



Minutes of the meeting of the **Cabinet** held in Committee Room 2 at East Pallant House Chichester on Tuesday 1 November 2016 at 09:30

Members Present Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mrs P Hardwick, Mrs G Keegan, Mrs P Plant, Mrs C Purnell and Mrs S Taylor

Members Absent

Officers Present Mr M Allgrove (Planning Policy Conservation and Design Service Manager), Mr S Carvell (Executive Director), Mrs C Christie (Revenues and Performance Manager), Ms T Flitcroft (Principal Planning Officer (Local Planning)), Mr A Frost (Head of Planning Services), Mrs V McKay (Valuation and Estates Manager), Mrs T Murphy (Parking Services Manager), Mr S Oates (Economic Development Manager), Mr P E Over (Executive Director), Ms S Payne (Planning Policy Officer), Mrs R Rogers (Benefits Manager), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Senior Member Services Officer) and Mr J Ward (Head of Finance and Governance Services)

273 **Chairman's Announcements**

Mr Dignum greeted the members of the public, the press representative and Chichester District Council (CDC) members and officers who were present for this meeting.

He accorded a particular welcome to Mrs Plant and Mrs Purnell to their first meeting as members of the Cabinet. With their appointments following the resignation as a CDC member (and so from the Cabinet) of Mr B A Finch on Friday 7 October 2016 there were now eight instead of seven members of the Cabinet. Mrs Plant held the new portfolio for Business Improvement Services and Mrs Purnell that of Housing and Environment Services.

As had been published on the Cabinet committee papers page of the CDC website, item 10 (Petworth Skatepark Project) had been withdrawn from the agenda for this meeting and so would not be considered.

There were no late items which due to special circumstances required urgent consideration under agenda item 13.

No apologies for absence had been received and all members of the Cabinet were present.

[**Note** Hereinafter in these minutes CDC denotes Chichester District Council]

274 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 4 October 2016, which had been circulated with the agenda (copy attached to the official minutes).

There were no proposed changes to the minutes.

RESOLVED

That the minutes of the meeting of the Cabinet held on Tuesday 4 October 2016 be signed and dated as a correct record without amendment.

Mr Dignum then duly signed and dated the final (fourteenth) page of the official version of the aforesaid minutes as a correct record.

275 **Declarations of Interests**

There were not any declarations of interests made at this meeting.

276 **Public Question Time**

There had been no public questions submitted for this meeting.

[**Note** Minute paras 277 to 287 below summarise the consideration of and conclusion to agenda items 5 to 15 inclusive but for full details (excluding exempt agenda item 15) please refer to the audio recording facility via this link:

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=750&Ver=4>]

277 **Chichester Site Allocation Development Plan Document: Proposed Submission**

The Cabinet considered the following material which had been circulated either with or subsequent to the agenda and which was available as paper copies at this meeting (copies attached to the official minutes): (a) the agenda report; (b) the separate appendix bundle containing appendix 1 to the report (appendix 2 was published as an online version only due to its size); and (c) a revised update sheet (replacing the original version issued).

The aforementioned revised update sheet amended (i) the text of the first and third recommendations in section 3.1 of the report; (ii) para 6.26 of the report; (iii) various

paras, policy references and tables in the draft *Site Allocation: Proposed Submission Development Plan Document* (SAPS DPD) in appendix 1; (iv) clarified the final column in table 1.1 in the draft SAPS DPD in appendix; and (v) reported a late representation.

The report was presented by Mrs Taylor.

Ms Flitcroft, Mr Allgrove and Mr Frost were in attendance for this item.

Mrs Taylor (a) referred to the introduction section on pages 2 to 16 in the appendix bundle to explain the nature and purpose of the draft SAPS DPD; (b) summarised the chronology of the main stages in the preparation of the SAPS DPD (section 4 of the report); (c) alluded to the consultation responses and officer replies thereto (appendix 2), in particular the response by the Environment Agency with respect to the site at land to the rear of Sturt Avenue Lynchmere (paras 6.3 to 6.8 of the report); (d) the next consultation stage in December 2016 and January 2017 (on the issue of soundness) prior to submission for examination and eventual adoption in late 2017; (e) the amendments proposed by the Development Plan and Infrastructure Panel (DPIP) at its meeting on 20 October 2016. She concluded by pointing out that the development of a site included in the SAPS DPD would be subject to consideration during the planning application process against *inter alia* all the relevant planning policies in the *Chichester Local Plan: Key Policies 2014-2029* (CLP) such as Policy 42 (Flood Risk and Water Management).

