

Public Document Pack

JOHN WARD
Director of Corporate Services

Contact: Graham Thrussell on 01243 534653
Email: gthrussell@chichester.gov.uk

East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY
Tel: 01243 785166
www.chichester.gov.uk



A meeting of the **Cabinet** will be held in Committee Room 2 at East Pallant House Chichester West Sussex on **Tuesday 5 June 2018 at 09:30**

MEMBERS: Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mr J Connor, Mrs J Kilby, Mrs S Taylor and Mr P Wilding

AGENDA

PRELIMINARY MATTERS

1 **Chairman's Announcements**

The chairman will make any specific announcements for this meeting and advise of any late items which will be given consideration under agenda item 11 (a) or (b).

Apologies for absence will be taken at this point.

2 **Approval of Minutes** (pages 1 to 5)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 1 May 2018, a copy of which is circulated with this agenda.

3 **Declarations of Interests**

Members are requested to make any declarations of disclosable pecuniary, personal and/or prejudicial interests which they might have in respect of matters on the agenda for this meeting.

4 **Public Question Time**

In accordance with Chichester District Council's scheme for public question time and with reference to standing order 6 in part 4 A and section 5.6 in Part 5 of the Chichester District Council *Constitution*, the Cabinet will receive any questions which have been submitted by members of the public in writing by 12:00 on the previous working day. The total time allocated for public question time is 15 minutes subject to the chairman's discretion to extend that period.

RECOMMENDATIONS TO THE COUNCIL

5 **Priory Park Chichester - Project Initiation Document** (pages 6 to 21)

The Cabinet is requested to consider the agenda report and its two appendices (the background paper is confidential Part II exempt* material and is available in an agenda supplement for online viewing by members and relevant officers only) and to make the following resolutions and the recommendation to the Council:

A – RESOLUTIONS BY THE CABINET

- (1) That option three and the associated PID in appendix 1 to the agenda report for the proposed enhancement scheme in the North West corner of Priory Park be approved.
- (2) That the allocation of £72,274 of section 106 funding, as outlined in the PID in appendix one be approved to part fund the project and that £62,000 of General Fund reserves be allocated to cover the remaining estimated cost for the project.

B – RECOMMENDATION TO THE COUNCIL

That the Council gives its approval to forward fund £450,000 from the Asset Replacement Programme for the refurbishment of the buildings in Priory Park to part fund the project.

*[**Note** 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]

6 **Section 106 Community Facilities - Westhampnett Community Hall** (pages 22 to 26)

The Cabinet is requested to consider the agenda report and its appendix (which is confidential Part II exempt* material and is printed on salmon-coloured paper for members and relevant officers only) and to make the following recommendation to the Council:

That the Council gives its approval to the release of £98,712 section 106 community facilities monies plus interest accrued to the date of release to Westhampnett Parish Council for the construction of Westhampnett Community Hall.

*[**Note** 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]

KEY DECISIONS

7 **Ministry of Housing, Communities and Local Government Consultation - Powers for Dealing with Unauthorised Development and Encampments** (pages 27 to 40)

The Cabinet is requested to consider the agenda report and its appendix and to make the following resolution:

That the proposed response to the government's consultation paper 'Powers for dealing with unauthorised development and encampments' set out in the appendix to the agenda report be approved.

8 **Parking Strategy Review** (pages 41 to 49)

The Cabinet is requested to consider the agenda report and its appendix and to make the following resolution:

That the release of £30,000 from reserves to fund consultants to assist with the refresh of the Chichester District Parking Strategy be approved.

OTHER DECISIONS

9 **Appointments to Panels, Forums and other Groups 2018-2019** (pages 50 to 55)

The Cabinet is requested to consider the agenda report and its appendix and to make the following resolution:

That the membership of panels, forums and other groups for 2018-2019 as set out in the appendix to the agenda report be agreed.

10 **Appointments to External Organisations 2018-2019** (pages 56 to 58)

The Cabinet is requested to consider the agenda report and its appendix and to make the following resolution:

That the representatives be appointed to serve on the external organisations for 2018-2019 as set out in the appendix to the agenda report.

11 **Late Items**

(a) Items added to the agenda papers and made available for public inspection

(b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting

12 **Exclusion of the Press and Public**

The Cabinet is asked in respect of agenda item 13 (Support Services – Staffing

Matter) to make a resolution that the public including the press should be excluded from the meeting on the following ground of exemption in Schedule 12A to the Local Government Act 1972 namely Paragraph 1 (Information relating to an individual) 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.

[**Note** If the Cabinet wishes to discuss the confidential Part II exempt appendix to agenda item 6 (Section 106 Community Facilities – Westhampnett Community Hall) it will need first to pass a resolution to exclude the press and the public from the meeting on the following ground 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]

13 **Support Services - Staffing Matter** (pages 59 to 60)

The Cabinet is requested to consider the agenda report, which is Part II* exempt confidential material with a restricted circulation to Chichester District Council members and relevant officers only (printed on salmon-coloured paper), and to make the following resolutions:

- (1) That the contract of employment of the staff member be terminated on the grounds of the efficiency of the service on 7 August 2018 for the reasons outlined in the agenda report.
- (2) That the capital cost to the Pension Fund of paying the accrued pension benefits to the staff member earlier than the normal retirement age be funded from reserves at the total cost specified in para 7.1 of the agenda report.

*[**Note** The ground for excluding the public and press during this item is that it is likely that there would be a disclosure to them of 'exempt information' of the description specified in Paragraph 1 (information relating to an individual) of Part I of Schedule 12A to the Local Government Act 1972]

NOTES

- (1) The press and public may be excluded from the meeting during any item of business wherever it is likely that there would be disclosure of 'exempt information' as defined in section 100A of and Schedule 12A to the *Local Government Act 1972*.
- (2) The press and public may view the report appendices which are not included with their copy of the agenda on the Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless they contain exempt information.
- (3) Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to

do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council's *Constitution*]

(4) A key decision means an executive decision which is likely to:

- result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates or
- be significant in terms of its effect on communities living or working in an area comprising one or more wards in the Council's area or
- incur expenditure, generate income, or produce savings greater than £100,000

NON-CABINET MEMBER COUNCILLORS SPEAKING AT THE CABINET

Standing Order 22.3 Chichester District Council's *Constitution* provides that members of the Council may, with the chairman's consent, speak at a committee meeting of which they are not a member, or temporarily sit and speak at the Committee table on a particular item but shall then return to the public seating area.

The Leader of the Council intends to apply this standing order at Cabinet meetings by requesting that members should *normally* seek his consent in writing by email in advance of the meeting. They should do this by noon on the day before the meeting, outlining the substance of the matter that they wish to raise. The word normally is emphasised because there may be unforeseen circumstances where a member can assist the conduct of business by his or her contribution and where he would therefore retain his discretion to allow the contribution without notice.



Minutes of the meeting of the **Cabinet** held in Committee Room 2 at East Pallant House Chichester West Sussex on Tuesday 1 May 2018 at 09:30

Members Present Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mr J Connor, Mrs J Kilby, Mrs S Taylor and Mr P Wilding

Members Absent

Officers Present Mr M Allgrove (Divisional Manager for Planning Policy), Mr A Frost (Director of Planning and Environment), Mrs J Hotchkiss (Director of Growth and Place), Mr P Legood (Valuation and Estates Manager), Mrs A M Pagano (Principal Conservation and Design Officer), Mr M Regan (Senior Estates Surveyor (Development Support)), Mrs D Shepherd (Chief Executive) and Mr G Thrussell (Senior Member Services Officer)

516 **Chairman's Announcements**

Mr Dignum greeted the members of the public, the press representatives and Chichester District Council (CDC) members and officers who were present for this meeting. He accorded a particular welcome to Kate O'Kelly (Liberal Democrat), who had been elected on Thursday 12 April 2018 as the new member for the Rogate ward. Dr O'Kelly succeeded Gillian Keegan, the MP for the Chichester constituency.

There were no apologies for absence and all members of the Cabinet were present.

There were no late items for consideration.

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

[**Note** Minute paras 517 to 523 below summarise the Cabinet's discussion of and decision on agenda items 2 to 8 inclusive but for full details of the items considered in the public session please refer to the audio recording facility via this link:

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MId=979&Ver=4>]

517 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 10 April 2018, which had been circulated with the agenda.

There were no proposed changes to the minutes.

Decision

The Cabinet voted unanimously on a show of hands to approve the aforesaid minutes without making any amendments.

RESOLVED

That the minutes of the Cabinet's meeting on Tuesday 10 April 2018 be approved.

518 Declarations of Interests

No declarations of interests were made at this meeting by Cabinet members or by any members who were present as observers.

519 Public Question Time

No public questions had been submitted for this meeting.

520 Review of Character Appraisal and Management Proposals for Fishbourne Conservation Area

The Cabinet received and considered the agenda report and its five appendices, the fifth of which was available for online viewing only in the published agenda supplement.

This item was introduced by Mrs Taylor.

Mrs Pagano and Mr Allgrove were in attendance for this matter.

Mrs Taylor explained the nature and purpose of producing and reviewing character appraisals for conservation areas (CA), in accordance with CDC's Historic Environment Strategy and Action Plan and utilising Article 4 Directions, as set out in sections 5 and 7 of the report. The process for reviewing the current Conservation Area Character Appraisal for Fishbourne (March 2007), the details of the proposed changes to the Fishbourne CA and the benefits of having a revised character appraisal and management proposals document were summarised in sections 6, 8 and 10 of the report. In endorsing the approval of the document for use as a material consideration in determining planning applications, Mrs Taylor commended the excellent report.

Mrs Pagano and Mr Allgrove did not add to Mrs Taylor's introduction.

Cabinet members echoed Mrs Taylor's sentiments about the quality of the report and the post-consultation draft document; the latter was a very well-produced and informative document, not only for conservation purposes but potentially also for tourism use.

Members noted the need for two amendments:

- (1) Appendix 1: in the post-consultation version of the CA, the third bullet point in the list of chief features of Character Area D3 Fishbourne Channel (page 28) incorrectly referred to 'high' tide instead of 'low' tide.
- (2) Para 3.2 of the report: in the second recommendation, the words 'maps on pages 32 to 36' should be replaced with 'map on page 51' and this would be reflected in the resolution to be made by the Cabinet.

In reply to a question, Mrs Pagano explained that for brevity and to put the focus on the comments, appendix 2 included only CDC's proposed responses and not the questions.

Mr Dignum invited Mr A G F Moss (Fishbourne), who had previously intimated his wish to speak on this matter, to address the Cabinet. Mr Moss expressed his immense appreciation for the post-consultation draft document, which drew attention to Fishbourne's very long history and its hidden gems of historic and architectural value. He had discussed the report with Fishbourne Parish Council and local residents and they were clearly very satisfied with the consultation and the resultant draft document. He remarked that the extension of the conservation area embraced some of the settlement's oldest houses eg The Old Forge. He made two observations: (a) whilst the case for making a non-immediate Article 4 Direction with respect to solar panels on roof slopes was understood, he hoped that planning applications for their installation would be sympathetically considered and (b) the several photographs of The Old Thatched House in Mill Lane served as a reminder that as well as imposing restrictions on what owners were allowed to do to their properties (listed or not) in a conservation area, they should also be given appropriate advice and assistance to effect repairs.

In reply to Mr Moss' point in (b), Mr Frost summarised how the revised draft document once adopted, along with associated statutory powers, would be used by CDC as the local planning authority and also Historic England to act supportively to enable owners to look after their properties. Mrs Pagano emphasised that CDC officers were very keen to protect historic buildings but it was important to do so in a sensitive way to encourage owners to take responsibility for effecting remedial repairs to their homes. She added that the funding position was problematic in that with the loss of Historic England grants many owners were not eligible for the large grants available from the Heritage Lottery Fund.

Decision

The Cabinet voted unanimously on a show of hands to make the resolutions set out below.

RESOLVED

- (1) That the revised Character Appraisal and Management Proposals for Fishbourne Conservation Area, attached at appendix 1 to this report, be approved as a material consideration in relevant planning decisions.

- (2) That the recommended changes to the Fishbourne conservation area boundary on the west side, as shown in the map on page 51 of the revised Character Appraisal and Management Proposals, attached at appendix 1 to this report, be approved.
- (3) That the proposed responses to representations, attached at appendix 2 to this report, be approved.
- (4) That the implementation of an 'Immediate' Article 4 direction to cover minor alterations to the principal elevations of dwellings within Fishbourne conservation area, as set out in appendix 3 to this report, be approved.
- (5) That the implementation of a 'non-immediate' Article 4 direction to cover the installation of solar panels on the principal elevations and roof slopes of buildings within the Fishbourne Conservation Area, as set out in appendix 4 to this report, be approved.
- (6) That decisions to confirm and/or implement or otherwise the Directions referred to in 3.4 and 3.5 above be taken by the Director of Planning and Environment following consultation with the Cabinet Member for Planning Services and the ward member for Fishbourne conservation area within six months of the Directions being made.

521 **Late Items**

There were no late items for consideration at this meeting.

522 **Exclusion of the Press and Public**

In order to consider the Part II confidential exempt matter listed as agenda item 8 (2-3 East Street Chichester PO19 1HE) Mr Dignum first read out the resolution set out below.

Decision

On a vote by a show of hands the Cabinet approved unanimously the following resolution.

RESOLVED BY THE CABINET

That in accordance with section 100A of the Local Government Act 1972 (the Act) the public and the press be excluded from the meeting during the consideration of agenda item 8 (2-3 East Street Chichester PO19 1HE) for the reason that it is likely in view of the nature of the business to be transacted that there would be disclosure to the public of 'exempt information' being information of the nature described in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) in Part I of Schedule 12A to the Act and because in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

523 **2-3 East Street Chichester PO19 1HE**

The Cabinet considered the confidential Part II agenda report which had been circulated to members and relevant officers only.

The report was presented by Mr Dignum.

Mr Regan and Mr Legood were in attendance for this item.

Mr Dignum summarised the contents of the report.

Mr Legood emphasised the satisfactory outcome to the negotiations as set out in section 4 of the report.

The Cabinet commended officers for their efforts in securing the final terms of the lease.

Decision

The Cabinet voted unanimously on a show of hands in favour of making the resolution set out below.

RESOLVED

That a new lease be granted to the existing tenants (R L Austen Limited) on the terms set out in section 5.2 of the agenda report and the Director of Growth and Place in consultation with the Leader of the Council and the Cabinet Member for Growth and Place be authorised to approve the final terms of this lease.

[**Note** The meeting ended at 09:50]

CHAIRMAN

DATE

Chichester District Council

THE CABINET

5 June 2018

Priory Park Chichester – Project Initiation Document

1. Contacts

Report Authors:

Vicki McKay – Divisional Manager, Property and Growth
Telephone: 01243 534519 E-mail: vmckay@chichester.gov.uk

Alan Gregory - Project Manager
Telephone: 01243 534818 E-mail agregory@chichester.gov.uk

Cabinet Member:

Tony Dignum - Leader of the Council
Telephone: 01243 538585 E-mail: tdignum@chichester.gov.uk

2. Executive Summary

This report presents a PID relating to the proposed enhancement scheme in the North West corner of Priory Park and sets out the background to the need for such a scheme and the intended project objectives and parameters. The report recommends that the preferred option is agreed along with the PID and that funds are allocated for the project.

3. Recommendations

- 3.1. That the Cabinet approves option three and the associated PID in appendix 1 to the agenda report for the proposed enhancement scheme in the North West corner of Priory Park.**
- 3.2 That the Cabinet recommends to the Council to forward fund £450,000 from the Asset Replacement Programme for the refurbishment of the buildings in Priory Park to part fund the project.**
- 3.3 That the Cabinet approves the allocation of £72,274 of section 106 funding, as outlined in the PID, appendix one, to part fund the project and that £62,000 of General Fund reserves is allocated to cover the remaining estimated cost for the project.**

4. Background

- 4.1. A number of the buildings in the north west corner of Priory Park are in poor condition and nearing the end of their useful life. In addition to this, delivery of grounds maintenance is undertaken in a different way meaning there is not now a need for a large depot facility in the park. The white pavilion, located to the**

southern edge of the park, is also in need of repair and refurbishment.

- 4.2. The café facility is a relatively new addition to the park, which has been well received by park users. This building has a temporary planning permission, which expires in 2020.
- 4.3. In June 2017, the Council appointed an architect to carry out an options appraisal of the identified area and buildings, with a brief to consider how best to deliver a balance between commercial and community based opportunities.
- 4.4. Considering the cost and community/commercial benefit of the options and taking into account feedback from stakeholders and Council services, a final preferred option (Option 3) has been developed into an indicative scheme, which is the basis of PID now being considered.
- 4.5. A plan of the preferred scheme is attached as Appendix 2.

5. Outcomes to be Achieved

- 5.1. By undertaking this project, the Council will achieve the best use of the existing assets, enhance the character of the area, improve the historic setting of the park and increase the area of park accessible to visitors. The proposals will increase the opportunities for community use of the park whilst maintaining the sporting use and create new sources of revenue income.
- 5.2. Without this work, buildings nearing the end of their life will need significant work to repair or replace and areas of the park behind current buildings will remain inaccessible to park visitors. Approaching such issues in a piecemeal way will mean the ability to take a holistic approach to this area of the park will be lost.

6. Proposals

- 6.1 It is recommended that the preferred option (Option 3) is selected and the PID approved. This option comprises the following key elements:-
 - Demolition of the depot buildings and public conveniences
 - Removal of current café buildings
 - Retention of 'Brick Pavilion'
 - Provision of new public conveniences
 - Provision of a new 'roller store'
 - Retention of 'Bowls Clubhouse'
 - Retention and refurbishment of 'White Pavilion'
 - Footprint of buildings demolished/removed to be returned to park 'green space'
 - Repair/restoration of Coade Stone statue
- 6.2 It is recommended that monies from the Asset Replacement Programme, £450,000 the repairs and maintenance budget, £15,000 and s106 monies as outlined in the PID are used to part fund this project, with the remaining funds of £62,000 allocated from reserves to cover the total estimated costs of the project of £599,000.

- 6.3 This scheme will provide lettable and operational premises that are fit for purpose and of appropriate size with an acceptable future life. The scheme will also result in the refurbishment and enhancement of buildings which are of local historic interest and fund repair work to the coade stone statue that has suffered from weathering and vandalism in recent years.
- 6.4 The project timescale is in the PID (see Appendix 1) and proposes that the consultation work commences in late autumn/early winter following the appointment of a consultant to carry out the design and cost appraisal work.

7.0 Alternatives Considered

- 7.1 Due to the condition of a number of the buildings, a 'do nothing' option is not appropriate.
- 7.2 The architect produced a long list of eight options, which varied in the extent of redevelopment and the level and type of new facilities suggested. All the options incorporated café and function space, as well as new public conveniences and the removal of the depot buildings. The Council worked with the architect to streamline the long list of options to produce three short listed options for further discussion and consideration the two alternative options are listed below:
- Option one - Refurbishment of public conveniences, white pavilion and brick pavilion, along with the demolition of depot buildings and construction of a smaller replacement facility. This is the option with the minimum level of work, and carries with it a number of disadvantages against other options, as well as risks. A key issue with this option is that current buildings blocking access to areas of park behind them would not be removed or relocated, thereby missing a key opportunity to enhance the park environment and green space. Furthermore, the current café only has a temporary planning permission and initial feedback is that this is unlikely to be renewed on expiry in 2020.
 - Option two – Redevelopment of café, public conveniences and depot facility in new locations, together with the construction of a new function space and refurbishment of the white pavilion. This is a more ambitious scheme, which involves a much higher level of new building and which comes at a higher cost. There would be a risk with this scheme that planning permission for this level of new development would not be granted and the scheme would generate more floorspace for commercial letting with the market for this as yet untested. Whilst innovative in terms of looking at possible scenarios, this scheme was felt to be less 'in keeping' with the park environment.

8.0 Resource and Legal Implications

- 8.1 The project will be managed by the Estates Project Manager/Projects Officer, with consultants appointed for the design and costings work.
- 8.2 The ARP is funded by way of annual revenue contributions that are set aside each year. These contributions are based on a rolling 25 year replacement programme. In effect the whole 25 year programme is funded over its life. However, individual

schemes within the ARP are formally allocated each year as part of the budget process, and cover just the following 5 years. The current approved ARP therefore covers the period 2018 – 2023 and this includes £300,000 for Priory Park schemes. The remaining £150,000 is not due to be allocated to the ARP until next year for the financial year 2023-24. This report seeks to bring all of the £450,000 forward, but does not increase the total cost.

- 8.3 A full report on title will be requested at an early stage of the project, to ensure any covenants or other legal issues are accommodated. None of the buildings covered by the project are formally listed, although both the white pavilion and brick pavilion are locally listed. There is also some local historic interest in the air raid shelters behind the current public conveniences that will need further research to establish additional information.
- 8.4 The project will incur VAT charges on the works and would have significant implications for the Council; this will be mitigated by opting to tax on the proposed scheme. This will have an impact on those tenants of let premises who are not VAT registered as VAT is chargeable on any lease rentals. This will lead to an increase in their operating costs if they are not able to recover VAT. Given the type of tenant expected to occupy the premises post-project completion, this is expected to impact on all of those occupiers.
- 8.5 The cost estimate does not include an allowance for temporary loss of income or facilities whilst works are undertaken. Detailed proposals for the phasing of the work are yet to be drawn up but it is hoped that these can allow for continued operation of the café and hiring of the pavilions for as long as possible. Consideration will need to be given as part of the project as to whether temporary public conveniences and café facilities can be brought into the park for the duration of the works.
- 8.6 The estimated revenue from the completed scheme is not expected to deliver a financial return on monies expended, with the drivers for the project being more towards the wider community benefits and enhancing the green space areas of the park not currently accessible.

9.0 Consultation

- 9.1 Stakeholders, comprising those with leases of premises in the park or groups linked to the park, including the Friends of Priory Park, were consulted as part of the options appraisal to collect views and aspirations for the future. If the project is approved they will be consulted regarding the arrangements for implementing the proposals. Service teams within the Council have also been consulted to provide their input to the options being considered.
- 9.2 Following receipt of the initial long list of options, views were sought from Council services, with feedback from the Development Management Service advising that appropriate level of development which reflects the characteristics of the sensitive park setting may be granted planning permission along with confirmation that there are no assurances a further planning permission would be granted for a café facility in the current location.

10.0 Community Impact and Corporate Risks

- 10.1 The proposals outlined in the PID will require planning permission, which cannot be guaranteed. It is hoped that by engaging with the planners from the options appraisal stage, risks associated with securing planning permission will be minimised.
- 10.2 The costs shown in the PID are estimates at this stage and include limited allowances for contingencies that are likely to be reflected in a contractors estimate and tender price. Refurbishment costs are more difficult to assess than new build and costs could vary as detailed design and building investigations go forward.
- 10.3 The current locations of buildings in the park is considered by some to be the most suitable arrangement; as with all projects proposing change, there will inevitably be some level of impact on those with an interest, which the intended consultation will seek to address.

11.0 Other Implications

Crime and Disorder The proposal to bring additional areas of the park back into public use will help reduce the likelihood of anti-social behaviour in those areas	Yes
Climate Change and Biodiversity: The proposed refurbishment works will enable current energy standards to be met.	Yes
Human Rights and Equality Impact	None
Safeguarding	None
General Data Protection Regulations (GDPR)	None

12.0 Appendices

- 12.1 Appendix 1 – Project Initiation Document
- 12.2 Appendix 2 - Plan of Preferred Scheme

13.0 Background Papers

- 13.1 PID Options Comparison [**Note** This is confidential Part II exempt material which will be published for online viewing by members and relevant officers – Para 3 in Part I of Schedule 12A to the Local Government Act 1972 ie information relating to the financial or business affairs of any particular person (including the authority holding that information)]

Project Documentation

**PROJECT INITIATION DOCUMENT
(PID)**

Priory Park Buildings Option Appraisal

Release:	V.2
Date:	April 2018
Author:	Vicki McKay and Alan Gregory
Approved by:	Jane Hotchkiss

Note: the completion of this document is required for medium and large projects as defined by the Project Type Matrix. The final version should be saved in a sub folder on the x drive under project management / project documentation.

Document History

Revision Date	Version	Summary of Changes	Reviewer(s)
25.04.18	1	No changes	Commercial Programme Board
15.05.18	1	Minor alterations to text	Jane Hotchkiss
16.05.18	2	Additional of options appraisal information	Jane Hotchkiss

Consideration by the Corporate Improvement Team

Date	Reviewing Officer	Comments for Consideration
16.05.18	Andy Buckley	Inclusion of a financial summary within the options, to consider against the benefits and dis-benefits of each option, would add clarity to the reasoning behind the recommended option

Approvals

This document requires the following approvals:

Name of person, group or committee
Jane Hotchkiss – Director of Growth & Place
Commercial Programme Board – Approved May 2018
Cabinet

Distribution

A final copy of the approved document will be distributed to:

Name	Job Title
Diane Shepherd	Chief Executive
Jane Hotchkiss	Director of Growth & Place
John Ward	Director of Corporate Services
Vicki McKay	Divisional Manager, Property & Growth
Andy Howard	CCS
Sarah Peyman	Divisional Manager Sport and Culture
Tania Murphy	Divisional Manager Place
Helen Belenger	Divisional Manager, Financial Services
Alan Gregory	Project Manager - Estates
Phil Pickard	Procurement Manager
Sherrie Golds	Commercial Property and Contract Lawyer

Glossary of Terms

1. PURPOSE OF DOCUMENT

This Project Initiation Document (PID) defines the activities required to deliver the “Priory Park Buildings Option Appraisal” project. It builds upon the Initial Project Proposal document and sets out the aims of the project, why the project should go ahead, who is involved and their responsibilities. This PID will provide the baseline for the project’s management and for an assessment of its overall success.

2. PROJECT DESCRIPTION

The delivery of the preferred option to enhance the North West corner of Priory Park through changes to existing buildings and increasing the open space areas and sight lines in the park.

3. BACKGROUND

Priory Park is a historic public park within Chichester Conservation Area and is a highly sensitive location. The Guildhall is a Grade I listed building and Scheduled Ancient Monument located at the centre of the park with the City Walls and the Motte (Chichester Castle), to the north and east, both also Scheduled Ancient Monuments. Priory Lodge and the White Pavilion are locally listed and the park is framed on all sides by locally listed, Grade II and Grade II* Listed Buildings. The setting of the Listed Buildings and Scheduled Monuments are key considerations within any proposals brought forward for consideration. The Brick Clubhouse to the south west of the bowls pavilion is also of local historic interest. The park is within an Archaeological Priority Area.

The park has many mature trees that are protected as they are within the Conservation Area.

Open space, sport and recreation policies seek to retain, enhance and increase the quantity and quality of open space, sport and recreation facilities and improve access to them.

A number of buildings within the scope of the appraisal area are in poor condition and nearing the end of their useful life. Initial considerations have explored a range of scenarios including refurbishment, demolition, extension and new build. The review of community and commercial buildings within the park includes the following:

- Existing café
- Bowls club pavilion (including above-ground water storage tank)
- Brick clubhouse
- The ‘white pavilion’
- Public conveniences
- Aviary
- Depot buildings

The future location of the Coade Stone statue has also been included in the initial options appraisal work undertaken to date.

Key organisations based in the park have been consulted to gain an overview of their current and future requirements and aspirations including;

- Chichester Bowls Club
- Chichester Cricket Club (3rd, 4th and Junior teams)
- Fenwicks Café
- Junior Parkrun

In addition, discussions with a number of service teams within the Council who manage activities or facilities within the park have also taken place including with;

- CCS (park management, grounds maintenance and public conveniences)
- Novium (Guildhall)
- Leisure & Sports Development (event organising)
- Planning/Archaeology

There is also an active local group, Friends of Priory Park, who have been included in the initial consultations so far.

4. PROJECT OBJECTIVES AND SUCCESS CRITERIA

4.1. Outputs

- An appraisal of the preferred option that delivers a balanced commercial and community orientated scheme within Priory Park including:
 - The provision of public conveniences available for all users of the park.
 - Sufficient storage space to accommodate the Council's grounds maintenance equipment and supplies facilities.
 - The provision of sports and community facilities that satisfies the requirements of the different sports clubs that currently use the site and encourages other sports clubs to use the park and its buildings for public functions and sports activities.

4.2. Outcomes

- Increased income opportunities, including from commercial activity;
- Enhanced community space;
- Improved satisfaction levels from park users;
- Reduced revenue costs;
- Better quality buildings within the park setting;
- Provision of adequate parks depot facilities;
- Improved vehicle access and management of vehicle movements

4.3. Outcome Measures

- Rental incomes increase due to the ability to secure better rents for the modernised and redeveloped accommodation.
- In terms of potential revenue from the preferred option scheme, it is anticipated rental income could be generated from both the 'white pavilion' and the brick pavilion, with the latter incorporating the café offering.
- Maintenance costs are reduced to minor sums.

- No buildings within the scope of the project rated as 'poor' in respect of condition

4.4. Dis-benefits

- The Council's funds are limited and an allocation to this project may prevent another from proceeding.
- Potential constraints on the regular deliveries and movement of grounds maintenance machinery/equipment through the park brought about by the changes.
- There will be a loss of income during the period of the works.

4.5. Out of Scope

This PID relates only to the option appraisal of the Priory Park Buildings and their parkland setting. For the avoidance of doubt, the Guildhall is outside the scope of this PID.

5. PROJECT CONSTRAINTS

A number of the buildings in the park are of historical interest, with some being locally listed. Whilst not carrying the same weight as an official historic listing, this nonetheless requires careful and sympathetic consideration.

The park itself is of historical importance and this will need to be considered as part of the project.

6. PROJECT ASSUMPTIONS

- Cabinet approval is given for the project costs and they are included in the Council's Capital Programme.
- Planning approval and other statutory consents are given, where required, so the project can be delivered.

7. PROJECT COSTS

The main project costs associated with this proposal are professional fees, demolition and the costs of refurbishment of the existing Priory Park buildings.

7.1. Project Delivery Costs

The cost plan is estimated at £599,000 excluding VAT which includes demolition of the public conveniences and depot, construction of replacement public conveniences, refurbishment of the white pavilion and brick pavilion, hard and soft landscaping, professional fees and contingency.

Demolition	£18,000	Public conveniences and Depot Tenant responsibility to remove café facility
Construction including hard and soft landscaping	£471,000	Refurbishment of clubhouse , white pavilion , construction of toilet facilities and maintenance store and hard and soft landscaping
Coade Stone repair	£17,000	
Fees/Contingency	£93,000	
Total	£599,000	

Funding		Amount	Date
ARP	Replacement public conveniences Refurbishment of Brick Pavilion, Refurbishment of White Pavilion	£450,000	Programmed 2020/2021 Programmed 2023/2024 Programmed 2019/2020
R&M	Demolition of the depot building	£15,000	2018/2019
Section 106	CCE/04/03596/FUL Land to the East of East Walls	£13,111	Expiry 15/12/19
Section 106	CCN/05/00430/FUL Shippams Factory	£40,292	Expiry 20/08/18
Section 106	CCS/07/01527/FUL Osbourne House	£12,202	Expiry 18/02/21
Section 106	CCS/13/00288/FUL Car Park at Woolstaplers	£6,669	Expiry 14/03/23
Total		£537,274	

- Budget shortfall to be funded from reserves £62,000
- The required project management and staff time has been allowed for in work plans.

7.2. On-going Costs Following Project Completion

Once complete, the let buildings will need ongoing management and staff time, both in respect of arranging lettings and property management. This will be allowed for in work plans.

The additional park landscaping will be undertaken by the Council's grounds maintenance team; as this work already takes place for the park as a whole it is considered this will be absorbed into that existing work.

Should the public conveniences remain in the Council's remit to manage, there will be continuing revenue costs associated with cleaning. It is considered that the repair and maintenance costs of a new facility will be reduced from the current requirement. If the public conveniences are to be managed by the appointed tenant of the 'brick pavilion' there will be a cost saving in the above mentioned areas; Should the 'white pavilion' be hired rather than leased out, there will be ongoing repair and maintenance costs to the Council; once refurbished, these costs are not considered onerous and provision can be made in the repairs and maintenance programmes and the asset replacement programme to ensure this building remains in good condition.

8. OPTIONS SUMMARY

The Council's consultants produced a long list of 8 options for the North-West corner of the park. These varied in the extent of redevelopment and new-build and the level and type of new facilities suggested. All of the options incorporated additional

commercial space through café/function space, with some options contemplating a small element of residential space.

Stakeholders have been involved in the initial stages of the process and provided the Council with their views and aspirations; there was a general view of retaining the status quo although additional space requirements were highlighted by some groups.

Feedback on the 8 options, including early planning advice, was given at the end of September last year. The Council's consultants were asked to develop three options in more detail, a do minimum option, option one and a more ambitious option two and option three as indicated below.

Option 1

Option one retains the existing 'Brick Pavilion' (social club and stable block) and Bowls Club Pavilion (changing rooms). The current Grounds Maintenance Depot buildings would be demolished and replaced with a 120 square metre new single story building on current site. The existing public toilets building would be retained and refurbished.

No works were proposed to the current café building which belongs to the operator. Planning permission and lease of the site both expire in 2020

The White Pavilion building would be repaired and refurbished.

Option 2

The Grounds Maintenance Depot would be demolished but unlike Option 1 would be moved to new location and vehicle access/egress formed via Priory Lane. The public toilets would be rebuilt a new larger, single storey café built with fit out by the operator.

New Build Function Space would be created to incorporate a function room, social club and bar, WC and kitchen. The accommodation would be suitable as a wedding venue and function room as well as short mat bowls for the bowls club in the winter.

The White Pavilion building would be repaired and refurbished.

Option 3

Option 3 is a variation on the 'do minimum' option, comprising the demolition of the current depot, public conveniences and café buildings and the construction of new public conveniences and a roller store. The intention is that the brick pavilion becomes a café facility, also providing space for community uses including existing clubs currently using the park. The white pavilion would be refurbished.

The removal of the buildings considered to be 'end of life' together with the temporary café building will enable the area to be returned to park and bring an opportunity to maximise the sight lines, views and accessibility across the north west corner of the park.

Option 3 is the preferred option as it is believed this will deliver the most positive outcome against the initial objectives of the options appraisal at best value.

9. PROJECT APPROACH

The output from the initial consultation and stakeholder engagement will be used to inform the subsequent activities required to take the project through to necessary scheme development stages.

10. PROJECT PLAN

Task No.	Task / milestone	Completion Date	Responsible Owner	Dependency
Stage 1				
1.1	Cabinet meeting to consider recommended Option 3 and secure the funding necessary to develop the scheme.	June 2018	VM	Completion and approval of PID and provision of all relevant information for Cabinet report.
1.2	Prepare a brief for the appointment of consultants to develop the Option 3 proposals, tender for the commission and appoint.	September 2018	VM	Securing funding to develop the proposals.
1.3	Consultation on the worked up proposals to include stakeholders, Friends of Priory Park and CDC services. Refine proposals subsequently as necessary.	November 2018	VM	Proposals are worked up in sufficient detail to engage with stakeholders.
1.4	Submit a planning application and apply for any other statutory consents required to deliver the proposals.	January 2019	AG	Design work is developed to a level sufficient to support a planning application.
Stage 2				
2.1	Tender for the demolition, construction and refurbishment works.	April 2019	AG	Planning consent and statutory consents are secured.
2.2	Appoint the preferred contractor.	June 2019	AG	Compliant procurement process.
2.3	Completion of the works	February 2020	AG	Contractor to manage the programme.
Stage 3				
3.1	Post project evaluation	August	VM	Practical

		2020		completion date.
3.2	Management of defect period	February 2021	AG	Practical completion date

11. PROJECT TEAM

Estates

Vicki McKay – Project Sponsor

Alan Gregory – Project Manager - responsible for managing the overall project resources to deliver the scheme, liaising with the various partners and stakeholders involved.

CCS

Andy Howard - Advising on landscaping and storage facilities for maintenance

Culture and Sport

Sarah Peyman - Advising on sport and leisure provision and section 106 funding

Place

Tania Murphy - Advising on the public conveniences

Legal

Sherrie Golds - Provision of legal advice on relevant aspects of the project.

Finance

Helen Belenger - Advising on financial aspects of the project.

Procurement

Phil Pickard - Ensuring compliance with procurement issues.

12. COMMUNICATION

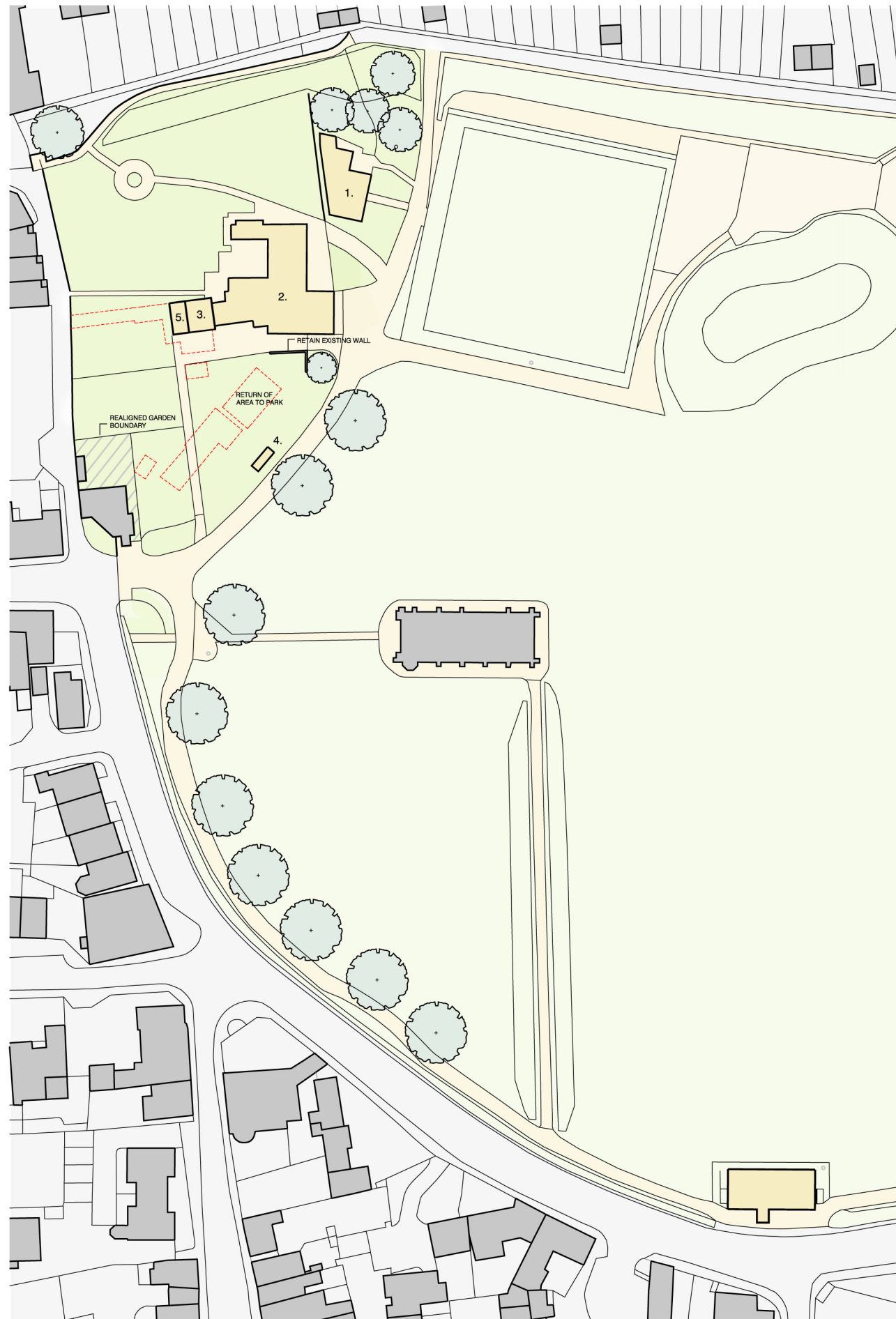
There will be regular meetings of a project group with minutes of the meetings published on the X Drive where all relevant and updated documents will be stored including a copy of this PID. All members of the project group will be kept informed at all times of developments in the project including being copied into relevant emails. The project team will meet as and when required but certainly when there are changes or anticipated changes to the project.

13. RISK LOG

The following risks have been identified together with an assessment of their severity and actions that can be taken to mitigate/reduce the risk. Details of all project risks will be recorded as and when they are identified.

Risk No	Risk Description	Likelihood Unlikely Possible Probable Certain	Impact Minor Significant Serious Major	Planned Actions to Reduce Risk	Responsible Officer

1	Cabinet do not approve the project.	Unlikely	Major	Feedback to Cabinet on option appraisal work.	Project Sponsor
2	Project costs overrun.	Possible	Major	Engage appropriate project support to manage the proposals	Project Manager
3	Planning consent is refused.	Possible	Serious	Early dialogue with Development Management to ascertain what is likely to be acceptable.	Project Sponsor
4	Loss of key staff and/or their resources.	Possible	Significant	Shared ownership of the project. Consider need to employ additional staff if necessary.	Project Team
5	Unable to identify a suitable tenant for the café and/or new build function space.	Possible	Significant	Early engagement with likely tenants and publicise the proposals.	Estates and Project Team
6	Estimated rental levels are not achieved.	Possible	Significant	Monitor the market. Build a degree of tolerance into the project calculations.	Estates and Project Team
7	Archaeological finds are such that the proposals require reconsideration	Possible	Significant	Early dialogue with the Council's Archaeology Officer over emerging plans.	Project Manager



- 1. EXISTING BOWLING CHANGING ROOMS RETAINED.
AREA = 97 m²
 - 2. BRICK PAVILION / STABLE BLOCK
AREA = 404 m²
 - 3. PUBLIC TOILETS
AREA = 30 m²
 - 4. AVIARY
 - 5. NEW ROLLER STORE
AREA = 18 m²
- DEMOLISH EXISTING PUBLIC CONVENIENCES, DEPOT AND CAFE BUILDINGS.

OPTION 3 : REDEVELOPMENT



PRIORY PARK
 17014 PROPOSED GROUND FLOOR PLAN
 sk01/051217
 1:500@A3

Chichester District Council

THE CABINET

5 June 2018

Section 106 Community Facilities – Westhampnett Community Hall

1. Contacts

Cabinet Member:

Eileen Lintill - Cabinet Member for Community Services
Telephone: 01798 342948 E-mail: elintill@chichester.gov.uk

Report Author:

David Hyland - Community Engagement Manager
Telephone: 01243 534864 E-mail: dhyland@chichester.gov.uk

2. Recommendation

- 2.1. That the Cabinet recommends to the Council the release of £98,712 section 106 community facilities monies plus interest accrued to the date of release to Westhampnett Parish Council for the construction of Westhampnett Community Hall.**

3. Background

- 3.1. Westhampnett parish contains the settlements of Westhampnett, Maudlin and Westerton. Local residents have long felt the lack of a communal focus, and specifically the lack of a community building or centre. The desire for a community room was documented in the parish survey of 2005, and identified as an action for the parish council.
- 3.2. Since that time, the parish council has pursued a number of options for the siting and creation of a community room or hall.
- 3.3. In October 2008, Chichester District Council (CDC) received £98,712, the section 106 community facilities contribution secured from the development of land at the former Gravel Pit on Stane Street Westhampnett.
- 3.4. Subsequently in 2012 permission was granted for a further site to the south of Stane Street (Maudlin Nurseries) for 100 houses which included a site for the creation of a new community hall. The section 106 agreement for this site allowed for the creation of the hall by the developer on the condition that the receipt detailed in para 3.3 was contributed to the scheme.
- 3.5. During the development of the Maudlin Nurseries, Westhampnett Parish Council were dissatisfied with the proposals for the community hall, and negotiated extensively with the developers to seek changes. In the end, they opted to secure ownership of the land, with the commuted sum paid direct to them, and take control of the project. While this scenario was anticipated in the drafting of the section 106 agreement, a deed of variation has been required in order to achieve the desired outcome.

- 3.6. Designs for a community hall that the parish council was happy to implement were developed and submitted for planning, and a permission (12/02360/OUT and subsequent Reserved Matters) was secured. Since that time the parish council has sought to determine the costs of construction and undertook a full tendering exercise, identifying a preferred contractor in 2016. Details of quotes received are included in the appendix (which is confidential Part II exempt material). Now that the deed of variation has been agreed by all parties, the way forward is more certain.

4. Outcomes

- 4.1. In receiving the section 106 community facility contribution outlined in para 3.3, CDC is obligated to achieve improvements to community facilities in the parish of Westhampnett. Any proposal for spend should create additional built capacity for community activity, as close to the housing development as can reasonably be achieved.
- 4.2. In designing a new build community building, Westhampnett Parish Council was keen to accommodate the needs of new residents in the latest housing developments, meet the deficit of facilities in the parish, as well as future proof the facility through potential future enhancement to meet the needs of other planned development in the parish.

5. Proposal

- 5.1. Westhampnett Parish Council would like to proceed with the construction of its proposed community hall. The proposed layout provides a main hall with vaulted ceiling and a single storey reception area, kitchen, toilets and plant. In the longer term, the roof height could accommodate a future extension into that space to provide further accommodation to meet the needs of future growth at the strategic development location in the parish.
- 5.2. The parish council initially sought quotations for the works in 2016 and identified a preferred contractor. Negotiations regarding the way forward have been protracted, and the deed of variation had been proposed for some time before it was agreed by all parties in April 2018. Westhampnett Parish Council has revised costs with its preferred contractor (March 2018). The costs of this project are significantly in excess of the section 106 funding available and Westhampnett Parish Council is using both the commuted sum from the Maudlin Nursery site and other sources of funding to implement the scheme. A breakdown of funding sources can be found in the Part II exempt appendix.

6. Alternatives Considered

- 6.1. The original permission for the Maudlin Nursery site required the developer to build the community hall. CDC officers were involved at various stages in supporting the Parish Council in their aspirations for the building, and ensuring the developer met their obligations. Westhampnett Parish Council undertook a full tender exercise, initially to challenge the costs and designs proposed by the developer of the Maudlin Nursery site. The subsequent negotiation has demonstrated that the developer delivery is not the preference of the community.

- 6.2. Further development in Westhampnett is expected, and the strategic site at Madgewick Lane will make further contribution towards the enhancement of the as yet unbuilt community hall. There could be some economic benefit in waiting for that contribution to be paid and the parish council commission a hall of a different specification. However, with no certainty of the timescale for this further receipt to come through, and the impending expiry of contribution being determined by this report, the parish council is encouraged to proceed with the delivery of the hall as currently designed – with the ability to extend and further improve when other funding becomes available.
- 6.3. The new hall will become the first community owned venue in the parish. There are no other venues in the parish that could be further improved through the use of these monies, or any other calls on the money in the nine years it has been held by CDC.

7. Resource and Legal Implications

- 7.1. As with other spends of this type, the implementation of the proposed project is a community led endeavour, in this instance Westhampnett Parish Council. The funding and the implied endorsement of their efforts will enable the parish council to commission the works, but implementation will be monitored by officers and monies released on evidence of spend.
- 7.2. Once received, the council is obligated through the section 106 agreement to spend the contribution within ten years of receipt (by October 2018). The interest accumulated by this section 106 receipt has been estimated by Finance as £5,475.41 (as at 1 May 2018).

8. Consultation

- 8.1. Over the course of the last four years, Westhampnett Parish Council has made a number of bids under the New Homes Bonus (Parish Allocations) Scheme for specific elements of the proposed hall. In each case, the proposal has received the full support of the Grants and Concessions Panel, recognising the benefits the proposed facility will bring to both existing and new residents.
- 8.2. The ward member for Westhampnett has been consulted in the development of this report. The local ward member Mike Hall firmly supports the improvements to facilities in this location and the additional capacity it could provide.

9. Community Impact and Corporate Risks

- 9.1. The proposed allocation of section 106 community facilities contribution demonstrates direct benefit both to residents of the relevant development, the development on which the hall is to be built and the wider community of Westhampnett parish, as well as future residents on the strategic development location as that progresses.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change		X
General Data Provision Regulations		X
Human Rights and Equality Impact Positive – improved provision of public space to existing community and new residents	X	
Safeguarding		X

11. Appendices

- 11.1. Summary of quotes received, sources of funding. [**Note** Part II exempt restricted material printed on salmon paper for the information of members and relevant officers only: Para 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]

12. Background Papers

- 12.1. None

Document is Restricted

Chichester District Council

THE CABINET

5 June 2018

Ministry of Housing, Communities and Local Government Consultation - Powers for Dealing with Unauthorised Development and Encampments

1. Contacts

Report Author:

Nick Bennett - Legal and Democratic Services Manager

Telephone: 01243 534657 E-mail: nbennett@chichester.gov.uk

Cabinet Member:

Susan Taylor - Cabinet Member for Planning Services

Telephone: 01243 514034 E-mail: sttaylor@chichester.gov.uk

Eileen Lintill - Cabinet Member for Community Services

Telephone: 01798 342948 E-mail: elintill@chichester.gov.uk

2. Recommendation

2.1 That the Cabinet approves the proposed response to the government's consultation paper – 'Powers for dealing with unauthorised development and encampments' set out in the appendix to this agenda report.

3. Background

3.1 In April 2018 the government announced a review of the powers available to deal with unauthorised traveller encampments and development. A consultation paper has been published by the Ministry of Housing, Communities and Local Government (MHCLG) and the period of consultation will expire on 15 June 2018.

3.2 The issue of unauthorised encampments and development was raised most recently during a debate in the House of Commons in October 2017, when the government heard strong views that in spite of a range of powers already in place, unauthorised development and encampments remain a significant issue causing genuine difficulties in some communities. Concerns were voiced that there is a widespread perception that the rule of law does not apply to those who choose a nomadic lifestyle, and that available enforcement powers do not protect settled communities adequately.

3.3 Since 2010, the government has made a concerted effort to address these matters, including the publication of revised planning guidance and the reform of the Temporary Stop Notice procedure. More recently, in 2015, the guidance, "Dealing with illegal and unauthorised encampments", encouraged local authorities, the police and landowners to work together to tackle the problems.

- 3.4 In response to such issues, and as members are aware, in 2015 the Council working in partnership with West Sussex County Council (WSCC) and other West Sussex district and borough councils and the former Homes and Communities Agency completed the gypsy and traveller transit site on land owned by the Council that formed part of the Contract Services Depot in Westhampnett. This provision enables the Police to respond using a more extensive range of powers to move encampments that are trespassing on private or public land. The transit site is run by WSCC on behalf of all the authorities.
- 3.5 The consultation paper recognises that despite the powers already available to local authorities, there remain a range of issues of concern to local communities including:
- trespassing on private land
 - occupying public land, including playing fields and children's playgrounds
 - damage to property
 - extensive litter and waste
 - the public and private cost of cleaning or protecting unauthorised sites
 - noise and antisocial behaviour
 - abusive and threatening behaviour
 - carrying out development without planning permission

The government now wishes to obtain views about the effectiveness of existing powers in order to inform future proposals.

4. Outcomes to be achieved

- 4.1 To respond to the government consultation and set out issues of concern and the experience of the Council in dealing with unauthorised encampments and related development.
- 4.2 Considerable time is spent, particularly by the Council's planning enforcement team in dealing with such issues. Improvements or enhancements that may be made by government to existing powers and procedures as a result of feedback on the consultation are likely to be of benefit to the community.

5. Proposal

- 5.1 The proposed response to the consultation is attached in the appendix to this report.
- 5.2 The key points to be made include the following:
- Considerable difficulty is experienced in establishing whether individuals qualify for gypsy status, i.e. whether they have "a nomadic way of life", which is the test set out in Government guidance, 'Dealing with illegal and unauthorised encampments'. It is suggested that local planning authorities are given wider powers of access to information to assist in applying this test.
 - Further but similar difficulties are experienced in relation to planning appeals and it is suggested that the Planning Inspectorate should be able to insist

that evidence in respect of gypsy status is produced before an appeal is processed.

- Considerable difficulty is also experienced in persuading the courts, in respect of an application for an injunction, that an anticipated breach of planning control comprising an unauthorised encampment should be prevented.
- Experience shows that once an encampment has been established on traveller owned land, the courts are reluctant to order the occupiers to leave unless or until planning permission has been refused by the local planning authority or on subsequent appeal, instead opting to order only that the status quo remains and no further development is carried out. This is commonly achieved by the granting of an injunction to prevent the use and development of the unauthorised development to continue.

5.3 Matters relating to trespasser encampment are also addressed in the proposed response.

6. Alternatives that have been considered

6.1 The Council could decide not to respond to the consultation paper. However, it is considered essential that a response is provided as the issues of unauthorised encampments and development are frequently experienced within the District.

7. Resource and legal implications

7.1 There are no direct resource implications and providing a response does not result in any additional costs for the Council.

8. Consultation

8.1 None.

9. Community impact and corporate risks

9.1 This consultation is intended to enable the experience of local authorities regarding the impact of unauthorised encampments and the effects of current policy and practice to be put forward to government so that the need for further legislative or policy changes can be considered.

9.2 The Council's response may result in an improvement to guidance and procedures, thus enabling more effective enforcement action to be taken.

10. Other Implications

Crime & Disorder		None
Climate Change and Biodiversity		None
Human Rights and Equality Impact		None
Safeguarding		None
General Data Protection Regulations (GDPR)		None

11. Appendices

11.1 Proposed Response to MHCLG Consultation

12. Background Papers

None

Consultation: Powers for dealing with unauthorised development and encampments

Question 1

What evidence is there of unauthorised development and encampments in your community, and what issues does this raise for the local community?

The Council's Planning enforcement team investigate breaches of planning control where land is owned and then occupied by Gypsies and Travellers without the requisite planning permission having first been obtained and also where development is not implemented in accordance with the approved plans.

There are currently at least 18 identified cases in the District under investigation because of the unauthorised occupation and development of land and/or by reason of a failure to adhere to conditions attached to a planning permission.

This situation causes tension and suspicion amongst the settled community and gives rise to a lack of trust in the Gypsy Community and the ability of the Council as Local Planning Authority (LPA) to control land use.

The Council has had 20 unauthorised encampments so far this year. They are usually on Parish Council owned amenity land or council owned car parks. Where they are set up on Parish Council land they frequently cause community tension in the local vicinity and local people will avoid the area. There will be an expectation expressed by the local settled community that the Council and Police will remove the encampment quickly, however this will depend on a number of factors including any planned events on the land. The Council can only evict encampments on its land but we have developed a checklist and guide for Parish Councils and allocated a Parish fund to help them protect targeted vulnerable spaces.

When illegal encampments are moved on, Parish Councils and other land owners and nearby Councils are informed and can make necessary security checks. Regular meetings are held between the Parish Council in whose area the transit site is located, together with local businesses and the manager of the transit site to ensure any issues are addressed and tensions managed.

Question 2

We would like to invite evidence of unauthorised encampments which have occurred in the last 2 years, as follows:

- a. the number of instances where trespassers have occupied land without authorisation, including the location and scale of the encampment.**
- b. whether the land in a) required cleaning or repair once the encampment had left,**

and if so, what was the cost?

c. how was each unauthorised encampment encouraged to leave, how long did it take, and was the local authority able to move them on; or did the police become involved?

- a) In 2016-17 there were 21 encampments in the District. The total number of vehicles camped on those sites was 101. The total number of days that sites remained occupied by the unauthorised persons was 85. In 2017-18 the number of encampments was 20, comprising 103 vehicles but the total number of days that the sites were so occupied was 53.
- b) The Council carries out activity to provide bin bags and otherwise engage with unauthorised encampments to encourage them to manage their own waste etc. At the time when a site is vacated the Council cleaning services will carry out an exercise to collect those bin bags and provide any further cleaning activity required. This is carried out within existing budgets so there is no additional cost to Council budgets which can be identified and provided.
- c) Responsibility for taking action against unauthorised encampments has been passed by agency agreement to West Sussex County Council. The time to move encampments was 53 days this year in total though it should be noted that this includes one encampment which took 39 days to obtain possession – in the majority of cases therefore possession was obtained on a same day or next day basis. Details of that site are not known to the Council as the land in question was Parish Council land. Police become involved when needed specifically for sites which cause significant concerns due to their impact upon the wider community and where the authorities are wishing that the Police consider their urgent section 61 and 62 powers. It should be noted that the Council operates a transit site for Gypsies and travellers – by reason of this site the Council and Police are able to use the complete range of existing powers where appropriate and the relevant evidential tests are met as there is a designated site to move travellers on to.

Question 3

Do you think that the existing powers made available to local authorities to remove unauthorised campers from land are effective?

Generally yes, as outlined above most sites are cleared on a same (or next) day basis. There will be occasions where the public expectation is that they should be moved on more quickly but if they do not require Police intervention then most encampments are moved on within 7 days although one site took far longer as set out above.

However the reasons that this Council and Police are able to use all powers are to a large extent due to the ability to demonstrate to the Courts and to a Senior Police officer authorising their use of immediate removal orders that a suitable alternative site exists. Prior to having this site, the number of encampments was between 60 and 80 per annum, whereas since the site was made available the number of encampments is between 15 and 21 per annum and as explained in responses previously, sites are now cleared far more quickly on average.

Question 4

Do you think local authorities could improve their use of existing powers?

The provision of a local transit facility means that the District and County authorities locally (in partnership with the Police) are able to use their existing powers more effectively and have access to a range of relevant powers that would otherwise be unavailable, or less easily available. Anecdotally other authorities having difficulties with use of powers do not provide transit facilities since the level of harm caused by a site needs to be higher to justify their removal from a particular location. When presenting their case to senior police officers or the Court, the ability to demonstrate that an encampment can be moved to a suitable location means that the urgent powers can be utilised more swiftly, which in turn means that arguments as to the site being capable of being a home in human rights act terms are far weaker.

In short, the existing powers use could be improved if they are capable of being used in a context where other action is taken in order to show that they can be effective and where the use of powers is not simply moving travellers from unsuitable location A to unsuitable location B.

Question 5

What other powers may help local authorities deal with unauthorised encampments?

So far as unauthorised encampments on sites which are not owned by travellers are concerned, this Council considers that the wider powers available to it, by reason of having a transit site, are sufficient. In respect of sites owned by travellers which are not the subject of trespass, but which are unauthorised in planning terms, the Council considers that the existing powers are insufficient to address the need to control the use of the land. Where sites do not have planning permission but the owner carries out unauthorised development, the use of Stop Notices and other planning tools do not carry sufficient weight to fully restrain the breach. In addition, the Council has experience of sites which are “parcelled up” and transferred between members of the gypsy and traveller community making effective action in respect of named individuals very difficult. A power to ‘freeze’ development on sites against all persons until planning permission is granted, rather than individual named persons as referred to in a Stop Notice, is thought would be useful. Where land is occupied in breach of planning control, the retrospective nature of a subsequent planning application can cause tension and mistrust among the settled community in relation to the anticipated outcome of the application and the likelihood of further enforcement action in the event that permission is refused.

Question 6

Do you consider that the current powers for police to direct trespassers to leave land are effective?

Due to the wider range of powers available due to the Council’s local traveller facility, the Council’s own experience is that the Police are given sufficiently wide options on direction to trespassers locally. Experience is that police officers consider the range of

powers available to them and work closely with their senior officers as required and have a strong level of knowledge of those powers locally. There were initial discussions with Police locally at the time of the transit site becoming operational, and in particular the proper interpretation of the legal powers available to Police were actively discussed to ensure they were applied consistently and the greatest extent properly available in law. However, once the transit site is full, we have to revert back to the courts to secure eviction which can be time consuming and costly.

Question 7

Would any new or revised powers that enable police to direct trespassers to leave land make it easier to deal with unauthorised encampments?

Whilst powers to (say) criminalise trespasser occupation of land are often proposed, they would not reduce the number of gypsies and travellers or encampments across the country. Existing powers include requirements to assess the welfare and circumstances of the individual and group and assess the location to which the group should then be directed. These directions can be applied selectively based on the evidence. It is difficult to see how powers could be granted which did not operate on an evidential basis similar to those in existence already.

Question 8

Do you consider that the Government should consider criminalising unauthorised encampments, in addition to the offence of aggravated trespass? If so, how should a new offence differ, and what actions and circumstances should it apply to?

The Council considers that there is a significant risk that this would criminalise whole groups by their being in an area. If there is clear evidence of criminal or anti-social behaviour we should utilise the legislation already at our disposal and only target the individuals involved. This evidence based approach, applied to the existing tools, is achieving turnaround in a reasonable period again now compared to prior to having access to a relevant transit site.

The code for criminal prosecutors would provide that conduct repeated is more significant than "one off" incidents. Monitoring which individuals trespasser has been on sites in the wider location is difficult so it is considered likely that criminalised powers would be unlikely to be used. Criminalising this conduct is also likely to reduce the willingness of Gypsies and travellers to engage with police and the authority to enable their location to be managed (for cleanliness) and directed (to a suitable transit location). In occasions where officers have engaged with occupiers of a particular site experience is that their conduct has been better than without and generally compliant, causing lesser friction with the settled community in that area.

Question 9

What barriers are there to the greater use of injunctions by local authorities, where appropriate, and how might they be overcome?

Convincing a court/judge that there is intelligence that an incursion on land is imminent and that the breach of planning control should be apprehended frequently proves

challenging. The Council considers that the courts should be ready to recognise more readily that there is a reasonable prospect that a site is likely to be occupied if there is reasonable information that points in that direction.

There is a concern that the environmental harm arising from unauthorised encampments is frequently seen by the courts to be outweighed by the rights of the occupiers. The result in our experience is that a status quo injunction rather than an order to evict is obtained.

Identifying the individuals who have taken residence on an encampment can be problematic and the civil procedure rules on service upon “persons unknown” are not always easy to evidence as signage can be removed from sites and then service can be denied. The Courts are always reluctant in this Council’s experience to issue orders against “persons unknown” and do so only after very significant Court consideration of same.

Question 10

Do you have any suggestions or examples of how local authorities, the police, the courts and communities can work together more successfully to improve community relations and address issues raised by unauthorised encampments?

A regular liaison meeting is held including local businesses, the relevant Parish Council, the District Council and the County Council transit site manager which has been very successful in managing community tensions in the immediate area of the transit site and reducing the impact of issues by providing a forum in which they can be openly discussed.

Good timely communication and a consistent message around the encampment and the actions to be taken will often alleviate concerns from the community.

Question 11

Are there ways in which court processes might be modified in a proportionate way to ensure unauthorised encampments can be addressed more quickly

Access to the Courts locally has become more difficult and listing matters promptly is often difficult with the Courts giving only an automated response – several general local authority criminal matters (not related to unauthorised encampments) have not been listed for some weeks. Having an established non-CPS “slot” for urgent matters as used to be common practice at the Courts to enable such matters to be heard promptly would be helpful.

Question 12

In your view, what would the advantages and disadvantages be of extending the Interim Possession Order process to open land?

By enabling the use of bailiffs (enforcement officers) and the speed of the administrative mechanisms of an Interim Possession Order (IPO) this would mean that possession of sites from squatters could be achieved quicker than “normal” possession civil procedure

applications. However in that IPO is only available for commercial premises it is not seen how the Courts would accept that a process intended for non-residential premises could be applied without being in breach of the rights of the individual trespassers.

Question 13

Are you aware of any specific barriers which prevent the effective use of current planning enforcement powers?

Barrier - Gathering sufficient evidence to demonstrate that a breach of planning control has taken place or an offence committed is difficult on many traveller sites where proper transfer of ownership is not always clear, the land is not registered and in some cases it appears to this authority is deliberately obstructive and opaque. Delays within the Land Registry in processing land transfers are also a barrier to expediting enforcement. This is especially challenging in cases where criminal powers are being considered since they will be to the “beyond reasonable doubt” test and such ownership denials or transfers quickly throw the Council’s position into challenge.

Barrier - Identifying the responsible person when considering a breach of condition where the owner is unknown or where the person named on the Land Registry cannot be located.

The Council’s use of DVLA records to track down perpetrators may assist.

Question 14

If you are aware of any specific barriers to effective enforcement, are there any resourcing or administrative arrangements that can help overcome them?

- Access to investigative online search engines to research an individual’s data footprint to demonstrate whether they meet the Gypsy and Traveller definition set out in Government guidance in ‘Planning policy for travellers sites’.
- Access to the DVLA database to search for addresses of persons connected with the site is difficult to obtain under the existing access requirements for unauthorised encampment management.
- Sites are often difficult or impossible to view from the public highway so gathering evidence of a significant breach or even identifying whether a breach has taken place is problematic. The use of a ‘Drone’ would assist in the confirmation of a breach of planning control and gaining ‘access’ to a restricted site either by reason of obstruction or dangerous dogs; also, enabling legislation for the use of a Drone
- Reducing the administrative process and the need for so much paperwork within it.

Question 15

Are you aware of any specific barriers which prevent the effective use of temporary stop notices? If so, do you have a view on how these barriers can be overcome?

In our experience, generally there are no specific barriers preventing the use of Temporary Stop Notices which are used widely by the Council’s planning enforcement team. However the identification of named individuals and the purported transfer of land between individuals has caused problems for some sites.

Question 16

How do you think the existing enforcement notice appeals process can be improved or streamlined?

Appellants should be made aware of the need to provide substantive information to back up their claim of gypsy status and why it is necessary for them (i.e. a demonstrable need) to live on the land. If they fail to provide this information in a timely fashion before the Hearing/Inquiry, this should be regarded as a material consideration that weighs against the appellant's case.

The process itself is very long with delays almost built into the system and the pressure of many cases means that requests for adjournment appear to be accepted very willingly. Some public inquiries are given very long programme timings which in turn mean that the alleged breach continues and so the Council then receives comments from the wider community as to their frustration with the protracted nature and slow pace of the process. Anything to accelerate the process would be welcome but in particular clear forms to set out key issues for particular types of appeals would be helpful setting out the evidence in advance so that the Inquiry might make some pre-indications on some points or even make findings if no evidence is submitted.

Evidence from Gypsy appellants is often poorly presented, last minute, insufficiently supported by a planning agent to put representations into a legal context, or not provided at all.

The reference to attending 'horse fairs' is often cited as evidence of following a gypsy lifestyle, whereas what is often lacking is actual evidence of the need to travel for work purposes and an ability to demonstrate a financial gain from travelling. Clarification on what details are required to be provided at Inquiry, by way of evidence about 'economic' travel, would assist.

Officers spend a considerable amount of time researching the background of those claiming gypsy status and endeavour to find out about their way of life. However, planning enforcement officers have limited access to records which may reveal the true way of life led by those the subject of the investigation/appeal and it is not possible to challenge evidence given in verbal statements about the appellant's family/ way of life either in evidence from the named individuals or persons supporting their contentions.

Question 17

How can Government make existing guidance more effective in informing and changing behaviour?

Following the acceptance of any of the above observations, it is requested that online guidance for making an appeal in relation to Gypsy and traveller sites should be updated i.e. the level and standard of evidence that is required.

Question 18

If future guidance was issued as statutory guidance, would this help in taking action against unauthorised development and encampments?

We consider it would ensure greater consistency but resources to ensure that action could be taken for the most significant sites would need to be available in particular if the authority was compelled to comply with statutory timescales.

Question 19

Are there any specific barriers to the provision of more authorised permanent and transit sites? If so, is there any action that the Government could take to help overcome those barriers?

Local communities often object to proposals for gypsy and traveller sites, leading to difficulties for elected members dealing with proposals for site allocation or planning applications. There are perceptions that the planning system is more permissive for members of travelling communities than it is for settled communities. This can be compounded by the granting of retrospective permissions, particularly on appeal. It is also compounded by difficulties in enforcing conditions which can result in the poor appearance of permitted sites.

Gypsy and traveller sites can be concentrated in a limited number of geographical locations which can alienate the communities and parish councils affected.

Changes in government policy can make it difficult for local planning authorities to assess what need they should be providing for. Particular examples are the failure to complete the partial amendment to the South East Plan and the change in definition of a traveller in Planning Policy for Traveller Sites. Both of these changes generated the need to compile a new evidence base on need, rather than focus on provision and site allocation.

The interpretation of Planning Policy for Traveller Sites in relation to 'open countryside' and 'over dominance of settled communities' has caused problems in considering planning applications. The guidance is open to interpretation and can be extremely difficult to draw any objective and defensible conclusion.

Question 20

What impact would extending local authority, police or land owner powers have on children and families and other groups with protected characteristics that public authorities must, in the exercise of its functions, have due regard to under their Public Sector Equality Duty?

The on-site reviews carried out by the inspection officers and education welfare officers when carrying out welfare checks at encampment sites across West Sussex, to consider the specific needs of these groups, significantly supports this public sector duty and shows due regard to the needs set out in this question. Having officers trained in the duty carrying out the work as a formal requirement would be important if this is to move from best practice to a legal requirement. A clear guidance note on the application of the duty in this context, supported by model assessment forms, would be worthwhile

additions to the tools available to the authority as the Courts do sometimes challenge whether welfare reviews are sufficient and being able to confirm that a model version was being followed would be strong evidence of proper process.

Question 21

Do you expect that extending the powers referred to above would have a positive or negative impact on the health or educational outcomes of Gypsy, Roma and Traveller communities? If so, do you have any evidence to support this view, and/or suggestions for what could be done to mitigate or prevent any negative impacts?

The Council has no evidence based response to this question and does not have evidence as to the issues discussed. However as set out in previous responses, criminalising powers is likely to impact upon engagement efforts to encourage compliant behaviour and is likely to be counter-productive. The Council is not an education authority.

Question 22

Do you have any other comments to make on the issue of unauthorised development and encampments not specifically addressed by any of the questions above?

Members of the public expect officers representing the Local Planning Authority (LPA) to robustly investigate whether persons claiming to be a Gypsy fall within the definition in 'Planning policy for traveller sites'.

It is also uncertain whether an LPA can expect members of the travelling community to be able to produce financial statements, accounts or bank details to evidence their financial activity. This would be a strong evidential basis for showing that their lifestyle and income is earned from several locations, but may be seen as intrusive to examine. Government express guidance on this point would be helpful.

It is often difficult to confirm whether a particular family or individual continue to live in a Gypsy lifestyle when they do so for part of the year, or take periods of time living in a set location for some years but express an intention to return to their cultural lifestyle. The case law on this area is somewhat conflicted and some codification to make this assessment might be timely. Many families in the settled community aspire to live in the rural area but do not have the same rights/arguments or policy in support of them doing that through the acquisition of land and the stationing of a caravan. The planning system is not demonstrably fair and balanced or equipped to deal with this argument of comparison between the assessments of settled and Gypsy communities making what appear to be otherwise identical legal arguments.

Where a Gypsy family have a site, based on identified need and them carrying on a 'way of life', the opportunity for their children to continue with that way of life must become less over time based on changing circumstances of reduced opportunities for travelling, stopping and work types. The current policy position does not appear to place any burden of responsibility upon the travelling community to continually evidence that a

travelling way of life is being followed and is maintained beyond what could be described as a 'catchment' area that is within what would be described as a commutable distance for a person from the settled community.

It is also difficult for the Council to apply weight to the argument of a person having an aversion to 'bricks and mortar' accommodation when some Gypsy development becomes akin to 'bungalow' style buildings and sites give an appearance of being a 'property development' opportunity and not simply that of providing a settled base that meets an identified need.

Chichester District Council

THE CABINET

5 June 2018

Parking Strategy Review

1. Contacts

Report Author:

Tania Murphy – Place Divisional Manager

Telephone: 01243 534701 E-mail: tmurphy@chichester.gov.uk

Cabinet Member:

Tony Dignum - Leader of the Council

Telephone: 01243 538585 E-mail: tdignum@chichester.gov.uk

2. Recommendation

- 2.1 That the Cabinet approves the release of £30,000 from reserves to fund consultants to assist with the refresh of the Chichester District Parking Strategy.**

3. Background

- 3.1 The Chichester District Parking Strategy 2010-2020 was published in the autumn of 2010 following consideration and approval by the Chichester District Parking Forum, the then Executive Board and the Council. The Strategy recognises the importance of car parking for local infrastructure, tourists, commuters and residents and that when parking is provided well it can contribute to the attractiveness, convenience and prosperity of a place to do business, visit or live. The Strategy attempted to balance the often-competing demands from car park users and pedestrians and ensure that the public car parking service continued to meet the needs of various users until 2020.
- 3.2 At the time of the production of the Strategy a number of assumptions relating to the demand and use of car parking spaces were made, based on the predicted growth in the district along with other societal changes and developments which were predicted. With the approaching expiry of the Strategy, along with the significant developments which will be seen in the District over the coming years it is considered that it is now appropriate to review and refresh the Strategy.

4. Outcomes to be Achieved

- 4.1 To provide a Parking Strategy which reflects the issues and demands which will be seen over the coming years in the District. Consideration will be given in particular to the impact on parking of the proposals in the emerging Local Plan Review, the Southern Gateway and the projects from the Visions for the city and the rural towns. The changing use of our high streets, how employment provision and policies affects the use of car parking and the implications of the proposals from the Road Space Audit will also be considered as part of this review, along with new technological advances in cars and parking infrastructure and population change.

4.2 A review of the strategy will consider whether the council is making the best use of its assets, in line with an updated vision for parking to ensure it is relevant for the district.

5. Proposal

5.1 The existing Parking Strategy was informed by Council-commissioned consultants who provided technical support and expertise. It is anticipated that similar technical support and expertise should be provided to assist with the revision of the Strategy. It is anticipated that a new strategy will be produced by March 2019. The draft strategy will be considered at the Chichester District Parking Forum and the Overview and Scrutiny Committee (OSC).

5.2 The Parking Strategy refresh will feed into the Local Plan Review.

5.3 The updated Parking Strategy will set the policy on which the Council will make future decisions and what these should seek to achieve. The Parking Strategy will not set out each and every decision or action that will affect car parks in the district but will be an overall strategic vision and direction for the car parks.

6. Alternatives Considered

6.1 Not to refresh the Parking Strategy for the District, however this would not assist with providing an up to date parking framework and policy for the District, not give the opportunity to fully review the implications on the District of emerging developments and changes to parking requirements and demand.

7. Resource and Legal Implications

7.1 It is requested that £30,000 be allocated from general reserves to fund the appointment of consultants to support undertake this work on behalf of the authority.

8. Consultation

8.1 Consultation will be undertaken with the Chichester District Parking Forum, which is representative of business, community, access and local authority organisations, along with the West Sussex County Council County Local Committee.

9. Community impact and corporate risks

9.1 An effective parking strategy helps to ensure the free-flow of traffic and to ease potential congestion and is therefore of benefit to the community.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change and Biodiversity There are no significant climate change issues that need to be considered, although effective use of car parking spaces should ensure that traffic management is	X	

improved, congestion reduced, with a positive impact on car emissions of vehicles.		
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X

11. Appendices

11.1 Proposed Project Initiation Document

12. Background Papers

12.1 None

Project Documentation

**PROJECT INITIATION DOCUMENT
(PID)**

Review of Chichester District Parking Strategy

Release:	2 nd Draft
Date:	9/05/2018
Authors:	Tania Murphy
Approved by:	Jane Hotchkiss

Document History

Revision Date	Version	Summary of Changes	Reviewer(s)
14 May 2018	1	Minor changes and amendments	Jane Hotchkiss

Consideration by the Corporate Improvement Team

Date	Reviewing Officer	Comments for Consideration
15/05/18	Andy Buckley	CDC project management guidance would normally require a Post Project Evaluation (PPE) be included in the project timetable for a project of this scale. However, given the nature of this project this will not be required.

Approvals

This document requires the following approvals:

Name of person, group or committee
Cabinet

Distribution

Name	Job Title
Jane Hotchkiss	Director of Growth and Place
Tania Murphy	Divisional Manager, Place
Mike Allgrove	Planning Policy Manager
Simon Ballard	Senior Environmental Protection Officer
Caroline Jardine	Assistant Parking Services Manager (Administration)
Nick Simpson	Assistant Parking Services Manager (Operations)

1. PURPOSE OF DOCUMENT

This Project Initiation Document (PID) defines the review of the Chichester District Parking Strategy project. It sets out why the Strategy should be reviewed, who is involved and their responsibilities. This PID will provide the baseline for the project's management and for an assessment of its overall success.

2. PROJECT DESCRIPTION

The review of the Chichester District Parking Strategy.

3. BACKGROUND

- 3.1 The Chichester District Parking Strategy 2010-2020 was published in the autumn of 2010 following consideration and approval by the Chichester District Parking Forum, the then Executive Board and Council. The Strategy recognises the importance in car parking for local infrastructure, tourists, commuters and residents and that when parking is provided well it can contribute to the attractiveness, convenience and prosperity of a place to do business, visit or live. The Strategy attempted to balance the often-competing demands from car park users and pedestrians and ensure that the public car parking service continued to meet the needs of various users over the following 10 years.
- 3.2 At the time of the production of the Strategy, a number of assumptions relating to the demand of car parking spaces were made, based on the predicted growth in the district along with other societal changes and developments which were predicted. With the approaching expiry of the Strategy, along with the significant developments which will be seen in the District over the coming years it is considered that it is now appropriate to review and refresh the Strategy.

4. PROJECT OBJECTIVES AND SUCCESS CRITERIA

4.1. Outputs

The project will have as its overriding objective the production of a new Parking Strategy for Chichester District which reflects the issues and developments which will be seen over the coming years in the district. It will have the status of a strategy to guide parking considerations in the council-owned car parks and will reflect the issues in the emerging Local Plan Review, the Southern Gateway and the projects from the Visions for the city and the rural towns. The changing use of our high streets, how employment provision and policies affects the use of car parking and the implications of the proposals from the Road Space Audit will also be considered as part of this review, along with new technological advances in cars and parking infrastructure and population change.

4.2. Outcomes

The main outcomes that will flow from the production of a new Parking Strategy are as follows:

- I. An updated vision for parking to ensure it is relevant for the district.
- II. Confirmation that the council is making the best use of its assets.
- III. The implications of the Parking Strategy will be taken into account in the pre-submission version of the Local Plan Review.
- IV. The updated Parking Strategy will set the policy basis on which the Council will make future decisions and what these should seek to achieve.

4.3. Outcome Measures

The specific outcomes sought are as follows:

- Car parks are used at the optimum levels with capacity and turnover demands being met.

- Feedback from customers is positive regarding the turnover and availability of spaces.
- Congestion is minimised where the car parks have an impact on this.

4.4. **Dis-benefits**

- None.

4.5. **Out of Scope**

The project will not include:

- Determination of parking charges for car parks – these will continue to be evaluated separately on a regular basis and considered through the Chichester District Parking Forum and Cabinet.
- The Strategy will not set each and every decision or action that will affect car parks in the district but will be an overall strategic vision and direction for the car parks.
- On-street provision of parking is the responsibility of West Sussex County Council and will not be included but the impact of the proposals in the WSCC's Road Space Audit will be considered on the Strategy.

5. **PROJECT CONSTRAINTS**

- Timescales to achieve all requirements of the project
- Proposed budget for consultant is set at maximum of £30,000

6. **PROJECT ASSUMPTIONS**

Delivery of the project assumes:

- Project timescales and milestones are achievable and can be met
- On-going support for the revised Parking Strategy.
- Willingness of partners to consider the Parking Strategy

7. **PROJECT COSTS**

7.1. **Project Delivery Costs**

The cost of the project comprises staff costs of the Project Team which are included within the existing base budget and consultancy costs which are estimated at up to £30,000.

7.2. **On-going Costs Following Project Completion**

At present the only additional funding required is for the consultant fees to assist with the review of the Strategy.

8. **OPTIONS SUMMARY**

- 8.1 The Council could decide not to refresh the Parking Strategy for the District; however this would not assist with providing an up to date parking framework and policy for the district, not give the opportunity to fully review the

implications on the District of emerging developments and changes to parking requirements and demand.

- 8.2 Rather than procure consultants to assist, the Council could utilise existing staff resources. However, it is likely that consultants will be able to draw on a wider range of staff resources not available within the Council and also the use of existing staff would mean that other projects would have to be delayed. Additionally, consultants will have expertise relating to data modelling for demands.

9. PROJECT APPROACH

- 9.1 The review of the Parking Strategy will involve a mix of in-house, partnership and external consultancy resources.

10. PROJECT PLAN

Task No.	Task / milestone	Completion Date	Responsible Owner	Dependency
Stage 1				
1	Report to Cabinet to seek approval for PID and funding to support Parking Strategy Review	5 June 2018	Tania Murphy	
2	Finalise Brief for consultants	30 June 2018	Tania Murphy	1
Stage 2				
3	Advertise for consultants	2 July 2018	Tania Murphy	2
4	Appointment of consultants	14 September 2018	Tania Murphy	3
5	Report from consultants with results	16 November 2018	Tania Murphy	4
6	Draft Strategy to Parking Forum	January 2019	Tania Murphy	5
7	Final amendments to Strategy, adoption by Cabinet and Council	March 2019	Tania Murphy	6

11. PROJECT TEAM

Name	Role
Jane Hotchkiss	Project Sponsor
Tania Murphy	Project Leader
Mike Allgrove	Planning
Simon Ballard	Environment
Caroline Jardine	Assistant Parking Services Manager (Administration)
Nick Simpson	Assistant Parking Services Manager

12. COMMUNICATION

Chichester District Parking Forum will be kept informed of progress and regular updates will be provided to Members through the monthly Members' Bulletin and bespoke email communication as necessary.

13. RISK LOG

The following risks have been identified together with an assessment of their severity and actions that can be taken to mitigate/reduce the risk. Details of all project risks will be recorded as and when they are identified.

Risk No	Risk Description	Likelihood Unlikely Possible Probable Certain	Impact Minor Significant Serious Major	Planned Actions to Reduce Risk	Responsible Officer
1	Lack of member agreement over the contents of the revised Strategy	2	4	Member briefing before Cabinet	Tania Murphy
2	Disengagement of partner organisations and lack of support	1	3	Chichester District Parking Forum to consider draft strategy and emerging policies.	Tania Murphy
3	Lack of consultants to meet the requirements of the brief	1	3	Sufficient testing of the market and advertising the proposal	Tania Murphy
4	Consultants don't deliver to deadline	2	2	Contract to ensure delivery	Tania Murphy
5	Recommendations from consultant studies identify proposals that are not viable	2	3	On-going liaison with consultants and seek viability advice if necessary	Tania Murphy
6	Different and competing interests make it difficult to finalise strategy in a way that accommodates demands.	2	2	Close monitoring of process and consultation with the Parking Forum.	Tania Murphy
7	Project timescales and milestones not achievable and cannot be met	2	2	On-going liaison and monitoring of timescales and milestones	Tania Murphy
8	Insufficient Officer time to meet the project milestones	2	2	On-going monitoring of timescales	Tania Murphy

Agenda Item 9

Chichester District Council

THE CABINET

5 June 2018

Appointments to Panels, Forums and other Groups 2018-2019

1. Contacts

Tony Dignum - Leader of the Council

Telephone: (01243) 538585 E-mail: tdignum@chichester.gov.uk

Bambi Jones - Principal Scrutiny Officer

Telephone: 01243 534685 Email: bjones@chichester.gov.uk

2. Recommendations

- 2.1. **That the membership of panels, forums and other groups for 2018-2019 as set out in the appendix to this report be agreed.**

3. Context

- 3.1. The establishment of most panels and forums and their membership is constitutionally the responsibility of the Cabinet. They are not subject to political balance.
- 3.2. Panels are internally constituted and have specific objectives set out in the *Constitution*.
- 3.3. Forums are used to inform on-going policy debates from an external perspective. Forums have members representing external interests, as well as the appointed members of Chichester District Council.

4. Community Impact and Corporate Risks

- 4.1. None

5. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		x
Climate Change		x
Human Rights and Equality Impact		x
Safeguarding and Early Help		x
Other (please specify) eg biodiversity		x

6. Appendices

- 6.1 List of Panels and Forums

7. Background Papers

None

Panels, Forums and other Groups 2018-2019

(appointed by the Cabinet)

BUSINESS ROUTEING PANEL (5)

Membership: Leader, Deputy Leader, Leader of the Opposition, Chairmen of Overview and Scrutiny Committee and Corporate Governance and Audit Committee.

2017-2018 membership:

2018-2019 membership:

Mrs C Apel (LD)	Mrs C Apel (LD)
Mr Tony Dignum (C)	Mr Tony Dignum (C)
Mrs E Lintill (C)	Mrs E Lintill (C)
Mr A Shaxson (IND)	Mr A Moss (LD)
Mrs T Tull (C)	Mrs T Tull (C)

BOUNDARY REVIEW PANEL (6)

Membership: Six elected members of the District Council

2017-2018 membership:

2018-2019 membership:

Mr John Ridd (C) - Chairman	Mr John Ridd (C) - Chairman
Mrs Jane Kilby (C)	Mrs Jane Kilby (C)
Mr Simon Lloyd- Williams (C)	Mr Simon Lloyd- Williams (C)
Mr Gordon McAra (IND)	Mr Gordon McAra (IND)
Mr Simon Oakley (C)	Mr Simon Oakley (C)
Mr Josef Ransley (C)	Mr Josef Ransley (C)

CHICHESTER DISTRICT PARKING FORUM (6)

Membership: Cabinet Member whose portfolio includes parking and up to five other District Councillors.

2017-2018 membership:

2018-2019 membership:

Mr Tony Dignum (C) - Chairman	Mr Tony Dignum (C) - Chairman
Mr John Connor (C)	Mr John Connor (C)
Mrs Janet Duncton (C)	Mrs Janet Duncton (C)
Mrs Jane Kilby (C)	Mrs Jane Kilby (C)
Mr Stephen Morley (IND)	Mr Stephen Morley (IND)
Mrs Penny Plant (C)	Mrs Penny Plant (C)

DEVELOPMENT PLAN AND INFRASTRUCTURE PANEL (10)

Constitution: Cabinet Member for Planning Services (Chairman of Panel), Leader of the Council, and up to eight other District Council members

2017-2018 membership:

2018-2019 membership:

Mrs Susan Taylor (C) - Chairman	Mrs Susan Taylor (C) - Chairman
Mr Tony Dignum (C)	Mr Tony Dignum (C)
Mrs Janet Duncton (C)	Mrs Janet Duncton (C)
Mr Bob Hayes (C)	Mr Bob Hayes (C)
Mrs Jane Kilby (C)	Mrs Jane Kilby (C)
Mrs Eileen Lintill (C)	Mrs Eileen Lintill (C)
Mr Adrian Moss (LD) appointed 10/4/18	Mr Adrian Moss (LD)
Mr Simon Oakley (C)	Mr Simon Oakley (C)
Mrs Carol Purnell (C)	Mrs Carol Purnell (C)
Mr Darren Wakeham (C)	Mr Darren Wakeham (C)

GRANTS AND CONCESSIONS PANEL (8)

Constitution: Nominated member of the Cabinet and five other District Council members.

2017-2018 membership:

2018-2019 membership:

Mrs Eileen Lintill (C) - Chairman	Mrs Eileen Lintill (C) - Chairman
Mrs Clare Apel (LD)	Mrs Clare Apel (LD)
Mrs Pam Dignum (C)	Mrs Pam Dignum (C)
Mr John F Elliott (C)	Mr John F Elliott (C)
Mr John W Elliott (C)	Mr John W Elliott (C)
Mrs Norma Graves (C)	Mrs Norma Graves (C)
Mrs Penny Plant (C)	Mrs Penny Plant (C)
Mrs Tricia Tull (C)	Mrs Tricia Tull (C)

JOINT EMPLOYEE CONSULTATIVE PANEL (5)

Constitution: Cabinet Member for Corporate Services and four other District Council members.

2017-2018 membership:

2018-2019 membership:

Mr Peter Wilding (C) - Chairman	Mr Peter Wilding (C) - Chairman
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Mr Roger Barrow (C)	Mr Roger Barrow (C)
Mr Bob Hayes (C)	Mr Bob Hayes (C)
Mr Adrian Moss (LD) appointed 10/4/18	Mr Adrian Moss (LD)
Mr Josef Ransley (C)	Mr Josef Ransley (C)

STRATEGIC RISK GROUP (6)

Constitution: Three members from each of the Cabinet and the Corporate Governance and Audit Committee to meet at least twice a year with the Senior Leadership Team (SLT) to consider key strategic risks affecting the Council.

2017-2018 membership:

Cabinet representatives:	CGAC representatives:
Leader – Mr Tony Dignum	Mr Graeme Barrett
Deputy Leader – Mrs Eileen Lintill	Mr Graham Hicks
Cabinet Member for Finance & Governance (with responsibility for risk management) – Mr Peter Wilding (Chairman)	Mrs Tricia Tull

2018-19 membership: No change required to Cabinet membership. Corporate Governance and Audit Committee membership will be sought at the first meeting of that committee on 26 July 2017.

WASTE AND RECYCLING PANEL (6)

Constitution: Cabinet Member for Residents' Services (who serves as the chairman) and five other District Council members.

2017-2018 membership:

2018-2019 membership:

Mr Roger Barrow (C) - Chairman	Mr Roger Barrow (C) - Chairman
Mr John W Elliott (C)	Mr John W Elliott (C)
Mr Francis Hobbs (C)	Mr Francis Hobbs (C)
Mrs Penny Plant (C)	Mrs Penny Plant (C)
Mr Andrew Shaxson (IND)	Mr Andrew Shaxson (IND)
Mrs Tricia Tull (C)	Mrs Tricia Tull (C)

GROWTH BOARD

Leader of the Council, Cabinet Members for Planning Services plus a member from the Development Plan and Infrastructure Panel.

2017-2018 membership of Infrastructure 2018-2019 membership:

Mr Tony Dignum (C)	Mr Tony Dignum (C)
Mr Simon Oakley (C)	Mr Simon Oakley (C)
Mrs Susan Taylor (C)	Mrs Susan Taylor (C)

Chichester District Council

THE CABINET

5 June 2018

Appointments to External Organisations 2018-2019

1. Contacts

Report Author:

Katherine Davis – Democratic Services Officer

Telephone: 01243 534674 – E-mail: kdavis@chichester.gov.uk

Cabinet Member:

Tony Dignum - Leader of the Council

Telephone: 01243 538585 E-mail: tdignum@chichester.gov.uk

2. Recommendation

- 2.1. **That the Cabinet appoints representatives to serve on the external organisations for 2018-2019, as set out in the appendix to this report.**

3. Main Report

- 3.1 Appointments to some external organisations were made by the Council at its annual meeting held on 22 May 2018 and the remaining nominations shown in the appendix hereto are dealt with by the Cabinet as they relate to the functions of the Cabinet.
- 3.2 The Cabinet is asked to approve the appointments to the various external organisations.
- 3.3 Members appointed to these organisations are asked to report annually, including on whether there is continued merit in a member being appointed.

4. Appendix

- 4.1 External Body Appointments – Cabinet

5. Background Papers

- 5.1 None.

CHICHESTER DISTRICT COUNCIL

APPOINTMENTS TO EXTERNAL ORGANISATIONS

(number of representatives shown in brackets)

2018-2019

ORGANISATION	CURRENT REPRESENTATIVES 2017-2018	PROPOSED APPOINTMENTS 2018-2019
1. Action in Rural Sussex (1)	Tony Dignum (C)	Kate O'Kelly (LD)
2. Brandy Hole and East Broyle Copse – Local Nature Reserve Management Board (1)	Peter Budge (C)	Peter Budge (C)
3. Chichester Business Improvement District Board (1 + Alternative Director)	Tony Dignum (C) <i>Alternative Director – Jane Kilby (C)</i>	Tony Dignum (C) <i>Alternative Director – Jane Kilby (C)</i>
4. Chichester Community Development Trust (1)	Pam Dignum (C)	Pam Dignum (C)
5. Chichester Festival Theatre (1)	Tricia Tull (C)	Tricia Tull (C)
6. Chichester Ship Canal Restoration Project Board (1)	Simon Oakley (C)	Simon Oakley (C)
7. Chichester Vision Delivery Steering Group (1)	Tony Dignum (C)	Tony Dignum (C)
8. Coastal West Sussex Partnership (1 + Substitute)	Peter Wilding (C)	Peter Wilding (C) <i>Substitute - Adrian Moss (LD)</i>
9. Coast to Capital Joint Committee (1 + Substitute)	Peter Wilding (C)	Peter Wilding (C) <i>Substitute – Tony Dignum (C)</i>
10. Community Safety Partnership (1)	Eileen Lintill (C)	Eileen Lintill (C)
11. District Councils' Network (1)	Tony Dignum (C)	Tony Dignum (C)
12. Goodwood Aerodrome Consultative Committee (1)	Mike Hall (C)	Tony Dignum (C)
13. Goodwood Motor Circuit Consultative Committee (1)	Peter Budge (C)	Peter Budge (C)
14. Local Government Association – Coastal Issues Special Interest Group (1)	John Connor (C)	John Connor (C)
15. Local Government Association – General Assembly (1)	Tony Dignum (C)	Tony Dignum (C)
16. Local Government Association – Sparsity Partnership for Delivering Rural Services (1)	Peter Wilding (C)	Peter Wilding (C)
17. Manhood Peninsula Partnership (1)	Graeme Barrett (IND)	Susan Taylor (C)
18. Midhurst Community Partnership (1)	Steve Morley (IND)	Steve Morley (IND)
19. Partnership for Urban South Hampshire (PUSH) (a) PUSH Joint Committee (2) (b) Solent Recreation Mitigation Partnership Project Board (1)	(a) Susan Taylor (C) Diane Shepherd, Chief Executive (b) Mike Allgrove, Planning Policy,	(a) Susan Taylor (C) Diane Shepherd, Chief Executive (b) Mike Allgrove, Planning Policy,

(c) Planning & Infrastructure Panel (2)	Conservation & Design Service Manager (c)Susan Taylor (C) Mike Allgrove, Planning Policy, Conservation & Design Service Manager	Conservation & Design Service Manager (c)Susan Taylor (C) Mike Allgrove, Planning Policy, Conservation & Design Service Manager
20. Petworth Vision Ltd (1)	Janet Duncton (C)	Janet Duncton (C)
21. Rolls Royce Liaison (1)	Francis Hobbs (C)	Francis Hobbs (C)
22. Rural Mobile Youth Trust (1)	Eileen Lintill (C)	Eileen Lintill (C)
23. South East Employers (1 + substitute)	Peter Wilding (C) <i>Substitute – Roger Barrow (C)</i>	Peter Wilding (C) <i>Substitute – Roger Barrow (C)</i>
24. South East England Councils (1)	Eileen Lintill (C)	Eileen Lintill (C)
25. Standing Conference on Problems Associated with the Coastline (SCOPAC) (1 + deputy)	John Connor(C) <i>Deputy – Graeme Barrett (IND)</i>	John Connor(C) <i>Deputy – Graeme Barrett (IND)</i>
26. Sussex Downs and Coastal Plain LEADER Local Action Group (1)	Peter Wilding (C)	Peter Wilding (C)
27. The Parking and Traffic Regulations Outside London Adjudication Joint Committee (1 + deputy)	Eileen Lintill (C) <i>Deputy – Peter Budge(C)</i>	Eileen Lintill (C) <i>Deputy – Peter Budge(C)</i>
28. Tourism South East (1)	Mrs J Hotchkiss, Director of Growth and Place Services	Mrs J Hotchkiss, Director of Growth and Place Services
29. Visit Chichester Ltd (1)	Francis Hobbs (C)	Francis Hobbs (C)
30. West Sussex and Greater Brighton Strategic Planning Board (1)	Susan Taylor (C)	Susan Taylor (C)
31. West Sussex Civilian Military Partnership Board (1)	John Ridd (C)	John Ridd (C)
32. West Sussex Forum for Accessible Transport (1)	Bob Hayes (C)	Bob Hayes (C)
33. West Sussex Joint Leaders Group (1)	Tony Dignum (C)	Tony Dignum (C)
34. West Sussex Rural Partnership (1)	Peter Wilding (C)	Peter Wilding (C)
35. Wey and Arun Canal Trust Completion Strategy Steering Group (1)	Peter Wilding (C)	Peter Wilding (C)

Longer Term Appointments

ORGANISATION	APPOINTMENTS IN 2017-2018	APPOINTMENTS FROM 2018-2019
36. Pallant House Gallery – Trust and Company (1)	Pam Dignum (C) <i>(due for renewal 2020)</i> Mr T James <i>(appointment for one year only to September 2017 following outcome of governance review)</i>	Pam Dignum (C) <i>(due for renewal 2020)</i> (Up to 4 year appointment expiring on any 30 September)

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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