cllr Tony Dignum who had re-joined the Cabinet. She also thanked Cllr Martyn Bell for his service to the Cabinet as he would be stepping down from his role following the meeting.

There were no apologies for absence.

## 28 **Approval of Minutes**

### **RESOLVED**

That the minutes of the meeting of Cabinet held on Tuesday 7 July 2020 be approved as a correct record with a hard copy to be signed at an appropriate point.

29 **Declarations of Interests**

There were no declarations of interest.

30 **Public Question Time**

The following public questions were submitted:

**Public Question submitted by Mr Harry Nix:**

Will you include our proposals into the LCWIP to improve St Pancras, Chichester for cyclists and pedestrians, given there is local support for this initiative?

**Response from Cllr Penny Plant:**

*Thank you for your question. CDC will, subject to today's Cabinet resolution, go out to public consultation on its draft for consultation LCWIP. The LCWIP has been designed to accord with, but not overlap, existing plans for the local highway network. These have in the main been brought forward by West Sussex County Council as the local Highway Authority and are namely the Sustainable Transport Package and the Local Transport Improvement Programme. Whilst the LCWIP consultation is aimed at consulting on what is included in the consultation draft LCWIP rather than new ideas, we will treat your question as an early consultation response. As such we will forward your suggestion to WSCC Highways with any other new ideas that arise as consultation responses such that they can comment on the merit, or otherwise, of any such proposals at that time. We will then consider whether to amend the LCWIP prior to its adoption.*

**Public Question submitted by Mr T Broughton:**

It is pleasing to read in the 'Draft Climate Emergency Detailed Action Plan' that the truth about how the Chichester District can become net zero is becoming plain to see; especially with regard to the sector 'Energy Supply'. However, the way that this data is presented is hard to understand. MWh/ha is not tangible. The area of the District is 78600ha, so presenting the data in MWh is much easier to understand. Better still is to present, in addition, the number of wind turbines required and area of solar. For example, using the data presented in the Action Plan and industry standard components, this would mean the following would need to be installed by 2030: 150GWh of large-scale wind or 27 large turbines; and 204GWh of small-scale wind or 3900 small-scale wind turbines; and 16GWh large scale solar or 23ha. (Although note that there is already 68GWh (98ha) of large scale solar in the Chichester District!)

***In conclusion, a pathway to net zero is needed so using a modelling tool like SCATTER to generate this pathway is desirable, but could the information presented in the Action Plan please be done so in a more understandable manner? Additionally, it is disappointing that the Action Plan states: 'Establish a renewable energy generation working group when time resources permit.' In order to meet the target of renewable energy installations by 2030 will require a working group to start work immediately. Especially as the local***

***Distribution Network Operator, SSEN, are currently working on their plans for 2023-2028 now, including the development of Local Area Energy Plans.***  
**Response from Cllr Penny Plant:**

*SCATTER is a modelling tool designed to assist local authorities. It estimates the greenhouse gas emissions for individual local authorities and then models the effect of different measures to reduce those emissions. Local authorities can select from a pre-set list of measures. While it is designed to help local authorities map a pathway to net zero by 2050, you can use the data to see how to reach other targets, such as the one for Chichester district.*

*SCATTER saves individual local authorities months of highly technical work and enables them to quickly see the challenges we face. However, as the climate emergency action plan flags, it does not fully capture local circumstances, so the output given in the supporting technical information section must be seen as indicative rather than being specific steps that we need to take as a district. So it must be seen as a starting point rather than a fully formed and locally specific set of actions.*

*SCATTER was produced by a consultancy called Anthesis, funded by the UK government's Department for Energy and Industrial Strategy. However, the project is now closed and the methodology behind SCATTER is not open source. This again underlines the point about seeing it as a tool to inform the plan, rather than a ready-made plan. I agree that describing some of the measures from SCATTER in terms of the number of typical wind turbines etc. makes it easier to understand the scale of action required and I think the work you have done on that is very helpful – and in itself demonstrates the partnership approach that we need in the district to meet the challenge ahead of us. So thank you.*

