

Chichester District Council

Council

20 July 2021

Delegation to Chief Executive – Local Plan Review Update

1. Contacts

Report Author

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2. Recommendation

- 2.1 **To give an administrative delegation to the Chief Executive to enact all decisions from the remote session of Councillors on 29 July 2021, and to report that enactment to the next Full Council.**

3. Background

- 3.1 At the special Council Meeting on 12 March 2021 members considered a report on the Revised Local Development Scheme. At that meeting an undertaking was provided by the Leader to bring a further update on the matter *“to July full Council and if that is not possible a Special Full Council will be called”*. [Extract from 12 March 2021 Council minutes].
- 3.2 Due to the extensive ongoing technical work, including meetings with key statutory consultees and infrastructure providers, and the timing of a planned advisory meeting with a Planning Inspector appointed by the Planning Inspectorate, it has not been possible for such a report to be prepared in time for the 20 July Council meeting. Consequently, and in accordance with the undertaking provided, a special meeting was to be arranged for 29 July.
- 3.3 The timing of a potential special meeting of Council has proven to be problematic, with several members being unavailable at that time due to other immovable commitments.

4. Outcomes to be Achieved

- 4.1 This report proposes an alternative route to enable maximum member participation in the interests of transparent and inclusive decision making, and to avoid undue delay to the work on the Local Plan.

5. Proposal

- 5.1 It is proposed that instead of holding a physical Special Council meeting on 29 July, all members will be invited to review progress on the Local Plan on the 29 July via Zoom. This is being done to ensure fullest transparency to the public and understanding of members. A significant proportion of members are only able to attend that session virtually and would not be able to attend a physical meeting

which therefore risks being either iniquitous or might be significantly politically imbalanced by those absences if it were to be held physically.

5.2 As reported previously to members, following the lapsing of the Coronavirus related exceptions it is not permissible for Council to hold remote meetings in which they make formal, binding, decisions as we were previously doing during the pandemic. This means that whilst the proposed remote session will be able to make recommendations those can only be given legal force by either:

- a) Holding a special - physical – meeting of full Council on the 29th July with the concerns as to impacts as referred to above; or
- b) Pass the recommendations to the next scheduled meeting of Full Council in September; or
- c) Give an administrative delegation to the Chief Executive to enact the recommendations.

5.3 To be entirely clear the delegation will be to enact only the recommendations as settled on the 29th – the Chief Executive will not be entitled to amend or obstruct the enactment in any way. The Chief Executive would then proceed to report that the enactment had been carried out at the next scheduled Full Council.

6. Alternatives Considered

6.1 The alternatives considered are options a) and b) set out above. Both of these cause serious concerns in that they either limit participation by members, or cause unwanted delay to progressing this very important matter.

7. Resource and Legal Implications

7.1 The Monitoring Officer has confirmed that such a limited delegation to the Chief Executive to resolve matters as proposed in this report is lawful. There are no resource implications.

8. Consultation

8.1 The Leader of the Council, and the Leader of the Opposition have been consulted in drawing up this proposal.

9. Community Impact and Corporate Risks

9.1 The proposal to give delegation to the Chief Executive is being put forward to ensure as many members as possible will be able to discuss the relevant matter on 29 July, and ensure open and transparent decision making. The alternatives available would risk the opposite.

10. Other Implications

	Yes	No
Crime and Disorder		X
Biodiversity and Climate Change Mitigation		X
Human Rights and Equality Impact		X

Safeguarding and Early Help		X
Health and Wellbeing		X
Other		X

11. Appendices

11.1 None

12. Background Papers

12.1 None