

Public Document Pack

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A meeting of the **Cabinet** will be held in Committee Room 2 at East Pallant House Chichester on **Tuesday 7 November 2017 at 09:30**

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

AGENDA

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 13 (a) or (b).

Apologies for absence will be taken at this point.

2 **Approval of Minutes** (pages 1 to 7)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 3 October 2017, 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 **Determination of the Council Tax Reduction Scheme 2018-2019** (pages 8 to 12)

The Cabinet is requested to consider the agenda report and its three appendices and make the following recommendation to the Council:

That the proposed Council Tax Reduction Scheme for 2018-2019 be approved.

6 **New Non-Domestic Rates Discretionary Scheme** (pages 13 to 20)

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

That the Non-Domestic Rate Discretionary Scheme for 2017 – 2021 as set out in the appendix to the agenda report be approved.

7 **Southern Gateway Masterplan – Adoption** (pages 21 to 28)

The Cabinet is requested to consider the agenda report and its five appendices and to make the following recommendations to the Council and also the resolution below:

A – RECOMMENDATIONS TO THE COUNCIL

That the Cabinet recommends to the Council that it:

- (a) Approves the recommended responses to the representations made as part of the public consultation on the draft masterplan (set out in appendix 1 to the agenda report).
- (b) Adopts the Southern Gateway Masterplan (set out in appendix 2 to the agenda report) as a Supplementary Planning Document, thereby replacing the existing Southern Gateway Planning Framework Supplementary Planning Guidance 2001.
- (c) Delegates authority to the Head of Planning Services, following consultation with the Cabinet Member for Planning Services, to make minor amendments to the document prior to publication.

B – RESOLUTION BY THE CABINET

That the use of part of the residual budget from the now adopted Local Plan to meet the remaining cost (£51,000) of the Southern Gateway Masterplan project be approved.

KEY DECISIONS

8 **Southern Gateway Chichester - Implementation** (Pages 29 - 31)

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

That subject to the Southern Gateway Masterplan being adopted by the Council the Project Initiation Document attached at appendix 1 to the agenda report be approved.

9 Parking Proposals and Off-street Parking Charges (pages 32 to 37)

The Cabinet is requested to consider the agenda report and its four appendices and to make the following resolutions:

- (1) That the charges set out within appendix 1 of the agenda report which, subject to consultation responses are to be implemented from 1 April 2018, be approved.
- (2) That the Head of Commercial Services be authorised to give appropriate notice of any revised charges or changes as set out within this report pursuant to the Off-street Parking Places (Consolidation) Order 2015 and the Road Traffic Act 1984.
- (3) That the use of Regulation 10 Penalty Charge Notices within Chichester District from 1 April 2018 be approved.
- (4) That the inclusion of Florence Road car park (subject to agreement from West Sussex County Council as the Highway Authority) onto the Parking Order for Chichester District and implements a maximum stay as indicated in section 4.13 of the agenda report be approved.

10 Consultation on South Downs Local Plan Pre-Submission (pages 38 to 47)

The Cabinet is requested to consider the agenda report with its two appendices and to make the following resolutions:

That the South Downs National Park Authority be advised:

- (1) That the South Downs Local Plan Pre-Submission is broadly supported.
- (2) That Chichester District Council does not intend to make any formal representations in response to the Pre-Submission consultation.
- (3) That the comments in appendix 1 to the agenda report will be forwarded for its consideration with regard to possible modifications to the Pre-Submission Local Plan.

OTHER DECISIONS

11 Chichester Road Space Audit (pages 48 to 52)

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

That the feedback to the Road Space Audit consultation document as set out in para 6 of the agenda report be provided.

12 **Provision of a Parking Enforcement Service** (pages 53 to 55)

The Cabinet is requested to consider the agenda report and to make the following resolutions:

- (1) That the continuation of the Agency Agreement for on-street parking enforcement plus the additional duties set out in para 3.2 of the agenda report with West Sussex County Council for a further six years commencing on 1 April 2018 be approved.
- (2) That delegated authority be granted to the Head of Commercial Services to agree on the final terms of the Agency Agreement.

13 **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

14 **Exclusion of the Press and Public**

None of the foregoing matters listed for consideration at this meeting is a restricted item and they do not, therefore, require a resolution for the exclusion of the press and public.

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.

Public Document Pack Agenda Item 2



Minutes of the meeting of the **Cabinet** held in Committee Room 2, East Pallant House on Tuesday 3 October 2017 at 9.30 am

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

Members Absent

Officers Present Mr S Carvell (Executive Director), Miss L Higenbottam (Democratic Services), Mr P E Over (Executive Director), Mrs M Rogers (Benefits Manager), Mrs D Shepherd (Chief Executive), Ms A Stevens (Environment Manager) and Mr J Ward (Head of Finance and Governance Services)

414 **Chairman's Announcements**

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

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

There were no late items for consideration at this meeting.

415 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 5 September 2017, which had been circulated with the agenda.

With reference to line five of minute 398 *Richmond* should replace *Richard*.

This error had, however, been corrected soon after publication in both the official and the online versions of the minutes.

Decision

The Cabinet voted unanimously on a show of hands to approve the minutes subject to the amendment above.

RESOLVED

That the minutes of the Cabinet's meeting on Tuesday 5 September 2017 be approved subject to an amendment to line five of minute 398 to replace *Richard* with *Richmond*.

Mr Dignum signed and dated the final page of the official version of the minutes as a correct record.

416 Declarations of Interests

There were no declarations of interests.

417 Public Question Time

There were no public questions.

418 100% Localisation of Business Rates 2018-2019 Pilot Scheme

The Cabinet received and considered the agenda report.

The report was presented by Mrs Hardwick.

Mrs Hardwick explained that there was an ongoing trial in unitary authority areas. On 2 September 2017 further bids from two tier and rural authorities were invited. The current system for Business Rate (BR) collection and retention involved allocations between tiered authorities and levies and tariffs based on actual rates collected as against the BR Baseline and as compared against an assessed need. The current scheme left Chichester District Council (CDC) retaining 20% of any growth in BR and West Sussex County Council (WSCC) retaining 10% of any such growth. The 100% localisation pilot was intended to be fiscally neutral insofar as the Baseline BR level was concerned. Any bid had to offer some form of pay back to central government, whether in the form of giving up grants (Revenue Support Grant and rural grants which were already set to go) or taking on extra commitments. If there was no pay back a tariff would continue to be applied. Under the new regime the West Sussex authorities would retain all anticipated growth in BR (split between tiers in a proportion to be agreed by the relevant authorities).

Mrs Hardwick explained that the process was likely to be highly competitive due to the immediate financial benefit to successful authorities. If a West Sussex bid were to be successful there would be a period to determine whether to accept any offer. It was intended that any such offer would be taken to the January 2018 Council meeting if the deadline for acceptance permitted. Alternatively, if required, the urgency provisions would be deployed.

Decision

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

RESOLVED

That it be approved that authority be delegated to Chichester District Council's Chief Executive and Head of Finance and Governance Services following consultation with the Cabinet Member for Finance and Governance Services, to determine whether to submit a bid to the Department of Communities and Local Government (DCLG) for Chichester District Council to take part in the 2018-2019 pilot for 100% business rate retention.

419 Amendment to Public Space Protection Order - Dog Control

The Cabinet received and considered the agenda report and its appendix.

The report was presented by Mr Connor.

Mrs Stevens was in attendance for this item.

Mr Connor explained that there had been a clerical error in the Public Space Protection Order approved by the Cabinet in July 2017. A revised Order detailed the exclusion of dogs from Bishop Palace Gardens and Priory Park all year round.

In response to a question from Mrs Taylor regarding the public awareness of changes to the disposal of dog waste, Mr Barrow outlined a district wide waste bin audit. He explained that it would be likely that as a result of the audit the number of dog bins would be reduced and general waste bins improved. Mrs Stevens confirmed that an article relating to the enforcement trial had been included in the Council's latest *Initiatives* Magazine.

Decision

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

RESOLVED

That the amendment to the Public Spaces Protection Order – Dog Control related to Schedule 3 the exclusion of dogs be approved.

420 Appointments to Outside Organisations

The Cabinet received and considered the agenda report.

The report was presented by Mr Dignum.

Decision

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

RESOLVED

That it be approved that with effect from 1 January 2018 the Cabinet agrees the appointment of Peter Wilding to replace Tony Dignum as Chichester District Council's representative on the following outside organisation appointments:

- Coastal West Sussex Partnership
- Coast to Capital Joint Committee
- Local Government Association – Sparsity Partnership for Delivering Rural Services
- Sussex Downs and Coastal Plain Local Action Group
- West Sussex Joint Leaders Group
- West Sussex Rural Partnership

421 Discretionary Housing Payments Policy 2017-2018

The Cabinet received and considered the agenda report and its appendix.

The report was presented by Mrs Hardwick.

Mrs Rogers was in attendance for this item.

Mrs Hardwick explained that the Discretionary Housing Benefit Payment scheme was a central government scheme funded through the Department for Work and Pensions (DWP) to alleviate poverty and hardship by assisting directly with housing costs where benefit receipts (whether Universal Credit or Housing Benefit) did not fully cover an individual's liability to pay rent or related housing costs. The policy intended to guide the Council's delivery of the scheme for the remainder of this financial year and next. While the DWP allocated funding, the scheme allowed authorities to increase this by a further 50%. Although Council reserves for topping up the DWP funds for Discretionary Housing Payments (DHP) payments had not been required beyond the DWP budget in previous years, the welfare reforms rolled out since 2013 (including the bedroom tax, the Benefit Cap and Universal Credit) might well increase future demand for DHP. The DHP policy had to ensure that policies and funding could control the budget within the limits of the DWP funded allocation (currently £232,844) and the current reserve of £142,000. The adequacy of the reserve would be considered as part of the 2018-2019 budget process.

Members were invited to submit any minor suggestions or comments on the wording of the policy to Mrs Rogers.

Mrs Hardwick explained that a further recommendation had been added since publication of the agenda for delegated authority to be given to the Head of Finance and Governance Services to make minor amendments to the DHP Policy following consultation with the Cabinet Member for Finance and Governance Services.

In response to Mr Barrow's concern regarding the effect of Universal Credit payments on the public, Mrs Rogers confirmed that payments would be made directly to the tenant but any requirement for payment to cover the waiting period would need to be discussed directly with the DWP.

In response to Mrs Taylor's request to understand how private sector tenants were made aware of the scheme, Mrs Rogers explained that the DHP scheme was advertised on the Council's website and third party organisations referred where appropriate.

Decision

The Cabinet voted unanimously on a show of hands in favour of making the resolutions (including the additional third resolution) as set out below.

RESOLVED

1. That the Discretionary Housing Payments (DHP) Policy for 2017-2018 and 2018-2019 be approved.
2. That it be approved that during the forthcoming budget process consideration will be given to any additional funding required for 2018-2019 to supplement the earmarked Welfare Reform Reserve.
3. That the Head of Finance and Governance Services be given delegated authority, following consultation with the Cabinet Member for Finance and Governance Services, to make minor amendments to the DHP policy.

422 Housing Benefit and Council Tax Reduction Risk Based Verification Policy 2018-2019

The Cabinet received and considered the agenda report and its appendix.

The report was presented by Mrs Hardwick.

Mrs Rogers was in attendance for this item.

Mrs Hardwick explained that the new policy aimed to assist the Benefits Service to streamline and improve its delivery as part of a wider service review. The Reduction Risk Based Verification Policy (RBV) deployed a system (Xantura) to support the DWP's aim to improve and focus local authority (LA) verification of claimants which assessed the risk posed by claimants in a welfare context according to 50 objective criteria. Claimants were split into low, medium or high risk categories in terms of likely fraud and/or error. The verification required of claimants depended on the resulting category of a claimant. Higher risk claimants were required to provide more robust and extensive evidence. Claimants were then split into four broad classes: pensionable age – non passported, pensionable age – passported, working age – passported and working age – non-passported. Passported claimants were those known to the system as having already claimed elsewhere. A high level assessment of these classes indicated currently approximately 33% of claimants were likely to be high risk.

