

Public Document Pack



Minutes of the meeting of the **Council** held in Committee Rooms, East Pallant House on Tuesday 27 September 2022 at 6.00 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, Mr R Briscoe, Mr J Brown, Mr A Dignum, Mrs J Duncton, Mr J Elliott, Mr G Evans, 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: Rev J H Bowden, Mr B Brisbane, Mrs J Fowler and Mrs S Lishman

Officers present all items: Mrs L Baines (Democratic Services Manager), Mr N Bennett (Divisional Manager for Democratic Services), Ms P Bushby (Divisional Manager for Communities), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mrs S Peyman (Divisional Manager for Culture), Mrs L Rudziak (Director of Housing and Communities), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

151 Minutes

Before going any further the Chair made the following statement:

On behalf of everyone in our district and at Chichester District Council, we wish to express our great sadness and sincere condolences to the Royal Family following the incredibly sad news of the death of Her Majesty, The Queen. The love and admiration for the Queen has continued throughout the years. Her Majesty's dedication and commitment to her role and country is unrivalled and her historic reign will never be forgotten. We were all deeply saddened by this news and our thoughts and prayers remain with the Royal Family at this time. Please will everyone who is able now stand for a two minutes silence.

A two minute silence then took place.

The Chair then turned to the minutes of the previous meeting.

RESOLVED

That the minutes of the Full Council meeting held on 19 July 2022 be approved.

152 **Urgent Items**

The Chair allowed two late items. An Independent Remuneration Panel appointment and a change to the Vice-Chair of Planning Committee. The proposal was made by Cllr Lintill and seconded by Cllr Taylor. Mr Bennett outlined the changes.

In a vote the following appointments were approved:

- 1. To appoint Richard Andrews as a member of the Independent Remuneration Panel of the Council.**
- 2. To appoint Councillor Brisbane as Vice Chair of planning.**

153 **Declarations of Interests**

In relation to agenda item 6 Mr Bennett the Monitoring Officer referred members to a general reminder email that had been circulated regarding personal and prejudicial interests.

Cllr Dignum as a member of Chichester City Council declared a prejudicial interest in relation to agenda item 6 and withdrew from the room for the duration of the discussion and vote.

Cllr Dignum as a member of the Chichester BID Board declared a personal interest in relation to agenda item 11.

Cllr Donna Johnson as a member of Chichester City Council declared an interest in relation to agenda item 6.

Cllr Purnell as a member of Selsey Town Council declared a prejudicial interest in relation to agenda item 6 and withdrew from the room for the duration of the discussion and vote.

Cllr Purnell as a member of Selsey Town Council also declared a personal interest in relation to agenda item 11.

Cllr Oakley as a member of Tangmere Parish Council declared a personal interest in relation to agenda item 6.

Cllr Oakley as a member of West Sussex County Council declared a personal interest in relation to agenda items 10 and 11.

Cllr Plowman as a member of Chichester City Council declared a prejudicial interest in relation to agenda item 6 and withdrew from the room for the duration of the discussion and vote.

Cllr Apel as a member of Chichester City Council declared a prejudicial interest in relation to agenda item 6 and withdrew from the room for the duration of the discussion and vote.

Cllr Bell as a member of Chichester City Council declared a prejudicial interest in relation to agenda item 6 and withdrew from the room for the duration of the discussion and vote.

Cllr Barrie as a member of Chichester City Council declared a prejudicial interest in relation to agenda item 6 and withdrew from the room for the duration of the discussion and vote.

Cllr Sharp as a member of Chichester City Council declared a personal interest in relation to agenda item 6 not being a member of the City Council's Finance Committee.

Cllr Sharp as a member of West Sussex County Council also declared a personal interest in relation to agenda items 10 and 11.

Cllr Oakley raised a point of order. He asked the Monitoring Officer if he had recommended a course of action or made a suggestion? Mr Bennett clarified that declarations are a personal judgement of the individual member. He referred to advice he had given after being asked directly that if a member sits on the Financial Committee at the City Council that would indicate a prejudicial interest. Cllr Dignum questioned whether all City Councillors should declare a prejudicial interest. Mr Bennett reiterated that it was individual members decisions.