At the end of Mrs Taylor's remarks Mr Dignum read out the text of the extra fourth recommendation.

Ms Flitcroft drew attention to para 8) on page 1 of the revised update sheet and advised that the proposed amendment in bold to the second sentence in para 1.42 should be disregarded and that para 1.42 (page 10 of the appendix bundle) would consist solely of the first sentence.

During the debate Mrs Hardwick said that whilst she supported the inclusion of the fourth recommendation given the disquiet being felt by residents in that area, she had a residual concern regarding the Environment Agency's (EA) comments in para 6.7 of the report that there were (which she contested) suitable alternative locations on the site for houses to be constructed. She contended for the new fourth recommendation being amended so that it contained an express statement that CDC would review the inclusion of this site after the remodelling by the EA had taken place and the result known. The gardens of the houses to the south of this site were all subject to flooding.

In reply to Mrs Hardwick, Mr Frost emphasised that the density for this site (15 dph for ten dwellings) was significantly lower than the indicative requirements in the *Chichester Local Plan: Key Policies 2014-2029* (CLP) and so there was flexibility to accommodate this amount of development. He pointed out that the development management process would apply to a planning application made in respect of this site if it was part of the SAPS DPD and said that the site should be retained unless and until the EA entered an objection.

Mr Allgrove said that if this site were to be removed from the SAPS DPD as a result of an objection made by the EA a modification would be required; in the meantime the site should remain in the SAPS DPD. Officers were liaising with the EA in order that the outstanding information would be available in time for submission of the SAPS DPD.

Mrs Hardwick pursued her point by saying that the issue of flooding concerns ought not to be left to be addressed by the local planning authority at the planning application stage. If the EA failed to give a clearly satisfactory assessment about flood risk CDC should make its own decision on whether or not the site should be included in the SAPS DPD. She was in favour of the new fourth recommendation being revised to make it incontrovertibly plain that CDC would reconsider the point after the consultation had ended.

Mr Dignum suggested that the consultation should be allowed to take place and the Cabinet and the Council consider the point thereafter. Mrs Keegan wondered if the correct approach was in fact to consider the suitability of the site for inclusion after the EA had completed and reported on the modelling work.

In reply to members Mr Allgrove advised, however, that the DPIP had agreed at its recent meeting that the SAPS DPD would not return to the Cabinet for further consideration unless a modification was required as a result of the examination. All consultation responses would be submitted as evidence to the planning inspector for the examination of the SAPS DPD. The SAPS DPD had already been subject to substantial delay and to increase that by several months in order to review the document after the Environment Agency had responded was undesirable; it would conflict with the timetable for the review of the CLP and place an extra demand on staff resources. On the balance of probabilities based on known facts this site could be developed and so officers advised against withdrawing it now from the SAPS DPD. There would be an opportunity for third parties to object to its inclusion at the examination itself.

Decision

At the conclusion of the debate the Cabinet voted on a show of hands by seven votes in favour of the four recommendations and none against. Mrs Hardwick abstained.

RECOMMENDED TO THE COUNCIL

That the Council:

- (1) Approves the *Site Allocation Development Plan Document: Proposed Submission* (as set out in appendix 1 to the agenda report and amended by (a) the revised update sheet and (b) at the meeting) for an eight-week consultation from 1 December 2016 to 26 January 2017 following which it shall be submitted to the Secretary of State for examination.
- (2) Approves the proposed responses to the representations received (as set out in appendix 2 to the agenda report).

- (3) Delegates authority to the Head of Planning Services after consultation with the Cabinet Member for Planning Services to enable minor amendments to be made to the *Site Allocation Development Plan Document: Proposed Submission* prior to and following public consultation.
- (4) Approves the retention of the site to the rear of Sturt Avenue Camelsdale within the *Site Allocation Development Plan Document: Proposed Submission* for examination subject to confirmation from the Environment Agency that there is no objection once the flood zone modelling has been completed.

278 **Determination of the Council Tax Reduction Scheme for 2017-2018**

The Cabinet considered the agenda report and its two appendices in the separate appendix bundle (copies attached to the official minutes).

The report was presented by Mrs Hardwick.

Mrs Christie and Mrs Rogers were in attendance for this item.

Mrs Hardwick said that in July 2016 the Cabinet had approved a consultation on the Council Tax Reduction Scheme (CTRS) for 2017-2018. A localised rather than a national CTRS for working age people had been in force since 1 April 2013 (pensioners continued to receive support in accordance with national rules). CDC's CTRS had remained unchanged since then and in 2016-2017 it cost £6.6m. Although initially funded out of the central government grant, the CTRS was now funded by the overall government revenue support. CDC was required to undertake an annual consultation on CTR. The outcome of the 2016 consultation with stakeholders and the public was set out in section 8 of and appendix 2 to the report. The consultation covered adjusting either the qualifying property bands or the percentage reduction across all recipients. The table on page 24 of the report showed the effects of (a) restricting entitlement to bands C or D (individuals making up the shortfall on higher value properties themselves) and (b) on overall tax revenue by limiting the reductions across all recipients by either 5% or 10% (each claimant would be required to make up the shortfall). The CTRS provided a very important safety net for those on low incomes but it needed to remain well targeted, minimise disincentives to work and provide the best value for money for the benefit of all council tax payers. The details of the CTRS appeared in pages 69 to 115 of the appendix bundle; they included protections for war widow and widower pensions, war disablement pensions and maintaining work incentives in the form of earned income disregards and a taper for removing support. Para 3.5 of the report explained how the cost of the CTRS was shared (CDC's share was about 9% of the total cost). As a result of the review and consultation it was proposed to base the 2017-2018 scheme on the current one and make no restrictions given the relatively modest savings and potential hardship to individuals the changes might cause. The proposal required the approval of the Council meeting before 31 January 2017.

Mrs Christie did not wish to add to Mrs Hardwick's presentation. She answered questions by Mrs Keegan with regard to the CTRS cap for anyone with capital of more than £16,000 and the national scheme for those for pensionable age.

Mr Dignum concluded the debate by emphasising the imperative of protecting the most vulnerable in society (no major changes were proposed to the CTRS for 2017-2018) and that CDC was the only local authority in West Sussex which had not made cuts thereto. He commended it to the Cabinet.

Decision

The Cabinet voted unanimously by a show of hands in favour of the recommendation in para 2.1 of the report.

RECOMMENDED TO THE COUNCIL

That the Council approves the Council Tax Reduction Scheme for 2017-2018.

279 Council Tax Review of Locally Defined Discounts and Premia

The Cabinet considered the agenda report and its two appendices (the second of which was the same as appendix 2 in the previous agenda item and which was in the separate appendix bundle) (copies attached to the official minutes).

The report was presented by Mrs Hardwick.

Mrs Christie was in attendance for this item.

Mrs Hardwick said that a consultation on the locally defined discounts, in particular Prescribed Class D, was carried out simultaneously as that for the Council Tax Reduction Scheme in agenda item 6 (minute 278). The details of the consultation on the discounts and premia scheme were set out in section 8 of the report and pages 108 to 115 of the appendix bundle. In the light of the responses received no variation was being proposed to most of the proposals, in particular the premium imposed on empty homes which was an important incentive for bringing such properties back into use. The proposed change applied to properties which were in need of major repair works to render them habitable or undergoing structural repair ie Prescribed Class D properties. Such properties were currently eligible to obtain a 100% council tax discount, at a cost to CDC and the other authorities for which it collected of just under £200,000 per annum. The estimated savings were set out in section 7 of the report on page 28. The focus of the proposals was not so much the sums which would be saved thereby as the need to remove the lack of incentives implicit in the discount towards making repairs and major alterations to get housing stock back into use. The outcome of the consultation had not persuaded officers that there was any sound justification for retaining the class D discount, the abolition of which was likely to improve the supply of housing stock.

Mrs Christie did not wish to add to Mrs Hardwick's presentation.

Mrs Taylor expressed her full support for the recommendations.

Decision

The Cabinet voted unanimously by a show of hands in favour of the recommendation in paras 2.1 and 2.2 of the report.

RESOLVED

- (1) That the Prescribed Class D locally defined discount be set at zero % for the 2017-2018 financial year.
- (2) That the council tax discounts proposed in appendix 1 to the agenda report be applied for the 2017-2018 financial year.

280 **Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document**

The Cabinet considered the agenda report and its appendix in the separate appendix bundle (copies attached to the official minutes).

The report was presented by Mrs Taylor.

Ms Payne, Mr Allgrove and Mr Frost were in attendance for this item.

Mrs Taylor summarised section 2 of the appended draft *Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Document* (SPD) and referred to the four principles set out in section 3.2 (page 122) of the draft SPD. Since the extant *Design Guidelines for new dwellings and extensions (Chichester Harbour Area of Outstanding Natural Beauty)* had not been subjected to a statutory public consultation, it possessed limited weight as a material planning consideration. The objective of the draft SPD was to remedy this and to achieve the purposes in paras 3.2 to 3.4 and section 4 of the report. At its meeting on 20 October 2016 the Development Plan and Infrastructure Panel had considered the draft SPD and recommended that the links in section 44 on page 171 should be made more useful.

The officers present did not wish to add to Mrs Taylor's introduction.

Mr Dignum drew attention to para 3.2 of the report.

Mrs Plant and Mrs Purnell commended the draft SPD.

In reply to a question by Mrs Purnell, Mr Frost advised that he did not think that the draft SPD would specifically apply to the wider zone of influence, which was relevant to considering the impact of recreational disturbance.

Decision

At the conclusion of the debate the Cabinet voted on a show of hands unanimously in favour of the recommendations in paras 2.1 and 2.2 of the report.

RESOLVED

- (1) That the draft *Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document* (as set out in the appendix to the agenda report) be approved for public consultation between 10 November and 22 December 2016.
- (2) That authority be delegated to the Head of Planning Services to enable minor editorial and typographical amendments to be made to the draft *Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document* prior to public consultation.

281 **Off-Street Parking Charges**

The Cabinet considered the agenda report and its appendix (copies attached to the official minutes).

The report was presented by Mrs Keegan.

Mrs Murphy was in attendance for this item.

Mrs Keegan referred to sections 4 and 5 of the report for the background context and the approach to setting car park charges. The Cabinet's decision in October 2015 (not 2016 as stated in para 4.2 of the report) to impose a two-year freeze on car parking charges reflected increases previously agreed and the work involved in consulting on price increases. CDC's Chichester District Parking Forum (CDPF), which was a suitably representative body, supported the proposals set out in the appendix to the report for implementation in April 2017 if approved by the Cabinet. She summarised each of the six proposals in the appendix, commenting in particular on the fourth proposal for evening charges. The introduction of new charges was always cautiously contemplated and the proposal for evening charges was more controversial than the others in the report; objections could always be anticipated. The proposal was for a trial or pilot introduction of evening charges. Many other local authorities had evening or 24-hour charges (CDC was rather unusual in not doing so) and the practice of other authorities had been researched. The details for the two chosen car parks, Northgate (long stay) and New Park Road (short stay) were set out in paras 4.2 and 4.3 of the appendix (page 41) together with important mitigation measures that were designed to minimise or remove any adverse impacts of the proposals. The charges were considered modest for an asset which was costly to maintain.

Mrs Murphy advised that West Sussex County Council, a consultee, had considered the potential for street deflection and supported the trial project. Mr Over highlighted the mitigation measures in para 4.2 of the appendix. Mrs Murphy summarised the concerns of the New Park Cinema (NPC) and Chichester Festival Theatre (CFT) about the impact of evening charges on their audiences or patrons; they feared a drop in bookings and charges being an obstacle to those who were on low incomes. She emphasised that this was a trial in two car parks only with sufficiently accessible alternative free car parks in close proximity. Chichester city was unusual compared

with many town/city centres regionally (Hampshire and East Sussex) as well as nationally where charges had been introduced in response to the evening economy.

During the debate various points were made, which included the following.

Evening Charges

Mr Barrow supported the introduction of evening charges. Car parks were on CDC's land and were a very valuable asset and charges helped to maintain them. Modest charges were being proposed and would compare favourably with other councils' charges. The consultation would afford the opportunity for views to be expressed. He doubted that the CFT (in view of the price of a theatre ticket) and NPC would lose audiences because of evening charges. He noted the support expressed by the CDPF.

Mrs Lintill noted the views of the CFT and NPC but in her experience changes to charges tended to be accepted after a year-long trial.

Mrs Hardwick supported the proposals. Evening charges represented a significant revenue stream and most drivers expected from experience to pay for a car park at night. The current absence of charges was a luxury the continuation of which could not be justified.

Mrs Plant supported the introduction of evening charges. She wondered whether since the NPC was a community asset it might have a greater case than did the CFT for not having evening charges.

Mrs Purnell was supportive of the proposals and suspected that CFT and NPC audiences would not decline if charges were introduced. She queried the length of the trial period, feeling it should be shorter and suggested that during it CDC work with CFT and NPC to ensure that audience levels were sustained.

Mrs Murphy explained that a 12-month trial would enable officers to assess the seasonality factor and understand better the impact of introducing or changing charges.

Motorhomes Charges

As to motorhomes, Mr Barrow said that he would be concerned if they were allowed to stay in the coastal car parks (some of which currently had height restrictions in place) and that these must not be allowed to become caravan parks.

Mrs Murphy advised that the Bosham, Bracklesham Bay, East Beach Selsey and Marine Drive West Wittering car parks were the ones likely to be opened to motorhomes. The tariff boards made it clear that overnight parking by motorhomes and caravans was not permitted.

Mrs Purnell asked if a motorhome would be charged for the number of bays it occupied and expressed the hope that motorhomes would not be allowed to park overnight and that height restrictions should be utilised.

Mrs Murphy advised that practice across the country showed that motorhomes paid for the spaces they actually used thereby maintaining income levels.

Mrs Hardwick supported the need to regularise and make clear the use of car parks by motorhomes. She also agreed with charging for electric vehicles because the current free use was a strong disincentive for the efficient turnover and management of spaces. She requested details of the cost to CDC of subsidising the electric car parking spaces.

Mrs Murphy confirmed that charging for electric vehicle spaces was required to manage spaces far more efficiently by encouraging turnover and ensure the bays were cost-neutral. The subsidy information would be supplied by Mrs Murphy to Mrs Hardwick.

Use of Avenue de Chartres Car Park

Mrs Purnell asked how well pay on foot was working at the Avenue de Chartres (AdC) car park.

Mrs Murphy said foot, there had been a slight increase in the duration of stay at AdC. Customer feedback showed that the greater flexibility afforded by pay-on-foot was appreciated. However, technology had developed and the Cabinet had already approved plans for payment by mobile phones which provided the flexibility demanded by users but without the large up-front investment that pay-on-foot required.

Mrs Taylor referred to the under-use of AdC car park and queried how competitive it was with the railway station car park.

Mrs Murphy replied that season tickets at the AdC car park were significantly cheaper than railway station.

Mr Dignum summarised the debate by saying that he had heard no objection to the proposals for season ticket increases; there was a consensus in favour of a trial project for evening charges in two car parks; charges for motorhomes should be introduced but vigilance was required regarding the risk of parking abuses; and it was time to introduce charging and extend the number of charging points for electric vehicles.

Decision

At the conclusion of the debate the Cabinet voted on a show of hands unanimously in favour of the recommendations in paras 3.1 and 3.2 of the report.

RESOLVED

- (1) That the charges set out in the appendix to the agenda report be approved and, subject to consultation responses, be implemented from 1 April 2017.

- (2) That the Head of Commercial Services be authorised to give appropriate notice of any revised charges pursuant to the *Off-street Parking Places (Consolidation) Order 2015* and the *Road Traffic Act 1984*.

282 Petworth Skatepark Project

As announced by Mr Dignum at the start of this meeting (minute 273) this item had been withdrawn from the agenda and so was not considered by the Cabinet.

Mrs Keegan remarked that the report would be deferred to the Cabinet's next meeting in order to carry out checks on the suitability of a potential site for this project.

283 Supporting Businesses through Enabling Grants for New and Existing Small Businesses

The Cabinet considered the agenda report (copy attached to the official minutes).

The report was presented by Mrs Keegan.

Mr Oates was in attendance for this item.

Mrs Keegan reviewed the forerunners to and explained the Enabling Grant Scheme (EGS), which was now being proposed as from December 2016 as a result of the approved funding from the Pooled Business Rates Fund for the county's district and borough councils. The details of how the EGS would operate were set out in section 4 of the report. It was important to publicise the scheme as widely and inventively as possible.

Mr Oates said that there was clear evidence from the 2005-2009 and the 2013 schemes to show how small grants made an appreciable economic difference to new and existing small businesses in terms of increased turnover, job opportunities and general hope and optimism. A similar success story was sought by virtue of this new scheme.

Mr Over advised that in the second sentence of para 4.2 of the report the sum of £2,500 should be substituted for that of £2,000 so that it read: 'Capital projects will be funded to a maximum of £2,500.' This amendment would replicate the £2,500 ceiling for consideration by the Grants and Concessions Panel (GCP) of applications for such grants and thereby avoid the need to have to refer applications for funding over £2,000 and under £2,500 to the GCP. As stated in para 4.3 of the report, the GCP would be kept informed of all grants allocated by the Economic Development Service (EDS) under the EGS.