Mrs Hardwick added that the RBV would reduce fraud and error, increase efficiency in processing claims and satisfy a requirement of the Council's external auditors.

In response to Mr Wilding's request to clarify the practical workings of the system, Mrs Rogers explained how Xantura have collected data from local authorities using Single Housing Benefit Extract (SHBE), a DWP function to assess Local Authority Benefit performance. This information has been used by Xantura to calculate the level of risk in new claims and changes. The scoring is then used to apply a risk score to an individual claim.

In response to Mrs Lintill's request to understand the cost implications of the project, Mr Ward confirmed that the cost had been covered as part of a number of IT investments under the CA-Bens implementation project.

Members discussed the impact of the new data protection regulations on the scheme, in particular the requirement not to make automated decisions. Officers confirmed that procedures would be established to identify the need for a human decision.

Mr Dignum suggested a further recommendation requesting a report following the first 12 months of operation which was agreed by the other members of the Cabinet. Members agreed that the report should also be considered for inclusion in the Corporate Governance and Audit Committee's work programme.

Decision

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

RESOLVED

1. That the introduction of a Risk Based Verification (RBV) Policy for the purpose of assessing claims for Housing Benefit and Council Tax Reduction be approved with effect from 1 December 2017.
2. That authority be delegated to the Head of Finance and Governance Services to make minor amendments to the RBV policy following consultation with the Cabinet Member for Finance and Governance Services.
3. That a report be brought back to Cabinet following the first 12 months of operation of the Risk Based Verification Policy.

423 Late Items

There were no late items for consideration.

424 Exclusion of the Press and Public

There were no Part II items listed on the agenda and so no resolution to exclude the press and the public was required.

The meeting ended at 10.14 am

CHAIRMAN

Date:

Agenda Item 5

Chichester District Council

THE CABINET

7 November 2017

Determination of the Council Tax Reduction Scheme for 2018-2019

1. Contacts

Report Author:

Marlene Rogers - Benefits Manager

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Cabinet Member:

Philippa Hardwick - Cabinet Member for Finance Services

Telephone: 01428 642464 E-mail: phardwick@chichester.gov.uk

2. Recommendation

2.1. That the Cabinet recommends that the proposed Council Tax Reduction Scheme for 2018-2019 be approved by the Council.

3. Background

- 3.1. The Welfare Reform Act 2012 and the Local Government Finance Act 2012 abolished the national council tax benefit (CTB) scheme and put in place from 1 April 2013 a framework for local authorities to create their own local council tax reduction (CTR) schemes.
- 3.2. The government legislated that people of pensionable age will continue to receive support based on national rules (prescribed regulations). The Council's scheme encompasses both pensioners (over which the Council has discretion only to improve the statutory provision) and working age claims (over which the Council has complete discretion as to how to draw up its scheme).
- 3.3. The government has laid down the process by which a local council tax reduction scheme can be put in place and renewed each year. In accordance with that process, officers have prepared and recommend the attached scheme. This scheme must be approved by the Council before 31 January 2018 or the previous year's scheme will continue to have effect.
- 3.4. The cost of CTR is by way of deduction from the tax base, which has to be set by the Cabinet in December. Although the legislation permits the CTR scheme to be approved in January it really needs to be considered and agreed before tax base can be set.
- 3.5. The cost of the scheme is shared between all precepting authorities. This Council's share is approximately 9% of the total scheme cost, with the rest being funded by Sussex Police, West Sussex County Council and the parish councils.

- 3.6. In 2013 Universal Credit (UC) was introduced in pathfinder local authorities, with roll out for the first phase of local authorities commencing in October 2013. In the Chichester District we have rolled out with UC for single people of working age. To date this has had minimal impact as generally this group do not have housing costs.
- 3.7. Roll out of UC full service for Chichester District will commence in April 2018. From this date UC will apply for all new working age claimants. Therefore we anticipate a significant increase in the number of claimants moving from HB to UC. As we are still responsible for CTR claims we will see a drop in HB claims but our CTR caseload will remain generally the same.
- 3.8. At its meeting on 11 July 2017 the Cabinet authorised officers to consult on a scheme that continued to support claimants on low incomes whilst ensuring that the administration of the scheme remained cost effective.

4. Outcomes Achieved

- 4.1. The adoption of a fair and equitable CTR scheme for 2018-2019.

5. Proposal

- 5.1. The proposed CTR scheme for 2018-2019 is based on the current CTR scheme but with the introduction of a new class for working age persons in receipt of UC. These persons will fall into a new class F in the scheme and will have the level of CTR calculated in accordance with income bands. Further details on how this will be calculated can be found in appendix 1 to this report.
- 5.2. The way in which entitlement is calculated for persons not in receipt of UC will remain in line with the current CTR scheme. These are working age classes D to E in the draft scheme document attached in appendix 1 to this report. It is proposed that the scheme for these classes be updated to account for any changes that have happened to the HB scheme which are relevant to the calculation of CTR. This includes levels of non-dependent deductions, living allowances and disregards supplied for housing benefit by the Department for Work and Pensions which will be published later in the financial year. This aligns the assessment rules for these schemes, making it easier to administer and understand.
- 5.3. Chichester's CTR scheme has protected people on the lowest incomes since 2013 and the intention is for this to continue in 2018-19. A banded scheme for working age claimants in receipt of UC has been introduced for the first time and it is acknowledged that there is a risk that the scheme may not protect those in vulnerable circumstances. This will be mitigated by a discretionary hardship policy that sits within the scheme which is sufficiently flexible to ensure that claimants who fall to be considered by the banded scheme are not disadvantaged.
- 5.4. A discretionary fund was proposed and consulted on, and the results supported this. It is proposed that the mechanism for delivering this be by updating the existing discretionary policy provided for in the existing scheme. Where a claimant is able to demonstrate financial hardship as a consequence of the new banded scheme an award adjustment can be made should the Council decide

that it is appropriate. Details can be found in the draft scheme document in appendix 1 to this report. It is intended that this be monitored in year one of the new scheme and a discretionary fund considered and proposed for future years should it be considered that this route is preferable.

- 5.5. The scheme also accords with previous years in disregarding certain war related pensions.

6. Alternatives Considered

- 6.1. We consulted on proposals to leave the 2017-18 scheme unchanged for 2018-19. This proposal is not favoured because the nature of UC means that CTR claimants will have regular minor changes in their income which will result in regular changes in CTR entitlement. This would result in a revised council tax bill each time their income changes which would be costly to administer and potentially difficult for the claimant to manage in terms of budgeting on a low income.
- 6.2. To date the cost of administering a CTR claim has been minimised because it is processed along with the HB claim using the same computer system and documentary evidence to calculate entitlement. As HB claims migrate onto UC the average cost of administering CTR claims will increase.
- 6.3. The level of funding received from the DCLG to cover the costs of administering the scheme has fallen by 4.6% to £115,000 for 2017/18. It is anticipated that this trend will continue, along with a likely reduction in Housing Benefit administration subsidy as UC rolls out further. Therefore the Council needs to react to welfare reform such as UC in a way that mitigates the effect of increased costs, while maintaining a scheme that supports its communities.
- 6.4. The combination of the factors referred to above has led officers to recommend that a change to the scheme for those claimants receiving UC will be more convenient and transparent for claimants and will keep the cost of administration to a minimum.

7. Resource and Legal Implications

- 7.1. The predicted spend on CTR when tax base was set in December 2016 for 2017-18 was £6,990,172. The revised 2017-18 cost is now estimated to be £6,894,096 (as at the end of August). This compares with £7,318,176 in 2013-14.
- 7.2. Future CTR expenditure is difficult to predict, however it has remained constant since the introduction of local schemes. However external factors could influence expenditure, such as an economic downturn, loss of a local employer or extended welfare reform.
- 7.3. The Northgate system used to determine and award CTR entitlement will need to be adapted to accommodate this change, this will require bespoke consultancy which has been accounted for within existing budgets.
- 7.4. This process has been carried out in accordance with the regulatory requirements for CTR changes under Welfare Reform Act and Local

Government Finance Acts of 2012. The local authority equality duty is engaged and the equalities impact assessment should be considered by members as part of the consideration of this report.

8. Consultation

- 8.1. A consultation with West Sussex County Council, Sussex Police, stakeholders and the community on the draft scheme for 2018/19 was carried out during August and September. The full report can be found at appendix 2.
- 8.2. 52.9% of respondents either agreed or strongly agreed that a banded scheme for UC claimants should be implemented with 18.5% either disagreeing or strongly disagreeing. The remaining 28.6% responded neither or don't know.
- 8.3. 80.3% of respondents either agreed or strongly agreed that a discretionary hardship fund should be implemented if the banded scheme is implemented with 4.2% disagreeing, the remaining 15.5% responded neither or don't know.
- 8.4. 28.2% of respondents either agreed or strongly agreed that there should be no changes to the existing CTR scheme with 33.8% either disagreeing or strongly disagreeing, the remaining 38% responded neither or don't know.
- 8.5. Overall of the two options the banded scheme for UC claimants was preferred by 49.3% of respondents, making no changes was preferred by 29% of respondents with 21.7% responding don't know.

9. Community Impact and Corporate Risks

- 9.1. The corporate risk to the authority is setting a CTR scheme which is unaffordable. This risk is reduced by setting a scheme which is broadly in line with the existing one so expenditure can be predicted. The new banded Working Age Class F has been designed to minimise administration rather than reduce the level of CTR that is awarded. It is anticipated that claimants in this group will receive broadly the same amount of CTR as other claimants in the same circumstances who fall into the other working age classes. Modelling expenditure using the limited sample of UC cases that we have at present indicates that expenditure for Class F will increase slightly. The estimated increase would be around £50,000.00, of which CDC would contribute around £4,500 this represents an increase of 0.7%. However this increase would be offset by savings in the cost of administration, a reduction in expenditure due to other welfare reforms and an anticipated continued reduction in expenditure which has been seen in previous years.
- 9.2. Should there be a downturn in the economy there is a risk that the scheme will cost more than estimated.
- 9.3. The community impact is reduced by keeping the calculation of entitlement as close to the previous CTB scheme as possible.

10. Other Implications

Crime and Disorder	None
Climate Change	None
Human Rights and Equality Impact	Yes
Safeguarding	None

11. Appendices

11.1 Draft Council Tax Reduction Scheme 2018-2019

11.2 Council Tax Reduction Scheme Survey 2017

11.3 Equalities Impact Assessment 2018-2019

12. Background Papers

12.1 The full detailed scheme, for which Council approval is sought, has been commissioned from ACS Ltd: it will be published on the Chichester District Council website when it has been received.

Chichester District Council

THE CABINET

7 November 2017

New Non-Domestic Rates Discretionary Scheme 2017- 2021

1. Contacts

Report Author:

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Cabinet Member:

Eileen Lintill - Cabinet Member for Community Services

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

2. Recommendation

That the Council be recommended to approve that the Non-Domestic Rate Discretionary Scheme for 2017 – 2021 as set out in the appendix to this report.

3. Background

3.1 In March 2017, the government announced that it would make available a discretionary fund of £300 million over four years from 2017/18 to support those businesses that faced increases in their business rates bill as a result of the 2017 revaluation of business rates. The government determined that councils would be best placed to decide how this fund should be targeted and administered to support businesses.

3.2 Each authority within England has been provided with a share of the £300 million fund to support local businesses.

3.3 The funding is not provided equally over the four year-period. Chichester District Council’s allocation of the government funding is set out below:

2017-18	2018-19	2019-20	2020-21	Total
£458,000 (58%)	£223,000 (28%)	£92,000 (12%)	£13,000 (2%)	£786,000

3.4 The funding from Government is front loaded to 2017/18 and will be reconciled as part of the closedown for the financial year in order to determine whether any unallocated grant should be returned. Government have advised that there are no plans to allow end of year flexibility with regard to this year’s (2017/18) allocation.

3.5 The scheme has been designed to limit the increase in business rates with effect from 1 April 2017 for eligible business that have rateable value of less or equal to £100,000.

- 3.6 The proposal is that business with a rateable value of less or equal to £20,000 will have their increase in rates limited to 4% for the financial year 2017/2018. Businesses with a rateable value of less or equal to £100,000 will have their bill increase limited to 5%.
- 3.7 The proposed scheme will complement the Government's transitional relief scheme. This Government reduction scheme for 2017/18 automatically limits increases for businesses with a rateable value under £20,000 to 7.5% and businesses with a rateable value under £100,00 to 14.5%. This local scheme will further reduce these national limits down to 4% and 5% respectively.
- 3.8 Eligible businesses in the following three years of the scheme will receive a fixed percentage of the previous year's award as long as they remain in occupation of the property. Properties that become unoccupied or change ownership will not be eligible for the reduction. A worked example is shown below and is based on a customer being awarded £500 discretionary reduction for the financial year 2017-18;

Award due in 2018-19	Award due 2019-20	Award due 2020-21
£250 (50% of 2017-18)	£100 (40% of 2018-19)	£10 (10% of 2019-20)

4. Outcomes to be Achieved

- 4.1 Distribution of Chichester District Council's allocation of the national £300m discretionary fund created by Government.
- 4.2 Ensure that the relief is distributed to local businesses smoothly, cost effectively and quickly as possible.
- 4.3 Eligible businesses see a reduction in their business rate bills.

5. Proposal

- 5.1 That the proposed discretionary scheme as set out in Appendix 1 is recommended for approval.

6. Alternatives Considered

- 6.1 Target all relief on a case by case basis. This option would be expensive to administer and may not target all local businesses affected by an increase in their rates. Businesses would also have to prove how the increase in rates has affected their business and that this was a direct result of the revaluation rather than an underlying financial problem with the business.
- 6.2 A set discount across all business within the district. This option would be easy to administer. However with over 2,000 businesses within the district seeing an increase in their rates, the limited allocated funding would result in the fund being spread very thinly across the district. This would be less effective in assisting small and medium businesses with their rate increases.

7. Resource and Legal Implications

- 7.1 The Council will be compensated for any relief awarded, within allocation limits, under Section 31 of the Local Government Act 2003.
- 7.2 Cost of administering the scheme has been met by Central Government through a New Burdens Funding's payment of £12,000.
- 7.3 Administration of the scheme will be resourced within the existing Revenues team.
- 7.4 This scheme is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Finance Act 1998.

8. Consultation

- 8.1 As a requirement of the funding from Central Government, consultation with major precepting authorities must be undertaken.
- 8.2 Consultation with West Sussex County Council and Sussex Police and Crime Commissioner was undertaken between the 3 August 2017 and the 10 October 2017.
- 8.3 West Sussex County Council agreed with the principles of the scheme and that it was simple to understand and administer. They also welcomed that the relief was targeted at small and medium businesses. Sussex Police and Crime Commissioner advised that as there were no financial implications to their authority they had no comments to make.

9. Community Impact and Corporate Risks

- 9.1 The scheme will help reduce the increase in the business rates bill of qualifying small and medium sized companies within the district. However larger properties with a rateable value of over £100,000 will not be assisted. The majority of national companies situated in the City centre have rateable values above this £100,000 ceiling for assistance. Those businesses facing financial hardship that are not eligible for assistance under the proposed scheme can alternatively apply for assistance under existing powers provided to the Council under Section 69 of Localism Act 2011 and will be considered on a case by case basis.

10. Other Implications

	Yes	No
Crime and Disorder		x
Climate Change		x
Human Rights and Equality Impact	x	
Safeguarding and Early Help		x

11. Appendices

- 11.1 Non-Domestic Rate Discretionary Rate Scheme 2017- 2021



CHICHESTER DISTRICT COUNCIL

Non Domestic Rates Discretionary Scheme

2017 – 2021

1) Introduction

In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over 4 years from 2017/18 to support those businesses that faced increases in their business rates as a result of the revaluation.

Each authority within England has been provided with a share of the £300 million fund to support local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Finance Act 1988.

The funding is not provided equally over the four-year period but in the following percentage terms:

Year 1	Year 2	Year 3	Year 4
58%	28%	12%	2%

Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. However key criteria of this reimbursement will be that all Billing Authorities will consult with major precepting authorities when designing their scheme.

Chichester District Council's allocation of the Government funding for discretionary relief is set out below.

Amount of discretionary fund awarded (£000s) – Chichester District Council				
2017-18	2018-19	2019-20	2020-21	Total
458	223	92	13	786

The funding is front loaded for 2017/18 and will be reconciled as part of the closedown for the financial year in order to determine whether any unallocated grant should be returned.

2) Discretionary Business Rate Relief Scheme 2017 to 2021

That relief under the scheme will be awarded using the following criteria:

- a) The scheme is designed to assist ratepayers who have suffered increases in rate liability due to the revaluation and the subsequent increase to their Rateable Value;
- b) In assessing potential entitlement to an award under this scheme, the Council will compare the following:
 - i. The rate liability of the ratepayer at 31st March 2017 after any reliefs and reductions (**A**); and
 - ii. The rate liability of the ratepayer at 1st April 2017 taking into account any transitional, mandatory or discretionary relief (**B**);
- d) Relief will be awarded where the calculation **A – B** would result in an increase above a level determined in section 5;
- e) Relief will only be given to premises which are liable for occupied rates. No relief within this scheme will be granted to unoccupied premises.
- f) Relief will only be granted to ratepayers who were in occupation at 31st March 2017 and in occupation on the 1st April and for each day subsequently.
- g) Ratepayers taking up occupation after the 1st April 2017 will **not** eligible for relief on the basis that new ratepayers would have not suffered from increases due to valuation.
- h) Relief may be awarded for more than one premises as long as all other criteria are met;
- i) Relief will **not** be awarded where:
 - Where the ratepayer has been awarded a reduction under S44a of the Local Government Finance Act 1988.
 - Hereditaments with a Rateable Value in excess of £100,000.
- j) Relief will **not** be awarded to hereditaments who are wholly or mainly used for:
 - Public Bodies such as the NHS or Local Government;
 - Public Utilities such as Water and Power Companies
 - Where the award of relief would not comply with EU law on State Aid;

3) State Aid

State Aid is the means by which the EU regulates state funded support to businesses. Providing discretionary relief would fall within the definition and in order to be compliant with the De Minimis Regulations, they must demonstrate that the award of relief is within the threshold of €200,000

received over a rolling 3 year period. Businesses will be required to declare to the Council if they exceed this threshold as part of the application process.

4) Applications for relief under this scheme.

The Council will look to simplify the application process where possible, but will expect any ratepayer to provide such information as is required by the Council to support their application. Due to the funding restrictions put in place by Government, entitlement to relief will only commence from the beginning of the financial year (1 April) that the application is received in.

5) Calculation of relief

For **2017/18** financial year, the proposed relief will be granted as follows;

- Where the Rateable Value of the hereditament at 1st April 2017 is £20,000 or less relief will be granted to limit the increase calculated in 2b to a maximum of 4 %
- Where the Rateable Value of the hereditament at 1st April 2017 is greater than £20,000 but less or equal to £100,000 relief will be granted to limit the increase calculated in paragraph 2b to a maximum of 5%

Size of Property	Rateable Value (£s)	Restriction on increases
Small	Up to 20,000	4%
Medium	20,001 to 100,000	5%

For **2018/19** financial year, the proposed relief will be granted as follows;

- Where the Rateable Value of the hereditament at 1st April 2017 is less or equal to £20,000 the relief awarded in 2017/18 x 50%
- Where the Rateable Value of the hereditament at 1st April 2017 is more than £20,000 but less than or equal to £100,000 the relief awarded in 2017/18 x 50%

For **2019/20** financial year, the proposed relief will be granted as follows;

- Where the Rateable Value of the hereditament at 1st April 2017 is less or equal to £20,000 the relief awarded in 2018/19 x 40%
- Where the Rateable Value of the hereditament at 1st April 2017 is more than £20,000 but less or equal to £100,000 the relief awarded in 2018/19 x 40%

For **2020/21** financial year, the proposed relief will be granted as follows;

- Where the Rateable Value of the hereditament at 1st April 2017 is less or equal to £20,000 the relief awarded in 2019/20 x10%

- Where the Rateable Value of the hereditament at 1st April 2017 is more than £20,000 but less or equal to £100,000 the relief awarded in 2019/20 x10%

6) Variation and amendment of relief under the scheme

As with all reliefs, the amount of relief awarded under the Discretionary Business Rates relief scheme will be recalculated in the event of a change of circumstances. This will include, for example, a backdated change in rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year. The Non-Domestic Rating Regulations 1989 (SI 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect from at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

Chichester District Council

THE CABINET

7 November 2017

Southern Gateway Masterplan – Adoption

1. Contacts

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2. Executive Summary

Public Consultation on the draft Southern Gateway Masterplan was carried out between 29 June and 10 August 2017. This report contains details of the representations submitted through the consultation and recommends responses to those representations that subsequently inform proposed changes to the masterplan. The revised Southern Gateway Masterplan is recommended for adoption as a Supplementary Planning Document.

3. Recommendation

3.1. That the Cabinet recommends to the Council to:

- (a) Approve the recommended responses to representations made as part of the public consultation on the draft masterplan (set out in appendix 1 to this report);**
- (b) Adopt the Southern Gateway Masterplan (set out in appendix 2 to this report) as a Supplementary Planning Document, thereby replacing the existing Southern Gateway Planning Framework Supplementary Planning Guidance 2001; and**
- (c) Delegate authority to the Head of Planning Services, following consultation with the Cabinet Member for Planning Services, to make minor amendments to the document prior to publication.**

3.2. That the Cabinet approves the use of part of the residual budget from the now adopted Local Plan to meet the remaining cost (£51,000) of the Southern Gateway Masterplan project.

4. Background

- 4.1. The Cabinet approved the draft Southern Gateway Masterplan for public consultation in June 2017. The public consultation has been undertaken and the representations received have been analysed. A number of changes to the document have been considered with respect to those representations.
- 4.2. The masterplan has been prepared within the context of the strategic framework provided by the local plan and the overarching aims of the Chichester Vision. The Vision has now been finalised, following public consultation, and was adopted by the Council in July 2017.

5. Outcomes to be Achieved

- 5.1. The main outcomes that will flow from the production of a masterplan are as follows:
 - (a) The identification of opportunities for development
 - (b) The facilitation of new homes, jobs, retail and leisure facilities
 - (c) That key constraints are identified so that they are not compromised through new development
 - (d) The coordination of the development of a number of different sites
 - (e) The coordination of proposals that are the subject of different bids for funding to facilitate development
 - (f) Clear guidance to assist in the preparation and assessment of planning applications.
- 5.2. Proposals in the Southern Gateway Masterplan have been drawn together to deliver the following six key objectives:
 - (a) Making sure first impression count
 - (b) Reinforcing a mix of city uses
 - (c) Conserving and enhancing the historic environment
 - (d) Contributing towards a sustainable movement strategy
 - (e) Providing a flexible framework
 - (f) Achieving design quality.

6. Proposal

- 6.1. The masterplan proposes a range of different land uses for development sites within the Southern Gateway area. It also provides design guidance for those sites. It sets out proposals for significant changes to the highway network around the existing one-way gyratory, the restriction of the Stockbridge Road level crossing to pedestrians, cyclists and buses and the rerouting of Basin Road to the rear of the Royal Mail sorting office site. The proposals in the masterplan will provide opportunities to bring development forward, to coordinate that development and to improve the public realm, not least in the area around the railway station, leading up to South Street and the main city centre shopping area.
- 6.2. The masterplan provides detailed guidance to amplify and expand on how policies in the Chichester Local Plan will be implemented, both in terms of the

assessment of planning applications and the Council's role in facilitating development. In particular it will supplement the following policies:

- (a) Policy 10 Chichester City Development Principles – specific reference to the Southern Gateway area is made at paragraph 12.7 of the Adopted Local Plan in the text setting the context for this policy; and
- (b) Policy 13 Chichester City Transport Strategy.