*On the renewable energy working group, in light of this information about the network operator and subject to consideration by Cabinet today, we can re-assess the order given to starting up groups or engaging with existing groups and projects on greenhouse gas mitigation issues. However, we would always aim to support others in the district that can move faster on specific projects where those projects aligning with CDC policies.*

**Public Question submitted by Ms L Withers:**

My question references the agenda item on approval of the Draft Climate Emergency Action for public consultation. The public consultation on this critical plan represents a first and fantastic opportunity to build widespread public awareness that the CDC has declared a climate emergency and why it has done so, and also to begin the process of engaging as many people as possible in agreeing and acting on the measures that must urgently be taken at district level to help avert or, at least minimise, the effects of the impending climate and ecological crisis. Other councils have recognised that to be successful climate emergency strategies must be community owned and that the views of local people must be central to the work that shapes it. Lewes DC, for example, is currently running a three-month program of stakeholder engagement on its draft plans using facilitated discussions on strategic areas to support active, informed reflection and input that will help shape its final

plan. Other councils are holding Citizens' Assemblies involving dozens of representatives from their communities to guide and support their actions on the crisis.

***How will CDC ensure that:***

***a) the public consultation on its Draft Action Plan will reach beyond the "usual suspects" to include as many and as diverse as possible crosssection of the community;***

***b) that people are supported and empowered to give their views on an issue on which many of us do not have specialist or technical expertise;***

***c) that the input from the consultation will be reflected in the final plan; and d) that the outcomes of the consultation will also be used to inform and, if necessary, refine CDC's COVID-19 Recovery Plan and Future Services Framework so that it reflects and reinforces agreed actions to respond to the climate emergency?***

**Response from Cllr Penny Plant:**

*Thank you for your question. It's really important to us that we involve residents, businesses and other organisations in this critical project and we will be encouraging as many as possible to take part in our consultation.*

*Should the draft Climate Emergency Action Plan report be approved in today's meeting, we will be launching our consultation on the 25 September and inviting people to have their say on it. We have developed a comprehensive consultation plan, outlining how we will engage with people. As with all of our consultations, we will be in touch with our Let's Talk Panel members to make them aware of the consultation. People can sign up to the Let's Talk Panel on our website. The panel is made up of almost 600 members who have opted to be notified of new consultations. A key part of our consultation will involve engaging with partners, such as environmental groups, local community groups, parish councils and businesses, and gathering as much feedback as possible. We will also be promoting the consultation in a range of other ways. We will ask our partners to help us spread the word that it is taking place, including parish councils, residents associations and business associations. There will also be advertising banners and news articles on our website; updates to local media organisations; information in our email newsletter; posters in key locations; and, we will encourage our staff to promote the consultation when they speak to members of the public. We have developed a consultation web page where people can view the plan and find out about the importance of this work, including: what has been done so far in this area; the purpose of the action plan; and, how people can get involved. As part of this, we have created a set of frequently asked questions to add background information and context. The consultation will include a survey will be easy to complete. The consultation will be used to develop the action plan which will then return to Environment Panel and later to this Cabinet.*

*The action plan has two parts to it: firstly, what CDC is doing to reduce its own greenhouse gas emissions and secondly, how CDC can bring together individuals*

*and organisations in the district together to develop projects to tackle the area's emissions. We propose that working groups made up of organisations in the district work together to develop practical solutions to reduce emissions and to have a public information campaign focussed on behaviour change.*

*We are also proposing another engagement route which directly addresses the concerns raised about involving people from all sectors of our district and how to promote engagement on this issue which has scientific and technical dimensions to it. We therefore propose holding a Citizens' Jury made up of a dozen or so people who will reflect the demographic profile of people in the district. They will not be drawn from environmental groups necessarily. Instead they will be requested to participate on the basis of their characteristics e.g. age, income, ethnicity, working/caring responsibilities. These jurors will be able to question experts on climate change over 2-3 days, allowing them to make informed recommendations to the council on the development of the Climate Emergency Action Plan.*

*In terms of the Covid 19 Recovery Plan, this is a short-term plan to aid recovery over the next 12 months. The various environmental strategies are long term priority areas for the Council. The Climate Change Action Plan will be a "live" document evolving over time and therefore the outcomes of the above consultation exercises and any future ones, will continue to shape the policies.*

**Public Question submitted by Dr K McNicol:**

Action 10

In regards to minimising emissions and achieving high levels of energy efficiency from new housing.