Cllr Sutton asked Cllr Donna Johnson to clarify her declaration. She explained she would declare a prejudicial interest in relation to agenda item 6 and withdrew from the room for the duration of the discussion and vote.

Cllr Duncton as a member of West Sussex County Council declared a personal interest in relation to agenda items 10 and 11.

154 **Chair's Announcements**

Apologies for absence were received from Cllr Brisbane, Cllr Fowler, Cllr Lishman and Cllr Palmer.

The Chair then made the following statement:

It is with great sadness that I announce the passing of Kevin Hughes. Kevin was a member for Chichester East from 3 May 2019 to 12 April 2021. He also Vice-Chaired the Overview and Scrutiny Committee during his term. I will ask you all to hold a minutes silence in Kevin's memory. Please will everyone who is able now stand.

A minutes silence was held.

155 **Public Question Time**

There were no public questions.

Cllr Moss explained that he had submitted a Motion for consideration for the meeting which had been refused. Mr Bennett explained the Motions Procedure and the appeal process that had taken place. Cllr Sharp asked for further information about the Motion which Mr Bennett agreed to provide in writing.

156 **Future Funding for the Community Warden Service**

Cllr Briscoe proposed the recommendation which was seconded by Cllr Taylor. He then introduced the report. Mrs Bushby added that early indications were positive from the discussions with funding partners.

Cllr Tim Johnson gave his support to the community warden service and the 50% funding model.

Cllr Oakley gave his support to the 50% funding model. He asked members to consider the order of council priorities in the current economic climate.

Cllr Barrett noted the community support for the service in the Witterings.

Cllr Sharp gave support to the service and the support for it in her ward.

Cllr Brown, Cllr Moss and Cllr O’Kelly also gave support to the service.

In a vote the following recommendation was approved:

That funding of 50% of the total cost of the Community Warden Service for 3 years from 1 April 2023 (as set out in para 5.2) be approved, subject to match funding being secured by partners.

157 **Section 106 Allocation for development of an Artificial Grass Pitch at Oaklands Park, Chichester**

Cllr Briscoe proposed the recommendation which was seconded by Cllr Taylor. He then introduced the report.

Cllr Apel requested clarification of the location of the pitch. Cllr Briscoe confirmed that it was the football clubs pitch.

Cllr Oakley asked for information on the life expectancy of the pitch, annual contribution of the club for its maintenance and the council’s resources to present. Mrs Peyman confirmed that the carpet of the pitch lasts approximately 8 – 10 years. There is a protocol in place to reserve £25,000 per annum from pitch hire towards a fund for pitch replacement. Mrs Hotchkiss added that the Football Association had provided funding and resources towards the tendering process.

Cllr Sharp explained she would not support the recommendation due to the use of plastics and the level of funding being requested. Cllr Briscoe clarified that the pitch is made from nylon, rubber crumb and sand and is recycled at the end of its life. He added that it would increase the use of the pitch.

Cllr Brown asked whether the decision would prejudice the levelling up bid and if it is successful could some of the funding be withdrawn. Cllr Briscoe clarified that if the bid were successful some of the Section 106 funding could be repurposed. Mrs Hotchkiss added that the decision would not prejudice the bid.

Cllr Plowman gave his support due to the opportunity to increase the use of the pitch.

Cllr Oakley noted that Section 106 funding is ringfenced for capital projects.

Cllr Duncton and Cllr Lintill also gave their support to the project.

In a vote the following recommendation was approved:

The release of a further £288,750 of section 106 Sport and Leisure funding, towards a total project cost of £1,210,800, as the council's contribution towards the delivery for the Artificial Grass Pitch (AGP) at Oaklands Park, Chichester. This funding being conditional on partnership funding being achieved to cover the full costs of the project.

158 Rural England Prosperity Fund

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

Cllr Sutton asked for clarification of what would happen if one of the decision makers voted against one of the projects. Mrs Shepherd explained that the projects going forward would require joint approval in order to give them greater weight when being considered.

Cllr Purnell asked what type of projects would be considered. Cllr Lintill drew attention to section 3.8 of the report. Mrs Shepherd added that officers were currently working through a list to present to the Leader and Leader of the Opposition if the recommendation is approved.

Cllr O'Kelly commented on the short timescale for providing a response. She supported the project.

Cllr Oakley agreed that the timescale was short. He suggested considering projects from parish infrastructure business plans.

Cllr Sharp also noted the short timescale.

Mrs Shepherd clarified that the City Council projects could be considered in the process.

Cllr McAra drew attention to the Midhurst Vision project submission.

Cllr Apel asked whether farm businesses could be included. Mrs Shepherd explained they could if they were looking to diversify their offer.

Cllr Moss commented on the short timescale. He gave his support to the project and explained that he would consult opposition members.

In a vote the following recommendations were approved:

- 1. That Council agrees an addendum to Chichester District Council's UK Shared Prosperity Investment Plan is submitted to enable the release of the Rural England Prosperity Fund.**
- 2. That Council agrees delegated authority is approved for Chief Executive, Director for Corporate Services and the Director for Growth and Place to**

submit the addendum in consultation with the Leader of the Council and the Leader of the Opposition.

159 Urgent Decision Notice - Alignment of Sickness Scheme for CCS staff

On behalf of the Council the Chair noted the Urgent Decision Notice relating to the alignment of the sickness scheme for CCS staff.

160 Urgent Decision Notice - Levelling Up Fund - Financial Risks

On behalf of the Council the Chair noted the Urgent Decision Notice relating to the Levelling Up Fund financial risks.

Members took a short break.

161 Motion from Cllr Plowman

Cllr Plowman proposed his Motion which was seconded by Cllr Bell. He then explained that he was happy to except Cllr Sharp's amendment as part of his Motion. Cllr Sharp confirmed she was happy with that approach. Cllr Bell agreed to second the Motion inclusive of the amendment.

Cllr Plowman then outlined his Motion. He explained it was primarily looking at things that could be easily improved straight away.

Cllr Sharp outlined her amendment to focus on younger people and families.

Cllr Bell as seconder to the Motion requested that the taskforce should be aimed at delivering immediate actions leaving a longer term strategy to the Chichester Vision Steering Group.

Cllr Lintill thanked both Cllr Plowman and Cllr Sharp for their Motion and amendment. She explained that she would support the Motion and request that officers prepare a report back to Cabinet.

Cllr Dignum supported the Motion. He asked that priority be given to improving pavements and carriageways.

Cllr Donna Johnson supported the Motion. She explained the importance of attracting visitors and tourism to the district for growth and sustainability.

Cllr Apel gave support to the Motion.

Cllr Purnell questioned whether the taskforce should be the responsibility of the council.

Cllr Oakley raised concerns about duplication of existing work.

Cllr Bangert gave support to the Motion.

Cllr Sutton noted Cllr Purnell's comments. He gave support to the Motion.

Cllr Brown suggested the level of lights being left on in the city centre at night should be considered as should play equipment in parks.

Cllr Hobbs gave support to Motion. He asked that the City Council take a significant role in taking it forward.

Cllr O’Kelly commented that collaboration is needed between key partners.

Cllr Tim Johnson requested that the outcome be shared with town and parish councils as a form of best practice.

Cllr Graves explained that a similar piece of work had been undertaken by the Overview and Scrutiny Committee a number of years ago which had been successful.

Cllr Potter gave his support to the Motion. He asked that the pavements be prioritised. Cllr Sharp suggested she help increase the priority level of the pavements in her role as a WSCC member. She added that pollution from idling vehicles could be addressed via the council’s Environmental Health function.

Cllr Oakley asked that heavy vehicles be considered as part of any pavement improvements work.

Cllr Plowman thanked members for their support. He added that he saw the taskforce as short term until approximately Easter 2023.

