

Public Document Pack



Minutes of the meeting of the **Annual Council** held in Committee Rooms - East Pallant House on Tuesday 17 May 2022 at 2.00 pm

Members Present: Mrs E Hamilton (Chairman), Mr H Potter (Vice-Chairman), Mrs C Apel, 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, Mr J Elliott, Mr G Evans, Mrs J Fowler, Mrs N Graves, Mr F Hobbs, Mr T Johnson, Mrs E Lintill, Mrs S Lishman, Mr G McAra, Mr A Moss, Mr S Oakley, Dr K O'Kelly, Mr C Page, Mrs P Plant, Mr R Plowman, Mrs C Purnell, Mr D Rodgers, Mr A Sutton, Mrs S Taylor and Mr P Wilding

Members not present: Mr B Brisbane, Mrs J Duncton, Mrs D Johnson, Mr D Palmer and Mrs S Sharp

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 J Hotchkiss (Director of Growth and Place), Mrs V McKay (Divisional Manager for Growth), Mrs S Peyman (Divisional Manager for Culture), Mrs E Reed (Environmental Housing Manager), Mrs L Rudziak (Director of Housing and Communities), Mrs F Stevens (Divisional Manger for Planning), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

115 **Election of the Chairman**

Cllr Hamilton as current Chair welcomed everyone to the meeting and then handed over to Mrs Shepherd to oversee the Election of the Chair for the ensuing year.

Mrs Shepherd requested nominations for Chair.

Cllr Bell proposed Cllr Hamilton. This was seconded by Cllr Lintill.

Cllr Apel proposed Cllr Plowman. This was seconded by Cllr Moss.

There were no further nominations.

A secret ballot was carried out by Mr Bennett, Miss Higenbottam and Mr Ward.

Cllr Hamilton received 19 votes. Cllr Plowman received 10 votes. There was 1 abstention and 6 members not present for the vote.

Cllr Hamilton then read and signed the Declaration of Acceptance of Office.

RESOLVED

That Cllr Hamilton be elected as Chair of the Council for the year 2022-2023.

116 **Appointment of the Vice-Chairman of the Council**

Cllr Hamilton then requested nominations for Vice-Chair.

Cllr Lintill proposed Cllr Potter. This was seconded by Cllr Taylor.

There were no further nominations.

In a show of hands members agreed the election of Cllr Potter as Vice-Chair of the Council.

Cllr Potter then read and signed the Declaration of Acceptance of Office.

RESOLVED

That Cllr Potter be elected as Vice-Chair of the Council for the year 2022-2023.

117 **Minutes**

RESOLVED

That the minutes of the Special Full Council meeting held on 8 March 2022 be approved.

Cllr Hamilton proposed an amendment to the third line of minute 108 of the minutes from the Full Council meeting on 15 March 2022 to add 'following her experience of working at the surgery'.

The amendment was agreed for inclusion by members following a show of hands.

RESOLVED

That the minutes of the Full Council meeting held on 15 March 2022 be approved as amended.

118 **Urgent Items**

There were no urgent items.

119 **Declarations of Interests**

The Monitoring Officer advised that for Item 15 all members also members of West Sussex County Council could take their personal interest declaration as noted. As such the following personal declarations were made in relation to agenda item 15:

Cllr O'Kelly as a member of West Sussex County Council.

Cllr Oakley as a member of West Sussex County Council.

120 Chair's Announcements

Apologies for absence were received from Cllr Brisbane, Cllr Duncton, Cllr Donna Johnson and Cllr Sharp.

The Chair asked Mrs Rudziak to update members on the progress of the £150 Council Tax support scheme. Mrs Rudziak explained that 90% of Direct Debit payers of Council Tax Bands A-D had received their £150 rebate with a further 3300 applications also processed. On behalf of the Council the Chair thanked those involved in processing the rebates.

121 Review of Political Balance

Cllr Lintill proposed the recommendation which was seconded by Cllr Taylor.

Mr Bennett was invited to introduce the report. He thanked Group Leaders for their cooperative approach and outlined the rules of Political Balance detailed in sections 4.1 and 4.2 of the report.

In a vote the following resolution was agreed:

That the political balance as set out in the report be noted.

122 Appointments of Committees

The Chair explained an amendment to the recommendation following the agreement of the remaining seats on the Corporate Governance and Audit Committee as follows:

The Liberal Democrat seat to be given to Cllr Barrie of the Green Party and the Independent seat to be given to Cllr Tim Johnson of the Local Alliance.

Cllr Lintill proposed the recommendation as amended which was seconded by Cllr Taylor.

Mr Bennett was invited to introduce the report. He explained that the appointments were a statutory requirement. He also outlined the rule of gifting which allows one political party to pass entitlement to a seat to another political party or individual member.

In a vote the following resolution was agreed by a majority vote, Councillor Timothy Johnson voting against.

That the Committee memberships 2022/23 as set out in the appendix to the report be agreed with the addition of Cllr Heather Barrie (Green Party) and Cllr Tim Johnson (Local Alliance) being appointed to the remaining spaces on the Corporate Governance and Audit Committee.

123 Appointments to External Organisations

The Chair explained an amendment to the recommendations with recommendation 1a and 1b to be withdrawn with Cllr Taylor to remain in position at Chichester College and Cllr Brown to be the sole nomination for the Chichester Community Development Trust.

Cllr Lintill proposed recommendation 2 which was seconded by Cllr Taylor.

Mr Bennett was invited to introduce the report. He explained that the members appointed to the Outside Bodies were appointed to carry out the role on behalf of the Council and so were treated differently in governance “interest” terms to roles in a personal capacity.

Cllr Moss requested clarification on the role of the Water Neutrality Board. Mrs Shepherd explained that the Board provided a forum for a number of organisations to work together to address the issue of water neutrality. She added that any final decisions on action required to address the issue of water neutrality would be made by Council via the Development Plan and Infrastructure Panel.

Cllr Brown wished to thank Cllr Dignum for stepping down from the Chichester Community Development Trust.

Cllr Lishman requested clarification of whether political balance is applied to the appointments. Mr Bennett confirmed that the Outside Body appointments were not subject to political balance and as such were open to discussion with Group Leaders.

Cllr Oakley asked whether Southern Water had approached the Council for a representative as the Council has a representative at Portsmouth Water. Mrs Shepherd explained that an approach had not been made to date. Mr Bennett agreed to follow this up and report back.

Cllr Hobbs requested the title of Visit Chichester be amended to Great Sussex Way Ltd.

In a vote the following resolution was agreed:

That the appointments to external bodies 2022/23 as set out in the appendix to the report be agreed including Cllr Susan Taylor to remain on the Chichester College Group – Corporation Board of Governors and Cllr Jonathan Brown to be appointed to the Chichester Community Development Trust.

124 **Energy, Efficiency and thermal Comfort Works at Westward House, Chichester**

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

Cllr Sutton then introduced the report.

Cllr Moss wished to congratulate Mrs Reed and her team on the project.

In a vote the following resolutions were agreed:

- 1. The approval of the Project Initiation Document (PID) for the energy efficiency and thermal comfort works at West House (as detailed in the Appendix to the report).**
- 2. The approval of the Council’s financial contribution of up to £80,000 funded from council reserves. The overall project cost to install energy efficiency measures at Westward House is up to £305,000. The Council will receive a grant of up to £205,000.**

125 **Delegation to Director of Growth & Place for lease values**

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

Cllr Dignum then introduced the report.

Cllr Plowman requested clarification of the total number of leases. Cllr Dignum confirmed it was 10.

In a vote the following resolution was agreed:

That the Director for Growth & Place's delegation to enter into leases to a value of £60,000 per annum be increased to up to £100,000 per annum, until such as time as the Constitution is updated and approved.

126 **Development Management Division Workloads and Resourcing**

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

Cllr Taylor then introduced the report.

Cllr Moss supported the recommendation but wished to note his concerns that the Council had previously been asked to finance planning staff from reserves and whether this was due to efficiency savings. He added that it was important that the Council could suitably defend planning appeals. Cllr Taylor in response agreed with the importance, noting that local communities relied on the Council to defend its decisions She clarified that the additional £10,000 that had been added to the recommendation at Cabinet was a contingency fund. Mrs Shepherd explained that efficiency savings put forward for the planning department were no longer required to be achieved as they would have had detrimental impact on service delivery. A decision was made last year to remove this from the efficiency reduction plan. Mrs Shepherd went on to explained that this decision did not affect the overall financial target as only 75% of the planned overall efficiency savings had been budgeted for.

Cllr Oakley requested clarification of the current five year housing land supply. Cllr Taylor explained that the position remained just over five years supply. This was further clarified by Mr Frost who added that a supply of just of five years could be demonstrated.

Cllr O'Kelly asked when members could expect to see a realistic timeline of when the council would no longer require planning agency staff. She asked whether benchmarking of salaries had been carried out. Cllr Taylor explained that as an element of staff turnover is normal, a timeline is not possible. She added that the council had to compete with the private sector in hiring planning staff and that there was a national shortage of planning officers. Mr Frost added that due to recent successful recruitment to vacant posts, one professional planner vacancy remained in the Development Management team with the vacancy currently out to advert in planning professional publications.

Cllr Apel suggested the Overview and Scrutiny Committee may wish to look at this further.

In a vote the following resolutions were agreed:

1. **The release of £56600 from reserves to cover the cost of retaining temporary agency staff to address current staff vacancies, and;**
2. **The release of £84,225 from reserves to cover the cost of engaging specialist professional services to support the local planning authority in defending a planning appeal.**

127 **Stock Condition Surveys**

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

Cllr Dignum then introduced the report and requested that the resolution as amended at Cabinet be amended to read 'Council owned assets' not 'Council built assets'.

Cllr Oakley asked whether the Survey included leased buildings and buildings on leased land. He also asked which reserve fund would be used. Cllr Dignum confirmed it would be the general reserve. Mrs McKay clarified that the Survey would include all the council's leased assets but not ground leased assets not in the council's ownership.

Cllr Brown asked whether Energy Performance Certificates (EPC's) would be assessed and whether the Climate Emergency officer would be involved in the project. Mrs McKay explained that the EPC's were in the scoping and that she would take on board the suggestion of including the Climate Emergency Officer.

Cllr Apel shared her concerns that the Building Services Manager vacancy had not been filled and how that might impact the maintenance programme of the Pallant House Gallery. Mr McKay confirmed that the post was being readvertised and that she and the Building Surveyor had been working with the Gallery on its ongoing maintenance programme.

Cllr Purnell asked whether the Selsey Centre would be included. Mrs McKay agreed to come back to Cllr Purnell with a written response.

Cllr Oakley then proposed that the word 'general' be added to the recommendation to clarify that it would be the 'general reserves'. This was seconded by Cllr Dignum.

In a vote the following resolution was agreed:

That Council approves the release of £150,000 from general reserves to cover the cost of engaging a specialist company to carry out stock condition surveys for all Council owned assets.

128 **Governance Arrangements**

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

Cllr Hobbs then introduced the report.

Cllr O'Kelly noted that she was not in agreement with recommendation 2 preferring Questions to the Executive to remain at 40 minutes in length.

Cllr Lishman asked why Questions to the Executive were being reduced in length.

Cllr Hobbs explained that the Corporate Governance and Audit Committee had debated the recommendation at length at its last meeting with general conclusion that shorter responses can be provided at the meeting with more detailed response to follow.

Cllr Oakley noted his sympathy for maintaining a 40 minute Questions to the Executive to provide opportunity for backbenchers to ask questions. He explained that the preamble provided to some questions could be reduced.

Cllr Oakley proposed that recommendation 1 be amended to read 'that the discretionary option for the Chair in consultation with the Director for Corporate Services or the Monitoring Officer'. Mr Bennett confirmed that the amendment was proper. The amendment was seconded by Cllr Brown.

Cllr Evans asked whether Questions to the Executive could be moved up the agenda so it is not cancelled. He gave support for keeping a 40 minutes Questions to the Executive. Mr Bennett responded by explaining that the purpose of the meeting is to carry out the business of the Council which often includes statutory decisions which cannot be delayed. He explained that when Questions to the Executive have been submitted following the meeting in the past they are published on the committee pages of the council's website. He added that the Corporate Governance and Audit Committee had been provided with information relating to the length of Questions to the Executive at other local authorities in the area with most being significantly shorter in length than the Council's.

Cllr Moss asked the Chair to consider voting on the recommendations separately. He explained that where possible it would be helpful to move Questions to the Executive up the agenda. He also noted that he was not in favour of reducing the time of Questions to the Executive and asked the Cabinet not to refer to officers in answering their questions.

Cllr Apel noted her support for keeping Questions to the Executive at 40 minutes.

Cllr Plowman also noted his support for keeping Questions to the Executive at 40 minutes and suggested members send their questions in advance to the Cabinet to help with preparation of answers.

Cllr Purnell explained that she raises questions directly with the Cabinet.

Cllr McAra commented on the political nature of asking questions at Full Council.

Cllr Potter explained that most parish councils have their questions at the start of the meeting.

Cllr Hobbs responded by explaining that if all members asked their question in a minute then all members would get to ask a question.

Cllr Brown asked that members refer to the minutes of the Corporate Governance and Audit Committee for information on the debate around recommendation 3.

The Chair explained that she would look at whether she could group similar questions together explaining that she would consider how many questions were requested and allocate a timespan based upon that.

The Chair agreed to take the vote on each recommendation separately.

In a vote the first recommendation as amended was agreed as follows:

That Questions to the Executive remain at the same position in meetings with a discretionary option for the Chair in consultation with the Director for Corporate Services or the Monitoring Officer to move them as required.

In a vote the second recommendation was agreed as follows:

That the time allotted for Questions to the Executive be reduced from 40 to 30 minutes.

In a vote the third resolution was agreed as follows:

That it be noted that the Chair should show robustness in encouraging adherence to a time limit for each question.

129 **Levelling Up - Round Two Application for funding**

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

Cllr Lintill introduced the report and invited Mrs Shepherd to provide more information. Mrs Shepherd explained that the timetable for submissions is extremely tight and emphasised the importance of the Council agreeing to support the recommendations in order to allow officers to work on the bids. She added that the Levelling Up bid up to three projects could be submitted but had to be linked and all bids must meet four main criteria:

- Be characteristic of Place
- Be a strategic fit
- Be a local priority
- Be able to demonstrate an economic case

Mrs Shepherd explained the process is highly competitive and only 26% of Category 2 applications were successful in the first round of levelling up.

Cllr Oakley asked all party leaders to raise the timescale of the projects within senior members of their parties. He asked whether there had been a procurement process for the consultants. He also requested that the long and short list of projects be made available. Cllr Lintill confirmed that she had fed back comments on the timescale to the local MPs. Mr Bennett confirmed that officers had followed the Exception to Tender process.

Cllr O'Kelly asked whether the prosperity bid with its later timescale could be brought back to July Full Council. Mrs Shepherd explained that due to the very short timetable this would not be possible and the Council was being asked to approve the delegations set out in this report.

Cllr Brown gave his support to Cllr Oakley's comments on the timescale. He agreed to support the proposal.

Cllr McAra also gave his support to Cllr Oakley's comments. He asked that consideration be given to bids outside of the city. Mrs Shepherd confirmed that there were bids outside of the city on both the long and short lists.

Cllr Moss explained that he was pleased to work on the project and explained that he would be seeking views from the minority party leaders.

Cllr Purnell asked whether the local agriculture and horticulture could be considered.

Cllr O'Kelly asked if and when the process would be made public. Mrs Shepherd explained that the bids are made public but she had not been given a timescale to date. She added that she would share the information publicly that the Government permitted.

In a vote the recommendations were agreed as follows:

- 1. That Council approves that an application to the Levelling Up Round two (LUF (2)) is submitted and that delegated authority is approved for Chief Executive, Director of Corporate Services and the Director for Growth and Place to submit the application in consultation with the Leader of the Council and the Leader of the Opposition.**
- 2. That Council approves that a UK Shared Prosperity Investment Plan is submitted, and that delegated authority is approved for the Chief Executive, Director for Corporate Services and the Director for Growth and Place to submit the Investment Plan in consultation with the Leader of the Council and the Leader of the Opposition.**

130 Urgent Decision Notice - Levelling Up Fund Round two application support

On behalf of the Council the Chair noted the Urgent Decision Notice relating to Levelling Up Fund Round two application support.

131 Late Items

There were no late items.

132 Exclusion of the press and public

The Chair read the Part II resolution in relation to agenda items 19 and 20 which was proposed by Cllr Lintill and seconded by Cllr Taylor. The Council then voted to go into part II.

RESOLVED

That with regard to agenda items 19 and 20 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.

133 Urgent Decision Notice - Leisure Management Contract Agreement for 2022-23

On behalf of the Council the Chair noted the Part II Urgent Decision Notice relating to the Leisure Management Contract Agreement for 2022-23.

134 **Leisure Management Contract 2022-23**

Cllr Briscoe proposed the recommendation which was seconded by Cllr Lintill.

Cllr Briscoe introduced the report.

Questions and comments were made by Cllr Hobbs, Cllr Brown, Cllr Apel, Cllr Purnell, Cllr Bangert, Cllr Elliot and Cllr Oakley.

Responses were provided by Cllr Briscoe and Mrs Hotchkiss.

In a vote the recommendation was agreed as follows:

That Council agrees the recommendation as set out in section 2.1a of the report.

The meeting ended at 4.38 pm

CHAIRMAN

Date: