

# Public Document Pack

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Director of Corporate Services

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A meeting of the **Cabinet** will be held in the Committee Rooms, East Pallant House on **Tuesday 6 July 2021 at 9.30 am**

MEMBERS: Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr R Briscoe, Mr A Dignum, Mrs P Plant, Mr A Sutton and Mr P Wilding

## AGENDA

- 1 **Chair's Announcements**  
The Chair will make any specific announcements for this meeting and advise of any late items which due to special circumstances will be given urgent consideration under Late Items.
- 2 **Approval of Minutes** (Pages 1 - 4)  
The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 1 June 2021.
- 3 **Declarations of Interests**  
Members are requested to make any declarations of disclosable pecuniary, personal and/or prejudicial interests 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 the Cabinet will receive any questions which have been submitted by members of the public in writing by noon two working days before the meeting. Each questioner will be given up to three minutes to ask their question. The total time allocated for public question time is 15 minutes subject to the Chair's discretion to extend that period.

## RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEE RECOVERY REPORT

- 5 **Overview and Scrutiny Committee Recommendation**  
Members are referred to item 7 of the Overview and Scrutiny Committee agenda from Tuesday 15 June 2021 which can be found here:  
<https://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=133&MId=1503>

The Overview and Scrutiny Committee recommended to Cabinet that a comprehensive Place Branding and District Identity Plan that includes Place, Business, the built and natural environment and Community is produced by a specialist company for the District as soon as possible in 2021-2022.

Cabinet is requested to consider the recommendation.

## RECOMMENDATIONS TO COUNCIL

- 6 **Chichester District Council Annual Report 2020-21** (Pages 5 - 49)  
The Cabinet is requested to consider the report and its appendix make the following recommendation to Council:

That the the Annual Report 2020-2021 be received by the Council.

- 7 **Covid Outbreak Management Fund** (Pages 51 - 54)  
The Cabinet is requested to consider the report and make the following recommendations to Council:

1. That the Covid Outbreak Management Fund grant allocation be spent as set out in section 5.
2. That delegation be given to The Chief Executive to vary allocations of funding between the headings in section 5 following consultation with the Leader of the Council.

- 8 **The Council's proposed Hackney Carriage and Private Hire Licensing Policy and Conditions 2021** (Pages 55 - 124)

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

That the revised proposed Hackney Carriage (Taxi) and Private Hire Licensing Policy 2021 at Appendix C be approved, subject to any further amendments made by the General Licensing Committee and/or Cabinet.

## KEY DECISIONS

- 9 **Contract amendments: Hyde Large Scale Voluntary Transfer (LSVT)** (Pages 125 - 145)

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

1. That delegated powers are granted for the Director of Housing & Communities, following consultation with the Cabinet member for Housing, Communications, Licensing & Events, to sign a deed of release for certain clauses within the LSVT with Hyde and enter into an amended Clawback agreement and a new partnership working agreement.
2. That delegated powers are granted for the Director of Housing & Communities, following consultation with the Cabinet member for Housing, Communications, Licensing & Events, to remove restrictive covenants from individual parcels of land owned by Hyde and transferred at LSVT upon grant of planning permission for housing.

- 10 **Local Plan Review Budget Update** (Pages 147 - 153)

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

That Cabinet recommends to Council to approve the release of £500,000 from the Local Plan Reserve in 2021/22 and £275,000 in 2022/23 to fund necessary Local

Plan technical work, specialist advice and examination costs.

## **OTHER DECISIONS**

**11 Chichester Business Improvement District Ballot (Pages 155 - 218)**

The Cabinet is requested to consider the report, its two appendices and online background paper and make the following resolutions:

1. That the 'Renewal Business Proposal' prepared by Chichester Business Improvement District (BID) be agreed and accordingly the renewal of the BID for further term of five years be supported.
2. Subject to 2.1, that the Council be recommended to delegate to the Leader the authority to vote in accordance with Cabinet's decision in relation to the ballot to renew the BID.
3. That the Ballot Holder (Chief Executive) be instructed to hold a BID ballot.

**12 Economic Development Panel (Pages 219 - 224)**

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

1. The formation of an Economic Development Panel and agrees the terms of reference for the panel as set out in appendix one.
2. To merge the work of the Growth Board into the Economic Development Panel and to have informal meetings with WSCC Members and Officers, if required, to inform the process.
3. For the Infrastructure Business Plan consultation to continue through Development Plan and Infrastructure Panel (DPIP).

**13 Project Initiation Document Season of Culture 2022 (Pages 225 - 235)**

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

That Cabinet reviews the Project Initiation Document as set out in Appendix 1 and agree the release of £50,000 from the approved capital programme to support the Season of Culture 2022 project.

**14 Enabling the Delivery of Affordable Housing in the Crooked Lane, Birdham Exception Site (Pages 237 - 248)**

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

That the Cabinet notes the progress made to date at section 4 of this report and approves:

- 1) That officers be authorised to carry out all necessary preparatory work for the making of a Compulsory Purchase Order (CPO) along with all supporting documentation for submission, on the basis that a decision to make the CPO be deferred to a later cabinet.
- 2) That officers are authorised to have the draft CPO documentation reviewed

by an independent legal advisor prior to submitting for a preliminary review by the Secretary of State ready for final submission, on the basis that this will be reimbursed by Hyde pursuant to an indemnity agreement.

- 3) That officers are authorised to enter into such legal agreements with affected third parties and other relevant stakeholders as deemed appropriate, in preparing for a CPO, and prior to the actual making of a CPO.
- 4) That officers are authorised to extend the indemnity agreement with Hyde to cover all costs incurred by CDC in relation to the preparatory work and making of the CPO including, for the avoidance of doubt, the appointment of a CPO surveyor.

#### 15 **Appointments to Panels**

Following the Chichester East By-Election on 24 June 2021 the Leader will propose a replacement for Kevin Hughes on the Development Plan and Infrastructure Panel.

The name will be provided to the Cabinet at the meeting where Cabinet will be requested to confirm the appointment.

Cabinet will also be asked to confirm that all other Panel memberships remain the same at this time.

#### 16 **Late Items**

- a) Items added to the agenda papers and made available for public inspection
- b) Items which the Chair has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting

#### 17 **Exclusion of the Press and Public**

If the Cabinet wishes to refer to part II appendices to Item 10 (Appendix 2 and Appendix 3) it is asked to consider whether the public including the press should be excluded from the meeting on the following ground of exemption in Schedule 12A to the *Local Government Act 1972* namely 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 appendices are published in a separate supplement for members of the Council and officers only (printed on salmon paper)]

### **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 Democratic Services 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) Subject to Covid-19 Risk Assessments members of the public are advised of the following:
- a. Where public meetings are being held at East Pallant House in order to best manage the space available members of the public are in the first instance asked to listen to the meeting online via the council's committee pages.
  - b. Where a member of the public has registered a question or statement they will be invited to submit the question or statement in advance to be read out by Democratic Services. They may attend the meeting but will be asked to sit in an allocated seat in the public gallery.
  - c. It is recommended that all those attending take a lateral flow test prior to the meeting.
  - d. All those attending the meeting will be required to wear face coverings and maintain social distancing when in the building/meeting room.
  - e. Members of the public must not attend any face to face meeting if they or a member of their household have Covid-19 symptoms and/or are required to self-isolate
- (5) A key decision means an executive decision which is likely to:
- result in Chichester District Council (CDC) incurring expenditure which is, or the making of savings which are, significant having regard to the CDC'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 CDC'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 of 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 the Chairman's consent in writing by email in advance of the meeting. They should do this by noon on the Friday before the Cabinet 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 the Chairman would therefore retain their discretion to allow the contribution without the aforesaid notice.

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# Public Document Pack Agenda Item 2



Minutes of the meeting of the **Cabinet** held in the Committee Rooms, East Pallant House on Tuesday 1 June 2021 at 9.30 am

**Members Present** Mrs S Taylor (Vice-Chairman), Mr R Briscoe, Mrs E Lintill (Chairman), Mr A Dignum, Mrs P Plant and Mr A Sutton

**Members Absent** Mr P Wilding

**In attendance by invitation**

**Officers Present** Mr T Ayling (Divisional Manager for Planning Policy), Mr K Carter (Divisional Manager, CCS), Ms H Chivers (Planning Policy Officer), Mrs V Dobson (Principal Planning Officer), Mr A Forward (ICT Manager), Miss L Higenbottam (Democratic Services Manager) and Mr J Ward (Director of Corporate Services)

## 12 **Chair's Announcements**

Cllr Lintill welcomed everyone to the return of Cabinet meetings at East Pallant House.

The emergency evacuation information was then read out.

Apologies for absence were received from Cllr Wilding and Mrs Shepherd.

## 13 **Approval of Minutes**

**RESOLVED**

That the minutes of the Cabinet meeting held on 4 May 2021 be approved as a correct record.

## 14 **Declarations of Interests**

There were no declarations of interest.

## 15 **Public Question Time**

There were no public questions.

**16 Making the Boxgrove Neighbourhood Development Plan**

Cllr Taylor introduced the item and congratulated Boxgrove on the progress made.

In a vote the following recommendation was agreed:

**RECOMMENDED TO COUNCIL**

That Council makes the Boxgrove Neighbourhood Development Plan part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

**17 Making the Selsey Neighbourhood Development Plan**

Cllr Taylor introduced the item and congratulated Selsey on the progress made.

In a vote the following recommendation was agreed:

**RECOMMENDED TO COUNCIL**

That Council makes the Selsey Neighbourhood Development Plan part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

**18 Repurpose of ARP Budget to Fund Major CRM Upgrade**

In Cllr Wilding's absence Cllr Lintill introduced the item.

Cllr Dignum questioned whether the possibility of needing ARP in the future had been considered. Mr Forward explained that it had and that the proposal is for a subscription style model.

Cllr Lintill requested confirmation of how long the switch would take. Mr Forward anticipated completion by the end of the year.

In a vote the following resolutions were agreed:

**RESOLVED**

1. That Cabinet approve the replacement of the existing Customer Relationship Management (CRM) system.
2. That in order to fund the new CRM system £50,000 of existing ARP funding is repurposed.

**19 Neighbourhood Plans Update and Resourcing**

Cllr Taylor introduced the item.

The Cabinet wished to thank Mr Ayling and his team for the support they have continued to provide to Neighbourhood Plans.

Cllr Dignum requested an update on Chichester City Council's Plan. Mr Ayling explained that as far as he is aware the Plan is based on the emerging plan review.

In a vote the following resolutions were agreed:

**RESOLVED**

1. That Cabinet notes the current situation regarding neighbourhood planning work in the Chichester local plan area.
2. That Cabinet approves an additional Senior Planning Officer post in the Planning Policy Division at a cost of £54,000 per annum funded from reserves in the current year and subsequently from base budget to support neighbourhood planning work.
3. That Cabinet endorses the use of the specialist SDNPA officers for short term support on neighbourhood planning work when required subject to budget.
4. That Cabinet endorses the priority criteria set out in paragraph 7.4 to respond to neighbourhood planning work.

**20 Late Items**

There were no late items.

**21 Exclusion of the Press and Public**

Cllr Lintill proposed and read the part II resolution in relation to agenda item 11.

The Cabinet then voted to go into part II.

**RESOLVED**

That with regard to agenda item 11 the public including the press should be excluded from the meeting on the grounds of exemption in Schedule 12A to the Local Government Act 1972 namely 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

**22 CCS Refuse Collection Vehicle Procurement Strategy**

Cllr Plant introduced the item.

Mr Carter responded to questions from Cllr Briscoe, Cllr Sutton and Cllr Dignum.

In a vote the following recommendations were agreed:

**RECOMMENDED TO COUNCIL**

That Cabinet makes the recommendations to Council as set out in section 3.1, 3.2, 3.3 and 3.4 of the report.

The meeting ended at 10.11 am

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CHAIRMAN

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Date:

## Chichester District Council

THE CABINET

6 July 2021

### Chichester District Council Annual Report 2020-21

#### 1. Contacts

**Report Author:**

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**Cabinet Member:**

Eileen Lintill - Leader of the Council

E-mail: [elintill@chichester.gov.uk](mailto:elintill@chichester.gov.uk)

#### 2. Recommendation

- 2.1 **That the Cabinet recommends the Annual Report 2020-2021 be received by the Council.**

#### 3. Background

- 3.1 The Annual Report 2020-21 outlines the key achievements delivered during the year. In a normal year this would be a set of projects that had been developed as part of the Council's annual planning cycle, however much of the last year has been reacting to the pandemic and the focus has been on delivering on our Recovery Plans. Whilst the reporting of significant achievements is the main focus for the report, it should also be acknowledged that there are many other work areas in relation to the Council's core services that may not be specifically mentioned. A comprehensive list of these services can be found on the Council website.

#### 4. Outcomes to be Achieved

- 4.1 The report focuses on work successfully delivered that supports the expected outcomes of projects contained within the Council's Corporate Plan, Recovery Plans, and in relation to other significant work areas. Short summaries of major projects for 2020-21 have been included and are followed by end of year performance indicator outturns where the data is available. Brief information on the expected areas of work for 2021-2022 is also included.

#### 5. Proposal

- 5.1 The Cabinet is asked to review the Council's performance and achievements over the last year as detailed in the Annual Report 2020-2021 and recommend the report is received by Council.

**6. Alternatives Considered**

6.1 None required.

**7. Resource and Legal Implications**

7.1 None.

**8. Consultation**

8.1 Each service area has provided commentary for the report.

**9. Community Impact and Corporate Risks**

9.1 A number of projects are noted in the Annual Report which demonstrate the Council's leadership or support role in reducing the impact of climate change, promoting safety and reducing levels of crime. A number of projects also highlight the Council's commitment to supporting vulnerable people and communities.

9.2 Addressing inequalities remains a key work area for the Council. Projects and other work carried out by our services are assessed to ensure our customers' needs continue to be met.

**10. Other Implications**

	Yes	No
<b>Crime and Disorder</b>		x
<b>Climate Change and Biodiversity</b>		x
<b>Human Rights and Equality Impact</b>		x
<b>Safeguarding and Early Help</b>		x
<b>General Data Protection Regulations (GDPR)</b>		x
<b>Health and Wellbeing</b>		x
<b>Other</b> (please specify)		x

**11. Appendix**

11.1 Chichester District Council Annual Report 2020-21

**12. Background Papers**

12.1 None.





# **Chichester District Council**

## **Annual Report**

**2020/2021**

## Introduction

Welcome to Chichester District Council's Annual Report for 2020/21.

As we identified in our Annual Report last year, the Council's clear priority for 2020/21 has been to support our residents, businesses and communities through the ongoing COVID-19 restrictions and the recovery phase. This support has taken many forms this year.

Our Revenues Team began the year by swiftly preparing and implementing multiple grants schemes for businesses based on their Business Rates value. Restrictions and government funding changed rapidly throughout the year and the Team worked hard to guide businesses through different applications and make sure as many as possible received financial support. A high point of this challenging work was the Council being recognised nationally by Rt Hon Robert Jenrick at a COVID Daily Briefing in May 2020 for delivering support to the highest proportion of eligible businesses in our area of all local authorities at that time. In addition, £500,000 of COVID Recovery Grants, funded by the Council was administered by our Economic Development and Communities Teams and allocated to eligible businesses and community or voluntary organisations. The timely payment of all these grants was enabled by our Finance Team.

Our Health Protection and Economic Development Teams both saw huge increases in the number of requests for advice from local businesses. Both Teams worked extremely hard to respond to all requests and ensure businesses were supported. Later in the year, 2 COVID Information Recovery Officers were employed using government funding to support businesses with reopening and operating in a COVID-safe way.

Support to individuals has also been provided this year. The Hardship Fund, administered by our Benefits Team, paid out around £350,000 to residents receiving Council Tax Reduction, with each receiving a one off payment of up to £150 towards their Council Tax balance. The Team also administered Test and Trace Support Payments and managed to set up the scheme and start making payments within just 2 weeks.

Since the 'Everyone In' initiative to bring all rough sleepers into accommodation at the start of the pandemic, our Housing Team have continued to work with rough sleepers, alongside our partner Stone Pillow and supported by funding from the Government. This has meant a significant reduction in the number of people sleeping rough in the District, with many former rough sleepers being supported to access and sustain accommodation.

Supporting West Sussex County Council's Community Hub, the Communities Team co-ordinated a small task force who helped collect and deliver essential food and medical supplies to those advised to shield. Well over 100 referrals for support were received this year.

When high streets began to reopen, our Community Wardens and, later, specially recruited and government funded COVID Ambassadors, helped the public to feel safe with a presence in the City Centre, reminding people to follow the appropriate guidance. We also provided safety signage conveying social distancing messages. This work will continue through 2021/22, along with other initiatives to support the return of the high street, funded through the Government's Welcome Back fund.

The Council contributed to the national COVID response, with testing sites being set up in some Council-owned car parks across the District and use of Westgate Leisure Centre as a mass vaccination site. NHS staff were also given free parking in our Northgate car park.

All of the public messages about COVID were co-ordinated and promoted by our PR Team. Their work helped residents, businesses, partners, councillors and staff stay well informed through clear, up-to-date communications across all our platforms. They also worked with the Observer newspapers to deliver an ongoing campaign to encourage people to 'Support Local' through the pandemic and in the recovery phase.

Our own services have been subject to restrictions throughout the year; all 3 of our Leisure Centres and our Novium Museum had to close, along with our cultural partners, Pallant House Gallery, Chichester Festival Theatre and the Great Sussex Way. All these sites have adapted to delivering services in a different way, or with restrictions in place. Online services have increased, including provision of online fitness classes, online booking, expansion of the Virtual Museum, increased engagement on social media and live-streaming of performances. Other services have also adapted incredibly quickly. Our Choose Work Co-Ordinators and Wellbeing Officers were able to continue to support vulnerable clients over the phone or online. Online service provision was increased in Parking Services, with 97% of all parking season tickets now digital and a new online form introduced to allow parking issues to be reported online.

Although our main building has been closed to the public this year, our Customer Services Team have been working on plans for reopening, taking into account the increase in services provided online as a result of the pandemic. Most residents have been able to access the services they need without a face to face visit to the offices. Improvements to the reception area are currently being made, ready for the building to reopen to the public with a new service delivery model; maximising efficiency, whilst ensuring anyone who needs support to access services can receive it.

The Council has also supported our own staff this year. The vast majority were assisted by our ICT Team to begin working mostly from home. This included upgrading our Virtual Private Network and introducing remote meeting software for staff and, supported by Democratic Services, also for Members to allow Council meetings to take place remotely. Our Facilities Team were able to source materials and make adaptations needed for our main offices to become COVID-secure. The Wellbeing Team ran initiatives to support staff wellbeing during this time, with further support from the HR Team and Service Managers available to those who needed it.

Despite the pandemic, work has continued on some important projects that will support the District's recovery in the future. The major regeneration project for the Southern Gateway area has continued, with a relocation site now purchased for one partner. The impact of COVID on this project and on the partners involved in its delivery will be reviewed in 2021/22.

Planning permission was secured this year for a redevelopment project at St James Industrial Estate, Chichester, which will provide around 4,448m<sup>2</sup> of floor space across 5 new blocks. The Council was awarded £1.18 million towards the project from the Government's "Getting Building Fund", one of just 12 grants awarded from 117 applications. Units will be marketed and available for lettings later in 2021/22.

Work has taken place across all Council Services this year to identify a programme of savings that will now be implemented from 2021/22, with the aim of saving around £2 million over the next 3 years. This will ensure the Council continues to deliver excellent value for money in these changing times.

There is no doubt that 2020/21 has been a challenging year for everyone. As restrictions now start to lift and the recovery period begins in earnest, CDC will continue to engage with our local residents, communities and businesses about what they need to recover from the effects of the pandemic and how we can best support them in this.

**Leader of Chichester District Council**



**Cllr Eileen Lintill**

## About Us

### District Profile

The largest district in West Sussex, Chichester District is a unique area, boasting a historic city, glorious countryside and the beautiful south coast. It has a population of 120,750<sup>1</sup> (mid-2019 estimate) and covers over 300 square miles, from Selsey in the south to Lynchmere in the north.

Chichester District Council is involved with the majority of day to day services and activities that residents come into contact with – from emptying the bins, to dealing with planning applications. The Council's main office is based in the centre of Chichester.

There are 67 parishes in the District and 36 elected members of the Council, representing 21 District Wards. The political makeup of the Council at 31 March 2021 was:

- Conservative: 17
- Liberal Democrats: 10
- Green Party: 2
- Labour: 2
- Local Alliance: 2
- Independents: 3

Following a recent resignation, the Council currently has one vacancy.

### How We Make Decisions

#### **Council**

All councillors normally meet six times a year to decide the Council's overall policies and set the budget. These meetings are held in public and additional meetings can be held if needed.

In 2020/21, **Cllr Elizabeth Hamilton** was Chairman of the Council, with **Cllr Clare Apel** as the Vice-Chairman. For 2021/22, Cllr Hamilton continues as Chairman with **Cllr Henry Potter** as Vice-Chairman.

#### **Cabinet**

The Cabinet meets on a monthly basis and includes seven councillors making key decisions on plans, strategies and budget. The Council's Constitution determines which of these decisions are then subject to approval by the Full Council.

In 2020/21, the Cabinet was made up of:

- **Cllr Eileen Lintill** – Leader of the Council
- **Cllr Susan Taylor** – Deputy Leader of the Council and Cabinet Member for Planning
- **Cllr Roy Briscoe** – Cabinet Member for Community Services and Culture
- **Cllr Penny Plant** – Cabinet Member for Environment and Chichester Contract Services
- **Cllr Peter Wilding** – Cabinet Member for Finance, Corporate Services and Revenues and Benefits
- **Cllr Martyn Bell** – Cabinet Member for Growth, Place and Regeneration
- **Cllr Alan Sutton** – Cabinet Member for Housing, Communications, Licensing and Events

From September 2020 **Cllr Tony Dignum** returned to Cabinet to replace Cllr Bell as the Cabinet member for Growth, Place and Regeneration.

#### **Overview and Scrutiny**

The Overview and Scrutiny Committee holds the decision-makers to account. This can involve questioning councillors, council employees and representatives of other organisations in relation to key decisions, reports or policies. The committee then makes recommendations to Cabinet based on their findings. The committee has an important role in looking at the delivery of all public services in the District.

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<sup>1</sup> Source: Office of National Statistics - Population Estimates

We also have a Corporate Governance and Audit Committee; a Planning Committee; Licensing Committees; and a Standards Committee.





### **Officer Support**

Diane Shepherd, our Chief Executive, leads the Strategic Leadership Team (SLT) which also includes four Directors of Service. SLT, along with 14 Divisional Managers, support councillors while also managing the Council's day to day services.

### **Performance Management**

In order to achieve quality services whilst offering value for money we closely monitor our progress throughout the year to make sure that we deliver what we have said we will. Our Corporate Plan sets out our key priorities and objectives, and the projects to achieve these are set out in our service plans which are reviewed annually.

As part of the service planning process, we also set Performance Indicators and targets to help us track our performance. A traffic light system for monitoring this is used throughout this report.

<b>Icon</b>	<b>Performance Indicator Status</b>
	5% target variance or an individually set threshold
	1% target variance or an individually set threshold
	PI is on target
	Data Only – no target

It should be noted that the performance indicators published in this report are currently unaudited.

# Cabinet Portfolio: Community Services and Culture

## Key Areas of Responsibility

### Communities and Wellbeing

- Community Engagement
- Safeguarding
- Choose Work
- Grants
- Voluntary Sector
- Partnerships
- Community Safety and CCTV
- Overview and Scrutiny
- Public Health
- Health and Wellbeing (inc. Social Prescribing)

### Culture and Sport

- Leisure and Sports Development – Contract Management
- The Novium Museum and Tourist Information Centre
- Chichester Festival Theatre, Pallant House Gallery and The Great Sussex Way – Service Level Agreements

## Communities and Wellbeing Division

### Community Engagement and Development

#### Key Achievements in 2020/21:

- Choose Work successfully developed an online programme to sustain engagement with clients throughout the pandemic.
- The New Homes Bonus (Parish Allocations) Scheme allocated £251,507 (99.8% of the funding available) in September 2020, across 33 approved projects.
- In August 2020, new processes established for Covid Recovery Grants were agreed by Council. The Team worked closely with Economic Development to develop a consistent approach across the 2 pots of money; “Communities” and “Businesses”. A simplified application process made use of eforms and small grants (up to £1,000) were typically agreed and paid in 7-10 working days.
- The Grants and Concessions Panel awarded a total of £168,157 across 28 separate schemes; a 20% increase in funded projects from the previous year.
- Some communities have used the enforced closure of community buildings to progress plans for improvements using S106 monies. Funding has been discussed, approved or released for sites including Fishbourne, Southbourne and Westbourne. In addition, S106 Public Art projects are being progressed in Donnington and Selsey, and a part funded art work installed in North Street Chichester.

#### Key Areas of Work for 2021/22:

- With funding from the Department for Work and Pensions, a “Youth Hub” for adults aged 18 – 25 will be delivered, providing support in getting into work, in particular the range of Kickstart vacancies funded by Government. Referrals from Chichester Job Centre are to commence in April 2021.

### Community Projects and Partnerships (inc. Community Safety)

#### Key Achievements in 2020/21:

- A small task force was set up at the beginning of the first lockdown and responded to referrals from the WSCC community hub; collecting and delivering essential food and medical supplies those advised to shield. Well over 100 referrals were dealt with.
- Regular Community warden patrols continued in Chichester City centre, also supporting the reopening of the high street by reminding members of the public to follow the appropriate Covid guidance.

- An anti-social behaviour (ASB) risk assessment conference was set up to ensure high and medium risk ASB cases are managed appropriately. The pandemic has seen an increase in ASB reports.

#### **Key Areas of Work for 2021/22:**

- Data and public perceptions around women's safety are now being scoped, to potentially put in place measures that will mitigate risks to women and girls from sexual violence.
- Detached youth work will be starting in early June 2021 in the South ward of Chichester City to respond to increased levels of youth related ASB and serious youth violence in the area.
- CCTV will be reviewed to ensure the service is fit for purpose and provides value for money.