What levels are you aiming for?

What factors will influence the levels you are trying to achieve?

Why has the submission been delayed from 2020. to 2021?

Action 18

Are the Strategic Wildlife Corridors currently protected or can they be destroyed before the implementation of habitat improvements projects in October 2022- March 2026?

**Response from Cllr Penny Plant:**

*Thank you for your question. On Action 10, we are aiming for the highest levels of energy efficiency and renewable energy provision that do not prevent new development being economically viable. This assessment takes into account the viability impact of other policies in the local plan, for example the provision of affordable housing, transport and educational infrastructure. The preferred approach draft of the Local Plan review proposed a policy requirement of a 19% improvement on current building regulations and an additional 10% renewable energy generation*

*requirement on top of that. Should the work currently underway on the overall viability assessment show that even higher standards are possible then we will give serious consideration to that. However, the government has consulted on the proposed Future Homes Standard and currently on the Planning White Paper. Both of these propose a much more centralised approach to construction standards, based around the Building Regulations. Should such changes be introduced then the Local Plan Review will have to change to be in conformity with them. This is the major unknown factor that is likely to influence the final plan policy. The submission of the Local Plan Review has been delayed in order to allow for further work on land availability and development constraints (for example the A27 and nutrient inputs to the harbours) needed to inform a robust development strategy.*

*On Action 18, the plan policy specifically on Wildlife Corridors carries little weight as yet, and depends on the overall timetable for plan submission and examination. The survey and other evidence gathered so far does help protect the proposed corridors from inappropriate development as existing general biodiversity policy and guidance can be used more robustly where strong site specific evidence of ecological value exists. The environment team are working closely with Development Management on any applications that may affect proposed corridors to minimise or avoid any potential impacts.*

**Public Question submitted by Rhiannon Parry Thompson:**

My question references the agenda item on approval of the Draft Climate Emergency Action for public consultation. There is, presently, no specific reference in the Draft Action Plan to the role of Trade Unions with regard to consultation, engagement and implementation. Trade Unions are often on the front line of the climate and ecological crisis; climate crisis mitigation and adaptation policies to decarbonise will affect workers directly. Trade Unions have a proven ability to deliver progressive change on working conditions, health and safety, and equality and are at the forefront of climate action: fire fighters dealing with devastating impacts from floods to fires; manufacturing workers forging ahead with the technology to build more electric vehicles; teachers climate-proofing the curricula; other public sector workers working to decarbonise their operations. The TUC, and individual trade unions are developing robust green recovery plans and policies. Building the recovery from Covid-19 represents a once in a generation challenge and is an opportunity to take the urgent action needed to build a greener and fairer economy that protects jobs, health and planet. Trade unionists, with the other stake holders referenced in the draft plan, will be the catalyst for achieving a greener, fairer recovery and a pathway to a net-zero Chichester.

My question, therefore, is this: Will the Action Plan ensure that the voice of CDC trade union branches and the Chichester Trades Council is heard in the Action Plan? Will officers and councillors actively engage with the trade union movement in Chichester as part of stakeholder engagement and, ultimately, in the implementation of the Plan?

**Response from Cllr Penny Plant:**

*The response to the previous question about public consultation and engagement is also relevant to this question, but rather than repeat the information already given, I would emphasise that the proposed technical working groups present the major opportunities for trade unions to become involved in the implementation of the plan alongside employers and community groups. We would welcome all efforts by trade unions branches locally to respond to the consultation and to encourage their members to respond to it as well. Where actions will involve CDC staff – for example a revised Staff Travel Plan, we will be consulting with the Chichester District branch of Unison.*

**31 Chichester District Council Annual Report 2019-20**

The Chair introduced the item and explained that each of the Cabinet members would provide an outline of their portfolio area at the next Full Council meeting.

