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A meeting of the **Cabinet** will be held in Committee Room 2 at East Pallant House Chichester West Sussex on **Tuesday 6 March 2018 at 09:30**

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

AGENDA

PART I

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 15 (a) or (b).

Apologies for absence will be taken at this point.

2 Approval of Minutes (pages 1 to 12)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 6 February 2018, a copy of which is circulated with this agenda.

3 Declarations of Interests

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

4 Public Question Time

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

RECOMMENDATIONS TO THE COUNCIL

5 **Senior Staff Pay Policy Statement 2018-2019** (pages 13 to 23)

The Cabinet is requested to consider the agenda report and appendix A with its nine appendices (of which only appendix A and appendices 1 and 5 thereto are circulated with the agenda and the remainder and the background paper may be viewed online only) and to make the following recommendation to the Council:

That the Senior Staff Pay Policy Statement 2018-2019 be published.

6 **Solent Recreation Mitigation Strategy** (pages 24 to 26)

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

That the definitive Solent Recreation Mitigation Strategy be approved for use in the determination of relevant planning applications.

7 **South Downs Local Plan - Duty to Co-operate** (pages 27 to 32)

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

That the Cabinet recommends to the Council that, subject to the completion of the ongoing evidence-based work and the assessment of sites to meet the identified housing needs associated with the Local Plan Review, the Council will assess the ability to meet some or all of the unmet housing needs of approximately 44 dwellings per annum arising from the part of the South Downs National Park within Chichester District via the Chichester Local Plan Review.

8 **Update on Tangmere Strategic Development Location Compulsory Purchase Order** (pages 33 to 36)

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

That the Council allocates a sum of £150,000 from the remaining Planning Delivery Grant Reserve and General Reserve to fund the continued work on the Compulsory Purchase Order in respect of the Tangmere Strategic Development Location.

KEY DECISIONS

9 **Social Prescribing** (pages 37 to 39)

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

That preferred option 1, detailed in the Project Initiation Document in the appendix

to the agenda report, that Chichester District Council hosts the Social Prescribing service be approved.

OTHER DECISIONS

10 **Authority's Monitoring Report 2016-2017** (pages 40 to 44)

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

That the publication of the Authority's Monitoring Report 2016-2017 on Chichester District Council's website be approved.

11 **Draft Havant Borough Local Plan – Consultation Response** (pages 45 to 47)

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

That Chichester District Council's response to consultation on the Draft Havant Borough Local Plan as set out in the agenda report be endorsed.

12 **Revisions to the Section 106 and Community Infrastructure Levy Protocol** (pages 48 to 50)

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

That the revisions to the Section 106 and CIL Protocol as set out in the appendix to the agenda report be approved.

13 **Selsey Haven** (pages 51 to 54)

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

(1) That the findings of the consultants' reports be noted and that the inclusion of recommendations in the Marshall Regen socio economic report and those in the Wolfstrome wayfinding report detailed in para 5.1 of the agenda report be supported and subsumed into the Selsey Vision Action Plan.

(2) That no further Chichester District Council resources be committed to progressing the Selsey Haven proposals.

OTHER MATTERS

14 **Report of Urgent Decision - Exception to Need to Tender - Beach Management Plan 2016-2021 - Beach Replenishment at Selsey**

Chichester District Council's (CDC) *Constitution* requires that most contracts

should be subject to a tender process in the interests of best value and fairness and proper public process. However, the *Constitution* provides for an exception to be made under certain circumstances.

In accordance with the Beach Management Plan (BMP) 2016-2021, approved by the Cabinet on Tuesday 9 February 2016, CDC secured from the Environment Agency Grant in Aid to supply and place 6,500 tonnes of beach replenishment at the Marine Car Park in Selsey. The Cabinet resolution authorised the Head of Housing and Environment Services to procure and award contracts for the work in accordance with the BMP 2016-2021 and Financial Standing Orders.

Five invitations to tender were sent out and four prices were received (demonstrating best value) using the methodology of the Portsmouth City Council Framework agreement, of which CDC is a named authority. However, the Framework is new and due to delays in receiving the necessary paperwork from the host authority, CDC is not yet a signatory to the Framework and so is not in a position to award the contract using the Framework.

Under section 6.1 of the *Constitution*, there are certain circumstances in which there is no need for tenders to be sought, one of which is where the work to be executed or the goods or materials or services to be supplied are required so urgently as to dispense with the need to invite tenders. In such cases an exception to tender can be agreed but (a) this must be the subject of an internal review and approved by the Section 151 Officer and the Monitoring Officer prior to the award of the contract and (b) reported to the next meeting of the Cabinet.

Due to the need to complete the construction works by 31 March 2018 to meet the grant conditions, an exception to tender has been made in order to award the contract to Earlcoate Construction and Plant Hire Limited. The estimated value of the work is approximately £164,391.28.

The Cabinet is asked to note the aforementioned urgent decision which has been taken.

15 **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.

16 **Exclusion of the Press and Public**

The Cabinet is asked to consider in respect of agenda items 17 (Southern Gateway Implementation) and 18 (St James Industrial Estate Chichester) making a resolution that the public including the press should be excluded from the meeting on the following grounds of exemption in Schedule 12A to the *Local Government Act 1972* namely:

- (i) agenda item 17: Paragraphs 1 (information relating to any individual), 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) , 5 (information in respect of

which a claim to legal professional privilege could be maintained in legal proceedings) and 6 (information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment) and

(ii) agenda item 18: Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information))

and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

[Note The confidential exempt Part II report for agenda items 17 and 18 are attached for members of Chichester District Council and relevant officers only (printed on salmon paper)]

PART II

17 Southern Gateway Implementation (pages 55 to 62)

The Cabinet is requested to consider the agenda report and its two appendices in the agenda supplement, all of which are Part II* confidential material with a restricted circulation to Chichester District Council members and relevant officers only (printed on salmon-coloured paper), and to make the following recommendations to the Council namely that:

- (1) The offer of £5m of funding from the Coast to Capital LEP be accepted, and the Funding Agreement attached as appendix 1 be approved.
- (2) Chichester District Council formally requests the LEP to authorise use of Flexibility Funding, as set out in para 6.1.1.1 of the report, to enable draw down of funds to commence in 2017-2018.
- (3) In the event that Flexibility Funding is approved by the LEP, Chichester District Council's Capital Programme be amended as follows:
 - £500,000 of LEP funding will be applied to the Enterprise Centre in 2017-2018.
 - £500,000 of Chichester District Council's capital reserves be transferred from the Enterprise Centre to the Southern Gateway project in 2018-2019 to supplement the £4.5m balance of LEP funding.
- (4) Should the LEP refuse Chichester District Council's request to utilise Flexibility Funding, and should Chichester District Council also be unable to draw down funding by 31 March 2018, delegated authority be given to the Executive Director to amend the funding agreement to reflect a reduction in funding to £4.5m following consultation with the Leader of the Council.

- (5) The Executive Director be given delegated authority to make other minor amendments to the funding agreement prior to signature after consultation with the Leader of the Council.
- (6) The Executive Director be given delegated authority to expend the LEP funding in accordance with the finalised Funding Agreement after consultation with the Leader of the Council.
- (7) Chichester District Council is prepared, in principle, to use its compulsory purchase powers to make and promote a compulsory purchase order(s) to acquire the relevant land for a comprehensive development comprising a mix of uses as set out in the adopted Southern Gateway Masterplan area (attached as appendix 2).

18 **St James Industrial Estate Chichester** (pages 63 to 68)

The Cabinet is requested to consider the agenda report and its two appendices in the agenda supplement, all of which are Part II confidential exempt material made available to members and relevant officers only (printed on salmon-coloured paper), and to make the following resolution and also the recommendation to the Council:

A - RESOLUTION BY THE CABINET

That the PID for the part-refurbishment and part-replacement of units at St James Industrial Estate be approved.

B - RECOMMENDATION TO THE COUNCIL

That £4,360,000 of New Homes Bonus budget be allocated in respect of the PID for the part-refurbishment and part-replacement of units at St James Industrial Estate.

NOTES

- (1) The press and public may be excluded from the meeting during any item of business wherever it is likely that there would be disclosure of 'exempt information' as defined in section 100A of and Schedule 12A to the *Local Government Act 1972*.
- (2) The press and public may view the report appendices which are not included with their copy of the agenda on the Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless they contain exempt information.
- (3) Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting

movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council's *Constitution*]

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

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

NON-CABINET MEMBER COUNCILLORS SPEAKING AT THE CABINET

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

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



Minutes of the meeting of the **Cabinet** held in Committee Room 2 at East Pallant House Chichester West Sussex on Tuesday 6 February 2018 at 09:30

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

Members Absent

Officers Present Mr M Allgrove (Planning Policy Conservation and Design Service Manager), Mrs H Belenger (Accountancy Services Manager), Mr M Bradshaw (Assistant Estates Surveyor), Mr M Catlow (Group Accountant (Technical and Exchequer)), Mr D Cooper (Group Accountant), Mrs K Dower (Principal Planning Officer (Infrastructure Planning)), Mr A Frost (Head of Planning Services), Mr S Hansford (Head of Community Services), Mrs A Huggett (Business Development Manager), Mrs V McKay (Valuation and Estates Manager), Mr P E Over (Executive Director), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Senior Member Services Officer), Mr J Ward (Head of Finance and Governance Services) and Mr J Mildred (Corporate Policy Advice Manager)

470 **Chairman's Announcements**

Mr Dignum welcomed the members of the public, the press representatives and Chichester District Council members and officers who were present for this meeting.

He drew attention to the date of this meeting marking the one hundredth anniversary of the giving of royal assent to the *Representation of the People Act 1918*, which was a significant milestone in achieving equality between the sexes. The statute granted the vote to women over the age of 30 who were householders, wives of householders, occupiers of property with an annual rent of £5 and graduates of British universities. As a result, about 8.4 million women gained the vote.

Considerable progress had been made in the ensuing years, as evidenced for example in Chichester District Council with the number of women who were Cabinet members or senior officers including the Chief Executive, each of whom were making, and would continue to make, a significant contribution to the organisation.

He explained the various sets of agenda papers 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.

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

[Note Minute paras 470 to 484 below summarises the consideration of and conclusion to agenda items 5 to 15 inclusive but for full details please refer to the audio recording facility via this link:

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

471 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 9 January 2018, which had been circulated with the agenda.

There were no proposed changes to the minutes.

Decision

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

RESOLVED

That the minutes of the Cabinet's meeting on Tuesday 9 January 2018 be approved without amendment.

472 **Declarations of Interests**

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

473 **Public Question Time**

No public questions had been submitted for this meeting.

474 **Budget Spending Plans 2018-2019**

The Cabinet received and considered the agenda report and its four appendices in the agenda supplement. The third agenda supplement gave details of an amendment to note 23 to the list of major variations on page 12 of the agenda supplement (car park fees and charges – inflation increase (additional income of £273,300)).

This item was introduced by Mr Wilding.

Mrs Belenger and Mr Cooper were in attendance for this matter.

In commending the draft spending plans and the recommendations in the report, Mr Wilding explained that this was the next stage after the Council's approval on 23 January 2018 of CDC's Financial Strategy and Plan 2018-2019, leading to the Council being asked to set the budget and the council tax at its next meeting on 6 March 2018. The report focussed on the budget spending plans of each Cabinet portfolio, how they aggregated and, together with the various funding streams, underpinned the balanced budget before the Cabinet. He acknowledged the impressive collaborative effort undertaken by budget managers and CDC's finance team and overseen by the Strategic Leadership Team whereby service delivery priorities were met within the onerous constraints on public sector financial resources. The budget would be the third year in the four-year settlement agreed by CDC and the government. The funding sources in the financial strategy set out the best estimate for funding going forward beyond 2019-2020 (the last year of the four-year settlement). Final details from the government of the local government annual financial settlement were awaited and so the draft budget was based on the draft settlement released on 19 December 2017. There was one variance from CDC's earlier estimates: a slight increase in the Rural Services Delivery Grant (RSDG) of £35,000, which had brought the RSDG back to its 2017-2018 level of £152,000. The balancing of the budget was undertaken in the context of a five-year financial strategy and some of the key variables and issues affecting that model were described in the report: income from fees, charges and rents; use of reserves; and council tax. It was firmly believed that CDC should once again take up central government's offer of allowing a rise in council tax by £5 for band D properties (less than 10 pence per week) and equivalent increases for other property bands. This would help to offset the continued withdrawal of central government funding eg in 2018-2019 CDC would no longer receive any Revenue Support Grant. The modest council tax increase (assumed in the five-year financial strategy) would generate an extra £264,000 per year and assist in closing the budget deficit which would otherwise emerge in the medium term. In addition there was the continuing work on the deficit reduction plan which aimed to generate further income and savings amounting to £2.3m over the next five years. Those measures would help to minimise future council tax rises.

He alluded to and summarised the following from the papers: the net revenue requirement in the income and expenditure statement; the effect any increase or decrease of the final government settlement on the amount of transfer into the Investment Opportunities Reserve; the major variances by department and service area between the 2017-2018 and 2018-2019 budgets (the service efficiency savings would more than fund the growth items); the portfolio budget summaries; the Capital and Projects Programme and Asset Replacement Programme; the Statement of Reserves (which was consistent with the Financial Strategy, remained robust and healthy and showed that the Capital Programme and Asset Replacement Programme were fully funded); and the section 151 officer's statutory report in para 14.2 of the report, in which Mr Ward advised that financial estimates were sound, the resultant estimates robust and reserves adequate.

Mrs Belenger and Mr Cooper did not wish to add to Mr Wilding's introduction. Mr Frost replied to a question about the correlation between the decrease in planning income (item 19) and the 20% increase in planning fees additional income (item 27) in the major variations listed on page 8 of the agenda supplement.

Mr Dignum commended this very well prepared budget, which continued CDC's well-established practice of producing a balanced budget.

Decision

The Cabinet supported the budget spending plans for 2018-2019 and voted unanimously on a show of hands to make the recommendations to the Council and also the resolution which are set out below.

RECOMMENDED TO THE COUNCIL

- (1) That a net budget requirement of £12,988,300 for 2018-2019 be approved.
- (2) That council tax be increased by £5 from £150.81 to £155.81 for a band D equivalent in 2018-2019.
- (3) That the Investment Opportunities Reserve be increased by £820,200.
- (4) That, should the final settlement differ from the provisional settlement, any increase or decrease be dealt with by adjusting the transfer to the Investment Opportunities Reserve above.
- (5) The capital programme including the asset renewal programme (appendix 1c and 1d) be approved.

RESOLVED

That the current resources position in appendix 2 and the budget variances included in the Draft Budget Spending Plan in appendix 1b including growth items be noted.

475 Consideration of Consultation Responses and Modifications to Chichester District Council's Infrastructure Business Plan 2018-2023

The Cabinet received and considered the agenda report and its two appendices, the first of which and an extract (the CIL spending plan) of the second were circulated in the agenda supplement. The full version of the second appendix was available for online viewing only in the second agenda supplement and also as a hard copy in the Members Room at East Pallant House.

This item was introduced by Mrs Taylor.

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

Mrs Taylor referred to the nature and purpose of CDC's Infrastructure Business Plan (appendix 2) and the consultation process undertaken in autumn 2017, the details of which were set out in sections 3 and 8 of and in appendix 1 to the report. She summarised the new projects proposed by Sussex Police and West Sussex County Council and the responses thereto in the report (paras 3.9 and 3.11 respectively). She emphasised the excellent CIL collection rate to date (para 3.4) and the amount passed to parishes as at October 2017 demonstrated their active involvement in the delivery of infrastructure in their areas.

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

Mr Dignum pointed out that the CIL collection figures had made a substantial difference to the parishes' ability to plan for projects.

Decision

The Cabinet voted unanimously on a show of hands to make the recommendations to the Council which are set out below.

RECOMMENDED TO THE COUNCIL

- (1) That the proposed responses to the representations received and subsequent modifications to the Infrastructure Business Plan as set out in appendix 1 be approved.
- (2) That the amended Infrastructure Business Plan including the CIL Spending Plan attached as appendix 2 be approved.

476 Draft Treasury Management Strategy 2018-2019

The Cabinet received and considered the agenda report and its four appendices in the agenda supplement. The third agenda supplement gave details of an amendment to Table 1: Investment Portfolio Position – 31 December 2017 in appendix 2 on page 84 of the agenda supplement.

This item was introduced by Mr Wilding.

Mr Catlow was in attendance for this matter.

In commending the recommendations in para 2.1 of the report, which were supported by CDC's Corporate Governance and Audit Committee (CGAC) at its meeting on 25 January 2018, Mr Wilding explained that the Council was required each year to approve a Treasury Management Strategy (TMS). The main regulatory reforms which affected the TMS were (a) the new Code of Treasury Management Practice issued by CIPFA early in 2018 and which updated government guidance on investments (expected imminently and in the light of which the TMS would be reviewed and brought back to the Cabinet and the Council later in 2018 if required); (b) CIPFA's recent adoption of IFRS9 into the 2018-2019 Accounting Code of Practice (this had been before the Council on 23 January 2018) - unless the government was persuaded to issue a statutory override in relation to certain accounting aspects of IFRS9, changes in the market value of CDC's external pooled fund investments could affect the General Fund and this 'Fair value risk' was probably the most significant change in risk faced if CDC's risk appetite statement remained appropriate; and (c) European Money Market Fund reform. Notwithstanding the aforementioned changes in particular, the recommended risk appetite statement was unchanged ie CDC remained fundamentally risk adverse but accepted a modest degree of risk. He highlighted the following key updates to the TMS in appendix 1 as being of particular importance: (i) Treasury Management Practices (TMP1) (appendix 3 on page 104); (ii) the increase in the lowest credit

rating proposed for CDC from BBB+ to A- (table 5 in appendix 2 on page 89); (iii) the proposed increase in the maximum that could be invested in non-property fund pooled investments from £10m to £15m (table 7 in appendix 2 on page 93).

Mr Catlow responded to comments by Mr Dignum with respect to (a) CDC applying the appropriate risk criteria to position itself on the right side of prudent while seeking an appropriate return on its investments; (b) the increase in the lowest credit rating; and (c) CDC's external fund investments were of a kind which could be realised if suddenly required.

Decision

The Cabinet voted unanimously on a show of hands to make the recommendations to the Council which are set out below.

RECOMMENDED TO THE COUNCIL

- (1) That the Treasury Management Policy and Treasury Management Strategy Statement for 2018-2019 as contained in appendix 2 (as amended) of the agenda report be approved.
- (2) That the Investment Strategy 2018-2019 as detailed in the Treasury Management Strategy Statement be approved.
- (3) That the Prudential Indicators and Limits for 2018-2019 included in appendix 2 of the agenda report be approved.

477 Disposal of 2 The Gardens College Lane Chichester

The Cabinet received and considered the agenda report and its two appendices, the second of which was Part II confidential exempt material.

This item was briefly introduced by Mr Dignum before he deferred to the officers to present this item.

Mr Bradshaw and Mrs McKay were in attendance for this matter.

Mr Bradshaw summarised sections 3 and 5 of the report and Mrs McKay referred to section 6.

Mrs Kilby said that she had spoken with CDC's housing team and she was able to confirm the position as set out in section 6.2 of the report.

In reply to a member's question, Mr Bradshaw explained why the property would be sold by auction rather than by private treaty and Mrs McKay confirmed that on legal advice CDC's position would be appropriately protected by, for example, an overage clause.

Decision

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

RESOLVED

That the property be declared surplus to requirements and the Head of Commercial Services be authorised to proceed with the disposal of the land and property at 2 The Gardens College Lane Chichester by auction as set out in section 5 of the report.

478 East Pallant House Options Appraisal

[**Note** The audio recording for this meeting reveals that for officer availability reasons this item was in fact taken after agenda item 10 but it appears in these minutes (as well as in the audio recording) in accordance with the published order of business in the agenda]

The Cabinet received and considered the agenda report and its Part II confidential exempt appendix.

This item was introduced by Mr Wilding.

Mr Mildred was in attendance for this matter.

Mr Wilding summarised the previously approved initial project proposal document (IPPD) for the East Pallant House (EPH) Options Appraisal of CDC's future office accommodation needs and potential alternative uses for EPH (excluding both the East Pallant car parks and the leased north wing). Of the three options considered, 1 and 2 involved remaining in EPH (respectively no change and seeking more efficient use by an incremental reduction in the footprint through more flexible working and shared use). Option 3 (complete vacation and relocation) was the subject of a consultant's report but since this would leave CDC in a worse financial position it was not being recommended. At its meeting on 16 January 2018 the Overview and Scrutiny Committee supported Option 2, which was now proposed to the Cabinet, namely for CDC to retain EPH and for officers to continue to identify opportunities to provide office accommodation for partners, voluntary sector or commercial organisations as they arose. This would ensure that office space was fully and efficiently utilised and operating costs kept to a minimum. Mr Wilding concluded by saying that it was important to be mindful of staff welfare in any re-planning.

In view of Mr Wilding's final remark about staff welfare, Mr Dignum said that with the support of the Cabinet the resolution responding to recommendation 3.2 would include the addition of the following words at the end of the sentence after the word 'minimum': 'while being mindful of staff welfare in any re-planning'.

Mr Mildred said that he noted, understood and respected the point made about taking into account staff welfare. The new ways of working (NWOW) project would continue but in an evolutionary and not a revolutionary manner, with the potential for

third parties to occupy parts of EPH being examined on a case by case basis. He pointed out that the current office moves within EPH were as a result of the management restructuring which would come into effect on 1 April 2018 and not part of NWO. He said that members would be issued in due course with an EPH map showing the reconfigured locations.

Mrs Lintill and Mrs Kilby spoke in support of option 2, mentioning the evident advantages for staff and the public of CDC having a central city location.

Decision

The Cabinet voted unanimously on a show of hands to make the resolutions, with the aforementioned amendment, which are set out below.

RESOLVED

- (1) That Chichester District Council continues to use East Pallant House as the primary office accommodation for the organisation.
- (2) That officers continue to identify opportunities to provide office accommodation for partners, voluntary sector or commercial organisations as those opportunities arise to ensure office space is fully utilised and operating costs are kept to a minimum, while being mindful of staff welfare in any re-planning.

479 **Article 4 Directions for Chichester Conservation Area**

[Note The audio recording for this meeting reveals that for officer availability reasons this item was in fact taken before agenda item 9 but it appears in these minutes (as well as in the audio recording) in accordance with the published order of business in the agenda]

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

This item was introduced by Mrs Taylor.

Mr Allgrove was in attendance for this matter.

Mrs Taylor explained the nature and effect of an Article 4 Direction and the circumstances (para 3.3 of the report) which had necessitated an amendment to the Article 4 Directions approved in 2016. The procedure, which would not require a further public consultation, for publishing the revised Article 4 Directions was set out in sections 5 and 8 of the report.

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

Decision

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

RESOLVED

- (1) That the implementation of an 'immediate' Article 4 direction to cover minor alterations as set out in appendix 1 to the agenda report to dwellings within the Chichester Conservation Area be approved.
- (2) That the implementation of a 'non-immediate' Article 4 direction to cover installation of solar panels on buildings within the Chichester Conservation Area be approved.
- (3) That decisions to confirm and implement the directions referred to in (1) and (2) above be taken by the Head of Planning Services following consultation with the Cabinet Member for Planning Services and the ward members for the Chichester Conservation Area within six months of the Directions being made.

480 Contaminated Recycling Bin Policy

[**Note** The audio recording for this meeting reveals that for officer availability reasons this item was in fact taken after agenda item 12 but it appears in these minutes (as well as in the audio recording) in accordance with the published order of business in the agenda]

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

This item was introduced by Mr Barrow.

Mrs Huggett was in attendance for this matter.

Mr Barrow highlighted first of all the very pleasing news that during the last two quarters CDC had achieved a 45% recycling rate, which constituted a significant improvement in the ongoing drive to achieve the 50% target to be met by 2020 (when its recycling campaign began the rate was 38%). This increase in the rate was the result of (a) the time and money invested by CDC in education about recycling and (b) the very conscientious, diligent efforts by the residents of Chichester District. There was, however, a very small minority of residents who continued to contaminate the contents of the burgundy recycling bins. It took only one household's contaminated bin to cause the entire street's recycling load to be rejected and taken to landfill instead. This was using up the increasingly limited availability of landfill space and deprived CDC of the much-needed recycling credits. There was an obvious need for CDC to have a clear policy for dealing with the persistent contamination of recycling bins. The proposed policy for adoption, utilising a two-stage and measured approach to this problem, was set out in the appendix. The views of the Waste and Recycling Panel were set out in paras 5.4 and 7.1 of the report. It was felt to be most unlikely that CDC would need to move to or, if it did, have to apply all parts of the second stage. The emphasis would continue to be first and foremost on education not enforcement.

In her supplementary remarks and answering members' questions, Mrs Huggett said that officers expected the focus to be on the informal first stage in the proposed

policy and the need to invoke the second stage would be a last resort. CDC was performing very well compared with many local authorities but this did not negate the need for a robust enforcement policy. The second recommendation (para 2.2) would require an amendment to CDC's *Constitution*. The target was no more than 6% contamination in a full load; if over 10%, the load would be rejected at the transit site. Where possible, CDC crews would complete a visual inspection of each bin for any immediately obvious contaminants, which would be followed by an advisory letter sent to the household. The crews endeavoured to engage with residents as much as possible. There was always a risk that a passer-by could put a contaminant in a burgundy bin left on the roadside out for collection but this was much more likely to occur in communal bins, hence the additional measures provided for such bins. On a monthly basis, approximately 500 initial letters were currently being sent out to householders. Had the proposed new policy been in place, only the informal stage would have been deployed.

During the discussion members expressed their support for the proposed policy and recognised the vital and principal role education must continue to play to avoid both accidental and specifically, in the context of this policy, deliberate contamination, thereby improving the CDC recycling rate and so attaining the 50% target by 2020.

Mrs Shepherd advised that the second recommendation in the report (para 2.2) should be a recommendation to the Council rather than a resolution by the Cabinet. Mr Dignum re-worded the recommendation in para 2.2 accordingly.

Decision

The Cabinet voted unanimously on a show of hands to make the resolution and the recommendation which are set out below.

RESOLVED

That the Contaminated Recycling Bin Policy as endorsed by the Waste and Recycling Panel be approved.

RECOMMENDED TO THE COUNCIL

That delegated authority be granted to the Chichester Contract Services Manager to issue fixed penalties or other notices for waste and waste-receptacle related offences including (but not limited to) powers under the *Clean Neighbourhoods and Environment Act 2005* and sections 46A to 46D of the *Environmental Protection Act 1990* (as amended).

481 **Local Strategic Statement 3 and Statement of Common Ground**

[Note The audio recording for this meeting reveals that for officer availability reasons this item was in fact taken before agenda item 11 but it appears in these minutes (as well as in the audio recording) in accordance with the published order of business in the agenda]

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

This item was introduced by Mrs Taylor.

Mr Allgrove was in attendance for this matter.

Mrs Taylor said that the nature of the duty to co-operate (DTC), with which CDC must comply if the Local Plan Review were to be pronounced sound, was the subject of proposed changes in a recent government consultation (paras 3.2 and 3.3 of the report) which would lead to the revision of the *National Planning Policy Framework* and the requirement to prepare a Statement of Common Ground (SCG). Accordingly and in view of the proposed approach to strategic planning (Local Strategic Statement 3 (LSS3)) set out in the West Sussex and Greater Brighton Strategic Planning Board (WSGB) document appended to the report, there was now a need for the WSGB authorities to agree a SCG. Sections 4, 5 and 6 of the report addressed how to achieve LSS3 and satisfy the DTC.

Mr Allgrove emphasised that the process of preparing LSS3 would assist CDC in meeting the DTC in relation to the current Local Plan Review.

Decision

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

RESOLVED

That the approach to addressing strategic planning issues within West Sussex and Greater Brighton through the production of Local Strategic Statement 3 and a Statement of Common Ground be endorsed, as set out in the report to the West Sussex and Greater Brighton Strategic Planning Board (attached as an appendix to the agenda report).

482 **Late Items**

There were no late items for consideration at this meeting.

483 **Exclusion of the Press and Public**

In order to consider the Part II confidential exempt matter listed as agenda item 15 Mr Dignum read out the resolution set out below, which was proposed by Mrs Taylor and seconded by Mr Barrow.

Decision

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

RESOLVED

That in accordance with section 100A of the *Local Government Act 1972* (the Act) the public and the press be excluded from the meeting during the consideration of agenda item 15 (Amendment to Scope of Negotiations for Concessions Contract) for

the reason that it is likely in view of the nature of the business to be transacted that there would be disclosure to the public of 'exempt information' being information of the nature described in Paragraphs 1 (information relating to any individual) and 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A to the Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

484 Amendment to Scope of Negotiations for Concessions Contract

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

The report was presented by Mrs Lintill.

Mr Hansford was in attendance for this item.

After Mrs Lintill's introduction, Mr Hansford made brief comments.

Mr Dignum emphasised the confidentiality of this item and Mrs Lintill said that she would e-mail all CDC members to reinforce the strictly exempt status of the subject matter.

Decision

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

RESOLVED

That an extension to the scope of the negotiations previously authorised be approved in accordance with the proposal contained within section 5 of the agenda report.

[Note The meeting ended at 10:39]

CHAIRMAN

DATE

Chichester District Council

THE CABINET

6 March 2018

Senior Staff Pay Policy Statement 2018-2019

1. Contacts

Report Author:

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Cabinet Member:

Peter Wilding - Cabinet Member for Corporate Services

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2. Recommendation

- 2.1. That the Council be recommended to publish the Senior Staff Pay Policy Statement 2018-2019.**

3. Background

- 3.1. Since 2012 the Council has been required by section 38 (1) of the Localism Act 2011 (the Act) to publish an annual pay policy statement concerning its statutory and non-statutory Chief Officers and senior staff immediately reporting to them. This statement must be approved by Full Council in accordance with guidance published by the Department for Communities and Local Government under section 40 of the Act.

4. Outcomes to be Achieved

- 4.1. Complying with the employment requirements of the Act so as to demonstrate transparency in relation to pay policies affecting statutory and non-statutory Chief Officers and their deputies

5. Proposal

- 5.1. That the Council publishes the Senior Pay Policy Statement (attached as Appendix A) and the associated appendices (1 to 9). Senior staff, for Localism Act purposes, constitutes the Chief Executive, the Executive Director, five other Directors including the Section 151 Officer, the Monitoring Officer and those senior officers reporting to them. The bases for pay and other forms of remuneration for the above staff, including at recruitment and in redundancy situations, are included in this Statement and its appendices. All the appendices will be published as part of the Statement but where they are unchanged (this applies to appendices 2, 3, 4, 6, 7, 8 and 9) since last year's approved report to Council on 7 March 2017, they are not being re-printed here but can be viewed online on the Council's website:
<http://www.chichester.gov.uk/article/24175/Transparency-of-Senior-salaries>

- 5.2. With effect from the 1 April 2018, a new senior management structure is being introduced. As a result of this one of the two previous Executive Director posts

and two of the previous seven Heads of Service posts have been deleted from the structure. The remaining five Heads of Service will continue to be part of the management team with revised posts as Directors. These changes to the management team have resulted in annual savings of £129,100.

6. Alternatives Considered

6.1. Not applicable as this is a legislative requirement.

7. Resource and Legal Implications

7.1. None.

8. Consultation

8.1. Consultation with Staff and Employers Side representatives of the Joint Employee Consultative Panel (JECP) took place prior to the inaugural Statement in 2012. All officers within the scope of the statement have been advised of this.

9. Community Impact and Corporate Risks

None

10. Other Implications

Crime and Disorder		None
Climate Change		None
Human Rights and Equality Impact An impact assessment has been carried out by the HR section. The impact of the statement is neutral. However it will further ensure that all decisions made about senior staff pay and benefits are made in a fair, transparent and accountable way.	Yes	
Safeguarding and Early Help		None
Other		None

11. Appendices

- 11.1. Appendix A: Senior Staff Pay Policy Statement (and its appendices 1 – 9 as listed below).
- 11.2. Appendix 1 to Statement: Chief Officers & Deputies Pay and Benefits Schedule
- 11.3. Appendix 2 to Statement: Salary tables for grades 1/2 to 12 (viewable on website only – see para 5.1)
- 11.4. Appendix 3 to Statement: Hay Job Evaluation process – summary (viewable on website only – see para 5.1)

- 11.5. Appendix 4 to Statement: Honorarium Payments criteria (October 2007) (viewable on website only – see para 5.1)
- 11.6. Appendix 5 to Statement: Car Allowances Table (Cash Alternative and Essential User)
- 11.7. Appendix 6 to Statement: Relocation Policy (viewable on website only – see para 5.1)
- 11.8. Appendix 7 to Statement: Assisted House Purchase Scheme (viewable on website only – see para 5.1)
- 11.9. Appendix 8 to Statement: link to LGPS & Early Termination of Employment Discretions Policy (viewable on website only – see para 5.1)
- 11.10. Appendix 9 to Statement: link to Training & Development Policy section 11 Qualification Training (viewable on website only – see para 5.1)

12. Background Papers

- 12.1. Human Rights and Equality Impact Assessment (viewable on website only)



**Chichester District Council
Senior Staff Pay Policy Statement**

This statement was approved by Cabinet and Council on the x.

1. In line with the requirement to publish an annual policy statement for Chief Officers this statement outlines the Council's approach to senior staff pay. The statement includes reference to the relationship and ratio between the pay for the highest paid staff and the lowest paid staff in the Council. This statement is effective from the 1st April 2018.
2. The attached Appendices to this statement contain Council policies and other documents that determine elements of senior officer rewards and remuneration.
3. The Localism Act 2011(The Act) seeks to examine the pay and benefits of statutory and non-statutory Chief Officers and senior staff immediately reporting to them.
4. This statement focuses on the items and obligations outlined in chapter 8 of the Act.
5. The Council has eight Chief Officers in terms of the Act, comprising the Chief Executive, the Executive Director, five other Directors including the Section 151 Officer, and the Monitoring Officer. The Chief Executive and Directors are paid in line with pay awards determined by the Joint Negotiating Committee (JNC) for Chief Executives and JNC for Chief Officers of Local Authorities as applicable. With the exception of apprentices on an official government sponsored apprenticeship, all other staff in the Council are paid in line with National Joint Council for Local Government Services (NJC) pay awards. Base salaries for all NJC staff are decided by the Hay grading system (see section 7 below) however this does not include Chichester Contract Services (CCS) which is not part of NJC.
6. The lowest paid NJC member of staff is paid Salary Point 6, £8.50 per hour minimum, which is £16,394 p/a*, and the highest paid member of staff (the Chief Executive) is paid within 10 times this amount at £60.60 per hour which is £116,925 p/a. The Chief Executive's pay has been within this 10 times multiple over the last 10 years. In 2008 the Chief Executive earned a total of £59.26 per hour which was £114,337 (inclusive of £5,640 p/a car allowance). This compared to the lowest paid NJC staff member who earned £6.2173 per hour (£11,995 p/a). The Council considers this a reasonable and justifiable

ratio to maintain. The ratio between the median paid employee of the Council at £23,180 p/a and the Chief Executive's salary is 5.04.

**figures include National Employers (NJC) pay offer (April 2018)*

7. The Executive Director and five other Directors below Chief Executive are paid on the basis of comparative salary data for local authority chief officers of similar sized councils in this region and advice from Hay Group reward consultants. Directors do not receive a separate car allowance. Their salaries increase in line with JNC awards for Chief Officers. Staff, other than the Chief Executive and Directors, are graded in line with the Hay Job Evaluation scheme. The grading structure developed by Hay reward consultants remains in force and embraces 11 grades from 1/2 to 12 incorporating a salary range starting at £8.50 per hour minimum (£16,394 p/a) rising to £32.44 per hour (£62,586 p/a) and a spinal column range starting at 6 and rising to 68*. Every grade consists of between 3 and 8 spinal points. Spinal point increases within grades are subject to satisfactory performance and the positive recommendation of the staff member's manager.
**figures include National Employers (NJC) pay offer (April 2018)*
8. In order to ensure that pay equality is maintained across the Council, particularly for staff with a Protected Characteristic as defined by the Equality Act, the Council regularly produces reports reviewing and analysing equalities data.
9. The Council currently have 25 staff that fall under the Act's definition of senior staff and their direct reportees. Of these 15 are female. This group currently constitutes the Chief Executive, six Directors including the Section 151 Officer (Director of Corporate Services), the Monitoring Officer (Democratic Services Divisional Manager) and senior officers who report to any of the aforementioned (see Appendix 1, Chief Officers and Deputies Pay & Benefits Schedule).
10. Staff on any grade may be awarded an Honorarium payment (see criteria shown in Appendix 4) or exceptionally a Responsibility Allowance if they meet the criteria for either payment. A Responsibility Allowance may be paid, either on a temporary or permanent basis, where an officer is carrying out significant additional duties, usually of a higher level nature, in excess of the duties of their post and evaluated pay grade. For any officer defined under section 9 above as being senior staff, the payment of a Responsibility Allowance must be approved by the wider Senior Leadership Team.
11. Payments made to staff working during local, parliamentary or European elections or national referendum are made in line with the pay scales set by the Electoral Commission and applied equally to all staff irrespective of their grade.
12. Premia payments are paid in response to market forces and are paid as market supplements. A Premia payment can be paid to staff at any grade if there is clear evidence that without it suitable staff cannot be recruited and / or

retained for a given post. Once a Premia payment has been allocated it does not increase in line with pay awards.

13. Staff categorised in this document are not normally entitled to any performance related payments or bonuses unless agreed by Full Council. The Council may make performance related payments to some other staff in the year 2018/2019 or honoraria in accordance with its approved scheme.
14. The Council operate two car allowance schemes (the Cash Alternative and Essential User schemes). Senior staff, with the exception of the Chief Executive and Directors, receive an allowance in line with the provisions of the Cash Alternative scheme that is applied to all other staff on Hay Scale 9 and above.
15. The Council will normally pay one professional subscription per staff member on an annual basis if membership of the professional body concerned is either a pre-requisite of the job or viewed as necessary to fulfill the role. Exceptionally however more than one may be paid where the role justifies this and membership of the professional body is judged as being integral to the job. This must be agreed by the staff member's line manager in each case.
16. Where appropriate senior staff, in the same way as other Council employee's, may be offered the opportunity to undertake relevant professional qualification training where there is a strong business case for doing this (see Appendix 9).
17. When senior staff are recruited they will be paid at a rate commensurate with the agreed rate for the job and wherever possible they will commence on the minimum spinal column point for the post if the grading of the post contains more than one spinal column point. Rarely however a market supplement (Premia payment) may be paid with Senior Leadership Team approval, if it is necessary to secure the appointment (see section 12 above). The provisions of the Relocation Package are potentially available to staff at all grades and those of the Assisted House Purchase Scheme to staff on Hay Scale 7 and above. Where the overall remuneration package of the officer is over £100,000, approval will always be subject to agreement by Full Council.
18. On termination, redundancy payments and any discretion exercised in relation to retirement or redundancy will be paid in line with the LGPS & Early Termination of Employment Discretions Policy¹ that applies equally to staff at all grades. Where the overall severance costs are over £100,000 approval of the employment termination will always be subject to approval by Full Council. Where this applies all components making up the total severance costs will be set out clearly in the report provided to Members.
19. This statement explains the Council's policy on staff remuneration, particularly for staff categorised as senior staff. The statement will be updated annually

¹ This policy has been amended to reflect the requirements of the Public Sector Exit Payment Cap regulations under the Enterprise Act 2016 now due to be implemented during 2018. The cap would place a limit of £95,000 on the total payments in relation to a termination of employment including pension access costs.

but may be amended during the year, with agreement by Council, if the need arises.

Appendices

1. Chief Officers and Deputies Pay & Benefits Schedule
2. Salary tables for grades 1/2 to 12
3. Hay Job Evaluation process – summary
4. Honorarium Payments criteria (October 2007)
5. Car Allowances Table (Cash Alternative and Essential User)
6. Relocation Policy
7. Assisted House Purchase Scheme
8. LGPS & Early Termination of Employment Discretions Policy
9. Training & Development Policy section 11 Qualification Training

Chief Officers & Deputies Pay & Benefits Schedule for 1st April 2018

Job Title <i>(full-time unless hours shown)</i>	Salary	Car Allowance	Responsibility Allowance/ Market Supplement	Total
Chief Executive	116,925			116,925
Executive Director and Deputy to Chief Executive	93,646			93,646
Director of Corporate Services	80,000		5317	85,317
Director of Planning and the Environment	80,000			80,000
Director of Housing and Communities	80,000			80,000
Director of Residents' Services	80,000			80,000
Director of Growth and Place Services	80,000			80,000
Financial Services Divisional Manager	56,912*	3,600	2,685	63,197
Business Support	51,276*	3,600		54,876

Divisional Manager				
Democratic Services Divisional Manager	56,912*	3,600	5,151	65,663
Development Management Divisional Manager	51,276*	3,600	6,000	60,876
Planning Policy Divisional Manager	51,276*	3,600	6,000	60,876
Environmental Protection Divisional Manager	49,387*	3,600	750	53,737
Housing Services Divisional Manager	51,276*	3,600		54,876
Communities Divisional Manager	43,757*	3,180		46,937
Health & Wellbeing Divisional Manager	49,387*	3,600	750	53,737
Revenues & Benefits Divisional Manager	49,387*	3,600		52,987
Customer Services Divisional Manager	38,052*	1,239		39,291

Careline Manager	38,052*	1,239		39,291
CCS Service Manager	56,912*	3,600		60,512
Culture & Sport Divisional Manager	43,757*	3,180		46,937
Place Divisional Manager	49,387*	3,600		52,987
Communications, Licensing & Events Divisional Manager	49,387*	3,600	750	53,737
Property & Growth Divisional Manager	49,387* (42,133 pro rata)	3,600 (3,060 pro rata)	2,000 (1,700 pro rata)	54,987 (46,893 pro rata)
Principal Solicitor	49,387*	3,600	1,500 4,083	58,570

**includes 2% National Employers (NJC) pay offer (April 2018)*

Senior Staff Pay Policy Statement – Appendix 5

Appendix 5 – Car Allowances Table

Monthly Cash Alternative or Essential User Payments – new appointments		
	Gross Monthly Amount Payable	Mileage Rate (pence per mile)
Chief Executive	Nil	46.9p
Chief Officers (Directors)	Nil	46.9p
Grades 10 - 12	294	18.28p (petrol) 16.87p (diesel)
Grade 9	259	18.28p (petrol) 16.87p (diesel)
Essential Users	103.25	46.9p

Chichester District Council

THE CABINET

6 March 2018

Solent Recreation Mitigation Strategy

1. Contacts

Report Author:

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Cabinet Member:

Susan Taylor - Cabinet Member for Planning Services

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2. Recommendation

2.1 That the Cabinet recommends to the Council that the definitive Solent Recreation Mitigation Strategy is approved for use in the determination of relevant planning applications.

3. Background

3.1 New housing development across the Solent would without mitigation have a detrimental effect on the Special Protection Areas. In order to allow development to continue the planning authorities of the area formed the Solent Recreation Mitigation Partnership (SRMP) to deliver a strategic mitigation scheme.

3.2 The SRMP prepared an interim Mitigation Strategy, which was approved by Cabinet in February 2015. The interim strategy was based on a small wardening team and from the start it was planned that a full range of mitigation measures would be introduced and funded through a definite Mitigation Strategy to follow at a later date.

3.3 Following public consultation during summer 2017, the Definitive Strategy has now been published <http://www.birdaware.org/CHttpHandler.ashx?id=29372&p=0>. It has been endorsed by the Partnership for Urban South Hampshire (PUSH), including representation from Chichester District Council. It is now up to the SRMP's planning authority members to approve it for use in determining planning applications from 1 April 2018.

4. Outcomes to be Achieved

4.1 The main outcome is to allow new development to be permitted in accordance with the Habitats Regulations and in so doing to protect the habitat for over-wintering birds. The Council will continue to collect financial contributions from developers and pass these on to the SRMP, who will then deliver the agreed mitigation actions over an 80 year period.

4.2 The definitive strategy includes a detailed monitoring programme, with the aim of demonstrating the effectiveness of the mitigation in protecting the over-wintering birds, and allowing for a change in the strategy at a five year review should they not be as effective as needed.

5. Proposal

5.1 The Strategy (see Appendix for full details) proposes:-

- a team of 5-7 coastal rangers to advise people on how to avoid bird disturbance, liaise with landowners, host school visits, etc;
- communications, marketing and education initiatives and an officer to implement them;
- initiatives to encourage responsible dog walking and an officer to implement them;
- preparation of codes of conduct for a variety of coastal activities;
- site-specific projects to better manage visitors and provide secure habitats for the birds;
- providing new/enhanced greenspaces as an alternative to visiting the coast;
- a partnership manager to coordinate and manage all the above.

5.2 Implementation of these measures and monitoring of their effectiveness, will be funded by 'developer contributions' calculated according to the bedroom numbers of the property, equivalent to an average of £564 per dwelling (increased annually to take into account inflation). This applies to new homes built within 5.6 kilometres of the SPAs. (This 5.6 kilometre zone is where the majority of coastal visitors live.) Some developments may require additional mitigation due to their size or proximity to a SPA.

5.3 Rather than charge a flat rate, as in the Interim Strategy, the Partnership will use a sliding scale of contributions. This will be:-

- £337 for 1 bedroom dwelling
- £487 for 2 bedroom dwelling,
- £637 for 3 bedroom dwelling,
- £749 for 4 bedroom dwelling,
- £880 for 5 bedrooms or more.

6. Alternatives Considered

6.1 Developers have the option within the Strategy of providing their own package of mitigation measures, but these will have to be funded in perpetuity (80 years).

7. Resource and Legal Implications

7.1 The Council already has to collect developer contributions through s106 agreements and unilateral undertakings. These are handed over to the SRMP every quarter. The changes in the contribution amounts will not alter the workload involved.

8. Consultation

8.1 The SRMP undertook a public consultation exercise on the Strategy between 17th July and 17th September 2017. A full report on the consultation responses can found at: <http://www.birdaware.org/CHttpHandler.ashx?id=29158&p=0> .

9. Community Impact and Corporate Risks

9.1 There will be a small financial impact on landowners and developers of new dwellings from the increase in contributions. These are still relatively small compared to the costs of a new house and are smaller than many comparable schemes nationally (e.g. Thames Basin Heaths SACs Mitigation). The changes only apply to net new dwellings and not to alterations and extensions, or to commercial property.

10. Other Implications

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

11. Appendix

11.1 Solent Recreation Mitigation Strategy – December 2017.

12. Background Papers

12.1 None.

Chichester District Council

THE CABINET

6 March 2018

South Downs Local Plan – Duty to Co-operate

1. Contacts

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Cabinet Member:

Susan Taylor - Cabinet Member for Planning Services
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2. Recommendation

2.1 That the Cabinet recommends to the Council that, subject to the completion of the ongoing evidence-based work and the assessment of sites to meet the identified housing needs associated with the Local Plan Review, the Council will assess the ability to meet some or all of the unmet housing needs of approximately 44 dwellings per annum arising from the part of the South Downs National Park within Chichester District via the Chichester Local Plan Review.

3. Background

3.1 At its meeting on 7 November 2017 the Cabinet considered a report in response to consultation on the South Downs Pre-Submission Local Plan. At that meeting Cabinet resolved that the South Downs National Park Authority (SDNPA) be informed that:

3.1.1 The South Downs Local Plan Pre-Submission draft is broadly supported;

3.1.2 Chichester District Council does not intend to make any formal representations in response to the Pre-Submission consultation; and

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

3.2 As part of preparation for the submission of the Local Plan for examination, officers from the SDNPA sought to agree a Statement of Common Ground (SOCG), in relation to the Duty to Cooperate, with officers from the Council. The contents of this draft SOCG made it clear that the SDNPA is anticipating that the unmet housing needs derived from the part of the National Park within Chichester District should be addressed through the Chichester Local Plan Review. Given the implications for the Local Plan Review and the need to allocate additional land, officers considered that this was a matter that should be considered by members and requested that the SDNPA make a formal approach. In response the SDNPA Director of Planning has written to the

Council's Head of Planning Services. The letter is attached as an appendix to this report.

- 3.3 It should be noted that at the time Cabinet considered the report on the South Downs Pre-Submission Local Plan in November it was anticipated that the unmet housing needs arising from the part of the National Park within Chichester District were estimated to be 56 dwellings per annum (dpa). The letter from the Director of Planning references updated figures.
- 3.4 At the time of the examination of the now adopted Local Plan, it was anticipated that the supply of new housing within the Chichester District part of the South Downs National Park would be approximately 70dpa. The proposals in the Pre-Submission Plan and the latest supply information mean that the supply of new housing is currently estimated at 81dpa. Therefore, although the supply of housing is greater than anticipated which is to be welcomed, this leaves a shortfall from the objectively assessed need for housing of approximately 44dpa.

4. Outcomes to be Achieved

- 4.1 There are a number of outcomes to be achieved from this report as follows:
 - 4.1.1 That officers preparing the Local Plan Review have a clear steer on the amount of development to plan for;
 - 4.1.2 That the SDNPA and Chichester District Council are able to demonstrate that they have complied with the Duty to Cooperate; and
 - 4.1.3 That housing needs of the District are met whilst maintaining protection of the landscape of the South Downs National Park.

5. Proposal

- 5.1 The case for not meeting the full housing needs predicted to arise from the part of the South Downs National Park within Chichester District is set out in the letter at the Appendix from the SDNPA Director of Planning, with reference to the National Planning Policy Framework (NPPF). Whilst there is an element of judgement as to whether meeting objectively assessed needs in the Chichester part of the SDNP would conflict with policies in the NPPF, the Council has already decided not to object to the South Downs Pre-Submission Local Plan. Objecting to the Pre-Submission Plan would have been the appropriate course of action if the Council had considered that the SDNPA was making insufficient provision for housing and was not allocating land that is suitable for development.
- 5.2 The Council therefore now needs to determine whether it can make provision for the unmet housing needs for the Chichester part of the National Park. At this stage of the Local Plan Review, the emerging evidence base is not providing significant concerns that 44dpa could not be accommodated within the Chichester Local Plan area. This will need to be kept under review and final decisions on the amount of development to be delivered through the Local Plan Review will be made by the Council when approving the Preferred Approach

and Pre-Submission Plans. However, in order to avoid delays later in the plan-making process it is necessary that officers have a clear steer now that, unless the evidence base demonstrates that there are significant issues preventing the allocation of sufficient land, provision should be made for the unmet housing needs of approximately 44dpa.

6. Alternatives Considered

6.1 The Council could decide that it will not make provision for the unmet housing needs from the part of the National Park within Chichester District in the Local Plan Review. This could affect the ability of both local planning authorities to demonstrate compliance with the Duty to Co-operate, both in terms of the legal and soundness tests, and therefore the ability to demonstrate their emerging plans are sound.

7. Resource and Legal Implications

7.1 The recommendation will assist the Council to demonstrate the Duty to Cooperate. There are no resource implications.

8. Consultation

8.1 None.

9. Community Impact and Corporate Risks

9.1 The provision of sufficient housing to meet identified needs will benefit those in the community with the need to access housing. The additional housing will also have an impact on the communities where the land is allocated. There is a corporate risk in that land to accommodate the unmet housing needs will have to be identified in the Local Plan Review, making the scale of development to be provided for more significant through an increased housing target, and potentially increasing the risk of a lack of agreement on the contents of the plan.

10. Other Implications

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

11. Appendix

11.1 Letter from SDNPA Director of Planning

12. Background Papers

12.1 None

21 February 2018

Andrew Frost
Head of Planning Services

By email

Dear Andrew

Subject: South Downs Local Plan - Duty to Cooperate

I write in relation to recent liaison between our two authorities regarding the South Downs Local Plan, the Chichester Local Plan Review 2034 and the Duty to Cooperate. Colleagues from our respective planning policy teams met on 24th October to discuss strategic cross-boundary planning issues, and have had subsequent discussions following on from this. I hope you can agree that these discussions have been very positive, in particular in helping both authorities understand better the position with regards unmet housing need in Chichester district (both within and outside the National Park) and how this relates to our respective Local Plan processes. I am grateful for CDC's positive comments and suggestions made in response to our consultation on the Pre-submission South Downs Local Plan.

Before going on to specific data which I understand colleagues have discussed, as a National Park Authority and Local Planning Authority, plan-making for the SDNPA is subject to the National Planning Policy Framework (NPPF). This outlines Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless specific policies in the NPPF indicate development should be restricted. An example of such restrictions given in footnote 9 on page 4 of NPPF are policies relating to the development of sites within a National Park.

Furthermore Paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. It should also be noted that the DEFRA UK Government Vision and Circular 2010 on English National Parks and the Broads, referenced in the NPPF at this point in footnote 25, makes clear that the Government

recognises that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them.

It is against this background that an updated housing need and potential supply position in respect of the National Park is provided. This is based on our latest Authority Monitoring Report data on housing supply, related to the South Downs HEDNA which sets out objectively assessed housing needs in the National Park. Whilst there is no statutory need, given we are a single purpose Local Planning Authority planning for the National Park as a whole, we have in this instance broken this OAN and potential provision down by district. For Chichester district this is as follows:

Proposed Housing Provision in South Downs Local Plan: Pre-submission						SDNP unmet need	
A	B	C	D	E	F	G	H
Provision made in the SDLP	Completions (2014/15 to 2016/17)	Planning Permissions	Windfall Allowance	Total Provision (A+B+C+D) (plan period 2014-2033)	Average Per Annum (E/19 years)	OAN in SDNP part of district (HEDNA)	Per annum difference (unmet need in SDNP) (F-G)
677	290	404	163	1,534	81	125	-44

The Plan-led housing supply set out in the table above reflects that the South Downs Local Plan is a landscape-led plan, with ecosystem services at its heart, as your colleagues and Members are aware after the valuable training session we had recently. It also reflects Section 62 of the Environment Act 1995 which requires all relevant authorities to have regard to the purposes of national parks; the first of these is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area. It also reflects our on-going discussions for over a year regarding the amount of potential housing delivery within the Chichester district part of the National Park, where we have consistently discussed a figure of around 70 dwellings per year being reasonable and I believe Members are aware of.

The figures indicate the SDNPA is not in a position to meet its full objectively assessed housing need, given the landscape protection accompanying National Park status. I understand you wish to place matters on a more formal footing for you and your Members now. Therefore in the spirit of paragraph 179 of the NPPF, whereby *joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the Framework*, and in light of your request, the SDNPA is formally requesting that Chichester District Council considers how it is able to accommodate some or all of the unmet housing need arising within the South Downs

National Park. It is suggested that this should be as part of the Chichester Local Plan Review 2034.

Colleagues working on our respective Local Plans will continue to liaise closely to address this matter, including exploring the finalisation of a Statement of Common Ground which has already been circulated in draft form. I hope you are able to share my confidence that a final version of this can be agreed in a timely manner, to allow us to move forward positively.

In that respect it would be useful if you could provide a timeframe for any engagement with your Councilors and any Committees you may need to report to. As I know you are aware ensuring we understand each other's key dates and keeping lines of communication open and clear is paramount in our conversation on this and other matters.

Yours sincerely

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Chichester District Council

THE CABINET

6 March 2018

**Update on Tangmere Strategic Development Location
Compulsory Purchase Order**

1. Contacts

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2. Recommendation

2.1 That the Cabinet recommends to the Council to allocate a sum of £150,000 from the remaining Planning Delivery Grant Reserve and General Reserve to fund the continued work on the Compulsory Purchase Order in respect of the Tangmere Strategic Development Location.

3. Background

- 3.1 The purpose of this report is to provide an update on progress of the Compulsory Purchase Order (CPO) and to seek approval for additional funding in respect of the CPO process in order to ensure delivery of the strategic development location at Tangmere.
- 3.2 The site at Tangmere is identified in the Chichester Local Plan: Key Policies (the Local Plan) as a Strategic Development Location (SDL) for the provision of 1,000 homes and associated infrastructure including a school, open space and community facilities. The site is fundamental to the delivery of the housing requirement identified in the Local Plan and for the Council to be able to continue to demonstrate a 5 year housing land supply. The site is also identified for development in the Tangmere Neighbourhood Plan. The Neighbourhood Plan provides development and design guidance which will provide the context for masterplanning of the development.
- 3.3 At its meeting in July 2017, Cabinet resolved to support use of Compulsory Purchase Order (CPO) powers to facilitate comprehensive development of the Tangmere SDL and CPO advisors were retained to help facilitate this process. Further background to the CPO process is set out in previous reports to Cabinet (7 June 2016 and 11 July 2017).
- 3.4 **CPO Update:** as identified in the previous Cabinet report, officers are undertaking the necessary steps to facilitate development of the Tangmere SDL

and work has commenced on the formal process to make a CPO. The timetable for the project is outlined below.

Project	Date (by end of)
Section 16 Notices served (Referencing Agency)	January 2018
Selection of Development Partner (Knight Frank leading)	April 2018
Signing of development agreement	July 2018
Masterplan completed	August 2018
Statement of reasons (necessary for CPO – Davitt Boulton leading)	August 2018
Council resolution to make CPO	September 2018
Planning application submitted	January 2019
CPO Inquiry to start	March 2019
Resolution to grant planning permission	April 2019
CPO Inspector decision	July 2019
Vacant possession secured	November 2019
Start on site	January 2020

- 3.5 **Work carried out to date:** The Council has continued to endeavour to facilitate the delivery of the strategic development by the landowner/developer consortium and is available to engage in discussions on preparation of a masterplan and the pre-planning application process. Officers and members have met with the consortium once since the Cabinet last considered progress on delivery of the SDL in July 2017. However, that meeting demonstrated that the consortium has still not made any meaningful progress and there appears to be no realistic prospect of any agreement among the consortium members to work together to deliver the scheme. Delivery of the scheme without recourse to a CPO is considered unlikely, unless there is a significant change in approach from the consortium in the short term. Work to deliver the site through the CPO mechanism therefore continues and is likely to increase significantly over the coming months as can be seen from the timetable above.
- 3.6 The Council has employed a referencing agency (Persona) to send out letters to anyone with an interest in the SDL land. This is an important first stage in the CPO process, and initial letters were sent to all parties in January 2018. These have been followed up with a formal request for information related to ownership and interests.
- 3.7 The Council's CPO advisors Knight Frank have also begun work on selecting a developer partner, in line with the above timeline.

4. Outcomes to be Achieved

- 4.1 The single outcome to be achieved is the appropriate development of the Tangmere SDL in accordance with the policies set out in the Chichester Local Plan and the Tangmere Neighbourhood Plan.

5. Proposal

- 5.1 There is a need for on-going specialist advice on the CPO process, and in line with the resolution of Cabinet (July 2017) the Council's CPO advisors have been retained. These are Knight Frank (CPO advisor), Citicentric (CPO surveyor/non legal advice) and Davitt Bould (legal advice).
- 5.2 In order to deliver the CPO project within the identified timeframe and to minimise the impact on progress on the Local Plan review process, an additional project management resource is now required to support the necessary work. Officers are in discussions to engage this advice which will necessitate additional funding. Ongoing work by the retained CPO advisors to deliver the CPO will also require further funding, in the region of £60,000 and it is estimated that up to £70,000 is likely to be required for ongoing legal, surveying and other specialist advice and contingencies. It is therefore requested that an additional £150,000 is provided to continue to fund this important project.

6. Alternatives Considered

- 6.1 To not pursue a CPO and rely on the submission of a comprehensive masterplan and planning application by the site promoters. It should be noted that even if a masterplan and planning permission could be achieved this would not necessarily facilitate the delivery of the site in the absence of a formal agreement between the landowners. This alternative is still possible, although given the lack of progress so far it appears unlikely.

7. Resource and Legal Implications

- 7.1 At the Cabinet meeting on 7 June 2016 a sum of up to £100,000 was allocated from the Planning Delivery Grant and General Reserve to fund a registered valuer and specialist solicitor. As work on the CPO progresses, it is now necessary to allocate additional funding to the project. It is estimated that a further £150,000 is required to support the CPO process and it is suggested that this is made up of Planning Delivery Grant Reserve (approximately £25,500) together with a further sum of £124,500 from the Council's General Fund Reserves. It should be noted that there is potential for the Council to recoup its costs as part of the CPO, through its developer partner.

8. Consultation

- 8.1 The Council's external advisors including the CPO Solicitor have been consulted.

9. Community Impact and Corporate Risks

- 9.1 The primary intention of the Tangmere Neighbourhood Plan is to shape how and where the allocated 1000 new homes and associated infrastructure are provided. The identification of the site for development is fundamental to the delivery of the Local Plan and Neighbourhood Plan.

- 9.2 There may be a negative impact if the Tangmere SDL is not delivered in line with the Local Plan strategy in terms of the Council's five-year housing land supply. If there is not a five year housing land supply the Council will be at risk of an increase in speculative planning applications and appeals.
- 9.3 There are potential strategic risks arising from the CPO process to deliver the Tangmere SDL, such as negative publicity. However, these have been weighed against the reputational risks to the Council of being perceived as failing to deliver the housing identified in the adopted Local Plan.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime & Disorder		x
Climate Change		x
Human Rights and Equality Impact An equalities impact assessment will need to be undertaken on the proposals in a CPO.	x	
Safeguarding and Early Help		x
Other		x

11. Appendices

11.1 None

12. Background Papers

12.1 None

Chichester District Council

THE CABINET

6 March 2018

Social Prescribing

1. Contacts

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2. Recommendation

2.1 That the Cabinet approves the preferred option 1, detailed in the Project Initiation Document in the appendix to the agenda report, that Chichester District Council hosts the Social Prescribing service.

3. Background

3.1 This report introduces the Project Initiation Document (PID) for a Social Prescribing pilot project, at appendix 1. This builds on the Initial Project Proposal Document (IPPD) which was approved by the Cabinet on 9 January 2018 along with a funding commitment of £57,000 per year for two years from reserves.

3.2 Social Prescribing is defined as the skill of connecting people to services and support in local places. It is a service for GPs and other health professionals to access for patients who present with problems that are essentially non-medical and require more holistic community-based interventions

4. Outcomes to be achieved

4.1 A 10% reduction in repeat GP visits by those patients who engage with the service following a GP referral, measured in the 12-month period following the completion of the intervention with a Community Referrer

4.2 Measured using the 5 Ways to Wellbeing tool at the start and end of the intervention with a Community Referrer, where at least 50% of clients demonstrate:

- (a) an increase in self-esteem and confidence,
- (b) Improvements in mental wellbeing, and positive mood
- (c) Increases in sociability, communication skills and making social connections
- (d) Acquisition of learning, new interests and skills

- 4.3 Monitoring of onward referrals will identify gaps in service / capacity within Voluntary Sector services.
- 4.4 Case studies will demonstrate how individuals become more independent leading to reduced dependency on Council, GP and hospital services.
- 4.5 Further details of outputs and outcomes are included in section 4 of the PID at appendix 1, however, the project fulfils the corporate objective of 'support for our communities, particularly those who are vulnerable, to be healthy and active'.
- 4.6 A robust evaluation process will be put in place at the start of the project but the steering group are still taking advice from WSCC Public Health on the evaluation and therefore the measurable outcomes listed in the PID are subject to change. Further evaluation measures are being planned to enable longer term monitoring of outcomes.

5. Proposal

- 5.1 To undertake a two year Social Prescribing project in accordance with the PID in the appendix hosted by Chichester District Council and funded as shown in section 7.1.

6. Alternatives Considered

- 6.1 Page 9 of the PID outlines the detail of other options that have been considered which in brief are as follows;
- The project is hosted by a Voluntary Sector provider. This option is not the preferred option due to the potential for increased costs leading to a reduction in the level of service provided.
 - GPs host the service. This option is not possible due to restrictions in GPs ability to employ staff
 - Do nothing is not the preferred option because the project gives the council the opportunity to work towards the corporate objective of supporting vulnerable communities as part of a new innovative partnership.

7. Resource and Legal Implications

- 7.1 The match funding that was a pre-requisite of the Cabinet's approval at its meeting on 9 January 2018 has now been confirmed as follows;

Funding source	Yr1	Yr2	Total
Chichester District Council	57,000	57,000	114,000
South Chichester GPs	30,000	30,000	60,000
Rural North Chichester GPs	13,000	13,000	26,000
Clarion housing	10,000	10,000	20,000

A2 Dominion	5,000	0	5000
Midhurst League of Friends	16,000	16,000	32,000
One off contribution from West Sussex County Council Chichester Partnerships and Communities Team	2000	0	2,000
Total	133,000	126,000	259,000

8. Consultation

8.1 No formal public consultation has been carried out but partners including GPs, Local Community Networks, Chichester in Partnership, West Sussex County Council Public Health, Voluntary and Community Sector organisations have been consulted during the planning of the service and are supportive.

9. Community Impact and Corporate Risks

9.1 The Social Prescribing project is designed to have a positive impact on the community and individuals with particular focus on those who need additional support to access services.

9.2 Any risks to the project are associated with GPs not engaging with the service and not referring or potential capacity issues with the service becoming overwhelmed. A programme of engagement and training will be put in place for all practice staff to encourage appropriate referrals to avoid creating an unmanageable workload for the service.

9.3 Additional risks are also set out in section 13 of the PID document

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		x
Climate Change		x
Human Rights and Equality Impact This project will have a positive impact on vulnerable people and protected groups.	X	
Safeguarding and Early Help Safeguarding issues may be identified by the Community Referrers.	X	
Other (please specify) eg biodiversity		X

11. Appendices

11.1 Social Prescribing PID

12. Background Papers

12.1 Equalities Impact Assessment

Chichester District Council

THE CABINET

6 March 2018

Authority's Monitoring Report 2016-2017

1. Contacts

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2. Executive Summary

The purpose of this report is to present the Authority's Monitoring Report (AMR) that is published annually by the Council and is the main mechanism for assessing the performance, implementation and outcomes of the Local Plan

The AMR covers the period 1 April 2016 to 31 March 2017. It presents an update on progress of the preparation of the Local Plan Review and other related documents and an assessment of planning policy performance based on key and local indicators. It also provides an update on neighbourhood plans and actions undertaken to meet the statutory Duty to Cooperate. The number and amount of community infrastructure levy contributions received and Section 106 agreements are also included.

The AMR covers the Chichester Local Plan area only, so excludes the part of the District within the National Park.

The key recommendation from this report will enable the AMR to be published as the Council's Monitoring Report for 1 April 2016 to 31 March 2017.

3. Recommendation

- 3.1 That the Cabinet approves publication of the Authority's Monitoring Report 2016-2017 on Chichester District Council's website.**

4. Background

- 4.1** The Authority's Monitoring Report (AMR) is published annually by the Council and is the main mechanism for assessing the performance, implementation and outcomes of the Local Plan. A copy of the AMR for 2016-17 is appended to this report.

- 4.2 The AMR covers the period 1 April 2016 to 31 March 2017, although significant events occurring since 31 March 2017 are also noted. The AMR presents an update on progress of preparation of the Local Plan Review and other related documents and an assessment of planning policy performance based on key and local indicators. In addition, the AMR provides an update on the progress of neighbourhood plans and actions undertaken to meet the statutory Duty to Cooperate. The number and amount of community infrastructure contributions received through the Community Infrastructure Levy (CIL) receipts and Section 106 agreements are also included.
- 4.3 This report uses the monitoring framework of the Chichester Local Plan: Key Policies 2014-2029 (Chichester Local Plan).
- 4.4 The AMR covers the Chichester Local Plan area only, so excludes the part of the District within the National Park. However, the data for two policy indicators (EN1 and EN6) in the 'Policy Indicators - Environment' section of the AMR relate to the whole of Chichester District (including the National Park). In addition, one of the policy indicators (EN3) in the 'Policy Indicators - Environment section' covers a section of the Solent shoreline, and includes data from one site (Warblington) located outside the district due to set survey routes.

5. Outcomes to be Achieved

- 5.1 The AMR has been prepared to comply with a statutory requirement set out in the Localism Act 2011. Local planning authorities must publish information at least annually that shows progress with Local Plan preparation, details of any neighbourhood development order or neighbourhood development plan within the Plan area and details on all CIL receipts or expenditure. It also needs to report activity relating to the duty to cooperate and show how the implementation of policies in the Local Plan is progressing. Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the basic information the reports must contain, although local authorities have discretion to include any other useful information relating to planning policy preparation and performance. The AMR should report on actions necessary as a result of monitoring of policies.

6. Proposal

- 6.1 This report seeks member approval to publish the AMR 2016-17 on the Council's website. More generally, it updates Members on the performance against key and local planning policy indicators over this period. Some key highlights from the AMR are summarised below.

Local Plan Progress

- The Council approved an updated Local Development Scheme (LDS) in January 2018, covering the Chichester Local Plan area. However, the LDS relevant to this AMR was published in May 2016.
- The Council has started work on a new Local Plan Review. The first stage of consultation (Issues and Options) took place between 22 June and 3 August

2017 seeking comments and information that would help to develop a draft strategy and policies to be included.

- The Site Allocation Development Plan Document was submitted to the Secretary of State in March 2017. The Examination Hearings were undertaken in September 2017. The Council is required to consult on any proposed modifications the Inspector considers necessary to ensure the Site Allocation DPD is sound prior to adoption. Further proposed main and minor modifications were approved by Council for public consultation in January 2018. The public consultation period will run for six weeks from 1 February to 16 March 2018.
- The Council prepared two Supplementary Planning Documents (SPDs). The Surface Water and Foul Drainage SPD was adopted by the Council in December 2016 and the Joint Chichester Harbour AONB SPD was adopted by the Council in May 2017.

Neighbourhood Plans

- A total of 21 parishes within, or partly within, the Chichester Local Plan area are subject to Neighbourhood Plan Area Designations. No further areas were designated during the year 2016/17.
- Four neighbourhood plans were 'made' (Birdham, Bosham, Chidham and Hambrook and Wisborough Green) in the monitoring period. To date a total of 9 neighbourhood plans have been 'made'.

Community Infrastructure Contributions

- Between 1 April 2016 to 31 March 2017, total CIL receipts equated to £775,847.85 and total CIL expenditure equated to £18,368.90.
- Between 1 April 2016 and 31 March 2017, 79 Section 106 agreements and Unilateral Undertakings were signed related to planning permissions granted in the Chichester Local Plan Area, setting out District Council contributions totalling £1,803,124. In addition, contributions were also agreed towards West Sussex County Council services and Highways England.

Economy

- Employment floorspace completions in 2016-17 (Use Classes B1-B8) totalled 9,610 sq.m (gross), or 9,462 sq.m (net). The annual completions figure showed a slight decrease compared to the 2015-2016 figure. Overall a total of 41,788 sq.m gross (33,8.3 sq.m net) has been completed in the Local Plan area over the period 2012-2017.
- During the year, progress was made towards meeting the Local Plan target to provide 25 hectares of additional employment land on several of the allocated sites. Phase 1 of development at Glenmore Business Park is now complete and occupied, and construction has now started on Phase 2. Construction has also been completed at Plot 12, Terminus Road.

Housing and Neighbourhoods

- A total of 439 net dwellings were completed in the year to 31 March 2017, which exceeds the Local Plan housing requirement of 435 net dwellings per year. There remains a cumulative shortfall of 369 net dwellings since the Plan monitoring base date of 1 April 2012, but this is expected to be addressed through a combination of housing completions, identified housing commitments (e.g. outstanding planning permissions) and additional housing allocated in the Chichester Local Plan and Neighbourhood Plans.
- The updated Local Plan housing trajectory identifies the potential delivery of a total of 8,028 net dwellings over the period 2012-2029, which comfortably exceeds the Local Plan requirement of 7,388 dwellings.
- The National Planning Policy Framework (NPPF) sets a requirement to maintain a five year supply of deliverable housing sites. Over the period 2018-2023 there is a requirement to deliver 2,964 net dwellings (taking account of the shortfall from previous years and the addition of a 20% buffer as required in the NPPF). There is a current supply of 3,503 net dwellings expected to come forward during the 5-year period, giving a potential surplus of 175 net dwellings (equivalent to 5.3 years housing supply).
- Considerable progress is being made towards future housing delivery at the Strategic Development Locations (SDLs) allocated in the Local Plan. Development of the first phase of 398 dwellings has commenced at Shopwyke Lakes, with the remainder of the total of 585 dwellings having outline permission (and part having a resolution to grant outline permission subject to a S106 agreement). Outline permission has also been granted for up to 300 dwellings on land between Stane Street and Madgwick Lane, Westhampnett comprising the first phase of development at the Westhampnett/ North East Chichester SDL.
- At the Settlement Hubs, all of the remaining strategic housing requirement now has planning permission, with the majority of development now underway or expected to commence shortly.
- A total of 157 affordable homes were completed in the Local Plan area over the year 2016-17. In the period since 1 April 2012, affordable housing has provided around 29% of all net dwellings completed.

Environment

- In Chichester District (including the National Park), 52.1% of Sites of Special Scientific Interest (SSSI) units are considered to be in a favourable condition, which is similar to the overall County figure of 52.0%. Of the SSSI units in the District assessed as being in unfavourable condition, 99 are categorised as recovering against, only 4 assessed to be declining, with a further 1 unit showing no change. These figures meet Natural England's target that 95% of the SSSI area should be in favourable or recovering condition.
- Data and information relating to recreational disturbance within the Chichester Harbour and Pagham Harbour Special Protection Areas, nitrogen levels in the

three Air Quality Management Areas, Conservation Area Character Appraisals, carbon dioxide emissions and changes in areas of biodiversity importance are also presented in the Policy Indicator-Environment section of the AMR.

Strategic Infrastructure

- Over the year to 31 March 2017, no planning applications were granted permission contrary to the advice of the Environment Agency on flooding or water quality grounds.

7. Alternatives Considered

7.1 No alternative has been considered since preparation of the AMR is a statutory requirement for all local planning authorities.

8. Resource and Legal Implications

8.1 None beyond the in house staff resources necessary to produce this document.

9. Consultation

9.1 No consultation is required as the AMR is intended purely for monitoring and information purposes. It is not a policy document.

10. Community Impact and Corporate Risks

10.1 One of the main purposes of preparing an AMR is to provide updated information for communities and interested parties on planning policy performance.

11. Other Implications

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

12. Appendices

12.1 Chichester District Council Authority’s Monitoring Report 2016-2017

13. Background Papers

13.1 None

Chichester District Council

THE CABINET

6 March 2018

Draft Havant Borough Local Plan – Consultation Response

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2. Recommendation

2.1 That the Cabinet endorses this report as Chichester District Council's response to consultation on the Draft Havant Borough Local Plan.

3. Background

3.1 Havant Borough Council has published a draft version of the Havant Borough Local Plan for public consultation - https://www.havant.gov.uk/sites/default/files/documents/The%20Draft%20Local%20Plan%202036_for%20web%20with%20policy%20numbers%20%281%29.pdf. The plan sets out a draft strategy to inform and guide the development of housing, commerce, infrastructure and community facilities up to 2036.

4. Outcomes to be Achieved

4.1 Providing comments on the draft Havant Local Plan ensures that the cross-boundary issues that could have an impact on Chichester District can be taken in to account by Havant Borough Council during the plan-making process.

5. Proposal

5.1 It is suggested that the Council supports the content of the Draft Local Plan with respect to the approach to meeting housing needs and the scale of housing provision. Whilst there may be some concerns over the proposed allocation of land close to the village of Westbourne, it is notable that Havant Borough Council is intending to meet the objectively assessed need for housing development within the borough boundary. The draft government methodology on calculating objectively assessed housing need provides a need for Havant of 9,260 dwellings between 2016 and 2036. The draft plan makes provision for 9,549 dwellings.

5.2 It is also suggested that the Council supports the allocation of land for the provision of the Havant Thicket Reservoir. Whilst water supplies within the area supplied by Portsmouth Water are not constrained, the provision of this

reservoir will provide resilience should there be an issue with the future supply of water in this area. It will also assist with Portsmouth Water exporting water to the areas to the east and west where there are greater constraints to the water supply.

5.3 There are some parts of the plan where it is suggested that the Council comments and seeks further information before the pre-submission version of the plan is published. In particular, it is noted that the transport study to support the plan has not been completed. This raises the following issues that it is suggested Havant is requested to take into account.

5.3.1 That Havant Borough Council assesses the cumulative impact of development on the road network and should the proposals in the Havant Local Plan have a significant adverse impact on the road network in Chichester District, then appropriate mitigation should be identified along with the funding to deliver it. This is with respect to both the impact on the strategic road network and the local road network and, in particular, the impact on roads in Westbourne.

5.3.2 That Havant Borough Council establishes the emissions that will result from an increase in traffic as result of the proposals in the plan and assesses the cumulative impact (in conjunction with other plans and proposals in the area) of nitrogen deposition on the statutorily protected habitats as part of the Habitat Regulations Assessment.

5.3.3 The plan proposes a new junction on the A27 at Emsworth, however, no funding has currently been identified. It should either be acknowledged in the plan that the plan will not be deliverable without this junction, or alternative mitigation for the transport impacts of development should be identified.

5.4 Some of the additional development proposed in the plan will rely on foul drainage being treated at the Thornham Wastewater Treatment Works. The Council notes that the Habitat Regulations Assessment assumes that an upgrade to accommodate the additional development is feasible. Whilst in normal circumstances the Council could consider requesting Havant Borough Council to carry out further work, a current evidence base study to support the Chichester Local Plan is underway and will look at the cumulative impact of development on Thornham Wastewater Treatment Works. If necessary, officers will meet with officers from Havant Borough Council to discuss the implications of this study when it is available.

6. Alternatives Considered

6.1 The Council could object to parts of the plan, or decide to offer support to other parts of the plan.

7. Resource and Legal Implications

7.1 There are no resource or legal implications beyond fulfilling the duty to cooperate. Officers and members from both Councils meet regularly to ensure that this duty is met and that cross-boundary issues are being addressed.

8. Consultation

8.1 The report has been subject to internal circulation only. No comments or suggested amendments to the proposed response have been received.

9. Community Impact and Corporate Risks

9.1 The main community impacts that will result from the proposals in the draft plan will be within the borough of Havant. However, there will be some impacts on the communities in the southwest of the District, close to the border with Havant.

9.2 Should the need for housing development increase, or sites proposed in the plan be removed, and Havant Borough Council is not able to provide for objectively assessed housing needs within the borough boundary, it could request that provision be made within the western part of the Chichester local plan area. This would cause the risk of delay to the Chichester Local Plan Review.

10. Other Implications

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

11. Appendices

11.1 None

12. Background Papers

12.1 None

Chichester District Council

THE CABINET

6 March 2018

Revisions to the Section 106 and CIL Protocol

1. Contacts

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2. Recommendation

2.1 That the Cabinet approves the revisions to the Section 106 and CIL Protocol as set out in the appendix to the agenda report.

3. Background

3.1 At present the interest earned from S106 contributions is ring-fenced within the Council's reserves, but despite the wording of the current S106 and CIL Protocol it is not apportioned to each S106 agreement. As a result, it is not evident how much interest is available for each S106 project and hence the interest is not being spent and is accruing. At present the interest earned on unspent S106 contributions is £181,000.

3.2 In the event that a contribution is unspent by the spending deadline specified in the S106 agreement, the Council is usually required to return the original contribution together with any interest it has earned.

3.3 The accrual of interest is not an issue for CIL as it is a different regime and interest remains with the CIL funds collected.

4. Outcomes to be achieved

4.1 The main outcome is to ensure that the interest earned on S106 receipts does not remain unspent, and is used to provide infrastructure in support of the adopted Local Plan.

4.2 The achievement of this outcome will be reported through the bi-annual report to the Corporate Governance and Audit Committee and through the Council's Infrastructure Business Plan.

5. Proposal

5.1 Officers have considered how the interest arising from unspent S106 could be spent to better effect. The suggested approach will involve a revision to

paragraph 22 of the S106 and CIL Protocol. Other minor amendments to the text of the Protocol are also proposed to reflect the current situation now that the CIL has been implemented. Paragraph 22 is currently worded as follows:

Any S106 monies, and CIL receipts that have been received and have not been spent are invested in interest bearing accounts with the rest of the Council's investment portfolio in accordance with the Treasury Management Strategy until funds are required. The interest will be added to the balance each year as currently the case for S106. The money will be ring fenced for the project on which it is to be spent with respect to S106 and for infrastructure in general with respect to CIL.

5.2 It is proposed that the S106 and CIL protocol paragraph 22 is reworded to read:

Any S106 monies, and CIL receipts that have been received and have not been spent are invested in interest bearing accounts with the rest of the Council's investment portfolio in accordance with the Treasury Management Strategy. Unless specifically required by the S106 agreement, any interest earned from all unspent S106 monies will be held in a separate Infrastructure Reserve rather than being apportioned to individual S106 agreements. Funds held in this reserve will be ring fenced to fund infrastructure projects. The interest earned on CIL receipts will be held in a separate CIL reserve to fund infrastructure projects.

Requests to spend the funds held in the Infrastructure Reserves will be in accordance with the requirements of the Council's Financial Standing Orders.

5.3 The proposal will ensure that the interest earned from unspent S106 receipts is spent on delivering much needed infrastructure, rather than being left to accrue. The proposed changes to the protocol are set out in appendix 1 and shown as track changes.

6. Alternatives that have been considered

6.1 The alternative is to keep the protocol as it is with regard to the spending arrangements of the interest accrued through the unspent S106 and CIL monies, as set out in italics in paragraph 5.1 of this report above.

7. Resource and legal implications

7.1 There is no legal requirement to accrue interest on S106 balances unless it is specified in the S106 agreement. Unless there is a specific clause in the S106 agreement, the interest earned can rightly be treated as Council income, and therefore allocated to any spending priority the Council chooses.

8. Consultation

a) None

9. Community impact and corporate risks

9.1 The proposed revisions to the Protocol provide a pragmatic process for managing and spending S106 and CIL receipts and interest in order to support the delivery of infrastructure within local communities. However, there are two main risks with the proposed change in approach:

- If funds have to be returned to the developer because they have not been spent, this is often with interest so funds will need to be available from the separate interest account to cover this possibility.
- In some cases the S106 agreement specifies that any interest earned should be retained for spending on the S106 project. In these instances, sufficient funds in the interest reserve will need to be retained to cover such agreements.

9.2 To mitigate these risks, the Planning Obligations Monitoring and Implementation Officer is reviewing each completed S106 agreement to identify those where there are obligations in relation to the use or return of interest. This will ensure that sufficient interest is retained within the reserves to cover these risks.

10. Other Implications

	Yes	No
Crime & Disorder:		✓
Climate Change:		✓
Human Rights and Equality Impact:		✓
Safeguarding and Early Help:		✓
Other		✓

11. Appendices

11.1 Proposed revised Section 106 and CIL Protocol.

12. Background Papers

12.1 None

Chichester District Council

THE CABINET

6 March 2018

Selsey Haven

1. Contacts

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2. Recommendation

- 2.1. **That the Cabinet notes the findings of the consultants' reports and supports the inclusion of recommendations in the Marshall Regen socio economic report and those in the Wolfstrome wayfinding report detailed in para 5.1 of the agenda report and that these are subsumed into the Selsey Vision Action Plan.**
- 2.2. **That no further Chichester District Council resources are committed to progressing the Selsey Haven proposals.**

3. Background

- 3.1. The aim of the Selsey Haven project is to examine the feasibility of building a small harbour near East Beach, Selsey to provide fisheries protection, economic opportunities, flood protection and a visitor focus on the Manhood Peninsula.
- 3.2. An initial technical study undertaken by Royal Haskoning DHV (RHDHV), (see background papers) looked at three harbour options. The study indicated that a land based harbour could be technically viable.
- 3.3. This study was reported to Cabinet on 7 February 2017 and led to the commissioning of further reports; to further establish the technical and financial viability of the options and a wider socio-economic assessment of the benefits of a harbour to Selsey.
- 3.4. RHDHV were commissioned to undertake the technical "key issues" study (appendix 1) which included an economic feasibility study and business case prepared by Vail Williams (appendix 2).
- 3.5. Marshall Regen was commissioned to undertake the socio economic impact study (appendix 3) which included a place making and wayfinding report produced by Richard Wolfstrome (appendix 4).

- 3.6. The studies were overseen by the Selsey Haven Steering Group. The group is comprised of the following funding partners - CDC (officers and CDC members for Selsey), Selsey Town Council and Selsey Fishermen's Association.
- 3.7. The RHDHV report (Appendix 1) re-affirms that a harbour is technically feasible however to be economically viable, it proposes a revised concept design, based on 130 berths. The capital cost of such a project is estimated to be £14m-£19m (page 31 of Appendix 1) and the estimated operating surplus is in the region of £86,000 - £155,000 per annum (page 30 of Appendix 1). This surplus would need to cover the cost of beach bypassing and dredging costs estimated at £94k per annum (see page 30 of appendix 1). The report omits details of long term maintenance/asset replacement costs. With these taken into consideration, the scheme appears unlikely to be economically viable.
- 3.8. An additional piece of work was undertaken to identify potential funding sources and to understand the likelihood of success should a harbour design be finalised (appendix 5/5a). Key findings of this report were that funding could possibly be secured for various elements of the harbour, but significant funding gaps would remain for construction. This gap would require substantial public investment, as private investors would seek commercial level returns. In addition, the project would need to have progressed to the planning stage before most grants could be applied for, at a cost of between £250,000 - £500,000.
- 3.9. In considering these reports, the Selsey Haven Steering Group have raised concerns that the original concept of a small haven has developed into a harbour for 130 berths and has concluded it would be excessive for Selsey, absorbing too much of East Beach Green which is unlikely to be acceptable to residents. The reports however conclude a smaller harbour is not viable and should the number of berths be reduced, berthing costs would need to increase, impacting demand and consequently, the overall financial model. The larger private operators interviewed as part of the funding report (Appendix 5/5a) have advised that they usually look for a scheme to have at least 250 berths to be commercially attractive.
- 3.10. The Marshall Regen economic report and the Wolfstrome Wayfinding report (appendices 3 and 4) do however include a number of recommendations that could prove beneficial in improving the economic environment within Selsey both for the fishing and tourist industries. It is proposed, therefore, that the wider Selsey Vision, approved as a project for 2018-2019 by the Cabinet in January 2018, is used as the vehicle for delivering these projects, which will ensure they are considered and developed as part of a wider consideration of the needs and aspirations of Selsey.
- 3.11. Due to the significant uncertainties around economic viability and securing the necessary capital investment outlined in paras 3.7 and 3.8 above, it is proposed that officers do not undertake any further work on this project.

4. Outcomes to be Achieved

- 4.1 A more sustainable economic future for Selsey through delivery of the wider Selsey Vision and the recommendations of the socio-economic and wayfinding reports.
- 4.2 A more sustainable and viable fishing industry supporting the economic development of Selsey.

5 Proposal

- 5.1 That the Cabinet supports the inclusion of the following Marshall Regen and Wolfstrome recommendations in the forthcoming Selsey Vision:
 - Create better pedestrian wayfinding between town centre and East/West Beaches.
 - Develop trails and improve signage.
 - New temporary commercial units or concession opportunities.
 - Employ a seafood sales and marketing champion.
 - Develop and host crab and lobster events.
 - Improve the public realm at East Beach.
- 5.2 That no further Council resources are committed to pursuing the Selsey Haven as a standalone project

6. Alternatives Considered

- 6.1 Various other land- and sea-based harbour options have been considered but they are not technically viable due to sediment transportation.
- 6.2 Doing nothing is an option but there is significant local support for strengthening the economic viability of the local fishing industry as it is a key element of Selsey's identity. This will be considered as part of the Selsey Vision project.

7. Resource and Legal Implications

- 7.1 The project has been delivered within budget. The Cabinet resolution of 8 September 2015 approved £13,000 from general fund reserves to provide the balance of funding following the £10,000 Department for Communities and Local Government (DCLG) Coastal Community Team award for the stage 1 report. The RHDHV commissioned report was £18,870.
- 7.2 Stage 2 consisted of the commissioning of the RHDHV technical key issues study, the Marshal Regen socio-economic study and the H. O'Sullivan funding report, totally £44,582.50. The Cabinet resolution of 7 February 2017 approved £25,000 from reserves, with the balance of funding provided by Selsey Town Council and the Fisherman's Association.
- 7.3 Existing staff resources have been allocated to deliver the Wayfinding recommendations via the Selsey Vision work.

8 Consultation

- 8.1 Numerous internal and external bodies/organisation were consulted during the production of the reports (details of which are contained in the reports). No wider public consultation has been undertaken as there is no agreed design for the harbour.
- 8.2 Selsey Haven Steering Group has been consulted on incorporating the recommendations in paragraph 5.1(above) into the work of Selsey Vision and is supportive of this. However, should the steering group wish to continue with the concept of a haven, this would be with limited CDC officer support only, as officer time has been redirected to the vision work.

9. Community Impact and Corporate Risks

- 9.1 The projects subsumed into the Selsey Vision should have a positive impact on the economy of Selsey.

10. Other Implications

Crime and Disorder		No
Climate Change		No
Human Rights and Equality Impact		No
Safeguarding		No
Other		No

11. Appendices

- a. Appendix 1 –Key Issues Study, RHDHV
- b. Appendix 2 – Selsey Haven Feasibility Study, Vail Williams Report
- c. Appendix 3 – Selsey Haven, Socio Economic Impact Study, Marshall Regen
- d. Appendix 4 – Selsey – Making connections through place, Richard Wolfstrome
- e. Appendix 5 – MPP - Selsey Haven Funding Research, Hilary O’Sullivan
- f. Appendix 5a – Selsey Haven Grants & Funding, Hilary O’Sullivan

12. Background Papers

- 12.1 Stage 1 RHDHV Selsey Haven Preliminary Consultation Document, revision 04/Final 10 February 2016 – previously published on the committee papers section of Chichester District Council’s website as appendix 2 to the report for agenda item 12 for the Cabinet meeting on 7 February 2017
- 12.2 IPPD – Selsey Vision - previously published on the committee papers section of Chichester District Council’s website as appendix 4 to the report for agenda item 6 for the Cabinet meeting on 9 January 2018

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