The Cabinet members commended the scheme.

In reply to members' questions on points of detail, Mr Oates and Mr Over explained (a) why (to avoid delay) applicants might prefer to seek funding directly from the EGS rather than submit an application to the GCP; (b) the EGS would be more

focussed than those grants considered by the GCP eg apprenticeships and capital grants and would be limited to smaller businesses; (c) how the EDS would process grant applications; (d) that the GCP might benefit thereby from a reduction in the volume of business it had to consider; (e) the definition of a small business (number of employees); (f) the Cabinet could be kept informed as to how the EGS was working; and (g) the EGS would run until September 2017.

It was agreed by the Cabinet that the text of the first recommendation (para 2.2 of the report) should be amended to reflect the aforementioned advice given by Mr Over that in the second sentence of para 4.2 of the report the sum of £2,500 should be substituted for that of £2,000 so that it read: 'Capital projects will be funded to a maximum of £2,500.'

Decision

At the conclusion of the debate the Cabinet voted on a show of hands unanimously in favour of the recommendations in paras 2.1 (as amended) and 2.2 of the report.

RESOLVED

- (1) That the Enabling Grant Scheme for new and existing small businesses as set out in section 4 of the agenda report (amended to allow a maximum grant for capital grants to be £2,500) be approved, to be supported by £83,333 allocated from the Pooled Business Rate Fund and that the Head of Commercial Services be authorised to approve grants under the Scheme.
- (2) That a record of all grants allocated under the Scheme be reported to the Grants and Concessions Panel to ensure co-ordination of the two processes be approved.

284 **Appointments to Panels and Forums**

The Cabinet considered the agenda report (copy attached to the official minutes).

This item was introduced briefly by Mr Dignum with reference to section 4 of the report.

This item was not discussed.

Decision

On a vote by a show of hands the recommendation in para 2.1 of the report was unanimously approved.

RESOLVED

That the appointment of the members to serve on the panels and forums as detailed in section 4 of the agenda report be approved, namely (a) Mrs P C Plant be replaced by Mr M A Cullen on the Grants and Concessions Panel and (2) Mr B A Finch be replaced by Mrs P C Plant as the Cabinet Member for Business Improvement Services on the Joint Employee Consultative Panel.

285 **Late Items**

As stated by Mr Dignum in his announcements at the start of this meeting, there were no late items for urgent consideration by the Cabinet.

286 **Exclusion of the Press and Public**

Decision

The Cabinet voted unanimously on a show of hands to exclude the public and press from the meeting in order to consider agenda item 15 as a Part II matter.

RESOLVED

That the public and press be excluded from the consideration of the agenda report and its appendices for agenda item 15 on the grounds that it is likely that there would be a disclosure to the public of 'exempt information' of the description specified in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A to the *Local Government Act 1972* 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 that information.

[**Note** After the making of the aforementioned resolution and before the consideration of agenda item 15 there was a short adjournment between 11:10 and 11:17]

287 **Development Site The Grange Midhurst**

The Cabinet considered the confidential report and its three appendices circulated with the agenda to CDC members and relevant officers only.

The report was introduced by Mrs Keegan.

Mrs McKay was in attendance.

Mrs McKay answered members' questions and comments on points of detail.

Mr Dignum allowed Mr A M Shaxson, the CDC ward member for Harting and the leader of CDC's Independent party group, to address the meeting briefly; he received a response from Mrs McKay.

It was agreed by the Cabinet and with the advice of the senior officers present to include an additional recommendation for the Cabinet's approval, which would be a new third recommendation and so the original third recommendation would now be the fourth one.

Decision

The Cabinet voted unanimously on a show of hands in favour of making the following resolution.

RESOLVED

- (1) That the bids received as set out in appendix 2 to the agenda report be noted.
- (2) That further negotiations with bidder E be authorised as set out in para 5.1 of the agenda report.
- (3) That the Head of Commercial Services be authorised to enter into a conditional exchange with bidder E after consultation with the Cabinet Member for Commercial Services.
- (4) That in the event that conditional exchange of contracts does not take place by the given deadline the site is to return to the market on the basis set out in para 5.2 of the agenda report.

[Note The meeting ended at 11:34]

CHAIRMAN

DATE