In a vote the following recommendation was agreed:

**\* RECOMMENDATION TO FULL COUNCIL**

That the Annual Report 2019-2020 be received.

**32 Tangmere Strategic Development Location - Chichester District Council (Tangmere) Compulsory Purchase Order 2020**

Cllr Taylor introduced the item and explained that two supplements had been sent to members the day before. The first an addendum to the report and the second an amended restricted appendix 3. The council's legal advisor Mr Robin De Wreede was invited to speak. He provided further clarity on the addendum that had been circulated and confirmed that there remained no agreed timetable put forward by the landowners to date.

Miss Chivers responded to a request to clarify whether the cost could vary prior to April 2021. She explained that the current figure represents officers best estimate.

The Chair then invited Cllr Oakley to ask a question. Cllr Oakley requested confirmation that ward members would be included in the consultation referenced in recommendation 3.2. Cllr Taylor confirmed that would be the case.

In a vote the following resolution and recommendations were agreed:

**RESOLVED**

That the revised timetable identified in section 6 of the report be noted and approved.

**\*RECOMMENDATIONS TO FULL COUNCIL**

1. That the Council authorises the use of Compulsory Purchase powers as set out in Section 226(1)(a) of the Town and Country Planning Act 1990 to

compulsorily acquire the Order Land identified within Appendix B, and in particular that the Council makes the Order;

2. that the Director of Planning and the Environment be authorised, following consultation with the Cabinet Member for Planning Services and local ward Members, to:
  - a. settle the final form and content of the Order and all associated documentation and take all action needed to pursue the Order and secure its confirmation;
  - b. negotiate, agree terms and enter into agreements with interested parties including agreements for the withdrawal of objections or undertakings not to enforce the Order on specific terms including where appropriate removing land or rights from the Order or to request the modification of the Order by the Secretary of State;
  - c. implement the Order powers following confirmation of the Order and so acquire title to and/or take possession of the Order Land.

33 **Approval of the draft Infrastructure Business Plan 2021-26 for consultation (with the City, Town and Parish Councils and key Infrastructure Delivery Commissioners)**

Cllr Taylor introduced the item. She drew attention to the following funding allocations:

- The removal of IBP 398, funds originally allocated for 2020/21 as per paragraph 3.9 of the report and its replacement by projects set out in paragraph 3.16 of the report.
- The addition of IBP 840, £60,000 allocated for 2021/22
- The addition of IBP 841, £500,000 allocated for 2022/23 delivery
- The addition of IBP 593, £2.1 million allocated for 2025/26 delivery
- The addition of IBP 842, officers have requested £575,000 over 5 years
- The addition of IBP 844, officers have requested £880,000 for 2022/23

In a vote the following resolution was agreed:

**RESOLVED**

That the Draft Infrastructure Business Plan 2021-26 (Appendix 1) be approved for consultation (with the City, Town and Parish Councils, neighbouring local authorities including the South Downs National Park Authority and key infrastructure Delivery Commissioners) for a period of six weeks from 5 October to 16 November 2020.

34 **Chichester City Local Cycling and Walking Infrastructure Plan**

Cllr Plant introduced the item.

Both Cllr Briscoe and Cllr Dignum welcomed the plan. Cllr Dignum also raised caution over raising expectations of the funding available. Mr Ballard responded by explaining that funding should be made available from the Department for Transport. Officers are also in the process of prioritising projects for inclusion in the IBP and

bids for CIL funding could also be made in future. He added that the council is better placed to bid for funding with a Plan.

In a vote the following resolution was agreed:

**RESOLVED**

That the draft Chichester City Local Cycling and Walking Infrastructure Plan be approved for consultation.

**35 Draft Climate Emergency Detailed Action Plan**

Cllr Plant introduced the item.

