



Minutes of the meeting of the **Overview & Scrutiny Committee** held in the Old Court Room, The Council House (Chichester City Council), North Street, Chichester on Tuesday 13 June 2017 at 9.30 am

**Members Present:** Mrs C Apel (Chairman), Mrs N Graves (Vice-Chairman), Mr P Budge, Mrs P Dignum, Caroline Neville, Mr N Galloway, Mr K Martin, Mr H Potter, Mr J Ransley, Mr A Shaxson, Mr S Lloyd-Williams and Mrs J Tassell

**Members not present:** Mr G Hicks and Mr N Thomas

**In attendance by invitation:** Mr M Bleakley (South Downs National Park) and Mr C Hicks (Business Improvement District)

**Officers present:** Mr P E Over (Executive Director), Mrs S Archer (Enforcement Manager), Mr R Dunmall (Housing Operations Manager), Mr A Frost (Head of Planning Services), Mrs J Hotchkiss (Head of Commercial Services), Mr D Hyland (Community and Partnerships Support Manager), Mrs B Jones (Principal Scrutiny Officer), Miss A Loaring (Partnerships Officer), Mr S Oates (Economic Development Manager) and Mr T Whitty (Development Management Service Manager)

## 155 **Chairman's announcements**

The Chairman welcomed all to the meeting, particularly to new member Mr Keith Martin and to Mr Colin Hicks, Chair of Chichester Improvement District (BID).

## 156 **Minutes**

The committee considered the minutes of the last meeting held on 14 March 2017, requesting the following amendment:

Minute 150: Deletion of the second bullet point at the top of page 5.

## **RESOLVED**

That the minutes of the meeting held on 14 March 2017 be approved as a correct record, subject to the above amendment.

## 157 **Urgent Items**

There were no urgent items for consideration at this meeting.

**158 Declarations of Interest**

The following declarations of interest were made:

Mrs P Dignum – personal interest as a Friend of Chichester Festival Theatre (CFT) and personal and prejudicial interest as a Trustee of Pallant House Gallery (PHG)  
Mr K Martin – personal interests as a Friend of CFT  
Mr J Ransley – personal interest as a Friend of PHG  
Mrs N Graves – personal interest as a Friend of CFT  
Mrs C Apel – personal interest as a Friend of both CFT and PHG  
Mrs J Tassell – personal interest as a Friend of PHG

**159 Public Question Time**

No public questions had been received.

**160 Leader's portfolio address**

Mr T Dignum, Leader of the Council, presented progress made and achievements over his first two years as Leader and informed the committee of his plans for the next two years.

Summary of members' questions and comments, as follows:

- The Council can only influence the supply of affordable housing in our local area, not in the area of the district which falls into the South Downs National Park Area (SDNPA). This is currently 30%. The developer will not build houses unless the site is viable.
- We are awaiting the Housing White Paper and will then review our situation regarding housing delivery.
- The Southern Gateway Masterplan has been produced using a consultant, not officer resource. At a later stage development partners will be consulted to take things forward. A timeline is included the Cabinet agenda papers for 19 June 2017.
- There are currently 8/9 Community Land Trusts (CLTs) in progress. A list will be sent to members following the meeting.
- Sceptical about the use of the word 'vision' (Chichester Vision) as it raises aspirations beyond that which can be necessarily achieved.
- Cost of redirecting roads when nothing is to be gained in the way of development land.
- It has been assumed that the law courts would no longer be used for legal purposes.

**RESOLVED:**

That the Leader's presentation be noted.

**161 Preparing a Vision for Chichester City Centre**

The committee considered the report circulated with the agenda (copy attached to the official minutes).

Mr S Oates presented the report. The committee was directed to the draft Vision in Appendix 3 and requested to consider the process and procedure that had been followed to get to this point where a final Vision document was now ready to be agreed. They were also asked to consider whether the consultation and the responses on the document were appropriate in order that any comments could be passed to the Chairman of the Steering Group.

Summary of responses to Members' questions and comments:

- The Vision steering group with its high level partnership membership ensures cross party cooperation.
- There will always be conflict between differing views e.g. roads vs pedestrianisation and environmental concerns. Ambitions will need to be managed to help ensure they are deliverable.
- Town centres are changing their approach due to online shopping and the increase in lifestyle shopping (relating to the 'experience') which has resulted in an increase in food and beverage businesses locating in the city.
- There were 472 responses to the online consultation on the Vision, and around 30 further e-mails and letters, plus a large number of comments on social media postings.
- The Vision is inevitably city centric but does reference, for context, the surrounding area such as the South Downs. A map will be included in the final document.
- A large evidence base was considered and the city was compared to other similar heritage and cultural cities, such as Winchester and Canterbury, taking into account both its current offer and an assumed growth of 30%.
- High level jobs are needed due to the disconnect between the high cost of housing and median level paid employment in the city. The University may refocus some of their courses in order to help create the type of jobs envisaged.

**RESOLVED:**

That the draft text for the Chichester City Centre Vision be noted.

**RECOMMEND TO CABINET AND TO COUNCIL:**

That the draft Vision be approved.

**162 Supporting Chichester Business Improvement District (BID)**

The committee considered the report circulated with the agenda (copy attached to the official minutes).

Mr S Oates presented the report. Mr C Hicks, Chair of the BID, gave a brief overview of the BID's position in relation to the Vision, the development of Visit Chichester and working with the Chamber of Commerce to provide assistance to businesses and with Chichester Businesses Against Crime (ChiBAC). The BID had moved away from areas where it has no responsibility such as planning and highways issues, and wishes to work more with local authorities to ensure that the city centre is kept 'current'.

## Summary of responses to Members' questions and comments:

- 150,000 maps are printed twice a year. The BID is working with a centre for adults with learning difficulties to enable the map dispensers to be filled regularly. Businesses are signed up to sponsor the printing of the map. The BID is working with the Rotary Club's network of volunteers to put in place city welcoming.
- Chichester has depended on 'supply' for a long time and it needs to become more 'demand' focused now. The profile of Chichester has changed since the crash in 2008. The challenge is how the city can be promoted to become more well-known so we develop the 'demand'.
- There is a desire to bring licensing under one roof as a one stop shop to enable all those involved with licensing issues in one forum.
- The length of planning and highways processes is one of the biggest problems BID levy payers have.
- The BID would like to have better communication with the Council and vice versa. There is good synergy around the city at present with all three councils but there are other organisations the BID would like to be talking to. The BID was not at the table when considering the A27 and Mr Hicks welcomed being part of any future consultation on the A27, the Local Plan and the Southern Gateway.
- Business incubation units – The Enterprise Gateway is not in the city, however there are start-up units in Drapers Yard in the Hornet. The BID is working with the Chamber of Commerce who have a much wider remit. There has been a problem with closure of some of the retail sites in the city centre where incubation areas have been lost. There is a proposal at present in Crane Street to divide up a large office space into smaller ones.
- 25% of the BID's members are Business to Business (B2B) activities – businesses selling to businesses (rather than consumers) and would like to get access to other businesses therefore the BID needs a different focus here.
- The footfall decrease in the city of 30% (nationally 20%) is due to a number of issues - closure of summer festivities in 2012; no shelter when it rains; increased online shopping (nationally 18%). However in comparison to others Chichester is not doing badly. The vacancy rate for shops is 4% (national average 9%). There are 107 major chains and 353 independent businesses in Chichester. The city is offering heritage, culture, learning, discovery, wellbeing and meeting places. We have a large number of self-employed people in the city so there is a good entrepreneurial spirit.
- Chichester's transport problems need to be resolved – particularly access to the city from London and from the north of the district.

## RESOLVED

- 1) That the support currently provided by the Council to Chichester BID to deliver joint objectives be noted.
- 2) That regular briefing and updates on issues which the BID wishes to promote are provided to members in the monthly Members' Bulletin for information.

## **RECOMMEND TO CABINET**

- 3) That the Council carry out early consultation with the BID in relation to proposals which affect the city such as transport issues, Local Plan development and Southern Gateway.

### **163 South Downs National Park Authority Development Management Agency Agreement**

The committee considered the report circulated with the agenda (copy attached to the official minutes).

The Chair welcomed Mr Bleakley of the South Downs National Park Authority . Mr Frost presented the report. Mr T Whitty, Mrs S Archer were also in attendance.

The committee made comments, including the following:

- There was a benefit to being involved in planning applications in the SDNPA area as both officers and members are involved directly in influencing those planning applications.
- There was concern that the new payment by way of costed case types would place this Council at financial risk. The cost analysis carried out over the last few months showed a slightly lower figure than previously achieved and therefore there could be a small reduction in payments. Mr Bleakley advised that they had looked at the workload over last 6 years and there had been a general upward trend so the financial risk to the Council was not high. This way the Council was paid for exactly the work carried out which would be a fairer system. He did not expect the payments to Chichester to be significantly different. If there was an unexpected cost increase on CDC's part it could be claimed back from the SDNPA. There may be exceptional costs on an enforcement case for example. There would be an opportunity to review the operation of the agreement annually.
- Enforcement resourcing - It had not been considered necessary to set up a separate team for SDNPA enforcement matters as the protocols for enforcement work within the Chichester local plan area and the SDNPA areas are similar and the team is considerably smaller than the DM teams. There are no significant issues with prioritising work in accordance with the agreed protocols or resourcing the team - the work is split between three investigating officers dealing with east, west and central areas and a team administrator who produces reports and ensures timescales are adhered to. Two senior officers take on more complex cases and engage legal processes where required. Benchmarking work carried out a few years ago showed the service compared favourably with other authorities. The level of resourcing could be reviewed in future if it was considered by members that there were issues that needed to be looked at. Last year there were 560 complaints - the split is slightly more than half for the Chichester local plan area.
- Enforcement process - The note sent to parishes explained the approach taken on enforcement matters and how PC's can access information and updates on current cases. . It can be a relatively slow process, enabling those contravening planning controls to submit retrospective planning applications and appeals so it can in some cases take years. A judgement needs to be taken at some point as

to whether to proceed with formal action or to accept the development as if an application had been made and approved. Planning enforcement is a discretionary service; we don't have to take action and planning guidance supports this. We will, however, take action when harm is identified and if it cannot be overcome by other routes. However, our actions are only as effective as the person's willingness to engage in the process.

- Communication with district and parish councillors - There was concern about the SDNPA's communication with parish councils and with district councillors who represent areas within the park. Mr Bleakley advised that the SDNPA carries out regular surveys with its customers and the next one was planned for early 2018.

#### **RESOLVED:**

- 1) That the operation of the current S101 agreement and Service Level Agreement with the South Downs National Park Authority be noted.
- 2) That the position and progress that is being made in relation to the negotiations with the South Downs National Park Authority in connection with potential new delegated arrangements from 1 October 2017 be noted.

#### **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.

#### **164 Chichester in Partnership - Annual Report 2016-17**

The committee considered the report circulated with the agenda (copy attached to the official minutes).

Miss A Loaring presented the report.

The committee made comments, including the following:

- A social prescribing project – the Coastal Clinical Commissioning Group are looking at preventative work. There are models in operation called Community

Connector which involves someone at a doctor's surgery putting people in touch with local community groups.

- The impact of the closure of the Foyer in Chichester had been raised by partners. A paper on the impact of benefit changes and the effect of it on young people was due to be considered by CMT shortly.
- Choose Work referrals have come from Mental Health Services, the Health Service and the Job Centre.

**RESOLVED:**

- 1) That progress achieved by Chichester in Partnership in 2016-17 be noted.
- 2) That the Chichester in Partnership 2017-18 Business Plan be noted.

**165 Cultural Grants Task and Finish Group - Final Report**

The committee considered the report circulated with the agenda (copy attached to the official minutes).

Mr D Hyland presented the report in the absence of the Chairman of the Task and Finish Group, Mr G Hicks.

As Mrs P Dignum had declared a personal and prejudicial interest in this item as a Trustee of Pallant House Gallery, she left the room during consideration of this item.

The committee made comments, including the following:

- It is the view of some councillors that we should not be using taxpayers money on grants for the theatre and gallery, however a) the cultural organisations are evidencing a positive economic impact to the district and the Council's annual grants play an important role in them leveraging funds from the Arts Council.
- There are a number of community based groups working with young people at the theatre and youth theatre tickets had been reduced to £5 to encourage young people to attend.
- The amount of grant paid to each organisation was requested – Mr Hyland undertook to respond. The current level of grants for this financial year are - Pallant House Gallery £144,500 and Chichester Festival Theatre £250,000.

**RESOLVED:**

- 1) That the report from the Cultural Grants Task and Finish Group be noted.
- 2) That the 2016-17 annual reports from the Pallant House Gallery and Chichester Festival Theatre be noted.
- 3) That the Council's 2017-18 Service Level Agreements with both organisations be agreed.

## 166 **Review of the Housing Allocations Scheme**

The committee considered the report circulated with the agenda (copy attached to the official minutes).

Mr R Dunmall presented the report.

The committee made comments, including the following:

### *Option 1 – Refusal of three suitable offers of accommodation resulting in suspension of application*

Before the policy is implemented we will be clear with applicants and persuade them to bid only on properties which they would like to be offered. The new Sussex Homemove Partnership IT system will be similar to the Rightmove website with flexibility to create better adverts including multiple photographs, facilities in the area, maps with schools etc. If a property is subsequently found to be not suitable and is part of three properties bid on this be removed from their allocation.

### *Option 2 – Employment in the district increased to two years in line with local connection requirement*

People are increasingly working for shorter term contracts due to market factors – will two years be too long a period? We need to move to situation where it is equal for everybody by changing the period of employment to two years to meet the 'living in the district' requirement.

### *Option 3 – Applicants of state pension age able to join register to bid on sheltered housing*

No concerns.

### *Option 4 – Continuous bidding system (rather than the current fortnightly one) on the Sussex Homemove Partnership IT system*

A shortlist is produced at close of bidding ordered by local connection and then by the priority bands; priority is by band and if there are two applicants with local connection on Band A, the applicant who joined the band at an earlier date would take precedence.

### *Option 5 - Applicants who would be disqualified for joining the housing register are allowed if they can demonstrate exceptional circumstances*

No concerns

Further comments were made as follows:

- There are two groups of hard-to-let properties. Discussions are held with landlords of sheltered properties and we encourage them to look at meeting future needs so that they don't suffer void periods. The other hard to let properties are in rural areas because they are isolated or have a bad reputation and have been advertised on numerous occasions with no resultant letting. We have on occasions put a homeless person in these properties; we only have a duty to make one offer of housing to homeless applicants.
- The definition of sheltered housing has changed. The removal of wardens has had a huge effect for those living in rural areas, therefore it was to be expected



that sheltered housing in rural areas was difficult to let. There is a need for larger homes provided as 'finisher' homes.

- Hyde does not appear to be good at clearing up homes quickly and putting them back on the market again.
- There is an issue with the lettable standard of Hyde properties. People's expectations have changed and a home rented in the private lettings sector will have good décor, carpets, etc. Hyde should be encouraged to redecorate older properties.
- All landlords, whether of private or social housing, must comply with certain housing standards (Housing Health and Safety Rating System and Decent Homes Standard) in order to let properties, however this does not take into account cosmetic decoration or carpeting. With social housing there is an assumption that properties will meet the standard and we don't have any input or legal duty to check. We do inspect properties for rent in the private rented sector as we have a legal duty to meet the standards before taking the property on for rent.
- Damp and mould in properties is in most cases due to condensation issues associated with the lifestyle of the tenant rather than structural issues.

Although it was acknowledged that it was not relevant to this Allocations Policy review, members suggested that a recommendation be made that a corporate task and finish group be established to consider quality standards in the affordable housing stock in the district.

**RESOLVED:**

That the proposed amendments to the Housing Allocations Scheme be noted and go forward for consultation with the Council's registered providers of social housing.

**RECOMMENDATION TO THE CABINET MEMBER FOR HOUSING SERVICES:**

That a corporate task and finish group be established to review the Quality Standards of existing affordable housing stock in the district and the overall demand for the type and volume of new affordable housing in rural and urban areas.

**167 Overview & Scrutiny Committee 2016-17 Annual Report and 2017-18 Work Programme**

The committee considered the report circulated with the agenda (copy attached to the official minutes).

Mrs Apel presented the report.

Mrs Jones advised the committee that there was an alteration (para 3, page 247) in that 21 recommendations had now been agreed. One recommendation had yet to be considered by Cabinet.

**RESOLVED:**

- 1) That the committee's 2016-17 Annual Report be agreed.

2) That the committee's 2017-18 Work Programme be agreed.

**RECOMMEND TO COUNCIL:**

That the Overview and Scrutiny Committee's 2016-17 Annual Report be noted.

168 **Appointment of committee representative to Leisure Contract Monitoring Task and Finish Group**

**RESOLVED:**

That the appointment of Mr H Potter as the committee's representative on the corporate Leisure Contract Monitoring Task and Finish Group be agreed.

169 **Forward Plan**

The committee considered the Council's latest Forward Plan (July 2017) and did not wish to raise any further issues for review.

The meeting ended at 2.04 pm

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CHAIRMAN

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Date: