

Chichester District Council

OVERVIEW AND SCRUTINY COMMITTEE

14 November 2017

Communications between CDC and South Downs National Park Authority (SDNPA) - Update

1. Contacts

Report Author:

Tony Whitty – Development Management Service Manager

Tel: 01243 534875 Email: twhitty@chichester.gov.uk

2. Recommendation

The committee is requested to note and comment on the outcomes of the meeting with the SDNPA pursuant to the recommendations of the committee on 13 June 2017 and Cabinet on 11 July 2017 to the SDNPA, and to comment on whether the concerns previously raised have been satisfactorily addressed.

3. Background

- 3.1 At the meeting of the Overview and Scrutiny Committee (OSC) on 13 June 2017 officers presented a report setting out the proposed new agency arrangements for CDC to deal with the planning application, appeal and enforcement work of the SDNPA (now in operation as of 1 October 2017). Whilst progress on the draft S101 agreement at that time was noted, the OSC made the following recommendations:

Recommendation to South Downs National Park Authority:

That the Authority considers the preparation of a Communications Protocol (with district and parish councillors) with the local authorities to whom it contracts development management matters, for inclusion within the agency arrangements.

Recommendation to Cabinet:

1) If the response from the SDNPA on the above recommendation is not favourable, to develop a Communications Protocol (with district and parish councillors) with the SDNPA and to bring it back to the Overview and Scrutiny Committee for consideration within six months.

2) That a corporate task and finish group be set up to review the resources allocated to enforcement in relation to the SDNPA Enforcement Protocol and the Council's Enforcement Strategy and that membership includes a representative from this committee.

3.2 The Cabinet considered the recommendations of the OSC at its meeting on 11 July 2017 and made the following resolution:

- 1) Officers be authorised to work with the South Downs National Park Authority to develop (with district and parish councillors) a communications protocol.
- 2) A corporate task and finish group to review the resources allocated to enforcement in relation to the SDNPA Enforcement Protocol and Chichester District Council's Enforcement Strategy should not be established at the present time.

3.3 A meeting was subsequently held between members and officers of both the SDNPA and CDC on 3 October 2017 (Note of meeting attached as Appendix 1). The meeting, which followed an agenda based around topics suggested by CDC officers as issues previously raised by CDC members, was broadly welcomed by members of both the SDNP and CDC. The discussion focused on the following key subject areas;

- i) Issues raised by CDC officers with regard to CDC/SDNPA relationship
- ii) Involvement of CDC members in called-in applications and access to SDNPA case officers
- iii) SDNP Local Plan updates
- iv) Use of SDNPA CIL funds
- v) Involvement of CDC Members in Whole Estate Plans

The outcome of the discussion on these issues is set out below.

4. Outcomes

4.1 That members of wards within the Chichester part of the South Downs National Park are engaged and able to contribute where appropriate to planning related matters to ensure the effective operation of the agency arrangement between CDC and the SDNPA in relation to the delivery of the development management service.

i) Issues raised by CDC officers with regard to CDC/SDNPA relationship

4.2 Key concerns raised by CDC Members related to information being received by Parish Councils (PCs) that had not also been sent to the relevant District Councillor and that CDC Members felt that they were not kept sufficiently informed of important issues and updates from the SDNPA.

4.3 In response, both SDNPA Members and officers set out that there had been an effort to particularly engage with Parish Councils, although it was acknowledged that this had not necessarily extended to District Councillors. The communication concerns raised by CDC Members were acknowledged by SDNPA representatives and it was proposed that the appropriate District Councillor would, in future, be copied into relevant correspondence between the SDNPA and Parish Councils and that District Councillors would now also be sent the SDNPA e-newsletter. It is suggested that Member Services officers are asked to ensure that the SDNPA has an up to date list of contact details for all members who represent wards in the South Downs National Park together with

the Cabinet Member for Planning Services and the Chairman of the Planning Committee.

ii) Involvement of CDC members in called-in applications and access to SDNPA case officers

4.4 At the meeting, CDC Members asked how they can influence applications that were called-in by the SDNPA and what access they had to SDNPA case officers. SDNPA officers reassured members that the process should be the same as they experience when CDC deal with applications on behalf of the SDNPA. That is that case officers would be available to discuss application proposals with CDC Members, who could also attend the SDNPA Planning Committee and register to speak at that meeting.

4.5 Whilst it was acknowledged that CDC Members were unable to direct an application to be determined by the SDNPA Planning Committee as they can do by lodging a red card in cases handled by CDC; the mechanism in place to seek consideration of an application by the SDNPA Planning Committee was to raise the matter with the CDC appointed SDNPA Member who could consider such a request and take this forward with the SDNPA if appropriate.

iii) SDNP Local Plan updates

4.6 SDNPA officers set out the timetable for the consultation on the SDNP Pre Submission Local Plan (LP) and noted the meeting arranged for parish councils and CDC members to be held the following evening as part of the consultation exercise. CDC officers explained that the proposed response to the consultation would be presented to the Development Plan and Infrastructure Panel, which would offer the opportunity for CDC members to input into the formal response from CDC to the consultation. Members asked a number of questions in relation to proposed policies; including affordable housing, SDNPA/CDC housing requirements and the requirement for the use of local materials within proposed developments. No specific concerns with regard to communications from the SDNPA in relation to the emerging LP were raised by CDC Members.

iv) Use of SDNPA CIL funds

4.7 CDC Members queried the ability for them to influence the allocation of SDNPA CIL receipts to particular projects. SDNPA officers advised that the allocation of CIL funds to infrastructure projects was a function of the SDNPA Planning Committee and that spending plans were informed by a consultation exercise which CDC Members could participate in. In response to some concerns raised by CDC Members that they were unaware of the consultation exercise; SDNPA officers undertook to ensure that their database was up to date in relation to interested parties.

v) Involvement of CDC Members in Whole Estate Plans

4.8 SDNPA officers explained that Whole Estate plans (WEPs) were not planning policy documents and that the responsibility for consultation during their formation was that of the Estate producing the plan. However an undertaking was given to CDC Members that in future when a plan is submitted for

endorsement by the SDNPA, parish councils and CDC Members will be notified of the relevant Committee responsible for consideration of the matter.

5. Next Steps

- 5.1 As a result of the meeting on 3 October, the SDNPA made the following commitments with regard to communication with CDC members:
- a) That the relevant District Councillor(s) will be 'copied' in to all relevant correspondence from the SDNPA to Parish Councils;
 - b) That District Councillors will be sent a copy of the SDNPA newsletter on a routine basis;
 - c) That access to and communication with SDNPA planning officers is available and provided on an identical basis to that between CDC Members and the CDC SDNP Team officers;
 - d) That the appropriate process for a member to request that a called-in application be considered by the SDNPA Planning Committee is through the CDC SDNPA Member; and that verbal representations on a planning application may be made to the SDNPA Planning Committee in a similar manner to the CDC Planning Committee;
 - d) That SDNPA officers in conjunction with CDC Member Services will ensure that the database of contacts for CDC Members is up-to-date; and
 - e) That SDNPA officers will in future notify parish councils and CDC Members of the relevant Policy and Resources Committee at which a Whole Estate Plan within Chichester District is to be considered.
- 5.2 It is proposed that the above undertakings by the SDNPA form a protocol on which to improve communications between CDC and the SDNPA and the OSC is requested to consider the outcomes of the meeting of 3 October and whether the concerns previously raised have been satisfactorily addressed.

6. Appendices

Appendix 1 – Note of the meeting of 3 October 2017 - Discussion of Communications between SDNPA and CDC