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Minutes of the meeting of the **Council** held in Virtual on Friday 12 March 2021 at 9.00 am

**Members Present:** Mrs E Hamilton (Chairman), Mrs C Apel (Vice-Chairman), Mrs T Bangert, Mr G Barrett, Miss H Barrie, Mr M Bell, Rev J H Bowden, Mr R Briscoe, Mr J Brown, Mr A Dignum, Mrs J Duncton, Mr J Elliott, Mr G Evans, Mrs J Fowler, Mrs N Graves, Mr F Hobbs, Mrs D Johnson, Mr T Johnson, Mrs E Lintill, Mr G McAra, Mr A Moss, Mr S Oakley, Dr K O'Kelly, Mr C Page, Mr D Palmer, Mrs P Plant, Mr R Plowman, Mr H Potter, Mrs C Purnell, Mr D Rodgers, Mrs S Sharp, Mr A Sutton, Mrs S Taylor and Mr P Wilding

**Members not present:** Mr K Hughes and Mrs S Lishman

**Officers present all items:** Mr N Bennett (Divisional Manager for Democratic Services), Mr A Frost (Director of Planning and Environment), Miss L Higenbottam (Democratic Services Manager), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

## 99 **Urgent Items**

There were no urgent items.

## 100 **Declarations of Interests**

The following declarations of interest were made:

- Cllr Donna Johnson – Items 6 and 9 – A personal interest as Vice-Chair of Selsey Town Council.
- Cllr Purnell – Items 6, 7 and 9 – A personal interest as a member of Selsey Town Council and West Sussex County Council.
- Cllr Duncton – Item 9 – A personal interest as a member of West Sussex County Council.
- Cllr Oakley – Item 7 – A personal interest as a member of Tangmere Parish Council and West Sussex County Council.
- Cllr Dignum – Item 11 – A prejudicial interest as an appointed member of the Chichester Community Development Trust.

## 101 **Chair's Announcements**

Cllr Apel explained that as Vice-Chair she would be taking the Chair again today as the items discussed were those deferred from the meeting held on 12 March 2021 which she had chaired. This had been agreed with Cllr Hamilton.

Cllr Apel then explained that the following items would be brought forward in the agenda:

- Local Plan Review Preferred Approach: Part 2 Development Management Policies, Policies Map, Habitats Regulation Assessment and Sustainability
- Senior Staff Pay Policy 2021-22
- 2021-22 Treasury Management & Investment Strategy and Capital Strategy update

Apologies for absence were received from Cllr Hughes and Cllr Lishman.

102      **Local Plan Review Preferred Approach: Part 2 Development Management Policies, Policies Map, Habitats Regulation Assessment and Sustainability Appraisal**

Cllr Taylor introduced the report. Cllr Taylor then moved the recommendation which was seconded by Cllr Lintill.

Cllr Sharp put forward an amendment to ensure a protective policy towards cycle and footpaths. This was seconded by Cllr Barrie.

Mr Frost explained that it could be taken as a minor amendment. However, he added that as a consequence of this proposal, new planning policy could be unnecessarily restrictive.

Members then voted virtually on the amendment which was not carried.

Cllr Bowden then proposed an amendment to part 1 (b) to add the words, with the exceptions of the following:

1. In the response to Policy DM2 on p. 29 of the appendix, last sentence of the 1<sup>st</sup> paragraph to be amended to read, *“The HEDNA 2020 provides key evidence on housing need and highlights the very high affordability ratio in the District. CDC will take into account these consultation responses on affordable housing, alongside the HEDNA evidence, and maximise the proportion of Affordable Housing to the limits of viability as it updates Policy DM2”*
2. In the response to Policy DM 17 on p. 51 of the appendix, the 3<sup>rd</sup> line of the response to be amended to read, *“...accommodate new/cleaner technologies, so that the Policy can become as ambitious as practicable over the Plan period.”*

The amendment was seconded by Cllr Brown.

Mr Frost confirmed that the amendment could be accommodated.

Members then discussed the difference in using the word optimise rather than maximise. Cllr Bowden explained that he had considered both but wished to maintain his amendment with the word maximise. Mr Bennett confirmed that legally either word would be acceptable in the context.

Members then voted virtually on Cllr Bowden’s amendment which was carried.

Members then voted virtually on the substantive recommendations which were carried.

## RESOLVED

That:

- a) The Summary of Representations included as Appendix 1 to this report is noted.
- b) The proposed Council responses to the representations set out in that document are agreed for publication on the Council's website (as amended).
- c) The Director of Planning and the Environment is authorised, following consultation with the Cabinet Member for Planning Services, to make minor amendments to the Summary of Representations and Responses prior to its publication.
- d) That the issues raised in the Summary of Representations document and the other relevant issues summarised in section 9 of this report are noted as key considerations for the ongoing production of the Local Plan.

### 103 **Senior Staff Pay Policy 2021/22**

Cllr Wilding introduced the report. Cllr Wilding then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendation which was carried.

## RESOLVED

That the Senior Staff Pay Policy Statement 2021-2022 be published.

### 104 **2021-22 Treasury Management & Investment Strategy and Capital Strategy update**

Cllr Wilding introduced the report. Cllr Wilding then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendations which were carried.

## RESOLVED

1. That the following documents as detailed in the report be approved:
  - Treasury Management Policy Statement
  - Treasury Management Strategy Statement
  - Investment Strategy and relevant Indicators for 2021-22
2. That the Capital Strategy for 2021-22 to 2025-26 be noted.

### 105 **Model Code of Conduct**

Cllr Plowman introduced the report as Chair of the Standards Committee. Cllr Plowman then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendation which was carried.

## **RESOLVED**

That the Local Government Association 'Model Councillor Code of Conduct 2020 be adopted.

### **106 Reduction in Number of Parish Councillors on Rogate Parish Council**

Cllr Oakley introduced the report as Chair of the Boundary Review Panel. Cllr Oakley then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendation which was carried.

## **RESOLVED**

That the Council approves that a community governance review be undertaken with a view to reduce Rogate Parish Council from 13 to 9 councillors.

### **107 Beach Management Plan 2021-2026**

Cllr Plant introduced the report. Cllr Plant then moved the recommendation which was seconded by Cllr Taylor.

Cllr Hamilton requested clarification of whether the deliveries of shingle would be via road or sea. Mr Henly responded by explaining that the deliveries of stone would continue to take place via road as the quantities required are not viable via sea.

Cllr Moss and Cllr Johnson both spoke in favour of the recommendation.

Cllr Barrett requested confirmation of who has responsibility for the beach by East Head at West Wittering. Mr Henly confirmed that the owner is West Wittering Estates who work closely with the council on sustainable management.

Cllr Oakley requested information on where the shingle moves to and referred to sea level concerns. Mr Henly explained that shingle drifts to Pagham, Littlehampton and beyond. With regard to the sea level, it is rising and storms are getting worse so future significant works are likely to be required.

Cllr Bowden asked whether the council has a duty to protect the East Wittering beach as there is no housing. Mr Henly explained that access is maintained to East Head and it is not being left to breach.

Cllr McAra asked for information on where the shingle is sourced from. Mr Henly explained that it is dredged off shore. The council uses relic sites and sources larger material rejects. The council is also looking at sourcing shingle from Littlehampton.

Cllr Plowman asked whether visitors impact on erosion. Mr Henly confirmed that the impact is negligible.

Cllr Plant wished to note how pleased she was to hear the questions and answers from members engaging in this subject area in her portfolio.

Members then voted virtually on the substantive recommendations which were carried.

## RESOLVED

1. That Council gives authority to the Director of Planning and Environment to apply to the Environment Agency to draw down £250k per year of Flood Defence Grant in Aid for the Beach Management Plan (BMP).
2. That Council approves the funding referred to in paragraph 2.1 above to be spent in line with the Beach Management Plan 2021-26 Schedule of Works shown at Table 1.
3. That should the Beach Management Plan Schedule of Works, set out in Table 1, require amendment during this period, that authority to amend the schedule is delegated to the Director of Planning and Environment following consultation with the Cabinet Member for the Environment and Chichester Contract Services.
4. That the Director of Planning and Environment be authorised to procure and award contracts for work in accordance with the BMP 2021-26 and Financial Standing Orders.

### 108 **Consideration of Consultation Responses Received on Chichester District Council's Draft Infrastructure Business Plan 2021-2026**

Cllr Taylor introduced the report. Cllr Taylor then moved the recommendation which was seconded by Cllr Lintill.

Cllr O'Kelly explained that she was pleased that Cabinet had supported IBP 355 Real Time Passenger Information (RTPI) screens at Chichester City. Cllr Bangert, Cllr Donna Johnson and Cllr Sharp also gave support to IBP 355 having experienced the benefits first hand.

Cllr O'Kelly added that Coventry Council had been using a mobility credits system in order to exchange old vehicles for mobility credits for public transport which she hoped could be investigated further. Cllr Sharp thanked Cllr O'Kelly for bringing this to members attention.

Cllr Plowman and Cllr Sharp welcomed further debate on IBP/398 Medical Centre planned for the new strategic development at Whitehouse Farm, West of Chichester City.

Cllr Oakley asked members to concentrate on strategic measures given the limits of this type of funding and the scale of highways works required. Cllr Sharp echoed the concerns

Cllr Moss echoed Cllr Oakley's comments and thanked Cllr Taylor for the report.

Cllr Brown explained that parish council's often struggle to deliver large infrastructure projects and require the support of larger organisations like the council in order to help parishes combine their funding.

Mr Ward added that recommendation 2 from the agenda front sheet should be amalgamated with recommendation 1.

Members then voted virtually on the substantive recommendation which was carried.

## RESOLVED

That Council:

1. Approves the proposed responses to the representations received as amended and subsequent modifications to the Draft Infrastructure;
2. Approves the Business Plan 2021-2026 as set out in Appendix 1; and;
3. Approves the amended IBP including the CIL Spending Plan attached as Appendix 2.

## 109 **Housing Standards Financial Assistance and Enforcement Policy 2020-2025**

Cllr Sutton introduced the report. Cllr Sutton then moved the recommendation which was seconded by Cllr Lintill.

Cllr Sharp then proposed an addition to section 2 of the Housing Standards Financial Assistance and Enforcement Policy to read that a review of the funding requirements would be undertaken on a yearly basis by the Environment Panel and a full review of policy and funding requirements is undertaken at the end of Year 3. This was seconded by Cllr Bowden.

Cllr Sutton gave his support to the amendment.

In response to questions from Cllr Bangert Mrs Reed explained that the Disabled Facilities Grants budget is being used and the grants available have been promoted to those who qualify. With regard to category 1 hazards 9% relate to poor heating and insulation. With regard to lack of property for downsizers planning policy is governed by the HEDNA.

Cllr Plant queried what Cllr Sharp's amendment would mean for the Environment Panel in terms of what they would do with the data. Cllr Sharp explained that the Panel would review progress.

Cllr Brown requested clarification of whether it is intended to improve fuel efficiency or raise the minimum. Mrs Reed explained that the council is trying to raise the level as far as possible.

Cllr Dunton asked members to consider the 3500 listed buildings in the district.

Members then voted virtually on Cllr Sharp's amendment which was read out by Mrs Shepherd. The amendment was carried as follows:

### **RESOLVED**

That progress relating to the Housing Standards Financial Assistance and Enforcement Policy be reviewed by the Environment Panel on a yearly basis.

Members then voted virtually on the substantive recommendation which was carried.

### **RESOLVED**

1. That the Housing Standards Financial Assistance and Enforcement Policy 2021-2026 set out in the appendix is approved.
2. That the remaining existing budgets are used together with £233K, repurposed from the Affordable Housing Capital fund, to provide the financial assistance required to support this policy, as set out in 7.1, and a review of the policy and funding requirements is undertaken in year 3.

3. That the enforcement of the new Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 be delegated to the Director of Housing and Communities for enforcement under the new policy.
4. That the use of monies received through the issuing of fines to be used to meet the cost and expenses incurred in, or associated with, carrying out any such enforcement work.
5. That delegation be given to the Divisional Manager for Housing following consultation with the Cabinet Member for Housing, Communications, Licensing and Events to make minor amendments to the policy as required.

## 110 **Revised Local Development Scheme 2021-2024**

Cllr Taylor introduced the report. Cllr Taylor then moved the recommendation which was seconded by Cllr Lintill.

Cllr Taylor clarified that the Local Development Scheme is essentially a timetable for the production of local development documents and should be treated as such.

Cllr Moss proposed an amendment of an addition to the recommendation as follows:

That the revised Local Development Scheme be approved and that the Council report on the "Local Plan, Strategic Infrastructure and Way Forward" is considered by the July Council meeting.

This was seconded by Cllr Bowden.

Cllr Lintill explained that the intention is that a report will be taken to July Full Council and if that is not possible a Special Full Council will be called.

Cllr Bowden then asked members to support acknowledging what had happened with the delay in the Local Plan Review and to apologise to residents. He proposed the following amendment:

Chichester District Council acknowledges and welcomes the widespread public concern over the Local Plan Revision, and deeply regrets all further delay. The Council asks its residents to understand that the delay is due to: an impossible timetable imposed by Central Government on Plan Preparation; together with the tardiness and equivocation of its statutory consultees, including Sothorn Water, the Environment Agency, Natural England and Highways England. The Council is well aware that the resulting delay puts in jeopardy the unique environment of the District and the Chichester Harbour AONB, and in the longer term the health of us all, the residents. The Council believes that, given the constraints, the Revised Local Development Scheme is the best response we can make to a situation from which Central Government has removed local control.

This was seconded by Cllr Moss.

Mr Ward confirmed that the amendment could be taken as a minor amendment.

Cllr Taylor thanked Cllr Bowden for his amendment. She then explained that many of the issues regarding the delay to progress on the Local Plan had come from delays in response from some of the statutory agencies.

Cllr Evans explained his concern in the delay and the impact in the resulting speculative development in Loxwood and Kirdford. He explained that the current infrastructure did not support the level of development.

Cllr Barrett shared concerns regarding a timeline to share with residents.

Cllr Purnell asked members to support the Local Development Scheme but also acknowledged concerns regarding difficulties associated with a Stockbridge link road. Cllr Taylor responded by explaining that a solid evidence base is required before a decision can be taken on that issue.

Mr Frost reminded members that the council has an adopted Local Plan. He also explained that due to the time required to complete the Local Plan review, the weight of some policies concerning housing delivery is currently reduced. He confirmed that the July Full Council meeting would be the place to discuss the Stockbridge Link Road further. He asked members to consider the use of emotive language in Cllr Bowden's proposed amendment.

Cllr Briscoe explained that he agreed with the principle of Cllr Bowden's amendment but also agreed with Mr Frost about reconsidering some of the wording.

Cllr Plowman and Cllr Donna Johnson then added their support to the amendment. Cllr O'Kelly also added her support to the amendment and explained that she felt it important that follow up meetings are chased with key MP's and that there is effective and constructive challenge to the delays that have occurred.

Cllr Duncton added that she would like more emphasis on the north of the district in the Local Plan.

Cllr Lintill responded to Cllr O'Kelly and explained that she had been in regular contact with MP Gillian Keegan to put forward the council's case. She added that Mr Frost had also helped draft a letter to Robert Jenrick MP too. Cllr Lintill then reminded members that the Development Plan and Infrastructure Panel sees all evidence for the Local Plan and is a politically balanced Panel.

Cllr Oakley acknowledged the widespread frustration with the delay to the Local Plan review. He asked officers whether there is a Plan B regarding the Stockbridge Link Road. Mr Frost explained that officers are working on a Plan B. With regard to the Stockbridge Link Road the findings of the Feasibility Study are required. Mr Frost added that members are required to have a Local Development Scheme timetable.

Cllr Purnell and Cllr Potter then shared their disappointment at the comments made by some members and emphasised that there is still a Local Plan in place.

Cllr Sutton similarly outlined his frustrations with some of the comments made and wished to clarify that MP Gillian Keegan is prevented from speaking on these matters in the House of Commons due to her ministerial duties.

Cllr Apel then sought confirmation from Cllr Bowden as to whether he wished to continue with his amendment motion. Cllr Bowden confirmed that he did. Cllr Bowden provided Mr Bennett with a copy of his motion which was read out before members took a virtual vote. The virtual vote was carried.

## **RESOLVED**

Chichester District Council acknowledges and welcomes the widespread public concern over the Local Plan Revision, and deeply regrets all further delay. The Council asks its residents to understand that the delay is due to: an impossible timetable imposed by Central Government on Plan Preparation; together with the tardiness and equivocation of its statutory consultees, including Sothorn Water, the Environment Agency, Natural England and Highways England. The Council is well aware that the resulting delay puts in jeopardy the unique environment of the District and the Chichester Harbour AONB, and in the longer term the health of us all, the residents. The Council believes that, given the constraints, the Revised Local Development Scheme is the best response we can make to a situation from which Central Government has removed local control.

Members then voted virtually on the substantive recommendation which was carried.

## **RESOLVED**

That the revised Local Development Scheme be approved.

### **111 Section 106 Allocation for Chichester Community Development Trust**

Cllr Briscoe introduced the report. Cllr Briscoe then moved the recommendation which was seconded by Cllr Lintill.

Members then voted virtually on the substantive recommendation which was carried.

## **RESOLVED**

That Council approves the release of £141,250 Section 106 Sport and Leisure monies plus interest accrued to the date of release to Chichester Community Development Trust.

### **112 Questions to the Executive**

Due to the length of the meeting Cllr Apel requested members send any Questions to the Executive to Democratic Services for publication with the minutes.

### **113 Late Items**

There were no late items.

### **114 Exclusion of the press and public**

There was no requirement to exclude the press and the public.

The meeting ended at 1.16 pm

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CHAIRMAN

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Date:

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