- 6.3. The Chichester Vision sets out the strategic direction with high level aims and objectives to guide how the city should develop and change in the future. The Southern Gateway Masterplan is the first document that has been produced to provide a set of detailed proposals that will help to achieve the aims of the Chichester Vision. In particular, part of the brief for the masterplan was to explore options for reducing traffic congestion and improving safety at the Southgate Gyratory.
- 6.4. The masterplan, once adopted, will have the status of a Supplementary Planning Document (SPD). This will mean that it will have significant weight in the planning process as a material consideration in the determination of planning applications within the Southern Gateway area. Upon adoption the masterplan replaces the existing Southern Gateway Planning Framework, which was adopted in 2001 and has the status as supplementary planning guidance.
- 6.5. The masterplan is not intended to be prescriptive in setting out exactly how sites within the Southern Gateway will be developed or the number of dwellings or amount of floorspace to be achieved. It is rather a flexible document that provides design guidance and the range of uses that would be acceptable and allows potential investors and their architects a degree of certainty when designing schemes that will implement the aims and aspirations of the masterplan.

7. Alternatives Considered

- 7.1. An alternative is not to produce a masterplan and allow development proposals to come forward in an uncoordinated, piecemeal basis. It is considered this is not an appropriate approach to guide development in the area. It is also likely that without a comprehensive approach to development of the area that only those sites that are viable in their own right will come forward and that opportunities for public realm enhancement and improvements to the highway network within the area will be missed.
- 7.2. In response to the public consultation two local architects have submitted an alternative masterplan proposal entitled 'Freeflow'. This alternative to the Council's draft masterplan the subject of public consultation proposes the closure of both level crossings and the construction of a bridge over the railway in between them. It also proposes a number of alternative uses for buildings in the area to be redeveloped. The full representation is set out at Appendix 3 to this report.
- 7.3. To increase understanding of the 'Freeflow' proposal, senior Council officers and the Council's masterplanning and transport consultants met with the promoters of the proposal. The promoters have not carried out any detailed technical

feasibility or viability analysis but asked for their ideas to be given further consideration in looking at options for the Southern Gateway area. To give full consideration, the Council's masterplanning and transport consultants have produced a report, Review of Freeflow Proposals, which is attached as Appendix 4.

7.4. The report concludes as follows:

'In terms of the draft masterplan, the Freeflow proposals can be summarised as follows:

- (a) It does not comply with the existing planning policy framework;
- (b) It is not in line with Southern Gateway masterplan objectives specified by Chichester District Council;
- (c) It will have a negative impact on residential amenity;
- (d) It reduces the developable area of the Royal Mail site and proposes alternative uses;
- (e) It requires the acquisition of considerable additional land between Basin Road and Stockbridge Road;
- (f) It bisects the site of the existing bus station and law courts sites, and proposes alternative uses for the bus depot;
- (g) It assumes an overall scheme that comprises entirely commercial and leisure/cultural uses other than a small development of town houses and a single block of apartments;
- (h) It involves considerable additional infrastructure costs.
- (i) The proposed road layout is not technically feasible.
- (j) The proposed bridge ramps, when accurately represented, are likely to significantly impact upon existing and proposed uses.
- (k) Conservatively, the proposed plan would have a negative impact on viability of in excess of £25 million'.

7.5. Officers have given the 'Freeflow' proposal careful consideration and have concluded on the basis of the detailed assessment of the proposal carried out by the masterplan and transport consultants that it appears to be neither technically feasible nor financially viable. It is also considered that it would have a significant negative impact on the historic environment and conflict with the aims of the Chichester Vision and the objectives of the masterplan. Officers are not therefore recommending investigating the proposals any further.

8. Resource and Legal Implications

- 8.1. Budgetary provision of £50,000 was originally agreed by Cabinet in June 2016 to fund the cost of preparation of the masterplan and this was subsequently increased through a virement of £46,000 from the now adopted Local Plan budget. Additional costs have arisen through need to commission a transport study, consultants' attendance at meetings that were not part of their original quotes, costs of consultation and further work to analyse the Freeflow representations. This has led to a total cost for the entire project of £177,000. West Sussex County Council has contributed £30,000 towards the transport study. The outstanding cost of £51,000 can be met from the residual budget remaining from the now adopted Local Plan.

- 8.2. Resource and legal implications associated with the implementation of the masterplan are covered under a separate report to be submitted to Cabinet on 7 November.

9. Consultation

- 9.1. Public consultation was undertaken on the draft masterplan between 29 June and 10 August 2017. There were two ways of responding to the consultation. An on-line questionnaire sought general views about different aspects of the proposals for the masterplan and the opportunity to make detailed comments on the specific wording of the masterplan was available through the Council's usual planning policy consultation software, 'Objective'. In both cases written responses could be made and officers uploaded these to the on-line systems.
- 9.2. A detailed report on the public consultation undertaken, including the results of the questionnaire survey, is attached at Appendix 5 to this report. This is particularly useful in analysing general views of the masterplan and its contents. The main themes raised in the representations are as follows:
- (a) Insufficient consultation process.
 - (b) Lack of detail on what is being proposed.
 - (c) The retention of the level crossings.
 - (d) The need to resolve city-wide transport issues before developing a masterplan, e.g. improvements to the A27 Chichester Bypass and park and ride.
 - (e) Predominance of residential uses and a general lack of ambition.
 - (f) Concerns over the loss of: the bus station; the courts; the Royal Mail sorting office; listed and locally listed buildings; car parking at and access to the railway station.
 - (g) The rerouting of Basin Road, the impact on residential properties and the lack of detail with respect to the junction with Kingsham Road, particularly how this will affect cyclists, pedestrian and those wishing to turn right out of Kingsham Road.
- 9.3. It should be noted that many of the comments received through the public consultation appear to have been influenced by the 'Freeflow' proposal referenced in section 7 of this report. However, had those proposals been developed to the same extent as the proposals in the masterplan, including supporting evidence such as traffic modelling and strategic environmental assessment, there may have been less support for them and also a likely level of objection that is not currently evident due to the lack of information.
- 9.4. In response to the general themes raised in the representations, the following points should be noted:
- (a) The consultation received good publicity and a large number of comments were made and questionnaires completed.
 - (b) The amount of detail is appropriate for a masterplan. Proposals will be developed in line with the masterplan and there will be further opportunities to comment on the detail through publicity and consultation at planning application stage.

- (c) Whilst there has been considerable analysis of the potential to provide a bridge or tunnel to allow the closure of the level crossings, this has proved to be neither technically feasible nor financially viable. No solution is evident that would be appropriate in the urban environment in this part of Chichester, neither in terms of the impact on the historic character of the area nor the relationship with residential properties. Furthermore, a bridge or tunnel would increase the amount of traffic passing through the masterplan area, contrary to a key objective the masterplan and the Chichester Vision aims to deliver.
 - (d) Any significant delay to adoption of the masterplan in order to seek to resolve other major transport issues would mean it is likely that some sites would be developed individually without the guidance provided by a masterplan.
 - (e) There is a significant amount of residential development within the masterplan and this will help to generate land value to contribute to the provision of some of the non-residential uses and also potentially to access other public funding streams.
 - (f) Bus interchange facilities will be re-provided in Stockbridge Road; the masterplan has been developed partly in response to the decision to close the courts; the Royal Mail sorting office does not need to be in a prime location overlooking the canal basin and other facilities for posting letters and collecting parcels are available.
- 9.5. The consultation report at Appendix 5 also identifies the areas where the masterplan has a good level of support. These include:
- (a) The public realm priorities (in particular cycle route enhancements);
 - (b) The sites identified as development opportunities;
 - (c) Improved pedestrian, cycle and public transport accessibility;
 - (d) Changes to the highway network, including the rerouting of Basin Road and the bus gate at Stockbridge Road to restrict use to buses, cycles and pedestrians; and
 - (e) Support for the masterplan overall.
- 9.6. In relation to the two alternative options to change the Basin Road/Southgate gyratory the report also identifies a slight preference for Option A (53.5%) over Option B (46.5%).
- 9.7. The detailed representations received on the wording of the masterplan, with a recommended response to those representations, are attached at Appendix 1 to this report. These responses have informed the subsequent proposed amendments to the masterplan. Responses are proposed to representations from statutory consultees and utility companies. Of particular note are representations from Historic England, Highways England, the Environment Agency and West Sussex County Council. None of these raise any fundamental objections to the masterplan and the suggested amendments have been recommended as changes to the masterplan.
- 9.8. The main proposed amendments to the masterplan to be adopted are as follows:
- (a) Selection of Option A for changes to the Basin Road/Southgate gyratory;

- (b) Further explanation of the approach to the provision of open space in relation to new development;
- (c) Additional references to waste water treatment issues;
- (d) Removal of the building to the north of Avenue de Chartres from development opportunity site 6; and
- (e) Detailed changes to text as requested by Historic England, Highways England, Sport England and West Sussex County Council.

9.9. The production of the masterplan has been guided by a Member/Officer Steering Group supported by an Officer Project Team. Membership of these groups has included representatives from West Sussex County Council, the Homes and Communities Agency, and Network Rail. The Steering Group has considered the general issues raised through the consultation process and recommend that the masterplan as proposed to be amended (see para 9.8 above) should now be considered by Cabinet and Council for adoption.

9.10. There has also been a workshop held for elected members where further information about the representations and potential changes to the masterplan were discussed. Following the workshop, further amendments to the masterplan are proposed with respect to:

- (a) The inclusion of references to ensure accessibility throughout the masterplan area for those with mobility issues;
- (b) The need to ensure that the design and layout of key buildings creates a sense of arrival, or a gateway, for those arriving at the railway station or by road;
- (c) Clarification on the approach to open space to be taken within the masterplan area;
- (d) Clarification on the approach to be taken to affordable housing, including the tenure mix and how this may relate to starter homes.

9.11. The revised masterplan that is proposed for adoption, with the amendments shown as track changes, is set out at Appendix 2

10. Community Impact and Corporate Risks

10.1. The proposals within the masterplan have been subject to consultation and all interested parties have had the opportunity to make formal representations. The selection of Option A for changes to the Basin Road/Southgate gyratory has removed the potential impact on businesses in respect of possible demolition of certain buildings under transport Option B. Concerns have been raised by businesses occupying premises proposed for redevelopment on the bus station site fronting Southgate. The Council may be able to assist with securing alternative premises or providing general economic development advice.

10.2. There will be a likely small negative impact on some residential properties through the rerouting of Basin Road, although this is not considered to be so significant as to lead to the removal of this aspect from the masterplan. Other residential properties will benefit from the removal of through traffic from Stockbridge Road.

10.3. There are no specific corporate risks associated with the adoption of the masterplan.

11. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder It is considered that due to proposals to redevelop existing areas that detract from the appearance of the area and to bring a mix of uses that will introduce passive surveillance and increase activity outside of daytime hours, the masterplan is likely to have a positive impact on the potential for crime and disorder.	X	
Climate Change The location of development within an existing urban area, close to existing services and facilities and well located to access public transport, is one of the most sustainable options in terms of climate change.	X	
Human Rights and Equality Impact An Equality Impact Assessment has been prepared and is a background paper to this report.	X	
Safeguarding and Early Help		X
Historic Environment The masterplan will set the context for development within the Chichester City Conservation Area. A Strategic Environmental Assessment has been undertaken and is a background paper to this report.	X	

12. Appendices

- 12.1. Appendix 1 – recommended responses to representations made as part of the public consultation on the draft masterplan
- 12.2. Appendix 2 – Southern Gateway Masterplan to be adopted
- 12.3. Appendix 3 – Freeflow proposal
- 12.4. Appendix 4 – Review of Freeflow proposals
- 12.5. Appendix 5 – Southern Gateway Masterplan Survey – Public Consultation Analysis Report

13. Background Papers

These three background papers will be published in a separate agenda supplement for online viewing only.

- 13.1. Southern Gateway Masterplan SEA Environmental Report
- 13.2. Equality Impact Assessment
- 13.3. Southern Gateway Masterplan, Chichester – Transport Appraisal

Chichester District Council

THE CABINET

7 November 2017

**Southern Gateway Chichester
Masterplan Implementation**

1. Contact

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2. Recommendation

2.1 That subject to the Southern Gateway Masterplan being adopted by the Council the Cabinet approves the Project Initiation Document attached at appendix 1 to the agenda report.

3. Background

3.1 This project involves the regeneration of an area of circa 12 hectares (30 acres) of brownfield land with potential housing, business, leisure and commercial uses. The project will bring significant improvements to the, public realm, transport infrastructure, enhancements to the quality of the environment including improved pedestrian linkages to the city centre and the regeneration of the only canal basin in West Sussex. The map (Appendix 2) shows the key development sites.

3.2 The project is described in more detail in the Project Initiation Document (PID) (see Appendix 1). It builds on the Southern Gateway – Preparation of Masterplan PID approved by Cabinet in June 2016. The PID sets out why and how the implementation phase should proceed, who is involved and their responsibilities. It will provide the baseline for the project's management and for an assessment of its overall success.

3.3 However, this report is not concerned with the content of the Masterplan itself. This is the subject of separate consideration by the Cabinet elsewhere on this agenda and the Council on 21 November 2017.

4. Outcomes to be Achieved

4.1 The outcomes, and the associated outcome measures, of the regeneration project are more fully set out in the PID (section 4) with the final totals being subject to the adoption of the Masterplan. They fully support key corporate priorities contained in the Sustainable Community Strategy, Corporate Plan, Local Plan, Housing Strategy and Economic Development Strategy as well as

important countywide, regional (LEP) and national objectives associated with housing delivery and growth. The outcomes will be kept under regular review as the project progresses and as key milestone points are reached e.g. appointment of the development, planning consent etc.

5. Proposal

- 5.1 That Cabinet consider and approves the PID, attached as Appendix 1. The content of the masterplan is the subject of a separate report on this agenda. Any approval of this PID by Cabinet is subject to the masterplan being adopted by Council.
- 5.2 The Masterplan process has been managed by a Steering Group of members and senior officers from key organisations and partners including the Homes and Communities Agency (HCA) and WSCC. It is likely that in the near future a “Growth Deal” will be agreed with WSCC that will ensure resources are directed to the areas of maximum need so that key projects are delivered. Whilst the deal remains to be signed off by leaders and the Chief Executive it is likely that a Growth Board, which will incorporate the role of the Vision Implementation Group, the Southern Gateway Project Implementation Group and the Infrastructure and Joint Member Liaison Panel, will be formed. This Board, which will consist of members and officers from CDC and WSCC, will provide a strategic oversight to a range of projects including the Southern Gateway implementation. The officer implementation project group will continue and report progress to the Board.

6. Alternatives Considered

- 6.1 The options for delivery are set out in full in section 8 of the PID.

7. Resource and Legal Implications

- 7.1 Finance: existing approved capital budgets will be utilised to progress the project to development brief stage/market. Acquisition costs will be the subject of further reports to Cabinet and may be funded by the development partner depending on timing. The gap between relocation costs compared to the value of sites released will be covered, in part, by grant bids submitted.
- 7.2 Retained legal consultants are in place together with in house support and expertise, particularly Compulsory Purchase Order (CPO) and development conveyancing. Retained property expertise is also engaged to support the in-house expertise in this area.
- 7.3 Staffing implications – in house resources are sufficient to progress this project, provided external consultancy remains in place.
- 7.4 IT requirements – none
- 7.5 Property implications – these are significant for the Council’s own land holdings and our interests will be protected via development agreement(s) with any prospective developer.

8. Consultation

- 8.1 The PID has been prepared and approved by the Southern Gateway Project Group which includes representation from the strategic partners i.e. WSCC and the Homes and Communities Agency as well as District Council staff.
- 8.2 The Overview and Scrutiny Committee considered the draft PID at their meeting on 12 September 2017. The attached PID was approved by the Overview and Scrutiny Committee subject to it incorporating their feedback. Overview and Scrutiny committee requested an observer to sit on the Steering Group/Growth Board. The governance arrangements are being finalised and will be the subject of a future report to Cabinet.
- 8.3 The provisional Communications approach is set out in section 12 of the PID. This will be developed into a Communications Strategy for the project as an early action.

9. Community Impact and Corporate Risks

- 9.1 This project will have a long term positive impact on the community once the short term dis-benefits to existing occupiers, businesses and residents have passed. These are set out in sections 2, 3 and 4 of the PID.
- 9.2 The risks together with the measures that will be taken to manage those risks are set out in the risk log contained in section 13 of the PID.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder The development will be completed to secure by design standards.	x	
Climate Change The development will comply with at least BREEAM good standards which will far exceed the standard of the buildings currently on site.	x	
Human Rights and Equality Impact Should a CPO be required an Equality Impact Assessment will be completed.	tbc	
Safeguarding and Early Help		X
Other (please specify) eg biodiversity		X

11. Appendices

- 11.1 Project initiation document (PID) - Southern Gateway Implementation
- 11.2 Development plan area

12. Background Papers

- 12.1 None

Chichester District Council

THE CABINET

7 November 2017

Parking Proposals and Off-street Parking Charges

1. Contacts

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2. Executive Summary

This report reviews the parking charges in the Council's off-street car parks in accordance with parking policy. The report makes proposals for parking charges to be implemented from 1 April 2018 for the purposes of consultation.

The report also provides some proposals for consideration relating to parking in the District, including the introduction of Regulation 10 Penalty Charge Notices; improvements to parking payment options and the inclusion of Florence Road Car Park on the Council's Parking Order.

3. Recommendations

- 3.1. That the Cabinet approves the charges set out within appendix 1 of the agenda report which, subject to consultation responses, be implemented from 1 April 2018.
- 3.2. That the Head of Commercial Services be authorised to give appropriate notice of any revised charges or changes as set out within this report pursuant to the Off-street Parking Places (Consolidation) Order 2015 and the Road Traffic Act 1984.
- 3.3. That the Cabinet approves the use of Regulation 10 Penalty Charge Notices within Chichester District from 1 April 2018.
- 3.4. That the Cabinet approves the inclusion of Florence Road car park (subject to agreement from West Sussex County Council as the Highway Authority) onto the Parking Order for Chichester District and implements a maximum stay as indicated in section 4.13 of the agenda report.

4. Background

- 4.1. Off-Street Parking Charges Income generated by car parking charges is regularly reviewed. In accordance with the Review of Fees and Charges Policy, Cabinet will recall that a number of increases in charges were approved and came into effect on 1 April 2017. These covered both rural and Chichester city car parks, with an increase in the cost of season tickets in the city car parks. A decision was also made at this time to extend the hours of charging in the Northgate and New Park Road car parks, Monday to Saturday, from 6pm to 8pm. Cabinet agreed at its meeting on 6th October 2016 that the hourly charges be frozen until 31st March 2018.
- 4.2 Car park users expect charges to be reasonable and proportionate. The Council needs to generate enough income from car parking to cover its costs and to allow for future investment. Car parks occupy valuable sites and charges need to reflect this. If they are not serving their purpose effectively, or their usage could be consolidated, there may be another economically beneficial use to which a site could be put.
- 4.3 Chichester District Car Park Strategy 2010-20 reflects the need to maximise the capacity of the existing stock. One method of doing so is to ensure that charges are set at a level which encourages turnover of use in higher demand areas.
- 4.4 It is understood that West Sussex County Council are likely to undertake a review of on-street parking charges in the coming months, with implementation of any proposed changes to these charges likely to be during 2018. Any amendments to charges would be closely monitored for deflection onto the highway.
- 4.5 Regulation 10 Chichester District Council's Civil Enforcement Officers operate under Regulation 9 of the Civil Enforcement of Parking Contraventions (England) General Directions 2007. Under this regulation a Penalty Charge Notice (PCN) is legally served by being affixed to the vehicle concerned or being handed in person to the vehicle's driver at the time of the contravention. In some cases, after preparing the necessary documentation, the Civil Enforcement Officer (CEO) is prevented from serving the PCN by the driver returning to the vehicle and driving off, or by the driver becoming abusive or threatening. Presently, PCNs which cannot be served in these circumstances are not pursued further.
- 4.6 Regulation 10 of the Civil Enforcement of Parking Contraventions (England) General Directions 2007 enables local authorities to serve PCNs by post in the above circumstances (referred to as Regulation 10 PCNs). Those authorities currently enforcing parking controls on behalf of West Sussex County Council do not presently use Regulation 10 PCNs. A number of local authorities in the southern region do issue Regulation 10 PCNs – including Fareham, Portsmouth, Southampton, Surrey Heath, Brighton and Hove and Winchester.

- 4.7 West Sussex County Council has requested local authorities in West Sussex who are currently operating civil enforcement on their behalf to extend this to include the serving of Regulation 10 Penalty Charge Notices. The vehicle keeper's details will be obtained from the DVLA at a later date and the PCN served by post. If the driver returns to the vehicle during the initial observation period, no PCN is issued, as at present. Approximately 240 Penalty Charge Notices were prevented from service during 2016/17 as a result of vehicles driven away / abusive or aggressive behaviour.
- 4.8 Where a PCN is served under Regulation 10 all rights of appeal and access to discount periods for early payment are the same as for a PCN served via Regulation 9.
- 4.9 It is important that motorists feel that the system is fair and consistent and this process will demonstrate that anyone committing a parking offence will be subject to the same enforcement which should promote increased compliance with regulations. Motorists who prevent a PCN being served by either driving away or who adopt threatening or abusive behaviour towards CEOs may at times be currently avoiding any penalty and therefore poor parking habits are perpetuated which has a detrimental effect on road safety.
- 4.10 Florence Road Car Park Chichester District Council owns the car park immediately adjacent to Florence Park in Chichester. This free of charge, 21 space car park is accessed from Pound Farm Road and provides parking for users of Florence Park and its amenities. There have been a number of comments received from customers using the park along with local organisations, relating to the use of the car park. There is increasing evidence of commuters using the car park all day which results in genuine customers of the park and the local amenities being prevented from parking. The car park is not currently included on the District Council's Parking Order and therefore enforcement by Civil Enforcement Officers cannot be undertaken on these vehicles.
- 4.11 It is recommended that the authority includes Florence Road car park onto its Parking Order to assist with the turnover of spaces. Whilst it is recommended that parking within the car park should at this stage remain free of charge it is proposed that a maximum stay of three hours should be stipulated within the car park, with a Penalty Charge Notice to be issued should this be exceeded. This stay duration is supported by local Members and local organisations. The proposal will require consideration by West Sussex County Council as the Highway Authority and will also require advertisement and consultation with the public.

5. Outcomes to be Achieved

- 5.1. To ensure Chichester District parking charges remain competitive with neighbouring centres leaving our business centres in a strong position and do not cause unacceptable parking deflection into residential areas.

- 5.2. The proposed charges assist with delivering the objectives of both assisting with capacity issues in the higher demand car parks and helping to cover administration and maintenance costs of each car park.
- 5.3. An enforcement service which is consistent regardless of the behaviour of the driver at the time of contravention occurring.

6. Proposal

- 6.1. The proposed charges as set out within Appendix 1 are approved for the purposes of consultation. The charges proposed are considered modest and competitive when compared with other neighbouring authorities. Details of charges in other nearby competing centres are included in Appendix 2 and 3. Subject to the outcome of the consultation they are to be implemented with effect from 1 April 2018.
- 6.2. The proposal to introduce Regulation 10 Penalty Charge Notices is recommended for approval to assist further with a consistent and effective civil enforcement service. It is not proposed at this time to issue PCNs using enforcement or CCTV cameras; however should this be a requirement then it is proposed that this would be undertaken in consultation with the relevant Portfolio Holder, community groups and local councillors. The adoption of Regulation 10 PCNs will help to reduce the number of unenforceable PCNs which present a loss of Civil Enforcement Officer time.
- 6.3. The inclusion of the Florence Road Car Park into the Parking Order is recommended for approval to assist with car park usage, capacity and consistency of approach.

7. Alternatives Considered

- 7.1 A series of options were considered by the Chichester District Parking Forum and these are fully detailed in the minutes of the Parking Forum.
- 7.2 Do nothing – however this would not assist with covering the costs of the provision of the car parks service, provide further consistency to customers or assist with car park usage or turnover.

8. Resource and Legal Implications

- 8.1. To implement changes to charges and car parks there will be minor costs associated with the provision of new signs and necessary adjustments to the machine tariffs as well as changes to back office software; these costs are contained within the service's revenue budget. In addition there may be costs associated with additional enforcement.
- 8.2. The Parking Order will require amendment once the charges are agreed.
- 8.3. Civil Enforcement Officers and Notice Processing staff will require additional training relating to Regulation 10 PCNs.

- 8.4. The recommendation to increase charges as set out in appendix 1 will generate an estimated additional gross income of £340,000 per annum.

9. Consultation

- 9.1. The proposed changes to parking charges were supported by the Parking Forum meeting of 6 September 2017 and were considered by the Commercial Programme Board in June 2017.
- 9.2. Amendment to the Parking Order will include a further period of public consultation.
- 9.3. Additional consultation was undertaken with the Chichester Festival Theatre and New Park Community Centre as part of the discussion and consideration by the Parking Forum of the impact of evening charges in the area.

10. Community Impact and Corporate Risks

- 10.1. Any increase in charges could cause people to park within neighbouring residential areas and reduce the economic effectiveness of the localities they serve. The modest nature of the increases and other mitigation proposed is designed to minimise this risk.
- 10.2. It is considered that the adoption of the power to issue Regulation 10 PCNs would reduce the number of PCNs evaded and improve compliance with the parking regulations, which will contribute to improving road safety, reducing public transport journey times and reducing congestion.
- 10.3. The inclusion of Florence Road Car Park onto the Parking Order is considered to improve the turnover of spaces in an area where sport and recreation is undertaken and might therefore encourage further use.

11. Other Implications

Crime and Disorder	None
Climate Change	None
Human Rights and Equality Impact Whilst there is no legislative requirement to provide designated disabled bays free of charge; this has been the case within the district for a number of years. The introduction of Regulation 10 Penalty Charge Notices will assist with a more consistent enforcement service.	None
Safeguarding and Early Help	None
Other	None

12. Appendices

12.1 Proposed Chichester District Parking Charges 2018-2019

12.2 Winchester City Council parking charges

12.3 Horsham District Council and Arun District Council parking charges

12.4 Havant Borough Council parking charges

13. Background Papers

13.1 None

Chichester District Council

THE CABINET

7 November 2017

Consultation on South Downs Local Plan Pre-Submission

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2. Executive Summary

The South Downs National Park Authority (SDNPA) has published its Local Plan for formal Pre-Submission Consultation. This is a formal stage of Local Plan preparation, which focuses on the specific questions of whether the proposed Local Plan is 'sound' and whether it meets legal and procedural requirements. Following the consultation, the SDNPA will submit their draft Plan (along with all formal representations received) to the Planning Inspectorate for examination.

The purpose of this report is to agree the Council's formal response to the draft Local Plan to be submitted to the SDNPA before the consultation deadline of 21 November. Officers have undertaken a detailed review of the draft Plan and are not proposing that the Council should submit any formal representations. However, officers have identified several minor issues that it would be helpful to bring to the attention of the SDNPA and invite them to consider addressing through modifications to the draft Plan. A list of these issues is appended to the report.

3. Recommendation

3.1 That the Cabinet advises the South Downs National Park Authority that:

(1) The South Downs Local Plan Pre-Submission draft is broadly supported.

(2) Chichester District Council does not intend to make any formal representations in response to the Pre-Submission consultation.

(3) The comments in appendix 1 to the agenda report are forwarded for its consideration with regard to possible modifications to the Pre-Submission Local Plan.

4. Background

- 4.1 The South Downs National Park Authority (SDNPA) has published its Local Plan for formal Pre-Submission Consultation for an 8-week period from 26 September to 21 November 2017. When adopted, the new Local Plan will cover the whole of the National Park including the area within Chichester District. This report summarises the main issues for Chichester District and recommends how Chichester District Council (CDC) should respond to the consultation.
- 4.2 The SDNPA has been working to prepare a Local Plan for a number of years. This work has included previous stages of public consultation on Local Plan Options in early 2014 followed by publication of a Preferred Options draft version of the Local Plan in autumn 2015. CDC has provided detailed comments in response to both of these earlier stages of consultation, with these comments having been reported to the Development Plan Panel in April 2014 and to the Development Plan and Infrastructure Panel and the Cabinet in September/October 2015.
- 4.3 The Pre-Submission consultation is a formal stage of Local Plan preparation, which focuses on the specific questions of whether the proposed Local Plan is 'sound' and whether it meets legal and procedural requirements. Following the consultation, the SDNPA will submit their draft Plan (along with all formal representations received) to the Planning Inspectorate. The Plan will then be subject to formal examination by an appointed Planning Inspector. In the event that this Council wishes to submit any formal representations, these will be taken forward for consideration by the appointed Local Plan inspector. He/she may then invite CDC to attend the Local Plan examination or provide further evidence through written representations.
- 4.4 The draft Local Plan sets out a planning framework for the National Park area over the period 2014 to 2033. It contains core, strategic, development management and allocation policies focusing on living landscapes, people and places and ensuring a sustainable future within environmental limits. The Plan sets out how the National Park should evolve and manage development taking account of the statutory purposes for national parks specified in the Environment Act 1995.
- 4.5 When adopted, the new Local Plan will replace all saved Local Plan policies inherited by the SDNPA, including those in the Chichester District Local Plan 1999 which currently still apply within the National Park area of the District. The new Plan will also replace all the joint core strategies covering the National Park that have been adopted since April 2011. A Habitat Regulations Assessment (HRA) and Sustainability Appraisal (SA) have also been published to accompany the Pre-Submission Local Plan.
- 4.6 At the start of the consultation period, all CDC members were sent an email providing web-links to the Pre-Submission Local Plan and all the supporting documents.

5. Outcomes to be Achieved

- 5.1 CDC will wish to ensure that the development strategy and specific planning policies proposed in the South Downs Local Plan will assist in delivering Council policy objectives in the National Park area of the district, including environmental protection, conservation of the landscape and historic environment, delivery of affordable housing, enhancement of community infrastructure and economic development. In addition, CDC will wish to ensure that planning policies proposed in the Plan will not result in any adverse impacts on the Chichester Local Plan area outside the National Park.

6. Proposal

- 6.1 The main purpose of this report is to agree CDC's response to the South Downs Local Plan Pre-Submission. Officers have not identified any major concerns relating to soundness that would justify making formal representations to the SDNPA and therefore it is not proposed that this Council should make any formal representations. However, officers have identified several minor issues that it would be helpful to bring to the attention of the SDNPA and invite them to consider addressing through modifications to the draft Plan. A list of these detailed issues is provided in appendix 1.
- 6.2 The section below summarises some of the main aspects of the Pre-Submission Local Plan that are most relevant to CDC and also considers how the Plan has been amended in response to the CDC's comments on the previous Local Plan Preferred Options consultation.

General

- 6.3 The objectives and proposed strategy are largely defined by the statutory purposes for national parks set out in legislation. In reflection of this, the Plan is landscape-led and the policies have been formulated to consider landscape first.
- 6.4 Policy SD25 identifies towns and villages within the National Park that are able to accommodate some growth. All settlement boundaries have been comprehensively reviewed as part of the Local Plan process apart from in designated neighbourhood plan areas. All of the settlements within Chichester District that previously had defined settlement boundaries will retain boundaries in the new Plan. However, in most cases the boundaries have been slightly altered following the boundary review.

Housing Provision

- 6.5 The National Parks Vision and Circular (2010) states that national parks are not suitable locations for unrestricted housing, but that NPAs have an important role to play as planning authorities in the delivery of affordable housing. The expectation is that new housing will be focused on meeting affordable housing requirements and NPAs should work with local authorities and others to ensure that the needs of local communities are met and affordable housing remains so in the longer term. The SDNP Local Plan reflects this approach, placing the main focus on delivery of affordable housing.

- 6.6 The Housing and Economic Development Needs Assessment (HEDNA) 2017 which was commissioned to support the Local Plan identified an objectively assessed need for 447 homes per year and separately identified a need for 293 affordable homes per year. Policy SD26 makes overall provision to deliver approximately 4,750 net additional homes across the National Park as a whole over the period 2014-2033, which is equivalent to 250 homes per year. However, there appear to be discrepancies between this figure and the housing supply figures presented in the supporting text at Figure 7.3 – this issue is highlighted in the officer comments in Appendix 1. These housing supply figures have been informed by evidence from a Strategic Housing Market Assessment (SHMA) and include:
- (i) net housing completions over the period 2014-2016;
 - (ii) strategic sites and land allocated for housing in the South Downs Local Plan and neighbourhood plans;
 - (iii) existing planning permissions (subject to a discount for non-implementation); and
 - (iv) an allowance for small windfall sites of under 5 dwellings.
- 6.7 The housing figure is not disaggregated by individual district, so there is no specific target for the part of the National Park within Chichester District. A breakdown of planned housing provision and unmet housing need by district is presented in Table 1 of the Duty to Cooperate Statement (Summer 2017) which has been published alongside the Pre-Submission Local Plan. However, following a Duty to Co-operate meeting between Council and SDNPA officers, it was established that the figures for Chichester District include a number of inaccuracies. The SDNPA has now informally provided amended housing figures which are presented in Appendix 2. An updated version of the Duty to Cooperate statement will be published when the Local Plan is submitted for examination in March 2018.
- 6.8 The amended figures for Chichester District show a projected housing total of 1,602 net dwellings, which would equate to an average housing delivery of 84 net dwellings per year over the Local Plan period (2014-2033). This level of delivery would more than meet the figure of 70 homes per year that was previously assumed for the SDNP part of Chichester District in the Chichester Local Plan Key Policies 2014-2029. However, the combined housing provision for the Chichester Local Plan area (435 dwellings per year) and SDNP area (84 dwellings per year) would still fall short of meeting the Objectively Assessed Housing Need (OAN) for Chichester District.
- 6.9 Policy SD26 makes provision for new housing development in the following settlements in Chichester District (including a combination of sites proposed for allocation in the Local Plan and neighbourhood plans). The policy also states that neighbourhood plans that accommodate higher levels of housing than is set out above will be supported where they meet local housing need and are in general conformity with the development plan.

<i>Parish</i>	<i>Housing provision</i>	<i>Allocation of sites</i>
Bury	6	Draft neighbourhood plan (1 site)
Easebourne	50	Pre-Submission Local Plan (3 sites)
Fernhurst (inc Syngenta)	220	Made NP (Syngenta + 2 other sites)
Fittleworth	6	Draft neighbourhood plan (1 site)

Lavant (inc Mid & East)	20	Made NP (2 sites in SDNP)
Midhurst	175	Pre-Submission Local Plan (5 sites)
Petworth	150	Draft neighbourhood plan (3 sites)
Rogate	11	Draft neighbourhood plan (2 sites)
South Harting	13	Pre-Submission Local Plan (2 sites)
Stedham	18	Pre-Submission Local Plan (1 site)
West Ashling	19	Pre-Submission Local Plan (1 site)
Total (Chichester District)	688	

- 6.10 The Pre-Submission Local Plan does not set any overall target for affordable housing delivery. This is a change from the Preferred Options version which specified an aim to deliver approximately 1,840 affordable homes across the National Park area. Policy SD28 requires that sites with gross capacity to provide 11 or more homes should provide a minimum of 50% affordable homes onsite, of which a minimum 75% should be rented affordable tenure. On sites with gross capacity to provide between 3 and 10 homes, the number of affordable homes is to be based on a sliding scale defined in the policy. This Council's housing officers generally support this approach, although in practice it is likely to be difficult to secure onsite units on sites where only one or two affordable units are to be provided. Policy SD27 is a new policy not previously included in the Preferred Options version of the Plan, which specifies a broad housing mix (number of bedrooms) for both affordable and market housing which development proposals which will be expected to meet.

Employment Provision

- 6.11 Policy SD35 provides for around 10 hectares of employment land for B-Class office and industrial uses, based on the employment needs assessed in the Employment Land Review (ELR) Update 2017 and the HEDNA. The supporting text indicates that there is already a sufficient supply to meet this requirement through extant planning permissions, sites allocated in neighbourhood plans and sites proposed in the Local Plan itself. This includes 1.4 hectares of land allocated in the Petworth NP (part of a larger site previously allocated in the Chichester District Local Plan 1999) and provision for some employment uses on the Syngenta site allocated in the Fernhurst NP.
- 6.12 Policy SD35 also addresses the safeguarding of existing employment sites and allocations. In its comments on the Preferred Options version of the Plan, CDC expressed concerns that the proposed policy wording lacked clarity and that the Plan should include guidance on requirements and evidence needed from applicants to demonstrate that there is no market demand for business premises. The Pre-Submission Local Plan policy now states that change of use applications that would result in a loss of employment land will only be permitted subject to evidence of a robust marketing campaign of at least 12 months which clearly demonstrates that there is no market demand for the business premises. However, some key employment sites are now defined on the Proposals Map as either 'principal employment sites' (including Holmbush Industrial Estate, Midhurst) or 'local employment sites' (including four sites in Chichester District) where greater safeguarding and evidence of 18 months of marketing will be required. Detailed marketing requirements for change of use applications are now set out in appendix 3 of the Plan. These are also referenced in other Local Plan policies relating to protection of visitor accommodation, shops both within and outside town/village

centres, and community infrastructure. Overall, the proposed policy for safeguarding is now much more detailed and appears to address the Council's earlier concerns. However, Economic Development officers consider that the marketing period for proposals involving the loss of tourism accommodation should be extended from a minimum of 12 months to 18 months. This issue is raised in the informal comments in appendix 1.

- 6.13 However, it should be noted that three existing employment sites in Chichester District (Cowdray Estate Works Yard, Easebourne; Stedham Sawmill; and the WSCC Depot Midhurst) were assessed in the ELR as being no longer fit for purpose. The Pre-Submission Local Plan includes policies allocating all three sites for predominantly residential development, although all three policies allow for the possibility of including some employment uses (B1).

Historic Environment

- 6.14 In its comments on the Preferred Options version of the Plan, CDC raised concerns that the Plan appeared relatively weak in terms of policy on the historic environment and built heritage. The SDNPA has sought to address these criticisms in the Pre-Submission Local Plan by strengthening references to a positive strategy for conservation and enhancement of the historic environment, including the addition of a specific Development Management policy relating to listed buildings. It is now considered that these amendments address CDC's earlier concerns.

7. Alternatives Considered

(i) Not to respond to the Local Plan consultation

- 7.1 This option is not recommended because of the significance of the South Downs Local Plan for the District (of which the National Park covers nearly 70%) and CDC's work and the services it provides.

8. Resource and Legal Implications

- 8.1 None.

9. Consultation

- 9.1 In preparing this report, internal consultation has been undertaken with relevant services across CDC. Since the Pre-Submission Plan has been published for general consultation, external organisations and interested parties will have the opportunity to submit comments separately on their own account.

10. Community Impact and Corporate Risks

- 10.1 The draft South Downs Local Plan sets out planning policies that will have a direct impact on communities and residents living within the National Park in Chichester District. The Plan could also indirectly impact on areas of the District outside the National Park boundary.

- 10.2 The policies contained within the Local Plan will impact on CDC’s service delivery in the National Park, in particular with respect to housing, economic development and the environment.

11. Other Implications

	Yes	No
Crime and Disorder		✓
Climate Change	✓	
Human Rights and Equality Impact	✓	
Safeguarding		✓
Other (please specify)		✓

12. Appendices

- 12.1 Appendix 1: CDC Officer Comments on South Downs National Park Authority Preferred Options Local Plan Document
- 12.2 Appendix 2: Projected housing delivery and unmet housing need in Chichester District

13. Background Papers

- 13.1 South Downs Local Plan Pre-Submission September 2017: a link to the website page where the documents may be viewed appears below:

<https://www.southdowns.gov.uk/planning/national-park-local-plan/>

APPENDIX 1

South Downs Local Plan Pre-Submission Informal Officer Comments

Housing comments

Policy SD26: Supply of homes and Figure 7.3

There appear to be discrepancies in the housing figures in the policy and Figure 7.3 in the supporting text. The housing figures for individual settlements listed in Policy SD26 total 2,905 dwellings and therefore this should be the figure shown in Row a. in Figure 7.3 (rather than 2,787 dwellings). If this figure is correct it would give an overall total of 5,095 dwellings rather than 4,750 as referred to in Policy SD26 or 4,977 dwellings as shown in Figure 7.3. This would give a net increase of 268 homes per year rather than 250 homes per year.

Policy SD27: Mix of homes

Paragraph 3 needs further clarification. Is it saying that on all sites over 5 units, developers need to include an element of older person or adaptable accommodation?

The word 'some' should be inserted into the following statement '1 bedroom affordable dwellings may be substituted with 2-bedroom affordable dwellings' and "subject to evidenced need" added. Details on how the mix requirement will be applied on smaller sites should be provided. Also this should state that 2 bedroom units should be provided as 50:50 mix of flats and houses.

Policy SD28: Affordable Homes

Although delivery of onsite affordable housing is supported, it will be extremely difficult in practice to deliver onsite units on sites as small as 4 dwellings.

Paragraph 1 – 'Development proposals of 3 to 10' should be amended to '4 to 10'

Paragraph 3 – Further guidance should be provided on levels of integration that will be required for the affordable units

Paragraph 5 – The wording should be expanded to state that developers may not circumvent the policy by under delivery of housing as well as artificial sub-division of sites.

Economic Development comments

Policy SD23 – Sustainable Tourism

The introduction to this policy states *"The National Park is a major resource for recreation and tourism, which play a significant role in the local economy"* and *"The South Downs Visitor and Tourism Economic Impact Study and the South Downs Visitor Accommodation Review found that the tourism sector is largely leisure driven, and there are frequent shortages of all types of accommodation at weekends throughout the year and during the week in summer."* It is also known that staying visitors spend more than day visitors. On average, a day visitor will spend £10.24 per person during their visit to the South Downs. Those staying overnight spend on average £38.87 per person per day. Tourism is also named as one of the three key sectors within the Local Plan. Given the importance of tourism to the local economy in the National Park, we would recommend that the

marketing policy for tourism accommodation should be in line with the other primary business uses with the minimum marketing requirement set at 18 months rather than 12 months as currently proposed.

Policy SD36 – Town and Village Centres

The policy wording refers to loss of units in Use Class A does not anywhere refer to the reduction of retail floorspace in existing units. This issue has arisen several times in the past few years within the market towns. The reduction of floorspace in retail units can affect the viability of shops and should be resisted where possible. The policy wording should be extended to cover this, as well as the loss of units.

APPENDIX 2

South Downs Local Plan Pre-Submission Projected housing delivery and unmet housing need in Chichester District

These figures may be subject to further update and, if necessary, correction.

Part A - Proposed Housing Provision in South Downs Local Plan: Pre-submission						
	A'	B	C	D	E	F
District	Provision made in the SDLP (Policy SD26)	Completions (2014/15 & 2015/16)	Unimplemented Planning Permissions	Windfall Allowance	Total Provision (A+B+C+D) (plan period 2014-2033)	Average Per Annum (E/19 years)
Chichester	688	166	569	179	1,602	84

Note:

¹ Column A includes site allocations in the draft South Downs Local Plan, 'made' neighbourhood plans (Fernhurst & Lavant) and neighbourhood plans currently in preparation (Bury, Fittleworth, Petworth & Rogate).

Part B - Target in Chichester Local Plan	Part C - Deficit of housing supply compared with housing need			
G	H	I	J	K
Annualised housing target for part of district outside SDNP	Total housing need per annum in SDNP part of district/HMA	Per annum Difference (unmet need within SDNP) (F-H)	Total housing need per annum in whole district/HMA	Surplus/deficit of supply vs need (negative value indicates unmet need)
435	125	-41	575	-56

Chichester District Council

THE CABINET

7 November 2017

Chichester Road Space Audit

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2. Executive Summary

This report provides details of a Road Space Audit which has been undertaken in Chichester city through consultants engaged by West Sussex County Council. The Road Space Audit considered the current and potential use of road and car parking space within the city to cater for existing and future parking demands. Cabinet are requested to consider the proposed feedback included within paragraph 6 which will form the basis of this authority's response to the document.

3. Recommendation

3.1 That the Cabinet considers the Road Space Audit consultation document and provides feedback as set out within para 6 of this agenda report.

4. Background

4.1 Working in partnership with Chichester District Council, West Sussex County Council (WSSCC) (through the engagement of a consultant) has undertaken a 'Road Space Audit' for Chichester (see the appendix). This audit examines the current parking demand – both on and off street – and considers future demands and pressures on the road network and parking supply. The availability of convenient, secure, well maintained and appropriately priced parking is a key ingredient of a successful economy as identified in the Council's Parking Strategy. The approach taken considers how parking provision can support alternative travel solutions, infrastructure improvements, safety considerations and housing and business development in the area.

4.2 The Audit considers a number of broad concepts and suggestions and has identified four key themes for consideration:

4.2.1 **Tackling Parking Issues (On-Street)** – this recognises that Chichester relies on a significant in-commute from other towns to provide the labour and expertise for many of its services which results in on-street parking. The Audit suggests that this is something which is not only necessary but also should be welcomed. The Audit

proposes that a Residential Parking Scheme is introduced which covers the whole of the urban area of Chichester (page 12 of full report) and is defined and prepared for implementation. The Audit concludes that evidence has indicated that many residential streets carry surplus capacity at times, with sections of parking allocation on-street which are not relied on by residents offering a number of parking spots suitable to be allocated for daytime use by commuters. The Audit proposes that performance pricing be introduced to control the duration of the stay and that this performance pricing is based on adjusting the tariff paid to park based on demand to achieve the desirable occupancy rate of 85-90% for on-street parking.

- 4.2.2 Parking Supply and Traffic Management** – The assessment of off-street parking within Chichester indicates that there is limited scope for growth in parking demand based on existing city capacity. The Audit observed occupancy of 78% (when including the outer long stay car parks) and considers this to be high for a city average, where the city centre car parks show levels at or close to 100%. The Audit proposes potential closure and redevelopment of surface car parks within the city walls, which, it is considered, would remove around 2,000 vehicles trips per day in and out of the city. The approach suggested is for further short stay capacity to be provided in the current Northgate, Cattle Market and Avenue de Chartres car parks by reducing the space given in these locations to long stay permit use.
- 4.2.3 Roadspace Reallocation** – This concept builds on the previous two and reallocates some of the roadspace, encouraging improvements to the urban realm and greater travel by sustainable modes, by using the principles of ‘Link’ and ‘Place’. The proposal would ultimately reallocate roadspace to create better walk, cycle, urban realm and public transport, whilst simultaneously removing or relocating provision for car based travel resulting in more people choosing to walk and cycle because there is less traffic on a particular route.
- 4.2.4 To, Not Through** – The fourth concept builds on the previous ones and considers how in the longer term traffic may be progressively and proactively managed away from the city centre’s core areas to enable a greater emphasis on key place functions (visitor attractions, shopping, restaurants, bars, etc.). The Audit proposes to reduce the attraction of using the inner ring road as a way to pass through the city, by introducing some restraints to vehicular access and the provision of obvious routes in areas away from the core. This concept requires clarity that any trip into the core must return by the same route that it entered, and that Chichester is not a through route for motor traffic. It is felt that this will reduce significantly the traffic demand and open up clear opportunities to reallocate roadspace used for wider highways just outside the city walls.
- 4.3** WSCC is currently undertaking a consultation on the concepts set out within the Road Space Audit and the results of this consultation will assist with the formation of the related action plan and Transport Strategy for the City.

5. Outcomes to be Achieved

- 5.1** To enable both Chichester District Council and WSCC to understand current parking demand, both on and off-street and how existing provision is used, along with an understanding of future demands and pressures on the road network and parking supply which allows for some outline recommendations for improvement. This allows the WSCC and District Councils to best understand measures and resources required

in order to meet these challenges, adjust parking supply and make the best of Chichester. The intended outcomes are a quieter, traffic calmed city centre that retains appropriate amount of parking for those who need it and increases the take-up of more sustainable modes of transport.

6. Proposal

6.1 The Audit has been considered by relevant officers of Chichester District Council. Officers recommend that the Council provides the following feedback to WSCC:

- 6.1.1 The findings of the report are consistent with the objectives within the approved Vision for Chichester.
- 6.1.2 The report suggests potential closure of some of the key car parks within the city (which is for the district council to determine if appropriate). Whilst the reasoning behind this suggestion is understood, a key issue is whether there are sufficient spaces further outside of the city centre or within residential areas to accommodate parking. Any such car park sites would be potentially used for 'park and walk' and we must have confidence that the sites would be utilised.
- 6.1.3 Car park income is one revenue source for assisting with covering costs of car park provision and any surplus is used to support other related services. Should there be a reduction in the number of off-street parking places there is likely to be a reduction in the income generated and this will need to be considered as part of the overall council budget setting process. It is not possible to quantify any potential reduction at this stage. Alternative uses for closed car parks might generate some off-setting income but the quantum is not known at this stage. A full assessment of the financial consequences of the proposals is required.
- 6.1.4 The impact of performance pricing in on-street bays and how this relates to off-street car parks has not been fully considered and will require a full assessment to understand demand, capacity and effect on income.
- 6.1.5 There may be concerns from residents regarding the increase of commuter parking in residential streets. It is clear that access for residents and deliveries must be preserved and this must be carefully communicated to those affected.
- 6.1.6 The full impact of the proposals on the retail sector has not been considered at this stage and this will require careful assessment to understand the potential loss of any retailers as a result which could be significant on footfall. A full consultation with the retail sector should be undertaken.
- 6.1.7 The demands for parking provision from the larger employers and organisations in the city will require consideration as part of any on-street and off-street parking provision and these demands are likely to fluctuate in future years.
- 6.1.8 The opportunity to use under-utilised road space for coach and lorry parking should be investigated and implemented if practicable. If successful this would release the existing coach/lorry park for more appropriate use to support the local economy.
- 6.1.9 The report proposes a change to the process undertaken to allow commuters to park on-street. Operational costs, time and policy associated with introducing amendments to on-street permits have not been considered at this stage, and will require further assessment and understanding.
- 6.1.10 The implications of the result of the A27 project must be considered, particularly in relation to the 'to, not through' element of the proposals.
- 6.1.11 The implications of the to, not through proposal on north/south trips needs to be understood

- 6.1.12 Chichester has three Air Quality Management Areas (AQMAs). The impact on the air quality of the measures and schemes described in the Road Space Audit is unclear to those specific areas although the principle of reducing vehicles in the city centre will potentially reduce car emissions, which is strongly supported and sits well with the Air Quality Action Plan and the Chichester Vision.
- 6.1.13 Encouraging non-car modes of transport such as walking and cycling , particularly by building this into day-to-day activities, will help to encourage behavioural change into the fabric of a place and make such modal choice the default.
- 6.1.14 Car Clubs warrant a mention with regard to road space. Further roll-out of the car club through Traffic Regulation Order bays in the residential areas could reduce residential demand through a collaborative consumption/resource sharing approach to accessing a car.
- 6.1.15 The document has significant emphasis on fostering an environment which makes walking and cycling the obvious choice for local journeys. Whilst we are strongly supportive of this approach and there is mention of making provision for those who are less able or unable to walk or cycle perhaps this theme should be developed further such that the Audit and any future action plan is more inclusive in that regard.
- 6.1.16 By considering the whole place, both on and off-street now and in the future, the Road Space Audit may be used to determine parking management plans that balance the needs of residents, businesses and visitors. In doing so it is anticipated that revised parking plans can be created that do not simply move a problem from one place to another. The Road Space Audit is an enabling / advisory document proposing a set of principles to assist with planning and managing parking in the city, complementing existing statutory plans and emerging studies in respect of transport infrastructure, parking policy and spatial planning.

7. Alternatives Considered

- 7.1 Not to engage with the process of a Road Space Audit. This would not allow either authority to further understand the demand for on and off-street parking nor to make the best use of parking allocations in the future.

8. Resource and Legal Implications

- 8.1 The Road Space Audit has been funded by WSCC. Staffing implications for CDC in respect of the emerging action plan have not been considered at this stage.
- 8.2 Should car park closures take effect there would be implications for the Council's assets and finances which would need to be fully understood.
- 8.3 Chichester District Council's Parking Strategy will require review as a result of the Road Space Audit should it be approved. This work has been programmed in for the current financial year however this work is dependant on the results of the Road Space Audit being concluded and any City wide transport modelling that WSCC conduct as part of the Chichester Vision work, as well as the Local Plan and Southern Gateway.

9. Consultation

9.1 Stakeholders have been involved in the process, with a number of events having taken place and views considered to formulate the final document. The Chichester District Parking Forum has also been kept fully informed on the progress of the Road Space Audit, with a number of representatives from the Forum having attended the associated workshops. Views from the Forum have been incorporated into the Council's proposed response. A presentation was held on 31 July 2017 which was open to all Members of the Council.

9.2 Consultation with the general public closed on 31 October 2017.

10. Community Impact and Corporate Risks

10.1 Whilst it is anticipated that the outcomes from the action plan will improve the nature of parking, there will be inevitably be concern from local residents and businesses. The reduction of surplus parking income may have an effect on the council's ability to support key service areas.

11. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change Improved use of road networks and car parks reduces travel and emissions associated therewith	X	
Human Rights and Equality Impact Reducing parking supply in the City centre could impact on persons with specific mobility needs. Careful design of the parking supply will be needed to ensure that such persons are not disadvantaged.	X	
Safeguarding and Early Help		X
Other (please specify) eg biodiversity		X

12. Appendices

12.1 Chichester Road Space Audit Executive Summary

13. Background Papers

13.1 Chichester Road Space Audit – full document:

https://haveyoursay.westsussex.gov.uk/highways-and-transport/chichester-rsa/supporting_documents/Chichester%20Roadspace%20Audit%20Final%20Report.pdf

Chichester District Council

THE CABINET

7 November 2017

Provision of a Parking Enforcement Service

1. Contacts

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2. Recommendation

2.1 That the Cabinet approves the continuation of the Agency Agreement for on-street parking enforcement plus the additional duties set out in para 3.2 of the agenda report with West Sussex County Council for a further six years commencing on 1 April 2018.

2.2 That the Cabinet grants delegated authority to the Head of Commercial Services to agree on the final terms of the Agency Agreement.

3. Background

3.1 Civil Parking Enforcement (CPE) was introduced by the Traffic Management Act 2004 (TMA) and relates to the removal of on-street parking offences enforced by the Police and their Traffic Wardens from criminal law and transferring them into civil law, where they are enforced by local authority employed Civil Enforcement Officers (CEO's). This change was implemented in Chichester in 2010, when the responsibility for on-street enforcement passed from the Police to the Highway Authority. West Sussex County Council (WSSCC), as with most Highway Authorities, passed this work onto Chichester District Council (CDC) as the Local Authority responsible for off-street parking under an Agency Agreement, with CDC amending its off-street Parking Order to comply with the Traffic Management Act.

3.2 CDC signed an Agency Agreement with WSSCC in 2010, which provided the authority with the power to enforce on-street on their behalf. This agreement was for a period of six years, with an extension provided for a further two years. In 2015 the authority agreed to a deed of variation of the contract which included the provisions for CDC to act on behalf of WSSCC in the maintenance, procurement and collection of charges for on-street parking, along with carrying out and dealing with administrative and reporting requirements in relation to approved remedial works of on-street signs and lines of a minor nature.

3.3 The Agreement expires, after its extension lapses, on 31 March 2018. All districts and boroughs across the county have the delegated authority to undertake parking enforcement on behalf of WSSCC through this type of agreement.

3.4 WSCC has requested that CDC sign up to another Agency Agreement for a period of five years, with the potential to extend by a further period of up to four years.

4. Outcomes to be Achieved

4.1 To provide a single integrated parking service, combining on-street and off-street management and enforcement. To provide the effective enforcement of parking controls. To be self-financing with any surpluses arising from the enforcement regime on-street used to improve parking facilities, to provide passenger transport improvements and other approved transport and environmental improvements, within the District in which the surplus accrued.

5. Proposal

5.1 The Agency Agreement has been considered by relevant Officers of CDC. Officers propose that CDC signs the Agreement. The main points of the Agency Agreement are:

5.1.1 WSCC will pay CDC an agreed sum each year to fulfil the requirements of the Agency Agreement.

5.1.2 Any integrated operation between on-street and off-street parking enforcement and controlled parking zone income shall be kept financially separate.

5.1.3 All revenue collected in regard to CDC's off-street parking shall belong to CDC and all revenue collected in regard to WSCC's on-street parking shall belong to WSCC. Neither party will have a claim to the others revenue unless where expressly agreed.

5.1.4 Either party may terminate the agreement on twelve months written notice.

5.1.5 The discharge of WSCC functions shall be cost neutral to the CDC.

6. Alternatives Considered

6.1 Not to engage with WSCC through the Agency Agreement. This would not bring about the desired aspiration to continue to provide an integrated parking service across the district and would not assist with providing the effective, consistent enforcement of parking controls.

7. Resource and Legal Implications

7.1 The Agency Agreement does not propose any departures from the existing arrangement and therefore it is not considered that resources should be affected. Discontinuation of the arrangement would, however, be detrimental to our position as a proportion of overheads are recovered from WSCC. Assistance from Legal Services will be required to finalise the agreement.

8. Consultation

- 8.1 Formal consultation is not required for the acceptance of this Agency Agreement. Discussions have been held between CDC and WSCC relating to this proposed Agreement.

9. Community impact and corporate risks

- 9.1 An integrated parking enforcement service in the community helps to provide 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 The Agency Agreement continues to provide a mechanism for enforcement of parking contraventions.	X	
Climate Change There are no significant climate change issues that need to be considered, although proper on-street enforcement should ensure that traffic management is improved, congestion reduced, with a positive impact on car emissions of vehicles.	X	
Human Rights and Equality Impact The continuation of the agreement provides a mechanism for appeals against Penalty Charge Notices.	X	
Safeguarding and Early Help		X
Other (please specify) eg biodiversity		X

11. Appendices

- 11.1 None

12. Background Papers

- 12.1 None