In a vote the Motion from Cllr Plowman inclusive of the amendment Motion from Cllr Sharp was approved as follows:

That this Council instructs the Executive to investigate the setting up of a specific multiagency (CDC, CCC, WSCC , BID) Chichester City Centre Task Force to ensure the City Centre defined as the Chichester Conservation area has an attractive and well maintained Public Realm through enforcing Planning Conditions on premises; Regulation 7 removal of unsightly “to let” boards; graffiti; litter; unnecessary and redundant signs; and “A” boards. Enforce no cycling, pedlars and busking rules in the precinct and parks. Ensure premises are in a good state of repair and decoration and to research and understand the factors that have resulted in a decline in footfall. To ensure we consider what can be done to enhance Chichester’s offer for a younger demographic, the Multi-Agency Task Force should include representatives from the University, the College, young people and families. City Centres can no longer rely on shopping for footfall, and Chichester needs to have an offer which competes with other places with a range of choice in shops, fun activities and a welcoming and vibrant atmosphere.

162 Questions to the Executive

Cllr Moss asked the Chair to allow equal weighting to questions from the floor to pre-submitted questions. The Chair explained that she would be taking the pre-submitted questions first and then questions from the floor. Cllr O’Kelly asked if members would be able to interrogate questions further. Mr Bennett explained that would be at the Chairs discretion and should be in order to add to a question already asked rather than present a new question.

The following questions were submitted in advance with responses prepared for the meeting:

Question from Cllr Sarah Sharp

In light of the fact that this Council has declared a Climate Emergency and is aiming to become carbon neutral, all the Council's decisions on major infrastructure projects should now give more weight to whether they will increase or reduce greenhouse gas emissions. Does the Cabinet Member for the Environment and / or Planning agree?

*Similarly do you agree that this Council should urgently have the opportunity to discuss the weight we give to oil and gas exploration in our Local Plan Review? Would the Cabinet Members agree that this is something we should be considering now urgently, in light of the recent Conservative decision to give the go-ahead to fracking?**

While we are not the Minerals Authority, both the NPPF and NPPG support moves to a low-carbon future.

Is the Cabinet Member for the Environment and for Planning able to insist that policies must clearly demonstrate that they have net zero impact on Climate Change?

Should the Council similarly put the well-being of future generations at the centre of our policies to avoid decisions based on short-term growth instead of sustainable and safe developments that do not jeopardize our children's and grand-children's futures?

Response from Cllr Eileen Lintill and Cllr Susan Taylor

In answer to the first question, the government has responsibility for handling major infrastructure projects and not this Council. However, where the Council is consulted on such projects, we do of course take into account environmental considerations, including the impact of proposed development on carbon emissions through sustainability appraisal and Environmental Impact Assessment processes.

In response to the second question, this Council is not the minerals and waste planning authority. Those areas of planning responsibility are with West Sussex County Council although again, where this Council is consulted on such proposals, they would of course be given full and careful assessment in light of relevant policies (including in relation to climate change) within our adopted local plan and relevant government guidance. In relation to your final comment, I can confirm I agree with the assertion made.

Question from Cllr Sharp:

Could I also ask that we also note the possible attacks on Habitats Regulations upon which both our nitrates and water neutrality policies rely.*

While there are moves to weaken the rules at national level which will no doubt be fully scrutinized by wildlife charities, what is the Council's view on the risks to habitats should we not be able to resolve these issues satisfactorily?

*As in the previous report on Flood risks, would it not be sensible to take a longer term view of **future** risks of drought and pressure on water supply and habitats due to the growing*

climate crisis? Should we not better work on policies for water neutrality for homes, both existing and new in the whole of the Plan area?

Response from Cllr Susan Taylor

Policies in the local plan review relating to both water neutrality and nitrates will need to be tested in due course by way of the Habitats Regulations Assessment. This will consider any mitigation strategies proposed where these are required to mitigate the impact of proposals for future development. Such protective measures for the environment will need to be set out and deliverable to ensure that habitats and the environment are protected where necessary. In addition, however, the Council will be required to provide clear evidence and justification to support the need for any mitigation strategy proposed where this is inconsistent with an aspect of national policy. Any future changes that are forthcoming from Government in relation to the Habitats Regulations will be subject to significant scrutiny and will take a substantive amount of time to work through parliament along with any related legal challenges before they can be taken into account.

Question from Cllr Gareth Evans

The resident in question is moving home (and sadly out of the district). They have opted out of paper bills and all council tax communication (e.g. Monthly bills etc.) is done via email. However for the final bill as a moving resident they have been told this has to be done by mail and not email.

They have said to me that "This upsets me as it's a massive waste of public money (paper, ink, postage); it's bad for the environment and also, it's simply unnecessary. I don't need more paper in my life- it will be scanned and thrown away! An email would suffice."

They have asked me why when there is an environmental emergency and money is tight the internal practices could not be updated. Perhaps residents could be given a choice as to how they would like to receive their final bill (i.e paper or email).

Response from Cllr Peter Wilding

I am sorry to hear this and do not believe this is correct. As the customer has signed up to E-billing, they have opted for on line Council Tax bills and emails, and this is what they should receive. If Cllr Evans could let me have the details of the customer I will ask officers to look into this.

Question from Cllr Graeme Barrett

I attended the Whitehouse Farm briefing last Thursday and am concerned that the style of housing proposed leans toward the family unit and does not address the needs of an ageing population. In assessing the mix of new housing on large scale developments do the Officers refer back to the official Government ONS data (statistics) that addresses the population demographics for the Plan Area in order that appropriate housing and infrastructure are provided for the ageing population. It should be noted that the data published in 2012 predicting the demographics by age has been ratified by the 2021 Census.

Response from Cllr Susan Taylor

Policy 33 of the adopted Local Plan concerns the mix of housing. The supporting text (at para 17.8) confirms that the SHMA or successor documents will be used to inform the mix of market housing to be provided on new development, in conjunction with any other local evidence relevant to the specific development proposal.

The successor documents referred to above would be the Housing and Economic Development Needs Assessments (HEDNA) that have been prepared to inform the Local Plan Review. There have been several updates to the HEDNA to take account of the latest available information including demographic profiles and trends. The latest HEDNA update was published in April 2022.

In terms of the West of Chichester Phase 2 planning application, the CDC Housing service consultation response requests a housing mix based on the most up-to-date information including the updated HEDNA and the Housing Register. With regard to housing aimed specifically at an ageing population, the Housing service has requested, amongst other things, that bungalows form part of the overall mix.

Question from Cllr Jonathan Brown

Will the Government's support for fracking also allow for further drilling and the use of acidisation (not technically hydraulic fracturing but environmentally destructive all the same) at Markwells Wood and potentially other sites in the SDNP?

Has the leadership of this Council issued a robust response to this yet, making clear this Council's opposition to the running away from the Government's (apparently former) interest in combating climate change and protecting biodiversity?

Response from Cllr Susan Taylor

Chichester District Council is not the relevant Planning Authority for Minerals Planning, which in reference to the area in question, would be the South Downs National Park Authority (and West Sussex County Council in the areas of Chichester District outside the South Downs National Park). It will therefore be for those authorities to implement any change in government policy on mineral extraction matters. Whilst I acknowledge that the government's recently published 'Growth Plan' refers to an intended change in policy direction in relation to shale gas production, we have yet to see the detail of any change in policy on this issue. Until we reach that point, I would suggest that any expression of opinion by this Council on fracking, if it is considered to be appropriate, would be premature.

Question from Cllr Clare Apel

The question I want to ask is about homelessness. At the Stonepillow trustees meeting last week, we were told there are 25 homeless people living on the Chichester streets at the moment. The waiting list for accommodation is 70. This does include some clients in Bognor. Nevertheless the situation is not looking good and is likely to get worse. During covid we only had 3 clients living on Chichester streets. I know we now have Freeland Close but I am asking the cabinet member for housing and Mrs. Rudziak is there anything CDC can do? I know CDC does a great deal to help but I do worry about the future and the crisis in rents, heating and living costs and the likelihood that this will get worse.