Mrs Evans then drew members attention to the website <https://solartogether.co.uk/chichester/home> which had launched at the beginning of the month as referenced in action 3b on the Plan. She then explained that with regard to action 3c officers from the council's housing team had put forward a consortium bid for a green homes grant.

Cllr Briscoe and Cllr Sutton both welcomed a Citizens Jury rather than a Citizens Assembly. Cllr Sutton also welcomed the housing initiative which sits within his portfolio.

In a vote the following resolution was agreed:

**RESOLVED**

That the Draft Climate Emergency Detailed Action Plan be approved for public consultation.

**36 2019-2020 Treasury Management outturn report**

Cllr Wilding introduced the item. He outlined an amendment to recommendation two as stated in the resolution below.

In a vote the following amended resolutions were agreed:

**RESOLVED**

1. That the Treasury activity summarised in the report, taking into account any comments provided by the Corporate Governance and Audit Committee be considered.
2. That the Cabinet notes the matters reported in sections 5.2 to 5.4 of the report and agrees no further action is required by the council to mitigate the loss.

### 37 **Appointment to Cabinet and Panels**

The Cabinet agreed the following resolutions as set out on the agenda front sheet:

#### **RESOLVED**

1. That it be noted that the Leader appointed Cllr Tony Dignum as Cabinet Member for Growth, Place and Regeneration from 20 August 2020.
2. That it be noted that Cllr Martyn Bell steps down from the Cabinet following its meeting on 8 September 2020.
3. That Cllr Tony Dignum be appointed to Chichester District Parking Forum as Chair of the Forum in place of Cllr Martyn Bell.
4. That Cllr Tony Dignum be appointed to Chichester District Growth Board in place of Cllr Martyn Bell.
5. That Cllr Tony Dignum be appointed to the National Farmers Union Liaison in place of Cllr Martyn Bell.

### 38 **The provision of Parking Services on behalf of West Sussex County Council**

Cllr Dignum introduced the item. Mrs Murphy added that the council had and continues to work closely with West Sussex County to monitor the parking services offer including the impact on resources now and for the future.

In a vote the following resolutions were agreed (including amended recommendation 2):

#### **RESOLVED**

1. That the additional services required to be delivered by CDC's Parking Services on behalf of WSCC (at no additional cost to CDC) as a variation to the current Agency Agreement, as set out in paragraph 3.3 of the report be approved.
2. That delegated authority be granted to the Director of Growth and Place in consultation with the Cabinet Holder for Growth, Place and Regeneration to agree minor amendments to the terms of the agreement.

### 39 **Late Items**

There were no late items.

### 40 **Exclusion of the Press and Public**

Cllr Lintill proposed and read the part II resolution in relation to agenda items 15 and 16 which was seconded by Cllr Taylor.

The Cabinet then voted to go into part II.

**RESOLVED**

That with regard to agenda items 15 and 16 the public including the press should be excluded from the meeting on the grounds of exemption in Schedule 12A to the Local Government Act 1972 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.

**41 Income Strip and Wrapper Lease**

Cllr Wilding introduced the item and the amended recommendation as stated below.

Mr Ward responded to a question from Cllr Dignum.

In a vote the following amended resolution was agreed:

**RESOLVED**

That Cabinet agreed to uphold the recommendations from Corporate Governance and Audit Committee.

**42 Southern Gateway**

Cllr Lintill left the meeting and the Chair passed to Cllr Taylor.

Cllr Dignum introduced the item.

Mrs Hotchkiss explained that section 6.3 would no longer be required. Cllr Dignum agreed with the suggestion to delete recommendation section 6.3.

Mr Hotchkiss responded to questions from Cllr Bell and Cllr Plant.

In a vote the following resolutions including amended recommendation 2 were agreed:

**RESOLVED**

1. That the update summary of the progress made in signing the Development Agreement in section 4.9 and the site acquisitions summary in section 4.10 be noted.
2. That section 6.3 of the report be removed with the remaining actions as set out in section 6 of the report approved.

The meeting ended at 11.36 am

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CHAIRMAN

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Date: