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Minutes of the meeting of the **Council** held in the Committee Rooms - East Pallant House on Tuesday 15 March 2022 at 2.00 pm

Members Present: Mrs E Hamilton (Chairman), Mr H Potter (Vice-Chairman), Mr G Barrett, Mr M Bell, Rev J H Bowden, Mr B Brisbane, Mr R Briscoe, Mr J Brown, Mr A Dignum, Mrs J Duncton, 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, Mrs C Purnell, Mr D Rodgers, Mrs S Sharp, Mr A Sutton, Mrs S Taylor and Mr P Wilding

Members not present: Mrs C Apel, Mrs T Bangert, Miss H Barrie, Mr J Elliott, Mr G Evans and Mrs S Lishman

Officers present all items: Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive), Mr J Ward (Director of Corporate Services) and Mrs E Thomas (Wellbeing Manager)

100 **Minutes**

RESOLVED

That the minutes of the Full Council meeting held on 25 January 2022 be approved.

101 **Urgent Items**

There were no urgent items.

102 **Declarations of Interests**

Declarations of interest were declared as follows:

Items 9 and 11 – Cllr Duncton declared a personal interest as a member of West Sussex County Council.

Items 9 and 11 – Cllr Donna Johnson declared a personal interest as a member of West Sussex County Council.

Items 9 and 11 – Cllr Kate O'Kelly declared a personal interest as a member of West Sussex County Council.

Items 9 and 11 – Cllr Oakley declared a personal interest as a member of West Sussex County Council.

Item 9 – Cllr Oakley declared a personal interest as a member of Tangmere Parish Council.

Item 6 – Cllr Purnell declared a personal interest as a member of Selsey Town Council.

Items 6, 9 and 11 – Cllr Sharp declared a personal interest as a member of West Sussex County Council.

Items 9 and 11 – Cllr Sharp declared a personal interest as a member of Chichester City Council.

103 **Chair's Announcements**

Apologies were received from Cllr Apel, Cllr Bangert, Cllr Barrie, Cllr Elliot, Cllr Evans and Cllr Lishman.

104 **Public Question Time**

The following question and answer were heard at the meeting.

Question from Robin Kidd:

An item (IBP/877) in the IBP allocates £420,000 to “Extensions to Chichester City GP surgeries: Langley House.” This GP practice, which provides excellent healthcare to local residents, is being expanded to meet “Housing increase and directly associated GP registration”, as the NHS, with Council support, has decided that a GP practice will not be permitted in the new medical facility, authorised by the Council two weeks ago, at Minerva Heights (the Whitehouse Farm development).

Is this a sound investment of public money by the Council?

1. The practice is based in a Grade-II Listed Building in a conservation area. Even with the extension, I understand that there is some question as to whether the facility will be fully fit-for-purpose, in line with NHS standards (including Health Building Notes (HBNs) and Health Technical Memorandums (HTMs)). The building and the planned extension are understandably constrained by the cramped old building and the site. I note that fitness-for-purpose is in no way a planning question. However it is most certainly a consideration for investment of public money. Why use public money to invest in something which may not be fit for purpose?
2. The Council has declared a Climate Emergency. This investment pays for a scheme whereby those who are ill and need to see a doctor, instead of being seen locally within Minerva Heights, will have to travel into the city centre. Being unwell, it is less likely that patients will be able to walk or cycle to the surgery – instead they will drive or be driven into the crowded and congested city

Answer from Cllr Susan Taylor:

Thank you for your questions.

The main purpose of collecting CIL is to spend it on infrastructure to support the growth identified in the adopted Local Plan in a timely manner. Health facilities are prioritised as essential items of infrastructure. The patient list for Langley House Surgery is full, and all of the other GP practices within Chichester City are close to capacity as a result of the growth of the area. There is thus an urgent need to provide enhanced capacity in order to serve the needs of patients in Chichester City.

Although the West Sussex Coastal Commissioning Group (the CCG) originally identified a need for a new medical centre at Minerva Heights (i.e., West of Chichester), after discussions between the CCG and local GP's, it was clear that there was no interest from them in relocating. So, in 2020 the CCG changed its strategy towards expanding GP's existing practices (subject to obtaining planning permission) as this would be a faster way of meeting the urgent need. Expansions of existing GP surgeries also represent better value for money than the provision of completely new surgeries. The original proposals for a new surgery at Minerva Heights was estimated to cost £4.5m of which £1.75m was requested to be funded from CIL, whereas the CCG has requested a considerably lower sum (£420,000) from CIL to fund the extension of Langley House Surgery. The CCG also currently intends to expand the surgery at Southbourne and to relocate the Cathedral Practice into a new health hub within the Southern Gateway, so delivering a range of improved health facilities.

In terms of your comments regarding the merits of the specific development proposals for Langley House, the matters raised are primarily planning issues for the Council as Local Planning Authority (including the Planning Committee) to consider and not Council in respect of its consideration of the IBP today. I should also emphasise that it is the role of the CCG to decide whether a practice is fit for purpose and how it intends to serve existing and future patients in the Chichester City locality given the level of growth.

In terms of the climate emergency and your comments regarding the need for patients from Minerva Heights to travel, the CCG asked local GP's if they were interested in operating from a new medical centre at the Whitehouse Farm development and none of them expressed interest. GP practices are private businesses who contract their services to the NHS and cannot be forced to operate in a particular location regardless of how sustainable that might be. A practice cannot be built that would stand empty because there is no GP interest in it. In addition, Langley House Surgery is in a sustainable location to serve residents living to the west side of the city and this surgery being located in the city itself is served by a regular bus service.

105 **Recommendation from the Boundary Review Panel - 1 March 2022**

Cllr Oakley proposed the recommendations which were seconded by Cllr Purnell.

Cllr Oakley then introduced the report as Chair of the Boundary Review Panel.

Cllr Purnell agreed with the need for a member of the council to attend upcoming hearings as stated in recommendation 4.

Cllr Donna Johnson spoke in favour of the recommendations in particular maintaining the Manhood Peninsula in one parliamentary constituency.

Cllr Hobbs requested clarification of the alternatives.

Mr Mildred explained that the alternative kept the peninsula together but split the Easebourne ward along Lodsworth to another constituency.

Cllr Brown spoke in favour of the recommendations.

Cllr Sutton asked members to consider all wards within the district.

Cllr Sharp supported Cllr Donna Johnson's comments relating to the Manhood Peninsula.

Cllr Purnell explained that there is no direct road connection between Selsey and Bognor.

Cllr Plowman asked whether the local MP has provided comment. Mr Mildred confirmed that there was no submission from Gillian Keegan in the last round.

In summing up Cllr Oakley on behalf of the Boundary Review Panel wished to thank Mr Mildred for the work he put into supporting the Panel.

Cllr Hamilton proposed Cllr Donna Johnson to represent the council as per recommendation 4. This was seconded by Cllr Plowman. In a vote this nomination was carried.

In a vote the following resolutions were carried:

1. The Council notes that the Boundary Review Panel have considered the next round of the consultation on the proposed changes to the Parliamentary boundaries and after reviewing the responses published on the Boundary Commission for England (BCE) website it recommends that Council agree the following additional response is submitted to the BCE for this round of consultation.
2. Chichester District Council have reviewed the responses to the first round of the consultation published on the BCE website and strongly maintains the points raised in its original submission. In particular we would like to re-iterate importance of not splitting the Manhood Peninsula as per the proposed boundaries to avoid the damage that this would do to the local communities and their existing connections and sense of place. The whole of the peninsula shares many consistent issues and works together as a cohesive area and community, the whole of the peninsula also has strong links to Chichester as its major settlement. To split the peninsula would negatively impact its communities, local economy, local common environmental issues and adversely affect the representation of its common issues in Parliament. An example of this is would be the splitting of Primary and Secondary school catchments. The travel links within the proposed Bognor Regis ward would mean Public Document Pack that the areas within that ward on the Manhood Peninsula would need to travel to Chichester to access the rest of the Constituency, again highlighting the lack of the proposed boundary being a coherent area. We note the strength of feeling in the responses from local people and Parish Councils that reflect this whilst other responses from more centralised organisations show an absence in understanding of the local issues.
3. Our alternative worked up proposal in our last response protects the completeness of the Manhood Peninsula and its community whilst maintaining the areas of the Chichester District with the closest relations to the City of Chichester and the A27 Chichester by-pass within the Chichester constituency. The ongoing debate on the future of the A27 and a potential Chichester by-pass is an example of a current

issue that affects the whole of the Manhood Peninsula in its common areas of housing development, local transport links and community cohesion. It also removes the orphan Ward in your original proposal. As a result it ensures that the objectives of your review are met within the Chichester District. We acknowledge that our proposal may cause some knock on effects in constituencies to the east of Chichester but feel that the BCE should work to resolve these issues whilst maintaining the Manhood Peninsula within a single constituency.

4. The Council having considered the Boundary Review Panel recommendation that a representative of the Panel makes representation at one of the upcoming hearings associated with this round of the consultation have appointed Cllr Donna Johnson as above.

106 **Allocation of Commuted Sums to Deliver Affordable Housing**

Cllr Sutton proposed the recommendations which were seconded by Cllr Lintill.

Cllr Sutton then introduced the report.

Cllr Sharp spoke in favour of the scheme. She explained the issue that remained for the residents is crossing the Bognor Road. Cllr Plowman agreed with Cllr Sharp's comments.

Cllr Moss commended officers for their close work with Greyfriars. He asked how much funding is left. Mrs Rudziak agreed to circulate the information.

In a vote the following resolution was carried:

That the allocation of £50,000 commuted sum monies to Chichester Greyfriars Housing Association to fund the delivery of 5 social rented flats at Royal Close, Chichester be agreed.

107 **Chichester Wellbeing**

Cllr Briscoe proposed the recommendations which were seconded by Cllr Lintill.

Cllr Briscoe then introduced the report.

Cllr Bowden supported the service. He asked regarding page 181 about whether the targets could be made more ambitious. Cllr Briscoe explained that the targets are realistic for the timespan of the course. Mrs Thomas clarified that the targets are in line with NICE guidelines.

Cllr O'Kelly supported the service. With reference to page 181 she asked for more Park Runs and use of apps across the district.

In a vote the following resolutions were carried:

1. To enter into a partnership agreement with West Sussex County Council for 2022/23 – 2026/27 and receive funding annually to deliver the Wellbeing service in line with the agreed business plan.
2. To approve the delegated authority for the Director for Housing and Communities to finalise sign and enter into the Wellbeing partnership agreement with West Sussex County Council.

108 **Consideration of responses and changes following consultation and approval of the Infrastructure Business Plan 2022 for approval and publication**

Cllr Taylor proposed the recommendations which were seconded by Cllr Lintill.

Cllr Taylor then introduced the report.

Cllr O'Kelly spoke against the Langley House Surgery expansion spend favouring spend on newer purpose-built facilities.

Cllr Bell spoke in favour of a new medical facility at White House Farm instead of the Langley House Surgery expansion. He explained that he had wanted to amend the recommendation but had been advised that his amendment would be a major amendment and had missed the amendment deadline and so was therefore declined. Cllr Page and Cllr Bowden agreed with Cllr Bell's comments. Cllr Bowden explained that Cllr Apel wished to note that although she could not be at the meeting she wished members to know that she does not support the project either. Cllr Moss also gave his support to the comments.

Cllr Oakley asked if it is possible to have a condition that if the building were sold the CIL funding could be recovered. He asked the council to monitor the spend of CIL funds allocated to the parishes. Mr Frost explained that once the CIL funds are used for a project the council would not be able to claim that funding back if the building were to be sold.

Cllr Purnell asked if the CIL regulations give an option. Mrs Shepherd explained that members should only take into account three things when making a decision on CIL allocation: was the request for infrastructure; was it related to development growth in the area; and was the infrastructure a priority, as set out in the CIL Policy. The request for CIL funding to expand Langley House Surgery clearly accorded with the CIL Regulations and Council policy. Taken into account other factors were likely to be considered unreasonable. She quoted the Wednesbury Principle. Mrs Shepherd asked members to set out their justifiable reasons if they wished to object in line with the CIL regulations. Mr Bennett explained that if Wednesbury Principles are breached it is maladministration and would be subject to challenge.

Cllr Briscoe asked members to submit the arguments to the CCG who spend the funding. Cllr Plowman explained that he would be taking the matter up with the CCG.

Cllr Hobbs asked for clarification of whether the funding is committed to the building extension of Langley House Surgery. Mr Frost confirmed that is the case. A full business case would be submitted to Mrs Dower.

Mrs Shepherd clarified that members could choose to vote against but needed to consider reasons for objections as the current reasons expressed by some members could be subject to legal challenge.

Cllr Sharp asked whether it is possible for projects to move in and out of the IBP. Cllr Taylor explained that projects that are changed are at the request of the organisations providing the projects.

Cllr Brown explained that he would make his vote based on the Southbourne project.

A recorded vote was held:

Cllr Apel – Absent
Cllr Bangert – Absent
Cllr Barrett – For
Cllr Barrie – Absent
Cllr Bell – Abstain
Cllr Bowden – Against
Cllr Brisbane – Abstain
Cllr Briscoe – For
Cllr Brown – For
Cllr Dignum – For
Cllr Duncton - For
Cllr Elliott – Absent
Cllr Evans - Absent
Cllr Fowler – For
Cllr Graves – For
Cllr Hamilton – For
Cllr Hobbs - For
Cllr Donna Johnson – For
Cllr Tim Johnson – For
Cllr Lintill – For
Cllr Lishman – Absent
Cllr McAra – For
Cllr Moss – Abstain
Cllr Oakley – For
Cllr O’Kelly – Abstain
Cllr Page – For
Cllr Palmer – For
Cllr Plant – For
Cllr Plowman - Abstain
Cllr Potter – For
Cllr Purnell – For
Cllr Rodgers – Abstain
Cllr Sharp – Abstain
Cllr Sutton – For
Cllr Taylor – For
Cllr Wilding – For

For = 22

Against = 1

Abstain = 7

Absent = 6

The following resolutions were carried:

1. That Council approves the proposed responses to the representations received and subsequent modifications to the Draft Infrastructure Business Plan 2022- 2027 as set out in Appendix 1.
2. That Council approves the amended IBP including the CIL Spending Plan attached as Appendix 2.

Members took a 10 minute break.

109 **Senior Staff Pay Policy Statement 2022-2023**

Cllr Wilding proposed the recommendations which were seconded by Cllr Lintill.

Cllr Wilding then introduced the report.

Cllr Oakley asked whether the salaries quoted in the report included employers pension contribution and what was the percentage rate that each employer paid for pension costs. Mrs Shepherd explained that they did not include employers pension costs. Mr Ward advised that he believed the pension rate for the employer was 18.3% but would confirm outside the meeting. *Following the meeting Mr Ward confirmed that the pension rate was 18.4%.*

In a vote the following resolution was carried:

That the Senior Staff Pay Policy Statement 2022-2023 as amended be agreed for publication.

110 **Motion from Cllr Bill Brisbane**

Cllr Brisbane proposed his motion. This was seconded by Cllr Sharp. The Motion was as follows:

This Council believes that enhanced active travel combined with road safety measures are of importance and this Council resolves to:

Support WSCC's review of Road Safety, which will include consideration of speed limits, Quiet Lane and road marking Policies;

Consider specific proposals for new 20mph limits and Quiet Lanes when they are open for public consultation, taking into account all relevant factors such as safety, practicality, promotion of active travel, National Policies, needs of vulnerable users and air quality impacts, noting this Council's Climate Emergency Declaration; and

Encourage Residents and Councillors to report to WSCC worn road markings, damaged/defective road signs (including existing 20mph signage) and other Highway defects and safety issues.

Cllr Plowman spoke in favour of the Motion bringing down the average speed in the area.

Cllr O'Kelly spoke in favour of the Motion in particular the inclusion of Quiet Lanes and the benefits of speed reduction to road safety.

Cllr Sutton spoke in favour of the Motion and explained the work that is ongoing in the district to address the points in the Motion.

Cllr Moss spoke in favour of the Motion and explained the importance of getting parish and town council support to take forward to the county council.

Cllr Bell spoke in favour of the Motion and agreed that the parish and town council support is also required.

Cllr Duncton spoke in favour of the Motion in particular the inclusion of roads outside of the city centre.

Cllr Brown spoke in favour of the Motion in particular the steer towards reduction in fossil fuel dependency.

Cllr Oakley asked members to consider the practicalities and wording of Motions.

Cllr Sharp spoke in favour of the Motion. She asked members to consider the appropriate speeds for roads in the district.

Cllr Brisbane in summing up welcomed the general consensus to his Motion.

In a vote the Motion was carried as follows:

This Council believes that enhanced active travel combined with road safety measures are of importance and this Council resolves to:

Support WSCC's review of Road Safety, which will include consideration of speed limits, Quiet Lane and road marking Policies;

Consider specific proposals for new 20mph limits and Quiet Lanes when they are open for public consultation, taking into account all relevant factors such as safety, practicality, promotion of active travel, National Policies, needs of vulnerable users and air quality impacts, noting this Council's Climate Emergency Declaration; and

Encourage Residents and Councillors to report to WSCC worn road markings, damaged/defective road signs (including existing 20mph signage) and other Highway defects and safety issues.

111 **Outside Body Appointments**

The Chairman explained that the Council is requested to agree the appointment of Mrs Sarah Peyman to the Bourne Community College Governing Body and the Bourne Trust Board and; to appoint Mrs Jane Hotchkiss as a Director on the Culture Spark Limited Board for the duration of the Culture Spark Project.

Mr Bennett outlined the reason for the proposed changes.

Cllr Lintill proposed the recommendations which were seconded by Cllr Taylor.

In a vote the following resolution was carried:

1. The Council agrees the appointment of Sarah Peyman to Bourne Community College Governing Body and Bourne Trust Board.
2. The Council agrees the appointment of Jane Hotchkiss to sit as a Director on the Culture Spark Limited Board for the duration of the Culture Spark Project.

**Cllr Bowden left the meeting at 16.49*

**Cllr McAra left the meeting at 16.52*

**Cllr Donna Johnson & Cllr Tim Johnson left the meeting at 16.53*

**Cllr Palmer left the meeting at 16.54*

Cllr Hobbs explained that the Corporate Governance and Audit Committee had discussed *Questions to the Executive*. Cllr O'Kelly had suggested that the Chair asks the room if there are any similar questions and if there are increase the time on that question to five minutes to cover off the similar points. This is the approach of the County Council. Cllr Hobbs added that the Committee had also discussed reducing the time to 30 minutes. He explained that Cllr Brown had also suggested that where a full answer cannot be provided that an acceptable response would be to come back after the meeting with the full response. The Committee had also agreed to respect the time allowed by the Chair.

Cllr Bell asked the Leader and the Chief Executive if they were aware of the company Wellbeck Strategic Land LLP which sites its main business is in the south of England with a main partner of Nottingham County Council. Mrs Shepherd explained that it is linked to the County Council's pension fund and is not unique in its approach to get the best result for its members. Mr Ward explained that the West Sussex County Council fund is managed by an external source.

Cllr Plowman asked for clarification of the graffiti policy and whether the council still has contractors to deal with graffiti. He also asked for information on the status of the House of Fraser building. Cllr Dignum explained that he had been made aware that a company was looking into the building but there is no further information at this time. Cllr Lintill explained that there is a small budget for graffiti. SLT were due to consider a report to then pass to Cabinet for further discussion. Cllr Oakley asked what is done about graffiti on private property. Mrs Shepherd said that point will be covered by the report to Cabinet.

Cllr Sharp asked what the council could do to support Ukraine and whether members could all consider using the bus. Cllr Lintill explained that not everyone could travel on the bus but some members travelled using electric vehicles.

Cllr Hobbs asked about the council's requirement from central government to support the Ukraine refugees and if the council had any spare accommodation to help Ukraine refugees. Cllr Sutton explained that further detail is needed from central government but the council was already looking at what could be done. Mrs Rudziak explained that the council has not been asked to provide housing. The County Council would be responsible for support provision to refugees. She added that the council may be asked to review housing standards before refugees are placed but this was yet to be confirmed. The council's website had been updated with all the latest information. Cllr Plowman added that the Chichester Community Network would be meeting to see what they could do to help. Members echoed their thanks to community groups across the district who had been working to support the Ukraine refugees.

Cllr Oakley asked how many bags of waste were collected this year on the annual litter pick of the A27 and what the cost of that was. He also asked what was being done to find those who litter. Cllr Plant confirmed that the works took place at night for safety over 15 nights costing £47,000 collecting a total of 420 bags litter and 16 van loads of miscellaneous items. This is a 12% reduction on the previous year. The council works with National Highways. Identifying those is difficult as the resource is not currently available.

Cllr O’Kelly asked about whether the district would be able to get County Council public realm funding as Littlehampton has. Cllr Dignum explained that the Gigabit project and pavements project would be put forward.

113 **Late Items**

There were no late items.

114 **Exclusion of the press and public**

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

The meeting ended at 5.30 pm

CHAIRMAN

Date:

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