Response from Cllr Alan Sutton

Thank you for your question. Like you I am alarmed to hear the numbers you quote, however, you do say they also relate to the Bognor area so it is difficult to comment on the exact figures that StonePillow are quoting for the Chichester District. What I can confirm is that the last figure we have for rough sleeping in the district, and which was reported in the last members bulletin, was four. As you say during Covid we had three and we do have the occasional additional person sleeping rough as they transit the district. Clearly there is a disconnect between this figure and the figures you are quoting from StonePillow so I will ask the Housing Team to make contact with StonePillow to clarify the situation. It may be that StonePillow are counting people who are insecurely housed, for example, sofa surfing or insecurely accommodated who may self report as homeless or sleeping rough, whereas we use the government definition of rough sleepers.

In addition to this I would remind members that we do an official annual count of rough sleepers which is verified independently and co-ordinated with other West Sussex authorities. This year the count will take place on 17 November 2022 and I will ensure that is reported to all members in the members bulletin.

As you know we work closely with StonePillow and have a dedicated team of outreach and support workers who work hard to minimise rough sleepers and have successfully kept the figures down since helping over 30 rough sleepers off our streets and into permanent accommodation during the pandemic.

Question from Cllr Bangert

Although WSCC have been leading the provision of care for Ukrainian refugees, CDC have been very effectively supporting their efforts, under the leadership of Pam Bushby. I think it would be useful to recognise this support by producing a report summarising the activities of CDC. This could then be shared with the Parish Councils in the District.

Response from Cllr Roy Briscoe

West Sussex County Council have the lead for supporting the Homes for Ukraine scheme and as such have a dedicated team and government allocated funding to support its delivery. The County Council have passported some of the funding to District and Borough Councils to support community integration which was capped at £150,000 per Council. Chichester District Council received the full £150,000 and have allocated £100,000 to Voluntary Action Chichester to disseminate to other voluntary organisations to deliver specific support. The remaining £50,000 is available for community groups to bid for and sits within Communities to allocate. Some additional support has been offered by CDC around attending events for hosts and guests and offering support and guidance where appropriate. A brief summary report setting out the activity CDC has undertaken to date could be produced for sharing with other partners and organisations and I will ask officers to provide that.

Cllr O'Kelly asked if the answers are written by the Cabinet members or officers. Mrs Shepherd explained that responses are from Cabinet members in conjunction with officers.

Questions were then taken from the floor:

Cllr O’Kelly asked:

The Governments new Growth Plan lists 82 new road projects but the A27 is not mentioned. Has contact been made with the Secretary of State and/or the local MP to clarify the situation.

Cllr Lintill responded:

This will be taken up with the local MP.

Cllr Tim Johnson asked:

A question more for Mr Ward. What impact will inflation/the current rate of the pound have on the impact of the March budget setting.

Mr Ward responded:

The budget at present appears broadly balanced for next year but is likely to be £500,000 in deficit by 2025.

Cllr Oakley asked:

Following the September Cabinet has contact been made with the Sea Cadets.

Mr Bennett explained that the report had been heard in part II and as such Cllr Dignum referred to Mrs Hotchkiss to provide response.

Mrs Hotchkiss responded:

A written statement will be sent to members.

Cllr Bell asked:

Could a replacement replica plaque be installed in the Jubilee Gardens to commemorate Her Majesty the Queen.

Cllr Lintill responded:

This will be looked into.

Cllr Moss asked:

Did the Leader think that the evening meeting trial had been as successful as he thought it had?

Cllr Lintill responded:

No, they have been difficult and unsure what advantage has been gained.

Cllr Oakley asked who had missed parish meetings. Cllr Brown commented on not having had to take annual leave.

163 **Late Items**

There were no late items.

164 **Exclusion of the press and public**

There was no requirement to exclude the press or public.

The meeting ended at 9.06 pm

CHAIRMAN

Date:

This page is intentionally left blank