



Minutes of the special meeting of the **Council** held in the Committee Rooms at East Pallant House East Pallant Chichester West Sussex on Friday 8 June 2018 at 10:45

Members Present

Mrs E Hamilton, Mrs N Graves (Vice-Chairman), Mrs C Apel, Mr G Barrett, Mr R Barrow, Mr J Brown, Mr P Budge, Mr J Connor, Mr A Collins, Mr A Dignum, Mrs P Dignum, Mr M Dunn, Mr J W Elliott, Mr N Galloway, Mr M Hall, Mrs P Hardwick, Mr R Hayes, Mr G Hicks, Mr L Hixson, Mr F Hobbs, Mrs J Kilby, Mrs E Lintill, Mr L Macey, Mr K Martin, Mr G McAra, Mr S Morley, Mr A Moss, Caroline Neville, Mr S Oakley, Dr K O'Kelly, Mr C Page, Mrs P Plant, Mr R Plowman, Mr H Potter, Mrs C Purnell, Mr J Ransley, Mr A Shaxson, Mr N Thomas, Mrs P Tull, Mr D Wakeham and Mr P Wilding

Members Absent

Mr T Dempster, Mrs J Duncton, Mr J F Elliott, Mr S Lloyd-Williams, Mr J Ridd, Mrs J Tassell and Mrs S Taylor

Officers Present

Mr N Bennett (Divisional Manager for Democratic Services), Mr A Frost (Director of Planning and Environment), Mr P E Over (Executive Director), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Senior Member Services Officer) and Mr J Ward (Director of Corporate Services)

1 Approval of Minutes

The Chairman welcomed everyone present including a large number of members of the public to this special meeting of the Council which had been convened to consider Chichester District Council's (CDC) submission to Highways England on the schemes to be put forward for inclusion in the government's Roads Investment Strategy (RIS2).

Mrs Hamilton explained the emergency evacuation procedure.

As stated on the agenda there were no minutes for approval at this special meeting. The minutes of the Annual Council meeting on Tuesday 22 May 2018 and those of this meeting would be presented for approval at the Council's next ordinary meeting on Tuesday 24 July 2018.

[**Note** Hereafter in these minutes Chichester District Council is denoted by CDC]

[**Note** This para and paras 2 to 6 below summarise the consideration of and conclusion to agenda items 1 to 6 inclusive but for full details of the matters summarised hereunder reference should be made to the audio recording facility via the link below.

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=132&MId=923&Ver=4>]

2 **Declarations of Interests**

The Chairman reminded members of an e-mail which they had received on Wednesday 6 June 2018 from the Monitoring Officer Mr Bennett giving his detailed reasons for granting an all-member dispensation to enable them to participate fully in the debate and decisions at the special meetings of both the Cabinet and the Council on Friday 8 June 2018. The issue of the dispensation was confined to that day only.

The following members declared a personal interest in agenda item 5:

- (1) Mr Dunn (Westbourne) as a CDC appointed member of the South Downs National Park Authority
- (2) Dr O'Kelly (Rogate) as a member of West Sussex County Council
- (3) Mr Oakley (Tangmere) as a member of West Sussex County Council
- (4) Mr Plowman (Chichester West) as the vice-chairman of the Goodwood Motor Circuit Consultative Committee
- (5) Mrs Purnell (Selsey North) as a member of West Sussex County Council

3 **Chairman's Announcements**

Mrs Hamilton said that the following apologies for absence had been received:

Mr Lloyd Williams (Chichester North), Mr Ridd (Donnington), Mrs Tassell (Funtington) and Mrs Taylor (East Wittering).

The Chairman acknowledged the presence of Mrs Lintill (Petworth and Cabinet Member for Community Services) notwithstanding the death of her husband very recently and thanked her for attending despite her bereavement.

Mrs Hamilton gave the following tribute to Steve Hansford, CDC's former Head of Community Services who had also very recently died:

'It saddens me to announce the death of Steve Hansford who died last week after a long illness. Steve joined the Council in December 2005 and was appointed Head of Community Services in 2014; he retired from the Council in March this year. Steve was highly thought of by his colleagues, members and partners for his kind and considered approach to work and was recognised as a person of high personal integrity. He always had a very positive outlook on life, even during his illness, and always tried to help resolve issues. Steve will be deeply missed by all, leaving behind fond memories. On behalf of all the members, I wish to send our condolences to his wife Jane and all his family.'

Mrs Apel (Chichester West and chairman of the Overview and Scrutiny Committee) remarked that Mr Hansford was an incredibly special person, who was very supportive of scrutiny-related matters and he would be missed tremendously.

Members responded to the foregoing tributes with an audible assent and approval.

4 **Public Question Time**

Twelve public questions had been submitted for this special meeting, details of which appear below.

The text of the public questions had been circulated to CDC members, the public and the press immediately prior to the start of this meeting. Mrs Hamilton invited each person in turn to come to the designated microphone in order to read out his or her question.

The questions (with the date of submission shown within [] at the end of the text) and the oral responses given by Mr Dignum (Leader of the Council) or Mr Connor (Cabinet Member for Environment Services) were as follows:

(1) Question by Dr Linda Boize

In view of the final para of her question below, Dr Boize prefaced it by noting that at its special meeting which had immediately preceded this meeting the Cabinet had amended its anticipated recommendation to the Council (set out on the face of the agenda) by the deletion of the words 'as being desirable' from para (1).

'My question concerns flyovers.

Does the Full Southern concept meet the BABA27 key feedback theme to avoid flyovers and would the proposed flyovers and extensive sliproads needed to allow all turning movements result in home demolition and land grab greater than last year's Option 2?

And if the Stockbridge proposed underpass cannot be dug deep enough for high sided vehicles would the A286 need to be elevated resulting in 3 proposed flyovers becoming 4, and the concept insufficiently different from Option 2 as Highways England requires?

Is the Full Southern concept desirable, regardless, or is it rather that the technical appraisal is recommended to find out if the engineering challenges can be overcome?'

[Monday 4 June 2018]

Response by Mr Dignum (Leader of the Council)

'Thank you for your question.

The Full Southern Concept is identified by Systra as meeting most of the requirements of the BABA27 group noting that unanimous community consensus is unlikely to be achieved and that this concept comprises a combination of underpasses and flyovers at the junctions with the potential therefore to better mitigate the environmental and visual impacts in sensitive locations. Systra advise that in the time available they have not been able to develop detailed designs for the junctions and that significant further technical feasibility and engineering design work will be required by Highways England which will include reassessing road realignments and land take. Systra have also indicated that the concept for the Stockbridge junction is predicated on an A27 underpass to minimise community severance but again make it clear that further detailed design feasibility work will be required to assess whether the concept for this junction is achievable. As a concept, this option is considered to have strong merit but with a range of engineering and mitigation challenges that would need to be tested by Highways England.'

(2) Question by Mr Bob Marson

After making additional preliminary remarks not included in his submitted question below (details in the audio recording), Mr Marson put the following question:

‘On the assumption that the Full Council vote towards consensus with WSCC, my question is, therefore, one which is aimed at providing facts for our MP to help her position the case with the government to secure sufficient funding for Chichester in the RIS2 budget for a long term solution to the A27.

Events at national level have moved on since the RIS planning timeframe so it would be astute for councillors to take cognizance of (a) HE Road Design Principles published Jan 2018 and (b) the government plan for tackling roadside nitrogen dioxide concentrations jointly published by DfT and DEFRA in July 2017.

Now with the availability of the tool developed for Public Health England by Imperial College (announced by Philip Hammond in May 2018), local authorities are enabled to estimate the economic impact of air pollution in their area. The government’s clean air strategy will be published in the summer, however Mr Gove’s comments in April 2018 gave a clear indication how seriously he viewed quote “the huge public health issue”.

The Air Quality/Public Health impact from traffic congestion during the probable 4+ year major engineering construction work required by the Full Southern Route was raised by many stakeholders at the BaBA27 meetings as a serious public concern.

While there is total compliance by CDC to meet their statutory duties on AQ monitoring, the government Air Quality Management Policy Guidance (April 2016) provided an option for district councils to declare Fast-Track AQMAs (Air Quality Management Areas). Public domain information from Sussex Air clearly shows the pollution level exceeds limits along the A27, feeder roads to the A27 and in the “rat runs” through the city.

QUESTION: In anticipation of the inevitable and increasing traffic congestion on the A27 in the RIS2 period to accommodate the full Southern Route Option”, is there value in CDC declaring fast track AQMAs based on the Sussex Air modelling work?

Under the two-tier authority system which we have in this constituency, WSCC, now armed with aforementioned tool, could work closely with CDC with both local authorities gathering data to help our MP articulate the need for a level of funding that could potentially enable the preferred WSCC option, ie the Mitigated Northern Route, to become reality. What is CDC’s view of this approach?

[Monday 4 June 2018]

Response by Mr Connor (Cabinet Member for Environment Services)

‘Thank you for your question. Firstly, I am pleased to note your acknowledgment that there is total compliance by CDC to meeting its statutory duties on Air Quality monitoring. We are of course aware of the option to declare fast track Air Quality Management Areas (AQMAs) but having reviewed our current extensive programme of air quality work which includes air quality modelling, the possible declaration of a further AQMA and the refresh of our current Air Quality Action Plan, we are satisfied that our intended approach accords well with government guidance and our statutory duties.

Consultants Systra have advised that both of their shortlisted conceptual options will require significant environmental mitigation, including to address matters such as the impact on air quality. Such considerations will need to be addressed within subsequent technical and feasibility work undertaken by Highways England, including, for example, preparation of a construction environmental management plan, in the event that either of these options are included in RIS2. We will continue to work closely with WSCC in respect of air quality matters but consider that it would be premature to take the course of action suggested at this relatively early stage in terms of scheme development.'

(3) Question by Mr Ian Milton – Chairman of the Chichester Ship Canal Trust

'If the full southern route concept and Southern Gateway go ahead, there could be 4 or 5 years of construction that will discourage residents and visitors from coming to the canal. The Trust services would be disrupted. There would be a major decline in our income, reducing resources available to maintain the canal. What can Chichester District Council do to maintain visitor numbers to the canal and its environs if this building takes place?'

[Monday 4 June 2018]

Response by Mr Dignum (Leader of the Council)

'Thank you for your question. Systra were appointed by WSCC to provide high level technical advice and support to the BABA27 group. They have identified that an on-line solution to the A27 will result in significant transport and wider environmental disruption during construction and that the potential impacts on nearby residents, users of the A27 and the wider network including on business (which includes the Chichester canal) are likely to be substantial. Systra's high level assessment regarding construction impacts, which draws on the earlier RIS1 economic assessment is set out in Section 8 of their report (pages 44-45). It explains that detailed construction management plans would need to be prepared to set out the approach to managing disruption during construction and that a future economic appraisal would also address this important issue in the event that this concept is developed further by Highways England.'

(4) Question by Mr James Pickford – Chairman of Lavant Parish Council

'My question concerns the budget.

The average cost of a project in RIS1 was £100m and our budget was doubled to £250m. To accommodate this a project somewhere else was dropped as the total budget of RIS1 remained fixed. If you go forward with a mitigated northern route another 2-3 projects will be sacrificed elsewhere in the country. What is so special about the Chichester economy that Highways England (HE) will sacrifice two to three other projects elsewhere most of which are already far further ahead than Chichester's? To back an online development with a sunken road at Fishbourne would be a significant gain which would justify all the work of the Council over the past year. Anything else is a gift to HE to throw out and revert to the original Option 2a.'

[Tuesday 5 June 2018]

Response by Mr Dignum (Leader of the Council)

'Systra's high level analysis has focused on the development of conceptual options only at this stage. They recognise that in order to overcome community concerns raised regarding previous options published by Highways England, likely costs will be higher for both the shortlisted options although they also note that benefits would potentially be similar or greater. Systra consider both shortlisted options to be potentially deliverable and Highways England have undertaken to examine them in greater detail and report their findings to the Councils later this year. It is recognised that the level of government funding for RIS2 is not yet known and matters relating to the size of the available budget for any Chichester scheme included in RIS2 will ultimately be for Highways England and government to determine.'

(5) Question by Mrs Carolyn Cobbold

The submitted text of Mrs Cobbold's question appears below but additional remarks made and the order of some of her comments and the two questions asked were reversed (details in the audio recording).

'Can CDC confirm whether they or any consultants or highway professionals have made an assessment of the likely impact and disruption cost of construction works associated with a full online southern scheme?

So far 135 businesses have called for a Northern Bypass to be selected as the preferred option, warning that any online scheme would result in years of disruptive road works that would cripple the local economy. Among the businesses that have signed a petition so far are 14 holiday parks operating a total of 4444 family holiday units, providing more than six million visitor nights of accommodation in the area. A wide range of businesses from tourism operators, engineering firms, retailers to restaurants to firms in the service sector have signed the petition in the past two weeks. The West Sussex Growers Association also believes the Northern Option is the only sustainable solution. Has CDC factored in this cost to our tourism, agricultural and retail businesses in its decision not to favour the route preferred by Systra and WSCC?

What routes will form the diversionary routes for traffic during construction of an online route or in the event of an accident, roadworks or severe congestion after completion of the scheme?

An online scheme would leave Chichester as the only section of the entire A27 without a diversionary route, meaning any future incident on a southern A27 would result in a return to gridlock and rat running through Chichester city, Lavant and surrounding villages.'

[Tuesday 5 June 2018]

Response by Mr Dignum (Leader of the Council)

'Systra were appointed by WSCC to provide high level technical advice and support to the BABA27 group. Consequently, whilst the two shortlisted conceptual options are considered to be potentially feasible and deliverable, Systra recognise that they both present a range of challenges with significant further detailed technical feasibility required. Systra identify that an on-line solution to the A27 will result in significant transport and wider environmental disruption during construction and that the potential impacts on

nearby residents, users of the A27 and the wider network including on business are likely to be substantial. Systra's high level assessment regarding construction impacts, which draws on the earlier RIS1 economic assessment is set out in Section 8 of their report (pages 44-45). It explains that detailed construction management plans would need to be prepared to set out the approach to managing disruption during construction and that a future economic appraisal would also address this important issue in the event that this concept is developed further by Highways England. The question of diversionary routes would again be a matter for Highways England to address as part of the construction management process and further feasibility analysis should this concept be taken forward.'

(6) Question by Mr Mike Dicker

Mr Dicker slightly varied the comments made in asking his question (details in the audio recording).

'Background: It is now time for our elected officials to take a real leadership role and deliver the best solution to our traffic problems for the future. This is a once in a lifetime opportunity to get this right for now and the long term and not sit on the fence. I for one will find it very difficult to vote for our local politicians in 2019 if you do not show leadership today. In 2023 or 2024 I will find it equally difficult to vote where we are plagued by greater traffic issues as the canal is moved, the concrete carbuncles are being built and the Southern option costs go through the roof during construction of a series of upgrades that will fail to deliver our much needed infrastructure. The mitigated Northern option is the only option that will deliver the long term solution that we need whilst not causing pollution, delay and the death of our tourist and other fragile commerce on the Manhood peninsula and elsewhere in Chichester.

Q1. Will the leaders of our community drop Cabinet and party direction and vote on what really matters for all Chichester District Residents both North and South following the lead of the Environment, Communities and Fire Select Committee of West Sussex Council and vote to push for a Mitigated Northern route as part of RIS 2?

Q2. Can we please have a fully recorded vote on any motion on the A27 agenda item?'

[Wednesday 6 June 2018]

Response by Mr Dignum (Leader of the Council)

'Thank you for your question. You will have noted from the officers report that both of the conceptual options shortlisted by Systra are considered on the basis of their high level analysis to be deliverable but with different cost, benefit and risk profiles and a reliance on strong mitigation measures. Systra have not therefore recommended one concept over the other and on balance, recognising that more detailed feasibility work is required and that Highways England have confirmed they will undertake a technical assessment of both concepts, officers have reached the same recommendation. Your first question will of course be answered by the debate and decision to be taken by Council on the matter this morning. The second question is a matter for members to move, should they wish to, in accordance with the constitution prior to the vote taking place.'

(7) Question by Mr Richard Bramall - Summersdale Residents Association Committee

Mr Bramall made additional remarks in asking his question (details in the audio recording).

'My name is Richard Bramall and I represent the 450 members of the Summersdale's Residents Association, the committee of which has seconded me to ask this Council Chamber a question concerning the ecological vandalism that will result from the building of a second A27 Bypass, west - east across the Lavant Valley, one of southern England's most famous landmarks and a vitally important recreational, environmental, ecological, cultural and historical, link through the Downs and National Park, directly to Chichester. This is a matter that has reverberations far wider than this chamber or for West Sussex but nationally.

My question is now of greater importance, since Louise Goldsmith informed The Parkland Residents Association on 2 June that a northern route is her preferred option, a calamitous decision, in the light that, despite SYSTRA identifying in their report two A27 options, of "a mitigated Northern route" and a "full southern route" option, WSCC has voted for its preferred option to submit to Highways England the 'mitigated Northern Route', subject to the inclusion of important mitigation measures that are needed to make the scheme acceptable in environmental terms".

Chairman there is no consensus, this whole process has confirmed that every resident's representative body in the county to the west, east and the north, is for the full southern option and against any northern route.

I therefore ask that since every page of the SYSTRA report emphasises the importance of the "retention of place and settings", illustrated examples of mitigation by green bridges, sunken roads, living walls and noise barriers, that they declare as essential to make a northern route even conceivably acceptable to the ecologists, environmentalists, walkers, cyclist, athletes and tourists not to mention the thousands of residents, when the West Sussex Record office shows there are 23 highways, bridle paths, footpaths, cycle paths and a famous river, all running north/south, crossing the two and a half mile stretch of route from Goodwood across to Lavant, that all have to be maintained across any carriageway by eco-corridors to create even the lowest level of mitigation. How then, is this council, going to ensure the necessary budget and how can this council, guarantee the stakeholders of Chichester that after the "value engineering" has been accomplished there will be any mitigation on the northern route available at all?

Thank you for listening.'

[Wednesday 6 June 2018]

Response by Mr Dignum (Leader of the Council)

'Systra were appointed by WSCC to provide high level technical advice and support to the BABA27 group. Consequently, whilst the two shortlisted conceptual options are considered to be potentially feasible and deliverable, Systra recognise that they both present a range of challenges with significant further detailed technical feasibility required. Highways England have nevertheless made it clear that they are prepared to undertake a technical assessment of the Systra shortlisted concepts including the 'mitigated northern route'. Whilst this concept is predicated on extensive environmental mitigation, the level of government funding for RIS2 is not yet known and matters relating to the size of the available budget for any Chichester scheme will ultimately be for Highways England and government to determine.'

(8) Question by Mrs Catherine Ward-Penny

Mrs Ward-Penny made additional comments in asking her question (details in the audio recording).

'I truly believe that if the 'Northern Route' is made, Chichester people, and visitors, will regret it forever.

However, I have been able to have no influence in the decision, apart from the "wonky" questionnaire.

I have seen many recent building projects in Chichester completed without the originally promised 'extras', (cycle paths, pedestrian pathways, cafe, etc) due to the money running out.

Can you guarantee that, once a 'Northern Route' choice has covered that beautiful area with concrete and Tarmac, the 'mitigations' - (very expensive ideas - with some possibilities shown on pages 30 to 34 of the SYSTRA document) - will actually be built, and that the money won't have run out?

Thank you.'

[Wednesday 6 June 2018]

Response by Mr Dignum (Leader of the Council)

'Thank you for your question. Systra were appointed by WSCC to provide high level technical advice and support to the BABA27 group. Consequently, whilst the two shortlisted conceptual options are considered to be potentially feasible and deliverable, Systra recognise that they both present a range of challenges with significant further detailed technical feasibility required. Highways England have nevertheless made it clear that they are prepared to undertake a technical assessment of the Systra shortlisted concepts including the 'mitigated northern route'. This concept is predicated on extensive environmental mitigation as your question notes and we expect Highways England to review the concept on this basis. Nevertheless, the level of government funding for RIS2 is not yet known and matters relating to the size of the available budget for any Chichester scheme will ultimately be for Highways England and government to determine.'

(9) Question by Mrs Heather McDougall

'Stockbridge roundabout was declared an Air Quality Management Area on 24 August 2006, this is over ten years ago. The effects of air pollution are known; it has an adverse impact on health and it costs lives. Public Health England suggests that 4.9% of deaths in the Chichester District are related to particulate pollution. The A27 at Chichester borders three schools, and many residences and businesses. It is time to do more.

The CDC 2008 Air Quality Action Plan states "at present there are no practicable options to bring forward air quality ahead of the proposed A27 improvements." This is our chance to make a difference to this ongoing issue.

Whilst a north concept may be undesirable due to the impact on the countryside, there are well documented mitigations that can be put in place to reduce this impact. However, the opportunities to mitigate the air pollution for an online solution are limited.

Therefore, my question is: how can the two concepts for the A27 be recommended equally, when one presents a clearer benefit for the health and lives of the residents represented by CDC?’

[Wednesday 6 June 2018]

Response by Mr Connor (Cabinet Member for Environment Services)

‘Thank you for your question. Air quality and its effect on public health is a matter that is taken very seriously by the Council and we do already have plans to progress a refresh of our current air quality action plan over the next 12 months, recognising that it is, as you note, now several years old.

The work undertaken by consultants, Systra is a high level analysis of the options that appear to be available to resolve current problems of congestion, capacity and journey reliability on the A27. Consequently, Systra have made it very clear that should either of the two shortlisted options be put forward to Highways England for its consideration, they will need to be the subject of much more detailed feasibility work to assess the range of engineering and environmental mitigation challenges, including the effect on air quality, that they present. Officers have therefore concluded that at this stage and on balance, both concepts are worthy of more detailed assessment by Highways England and this of course is what will be considered carefully by Cabinet and Council this morning.’

(10) Question by Mr Ian Webster

‘For any significant infrastructure project such as the A27 improvements it is critical to conduct a Risk Assessment Study so that the decisions taken are made based on facts and well conducted research. This study would need to include: the funding risk – to establish if too much is asked for in the next round of government road investment which is already oversubscribed; a risk of impact on the South Downs National Park; a risk of land availability; a risk of legal challenges; a risk of non-compliance with any local or national policies and so on and so forth.

If no risk assessment work has been conducted by the CDC then it is imperative that the members of the Council submit both concepts with no preference so that Highways England can use their expertise to create an independent Risk Assessment Study and thoroughly evaluate the options to provide a solution that is best for our community as a whole.

So my question is: Is there a CDC Risk Assessment Study for either concept? If there is then will the Council guarantee that they will disclose it to the public immediately in the interests of transparency?’

[Thursday 7 June 2018]

Response by Mr Dignum (Leader of the Council)

'Thank you for your question. Systra were appointed by WSCC to provide high level technical advice and support to the BABA27 group in order to inform the assessment as to whether a scheme concept could be identified that might achieve greater community consensus and thereby increase the possibility of inclusion of a scheme for the A27 at Chichester in RIS2. Systra's full report identifies key risks with both of the shortlisted conceptual options throughout the document. Highways England have confirmed that the level of detail in the current work is reasonable and that they will undertake a detailed technical assessment of the two concepts and report their findings to the Councils. The Council has not commissioned a separate study and it is our view that the Systra document contains sufficient information for the Council to come to a decision on the recommendation before it.'

(11) Question by Mrs Zoe Neal

As a preface to her submitted question below, Mrs Neal referred to the fact that there had been a slight change in the recommendation made by the Cabinet at its immediately preceding special meeting and also said that a CDC Conservative member who was present for this meeting had earlier in the week said in an e-mail to a local resident that 'The opponents to the northern route have hardly begun to fight. And they include powerful and national interests - with very widespread public support on a national, rather than local level'. She said that if that were so, then the purpose of local democracy and what it was hoped to achieve in this meeting had to be questioned and showed the need for strong, local political leadership.

'The agenda for the 8th June meeting of the Full District Council item 5 in relation to the A27 at Chichester, shows the recommendation as follows:

1. That in promoting a scheme to the government for inclusion in RIS2 Approach A should be supported as being desirable, without indicating a preference for either option, i.e. promoting both the 'mitigated northern route' and the 'full southern route'.

2. That the 'fall-back position' if no approach is selected be noted".

In the event that this recommendation is agreed by Chichester District Council, can it give an assurance that, once this has been communicated to Highways England, CDC will continue to promote both options equally?'

[Thursday 7 June 2018]

Response by Mr Dignum (Leader of the Council)

'Thank you for your question. Systra have identified two concepts for improvements to the A27 which they consider have strong merit but given the high level nature of their assessment, they have not been able at this stage to recommend to the Councils one option over the other. Highways England have confirmed that that they are prepared to undertake a technical assessment of both shortlisted concepts and report back their findings to the Councils. We do not of course know whether either of these concepts will be included in RIS2 but if one or both are, then Highways England have advised that public consultation on their scheme options would then take place, possibly in 2020. At that stage, I think it is likely that the Council would be expected to indicate a preference

and that Highways England would also wish to assess whether or not there was greater consensus between the Councils to enable a scheme to go forward in RIS2.'

(12) Question by Mr Gavin Barrett

Mr Barrett made additional comments in asking his question below (details in the audio recording).

'Highways England (HE) reports that demand for funding for schemes across the UK under the RIS2 call for proposals is expected to be unprecedented and that many schemes, however deemed worthy by their sponsors will not, in fact, make it to the short-list. What is the fall-back position of CDC in the event that HE does not adopt any scheme in respect of the A27 at Chichester? Do we wait until RIS3 or, more wisely, make a renewed effort to adopt practical, innovative and proven "modal" improvements to local transport management including public transport timetable integration, appropriate prioritisation at peak times, park-and-ride schemes and strong incentives to reduce car-usage in the urban area?'

[Thursday 7 June 2018]

Response by Mr Dignum (Leader of the Council)

'Should we be unsuccessful in securing a scheme of improvements for the A27 at Chichester within RIS2, then we expect that the 'fall back' position as set out in paragraph 6.4 of the Council's covering report will need to be adopted. That is, that improvements to the junctions on the A27 Chichester Bypass will still need to be delivered to mitigate the impact of development in the adopted Local Plan. These comprise small-scale, at-grade improvements to ensure the junctions will continue to operate effectively. These improvements are intended to be partly developer-funded and so are likely to be delivered incrementally as development comes forward over the Local Plan period to 2029. Systra's view is that modal measures alone will not be sufficient to address the existing problems on the A27 although, subject to identifying funding sources, it may be possible to develop a wider transport package including modal suggestions, to build on any future investment in the A27.'

[**Note** End of Public Question Time]

5 A27 Chichester Bypass Improvements: Submission to the Government's Roads Investment Strategy

The Chairman introduced the single substantive item of business at this special meeting, namely to determine CDC's position with regard to a scheme to be promoted to the government for inclusion within RIS2 for the improvement of the A27 Chichester Bypass.

She drew attention to the agenda report and its appendix for the Cabinet's special meeting which had preceded this meeting, copies of which were available in the Council Chamber.

She also referred to an agenda supplement which had been published the previous day on CDC's web-site for online viewing only, consisting of two documents: (a) the second background paper listed in the Cabinet agenda report (paras 9.4 and 13.2 on page 8) namely a note of the BABA27 meeting held on 18 May 2018 and (b) a letter dated 5 June

2018 written by Jim O'Sullivan, Chief Executive of Highways England, to Louise Goldsmith, Leader of West Sussex County Council.

She stated that at its special meeting earlier in the day the Cabinet had considered this matter and made a slightly amended version of para (1) of the recommendation set out on the face of both the Council agenda and on the Cabinet agenda. The revised version appeared on a sheet circulated within the Council Chamber prior to the start of this special meeting namely:

- (1) That in promoting a scheme to the government for inclusion in RIS2, Approach A be supported without indicating a preference for either option ie namely both the 'mitigated northern route' and the 'full southern route'.
- (2) That the 'fall-back' position if no approach is selected be noted.

In response to the Chairman, Mr Dignum moved the Cabinet's aforementioned amended recommendation and Mr Connor duly seconded it.

The report in the Cabinet agenda was presented by Mr Dignum.

He said that there was almost a complete consensus in favour of one thing: achieving improvements to the A27 to ease congestion etc issues for local and through traffic. Highways England (HE) had afforded the community the opportunity to put forward, on balance, the best route by choosing between the northern and southern concepts. The consultants, Systra Limited, had advocated an off-line mitigated northern route and an on-line full southern route, which sought to address the disadvantages of those two options. HE had so far neither restricted the nature and extent of improvements to on-line nor ruled out off-line routes and was prepared to consider two alternatives. The report by officers recommended Approach A ie both northern and southern concepts to be advanced with no preference. West Sussex County Council's (WSCC) Cabinet Member for Highways and Infrastructure had stated that the 'mitigated northern route' was WSCC's preferred option but the 'full southern route' should also be developed as a reasonable alternative. Mr Dignum had asked HE's Regional Sponsor for South East England, Paul Benham, if a different submission by CDC from WSCC would present any problem in terms of consensus and was advised: 'In response to your question, I do not see it as an issue at this stage. It will be more important to achieve a level of consensus once we have carried out our assessment of both options and arrived at our conclusions.' HE had recently been asked by WSCC and CDC leaders to evaluate both concepts as soon as possible and it had agreed to do so and report on the engineering feasibility and likely cost of both options by 'late autumn' 2018. Systra had identified advantages and disadvantages to both routes. The issue of affordability within the likely RIS2 budget was relevant to both routes and HE had twice emphasised to the leaders that many other schemes across the country were competing for inclusion in RIS2 and their combined cost was far greater than the likely total RIS2 budget. Of the various local surveys of opinion, the Build A Better A27 (BABA27) showed the highest support (but not a majority) for one concept only – however, respondents had not been asked to specify a preferred concept and so the balance between north and south could not be ascertained. Thus the community had not been able to agree a single choice. As Leader of the Council he was proposing that CDC should not make a single choice at this stage since it did not have all the relevant facts (which only HE could provide) and there was a risk that in choosing a single option now, which was not later accepted by HE, the A27 Chichester bypass would be excluded from RIS2. HE should fully evaluate both concepts equally and provide its analysis as soon as possible. If

included within RIS2, HE would undertake detailed design work prior to a full public consultation. The eventual route announced by HE would be the subject of a development consent order for approval by a government inspector (the public would be entitled to comment), assuming of course that the route was included in RIS2. Construction would probably begin in 2023 or 2024. He acknowledged that there was a difference of opinion both within the Cabinet and obviously within the Council, as the democratic debate during this special meeting would demonstrate.

At the Chairman's invitation Mr Barrow (Selsey South and Cabinet Member for Residents Services) proposed an amendment to para (1) of the Cabinet's recommendation, against which he had voted during the preceding Cabinet meeting.

Mr Barrow first introduced his amendment proposal. As a Selsey South ward member he represented many residents who did not support the southern route option. As a Cabinet member he had a duty to make decisions with the best interests of Chichester District as a whole in mind. Accordingly he had faced something of a dilemma but hitherto he had kept an open mind. There was a considerably larger population in the south of the District than the north. However, it was clear that most of the many e-mails he had received about the issue of the alternative A27 routes were in favour of the northern route option; very few had favoured the southern route or even supported pursuing both options. He had some very grave concerns about the southern route eg serious disruption to businesses and residents during construction; air quality impact especially given the prevailing south/south-west winds; and the effect of traffic diversions on the city itself. These and other factors had led him to conclude that the mitigated northern route option should be CDC's preference. He accepted that it was nonetheless right to get an expert engineering and feasibility assessment of both options so that a subsequent final decision could be made on a fully informed basis. Ideally, despite HE's advice about consensus at this stage, it would be better for CDC at this point to be in line with WSCC's position and so he advocated expressing a preference for the offline mitigated northern route with the online full southern route as an alternative.

Mr Barrow read out his amendment to para (1) of the Cabinet's recommendation, namely:

'(1) That in promoting a scheme to the government for inclusion in RIS2, that CDC write to Highways England requesting that the A27 Chichester scheme is included in the second Roads Investment Strategy (RIS2) stating that the 'mitigated northern route' is CDC's preferred option, subject to the inclusion of important mitigation measures that are needed to make the scheme acceptable in environmental terms, but that the 'full southern route' should also be explored as a "reasonable alternative" in order to mitigate the community consensus and policy fit risks associated with the "mitigated northern route".'

Para (2) of the Cabinet's recommendation was unaltered by Mr Barrow's proposal.

Mr Hayes (Southbourne) duly seconded Mr Barrow's proposal.

During the debate members expressed various views on the Cabinet's recommendation, Mr Barrow's proposed amendment and the competing merits of the two route options.

Among the points made were the following:

- It was important for members to listen to and take into account the views of the residents in their wards, both individuals and community groups/forums.

- In view of the conflicting views in the community, it was incumbent on members in this meeting to show leadership on behalf of the citizens and grasp a once in a lifetime opportunity which could be expressed as indicating at this stage a preference or adopting an independent position from WSCC. It was not necessarily a lack of leadership to decline to identify a preferred route and indeed the government was not expecting or requesting for that to happen now.
- The contrasting views of the public in northern and southern wards was natural and understandable, thus the relevant issue was which route was in the interests of Chichester District as a whole.
- It was essential that this time the northern route was not withdrawn by HE but fully assessed before a final decision could be expressed by the local councils and communities concerned, the achieving of which could be facilitated by expressing at this stage a preference for that option.
- The southern route option during the protracted five-year period of engineering works would inevitably cause considerable serious disruption to residents and businesses (which needed to be encouraged to start up and thrive), with particular threats to the city centre from diverted traffic (as closures of the A27 Chichester bypass because of accidents vividly demonstrated) or an increase in rat-running, the construction of flyovers, the closure for two years of the Chichester Ship Canal, and implications for the Southern Gateway project, hindering tourism on the Manhood Peninsula and disturbing rural life. The southern route would not be a long-term one and this begged the question of what should be done then.
- The protection of the environment was very important and the mitigation measures for the northern route must be acceptable and would have to be very carefully scrutinised. These measures could include the introduction of wildlife corridors. The northern route would also help to secure significant improvements in air quality along the extant southern route.
- From an engineering point of view there was an obvious advantage to constructing a new northern route rather than upgrading the existing online southern route, which would present significant engineering challenges and uncertainties. The strength of the case for the northern route would be best exemplified and then be able to command majority support if both options were assessed.
- It was very difficult if not impossible to express a preference at this stage without knowing the full details and facts of each route, including the route for the northern option and how the southern route would be upgraded. Systra had identified two alternative routes and CDC did not need currently to go beyond submitting both of those routes to HE for a full assessment to be undertaken. On this basis the Cabinet's recommendation should be supported.
- The issue to be resolved in this meeting was a preliminary one and CDC should retain an unfettered discretion as to its final position and the preferred route it would choose once it had all the relevant evidence available to it. Both options should be left open and members should in the meantime engage meaningfully with their communities while the routes underwent a full design and feasibility assessment. It was premature to express a preference at this stage.

- In its report Systra had advised that a mitigated northern route could offer the best long-term solution for the A27 as it best fitted the criteria and wider considerations and would add capacity and resilience to the strategic road network. A true strategic route for the A27 could only be realised by constructing a new route.
- It should be noted that HE had given a clear indication that a lack of consensus at this stage between WSCC and CDC would not be prejudicial to the prospects of the A27 Chichester bypass improvement scheme being fully assessed with a view to the route eventually chosen being recommended for inclusion in RIS2. On the other hand a broad agreement between the two councils could only enhance the case for the A27 being included in RIS2 and presenting a united front was essential to avoid the appearance of divisiveness and risking the jeopardy of losing a second time the opportunity for being included in the government's RIS. The sending of an unambiguous message to HE and the government by expressing a preference at this stage could do no harm.

During the debate there were a few points of clarification raised and these were answered by Mr Frost and Mr Dignum.

Towards the end of the debate Mrs Tull requested that there should be a recorded vote and this was supported by a number of other members, a total of more than four, which satisfied the requirements of standing order 9.4 in CDC's *Constitution* for a recorded vote to be conducted.

At the end of the debate the Chairman announced that members would by way of a recorded vote consider first of all Mr Barrow's amendment proposal. If that was supported by a majority it would be carried and there would be no need to proceed to vote on the Cabinet's recommendation.

Mr Barrow read out his amending proposal and it was again seconded by Mr Hayes.

The Chief Executive conducted the recorded vote. As shown in the table below, the 39 members present voted as follows:

- For: 22
- Against: 17
- Abstain: 0

Nine members were absent.

MEMBER	FOR	AGAINST	ABSTAIN	ABSENT
Mrs Apel		X		
Mr Barrett	X			
Mr Barrow	X			
Mr Brown	X			
Mr Budge		X		
Mr Collins	X			
Mr Connor		X		
Mr Dempster				X
Mr Dignum		X		
Mrs Dignum		X		
Mrs Duncton				X
Mr Dunn		X		
Mr J F Elliott				X
Mr J W Elliott	X			
Mr Galloway	X			
Mrs Graves		X		
Mr Hall		X		
Mrs Hamilton	X			
Mrs Hardwick		X		
Mr Hayes	X			
Mr Hicks	X			
Mr Hixson	X			
Mr Hobbs		X		
Mrs Kilby	X			
Mrs Lintill		X		
Mr Lloyd- Williams				X
Mr Macey	X			
Mr Martin	X			
Mr McAra		X		
Mr Morley	X			
Mr Moss				X
Caroline Neville		X		
Mr Oakley	X			
Dr O'Kelly	X			
Mr Page	X			
Mrs Plant				X
Mr Plowman		X		
Mr Potter		X		
Mrs Purnell	X			
Mr Ransley	X			
Mr Ridd				X
Mr Shaxson	X			
Mrs Tassell				X
Mrs Taylor				X
Mr Thomas		X		
Mrs Tull	X			
Mr Wakeham	X			
Mr Wilding		X		
TOTAL (48)	22	17	0	9

Decision

In accordance with the aforesaid recorded vote, the Council supported by a majority Mr Barrow's amending proposal and so the Cabinet's recommendation was not subjected to a vote. The resolution is set out below.

RESOLVED

- (1) That in promoting a scheme to the government for inclusion in RIS2, that CDC write to Highways England requesting that the A27 Chichester scheme is included in the second Roads Investment Strategy (RIS2) stating that the 'mitigated northern route' is CDC's preferred option, subject to the inclusion of important mitigation measures that are needed to make the scheme acceptable in environmental terms, but that the 'full southern route' should also be explored as a "reasonable alternative" in order to mitigate the community consensus and policy fit risks associated with the "mitigated northern route".
- (2) That the 'fall-back' position if no approach is selected be noted.

Mr Barrow thanked members for supporting his proposal and expressed the hope that everyone would work together on this issue. Mr Dignum assented to that sentiment.

6 Exclusion of the Press and Public

There were no restricted items for consideration at this special meeting and accordingly it was not necessary to pass a Part II resolution.

[**Note** The meeting ended at 13:12]

CHAIRMAN

DATE