#### **Health and Community Wellbeing**

##### **Key Achievements in 2020/21:**

- The pandemic and subsequent lockdowns has meant that referrals to Wellbeing services have dropped significantly. We have worked hard to try to increase our visibility on social media and with GPs.
- The team were able to quickly change delivery of the service from face to face to online and telephone support. We also undertook a new marketing campaign and rebranded some services to make them more appealing to those at greater risk of an adverse reaction to Covid, focusing on smoking cessation, weight loss, reducing alcohol consumption and mental health and resilience.
- Recognising that people shielding or isolating at home are more likely to become sedentary, we commissioned an online falls prevention service and gentle exercise classes to help people increase their activity.
- Stonepillow, the homeless charity, referred 14 of their clients for support to quit smoking or move to vaping.

##### **Key Areas of Work for 2021/22:**

- The Service will be made more visible with a high street presence during 2021/22, allowing people to drop in to make enquiries and access information.
- A new Men's Health service is being designed, focusing on health and wellbeing for men, who do not engage as well as women with wellbeing services.
- There will be a focus on engaging with people working in manual occupations, particularly around alcohol consumption.
- Additional funding for weight management services has been confirmed for 2021/22 and we plan to increase our service at local community venues and online.

#### **Social Prescribing**

##### **Key Achievements in 2020/21:**

- The pandemic has raised the profile of preventive services and additional funding for social prescribing has been secured from Chichester Primary Care Network and Hyde Housing to recruit 3 new members of the team. This increased capacity means we now have one Social Prescriber for every two GP practices across the district.
- Provided daily welfare checks and telephone support to vulnerable, isolated people, in particular street homeless people who were housed during the pandemic.
- The pandemic has led to an increase in referrals for mental health issues, problems with neighbours and digital exclusion. With fewer onward referral routes available, the team have provided ongoing telephone support.

##### **Key Areas of Work for 2021/22:**

- Work with the Wellbeing team to establish a programme of short walks around each GP surgery area to support people to socialise and get back into the community.

- Develop the Service to increase referrals from partner agencies and build a multi-disciplinary style of working where clients are supported by the right agency at the right time.

## **Culture and Sport Division**

### **Leisure and Sports Development**

The service oversees the Leisure Management contract, which has been delivered by Everyone Active since May 2016. Due to Covid 19 the Leisure Centres closed in mid-March 2020 and continued to be subject to further closures and restrictions throughout the year.

#### **Key Achievements in 2020/21:**

- Everyone Active were able to offer EVERYONE ON DEMAND including access several online fitness programmes, providing an at-home solution to maintaining activity and fitness levels throughout the pandemic.
- All sites have been open when government guidelines have allowed with the required Covid secure measures in place. Booking systems have been adapted to enable all customers to book all activities online.
- The centres assisted in delivery of a mobile Covid testing unit for Midhurst and Westgate Leisure Centre has been used as a mass vaccination site for the NHS since February 2021.
- During the year there have been 12 successful leisure grant applications totalling almost £50,000 and 4 Section 106 allocations totalling nearly £170,000.
- When allowed, sports activity resumed with over 400 pitch sessions still able to take place. The launch of a successful Personal Trainer licence enabled businesses to continue to trade outdoors safely on CDC land when government guidelines prevented indoor activity from taking place.

#### **Key Areas of Work for 2021/22:**

- Implementation of a Decarbonisation Programme at Westgate Leisure Centre, funded through the Public Sector Decarbonisation Fund. This aims to reduce the carbon emissions of the leisure centre by an estimated 27%, an impact of an estimated 7.5% reduction in the council's reported greenhouse gas emissions.
- Continue to work with partners on delivery of a number of 3G sports pitches within the district.

### **The Novium Museum and Tourist Information Centre (TIC)**

Due to Covid 19 the Museum and TIC had to close in mid-March 2020 and continued to be subject to further closures and restrictions throughout the year.

#### **Key Achievements in 2020/21:**

- During the periods the Museum was allowed to welcome visitors, an online booking system and Covid secure measures were implemented.
- Staff have continued to share Chichester's history during lockdowns and have expanded the Virtual Museum, allowing museum resources and exhibitions to be accessed online. Highlights from the collection have been shared every Saturday on social media and Monthly Changing Times articles have been provided for the Chichester Observer.
- There have been 8 successful grant applications during this period totalling nearly £70,000 of funding to create new online services and physical Covid-secure measures to protect staff and visitors, and for the conservation of the collection.
- New exhibitions and activities have been curated for the reopening of the museum including: The 30<sup>th</sup> anniversary of the closure of the cattle market; a local sustainable farming project and a Graylingwell Chapel exhibition with a focus on mental health.
- A variety of fun on-line activities were produced to support home learning during the pandemic and themed activities for the school holidays.



### **Key Areas of Work for 2021/22:**

- Development of an exhibition to celebrate the past 60 years of the district's Culture, supporting the Season of Culture 2022. They will consider how the museum's collection can be used to help tell this story, linking to different parts of the district with loans and displays throughout the area.
- A series of events and activities will be developed to celebrate the 10<sup>th</sup> Anniversary of The Novium Museum.

### **Culture and Tourism**

The service oversees funding agreements and monitoring frameworks for Chichester Festival Theatre (CFT), Pallant House Gallery (PHG) and The Great Sussex Way (formerly Visit Chichester). Due to Covid 19 the Theatre and Gallery had to close in mid-March 2020 and continued to be subject to further closures and restrictions throughout the year.

### **Key Achievements in 2020/21:**



- PHG was able to open between August and November 2020. An online timed booking system was implemented and Covid secure measures put in place. The exhibitions proved very successful and visitor numbers exceeded expectations. Opening hours for the final week of the Barnett Freedman exhibition were extended to meet demand.
- Communications activities were increased significantly; the Gallery's Instagram audience grew 20% between March and November 2020 and the weekly art quiz regularly attracted 800+ responses. A new digital events programme was launched with talks about the exhibitions getting significant audiences.
- Embracing digital technology allowed CFT to stay connected to audiences and the local community, as well as reaching people new to CFT. Outdoor events and performances to in-person, socially-distanced audiences, took place when permitted. In total, 96 performances or events were seen by 16,087 people in-person & streamed by 153,721 online, across 52 countries.
- The Youth Theatre's Christmas production of *Pinocchio* was performed, socially-distanced, by 70 local young people split between two casts and supported by technical students. Live-streaming allowed the production to continue to be enjoyed when Tier 4 restrictions again closed the theatre.
- Visit Chichester launched its new brand, 'The Great Sussex Way' and its new website in February 2021. There has been much press coverage including in the Telegraph, TravMedia and local press and radio. A membership drive took place with the launch and a 25% increase in members was achieved in the first week.

### **Key Areas of Work for 2021/22:**

- PHG and CFT are working with Chichester District Council to develop a Season of Culture 2022 to celebrate a number of local cultural organisations' major anniversaries and showcase the extraordinary cultural offer we have across the district. The Great Sussex Way will be supporting the season with marketing and promotion.
- A review of the funding agreements and associated service level agreements for PHG and CFT will take place this year in advance of the current agreements ending in March 2023.


## Performance Indicators: Community Services and Culture Cabinet Portfolio

### Community Engagement and Development


PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 230	Number of new clients engaged with the Choose Work Service	Higher is better	77	60	<b>66</b>		Weaker	Choose Work have continued to support a larger cohort of existing clients throughout lockdown, many of whom are very vulnerable. In addition to 1-2-1 work, the team have developed online engagement, including group workshops and sessions.	60
LPI 230a	% Choose Work Clients Supported into Paid Employment, Work Experience or Education	Higher is better	41.6%	40%	<b>83.5%</b>		Better	55 out of 66 clients were supported to move closer to work in 2020/21. 54 (82%) went into paid work and 1 (1.5%) went into a work experience placement  525 client interventions were carried out during 2020/21 including CV & covering letter advice, job application support, interview advice/mock interviews, and virtual workshops.	40%

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### Community Projects and Partnerships

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 212	All Reported Crime – Chichester (% increase – rolling year)	Lower is better	5.5%	0%	<b>-13.5%</b>		Better	Rolling year April 2019 to March 2020 = 7,464 offences Rolling year April 2020 to March 2021 = 6,457 offences	0%



## Health and Community Wellbeing

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 234	% people maintaining positive lifestyle changes after 3 months, following engagement with the Wellbeing Hub	Higher is better	82%	80%	98%		Better	Reported figure is an average across 2020/21. The Q4 figure was 96% (green status).	80%

## Leisure and Sports Development

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 007	Increase in attendances at Leisure Centres (all sites)	Higher is better	1,447,059					<p>OSC will receive a report in September 2021 which will outline our Leisure Centre's achievements in 2020/21, but will not report on the usual performance indicators due to the impact of various restrictions on the sector throughout the year</p> <p>As a result of the coronavirus pandemic, Central Government first closed leisure centres on 20 March 2020. Since then, there have been 2 further national lockdowns and the Council's leisure centres have operated reduced services or had further closures as a result of social distancing requirements and tier 3 &amp; 4 restrictions.</p> <p>During the closures we worked closely with Everyone Active to ensure buildings were secure, maintained and prepared for reopening when Government allowed this to happen. Westgate Leisure Centre also continued to allow access to the childcare provider who provided key worker childcare throughout the period. When guidance allowed, access was provided for Bourne Community College at Bourne Leisure Centre and for the Library at The Grange, Midhurst.</p> <p>The Council undertook an audit of all three sites to review the Covid secure measures in place. The council's Safety and Resilience Manager was impressed with the systems and procedures Everyone Active devised centrally and how these have been implemented at each of the sites. No concerns were raised. Feedback from customers has also been very positive since reopening, noting the importance of the centres to them and their health, and how safe they feel using the centres with Covid secure measures in place.</p>	
LPI 290	Increase attendance of people aged 50 or over	Higher is better	202,693						
LPI 291	Increase attendance of young people aged 0-15	Higher is better	105,175						
LPI 292	Increase attendance of people with disabilities	Higher is better	15,623						

**The Novium and TIC**

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 219	The Novium - All museum admissions	Higher is better	50,444	56,500	<b>6,835</b>		Weaker	Service admissions and TIC enquiries are down due to the closure of the service during the 1st and subsequent lockdowns. When the services did reopen in July 2020 attendee numbers were limited due to social distancing measures and the need to pre-book visits. TIC enquiries were impacted by remaining national restrictions on travel. A number of events and activities were cancelled due to Covid restrictions.	To be set following reopening.
LPI 220	The Novium - Total number of tourist information enquiries	Higher is better	12,950	15,000	<b>1,394</b>		Weaker		

# Cabinet Portfolio: Growth, Place and Regeneration

## Key Areas of Responsibility

Place	Property and Growth
<ul style="list-style-type: none"><li>• Parking Services</li><li>• Public Conveniences</li><li>• City and Town Co-Ordination</li><li>• Chichester Vision</li></ul>	<ul style="list-style-type: none"><li>• Economic Development</li><li>• Building Services</li><li>• Estates inc. Regeneration projects</li></ul>

### Place Division

#### Parking Services

##### Key Achievements in 2020/21:

- Rollout of digital permits across all car parks was completed this year.
- Investigation of Blue Badge misuse has been increased, in partnership with West Sussex County Council and specially trained investigators.
- Further elements of the parking service have been moved online to assist customers to access services remotely. In addition, existing online services have been improved and have helped more customers to self-serve. 97% of all season tickets are now digital, 11% of all parking payments are now made using a phone/online service and customers now have the ability to apply for and renew permits or report parking issues online.
- Civil Enforcement Officers' presence has been increased in the coastal areas over the summer months, in response to the increased number of visitors.
- Parking incentives were introduced across a number of car parks in response to the Covid pandemic, including free parking for NHS staff in Northgate car park.
- The Team facilitated the introduction of a number of Covid test sites across several car parks in the district.

##### Key Areas of Work for 2021/22:

- Continue work on the Parking Strategy to ensure it reflects the requirements of the district and includes consideration of the themes and issues from the WSCC Road Space Audit.
- Administration and enforcement of a Controlled Parking Zone extension will be undertaken on behalf of WSCC.

#### Public Conveniences

##### Key Achievements in 2020/21:

- Hand washer / dryer units were upgraded across a number of the public conveniences this year. The new units are more energy efficient and provide a modern 'no touch' facility.
- All public conveniences were kept open during the various lockdowns, to ensure that facilities were provided for delivery drivers and residents taking daily exercise.

##### Key Areas of Work for 2021/22:

- Refurbishment projects are planned for Public Conveniences at key sites.

#### City and Town Co-Ordination (Inc. Visions)

##### Key Achievements in 2020/21:

- Project teams have continued to deliver the projects in the Chichester Vision and the Vision Delivery Steering Group continues to monitor delivery. Work has also been undertaken with Selsey, Midhurst, Petworth and East Wittering and Bracklesham to assist in the delivery of their Visions.
- Projects to support high streets have been implemented across the district, including media campaigns and safety signage conveying social distancing messages. The team has also worked with partners to introduce displays in vacant high street premises windows.

- The Sea's the Day project, which aimed to further engage Selsey with its fishing heritage, generated two further projects on lobster and sediment research and marine education, involving national research bodies and local marine enterprises. These are progressing and are now integrated with the Sussex IFCA and Sussex Wildlife Trust's Help Our Kelp project.
- Continued to work closely with Chichester City Business Improvement District (BID) to deliver projects across the city.
- Supported by the Rural Towns Co-ordinator, Midhurst Town Team has established regular Midhurst Business Network meetings for retail and non-retail businesses, which has a growing membership. The network provides an opportunity for sharing business ideas and advice as well as working on joint promotional ideas.
- Closer working links with Petworth Business Association have been developed, enabling networks within the broader town centre community.

#### **Key Areas of Work for 2021/22:**

- A review and refresh of Chichester Vision Action Plan is planned.
- Plan and manage a BID Ballot on behalf of Chichester BID, planned for November 2021.
- Continue to support to town and city vision projects as required.
- Coordination of delivery of projects for high streets and coastal areas through the Welcome Back Fund.

### **Property and Growth Division**

#### **Economic Development**

#### **Key Achievements in 2020/21:**

- Continuing a project started in 2019/20, additional Retail Training workshops were offered this year. These were originally planned for in person delivery but were moved online and structured to reflect business needs during lockdown and planning ahead for re-opening.
- Working closely with the Taxation team and liaising with other districts and boroughs in West Sussex, we supported the establishment and delivery of the government funded Local Discretionary Grant Scheme in June 2020.
- Delivered the Covid Recovery Grants scheme funded by Chichester District Council and provided just under £400,000 of support to local businesses. The scheme offered small grants of up to £1,000 to assist businesses with costs incurred making their premises Covid safe and larger, match funded grants of up to £5,000 for projects to assist with recovery. 119 businesses received small grants totalling £103,169.01 and 71 businesses were awarded the larger grants totalling £295,965.23.

#### **Key Areas of Work for 2021/22:**

- Creation and launch of an Inward Investment website.
- Delivery of a network/workshop event to support food producers to develop local supply chains.
- Design and delivery of a funding scheme using remaining government funding to offer wider business support initiatives for recovery post lockdown.

### **Building Services**

#### **Key Achievements in 2020/21:**

- An external brickwork conservation and restoration programme of works for Pallant House Gallery was completed.
- Managed the procurement process and completion of new four year energy contracts for all council buildings. New supplies were procured from guaranteed renewable origins.
- Installation of perimeter vehicle barriers at the Avenue De Chartres Multi Storey Car Park and provision of pedestrian ramps and signage to improve accessibility.
- Completion of fire precautions work across the Council's buildings.

- Repair and refurbishment of the pool hall skylight at Westgate Leisure Centre.

**Key Areas of Work for 2021/22:**

- Provide support for decarbonisation projects related to CDC buildings.
- Completion of stock condition surveys across the portfolio.
- Procure and award a new Electrical Services contract.

**Estates (inc. Regeneration Projects)**

**Key Achievements in 2020/21:**






- The Southern Gateway Regeneration project has progressed with work continuing on completion of the Development Agreement. A relocation site for Stage Coach has been purchased in Terminus Road and draft Heads of Terms have been produced. A site investigation study and ecology study have been completed for the old School site in Kingsham Road. The Sussex Health Trust and Coastal Commissioning Group have confirmed their requirements for a health hub facility within the Southern Gateway area and £3m of Community Infrastructure levy funding has been agreed to support this.
- The redevelopment project for St James Industrial Estate in Chichester secured planning permission this year, with permission granted for some 4,448m<sup>2</sup> of floor space across 5 new blocks. An Invitation to Tender process for appointment of a contractor to deliver the project was also completed, with 10 submissions received. The Council was awarded £1.18 million by the Coast to Capital LEP towards the cost of the project from the Government's "Getting Building Fund", one of just 12 grants awarded from 117 applications.
- Contracts were exchanged for the sale of the former Grange site in Midhurst.
- Final account certification requirements on Ravenna Point were completed, outstanding defects identified were closed out and the remaining vacant units successfully let.
- Provision of the Wednesday and Saturday Market for essential retail stalls was facilitated during the November and January/February Covid restrictions.

**Key Areas of Work for 2021/22:**

- In partnership with WSCC and Henry Boot Developments (HBD), we will review the phasing of the Southern Gateway scheme following the announcement from HMCS to use the courts building as Nightingale courts to address the pandemic-related backlog in cases. We will work with the LEP to review the project outputs post Covid 19 and work with WSCC, HBD and their appointed agents to review the market demands in line with the master plan, development brief and procurement process.
- Delivery of the St James redevelopment project, including construction works, preparing and implementing a marketing strategy and negotiating lettings.
- Marketing and disposal of the development site at Church Road, Chichester and negotiating terms for lifting a restrictive covenant to facilitate disposal of land to the rear of Mill Road, Westbourne.
- Complete an options appraisal for land at western end of Terminus Road.

## Performance Indicators: Growth, Place and Regeneration Cabinet Portfolio





### Parking Services

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 34	% of car parks in the City for which we have achieved Safer Parking Awards	Higher is better	100%	100%	<b>100%</b>		No Change	All City Car Parks have passed.	100%
LPI 35	% of rural car parks for which we have achieved Safer Parking Awards	Higher is better	75%	75%	<b>75%</b>		No Change	All car parks that met the standard previously have passed again. As previously, the exclusions are Bosham, East Beach, Selsey and Selsey Marine.	75%
LPI 177a	Tuesday - Vacant Spaces in the Off-Street Public Parking Stock in Chichester City	Neither too high nor too low	1,007	Min. 300 Max. 952	<b>2,566</b>		Weaker	Thresholds are set at no lower than 300 spaces to ensure demand isn't higher than spaces available, and no higher than 25% of available spaces to ensure income levels are not affected. Total capacity is:  Tuesday: 3,810 spaces Wednesday: 3,554 spaces Saturday: 3,974 spaces	Min. 300 Max. 952
LPI 177b	Wednesday - Vacant Spaces in the Off-Street Public Parking Stock in Chichester City	Neither too high nor too low	899	Min. 300 Max. 888	<b>2,430</b>		Weaker		Min. 300 Max. 888
LPI 177c	Saturday - Vacant Spaces in the Off-Street Public Parking Stock in Chichester City	Neither too high nor too low	1,118	Min. 300 Max. 993	<b>2,689</b>		Weaker		Min. 300 Max. 993



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## Economic Development

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 163b</b>	Increase survival rates of companies at year 3 to align with the South East actual	Higher is better	58.5% (2018)	57.8% (2019)	<b>61.1% (2019)</b>		Better	The outturn for 2019 is higher than the previous year. The next update will be at the end of December 2021, when data for 2020 is released.	South East actual
<b>LPI 231</b>	Number of businesses supported through the Business Support Programme	Higher is better	1,509	300	<b>2,351</b>		Better	Since April 2020 the team has been in contact with 2,351 businesses. This figure is high due to the Pandemic.	300
<b>LPI 237</b>	Respond to 90% of business planning applications	Higher is better	100%	90%	<b>95%</b>		Weaker	Since April 2020, 70 commercial full planning applications plus 29 pre-apps have been reviewed and commented on.  Performance dropped to 80% in Q2 due to the unprecedented demand on Officers' time during the Covid 19 response. Performance returned to 100% in Q3 and Q4. Where a planning application is important to protect the local economy a response will always be given.	90%
<b>LPI 252</b>	Occupancy rate for our city and town centre shops	Higher is better	95.38% (to end Q3)	89.3%	<b>95.78% (Q2 only)</b>		Better	A figure was only available for Q2 in 2020/21. Counts were not performed in Q1, Q3 or Q4 due to lockdowns. The latest available figure for the South East is 89.3% (July 2020).	Above South East average

**Estates**

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 53	% empty units within our commercial and industrial property	Lower is better	9.91%	5%	<b>6.0%</b>		Better	<p>Reported figure is an average across 2020/21. The Q4 result was 5.66% (green status). Vacant units at St James are not included while redevelopment work takes place.</p> <p>Vacancy rates remain stable due to some re-letting of newly vacated premises. We are aware of more premises being handed back and there is a risk the value will increase. An increased target of 10% has been set for 2021/22 and performance will be subject to COVID regulations.</p>	10%
LPI 54	% rent and service charge arrears	Lower is better	7.06%	4%	<b>12.34%</b>		Weaker	<p>Reported figure is an average across 2020/21. The Q4 result was 12.3% (red status).</p> <p>This figure is higher than the last financial year and rising. This was anticipated as a direct result of COVID and the fall in rent and service charge receipts through closures as a result of lockdown and restrictions. It should also be noted that the Coronavirus Act has not allowed CDC to actively pursue rent arrears and this remains the case. Until we can, we do not anticipate making significant inroads to the arrears. An increased target of 8% has been set for 2021/22.</p>	8%

# Cabinet Portfolio: Housing, Communications, Licensing and Events

## Key Areas of Responsibility

	Housing
<b>Communications, Licensing and Events</b> <ul style="list-style-type: none"><li>• Licensing</li><li>• Communications</li><li>• Events</li></ul>	<ul style="list-style-type: none"><li>• Housing Options</li><li>• Private Sector Housing and Housing Enabling</li><li>• Homelessness</li><li>• Temporary Accommodation</li></ul>

## Communications, Licensing and Events Division

### Licensing

#### Key achievements in 2020/21:

- The council's Statement of Licensing Policy under the Licensing Act 2003 and the Sex Establishment Policy for the period 2020-2025 were both revised and approved.
- Following a review of the Street Trading restrictions and statutory consultation, a revised scheme was approved and implemented this year. The revisions support the emerging revised market delivery model.
- In line with the Business and Planning Act 2020, a temporary 'Pavement Licensing' regime was introduced, enabling eligible businesses to use outdoor space for seating and dining as a result of the pandemic.
- Developed a new draft Hackney Carriage and Private Hire Licensing Policy and Conditions for public consultation. This included a revised Criminal Convictions Policy, which was adopted for immediate use.
- Collaborated with the National Anti-Fraud Network to access and check the NR3 national register of all taxi/private hire licence refusals and revocations.
- Issued regular communications to licence holders following changes to legislation or guidance as a result of pandemic.

#### Key Areas of Work for 2021/22:

- Undertake comprehensive reviews and consultations and publish a revised Statement of Licensing Policies under both the Licensing Act 2003 and the Gambling Act 2005.
- Consider responses to the consultation concerning the Hackney Carriage and Private Hire Licensing Policy and prepare the final policy and conditions for use. This will include new back-office procedures and consideration of how Climate Change aims can be supported. A review of associated fees and charges is also likely to be needed to ensure costs are recovered.
- Consider the implications and introduction of the new 'fit & proper' person test within the caravan site licensing regime.

### Communications

#### Key achievements in 2020/21:

- Throughout the pandemic, the Team made sure residents, businesses, partners, councillors and staff remained well informed of the latest advice and support available through clear and up-to-date communications across all our platforms. This included making sure businesses were accessing available support, providing free downloadable social distancing signage, supporting the vaccination programme, making sure that residents were accessing the information and financial support they need and running campaigns with the Observer Series encouraging people to support local.
- Delivered a successful Christmas Campaign, encouraging people to support local businesses. Many businesses said it made a real difference to them with many shops giving away the personalised gift tags and using them to create window displays.

- The council's website was again awarded a Plain English Crystal Mark, showing our commitment to plain English throughout the site. Significant work has also been carried out to ensure the site meets the Government's accessibility standards, which is now a legal requirement for all public sector websites.
- Designed, developed and launched a new intranet for staff to access key services more efficiently. The new intranet uses the latest search technology and is fully responsive for desktops, tablets and mobiles.
- Four key consultations involved the Communications Team working closely with relevant services to engage with residents, organisations and businesses. Feedback from these consultations has shaped council work, including the Climate Emergency Detailed Action Plan and the Chichester City Local Cycling and Walking Infrastructure Plan.

#### **Key Areas of Work for 2021/22:**

- Deliver a revised Communications and Digital Strategy including a review of internal communications identifying appropriate channels, standards and expectations.
- Continue to respond to the pandemic and recovery as needed, including assessing the 'Welcome Back Fund' opportunities associated with communications and campaign work.
- Develop and deliver a Website Improvement Plan helping to drive digital transformation and channel shift.
- Deliver a Customer First campaign to increase awareness and encourage involvement in channel shift, plain English, customer care and organisational transformation.

#### **Events**

##### **Key achievements in 2020/21:**

- Developed and published the council's first Events Strategy and supporting Events Policy, recognising the benefits of a coordinated approach to events and acknowledging opportunities associated with hosting events.
- Despite the impact of the pandemic on the sector the Team coordinated and facilitated Safety Advisory Groups for large events, working with colleagues from WSCC Public Health to ensure current advice and practices were implemented by organisers.
- Supported the process associated with potential event Pilot Days at privately owned event sites within the district.

##### **Key Areas of Work for 2021/22:**

- Launch the Chichester Destination and develop the West Sussex Markets Group, including collaboration with South Downs National Park and The Great Sussex Way to promote and support the local economy, reduce food miles and help the local environment.
- Deliver a Summer Street Party 2021, working with partners, including Chichester BID, to contribute to the wider economic recovery of the district. The Team will also work with partners to support similar events at other key locations in the District.
- Develop options for delivery of the Chichester Farmers Market, including potential redevelopment of a section of the Cattle Market Car Park to create a dedicated market/events space.
- Work with the Climate Change Officer to develop 'Green' guidance for markets and events.

#### **Housing Division**

##### **Housing Advice**

##### **Key achievements in 2020/21:**

- Significant progress has been made towards reducing rough sleeping in Chichester. The Annual Rough Sleeper Count indicated that there were more than 30 adults sleeping rough within the District in 2019. An equivalent survey in November 2020 showed that this had reduced to three. This has been achieved through:
  - Expanding our Rough Sleeper Outreach Team with funding from the MCHLG

- Using commercial hotels to provide temporary accommodation to those coming off the street at the start of the pandemic
  - Use of redeployed Council staff to bolster the efforts of voluntary sector partners during the Spring lockdown
  - Diverted giving campaign to encourage the public not to give money to people begging on the street
  - 'Housing First' initiative to fast track former rough sleepers with challenging needs directly into social housing and support them to sustain accommodation
  - Grants totalling nearly £500k, secured for both CDC and Stone Pillow through the Next Steps Accommodation Programme, used to provide housing options for rough sleepers
- Our Homefinder lettings scheme continues to add properties to the portfolio as, despite the challenges and reluctance of people to move during the pandemic, the removal of fees has enabled us to continue to find properties for those in need.
  - Full implementation of a new, integrated IT system for homelessness and Choice Based Lettings.
  - Completed a review of the Allocations Scheme, ensuring it is up to date and compliant with current statutory requirements whilst giving officers the flexibility to help households in very specific circumstances. This includes those moving through supported housing, which may include applicants who have been rough sleeping, those fleeing domestic violence and Care Leavers. The new scheme provides the potential to manage allocations to these groups as part of a managed pathway.
  - A review of the Homelessness Prevention Fund to ensure it has the flexibility to help clients impacted by Covid move on to permanent accommodation.

#### **Key Areas of Work for 2021/22:**

- Maintain the reduction in the incidence of rough sleeping.
- Complete a review of the staffing structure across the whole Division, to ensure it is structured in the most effective way to provide the best service possible to our residents.
- Mitigate the impact of the Covid pandemic, and in particular the ending of the eviction ban, to prevent an increase in homelessness by ensuring those affected receive advice and support.

#### **Housing Standards and HomeMove**

##### **Key achievements in 2020/21:**

- In 2020/21, 166 home disabled adaptations were provided at a cost of £1.7m. These included property extensions, wet room installations, kitchen adaptations, ramped accesses and stair lift installations.
- 24 properties joined Chichester's Landlord Accreditation Scheme for the first time, or renewed their status this year. 31 landlords received financial assistance towards the cost of improving their properties to meet scheme standards. There are now 334 council accredited private rented properties in the district.
- 10 new applications for mandatory licensing for Houses in Multiple Occupation were received this year. There are now 160 licensed properties in the district.
- As part of a consortium, the Team has been successful in bidding for two rounds of funding totalling just over £9 million across the consortium area. The funding is available for residents occupying low energy performance properties and on low incomes and is to pay for carbon reducing and energy efficiency measures.

##### **Key Areas of Work for 2021/22:**

- Implement the new Housing Standards, Financial Assistance and Enforcement policy.
- Implement the new allocations scheme.

## **Housing Delivery**

### **Key achievements in 2020/21:**



- Our Registered Provider partners have continued delivery of new affordable housing on strategic sites at Graylingwell (Clarion) and Shopwhyke Lakes (Hyde) as well as the Brewery Close development in Southbourne (Clarion).
- The Community Led Housing initiative has seen good progress by groups based in Midhurst and Westbourne as well as the completion of four new Almshouses in Chichester.
- Developers' contribution funding was provided to support the development of affordable housing by Worthing Homes (Middleton Close, Bracklesham), Chichester Greyfriars (Royal Close, Chichester) and Stone Pillow (provision of an additional three bedroom house in Chichester).
- The scheme for 17 new temporary accommodation units at Freeland Close, plus 3 more converted from the shared units at Westward House and 2 much needed wheelchair accessible flats has begun in earnest. The old building has been demolished, piling has begun and the project is currently on track for completion in Winter 2021/22.

### **Key Areas of Work for 2021/22:**

- Work with Hyde to complete the review of the Large Scale Voluntary Transfer agreement and agree their asset management programme in Chichester district.
- Completion of the planned temporary accommodation scheme at Freeland Close, Chichester.


## Performance Indicators: Housing, Communications, Licensing and Events Cabinet Portfolio




### Licensing

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 117</b>	% Licensing Act 2003 applications determined within 2 months	Higher is better	98.2%	100%	<b>96.15%</b>		Weaker	4 applications were not determined within target (compared to 3 last year).  A representation was received in respect of one, but this was resolved by mediation. All the applications are deemed to have been granted, however, the Team has had to prioritise work to support licensed trades operating during national restrictions, which has impacted on our ability to prepare and issue licences. Each applicant is aware that their application has been successful and that they will receive the licence shortly.	100%
<b>LPI 118</b>	% Gambling Act 2005 applications determined within 2 months	Higher is better	100%	100%	<b>100%</b>		No change		100%


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### Housing Advice and Temporary Accommodation


PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>HA MPI 02</b>	Total number of households in nightly-paid accommodation - all cases	Lower is better	13	N/A	<b>16.25</b>		Weaker	Reported figure is an average across 2020/21. The Q4 figure was 17.	N/A – data only
<b>HA MPI 03</b>	Total number of households in nightly-paid accommodation – out of District	Lower is better	8.25	N/A	<b>9</b>		Weaker	Reported figure is an average across 2020/21. The Q4 figure was 8.	N/A – data only

<b>TA MPI 04</b>	Total number of households in CDC-Managed Temporary Accommodation	Lower is better	42.9	N/A	<b>42.8</b>		Better	Reported figure is an average across 2020/21. The March 2021 figure was 38.	N/A – data only
<b>LPI 204a</b>	% of cases where homelessness is threatened but prevented	Higher is better	32.43%	50%	<b>59.08%</b>		Better	Reported figure is an average across 2020/21. The Q4 figure was 66.7% (green status).	50%
<b>LPI 204b</b>	% of cases where homelessness is relieved	Higher is better	21.27%	50%	<b>53.75%</b>		Better	Reported figure is an average across 2020/21. The Q4 figure was 42.11% (red status).	50%

### Housing Standards and HomeMove

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 003</b>	Homes improved with Financial Assistance from the Council	Higher is better	72	50	<b>39</b>		Weaker	This includes homes improved through Landlord Accreditation Assistance, Home Repairs Assistance and Chichester Warm Homes Initiative. Direct requests for help with home improvements have been lower than usual due to the pandemic. As a result of lockdowns, non-essential inspections have been very limited, which has directly affected demand for financial assistance.	50

### Housing Delivery

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 002</b>	Affordable homes enabled by the Council	Higher is better	127	167	<b>188</b>		Better	188 affordable homes have been enabled in Year 1 of the new Housing Strategy. This includes 110 affordable homes for rent, 72 for Shared Ownership and 6 for Discounted Equity Sale.	167



# Cabinet Portfolio: Environment and Chichester Contract Services

## Key Areas of Responsibility

<b>Chichester Contract Services</b>	<b>Health and Environmental Protection</b>
<ul style="list-style-type: none"><li>• Waste</li><li>• Cleansing and Recycling Services</li><li>• Grounds Maintenance</li><li>• Cemeteries</li><li>• Parks and Open Spaces</li><li>• Vehicle Workshop and MOTs</li></ul>	<ul style="list-style-type: none"><li>• Environmental Protection</li><li>• Health Protection (including Business Continuity and Health and Safety)</li><li>• Environmental Strategy</li><li>• Coastal Protection and Foreshores</li><li>• Air Quality</li><li>• Building Control</li><li>• Dog Control</li><li>• Noise Pollution</li></ul>

## Chichester Contract Services Division

### Key achievements in 2020/21:

- Maintaining a continuous kerbside waste collection service throughout the district during the pandemic. At the start of the pandemic nearly 50% of the waste collection crews were unavailable either due to necessity to shield or isolate. Over 20 non-CCS staff were trained (including senior officers) to support the collection crews. Many other CCS team members were moved across from their 'day' jobs to also provide support. Agency drivers were recruited and workshop staff, supervisors and managers who held HGV licences were used to keep the rounds going. Despite these challenges very few rounds were lapsed and the public support for the crews was tremendous.
- Resource constraints were present throughout the year which in turn placed greater reliance on the crews in work who continued to deliver the service without fail.
- During the first 6 months of the pandemic, the services were delivered at the same time as the depot yard was undergoing resurfacing and drainage enhancements. A temporary transport operating centre was set up using space on the Goodwood Estate and the teams had to operate from two sites.
- The depot re-surfacing and drainage work was completed, linking the site to main drainage as well as providing a safer operating site fit for purpose for the future.
- The new vehicle wash equipment was procured and installed at the depot providing on-site access to an efficient wash system that cleans top, sides and chassis of the CCS fleet, as well as providing a source of income to the Council.
- Our new trade food waste collection service was introduced, although this and a significant portion of our trade waste service was impacted by the lockdown restrictions. During the forced closure of many of our trade waste customers, we continued to support them by providing very flexible collection suspension options, which has in turn been recognised by our customers very positively. At the peak of lockdown our trade waste business was reduced by nearly 62%.
- A positive impact of Covid was seen on our Garden Recycling Service which continued to grow and at the end of 2020/21 had 19,109 residents using the service; an increase of 1,875 new subscriptions compared to the previous year. Alongside promotional work undertaken in the summer, we again supported St Wilfrid's Hospice to deliver their Christmas Tree Recycling Scheme which again was a great success. St Wilfrid's volunteers collected over 1350 trees for us to recycle and they raised over £17,500 for the hospice charity, over double that of the previous year. We will be working with the St Wilfrid's team again to run the scheme for 2021/22.
- DEFRA continues to consult on proposals set out in the Government's Resources and Waste Strategy for England. The consultations included areas such as (but not limited to) mandatory food waste collections, increased ownership and responsibility of material

producers for the life of their products, deposit return schemes for containers and how waste collections can be more consistent across the nation. Proposals will undoubtedly involve significant changes for the UK waste industry as a whole and we will continue to work with the West Sussex Waste Partnership and our Environment Panel to respond to consultations as they are released.

- As the district starts to open up following the third lock down many of the resource challenges that we have faced are still present but now with greater demands on them. Of no lesser achievement in 2020/21 was the ability to deliver all of our services to residents as we come out of lock down.

#### **Key Areas of Work for 2021/22:**

- Optimising the current waste collection rounds. As house growth continues within the district our ability to include these extra premises onto existing rounds is becoming limited. By relooking at all of the rounds we anticipate some optimisation of our rounds is possible.
- We will continue to review and monitor the passage of the new Environment Bill as it goes through the different stages of parliament in particular those areas that will impact our services.
- We will be replacing a number of Refuse Collection Vehicles (RCV) during the year and plan this will include the purchase of our first all-electric units.
- As the district exits lockdown we plan to continue to grow our trade waste business and other commercial activities. We anticipate a number of large tenders for trade waste collections will be released this year which we will be bidding for. These activities form part of the significant efficiency savings that have been attached to CCS.
- Unfortunately the Ash Die Back disease is now present in many of the areas we are responsible for and we will be commencing a programme to manage the impact of this disease throughout our estate.

### **Environment and Health Protection Division**

#### **Environmental Protection (inc. Air Quality, Dog Control and Noise Pollution)**

##### **Key Achievements in 2020/21:**

- Both the Contaminated Land Strategy and the Public Space Protection Order (PSPO) for Dogs were reviewed, consulted on and re-adopted this year. The review resulted in an amendment of the PSPO for Dogs.
- Air Quality modelling was completed for Chichester and Midhurst and a rewrite of the Air Quality Action Plan to cover the period from 2021 to 2026 was commenced.
- A Local Cycling and Walking Infrastructure Plan (LCWIP) was produced, consulted on and adopted by the Council this year. A further award of £70K Business Rates Pool monies was also secured for cycling projects.
- The contract with East Hants District Council for litter and dog enforcement was reviewed and renewed. The stray dog kennelling service was also transferred to Portsmouth City Council.

##### **Key Areas of Work for 2021/22:**

- Public consultation on the new Air Quality Action Plan and adoption of the final version.
- Undeclare Orchard Street and Stockbridge A27 roundabout Air Quality Management Areas.
- Integration of new Strategies and guidance documents into the Local Plan Review, including the LCWIP and an associated digital mapping layer, air quality guidance and, following consultation, the Sussex Planning Noise Advice Document.
- Introduce 2 pool cars, one of which will be electric, and 2 electric pool bikes for staff to use for off-site meetings or visits. The Chichester Car Club is also to be expanded by 1 vehicle.
- Deliver enhanced on-line eforms for a more efficient service to customers.

## **Health Protection (inc. Business Continuity and Health and Safety)**

### **Key Achievements in 2020/21:**

- Provided advice and support to local businesses on working safely during the pandemic. Over 1500 requests for advice or complaints have been received; a 600% increase in the number of service requests that would normally be dealt with. Despite this huge increase, every request has been responded to.
- To further support local businesses, externally funded Covid Information Recovery Officers and Covid Ambassadors have joined and worked with the Team this year.
- Worked closely with WSCC Public Health and Public Health England in dealing with outbreak management and ensuring events can operate safely.
- Funding was received from the Food Standards Agency to complete a project, in preparation for Brexit, to identify fishing vessels operating outside of UK waters. Twenty-one vessels were identified within Chichester Harbour, all of which have now registered and been inspected.

### **Key Areas of Work for 2021/22:**

- Subject to guidance from the Food Standards Agency, recommence the food inspection programme. The current expected date is 1 July 2021. High risk premises will be prioritised for inspection first and inspections will check that food businesses are working Covid safely.
- Continue Covid 19 work as restrictions ease, with events being planned and businesses continuing to need support. The Team will also be involved in any outbreak management that may be required.
- Supporting premises needing to become approved as depuration plants following changes to export regulations due to Brexit, which mean certain live shellfish can only be exported following purification.
- Continue a project with partners to ensure illegal shellfish harvesting from Chichester Harbour does not lead to illegal food getting in to the food chain.

## **Environmental Strategy including Biodiversity**

### **Key achievements in 2020/21:**

- Developed and published a Detailed Climate Emergency Action Plan 2020-2025, which sets a target of a 10% reduction in carbon emissions year-on-year both for the District and for the Council.
- Secured £400k from Defra to deliver the Subsidised Tree Scheme Pilot under the Trees Outside Woodlands Project, which will increase the number of trees planted in the District.
- Secured £575k Community Infrastructure Levy funding for the Strategic Wildlife Corridors Project, which will deliver biodiversity enhancements to sites within Strategic Wildlife Corridors to increase the corridors' resilience to change.
- Secured £1.35m from the Public Sector Decarbonisation Fund for decarbonisation work at the Westgate Leisure Centre.

### **Key Areas of Work for 2021/22:**

- Launching of a Climate Change Behavioural Campaign, the free tree scheme and the Strategic Wildlife Corridors project.
- Establish how best to engage with people on climate change to help achieve the target for reducing carbon emissions.
- Ensure the sustainability of the Local Plan through the Sustainability Appraisal.

## **Coastal Protection and Foreshores**

### **Key achievements in 2020/21:**

- Successful completion of the final year of the Selsey & Wittering Beach Management Plan 2016-21. Completed works included the raising of groynes in East Wittering, enhancement of groynes on the Selsey frontage and delivery and placement of 9,000t of shingle.
- Secured £1.25m (£250k/yr.) of grant funding to continue beach management for at least another five years following the successful submission of a business case to the Environment Agency.
- When Covid restrictions permitted, the Foreshores Service operated in Bracklesham Bay (May to September 2020). During this time, the service completed 14 rescues, attended 32 first aid incidents and found 5 lost children.

### **Key Areas of Work for 2021/22:**

- Completion of the first year of the new Selsey & Wittering Beach Management Plan 2021-26, including further groyne enhancement and beach replenishment.
- Ensure a smooth transition and integration into Coastal Partners; the group of Hampshire Coastal Protection Authorities for the delivery of coastal and land drainage services.
- Develop a business case to secure a grant to cover design costs for the Selsey Flood & Coastal Erosion Scheme.
- Provision of the Foreshores Service from April to October 2021.

## **Building Control**

### **Key achievements in 2020/21:**





- 760 Building Regulations applications were received during the year, a slight reduction on last year (791 applications).
- The Service generated £337,344 of income, and as a consequence, the net cost of the chargeable account showed a deficit of some £96,156. The Building Trade, and therefore the Service was impacted considerably by the Covid 19 pandemic, however we anticipate the situation to improve next financial year.


### **Key Areas of Work for 2021/22:**

- The service continues to strive to comply with the Building Regulations 2010 regarding the charging requirements on local authorities. Fee levels will be reviewed in 2022.




## Performance Indicators: Environment and Chichester Contract Services Cabinet Portfolio

### Contract Services



PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 001</b>	% graffiti removed within 5 working days	Higher is better	100%	100%	<b>100%</b>		No change		100%
<b>LPI 005</b>	Number of residents using the Garden Recycling Service	Higher is better	17,164	17,500	<b>19,109</b>		Better	COVID-19 lockdowns have seen a positive impact on new customer sign ups against previous year.	17,500
<b>LPI 006</b>	% fly-tips removed within 3 days	Higher is better	94.4%	90%	<b>92.88%</b>		Weaker	Reported figure is an average across 2020/21. The Q4 figure was 94% (green status).	90%
<b>LPI 191</b>	Residual household waste in Kg per household	Lower is better	422.42	400	<b>470</b>		Weaker	<p>COVID has impacted waste and recycling volumes throughout the year. There were significant increases to waste tonnages in the first lockdown, with more people at home. In addition, the closure of the household waste recycling site meant that waste typically taken there would have gone in the household waste bin instead. We know many people took to DIY, clear outs etc during lockdown and this inevitably hit the waste figures.</p> <p>In Q1 we saw an average increase in waste of 29% compared to the previous year. The position improved for Q2, although further lockdown measures later in the year led to further increases. Trends are similar to other D&amp;Bs in West Sussex.</p> <p>Please note figures are subject to audit.</p>	TBC

<b>LPI 192</b>	% household waste sent for reuse, recycling and composting	Higher is better	44.93%	47.0%	<b>44.5%</b>		Weaker	Waste and recycling rates continue to be impacted by increased volumes of waste owing to COVID (see LPI 191) however it should be noted that recycling tonnages increased by 10% against previous year and garden waste by 21%.  Please note figures are subject to audit.	47.0%
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### Environmental Protection



PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 133a</b>	Premises with Environmental Permits due for an Audit that are inspected	Higher is better	25%	17	<b>17</b>		Better	PI amended for 2020/21 to show the actual number of inspections carried out (not the % of those due), in line with LPI 135 below.  The Team is up to date for Environmental Permit inspections, even with the implication of Covid -19 restrictions during the year.	17
<b>LPI 135</b>	Number of Private Water Supplies sampled and/or risk assessed	Higher is better	43	22	<b>21</b>		Weaker	No visits were able to be carried out in Q1 due to Covid restrictions.	22
<b>LPI 193a</b>	Per capita reduction in CO2 emissions in the LA area	Lower is better	<b>-38.4% (2018)</b>	N/A	<b>TBC</b>		TBC	The 2019 data (to be released soon) will be the baseline figures which progress within the Climate Change Action Plan will be measured against.	N/A

## Health Protection

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 174	% food premises due for inspection that were carried out	Higher is better	82.78%	100%	<b>24.21%</b>		Weaker	Due to the pandemic, the Food Standards Agency has deferred the planned programme of inspections until 30 June 2021. The team continue to deal with high priority premises. Premises of public health concern and new premises are also being advised. The main focus of the team has been responding to the pandemic; providing business advice, responding to enquiries and complaints and outbreaks. This work is again increasing as the High Street reopens.	100%
LPI 179	% food businesses broadly compliant with statutory food safety requirements	Higher is better	97.33%	95%	<b>97.71%</b>		Better	Inspection numbers have been limited in 2020/21 due to COVID restrictions and suspension of the planned inspection programme.	95%

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## Building Control

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
BC MPI 01	Site inspections undertaken within 24 hours	Higher is better	100%	100%	<b>100%</b>		No change		100%
BC MPI 03	Applications determined within 5 weeks (unless time extension agreed)	Higher is better	100%	100%	<b>100%</b>		No change		100%

# Cabinet Portfolio: Finance, Corporate Services and Revenues and Benefits

## Key Areas of Responsibility

<b>Business Support</b> <ul style="list-style-type: none"><li>• Electoral Services</li><li>• Land Charges</li><li>• Business Improvement / Corporate Policy</li><li>• Facilities</li><li>• ICT</li><li>• Human Resources</li></ul>	<b>Legal and Democratic Services</b> <ul style="list-style-type: none"><li>• Democratic Services</li><li>• Legal inc. Procurement and Information Management</li></ul>
<b>Financial Services</b> <ul style="list-style-type: none"><li>• Accountancy Services</li><li>• Internal Audit</li></ul>	<b>Revenues, Benefits and Customer Services</b> <ul style="list-style-type: none"><li>• Customer Services</li><li>• Revenues</li><li>• Business Rates and Benefits</li></ul>

## Business Support Division

### Electoral Services (including Land Charges)

#### Key Achievements in 2020/21:

- The Land Charges Team saw a significant increase in work load once restrictions eased and government incentives were provided to encourage moves.
- The Electoral Services Team successfully delivered the annual canvass with the process adjusted due to Covid restrictions.
- A major planning exercise was undertaken to prepare for West Sussex County Council and Police Crime Commissioner Elections, along with Neighbourhood Plan Referendums and parish by-elections taking place in May 2021. Running these elections amid Covid restrictions has presented many challenges including recruitment of staff and ensuring polling stations and counts could be run in a Covid safe manner.

#### Key Areas of Work for 2021/22:

- Carry out West Sussex County Council and Police Crime Commissioner Elections, Neighbourhood Plan Referendums and parish by-elections in May 2021.

### Corporate Improvement & Facilities

#### Key achievements in 2020/21:

- Contributed to the Council's financial response to Covid by developing the 3-stage Future Services Framework:
  - Stage 1 - ensure all Council services are run as efficiently as possible, and that all income streams are appropriately maximised
  - Stage 2 - develop further policy options for service disinvestment or additional income
  - Stage 3 – define and cost all services the Council must provide, then assess all other services to gauge their impact on our communities should further disinvestment be required
- Completed Stages 1 and 2 above, resulting in a savings programme totalling approximately £2million. Stage 3 has been deferred for a period of 12 months to allow time to reassess the Council's financial picture post-covid.
- Ensured Council offices achieved 'covid-secure' status so that essential services could still be delivered, including those of our key partners who rent space within Council buildings.



### **Key Areas of Work for 2021/22:**

- Work with Councillors and Senior Officers to review the Council's priorities and produce a new Corporate Plan covering the period 2022-2025.
- Produce a new Equalities Strategy for 2022-2025.
- Continue to coordinate and report on progress in delivering Stages 1 and 2 of the Future Services Framework and, if required, prepare for Stage 3 by consulting with our communities on current Council services.
- Ensure that the council offices are working appropriately and safely as we move out of Covid restrictions.

### **ICT**

#### **Key achievements in 2020/21:**

- Successfully supported remote working across the council, including replacement and upgrading of our Virtual Private Network (VPN), supply of ICT equipment to improve homeworking environments and introduction of the Microsoft Teams application and corporate Zoom licencing to support remote working and conferencing facilities.
- Achieved successful re-assessment against our Public Sector Network accreditation, including security validation of our remote working environment.
- Attached East Pallant House, Westhampnett Depot and the Novium to the new West Sussex gigabit wide area network, as well as establishing full hourly server backup at an off-site disaster recovery facility.
- Worked jointly with Finance to integrate a new Capita PAY 360 portal, with Building Control to introduce mobile application technology and with Revenues and Benefits to deliver Northgate SMS messaging functionality.
- Negotiated a new printer contract, returning corporate savings.

#### **Key Areas of Work for 2021/22:**

- Deliver the roll-out of Microsoft 365 across the council.
- Complete, test and commission the new Disaster Recovery off-site Server facility.
- Undertake a review of the Council's ICT Security Plan and make improvements if needed.
- Support delivery of both the new Customer Services Face to Face vision and the Digital Working Group agenda.

### **Human Resources**

#### **Key achievements in 2020/21:**

- Prepared and issued guidance to staff/managers in response to C-19 on a number of policy and staff support issues and also collected and collated data from staff relating to this. HR also contributed to C-19 guidance and messaging issued by other support services or corporately.
- On behalf of CDC, HR registered for the Coronavirus Job Retention Scheme (furlough scheme) so that a small number of staff holding posts eligible under the scheme could be furloughed.
- HR support was provided for an Environmental Health review, including bringing the Environmental Protection and Health Protection teams into one Division.
- Reviewing all market supplements in preparation for April 2021.
- Preparing and issuing a new recruitment shortlisting process using our HR software.
- Preparing and issuing a revised Pension Scheme & Early Termination of Employment Discretions Policy and a new Additional Staff Payments Policy.

#### **Key Areas of Work for 2021/22:**

- Continue to prepare and issue guidance and contribute to guidance from other support services in response to C-19 and in relation to future post Covid new ways of working.
- Introduce a Shared Cost Additional Voluntary Contributions salary sacrifice scheme. This is a new option for staff in the Pensions Scheme at nil cost to the employer.

- Introduce a salary sacrifice scheme for staff to lease cars with low Co2 emissions.
- Support a proposed review of the Housing service involving full staff and union consultation.

## **Financial Services Division**

### **Accountancy Services**

#### **Key Achievements in 2020/21:**

- Achieved key deadlines for completion of the Statutory Accounts and their subsequent protracted audit, along with delivering the 2021-22 budget
- Carried out additional budget monitoring and regular financial forecasting on expenditure and income for SLT and Members, as a consequence of the impact of COVID on the Council's finances.
- Completed new, monthly government budget monitoring returns and compiled information to support the Council's claims under the Sales, fees and charges compensation scheme.
- Ensured continuity of key financial systems and contracts, therefore maintaining payments to suppliers and allowing prompt payment of COVID business relief and other grants.

#### **Key Areas of Work for 2021/22:**

- Work with our appointed broker on procurement of a new insurance contract to be in place November 2021.
- Improve Civica usability and compliance by improving access to financial information for budget holders and service managers.
- Support delivery of the Council's financial recovery plans including the Future Services Framework.
- Complete the Council's Statutory Accounts for 2019-20 in preparation for external audit review in July 2021.

### **Internal Audit and Corporate Investigations**

#### **Key Achievements in 2020/21:**

- 5 audits and 3 follow ups were completed this year and 9 key financial systems were tested and reviewed to ensure compliance with procedures and internal controls.
- The annual Empty Home Review resulted in £288,395 of additional revenue for the Council.
- The larger bi-annual Premium Data Match was undertaken this year for the National Fraud Initiative reviewing Single Person Discount, Council Tax Reduction and other matches. The full results are reported annually to the Corporate Governance and Audit Committee.

#### **Key Areas of Work for 2021/22:**

- Undertake audits according to the plan approved for the year by Corporate Governance & Audit Committee and investigations linked to the 2020-21 data matches from the NFI exercise and the investigations work plan.
- Implement a new case management & document system.

## **Legal and Democratic Services Division**

### **Member Services**

#### **Key Achievements in 2020/21:**

- A completely new remote meeting platform using Zoom was very quickly installed and implemented to enable all Committee meetings to take place during the pandemic, along with supporting procedures and amendments to policies.
- Exceptional decision making during the pandemic was supported and formalities achieved.
- Remembrance Events were licensed and supported through a constantly changing regulatory framework.
- Updates to "Operation London Bridge" arrangements were made and put in place.
- Sloe Fair rights were protected in conjunction with the Showman's Guild of Great Britain.

### **Key Areas of Work for 2021/22:**

- Governance review of meetings and how decisions are made, including timing and location.
- Assessment of how hybrid meetings could be achieved and the associated costs
- Training for members on chairmanship, equalities and scrutiny roles.
- Establish new electronic tree preservation order processes to improve efficiency and transparency.
- Induction of the new independent persons and the new procedures for the recently adopted model standards will be drafted with them.

### **Legal (inc. Procurement and Information Management)**

#### **Key Achievements in 2020/21:**

- Support and advice was given to enable all services to continue to deliver their objectives despite the pandemic.
- Resisted judicial review of housing decisions to the Appeal Court, receiving endorsement by the Court for the authorities practices.
- Legal advice was provided to projects including Freeland Close and Compulsory Purchase Orders, despite significant compliance hurdles.
- CDC legal staff carried out the legal team and Data Protection Officer roles for Arun District Council for several months as a partner support arrangement.
- New Contract Procedure Rules were adopted, adapting to post-Brexit requirements.
- A new Code of Conduct was adopted both at the District and at most Parishes in the area.

#### **Key Areas of Work for 2021/22:**

- Enforcement in respect of unauthorised encampments will continue to be prioritised.
- The Council information retention register will be updated and combined with the register of processing.
- Strategic spend analysis work will continue, with several departments' spend being combined to achieve savings and other improvements.
- Training for all budget holders on the new Contract Standing Orders.
- Work to embed social and environmental considerations into procurement decision making.

### **Revenues, Benefits and Customer Services Division**

#### **Customer Services**

##### **Key achievements during 2020/21:**

- Officer training was completed in relation to the Division's Restructure in May 2020.
- Design work was completed for a re-configured Customer Service Centre at East Pallant House. Plans included a move to online services with assistance being provided where required, in line with the Council's channel shift strategy and website improvement plan.

##### **Key Areas of Work for 2021/22:**

- Open the re-configured Customer Services Centre and operate in line with proposals agreed at Cabinet in December 2020.
- Implement chat bots and evaluate their impact.
- Project manage, in conjunction with ICT, delivery of the new Customer Relationship Management system.

#### **Revenues and Benefits**

##### **Key achievements during 2020/21:**

- Multiple Business Rate grant schemes were administered as a result of the Covid pandemic from April 2020
- CDC was recognised nationally by Rt Hon Robert Jenrick at a COVID Daily Briefing in May 2020 for delivering support to the highest proportion of eligible businesses in our area out of

all local authorities at that time. By the end of April 2020, 99.56% of our eligible businesses had received a grant payment, with the remaining businesses choosing not to take a grant.


- Administered the Hardship Fund from April 2020 and paid out around £350,000 to residents in receipt of Council Tax Reduction; each resident benefitting from a one off payment of £150 towards their Council Tax balance. Where residents had balances less than £150 they received the equivalent amount.
- With just two weeks' notice from central government, set up the Test and Trace Support Scheme and began making payments to those eligible from 12 October 2020.
- Devised multiple schemes in a short space of time as a result of Covid, to ensure residents and businesses received prompt services.

**Key Areas of Work for 2021/22:**



- Review of the Council Tax Reduction Scheme exploring options for alternative schemes.
- Investigate technology to assist with debt recovery action and to assist residents with income maximisation.
- Promote online elements of the Service (Citizens Access Benefits, Citizens Access Revenues, E-billing and E-notifs) and maximise take-up.

## Performance Indicators: Finance, Corporate Services and Revenues and Benefits Cabinet Portfolio


### Land Charges

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 48a</b>	% of all searches carried out within 10 working days	Higher is better	100%	100%	<b>76%</b>		Weaker	Land Charges were short 1FTE for all of December due to sickness. Searches fell to 12 working days during this period. Searches are now back within 10 working days but the 100% target can no longer be met.	100%

### Human Resources


PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 143</b>	Working Days Lost Due to Sickness Absence	Lower is better	7.97	7.00	<b>5.46</b>		Better	Average sickness days per employee for the period 1.4.20 to 31.3.21 = 5.46 days Long Term Sickness = 4.00 days Short Term Sickness = 1.46 days	7.00
<b>LPI 289</b>	Quarterly Staff Turnover	Lower is better	8.53%	15.0%	<b>1.41%</b>		Better	Reported figure is an average across 2020/21. The Q4 result was 0.82% (green status).	15.0%

## Financial Services



PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 156</b>	Creditor invoices paid within 30 days	Higher is better	95.45%	98%	<b>85.94%</b>		Weaker	<p>Reported figure is an average across 2020/21. The March 2021 result was 86.2% (red status).</p> <p>To aid the Council's payment of suppliers at the start of the pandemic, a centralised procedure was introduced to enable remote working. This process created some delay for the service departments to complete their internal control checks before payments could be made. Normal procedures resumed in August. Service teams have also been impacted this year by secondments, staff turnover and training needs. Assistance and support is ongoing to help some service areas and it is envisaged that performance should improve.</p>	98%

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## Legal Services

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 74</b>	% prosecution proceedings started within ten working days of receiving complete instructions	Higher is better	100%	90%	<b>100%</b>		No change	Note difficulties of prosecutions during Covid period. Department has used online mechanisms where available. Many matters adjourned at point of submission to Court but subject to ongoing monthly monitoring by Litigation Solicitor.	90%

## Customer Services

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
CS MPI 01	% Customer Service Centre enquiries resolved at first point of contact	Higher is better	86.42%	85%	<b>81.42%</b>		Weaker	<p>Reported figure is an average across 2020/21. The March 2021 figure was 78% (red status).</p> <p>Less staff being based in EPH has delayed staff training in new services, which in turn impacts our first contact resolution rate. Some training has now been completed but some has had to be postponed to allow the team to prioritise call answering performance.</p>	85%
CS MPI 02	% calls to the Customer Service Centre that are answered	Higher is better	92.58%	90%	<b>87.92%</b>		Weaker	<p>Reported figure is an average across 2020/21. The March 2021 figure was 85% (red status) with an average staffing level of 84%.</p> <p>Call volumes increased by 70% in March due to Council Tax annual bills, new year Housing Benefit Letters and annual waste invoices being sent. Taxation staff assisted with calls at this time. Customers are given the option to leave a message during busy times and they also hear information about our online services when waiting.</p> <p>Call handling times on average were 2% below target during the pandemic with a lot of training taking place following the amalgamation of all Customer Contact. Performance is expected to be on target during 2021/22.</p>	90%

## Revenues and Benefits

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
LPI 140	% Council Tax collected	Higher is better	97.67%	98.2%	<b>97.19%</b>		Weaker	Due to the pandemic, formal recovery was suspended including a national suspension of Enforcement Agent visits. Customers were offered a revised payment plan for Council Tax and Business Rates, running from June 2020 to March 2021. These delayed instalments mean some debts cannot be enforced until after 31 March 21.	98.2%
LPI 141	% Non-domestic Rates Collected	Higher is better	97.65%	98.2%	<b>95.59%</b>		Weaker	Once formal recovery did commence in September 2020, HM Court Service were only offering limited court hearings; we were only able to secure one. In respect of Business Rates many businesses were not allowed to trade during the pandemic and instead had to rely on government grants.	98.2%
LPI 004a	Time taken to process new claims for benefits (inc. Housing Benefit and Council Tax Reduction)	Lower is better	15.2 days	15 days	<b>17.5 days</b>		Weaker	Reported figure is an average for Housing Benefit and Council Tax Reduction combined across 2020/21. March 2021 figure was 15.5 days (green status). Average performance for each benefit type for 2020/21 was: HB: 15.58 days CTR: 19.5 days Work is underway to identify ways to reduce processing times for CTR claims with the expectation being that performance is met during 2021/22.	15 days
LPI 004b	Time taken to process change events for benefits (inc. Housing Benefit and Council Tax Reduction)	Lower is better	8.4 days	7 days	<b>5.2 days</b>		Better	Reported figure is an average for Housing Benefit and Council Tax Reduction combined across 2020/21. March 2021 figure was 4.5 days (green status). Average performance for each benefit type for 2020/21 was: HB: 5.55 days CTR: 4.73 days	7 days



## Cabinet Portfolio: Planning Services

### Key Areas of Responsibility

Development Management	Planning Policy
<ul style="list-style-type: none"><li>• Development Management (inc. for the South Downs National Park Authority)</li><li>• Planning Enforcement</li></ul>	<ul style="list-style-type: none"><li>• Conservation and Design</li><li>• Planning Policy and the Local Plan</li><li>• Community Infrastructure Levy</li><li>• Neighbourhood Planning</li></ul>

### Development Management Division

#### Development Management inc. Planning Enforcement

##### Key achievements in 2020/21:

- 67 major planning applications were received for the Chichester Local Plan area this year, an increase of 3 on the previous year.
- Major housing-led developments continued to make progress in the Chichester Strategic Development Locations (SDLs) and in other settlements in the Chichester Local Plan area. Permission was granted for the majority of the reserved matters for the residential elements of Phase 1 Whitehouse Farm SDL. Significant negotiations took place on the Tangmere SDL application during the year, culminating in a resolution to grant outline planning permission on 30 March 2021.
- A review of the Council's Pre-Application Scheme was concluded. The scheme now provides a greater variety of ways to obtain pre planning advice on proposals.
- A review of the Council's Local list was also completed this year. The Local List gives the Council greater control as to the documentation submitted in support of an application.
- Moved to a paperless working environment; electronic devices are now being used to assess most planning applications and enforcement cases.
- Over 500 enforcement complaints were dealt with this year and 42 formal Notices were issued.
- Whilst Covid-19 has led the courts to allow further time for the occupants of the Birdham Gypsy and Traveller Site to vacate the land, officers have continued to drive forward the legal case for prompt compliance with the order of the court.

##### Key Areas of Work for 2021/22:

- Determination of a further reserved matters application on Whitehouse Farm Phase 1 and Tangmere SDLs as well as an outline application for Phase 2 of Whitehouse Farm SDL.
- Continuing to drive forward the process of seeking compliance at Birdham Gypsy and Traveller Site and Crouchlands Farm, Lagoon 3.

### Planning Policy Division

#### Planning Policy (inc. Conservation and Design, Community Infrastructure Levy and Neighbourhood Planning)

##### Key achievements in 2020/21:

- Work on the Local Plan has progressed, leading to the identification of key steps required to be addressed prior to its finalisation.
- A revised distribution of development was discussed and agreed informally with Members as a direction of travel and the basis for testing.
- Evidence on housing and employment needs, retail and town centre uses, an audit of employment land and availability of land was published.
- Work on transport issues was progressed, including publication of a study into a potential alternative to the Stockbridge Link Road.









- Worked in partnership with neighbouring authorities, Southern Water, the Environment Agency and Natural England on water quality issues.
- Support has continued to be provided to Parishes undertaking neighbourhood plans and neighbourhood plan reviews.
- The Community Infrastructure Levy (CIL) Team collected an estimated £2,624,868 this year. £297,977 of this was passed to Parish Councils to spend on projects to support the growth of their areas and £1,925,752 remains available for Parishes to spend on local infrastructure. CDC has £11,202,748 available, and working with strategic partners, plans for projects to be funded include parking management measures, real time bus passenger information boards, additional primary and nursery school places, school access improvements, creation of new wildlife corridors, pedestrian, road and cycling improvements, additional health care facilities, public realm improvements, improvements to the Westhampnett Waste Transfer and Household Waste Recycling site, and new sports facilities.
- The Council received an estimated £429,489 in contributions due under Section 106 legal agreements related to developments this year. £349,774 was spent in supporting provision of affordable housing and community and leisure facilities throughout the district, together with measures to protect the environment at Chichester & Langstone Harbour and Pagham Harbour. Projects funded, at least in part, by this money include refurbishment and replacement of outdoor play, sports and recreational facilities in Chidham & Hambrook, Tangmere and Westbourne, portable floodlights for Chichester Rugby Club, the Nelson/Murray statue in Chichester and a contribution towards a new homeless shelter operated by Stonepillow.
- The CIL team supported local construction by responding positively for developer requests to take into account the impacts of coronavirus when considering the timing of CIL payments.
- The Authority's Monitoring Report (AMR) is prepared every year and is the main means for assessing the performance and implementation of the Local Plan including progress on preparation of the Local Plan Review.

#### **Key Areas of Work for 2021/22:**

- Delivering the Local Plan in accordance with the Local Development Scheme timetable.
- Establishing the Local Plan position on key infrastructure (strategic road network and waste water) and documenting it in Statements of Common Ground.
- Progressing the Gypsy and Traveller Development Plan Document.
- Supporting production of Neighbourhood Plans.
- Progressing Tangmere Compulsory Purchase Order through Inquiry, anticipated to be held in August 2021.

## Performance Indicators: Planning Services Cabinet Portfolio

### Development Management

PI Code	Short Name	Assessment	2019/20 Outturn	2020/21 Target	2020/21 Outturn	Status	Trend - 2020/21 v 2019/20	Commentary	2021/22 Target
<b>LPI 187a</b>	CDC Area - % of planning applications determined in 13 weeks: Major applications	Higher is better	97.22%	60%	<b>91.48%</b>		Weaker		60%
<b>LPI 187b</b>	CDC Area - % of planning applications determined in 8 weeks: Minor applications	Higher is better	81.63%	65%	<b>80.5%</b>		Weaker		65%
<b>LPI 187c</b>	CDC Area - % of planning applications determined in 8 weeks: Other applications	Higher is better	87.35%	80%	<b>91.09%</b>		Better		80%
<b>LPI 188a</b>	SDNP Area - % of planning applications determined in 13 weeks: Major applications	Higher is better	100%	60%	<b>100%</b>		No change		60%
<b>LPI 188b</b>	SDNP Area - % of planning applications determined in 8 weeks: Minor applications	Higher is better	88.28%	65%	<b>84.91%</b>		Weaker		65%
<b>LPI 188c</b>	SDNP Area - % of planning applications determined in 8 weeks: Other applications	Higher is better	87.72%	80%	<b>86.36%</b>		Weaker		80%
<b>LPI 124</b>	CDC Area - Planning appeals allowed	Lower is better	31.58%	30%	<b>24.44%</b>		Better	Appeals allowed as a % of appeals submitted for CDC area. 11 allowed out of 45 submitted.	30%
<b>LPI 124a</b>	SDNP Area - Planning appeals allowed	Lower is better	37.04%	30%	<b>35.29%</b>		Better	Appeals allowed as a % of appeals submitted for SDNPA area. 6 allowed out of 17 submitted.	30%

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**Chichester District Council**

**Cabinet**

**6 July 2021**

**Covid Outbreak Management Fund**

**1. Contacts**

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**2. Recommendation**

**2.1 Cabinet recommends to Council that the Covid Outbreak Management Fund grant allocation be spent as set out in section 5.**

**2.2 Cabinet Recommends to Council that delegation be given to The Chief Executive to vary allocations of funding between the headings in section 5 following consultation with the Leader of the Council.**

**3. Background**

3.1 In 2020-21 the Government issued payments of Covid Outbreak Management Funding (COMF) to upper tier authorities ie West Sussex County Council, but with an expectation that a proportion of funding would be passed on to District and Borough Councils to meet additional spent related to COVID management. The funding can be used up to March 2022. West Sussex have recently advised us that our allocation for 2020-21 is £414,681.

3.2 In 2021-22 the Government have allocated sums directly to District and Borough Councils, and we have been advised that our allocation is £146,955. We therefore have a total budget of £561,636. There is no indication as to whether this fund can also only be used to March 2022, but it would be prudent to assume that this would be the case.

3.3 The purpose of the grant is to provide funding to local authorities in England to be used for test, trace and contain activity to reduce the spread of coronavirus in their area and to support local economies and public health. Any funds that are not utilised for these purposes must be repaid.

**4. Outcomes to be Achieved**

4.1 The purpose of this report is to seek member approval to utilise the funding in accordance with the government conditions, and to seek delegation to enable funding to be used flexibly and quickly should that be necessary.

## 5. Proposal

5.1 The proposals for the utilisation of these funds are set out in the table below for consideration. Due to the overall value of the proposals, these will need to be reported to Council for final sign off.

5.2 It may become necessary to switch funding between these different headings depending on conditions at the time. It is therefore also proposed that some delegation be given to enable officers to respond quickly.

<b>Funding</b>	<b>Details</b>	<b>Bid</b>
Discretionary Housing Payments (DHP)	We are expecting a surge in homelessness due to the impact of Covid, with unemployment rising, people on furlough, reduced income and in particular when the eviction ban is lifted. We would like to increase our Discretionary Housing Payment fund in order to help prevent homelessness.	£100k
Homelessness Prevention Fund	The Council has a small homelessness prevention fund which is used for people who are vulnerably housed and may have housing related debt which limit their options and often excludes them from social housing. This pot is a safety net for people who may not qualify for DHP as they are not in receipt of HB.	£50k
Debt recovery & support	To assist and support residents and businesses with arrears including but not limited to Business Rates, Council Tax, Housing Benefit, corporate debts i.e. estates, housing etc. This includes ensuring they are receiving all benefits entitled to, receiving debt management advice etc. The whole ethos is to help people get themselves straight following the Covid pandemic  Potential purchase of license for one year of TellJo App which could help us understand where customers are financially vulnerable and signpost them to assistance. If purchased by WSCC the equivalent amount £27k to be added to the Hardship fund.	£125.8k
Rough Sleepers	Funding for 'personalisation' aimed at the Covid 19 rough sleeping cohort. This could be used for anything from rent deposits, furniture for a new home, gym memberships, training or English lessons.	£30k
Assertive money advice	There are rising levels of debt, tenancy breakdowns and resulting homelessness. There is a case for some assertive money advice support service in partnership with DWP or CAB.	£35k

PR	Newspaper/ Radio advertising to support safety messages and support for local businesses c. £7k Social media boosts £2k Branding design £2k Adverts – car park, vehicles, pull up flyers £4k	£15k
Ambassador Service	As we move out of lockdown, compliance with Covid safety measures will be critical. This service supports the high street, increases public confidence to visit, assist with high footfall areas/tourist hotspots encouraging compliance with non-pharmaceutical interventions. £46.8k was previously agreed. The proposal is now to extend this service with a further allocation of £17k.	£63.8k
CIRO	Covid Information Recovery Officer post x 1 is critical to supporting high street, liaison between business owners, public, ambassadors, HP team and Licensing team. Work with businesses to ensure operating covid safely, keep businesses up to date with changing Covid legislation.	£40k
EHO/TO Resource	1 additional technical officer/EHO for the HP team up to Dec 2021 for Covid 19 preventative interventions – engaging with businesses regarding covid compliance, targeted Covid guidance, outbreak and case interventions, covid hotspot interventions, event management, responding to complaints and ambassador reports.	£102k
TOTAL		£561.6k

## 6. Alternatives Considered

6.1 None. The funding would need to be returned to WSCC and the Government if not utilised to support our community.

## 7. Resource and Legal Implications

7.1 None beyond the spending of grant funding. Management of these initiatives will be absorbed within existing teams.

## 8. Consultation

8.1 Senior officers and cabinet members have been consulted to prioritise the spending of COMF funding.

## 9. Community Impact and Corporate Risks

- 9.1 The purpose of COMF funding is to protect public health, help reduce the spread of Corona Virus and support local economies. The initiatives that have been identified in this proposal will have a positive impact in those regards.
- 9.2 Failure to utilise the funding in this way would result in the funds having to be repaid, and a missed opportunity for our communities.

## 10. Other Implications

	Yes	No
<b>Crime and Disorder</b>		X
<b>Biodiversity and Climate Change Mitigation</b>		X
<b>Human Rights and Equality Impact</b>		X
<b>Safeguarding and Early Help</b>		X
<b>General Data Protection Regulations (GDPR)</b>		X
<b>Health and Wellbeing</b> Yes, The proposals should have a positive impact.	X	
<b>Other - None</b>		X

## 11. Appendices

- 11.1 None.

## 12. Background Papers

- 12.1 None.



**Chichester District Council**

**Cabinet**

**6 July 2021**

**The Council's proposed Hackney Carriage and Private Hire Licensing Policy and Conditions 2021**

**1. Contacts**

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**2. Executive Summary**

To provide Members with an overview of the consultation responses received in relation to the Council's Draft Hackney Carriage and Private Hire Licensing Policy and Conditions 2021. To seek approval of the subsequently revised proposed Policy.

**3. Recommendation to Council**

- 3.1 That the revised proposed Hackney Carriage (Taxi) and Private Hire Licensing Policy 2021 at Appendix C be approved, subject to any further amendments made by the General Licensing Committee and/or Cabinet.**

**4. Background**

- 4.1** The Council's existing Policy and Conditions were formulated and adopted by the General Licensing Committee in 2012. It is essential that the Council continues to have a robust, fair, and clear Taxi and Private Hire Licensing framework that is fit for purpose. The Policy and Conditions must adequately consider and deal with any current and emerging issues and, ultimately, must meet the overriding objective of public safety. To that end it has been necessary to conduct a comprehensive review.

- 4.2 In July 2020, the Department for Transport (DfT) published the document entitled '*Statutory Taxi & Private Hire Vehicle Standards*' under section 177(1) of the Policing and Crime Act 2017. The focus of these Standards is on protecting children and vulnerable adults from harm, however naturally all passengers will benefit from any changes made as a result of their implementation. The document sets out a framework of policies to which Licensing Authorities must have regard when exercising their functions. The DfT expects all recommendations within the Standards to be implemented unless there is a compelling local reason to not do so.

## **5. Outcomes to be achieved**

- 5.1 The revised proposed Policy and Conditions shown at Appendix C will ensure that not only will the Council continue to comply with its duty to administer and enforce the various provisions relating to Taxi and Private Hire Licensing, but it will also comply with the DfT National Standards, along with assisting the Council in delivering its recent commitment to reduce greenhouse gas emissions.

## **6. Proposal**

- 6.1 In order that the Council fulfils its various statutory duties, it must have a clear licensing framework which is fit for purpose and adequately addresses all current and emerging issues. Such a Policy is essential to both the Council and those who apply for or hold a licence.
- 6.2 It is proposed that the revised Policy be adopted for a period of five (5) years, although kept under review throughout, and reviewed at an earlier time if deemed necessary.
- 6.3. Should the revised Policy be adopted, it will be necessary for the various Conditions attached to driver, vehicle and operator licences to be reviewed and updated to reflect any policy changes: Officers will attend to this as soon as possible after adoption of any revised Policy.
- 6.4 It is essential that Conditions attached to all licences remain appropriate and achieve the overriding objective of public safety. Therefore, Officers will keep Conditions under review and, where it is necessary to update any, such revision will then be reported to the General Licensing Committee.

## **7. Alternatives Considered**

- 7.1 No alternatives are available as the proposed revised Policy relates directly to the Council discharging its statutory duty to both administer and enforce the various statutory provisions relating to driver, vehicle, and operator licensing. The Council must have due regard to the DfT Standards, and the proposed Policy will align this Authority's practices and procedures with these.

## **8. Resources and Legal Implications**

It is expected that the proposed revised Policy will have a positive effect on all parties involved in the licensing regime: It will clearly set out the Council's position on Taxi and Private Hire Licensing matters.

## 9. Consultation

9.1 A nine (9) week public consultation exercise was undertaken between 1 March 2021 and 2 May 2021 which engaged a wide range of interested parties:

- All holders of a current driver, vehicle or operator's licence;
- all Divisional Managers at Chichester District Council;
- Environmental Protection Team and Chichester Contract Services at Chichester District Council;
- West Sussex County Council (both Highway and Education teams);
- Department for Transport;
- Sussex Police;
- members of the East and West Sussex Licensing Liaison Group (this includes all Councils within both counties);
- Havant Borough Council, Portsmouth City Council, and Southampton City Council.
- National Association of Licensing and Enforcement Officers (NALEO);
- Driver and Vehicle Standards Agency (DVSA);
- current approved providers of the Driving Standards Agency driving assessment (Blue Lamp Trust, Sussex Taxi Training, and Castle School of Motoring);
- Chichester Access Group.

9.2 All consultees were advised of the consultation period and provided with a link to the draft Policy which was displayed on the Council's website.

9.3 A total of 13 written responses were received, 2 of which were from the same respondent: Included at Appendix A are copies of all responses.

9.4 All responses were recorded on the 'Register and Summary of Responses' document at Appendix B. All responses have been carefully considered by Officers and any appropriate changes believed necessary have been incorporated into the proposed revised Policy.

9.5 During the consultation period Officers also reviewed the draft Policy. A number of proposed additional amendments have been suggested and included within the proposed revised Policy, and these are summarised below:

- (i) Illegally-altered (e.g. 'Clocked') vehicles, i.e. something which calls into question the history of the vehicle, have been presented for Licensing, but there is no legislation to rebuff these, the only recourse being to require confirmation from the vehicle insurer of their being aware of the fact. Proposal to refuse applications where it appears that a vehicle has been illegally altered. **(Paragraph 20 of proposed policy)**
- (ii) Hackney Carriage Vehicles are required to have a min. 2mm tread on tyres, and no remoulds/ re-cuts. The proposal is to extend this same standard to Private Hire Vehicles with an additional requirement re tyre condition and prohibition of foreign objects in the tread. **(Paragraph 20.3 of proposed policy)**

- (iii) Passengers carried in a Hackney Carriage Vehicle are required to be visible from outside. The proposal is to extend this same standard to Private Hire Vehicles unless exception granted (e.g. for a stretched limo) with the written permission of the Licensing Authority. **(Paragraph 20.4 of proposed policy)**
- (iv) Currently there is no control in relation to the use of trailers, roof-boxes and roof-racks on a Licensed Vehicle, this being a safety concern. A general prohibition is to be applied in respect of trailers, roof-boxes, and roof-racks unless exception granted with the written permission of the Licensing Authority. **(Paragraph 20.5 of proposed policy)**
- (v) Registration marks must always comply with all legal requirements of spacing, font, and size. Additionally, where a personalised registration mark is to be applied to an already-licensed vehicle, then this process must be carefully managed to ensure that the Licence Plate always reflects the correct registration mark. The need to follow the Licensing Authority's instructions to change a registration mark is explained. **(Paragraph 20.6 of proposed policy)**

## 10. Community Impact and Corporate Risks

None

## 11. Other Implications

	Yes	No
<b>Crime and Disorder</b>		✓
<b>Biodiversity and Climate Change Mitigation</b>		✓
<b>Human Rights and Equality Impact</b>		✓
<b>Safeguarding and Early Help</b>		✓
<b>General Data Protection Regulations (GDPR)</b>		✓
<b>Health and Wellbeing</b>		✓

## 12. Appendices

- Appendix A Consultation Responses.
- Appendix B Register and Summary of Responses.
- Appendix C Proposed Hackney Carriage and Private Hire Policy and Conditions 2021.

## 13. Background Papers

[Department for Transport \(DfT\) publication 'Statutory Taxi & Private Hire Vehicle Standards' \(July 2020\).](#)

Appendices (A-K) referred to within the Proposed Hackney Carriage and Private Hire Policy and Conditions 2021 were previously presented to General Licensing Committee at the 10<sup>th</sup> February 2021 meeting. These remain unchanged.

[BACKGROUND PAPERS\Appendix A - Hackney Carriage and Private Hire Vehicles - National Inspection Standards - August 2012.pdf](#)

[BACKGROUND PAPERS\Appendix B - Conditions relating to the Construction and Licensing of Hackney Carriages - December 2012.pdf](#)

[BACKGROUND PAPERS\Appendix C - Hackney Carriage Byelaws \(v2\) \(10.02.21\).pdf](#)

[BACKGROUND PAPERS\Appendix D - Fees \(v1\) \(27.01.2021\).pdf](#)

[BACKGROUND PAPERS\Appendix E - Convictions Policy \(v1\) \(10.02.2021\).pdf](#)

[BACKGROUND PAPERS\Appendix F - Knowledge Test \(v2\) \(10.02.2021\).pdf](#)  
[BACKGROUND PAPERS\Appendix G - Guidelines for Private Hire Vehicle Safety Partition Screens \(v2\) \(24.06.2020\).pdf](#)  
[BACKGROUND PAPERS\Appendix H - Seating Configurations.pdf](#)  
[BACKGROUND PAPERS\Appendix I - Private Hire Driver Licence Conditions \(v2\) \(10.02.2021\).pdf](#)  
[BACKGROUND PAPERS\Appendix J - Private Hire Vehicle Licence Conditions \(v2\) \(10.02.2021\).pdf](#)  
[BACKGROUND PAPERS\Appendix K - Private Hire Operators Licence Conditions \(v2\) \(10.02.2021\).pdf](#)

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TPR1

**From:** Rogate Cars <[REDACTED]>  
**Sent:** Monday, March 1, 2021 10:31 PM  
**To:** Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
**Subject:** Mot & Fitness testing

Hi

The only comment I would like to make, is that I believe you should use other garages for fitness and MOTs. ( still use your garage as well )

Hampshire and other licensing authorities have quite a few registered garages for the above.

I appreciate it will knock your income, but we struggle with just having fitness tests on certain days not 5 days a week. Perhaps put your services up to a 6 day working week like all other garages.

Thanks Kevin Farren

Rogate & Midhurst Cars [REDACTED]  
[REDACTED]

## TPR2

**From:** Sean M (Uber) <[REDACTED]>  
**Sent:** Tuesday, March 2, 2021 8:59 AM  
**To:** Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
**Subject:** Re: Consultation - Draft revised Hackney Carriage and Private Hire Policy and Conditions



Your request (77323) has been updated. To add additional comments, reply to this email.



**Sean M (Uber)**

Mar 2, 2021, 8:59 GMT

Hi Licensing Team,

Thank you for bringing this to our attention. We will ensure to take the appropriate action.

If there is anything else we can do to assist in this regard, please don't hesitate to let us know.

Kind regards,

Sean M



TPR3

From: kim mullen <[REDACTED]>  
Sent: Wednesday, March 3, 2021 9:55 AM  
To: Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
Subject: Re: Consultation - Draft revised Hackney Carriage and Private Hire Policy and Conditions  
From Kim Mullen  
Badge no [REDACTED]  
Station Taxis  
Reg no. [REDACTED]

Dear sir/madam

Section. Part D section 20

In reply to your email 1-3-21 regarding vehicles over 10 years old, which have to be replaced when the vehicle is 10 years old.

Vehicles have been given a 5 year term before replacement is necessary, this is unfair to drivers of newer vehicles. There are several vehicles working the rank at the station that are 2008 and 2009 registered vehicles, this means that those vehicles will be 17-18 years old when they will need to be replaced. This seems that driver's of newer vehicles are being penalised for having newer vehicles.

I will need to replace my vehicle when it is 10 years old. This seems totally unfair and discriminatory to those newer vehicles.

Surely staggering this replacement of vehicles should be considered.

Yours Sincerely

Kim Mullen

[Sent from Yahoo Mail for iPhone](#)

TPR4

**From:** Central Cars <[REDACTED]>  
**Sent:** Wednesday, March 3, 2021 10:14 AM  
**To:** Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
**Subject:** 'Hackney Carriage/Private Hire Policy Consultation Response  
Attn David Knowles-Ley

David,

With reference to the above can you please clarify the following :-

**Licence holders will be required to conduct and evidence that Basic DBS Criminal Record checks have been conducted on booking & dispatch staff, and maintain a record of such checks for inspection by this Licensing Authority**

At the start of lockdown in March 2020 we vacated our office and all of our operating staff now work remotely from home. They do not have face to face contact with any customers - all their work is carried out on the phone. We do not anticipate returning the staff to an office in the foreseeable future and wonder if and why a DBS check is necessary. All of our operating staff have worked for us in excess of 10 years.

Look forward to hearing from you  
Carole Foster  
Central Cars

## TPR5

**From:** adrian arnell <[REDACTED]>  
**Sent:** Wednesday, March 3, 2021 1:16 PM  
**To:** Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>

**Subject:** Re: Consultation - Draft revised Hackney Carriage and Private Hire Policy and Conditions

Hi There i could not find section 20 which relates to the text below and was wondering how this effects a 5 year old taxi in the long term thank you.

Currently, vehicles proposed for licensing must either be compliant with the Euro IV emissions standard or have been previously licensed. The proposal is to require that vehicles the subject of a new vehicle licence application (irrespective of whether or not previously licensed) must comply with the current or immediately preceding Euro emissions standard (or any subsequent standard replacing it) and will only be licensed up to a maximum of ten years from date of first registration. Existing licensed vehicles will benefit from a five year transitional period which will allow licence holders time to prepare to replace their vehicle(s). **(Section 20 of the policy)**

**Adrian Arnell**

---

## TPR6

**From:** John Hoole  
**Sent:** 04 March 2021 14:12  
**To:** David Knowles-Ley  
**Cc:** Steve Bingham; Jon Munday  
**Subject:** Drivers

David

Both myself Simon and Andrew are having difficulty now with drivers turning up who can't speak any English, it takes up a lot of our time trying to explain stuff to them which they do not understand. Could you please include an English language qualification into the entrance exam, it would make our lives at the depot a lot easier,

Regards



**John Hoole**

Transport Manager  
Vehicle and Plant Workshop  
Chichester District Council

Ext: 21183 | Tel: 07766206522 | [jhoole@chichester.gov.uk](mailto:jhoole@chichester.gov.uk) | Fax: 01243 532695

<http://www.chichester.gov.uk>

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TPR7

From: Katy Fletcher [REDACTED]  
Sent: Monday, March 15, 2021 2:39 PM  
To: Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
Subject: Consultation response

Dear Sir/ madam

I have read the changes regarding the licensing of private hire/ hackney cabs. I was disappointed to find that there was no change to the requirement that every private hire driver needs a medical every year after the age of 60 years.

I have written to you on this matter before and I was told that when the consultation period arrived this matter would be considered but I have found no mention of it.

At this time with the coronavirus constrictions and having survived three lockdowns I am still in business but there is no work. I am now 62 years old and do not get my pension until I am 66 years old therefore I will have to continue to work maybe until I am 70 years old. To have to pay for a medical each year at the cost of £120 each time when I have no underlying health conditions seems to me to be an unnecessary expense and one at this time that I could do without on an annual basis.

Last year I could not get a medical until October - it was due in July! And I will have to get another one this July which makes it less than a year!

Again I wrote to your department last year about this but received no response.

We have all these expenses to pay - licences from CDC , car tax, insurance, fitness tests MOTs and servicing etc and we can't even work!

I would like to request an exemption from my next medical in view of the current situation and a review of all our expenses already paid for this year with no work. I am sure I am not the only taxi driver who is in this position and it would be great to have your support or a gesture of goodwill towards me and my fellow workers.

Regards

Katy Fletcher

Sent from my iPhone

TPR8

**From:** The office Rogate and Midhurst Cars [REDACTED]  
**Sent:** Wednesday, March 17, 2021 11:31 AM  
**To:** Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
**Cc:** David Knowles-Ley <[Dknowles-Ley@chichester.gov.uk](mailto:Dknowles-Ley@chichester.gov.uk)>  
**Subject:** RE MOT Test advisories ,

Good Morning

Thank you for the last email, is there still time to have my say before this not thought out properly

Legislation becomes legal.

I am not against the idea but I think it needs tweaking, as the last legalisation I campaigned to get it removed, as Chichester district council was putting lives at risk.

I cant see how a Taxi Licencing officer can make a mechanical decision, too in force in Monitor and repair if necessary (advisories ) on the MOT if it gets mentioned twice in a yearly period.

If there is a defect which is dangerous or liable to be dangerous it would fail, a high per portion of MOT testers see the advisory sheet and duplicate the wording if they see the part hasn't been replaced. Things like a stone chip in zone b on a windscreen would be a waste of money to replace, but would a local council taxi admin officer have the knowledge to say replace or its structurally ok.

Don't get me wrong I think it is good to raise standards, but it needs to be implemented with common sense and to have qualified vosa approved people making the decision.

Many thanks Kevin Farren

Sent from [Mail](#) for Windows 10



## TPR9

**From:** Enzo Caira [REDACTED]  
**Sent:** Thursday, March 18, 2021 10:59 AM  
**To:** Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
**Subject:** Subject : Hackney Carriage/Private Hire Policy Consultation Response'  
Dear Sir/Madam

I wish to comment with regard to Annex 1, Vehicles, Section 20 of the policy.

If I understand this correctly, these proposals mean that the 65 Plate Vehicle I bought in 2019 will have its final licence in 2024 when it will be 9 years old. I will finish paying the finance in 2024, at which time I will be required to finance another vehicle less than 10 years old to continue operating as a Hackney vehicle in Chichester.

In the meantime there will be a substantial number of vehicles that are currently over 10 years old having the benefit of a further 5 year "transitional period" in order to make provisions to replace their vehicles.

If these proposals come into force this year (2021), it means that whilst I am unable to Licence a 10 year old vehicle after 2024, there will be vehicles over 15 years old being allowed to renew their current Hackney Licence up until 2026.

These proposals are heavily weighted in favour of Drivers who have made no significant investment in recent years, and are punitive towards those of us who have made recent major financial commitments to our trade.

Regards

Enzo Caira  
Tel: [REDACTED]

## DRAFT HACKNEY CARRIAGE AND PRIVATE HIRE

### POLICY AND CONDITIONS 2021 – CDC Climate Change Officer Response

#### Introduction

This response concerns Section 20 of the consultation document. The draft policy in Section 20 has been modelled to assess if it would aid meeting CDC's district wide target to reduce greenhouse gas emissions.

#### Background

To provide some background to the target, in July 2019 CDC declared a Climate Emergency. This led to the production of an initial action plan that was approved by full council in January 2020. The action plan contained a target of reducing greenhouse gas emissions in the district by 10% year on year until 2025. Taking the year in which the emergency was declared (2018-2019) as the base year, this would lead to cumulative reductions of 47% by 2020-2021.

Section 20 states that all vehicles must comply with the current or immediately preceding Euro emissions standard (or any subsequent standard replacing it) at the point of application to be licensed for the first time. The draft policy would also apply to vehicles whose registration is being renewed (see Section 20 for specifically how it would apply) after a five year transition period.

#### Modelling

In the modelling it is assumed that the draft policy is implemented on October 2021. The transition period would therefore end in October 2026. The model only tests whether the new policy will lead to a 47% annual reduction in emissions from the base year. This is because it is not known when taxi-drivers will change their vehicles in response to the new policy. So the model assumes that they wait until the deadline before complying. Therefore it does not test whether the policy will lead to the 10 % year-on-year reduction in emissions which is better for reducing climate change. This is a weakness due to one of many pieces of missing information. The key data gaps are outlined next.

By 2026, it is expected that a new Euro emissions standard (Euro 7) will be in place replacing the current latest standard Euro 6. A difficulty with modelling the effect of the policy is that the carbon dioxide emission ceiling for Euro 7 vehicles is not yet known and expert advice has had to be sought for a prediction. Hence it is assumed Euro 7 will be 50gCO<sub>2</sub>/km.



A second point to make is that the number of taxis, specifically Private Hire Vehicles, licensed by CDC grew significantly in pre-Covid years. The reason this is important is that a growth in the number of vehicles licensed as taxis will reduce or even possibly eliminate any emission reductions due to higher emission standards.

Based on discussions with the Licensing team, this growth has been attributed to Uber selecting Chichester District Council as one of the councils at which gets its vehicles licensed. This decision by Uber took effect in December 2016. In the following year, the number of taxis licensed by CDC grew by 9%, and subsequently 13% growth (2018), and 13% (2019). Prior to Uber joining growth was 3-4% pa. It has been assumed that in future growth will return to a pre-Covid average rate of 12% a year. However, Uber will have to decide in December 2021 whether to renew its use of CDC as a licensing hub.

As Uber does not use every local authority as a licensing hub, this raised the question of whether more vehicles with addresses outside of Chichester district were being licensed by CDC. This is important because vehicles with addresses some distance from Chichester district are unlikely to do much mileage in Chichester and therefore their emissions would not count towards our target. Available data suggests that CDC has been licensing a greater percentage of vehicles in non-neighbouring local authorities e.g. Southampton, Portsmouth, even Walsall. However, the percentage of vehicles in neighbouring authorities has reduced by a commensurate amount. The initial conclusion is that pre-Covid there was roughly equal percentage increase in the numbers of taxis with addresses inside and outside of the district.

In estimating the carbon dioxide emissions from the draft policy, I have assumed:

- 75% of the mileage of those taxis registered in Chichester district takes place in the district.
- 25% of the mileage of those registered in adjacent local authorities (Havant, Arun, Horsham, Waverley, East Hants) takes place in the district.
- 0% of the mileage of those registered in non-adjacent local authorities takes place in the district.

This assumption on mileage has been applied in a model that goes to 2027, a year after the transition period has ended.

It has already been agreed with the Licensing Manager that this modelling will be repeated annually, progressively reducing the data gaps and that the Climate Change Officer will contact the University of Chichester to see if a student/s are interested in improving the model as a research project.

## Results

Looking at 2027, emissions will hardly be reduced (-4%) if vehicles switch to Euro 6. If they switch to Euro 7, emissions will be reduced by 34%. This is considerably better, but the target is for emissions to have reduced by 47% by 2025.

## Conclusions

These numbers show that other actions in the district will have to make up for a shortfall in emissions reductions if vehicles are replaced by Euro 6 vehicles rather than vehicles with emissions at 50gCO<sub>2</sub>/km, the assumed rate for Euro 7. That will be difficult as the scale of change required in all sectors is already very challenging.

It is therefore vital that CDC encourages vehicles to be switched for vehicles with emissions at 50gCO<sub>2</sub>/km or lower. This will also be difficult because taxi-drivers are expected to buy second-hand vehicles rather than new and the second-hand market in vehicles with emissions of 50gCO<sub>2</sub>/km or lower is small. Therefore the following paragraphs outline some suggestions in trying to make it more feasible for taxi-drivers to make the switch.

## Recommendations

The suggestions draw heavily on a comprehensive report which was produced by Uber in 2020. Uber – the largest mobility platform in the world - has made the following commitment: by 2040, all rides on its platform across all global markets will be in vehicles without any exhaust emissions - whether it is a car, bike or scooter - or on public transport. In Europe specifically it is attempting to make faster progress. Its focus is battery electric vehicles (BEV) with no exhaust emissions i.e. it excludes hybrid EVs.

### Proposal 1: Reduced fees for lower emitting vehicles

Have a differentiated set of charges for licensing and renewal depending on gCO<sub>2</sub>/km of the vehicle. The average emissions of CDC licensed taxis is 139g CO<sub>2</sub>/km (2 September 2020). All vehicles with emissions above the mean average could pay more offsetting reduced rates for those below the mean average.

### Proposal 2: Install EV chargers near homes of EV taxi drivers

West Sussex County Council is responsible for rolling out roadside electric vehicle charge points. The council could prioritise the installation of charge-points near the homes of taxi-drivers interested in using electric. The recommendation is to resume the discussion with WSCC on this proposal.

Drivers prefer charge-points located where they park their vehicles overnight. Uber identifies the lack of appropriate charging as one of its three key barriers to BEV adoption. Uber makes the point that high-kilometre commercial drivers usually do not live in homes with their own driveway enabling them to install their own EV charge-point, so they are reliant on public infrastructure. Furthermore the charge-point needs to be located close to their home or they lose earning time in travelling to and from the charge-point.

A system could be set up so that these drivers could request that a charge-point is located near their home if they have committed to switching to an EV. While it would not be possible to guarantee them access to a public resource, setting up EV charge-points in groups of two would increase their chances of getting access when they need to and installing two at the same time would offer economies of scale. Prioritising high-kilometre commercial drivers over domestic car users makes environmental sense as they drive more. Furthermore, **providing charging at the request of a driver (or group of drivers) guarantees the**

demand needed to make the case for investment (Uber 2020). Uber has said it can provide aggregated data on where charging for its drivers may be required.

#### Proposal 3: A “try before you buy” day

Brighton & Hove City Council surveyed taxi drivers and found that their biggest concern about switching to EVs was that they would be low or sluggish to drive followed by them being expensive to run. This could be addressed by a “try before you buy day”. Taxi drivers would be invited to test out EVs. CDC could have laptops on hand to calculate the Whole Life Costing of the vehicles to drivers using the software that is already available on the CDC website.

#### Proposal 4: Look at ways to reduce the capital cost of EV

The Government has a [plug-in grant scheme](#) to incentivise electric vehicle purchase. It varies according to the vehicle and ranges from £2,500 to £7,500. It covers purpose built taxis as well as passenger cars and vans. However, electric vehicles are still more expensive than their petrol and diesel alternatives. So four options have been presented, all of which would require development to assess their feasibility.

Some councils (Southampton City Council and Eastleigh Borough Council) have offered cash back for replacement of a more polluting taxis with a low emission alternative. The amount of cash back varies between £1,500 and £3,000 depending on the alternative (Low Emission Taxi Guide p16). The reduction in greenhouse gases per pound spent could be estimated to see if this represented value for money. An alternative would be to work with a regulated financial intermediary to offer no-interest loans underwritten by the council.

A third option would be to introduce EV leasing businesses to taxi-drivers by organising a workshop at which leasing businesses can present their offers and taxi-drivers can have help in assessing the running costs of EV versus petrol/diesel vehicles.

A fourth option would be to look at an initiative of Oxford City Council. It has helped drivers offset the cost of switching to an EV by helping them to secure on car advertising.

#### Proposal 5: EV rapid charger at Chichester rail station taxi rank

It might reassure driver anxieties about being caught short of battery power if a rapid charger was available at the train station taxi rank. A rapid charger is much more expensive than slow or fast chargers at £20k-40k. Oxford City Council was proposing to install four across the city with priority for taxis. We could ask how this priority works and how the initiative has gone.

#### Sources

- [Uber report](#) “Spark! Partnering to Electrify in Europe” published in September 2020 in which Uber committed itself to assisting with the substantial electrification of vehicles in Europe on the Uber app. See Executive Summary p11-19.

- [“The Low Emission Taxi Guide - Helping local authorities implement low emission taxi and private hire vehicle schemes”](#) from the Low Carbon Vehicle Partnership and Energy Saving Trust. Published in 2018. Particularly p16-25.
- “Engaging with the taxi trade - the switch to electric vehicles” a presentation by Paul Nicholls of Brighton & Hove City Council in January 2019. All relevant
- [“Taxi and Private Hire Action Plan 2016”](#) from Mayor for London and Transport for London. See page 11.

TPR11

From: Owen Watkins [REDACTED]  
Sent: Thursday, April 29, 2021 10:34 AM  
To: Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
Subject: Hackney Carriage/Private Hire Policy Consultation Response

[Next](#) [Last](#)

O.J. WATKINS  
[REDACTED] ACE,

DATE : 29/04/2021  
Tel: [REDACTED]

Section 20

Only allowing a Hackney Carriage to be licensed up to an age of 10 years could detrimental to the trade for the following reasons.

1) The cost of a brand new Hackney Carriage including interest on a five year finance plan plus a £1000 deposit is about £43,600.00. Thus on a 10 year lifespan this equates to £4,360 per annum just for the vehicle. A lot of current and prospective drivers would find these costs excessive and quite possibly totally unworkable by the time you add in the other standing costs such as Insurance, Road Tax, Rank Permit, Licensing Fees, Tyres and Servicing.

2) With reference to the above there is a real possibility that the Taxi Fleet will shrink. The knock on effect of this would be lack of availability and a lack of WAV vehicles wether they be off the rank or off the phone.

In conclusion I would rather see a London type of system whereby Euro 6, Electric and LPG Conversions have a 15 year lifespan. This would make it more workable for the Trade and keep the supply of taxis and WAV's at a higher level.

[Sent from Yahoo Mail for iPad](#)

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LEGAL DISCLAIMER

TPR12

From: Farshad Ahmadian [REDACTED]  
Sent: Sunday, May 2, 2021 6:19 PM  
To: Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
Subject: Hackney Carriage/Private Hire Policy Consultation Response  
Farshad Ahmadian  
Tel: [REDACTED]  
[REDACTED]

Dear sir

Reference your email of March 1st concerning the changes to the current licensing standards for Hackney Carriage and Private Hire, I have the following comment for your consideration.

I do not agree with the age limits for Hackney Carriage and Private Hire Vehicles as the 10 year limit does not reduce pollution or improve on any safety. An effective and responsible organisation would implement the latest Euro standards for all vehicles especially Euro 6 for diesel vehicles to reduce pollution and improve safety.

An upto 10 year old vehicle could have very high mileage (over 500k) and be unsafe due to the lack of unscheduled testing or inspection. Some Private Hire Vehicles Licenced by CDC are driven in other cities outside CDC area without any regards to conditions or standards set by CDC. They exchange or borrow safety equipments to get through the CDC test and then the are not seen for another year to 6 month depending on their next test schedule.

I also object to the 5 year time limit you have given to all Hackney Carriage Vehicles despite their age or condition. This will have the highest financial impact on some of us especially as our vehicles have recently been purchased to comply with the latest standards set by Transport for London which is higher than CDC. Basically my £25,000 investment is getting the same limit as the £700 investment recently someone purchased from London.

I personally feel that the CDC should have more none schedule road testing, improve on their inspection (no rust, no dent, good paint, no internal tear or defects, ext) or taking a ride in the vehicles instead of a 10 year old age limits across the board. The perfect example of bad cars and drivers under 10 years old are Arun District Council vehicles.

Clean and well presented Cabs and drivers should also be your drive for further improvements like what it used to be in Chichester.

I hope someone will take note of my comments and this email will not be field under "B" for bin!

Kind regards  
Farshad Ahmadian  
Tel: [REDACTED]



## TPR13

From: Jim Rendall [REDACTED]  
Sent: Sunday, May 2, 2021 7:48 PM  
To: Taxilicensing <[Taxilicensing@chichester.gov.uk](mailto:Taxilicensing@chichester.gov.uk)>  
Subject: Hackney Carriage/Private Hire Policy Consultation Response  
J Rendall.

[Next](#) [Last](#)

Tel: [REDACTED]

DATE 2/4/21

Section 20

The decision of only allowing a Hackney Carriage vehicle to reach 10 years of age before it can no longer work in Chichester will, in my opinion, be detrimental to the Hackney Carriage trade in the district and, more than likely, bring about an end to "black cabs" in this city. My main 2 reasons for believing this are set out below.

The cost.

To purchase a brand new purpose built taxi, over 5 years with interest payments, would cost somewhere around £43,500.

On a 10 year lifespan, just for the vehicle and NOT including insurance, MOTS, fitness tests, servicing, fuel and tyres, you'll be looking at around £4,350 per year. Add to that the listed items above and driving a black cab becomes VERY expensive, to the point where a new driver joining the trade would have to seriously think whether it is worth it, or have some major cash behind them to start with. And thats not to mention current drivers who will have to upgrade to a new vehicle when theirs reaches the age limit.

The loss of vehicles and drivers and wheelchair access.

With these new regulations in place I believe the number of drivers and vehicles on the road will diminish greatly and will, thusly diminish the number of wheelchair accessible vehicles in the district available for disabled passengers as private hire are not generally "wheelchair friendly." By that I mean there are not many private hire vehicles that a wheelchair can fit into, either with the disabled person still in it or just the wheelchair in the boot. And there are some disabled people who are unable to get out their chairs so these people will be effectively barred from taxis in Chichester.

Conclusion.

In conclusion I believe a better system would be to adopt a London style system whereby Euro 6, Electric and LPG conversions have at least a 15 year lifespan. After that time frame has passed I believe vehicles should be judged individually on their suitability to continue working ie. bodywork, chassis, interior condition. There is no rule that states a driver must stop working at a certain age, as long as he/she can still pass the necessary medical requirements. Why can't a vehicle be treated in the same way? As long as it can pass the necessary mechanical tests, national emission laws and looks neat and tide, no big rust patches etc, why can't it keep working?

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**Register and Summary of Responses to consultation exercise on the  
Draft revised Hackney Carriage and Private Hire Policy and Conditions  
(Consultation Period – 1<sup>st</sup> March 2021 to 2<sup>nd</sup> May 2021 inclusive)**

<b>Ref.</b>	<b>Respondent</b>	<b>Date Received</b>	<b>Comment(s)</b>	<b>Licensing Authority Appraisal</b>	<b>Licensing Authority Response</b>
<b>TPR1</b>	Kevin Farren Rogate Cars (Licence Holder)	01/03/2021	<p>Paragraph 21.3</p> <p>(a) Use other garages for MOT and Fitness Tests;</p> <p>(b) Fitness Tests 6 days/ week.</p>	<p>(a) MOTs can already be undertaken at any Driver and Vehicle Standards Agency (DVSA) approved MOT testing station and there is no proposal to change this. Regarding Fitness Test, CCS is independent and verifiable.</p> <p>(b) CCS amenable to the idea subject to volume of work and availability of staff.</p>	<p>(a) No change required to proposed Policy.</p> <p>(b) No change required to proposed Policy.</p>
<b>TPR2</b>	'Sean M' Uber	02/03/2021	<p>(a) Acknowledging receipt of consultation, however no comments at this stage.</p>	<p>(a) Noted.</p>	<p>(a) N/A</p>

<p><b>TPR3</b></p>	<p>Kim Mullen Station Taxis (Licence holder)</p>	<p>03/03/2021</p>	<p>Paragraph 20</p> <p>(a) Age limit unfair for newer vehicles.</p>	<p>(a) Due to the ongoing climate emergency, there is an urgent need to reduce emissions, and it is necessary to improve/ reduce emissions arising from Taxi and Private Hire vehicles: The proposed 10 year age limit is one mechanism for achieving this with ongoing pollution-reducing improvements in engine design.</p> <p>An already-planned transitional concession is that all existing vehicles over 4 years old will be eligible for a 5 year extension, irrespective of their current age, this to allow existing Licensed proprietors time to plan for replacing vehicle(s). The proposed 10 year age limit for new Applications is considered fair and balanced, also taking into account such other factors as wear &amp; tear on bodywork &amp; interior trim, as well as ongoing improvements in design &amp; safety.</p>	<p>(a) No change required to proposed Policy.</p>
<p><b>TPR4</b></p>	<p>Carole Foster Central Cars (on behalf of Licence holder)</p>	<p>03/03/2021</p>	<p>Paragraph 38</p> <p>(a) Operator staff not public-facing as on phones, so why the requirement for DBS checks?</p>	<p>(a) All Booking &amp; Dispatch staff are public-facing: This is a specific requirement of s.8.7 to 8.12 of the Department for Transport's 'Statutory Taxi &amp; Private Hire Standards' (July 2020)</p>	<p>(a) No change required to proposed Policy.</p>

<b>TPR5</b>	Adrian Arnell (Licence holder)	03/03/2021	(a) Unable to find paragraph in Draft Policy.	(a) The respondent was not looking at the Draft Policy itself: emailed 04/03/2021 with instructions & web link.	(a) N/A
<b>TPR6</b>	John Hoole (Workshop Manager) Chichester Contract Services	04/03/2021	(a) All new applicants should be required to pass an English comprehension test.	(a) Requirement already included within proposed Policy at Paragraph 12. In addition, there is a general and overriding requirement that all licence holders are, and remain, 'fit and proper'.	(a) No change required to proposed Policy.

<p>TPR7</p>	<p>Katy Fletcher (Licence holder)</p>	<p>15/03/2021</p>	<p>Paragraph 14</p> <p>(a) Unfair that an annual medical examination is required for 60+ age group.</p>	<p>(a) The current requirement is that all applicants/ Licensed Drivers must meet the Driver and Vehicle Licensing Agency (DVLA) Group 2 vocational standard. Group 2 is applied by DVLA in respect of individuals it licenses to drive large lorries and buses. To evidence that an individual meets the Group 2 Standard, currently CDC requires a completed D4 Medical Examination report upon initial application, and then every 4 years up until the age of 60, thereafter an annual check. DVLA now requires checks for Group 2 drivers that it licenses every 5 years, and annually from age 65: It is appropriate to align with this. Positively, locally this increased age change should be coupled with an amended Declaration by Medical Practitioner (Form T14) for all Licensed Drivers, enabling the examining Doctor to increase the frequency of checks as they see fit: This will improve public safety in respect of any medical issues in persons of all ages.</p>	<p><b>(a) Proposed Policy amended at Paragraph 14.</b></p>
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<p><b>TPR8</b></p>	<p>Kevin Farren, Rogate Cars (Licence holder)</p>	<p>17/03/2021</p>	<p>Paragraph 21.3</p> <p>(a) Comment made why 'Taxi Licencing Officer' or 'taxi admin officer' able to overrule trained MOT Testers regarding 'advisories' on an MOT.</p>	<p>(a) Noted, however such decisions are/ would be made by experienced Officers and, where necessary, in conference with qualified MOT Testers. MOT Tests only provide a snapshot report for a particular day: Necessarily, other factors including the extremely high mileage travelled by Licensed Vehicles, safety, comfort, and expectations of the travelling public are all factors considered by Officers.</p>	<p>(a) No change required to proposed Policy.</p>
<p><b>TPR9</b></p>	<p>Enzo Caira (Licence holder)</p>	<p>18/03/2021</p>	<p>Paragraph 20</p> <p>(a) Age limit unfair for newer vehicles.</p>	<p>(a) The respondent misread/ misunderstood the age limit proposal, believing that already-Licensed vehicles would be subject to the same criteria as new applications: The already-planned transitional concession is that all existing vehicles over 4 years old will be eligible for a 5 year extension, irrespective of their current age, this to allow existing Licensed proprietors time to plan for replacing vehicle(s). The proposed 10 year age limit for new Applications is considered fair and balanced, also taking into account such other factors as wear &amp; tear on bodywork &amp; interior trim, as well as ongoing improvements in design &amp; safety.</p> <p>[Clarification email sent 18/03/2021]</p>	<p>(a) No change required to proposed Policy.</p>

TPR10	CDC Environmental Protection Team (A.Smith)	22/04/2021	<p>Paragraph 20</p> <p>(a) Reduced fees for lower emitting vehicles;</p>	<p>(a) Licensing Fees are set for cost recovery only, so it is not possible to reduce nor increase them to influence the choice of fuel types of vehicles. However, due to the ongoing climate emergency, there is an urgent need to reduce emissions, and it is necessary to improve/ reduce those arising from Taxi and Private Hire vehicles: The proposed 10 year age limit is one mechanism by which this may be tackled with ongoing pollution-reducing improvements in engine design, together with HM Government's stated intention to cease the sale of petrol &amp; diesel vehicles by 2030. The already-planned transitional concession regarding existing vehicles over 4 years old being eligible for a 5 year extension, is to allow existing Licensed proprietors time to plan for replacing them.</p> <p>The proposed 10 year age limit for new Applications is considered fair and balanced: However to encourage a move towards non-polluting vehicles, pure Electric Vehicles (EV) should be excluded from the age limit proposal, but still be subject to the same robust testing regime as other Licensed vehicles to ensure that aspects such as wear &amp; tear on bodywork &amp; interior trim are monitored, as well as acknowledging ongoing improvements in design &amp; safety, with replacement encouraged as necessary for the safety, comfort, and expectations of the travelling public, together with the public</p>	<p><b>(a) Proposed Policy amended at Paragraph 20.</b></p>
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			<p>(b) Install Electric Vehicle (EV) chargers near homes of EV taxi drivers;</p> <p>(c) Hold an EV “try before you buy” day;</p> <p>(d) Look at ways to reduce the capital cost of an EV;</p> <p>(e) Install an EV rapid charger at Chichester rail station taxi rank.</p>	<p>image of CDC as the Licensing Authority.</p> <p>(b) This is a WSCC Highways matter and, as such, not within the scope of the proposed Policy. However, the Licensing Team will be pleased to support and work with the Highways Authority and CDC Departments to achieve this.</p> <p>(c) Noted. Although not a matter of policy, the Licensing Team will be pleased to support and work with other CDC Departments to achieve this.</p> <p>(d) Noted. Although not a matter of policy, the Licensing Team will be pleased to support and work with other CDC Departments to achieve this.</p> <p>(e) The railway station is privately owned and operated by Govia Thameslink. As such it is not within the scope of the proposed Policy. However, the Licensing Team will be pleased to support and work with the landowner and any other interested parties.</p>	<p>(b) No change required to proposed Policy.</p> <p>(c) No change required to proposed Policy</p> <p>(d) No change required to proposed Policy.</p> <p>(e) No change required to proposed Policy.</p>
<b>TPR11</b>	Owen Watkins (Licence holder)	29/04/2021	<p>Paragraph 20</p> <p>(a) Cost of new vehicles is prohibitive.</p>	<p>(a) Due to the ongoing climate emergency, there is an urgent need to reduce emissions, and it is appropriate to improve/ reduce emissions arising from Taxi and Private Hire vehicles: The proposed 10 year age limit is one mechanism for tackling this with ongoing pollution-reducing improvements in engine design. The already-planned transitional</p>	<p>(a) No change required to proposed Policy.</p>

			<p>(b) Age only limit unfair: Should take into account engine improvements, EV, and LPG conversions giving longer age limit.</p>	<p>concession is that all existing vehicles over 4 years old will be eligible for a 5 year extension, irrespective of their current age,; this to allow existing Licensed proprietors time to plan for replacing their vehicle(s).</p> <p>(b) However to encourage a move towards non-polluting vehicles, pure Electric Vehicles (EV) should be excluded from the age limit proposal, but still be subject to the same robust testing regime as other Licensed vehicles to ensure that aspects such as wear &amp; tear on bodywork &amp; interior trim are monitored, as well as acknowledging ongoing improvements in design &amp; safety, with replacement encouraged as necessary for the safety, comfort, and expectations of the travelling public.</p> <p>The emissions benefits of LPG-fuelled vehicles are debateable. Whilst LPG may in general produce significantly less particle and Nitrogen Dioxide (NO<sub>2</sub>), the condition and age of the engine that has been converted will have an impact on the amount of unburnt fraction which is still emitted from the vehicle. In addition, conversions to an LPG system makes a car heavier which may make the car less efficient from a carbon perspective. It is felt appropriate to encourage EV rather than LPG conversions.</p>	<p><b>(b) Proposed Policy amended at Paragraph 20.</b></p>
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TPR12	Farshad Ahmadian (Licence holder)	02/05/2021	<p>Paragraph 20</p> <p>(a) Age only limit unfair:</p> <p>(b) Immediately should introduce higher Euro Standards;</p> <p>(c) higher standards in the testing regime;</p> <p>(d) introduce spot tests/ 'secret shopper' testing.</p>	<p>(a) Due to the ongoing climate emergency, there is an urgent need to reduce emissions, and it is appropriate to improve/ reduce emissions arising from Taxi and Private Hire vehicles: The proposed 10 year age limit is one mechanism for tackling this with ongoing pollution-reducing improvements in engine design. Further, it considers other factors such as wear &amp; tear on bodywork &amp; interior trim, as well as acknowledging ongoing improvements in design &amp; safety, with replacement encouraged as necessary for the safety, comfort, and expectations of the travelling public.</p> <p>(b) Updated 'rolling' Euro (or any replacement standard) requirements are already included within the proposed Policy at Section 21;</p> <p>(c) An updated testing regime is already included within the proposed Policy at Section 21;</p> <p>(d) Multi-Agency spot checks &amp; 'secret shopper' operations are expected to be reintroduced after COVID-19 restrictions are lifted.</p>	<p>(a) No change required to proposed Policy.</p> <p>(b) No change required to proposed Policy.</p> <p>(c) No change required to proposed Policy.</p> <p>(d) No change required to proposed Policy.</p>
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TPR13	J.Rendall (Licence holder)	02/05/2021	<p>Paragraph 20</p> <p>(a) Age only limit unfair: Should take into account EV &amp; LPG conversions with longer age limit;</p>	<p>(a) Due to the ongoing climate emergency, there is an urgent need to reduce emissions, and it is appropriate to improve/ reduce emissions arising from Taxi and Private Hire vehicles: The proposed 10 year age limit for new Applications is considered fair and balanced, with all existing Licensed Vehicles benefitting from a 5 year extension irrespective of their current age: However to encourage a move towards non-polluting vehicles, pure Electric Vehicles (EV) should be excluded from the age limit proposal, but still be subject to the same robust testing regime as other Licensed vehicles to ensure that aspects such as wear &amp; tear on bodywork &amp; interior trim are monitored, as well as acknowledging ongoing improvements in design &amp; safety, with replacement encouraged as necessary for the safety, comfort, and expectations of the travelling public.</p> <p>The emissions benefits of LPG-fuelled vehicles are debateable. Whilst LPG may in general produce significantly less particle and Nitrogen Dioxide (NO<sub>2</sub>), the condition and age of the engine that has been converted will have an impact on the amount of unburnt fraction which is still emitted from the vehicle. In addition, conversions to an LPG system makes a car heavier which may make the car less efficient from a carbon perspective. It is felt appropriate to encourage EV rather than LPG conversions.</p>	<p>(a) <b>Proposed Policy amended at Paragraph 20.</b></p>
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			<p>(b) Age limit potentially detrimental to the accessibility of Wheelchair Accessible Vehicles (WAVs)</p>	<p>(b) Currently there are 6 PHVs &amp; 35 HCVs providing WAV capability in Chichester District Council's Licensed fleet: Should the number of Hackney Carriages reduce, it is reasonable to expect that market forces/ entrepreneurial acumen will correspondingly increase the number of Private Hire WAVs.</p> <p>The number of Hackney Carriage Vehicles has naturally been decreasing over recent years, this due to technological advances in booking systems, particularly App-based solutions provided by Private Hire Operators.</p>	<p>(b) No change required to proposed Policy.</p>
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**DRAFT**  
**HACKNEY CARRIAGE AND  
PRIVATE HIRE  
POLICY AND CONDITIONS**

Approved by General Licensing Committee:  
Approved by Cabinet:  
Approved by Council:  
Document Title:

## GENERAL NOTE

The aim of this Policy document is to publish the stated intentions and requirements of Chichester District Council as the Licensing Authority with respect to Hackney Carriage (Taxi) and Private Hire operations in the Chichester District, championing the overriding principal of Public Safety<sup>1</sup>.

The Policy has been formulated pursuant to, and in accordance with, the following legislation:

- Local Government (Miscellaneous Provisions) Act 1976;
- Town Police Clauses Act 1847;
- Equality Act 2010;
- Police and Crime Act 2017;
- Immigration Act 2016.

Any reference in this Policy and in its Appendices to European legislation is as amended by:

- The European Union (Withdrawal) Act 2018;
- The European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations 2019;
- The European Union Withdrawal (Consequential Modifications) (EU Exit) Regulations 2020.

And any other subsequent legislation framework not currently yet in force

Additionally, specific regard has been afforded HM Government's Department for Transport's (DfT) recent publication '*Statutory Taxi & Private Hire Vehicle Standards*' (July 2020), published under s.177(1) of the Policing and Crime Act 2017: This new statutory guidance specifically requires all Licensing Authorities which exercise taxi and private hire licensing functions, to introduce new and/ or strengthen existing policies to protect from harm, children and vulnerable individuals over 18 years old. HM Government expects all these DfT recommendations to be implemented unless there are compelling local reasons for not doing so: The DfT recommendations have been incorporated into this new Chichester District Council policy.

Also, due to the continuing climate emergency, this policy seeks to go some way towards addressing and achieving the aspirations of HM Government in its publication '*The Ten Point Plan for a Green Industrial Revolution*' (November 2020), especially regarding a shift to zero emission vehicles in respect of public transport.

This Policy will be reviewed every five (5) years, with intermediate sub-review(s) as necessary.

All Licences, Driver's Badges, Vehicle Licence Plates, Internal Identification Cards and Door Badges remain the property of this Licensing Authority.<sup>2</sup>

All fees and charges are payable at the time of application: See section 45 below

<sup>1</sup> <https://www.chichester.gov.uk/article/25502/Hackney-carriage-taxi-and-private-hire---information-for-the-public#Safetytips>

<sup>2</sup> Pursuant to s.61(2)(a) and s.68 Local Government (Miscellaneous Provisions) Act 1976 upon expiry or when otherwise required, must be returned to Chichester District Council within seven (7) days or, in the case of Immigration issues, five (5) days

**CHICHESTER DISTRICT COUNCIL**  
**HACKNEY CARRIAGE AND PRIVATE HIRE POLICY & CONDITIONS**  
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## PART A: TYPES OF LICENCE

Expired Licences will not be renewed after the date of expiry. Should a Licence be permitted to lapse, an entirely new application, including fee, is required.

### 1. **Hackney Carriage Driver's Licence (issued for 3 years) see Parts B and C**

Any person wishing to drive a Hackney Carriage in the Chichester District Council area requires a Hackney Carriage Driver's Licence issued by this Licensing Authority.<sup>3</sup>

Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C), together with the relevant statutory provisions within the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, form this Licensing Authority's Code of Conduct and Requirements relating to Hackney Carriage Drivers in the Chichester District Council area.

### 2. **Hackney Carriage Vehicle Licence/ Hackney Carriage Proprietor's Licence (issued for 1 year) see also Parts D and E**

'Hackney Carriage' is defined in s.38 Town Police Clauses Act 1847 but, in general terms, may be described as a vehicle which:

- May 'Stand' or 'Ply for Hire' in a street;
- Is so Licensed by the Council, and displays a Hackney Carriage Plate both internally and externally.

Any person wishing to use a vehicle as a Hackney Carriage requires a Hackney Carriage Vehicle Licence (also known as a 'Hackney Carriage Proprietor's Licence').<sup>4</sup>

Hackney Carriage Vehicle Licences issued by this Licensing Authority are subject to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C), together with the relevant statutory provisions of the Town Police Clauses Act 1847, and the Local Government (Miscellaneous Provisions) Act 1976.

Currently this Licensing Authority does not restrict the number of vehicles licensed as Hackney Carriages.<sup>5</sup>

**Once licensed by this Licensing Authority as a Hackney Carriage, a vehicle is so licensed 24 hours a day, 7 days a week, and may only ever be driven at any time by a person who holds a Hackney Carriage Driver's Licence issued by this Licensing Authority, together with Authorised Officers of this Licensing Authority, and Police Constables.<sup>6</sup>**

<sup>3</sup> s.46 Town Police Clauses Act 1847

<sup>4</sup> s.37 Town Police Clauses Act 1847

<sup>5</sup> Pursuant to the provisions of s.16 Transport Act 1985 (amending the Town Police Clauses Act 1847)

<sup>6</sup> s.68 Local Government (Miscellaneous Provisions) Act 1976

**3. Private Hire Driver's Licence (issued for 3 years) see also Part B**

Any person wishing to drive a Private Hire Licensed Vehicle requires a Private Hire Driver's Licence.<sup>7</sup>

Private Hire Driver's Licences issued by this Licensing Authority are subject to the Conditions of the Licence (see Appendix I) and the relevant statutory provisions of the Local Government (Miscellaneous Provisions) Act 1976.

**4. Private Hire Vehicle Licence (issued for 1 year) see also Parts D and F**

'Private Hire Vehicle' is defined as:

*"...a motor vehicle constructed or adapted to seat fewer than nine passengers, (other than a Hackney Carriage or Public Service Vehicle), which is provided for hire with the services of a driver for the purpose of carrying passengers."<sup>8</sup>*

A Private Hire Vehicle Licence is required by the Proprietor of that vehicle before they may permit it to act as a Private Hire Vehicle.<sup>9</sup>

Private Hire Vehicle Licences issued by this Licensing Authority are subject to the Conditions of the Licence (see Appendix J) and the relevant statutory provisions of the Local Government (Miscellaneous Provisions) Act 1976.

A Private Hire Vehicle Licence will be granted for a vehicle provided it meets the legal design and appearance requirements<sup>10</sup>, together with those of this Licensing Authority (see section 20); all vehicles used in a Private Hire operation Licensed by this Licensing Authority also must be Licensed and duly Plated by this Licensing Authority.

**Once Licensed by this Licensing Authority as a Private Hire Vehicle, a vehicle is so Licensed 24 hours a day, 7 days a week, and may only ever be driven at any time by a person who holds a Private Hire Driver's Licence issued by this Licensing Authority**, together with Authorised Officers of this Licensing Authority, and Police Constables.<sup>11</sup>

**5. Private Hire Operator's Licence (issued for 5 years) see also Part G**

'Operate' is defined as:

*'... in the course of any business, to make provision for the invitation or acceptance of bookings for a Private Hire Vehicle.'<sup>12</sup>*

In the Chichester District Council area, no person may Operate any vehicle as a Private Hire Vehicle without having a current Private Hire Operator's Licence granted by this Licensing Authority<sup>13</sup>: **This is additional to the separate requirements for Private Hire Vehicle and/or Private Hire Driver's Licences.**

<sup>7</sup> s.46 Local Government (Miscellaneous Provisions) Act 1976

<sup>8</sup> s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>9</sup> s.48 Local Government (Miscellaneous Provisions) Act 1976

<sup>10</sup> s.48 and s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>11</sup> Pursuant to s.68 Local Government (Miscellaneous Provisions) Act 1976

<sup>12</sup> s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>13</sup> s.46 Local Government (Miscellaneous Provisions) Act 1976

Private Hire Operators' Licences issued by this Licensing Authority are subject to the Conditions of the Licence (see Appendix K) and the relevant statutory provisions of the Local Government (Miscellaneous Provisions) Act 1976.

## **PART B: REQUIREMENTS RELATING TO BOTH HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS (or DUAL LICENSED)**

### **6. *Who can Apply/ Eligibility - see also Part C for additional Hackney Carriage matters***

Applicants for Hackney Carriage/ Private Hire Driver's Licences must:<sup>14</sup>

- Be aged twenty-one (21) years or older;
- Be entitled to live and work in the UK; (see section 7)
- Have held for at least twelve (12) months a current Full UK Driving Licence issued by DVLA; (see section 15)
- Be a 'Fit and Proper Person' (see sections 8 - 11) for the duties of driving Hackney Carriages/ Private Hire Vehicles: Convictions, Cautions, and Pending matters (including motoring offences) will be considered according to this Licensing Authority's Convictions Policy (see Appendix E);
- Pass the relevant part(s) of this Licensing Authority's Hackney Carriage/Private Hire Driver's 'Knowledge Test' (see section 12);
- Provide evidence of having undertaken Child Sexual Abuse and Exploitation (CSAE) safeguarding training approved by this Licensing Authority (see section 10)
- Pass a Driving Standards Assessment approved by this Licensing Authority (see section 13);
- Be medically fit for the duties of driving a Hackney Carriage/ Private Hire Vehicle (see section 14);
- Provide a current, clear, Passport-type colour photograph of themselves.

### **7. *Entitlement to Live and Work in the United Kingdom***

This Licensing Authority is required<sup>15</sup> to ensure that the individuals it Licences are entitled to live and work in the United Kingdom. Therefore, Applicants are required to provide current proof of their entitlement. There is a prescribed list of documents which evidence a right to work.<sup>16</sup>

Where evidence of a time-limited right to work is provided, initially any Licence will be issued only for the time permitted, but will be varied upon provision by the Applicant or Home Office of subsequent satisfactory proof of an extension of the Right to Work/ permanent residency.

**Any Licence granted to an individual who becomes, or is found to be, in breach of UK Immigration Law, ceases to be valid and immediately must be returned to this Licensing Authority.<sup>17</sup>**

<sup>14</sup> Pursuant to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C), s.51 & s.59 Local Government (Miscellaneous Provisions) Act 1976, and s.37 Immigration Act 2016

<sup>15</sup> Pursuant to the Immigration Act 1971 as amended, and s.37 Immigration Act 2016

<sup>16</sup> See Section 8, Annex A of [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/675533/A\\_Licensing\\_Authority\\_guide\\_to\\_right\\_to\\_work\\_checks\\_-\\_England\\_and\\_Wales.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/675533/A_Licensing_Authority_guide_to_right_to_work_checks_-_England_and_Wales.pdf)

<sup>17</sup> Pursuant to s.53A and s.55ZA Local Government (Miscellaneous Provisions) Act 1976

## 8. **'Fit and Proper Person'/ Good Character**

Applicants are required to submit information to demonstrate that they are a '*Fit and Proper Person*' to hold Hackney Carriage/ Private Hire Driver's Licence<sup>18</sup>:

Therefore, the following items are required to be submitted on the correct Application Form which is available on request, but also published on the Chichester District Council website <https://www.chichester.gov.uk/taxilicence>, this information includes:

- Full birth name [together with current full name (if different)] as shown on Birth Certificate/ Passport;
- Details of employment history for the previous five (5) years;
- Addresses for the previous five (5) years;
- Where the applicant has resided outside the UK for any period in the previous 5 years, a Certificate of Good Conduct (with certified English translation)<sup>19</sup> from the UK Embassy/ Consulate of the relevant country;
- Details of two referees willing to provide written character references to support the Application: Referees must not be related to the applicant, must have known the applicant for at least two years, be aged twenty-one (21) years or older, of good standing in their community, and of sound mind.

If there is any doubt as to the suitability of a person to act as, or at any time should there be cause to question an individual's status as a Licensed Driver, the matter may be referred to this Licensing Authority's General Licensing Sub-Committee for consideration and determination.

Applicants who hold, or previously have held Hackney Carriage/ Private Hire Licences (Driver, Vehicle, or Operator) are required to disclose full details of such matters: This Licensing Authority checks all Applications, working closely with other Licensing Authorities, the Police, and subscribes to the National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3).<sup>20</sup>

Applicants are required to notify this Licensing Authority immediately of any material change to their circumstances after an application has been submitted.

## 9. **Convictions, Cautions, Investigations, Pending matters**

There is no exemption to full disclosure for Applicants for Hackney Carriage/ Private Hire Driver's Licences<sup>21</sup>: As such, Applicants are required to disclose all previous incidents/ occurrences involving Arrest, Court Orders (both Criminal and Civil), Convictions, Cautions, Fixed Penalty Notices (both crime and all motoring offences), Anti-social Behaviour Orders (ASBO), Civil Injunctions, Criminal Investigations, together with any other similar pending matters.

Whilst Licensed, Hackney Carriage/ Private Hire Vehicle Drivers must, within 48 hours of an incident/ occurrence, report in writing to this Licensing Authority details of any Arrest, Court Order (both Criminal and Civil), Conviction, Caution, Fixed Penalty Notice (both criminal and all motoring offences), ASBO, Civil Injunction, Criminal Investigation, together with any other similar pending matters.

<sup>18</sup> Pursuant to s.51 Local Government (Miscellaneous Provisions) Act 1976

<sup>19</sup> Provided by a translator registered with an official organisation such as the Institute of Linguists or the Institute of Translation & Interpreting

<sup>20</sup> Pursuant to s.4.21 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>21</sup> Pursuant to the Rehabilitation of Offenders Act 1974 Exceptions Order 1975

**10. Disclosure and Barring Service (DBS) checks, Safeguarding, Child Sexual Abuse and Exploitation (CSAE)**

All Applicants and existing Hackney Carriage/ Private Hire Vehicle Drivers must provide checks of their Criminal Conviction status which will be assessed against the Convictions Policy (see Appendix E)<sup>22</sup>. As a minimum, DBS Enhanced Criminal Conviction checks must be provided at least every 6 months. Therefore, all Applicants and existing Hackney Carriage/ Private Hire Vehicle Drivers are required to subscribe and maintain continuous subscription to the DBS Update Service. This means that once the initial Enhanced Criminal Convictions Check Certificate is obtained, and providing there is no change to the Criminal Convictions status of the Licensed Driver, this enables this Licensing Authority to make checks as required without additional expense to the Licensed Driver.

To ensure that identification of CSAE behaviours is maintained at the forefront of the Licensed Driver's mind, all Applicants and existing Hackney Carriage/ Private Hire Vehicle Drivers are required to undergo initial Safeguarding Training, followed by regular refresher training provided by one of this Licensing Authority's approved providers.

This Licensing Authority already has a Partnership Agreement with the Police, and will continue to develop an ever-closer working relationship to counter the continuing issue of CSAE.<sup>23</sup>

**11. Conduct & co-operation with Authorised Officers and Police; Hygiene, Dress & Appearance**

**11.1 Conduct & co-operation with Authorised Officers and Police**

All Licence Holders must show a high standard of general conduct, behaving in a civil and orderly manner both with members of the public, and in fully co-operating with Authorised Officers and the Police in the lawful execution of their duties<sup>24</sup>: Any instance of non-compliance, non-co-operation, and use of foul or insulting words and behaviour is viewed most seriously, such matters being investigated, recorded against individual Licence Holders, and causing consideration of Suspension or Revocation of, or a refusal to Renew a Licence.

At all times, Licensed Drivers must take all reasonable steps to ensure the safety of passengers, and always provide reasonable assistance with their luggage (see also section 13 below '*Driving Standards Assessment, Passengers in Wheelchairs, Assistance Dogs*').

**11.2 Hygiene, Dress & Appearance**

All Licence Holders must be clean and respectable in both dress and person: Instances of non-compliance with these requirements reported to this Licensing Authority are viewed most seriously, being recorded against individual Licence Holders: Each instance is investigated, reviewed, and may lead to Suspension, Revocation, or a refusal to Renew a Licence.

<sup>22</sup> Pursuant to s.6 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>23</sup> Under the Common Law Police Disclosure powers

<sup>24</sup> Pursuant to s.73 Local Government (Miscellaneous Provisions) Act 1976



## 12. **Knowledge Test – see also Appendix F**

All Applicants for a Hackney Carriage and/or Private Hire Driver's Licence are required to pass this Licensing Authority's Knowledge Test: Currently this has only written elements, however oral elements are being introduced to improve the examination of Applicants' levels of understanding regarding The Highway Code, Hackney Carriage/ Private Hire Law and Chichester District Council Policy, their Responsibilities and Duties regarding Child Sexual Abuse and Exploitation (CSAE), the Chichester district area generally, and their proficiency in understanding both written and spoken English: Specifically this final section is included regarding Applicants' abilities to identify and then act upon potential CSAE issues.<sup>25</sup>

## 13. **Driving Standards Assessment, Passengers in Wheelchairs, Assistance Dogs**

### 13.1 *Driving Standards Assessment*

Applicants for Hackney Carriage/ Private Hire Driver's Licences are required to pass a Driving Standards Assessment provided by one of this Licensing Authority's approved providers<sup>26</sup>: A Pass Certificate will remain valid for a period of one (1) calendar year from the date of passing the test, after this time a further Pass Certificate will be required.

All Hackney Carriage Driver Applicants, together with any Private Hire Driver Applicants and existing holders of a Private Hire Driver's Licence wishing to drive a Wheelchair Accessible Vehicle (WAV) (see section 13.2), are required to obtain a Pass in the additional component of the Driving Standards Assessment regarding the carriage of persons in wheelchairs. Again, the Pass Certificate will remain valid for a period of one (1) calendar year from the date of passing the test after which time a fresh Pass Certificate will be required.

Applicants currently licensed as Hackney Carriage/ Private Hire Drivers by other Licensing Authorities, and who have a clear licensing history, together with other as yet unlicensed new applicants, may submit any current qualifications they hold in respect of these requirements for consideration by this Licensing Authority: For existing Licensed Driver Applicants, the qualifications must be no more than one (1) calendar year old from date of passing the test; for as yet unlicensed new applicants, the qualifications must be no more than three (3) calendar months old from date of passing the test. For both, the qualifications must be of comparable standards to the requirements of this Licensing Authority. **This Licensing Authority is not bound by such mitigating submissions, and still may require a Pass to be obtained in its own approved Driving Standards Assessment(s).**

Where it is suspected that a Licensed Driver's driving ability has fallen below the standard required, for example but not exclusively, where a driver has acquired more than six (6) current Penalty Points on their DVLA Driving Licence [more than three (3) Points for New drivers within two (2) years of passing the DSA Driving Test], where information indicates their driving standard to be poor, or their failure to carry out their duties in respect of the carriage of persons in wheelchairs, at the discretion of this Licensing Authority, again they may be required to Pass the Driving Standards Assessment (with WAV extension as appropriate): **Should the**

<sup>25</sup> Pursuant to s.6.14 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>26</sup> Details are available on request, but also published on the Chichester District Council website: <https://www.chichester.gov.uk/privatehiredriverslicence>

**Licensed Driver either fail to submit to the Test as soon as possible and within a time period agreed by this Licensing Authority, or they subsequently fail the Test, then the Licence will be Suspended until such time as a Pass is achieved.**

### 13.2 *Passengers in Wheelchairs*

Unless they are the holder of a current Exemption Certificate<sup>27</sup>, Licensed Drivers of WAVs are required to carry a passenger while in their wheelchair, and not to make any additional charge for doing so i.e. a meter may not be set running while the Licensed Driver performs their duties under the Act, nor while the passenger enters, nor leaves, nor secures their wheelchair within the passenger compartment.

Also, the Licensed Driver must give such mobility assistance as is reasonably required by the wheelchair user.

Further, should the passenger choose to sit in a passenger seat in the Licensed Vehicle, the Licensed Driver must carry the wheelchair in the Licensed Vehicle<sup>28</sup>.

### 13.3 *Assistance Dogs*

Unless they are the holder of a current Exemption Certificate<sup>29</sup>, Licensed Drivers of all Hackney Carriages and Private Hire Vehicles are required to carry passengers with guide dogs, hearing dogs, and other 'assistance' dogs without additional charge.<sup>30</sup>

When carrying such passengers, Licensed Drivers must convey the dog and allow it to remain under the physical control of the passenger: It is best practice for the Licensed Driver to enquire of the passenger where they want both themselves and their dog to sit in the vehicle.

## 14. ***Medical Fitness/ D4 Medical Examination***

Within three (3) calendar months immediately prior to the date of a complete and correct Application, it is a requirement that New Applicants for Hackney Carriage and/or Private Hire Driver's Licences undergo a D4 Medical Examination to the Group 2 Vocational Standard set by the DVLA: **The Doctor carrying out the examination must have full access to the Applicant's medical records;** accompanying the D4 Medical Form, and signed by the same Doctor, the Applicant must submit Form T14 Declaration by Medical Practitioner.

Similarly, within the three (3) calendar months immediately prior to the due date, every five (5) ~~four (4)~~ years or more frequently as specified by the Medical Practitioner on Form T14 Declaration by Medical Practitioner, and until they attain the age of 60-65 years whereupon the requirement becomes annual (yearly), all Licensed Drivers are required to undergo the D4 Medical Examination, providing to this Licensing Authority the completed and signed Form together with its accompanying T14 Declaration by Medical Practitioner.

<sup>27</sup> s.166 Equality Act 2010

<sup>28</sup> s.165 Equality Act 2010

<sup>29</sup> s.169 Equality Act 2010

<sup>30</sup> s.168 Equality Act 2010

**The Forms used must be the current versions at the time of the examination: Obsolete Forms will be rejected.<sup>31</sup>**

Further, at every Renewal Application for a Hackney Carriage/ Private Hire Driver's Licence, Applicants are required to make a personal declaration of their continuing physical and mental fitness to be so Licensed, and being fully capable of performing their duties regarding driving a Hackney Carriage/ Private Hire Vehicle.

**At any time, should an Applicant or Licensed Driver suspect that no longer are they fit to be Licensed due to a change in their physical or mental status, they must immediately notify both this Licensing Authority together with their Operator and, if required, the DVLA.**

**15. *Driver and Vehicle Licensing Agency (DVLA) Driving Licence and Driving Permission***

As a minimum, new Applicants for a Hackney Carriage/ Private Hire Driver's Licence are required to have held for a period of at least twelve (12) months<sup>32a</sup> Full DVLA issued Driving Licence permitting them to drive vehicles in Class B. Any Penalty Points accrued on the DVLA Driving Licence must be disclosed fully on the Application Form, and will be considered according to this Licensing Authority's Convictions Policy (see Appendix E).

Any existing Hackney Carriage/ Private Hire Driver's Licence holders of this Licensing Authority who currently do not hold a DVLA issued Driving Licence (these are licence holders presently driving in the UK on a non-UK Driving Licence) are required to do so by the time of their next Renewal.

Upon initial Application then annually (yearly), and at any other time required, the DVLA Driving Licence record and Driving Permission(s) of Applicants for Hackney Carriage/ Private Hire Driving Licences, together with existing Licensed Drivers, will be checked<sup>33</sup>: Such checks are made via an approved 3<sup>rd</sup> party provider and, together with maintenance of the Mandate for doing so, are requirements of this Licensing Authority's Hackney Carriage/ Private Hire Driver's Licences.

**16. *Driver's Badge***

Hackney Carriage/ Private Hire Driver's Badges remain the property of this Licensing Authority: Within 7 days of the expiry, or as otherwise directed by an Authorised Officer of this Licensing Authority, or upon Suspension or Revocation of a Driver's Licence, they must be returned to this Licensing Authority.<sup>34</sup>

At all times this Licensing Authority requires all 'on duty'/ working Licensed Drivers to wear the prescribed and issued Driver's Badge(s) in a 'position and manner as to be plainly and distinctly visible'<sup>35</sup>. [Note: This requirement ceases only if a Private Hire Vehicle Licence Exemption has been granted under s.75(3) Local Government (Miscellaneous Provisions) Act 1976, but still the Licensed Driver must keep the

<sup>31</sup> Both Forms are available on application, but also are published on the Chichester District Council website:

<https://www.chichester.gov.uk/taxilicence>

<sup>32</sup> Pursuant to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C) and s.51 Local Government (Miscellaneous Provisions) Act 1976

<sup>33</sup> Pursuant to Chichester District Council's published 'Hackney Carriage Byelaws' (see Appendix C) and s.51 Local Government (Miscellaneous Provisions) Act 1976

<sup>34</sup> Pursuant to s.61(2)(a) Local Government (Miscellaneous Provisions) Act 1976

<sup>35</sup> Pursuant to the Byelaws, s.54 Local Government (Miscellaneous Provisions) Act 1976, and/or the Conditions of this Licensing Authority's Hackney Carriage/ Private Hire Vehicle Driver's Licences

Driver's Badge with them for production on requirement by an Authorised Officer of a Licensing Authority or a Police Constable].

**PART C: ADDITIONAL SPECIFIC MATTERS FOR HACKNEY CARRIAGE DRIVERS**

**17. *Hackney Carriage Stands (Taxi Ranks)***

From time to time this Licensing Authority will determine the location of Hackney Carriage Stands within the District: Only at such designated Stands may Hackney Carriages 'Rank up'.<sup>36</sup>

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<sup>36</sup> Pursuant to s.63 Local Government (Miscellaneous Provisions) Act 1976

**PART D: REQUIREMENTS RELATING TO BOTH HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES – See also Part E (Hackney Carriage) and Part F (Private Hire Vehicle)**

**18. Licensed Vehicle Proprietors' Conduct & co-operation with an Authorised Officer of the Licensing Authority and Police**

This Licensing Authority expects all its Private Hire Proprietors to exhibit a high standard of general conduct, behaving in a civil and orderly manner both with members of the public, and in fully co-operating with Authorised Officers and the Police in the lawful execution of their duties<sup>37</sup>: Any instance of non-compliance, non-co-operation, and use of foul or insulting words and behaviour is viewed most seriously, with such matters being investigated, recorded against individual Licence Holders, and causing consideration of Suspension or Revocation of, or a refusal to Renew a Licence.

**19. Licensed Vehicle Proprietor's DBS Criminal Record checks**

This Licensing Authority requires all Applicants and existing Proprietors of Hackney Carriage/ Private Hire Vehicles to provide checks of their Criminal Conviction status<sup>38</sup>: If not already providing the Enhanced DBS Criminal Record check Certificate in their separate standing as a Hackney Carriage/ Private Hire Vehicle Driver, a Basic DBS Criminal Record check Certificate, no more than 3 months old, is required to be submitted upon initial Application, and at every subsequent Renewal Application.

**20. Vehicle Specification, Age, Appearance, and Environmental Impact**

All vehicles must be suitable in type, size, and design for use as either a Hackney Carriage or Private Hire Vehicle, dependent on the type of Licence required. All vehicles must meet the requirements of the adopted standards contained within the publication titled 'Hackney Carriage and Private Hire Vehicles National Inspection Standards - Best Practice Guide - August 2012' (see Appendix A). Additionally, for providing passenger comfort, vehicles must comply with this Licensing Authority's requirements in relation to fixtures, fittings, and cleanliness.

~~Applications will be refused in respect of 'Salvaged' or 'Insurance write-off' vehicles (regardless of category), together with illegally-altered vehicles. 'Salvaged' or 'Insurance write-off' vehicles (regardless of category) will not be accepted by this Licensing Authority for Licensing purposes, and applications in respect of such vehicles will be refused.<sup>39</sup>~~

Complementing HM Government's announcement in November 2020 of its intention to move towards a net-zero contribution to climate change, with an end to the sale of new petrol and diesel cars by 2030, going forward and from the date of adoption of this Policy, the following criteria apply: **NOTE that any fully, Electric Vehicle (EV) is exempt from the 10 year age restriction:**

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<sup>37</sup> Pursuant to s.73 Local Government (Miscellaneous Provisions) Act 1976

<sup>38</sup> Pursuant to s.7 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>39</sup> Pursuant to s.47 and s.48(1)(a)(iii) & (iv) Local Government (Miscellaneous Provisions) Act 1976

**New Vehicle Licence Application:** Vehicle must be no more than ten (10) years old from Date of First Registration (regardless of whether or not previously a vehicle has been Licensed by any Licensing Authority). This means that a vehicle will only be eligible to be Licensed until it is a maximum of nine (9) full calendar years old from the Date of First Registration, this to allow for it being Licensed for the one ensuing year before its 10<sup>th</sup> anniversary from Date of First Registration: At the end of that year, no longer will it be eligible to be Licensed. Additionally, at the date of Application, all vehicles must comply with the current or immediately preceding Euro emissions standard (or any subsequent standard replacing it).

**Renewal Vehicle Licence Application (existing Licensed Vehicles only at time of policy being adopted):** A transitional five (5) year extension to the age limit will be permitted, and this may take the upper age over the stated ten (10) years: For example, a vehicle which is five (5) full calendar years old at the date of Policy adoption will be eligible to be relicensed until it is ten (10) full calendar years old from the Date of First Registration, thus by the end of that final year's licensed period it will be eleven (11) years old; similarly, a vehicle which is six (6) full calendar years old at the date of Policy adoption will be eligible to be relicensed until it is eleven (11) full calendar years old from the Date of First Registration, thus by the end of that final year's licensed period it will be twelve (12) years old, etc. However and regardless of reason, should a Licence be permitted to lapse at any time during the transition period, for example but not exclusively should a complete and correct Renewal Application be submitted out of time, a New Application would be necessary with the New Application criteria above applied.

#### 20.1 'Wrapping' of vehicles<sup>40</sup>

Since 2017, the DVLA requires the 'wrapping' of vehicles to be notified to it as a change which must be recorded on the V5 Registration Document. Vehicle Proprietors wishing to 'wrap' a currently-Licensed Vehicle, must first inform this Licensing Authority of their intention to do so. This is in order that the Vehicle Licence may be Suspended temporarily pending their provision of an updated V5 Registration Document specifying the colour change. Upon receipt of this and payment of the appropriate fee, the Vehicle Licence will be reinstated with a replacement Licence, Plate, and Internal Vehicle ID.<sup>41</sup>

#### 20.2 Seating Capacity - see also Appendix H

Passenger seating capacity of Private Hire Vehicles is limited to 8 in number<sup>42</sup>: This Licensing Authority applies the same criterion to Hackney Carriages<sup>43</sup>.

Seats will not be Licensed where access to them is by tilting or displacing any other seat<sup>44</sup>. The complete and permanent removal of a seat by a competent person in order to gain access to those behind may be an option in some vehicles. However, this course of action is not acceptable where it triggers an alarm or warning light. No longitudinal seating is permitted except in speciality vehicles such as stretched limousines.

<sup>40</sup> 'Wrapping' is the application of an appearance-changing film over the entire vehicle

<sup>41</sup> Pursuant to 'Annex - Staying Safe' of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>42</sup> s.80(1) Local Government (Miscellaneous Provisions) Act 1976

<sup>43</sup> Pursuant to s.47 Local Government (Miscellaneous Provisions) Act 1976

<sup>44</sup> Pursuant to s. 47 and s.48 Local Government (Miscellaneous Provisions) Act 1976

20.3 *Wheels and Wheel Trims (Hub caps): Tyres*

Should vehicles not have alloy wheels, wheel trims (hub caps) must be provided and maintained in good order so as not to detract from the appearance of the vehicle: Wheels and wheel trims need not be original, but must be a matching set.

This Licensing Authority requires the tyre tread depth of all Licensed Vehicles to be a minimum of 2.0mm across the full tread width and around the entire circumference of each tyre; no remoulded nor re-cut tyres are permitted; tyres which are perished in any way, have any cuts, or have any foreign objects embedded in them are not acceptable.

20.4 *Tinting of windows*

There are statutory requirements regarding tinting of vehicle glass<sup>45</sup>.

For the safety of passengers<sup>46</sup> and Licensed Drivers alike, this Licensing Authority's glazing requirements for all Licensed Vehicles is that only manufacturer-fitted standard specification glass with minor tinting is permitted: Exceptions are only with the express and current written permission of this Licensing Authority.

20.5 *Trailers, roof-boxes, and roof-racks*

For the safety of the public, passengers, and Licensed Drivers, this Licensing Authority does not permit the attachment of trailers, roof-boxes, nor roof-racks to its Licensed Vehicles: An exception may be made only with current and specific written permission of the Licensing Authority which will only be given subsequent to the satisfactory testing of all components by CCS.

20.6 *Registration Marks: Standard and Personalised*

Registration Marks displayed on this Licensing Authority's Licensed Vehicles must comply with all legal requirements relating to size, colour, font, and spacing<sup>47</sup>. Should the Proprietor of a Licensed Vehicle wish to change its Registration Mark, first and before beginning the process with DVLA, they must contact the Licensing Authority for instructions as to the Licensing process with which they must comply, including the provision of the written Notice of the proposed change, payment of the required fee, and removal of previous Licence items.

21. **Mechanical Standards: Emissions; MOT & Fitness Tests; Prohibition Notices**

21.1 *Emissions - see also section 20 - Vehicle Specification, Age, Appearance, and Environmental Impact*

For all new Applications, regardless of whether previously a vehicle has been Licensed by any Licensing Authority, all vehicles must comply with the Euro emissions standard (or any subsequent standard replacing that) current at that time, or the one immediately preceding.

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<sup>45</sup> The Road Vehicles (Construction and Use) Regulations 1986 as amended  
<sup>46</sup> Pursuant to 'Annex - Staying Safe' of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017,  
<sup>47</sup> The Road Vehicles (Display of Registration Marks) Regulations 2001,



## 21.2 *Liquid Petroleum Gas (LPG) and other Alternative Fuels*

Vehicle Proprietors wishing to convert a currently-Licensed Vehicle to LPG or other alternative fuel, must first inform this Licensing Authority of their intention to do so. This is in order that the Vehicle Licence may be Suspended temporarily pending provision of an updated V5 Registration Document specifying the new fuel type, together with confirmation by the vehicle's insurer that it is aware of the change.

## 21.3 *MOT and Fitness Tests*

Due to the potential for high mileages to be covered by Licensed Vehicles, all Hackney Carriages and Private Hire Vehicles are required to be presented for MOT and Fitness Testing<sup>48</sup> in accordance with the following criteria:

- Vehicle up to 12 calendar months from Date of First Registration: Fitness Test only required;
- Vehicle 12 calendar months to 36 calendar months from Date of First Registration: MOT and Fitness Tests required every 12 calendar months;
- Vehicle over 36 calendar months from Date of First Registration: MOT and Fitness Tests required every 6 calendar months.

The Proprietor of a vehicle may obtain a MOT Test Certificate at any Driver & Vehicle Standards Agency (DVSA) approved Testing Station, however within 5 working days of the date of the successful MOT Test, the vehicle must be presented to Chichester Contract Services (CCS) at Westhampnett for Fitness Testing. Alternatively, a vehicle may be presented to CCS for both MOT and Fitness Testing. **Only CCS may carry out the Fitness Test.**

Should the vehicle fail the Fitness Test, as soon as practicable and anyway within a further 5 working days, again it must be presented for re-testing. In the event of a further failure of the Fitness Test, the Proprietor of the vehicle must obtain a new MOT Test Pass Certificate and re-start the process.

At any time should there be reasonable cause to suspect a Licensed Vehicle to be unroadworthy, an Authorised Officer of this Licensing Authority may require the Proprietor or Driver of that Licensed Vehicle to submit it for immediate mechanical inspection<sup>49</sup>: Should a Proprietor or Driver of such a Licensed Vehicle fail to submit it for such inspection, the pertinent Licence will be considered for immediate Suspension.

### 21.3.1 *New Vehicle Applications*

At the time of submission of a complete and correct Application for a new Vehicle Licence, the MOT Test Pass Certificate must be no more than one (1) calendar month old.

<sup>48</sup> Pursuant to s.50 and s.68 Local Government (Miscellaneous Provisions) Act 1976; all prospective and existing Licensed Vehicles will be tested in accordance with the Hackney Carriage and Private Hire National Inspection Standards published jointly by the Public Authority Transport Network and the Freight Transport Association from time to time: Hackney Carriage and Private Hire Vehicles - National Inspection Standards - Best Practice Guide - August 2012 (see Appendix A)

<sup>49</sup> Pursuant to s.68 Local Government (Miscellaneous Provisions) Act 1976

'Advisory' matters cited on an MOT Test Certificate/ Fitness Test Report, in relation to tyres, steering, suspension, brakes, or any other matters required by an Authorised Officer of this Licensing Authority, immediately must be rectified and evidenced by the Proprietor in the form of receipts and/ or clear photographs: Failure to provide such evidence will cause the Application to be rejected.

#### 21.3.2 *Renewal Vehicle Applications*

'Advisory' matters cited on an MOT Test Certificate/ Fitness Test Report but which are required by an Authorised Officer to be immediately rectified, must be so rectified and evidenced by the Proprietor in the form of receipts and/ or clear photographs: Failure to provide such evidence will cause the Application to be rejected. Where matters do not require immediate rectification, it is expected that these matters will be monitored regularly by the Proprietor and/ or by a competent person/ engineer, and rectified in good time.

Should any damage to the vehicle be noted on the Fitness Test Report, the Proprietor must submit clear photographs of such damage to the Licensing Authority at the same time as their submission of the Fitness Test Report: Such damage will be assessed, the Proprietor may be required to provide further information, and will be notified of any action required (see also section 23. Damage to Licensed Vehicles; Road Traffic Collisions).

Any other matters noted must be rectified by the time of the next scheduled MOT/ Fitness Test.

#### 21.3.3 *Prohibition Notices*

Authorised Officers of this Licensing Authority together with the DVSA approved Vehicle Testing staff at CCS are Authorised Officers for the purposes of issuing Prohibition Notices on Licensed Vehicles which are in a state of serious unroadworthiness<sup>50</sup>: **Removal from the public highway of vehicles subject to such a Notice will be at the expense of the vehicle's Proprietor.**

#### 21.3.4 *Vehicle Log Book*

Every holder of a Hackney Carriage or Private Hire Vehicle Licence will keep a Vehicle Log Book **to be retained with the vehicle at all times**, and to be available for inspection by any Authorised Officer/ Police/ DVSA: This document is to include details of all maintenance and servicing carried out on the vehicle in accordance with the manufacturer's recommended safety inspection and servicing regime, all inspections made by Authorised Officers/ Police/ DVSA, any accident damage details, and details of the current Insurance Policy in force for that vehicle.

### 22. ***Insurance Liability; Unlicensed Drivers***

Hackney Carriage/ Private Hire Vehicle Proprietors are reminded of the requirements of Part IV of the Road Traffic Act 1988 in relation to the provision of Third Party Insurance, as well as the requirement for the correct type of insurance being in place for use of the Licensed Vehicle i.e. Public (Hackney Carriage) or Private Hire: **Proprietors can be held jointly liable for certain insurance offences committed by the driver of their Licensed Vehicle.**

<sup>50</sup> Pursuant to s. 47 & s.48 Local Government (Miscellaneous Provisions) Act 1976

**Public (Hackney Carriage) or Private Hire Insurance extensions, as appropriate, along with Vehicle Excise Licence (VEL), must be maintained on Licensed Vehicles at all times:** Should the holder of a Hackney Carriage/ Private Hire Vehicle Licence wish temporarily to cease to maintain such insurance or VEL, first they must notify this Licensing Authority in order that the Vehicle Licence may be Suspended, and where appropriate, they may continue lawfully to use the vehicle.

Unlicensed Drivers may not drive Licensed Vehicles: Hackney Carriage/ Private Hire Driver's Licences must be lodged with the Proprietor of the Licensed Vehicle, but note that upon request by an Authorised Officer of this Licensing Authority or a Police Constable, immediately Licensed Drivers must produce their Hackney Carriage/ Private Hire Driver's Licence for inspection, and anyway within 5 days at this Licensing Authority's principal offices, or Police Station as appropriate.<sup>51</sup>

Should a Private Hire Driver accept a fare that is not pre-booked, immediately their Private Hire Insurance is voided as they have ceased to comply with the Private Hire Licence under which they are operating. Similarly, 'restricted' Private Hire Insurance i.e. that valid only whilst working for a specific Private Hire Operator, becomes invalid should work be accepted from a different Operator.

Any contravention of Insurance matters will cause this Licensing Authority to consider Suspension or Revocation of, or a refusal to Renew a Licence.

### **23. *Damage to Licensed Vehicles; Road Traffic Collisions***

This Licensing Authority requires that, however caused, any damage suffered by a Hackney Carriage/ Private Hire Licensed Vehicle is reported by the Licensed Vehicle's Proprietor in writing to this Licensing Authority as soon as possible, and anyway within 72 hours of the occurrence<sup>52</sup>. Upon receipt of such an initial report, Authorised Officers will ascertain the nature of the incident, may require further written information and/or photographs to be submitted and, beyond that, any further action required.

Should the damage be deemed minor and cosmetic only in nature, the Proprietor will be notified, but it will be incumbent on them to ensure that such damage is rectified by the date of the Licensed Vehicle's next scheduled Fitness Test.

However, should it be deemed necessary due to the nature of the damage materially affecting the safety, performance, or appearance of the Licensed Vehicle, or the comfort or convenience of passengers, the Vehicle Licence may be Suspended until such time that such damage has been repaired to the satisfaction of this Licensing Authority. Evidence of a satisfactory repair is an MOT and/ or

Fitness Test Pass Certificate as deemed necessary in each case. Only once satisfactory evidence has been provided, will the Suspension be lifted, and the Vehicle returned to service.

<sup>51</sup> s.53 Local Government (Miscellaneous Provisions) Act 1976

<sup>52</sup> Pursuant to s.50(3) Local Government (Miscellaneous Provisions) Act 1976

## 24. Safety Equipment

### 24.1 Fire Extinguisher

For the safety of passengers and driver, this Licensing Authority requires all Licensed Vehicles to carry an Approved fire extinguisher<sup>53</sup> that is in the driving compartment (Hackney Carriage) or boot (Private Hire) of the Licensed Vehicle, and affix signs stating its location so as to be clearly visible to, and easily read by, the occupants of the vehicle.

To prevent removal and/ or exchange between vehicles, and to ensure that Licensed Vehicles are permanently equipped with such a fire extinguisher, the vehicle Registration Mark together with the Licensed Vehicle number must be permanently and clearly inscribed upon the fire extinguisher.

### 24.2 First Aid Kit

Every Licensed Hackney Carriage and Private Hire Vehicle must carry a suitable first aid kit for use in an emergency.

To prevent removal and/ or exchange between vehicles, and to ensure that Licensed Vehicles are permanently equipped with a first aid kit, the vehicle Registration Mark together with the Licensed Vehicle number must be permanently and clearly inscribed upon the first aid kit.

### 24.3 Spare Wheel

**Where a full-sized spare wheel is provided at the time of first registration of the vehicle with DVLA, the Proprietor/ Licensed Driver shall continue to use it.**

A punctured tyre must be repaired or replaced and returned to use as soon as practicable.

For vehicles not fitted with a standard spare wheel at the time of first registration of the vehicle with DVLA, instead being equipped with a 'space saver' spare wheel, 'run flat tyres', or a sealant & inflation system, any use of these must be in accordance with the manufacturer's specifications. At Fitness Testing, the Proprietor (and driver if different) must sign a Declaration confirming their knowledge of the maximum speed permitted whilst using such devices, together with their understanding of them being designed only as a 'get-you-home' measure: A copy of this Declaration will be retained with the Vehicle Licence record.

### 24.4 Seat Belts

The Motor Vehicles (Wearing of Seat Belts) Regulations 1993 require all occupants of a Hackney Carriage or Private Hire Vehicle to wear seat belts: Hackney Carriage (Taxi) drivers may claim an exemption only when plying for hire, answering a call for hire, or when actually carrying a passenger for hire, but such an exemption cannot be claimed when driving between home and office, nor when not plying for hire. Private hire drivers may only claim an exemption whilst carrying a passenger for hire.

This Licensing Authority does not permit a child below the age of 10 years to be

<sup>53</sup> Approved fire extinguishers are either dry powder of at least 1 kilogram in weight marked as complying with BS5423, or an AFFF extinguisher of at least 1 litre capacity marked as complying with BSEN3: 1996. All extinguishers must have a visual gauge indicating the state of charge

carried in the front seat of a Licensed Vehicle: Consequently passengers with babies must only be seated in the rear.

It is the responsibility of the Licensed Driver to ensure that children (under the age of 14 years) wear seat belts: Child seats must be used in the rear seats with adult seatbelts where a child is up to 3 years of age and under 135cms (4'5") in height; children over this age or height may travel using an adult seatbelt only if an appropriate child seat is not available. Further, if no child seat is available, children under 3 years of age may travel unrestrained in a Hackney Carriage, or the rear of a Private Hire Vehicle, but only where the rear seats are separated from the driver by a fixed partition.

#### 24.5 *Warning Triangle and Reflective Jackets*

All licensed vehicles must be equipped with a warning triangle, and sufficient reflective high visibility vests<sup>54</sup> for driver and Licensed number of passengers: This equipment shall be used at the discretion of the driver in order to safeguard all persons in the event of an emergency, road traffic collision, or mechanical breakdown.

To prevent removal and/ or exchange between vehicles, and to ensure that Licensed Vehicles are permanently equipped with a warning triangle and sufficient reflective high visibility vests, the vehicle Registration Mark together with the Licensed Vehicle number must be permanently and clearly inscribed upon the warning triangle and reflective high visibility vests.

#### 25. **Closed-circuit Television (CCTV) in Licensed Vehicles**

This Licensing Authority views the installation of overt CCTV recording equipment within Licensed Vehicles as a positive measure in prevention and detection of crime, particularly in protecting drivers from the risk of assault. Furthermore, sound (only activated in the event of an incident, otherwise mute) and image recordings are good evidence if allegations are made against drivers: Where such a CCTV system is installed, this Licensing Authority requires signage to be displayed informing both prospective and actual passengers of its presence. This signage must be prominently displayed on both Nearside and Offside rear passenger door windows, so as to be clearly visible from inside and outside, easily read, and is required to show both words and symbols. Also, the Licence Holder(s) must, as Data Controller, ensure that any information captured is processed and stored in accordance with the General Data Protection Regulations and Data Protection Act 2018.<sup>55</sup>

<sup>54</sup> EU standard EN 471 class 2

<sup>55</sup> Proprietors to ensure compliance with their Data Protection responsibilities – 'In the picture: A data protection code of practice for surveillance cameras and personal information' available from the Information Commissioner's Office <https://ico.org.uk>

**26. Vehicle Licence Plates – see also section 32, Private Hire Vehicle Distinguishing Features**

A Licensed Vehicle Identification Plate is required to be displayed at all times. The only exception to this requirement is where an exemption has been granted.<sup>56</sup> Where an external Licence Plate is required, it shall at all times be mounted on an approved bracket fitted in a conspicuous position on the outside of the rear of the vehicle so that it may be readily removed by an Authorised Officer of this Licensing Authority, or a Police Constable.

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Additionally, where a Licensed Vehicle Identification Plate is displayed, two Internal Identification Cards will have been issued, one providing details of the Driver's Licence, the other the details of the Vehicle Licence: These Internal Identification Cards must be affixed to the inside front windscreen or other obvious position so as to be clearly visible to the vehicle occupants.

**27. Sale & Transfer of Licensed Vehicles**

The Proprietor of a Licensed Vehicle may sell and transfer their interest in that vehicle to another individual but, within 14 days of such transfer, a written notice must be provided to this Licensing Authority. This notice must specify the name and address of the person to whom the vehicle has been transferred and, upon payment of the required fee<sup>57</sup> the transfer will be processed, and an updated paper Licence issued to the new Proprietor.

<sup>56</sup> s.75(3) Local Government (Miscellaneous Provisions) Act 1976

<sup>57</sup> s.49(1) Local Government (Miscellaneous Provisions) Act 1976

## **PART E: ADDITIONAL SPECIFIC REQUIREMENTS FOR HACKNEY CARRIAGE VEHICLE LICENCES**

### **28. Hackney Carriage Taximeters**

All Hackney Carriages must be fitted with a taximeter of a type approved by Transport for London Taxi and Private Hire in document TfL Taximeter Specification Version 2 issued May 2017. Such taximeters must be operated in accordance with the Law, together with the Byelaws and Licence Conditions of this Licensing Authority: Taximeters must be maintained in full, calibrated working order, subjected to annual (yearly) testing as part of the Fitness Test at the time of Licence Renewal, and as required at any time by an Authorised Officer<sup>58</sup>.

Only the fixed Fare Tariffs issued by this Licensing Authority may be used: A Tariff Card is issued by this Licensing Authority, and at all times must be prominently displayed within the vehicle so as to be clearly visible to, and easily read by passengers.

### **29. Hackney Carriage Distinguishing Features**

Hackney Carriages must be readily identified as such, being easily distinguishable from other Licensed Vehicles<sup>59</sup>: Hackney Carriages must be fitted with an approved design of roof sign with the word "TAXI" clearly visible, and which must be illuminated when the vehicle is available for hire.

### **30. Hackney Carriage Vehicle Specification**

This Licensing Authority lays down general specifications for Licensing of Hackney Carriages in 'Conditions relating to the Construction and Licensing of Hackney Carriages in the District of Chichester – December 2012' (see Appendix B), and 'Hackney Carriage Byelaws' (see Appendix C).

### **31. Hackney Carriage Advertising**

Subject to prior written approval by this Licensing Authority, advertisements will be permitted on both the inside and outside of Hackney Carriages: Other than their financial aspects, Proprietors must provide to this Licensing Authority full details of advertising contracts.

Advertisements inside the vehicle may be displayed only on the base of tip-up seats, and along the bulkhead on top of the passenger/ driver partition. So as to be easily cleaned, all such advertisements must have a clear and fire-retardant covering.

Suitable outside advertisements may consist of a single full livery advertisement only, OR single advertisements displayed on the lower panel of the front doors only: **It is not permitted for vehicles to display both types at the same time.**

Upon expiry/ termination of an advertising contract, all remnants of adverts attached to or displayed on the vehicle must be professionally removed to the receipted satisfaction of this Licensing Authority, necessarily the Licensed Vehicle being presented for inspection at CCS or by an Authorised Officer.

<sup>58</sup> s.68 Local Government (Miscellaneous Provisions) Act 1976

<sup>59</sup> Pursuant to s.47 of the Local Government (Miscellaneous Provisions) Act 1976

## **PART F: ADDITIONAL SPECIFIC REQUIREMENTS FOR PRIVATE HIRE VEHICLE LICENCES**

### **32. Private Hire Vehicle Distinguishing Features**

It is a requirement that Private Hire Vehicles are of such design and appearance that no person will believe them to be Hackney Carriages.<sup>60</sup>

Private Hire Vehicles Licensed by this Licensing Authority and used for 'mainstream' Private Hire work<sup>61</sup> are readily identifiable<sup>62</sup> by the yellow Licensed Vehicle Identification Plate that must be affixed to the outside rear of the vehicle, together with the issued adhesive Door Badges that must be affixed using their adhesive qualities to the upper solid part of both rear doors so as to be clearly visible. These Door Badges show the Vehicle's Licence number, the Chichester District Council logo, and state clearly that the vehicle must be pre-booked: Both Licensed Vehicle Identification Plate and Door Badges must be affixed to the vehicle at all times whilst the vehicle remains Licensed.

Further, Private Hire Vehicles Licensed by this Licensing Authority must not carry any roof sign nor external advertising, but a narrow horizontal strip with 58mm (2¼") high letters may be affixed across the base of the rear window showing the name and telephone number of the Private Hire Operator: The lettering on the strip must not contain the words "taxi", "cab", nor any other similar wording that could or might mislead members of the public into believing the vehicle to be a Hackney Carriage.

### **33. Private Hire Vehicle 'Taxi' Meters**

There is no requirement for Private Hire Vehicles Licensed by this Licensing Authority to be fitted with a 'Taxi' meter. However, if fitted, any meter must be of a type approved by Transport for London Taxi and Private Hire in document TfL Taximeter Specification Version 2 issued May 2017, and must be operated in accordance with the Law, together with the Byelaws and Licence Conditions of this Licensing Authority: Taximeters must be maintained in full and calibrated working order, subjected to annual (yearly) testing as part of the Fitness Test at the time of Licence Renewal, and as required at any time by an Authorised Officer.

Should an Operator wish to install a meter in an existing Private Hire Licensed Vehicle which currently does not have such a meter fitted, first they must notify this Licensing Authority of their intention to make such an installation, then the meter must be professionally installed, calibrated, sealed, and all documentation provided to this Licensing Authority. Prior to the meter being used, it must be presented for Meter Fitness Testing at CCS where, upon successful completion, a Certificate will be issued and which must be forwarded to this Licensing Authority.

This Licensing Authority does not set Private Hire tariffs, however a Tariff Card showing the Operator's published tariffs (declared to, lodged, receipted, and maintained as current with this Licensing Authority), must at all times be prominently displayed within the vehicle so as to be clearly visible to, and easily read by passengers: Any complaint made by passengers regarding tariffs and

<sup>60</sup> s.48(1)(a)(ii) Local Government (Miscellaneous Provisions) Act 1976

<sup>61</sup> Not those subject to Exemption under s.75(3) Local Government (Miscellaneous Provisions) Act 1976

<sup>62</sup> Pursuant to 'Annex - Staying Safe' of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017



overcharging will be considered by reference to the most recent **receipted** Tariff Card lodged by the Operator with this Licensing Authority.

**34. Private Hire Vehicle Exemption under s.75(3) Local Government (Miscellaneous Provisions) Act 1976**

Application may be made to this Licensing Authority by the Proprietor of a Private Hire Vehicle for exemption from displaying an external Vehicle Plate and Door Badges.<sup>63</sup>

However, this Licensing Authority will only grant such an exemption if compelling evidence (which is both sufficient and to its satisfaction), be provided by the Proprietor of the Licensed Vehicle that it will be used solely and exclusively for chauffeured, 'high-end' executive, or VIP work. Any general Private Hire work, regardless of its frequency or distances travelled, will exclude a Private Hire Vehicle from such an Exemption being granted.

Where an Exemption is granted, a Statement of Declaration will be issued to the Proprietor of the Private Hire Vehicle, together with the standard Internal ID Card but, instead of the standard Vehicle Licence Plate, a small Vehicle Licence Plate which must be displayed inside either the front or rear window of the Private Hire Vehicle: The Statement of Declaration must be retained in the Private Hire Vehicle at all times. The Licensed Driver of such an Exempted Private Hire Vehicle is not required to wear the Driver's Badge, but must have it with them for production upon requirement by an Authorised Officer or Police Constable.

**Where an exemption ceases to apply, a previously-Exempted vehicle must display an External Vehicle Licence Plate and Door Badges which the Proprietor must obtain from this Licensing Authority. In addition, the Licensed Driver must again wear the Driver's Badge in the normal manner.**

**35. Private Hire Safety Partition Screens**

This Licensing Authority supports the installation of Hackney Carriage style Safety Partition Screens in Private Hire Vehicles to improve the safety of Private Hire Drivers in reducing the threat of attack by passengers. Also it is recognised that by fitting and using such devices, together with employing other measures such as good ventilation and positioning of passengers, they may provide some degree of protection from, and control of, disease infection e.g. COVID-19.

However, all newly-manufactured vehicles have been rigorously tested (NCAP) and achieved European Whole Vehicle Type Approval: Changing or adding to the interior of the vehicle can alter the 'type approval', and may have consequences as to what happens inside a vehicle in the event of a collision. Consequently, whether or not a safety partition screen should be installed is a matter for vehicle Proprietors and their Insurer.

To assist in making a decision, together with the specific requirements of this Licensing Authority, see 'Guidelines for Private Hire Vehicle Safety Partition Screens' (Appendix G).

<sup>63</sup> s.75(3) Local Government (Miscellaneous Provisions) Act 1976

## **PART G: REQUIREMENTS RELATING TO PRIVATE HIRE VEHICLE OPERATORS**

### **36. *Private Hire Operators' Conduct & co-operation with Authorised Officers and Police; 'Fit and Proper Person'***

All Private Hire Operators must exhibit a high standard of general conduct, behaving in a civil and orderly manner both with members of the public, and in fully co-operating with Authorised Officers and the Police in the lawful execution of their duties<sup>64</sup>. Any instance of non-compliance, non-co-operation, and use of foul or insulting words or behaviour is viewed most seriously, calling into question their status as a 'Fit and Proper Person' to hold a Private Hire Operator's Licence, with such matters being investigated, recorded against individual Licence Holders, and causing consideration of Suspension or Revocation of, or a refusal to Renew a Licence.

### **37. *Private Hire Operators' DBS Criminal Record check, Safeguarding, Child Sexual Abuse and Exploitation (CSAE)***

This Licensing Authority requires all Private Hire Operator Applicants and existing Operators of Private Hire Vehicles to provide checks of their own Criminal Conviction status<sup>65</sup>. These are required upon initial Application, annually (yearly) during the Licensed period, and at subsequent Renewals. Applicants and existing Operators not already providing the Enhanced DBS Criminal Record check Certificate in their separate standing as a Hackney Carriage/ Private Hire Vehicle Driver, must provide a Basic DBS Criminal Record check Certificate which is no more than 3 months old: Operators which are Limited Companies or Partnerships must provide such Certification for every Director/ Partner of the Company/ Partnership.

Further, should there be any change to the Criminal Record status of any individual Operator, or Director/ Partner of a Company/ Partnership Operator at any time during the Licensed period, it is incumbent upon the Operator immediately to notify this Licensing Authority: Dependent on the nature and/ or circumstances of the matter, consideration may be given to Suspension, Revocation, or refusal to Renew a Licence.

### **38. *Private Hire Operators' Duty to conduct Basic DBS Criminal Record checks on booking & dispatch staff***

This Licensing Authority requires <sup>66</sup>all Private Hire Operator Applicants and existing Operators of Private Hire Vehicles to:

- Maintain a 'live/ rolling' Register of all booking & dispatch staff in their employment, the details being retained for six (6) months from the date of any booking and/ or dispatch, regardless of the individual's employment status;
- Provide to this Licensing Authority a written hard format copy of the Operator's Policy on employing ex-offenders;

<sup>64</sup> Pursuant to s.55, s.62 and s.73 Local Government (Miscellaneous Provisions) Act 1976

<sup>65</sup> Pursuant to s.8 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>66</sup> Pursuant to s.8.7-8.12 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

- For each and every individual on the aforementioned Register, for new employees at the time of their engagement, for existing employees at the time of creation of the Register, confirm sight of their recently-issued (less than 3 months old) Basic DBS Criminal Record Certificate, and that they are suitable to decide such matters as who is sent to transport an unaccompanied child or vulnerable adult<sup>67</sup>;
- Require such employed staff, as part of their Contract and terms of employment, immediately to notify the Operator of any fresh convictions of any sort.

**Note: Should the Operator outsource their booking/ dispatch functions to a third party, the responsibility remains with them regarding CSAE matters: In such situations, the Operator must confirm that the third party has evidenced to them that it employs equally rigorous protections.**

### 39. **Private Hire Operators' Record Keeping**

This Licensing Authority requires Private Hire Operators to **keep records in an orderly manner suitable for inspection, and for a minimum of six (6) months** regarding every booking invited or accepted, whether by a passenger or another Private Hire Operator<sup>68</sup>. These details must be retained in accordance with their duties and responsibilities as Data Controllers under current Data Protection legislation<sup>69</sup>.

Details that must be recorded and retained for the minimum 6-month period are:

- Name of the passenger;
- Date and Time of request (booking);
- Pick-up point;
- Date and Time of pick-up;
- Destination;
- Name of Driver;
- Driver's Licence Number (Badge Number);
- Registration Number and Vehicle Plate Number;
- Name of any individual who responded to the booking request;
- Name of any individual who dispatched the vehicle.

At any time, this Licensing Authority may require the Private Hire Operator to provide the booking records for inspection: Whether computerised or otherwise, the records must be presented in a format and manner to make them suitable for that purpose.

### 40. **Private Hire Operators' Use of Passenger Carrying Vehicle (PCV)-only Licensed Drivers & Public Service Vehicles (PSVs)**

Private Hire Operators must not use Passenger Carrying Vehicle (PCV)-only qualified drivers to fulfil bookings where a vehicle larger than that permitted under

<sup>67</sup> With reference to the 'Assessment of Previous Convictions' annex to the Statutory Taxi & Private Hire Vehicle Standards' (July 2020)

<sup>68</sup> Pursuant to s.56 Local Government (Miscellaneous Provisions) Act 1976

<sup>69</sup> Details available from the Information Commissioner's Office <https://ico.org.uk>

Private Hire legislation (i.e. Public Service Vehicle (PSV) with more than 8 passenger seats is required to fulfil a booking), this due to PCV-only Drivers not being subject to the same stringent DBS Enhanced Criminal Record checks, nor Safeguarding Training as Private Hire Licensed Drivers.<sup>70</sup>

Where a larger vehicle is required, the person booking must be informed of, consent to, and the matter recorded on the booking record, that a PSV is being utilised with a PCV-only qualified Driver.<sup>71</sup>

#### 41. ***Sub-contracting by Operators***

A Private Hire Operator who has accepted a booking for a Private Hire Vehicle, may arrange for another licensed operator to provide a vehicle to carry out the booking.<sup>72</sup>

**Note: Should the Operator outsource their booking/ dispatch functions to a third party, the responsibility remains with them regarding CSAE matters: In such situations, the Operator must confirm that the third party has evidenced to them that it employs equally rigorous protections.**

<sup>70</sup> Pursuant to s.8.16 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>71</sup> Pursuant to s.8.17 of HM Government's Department for Transport's publication 'Statutory Taxi & Private Hire Vehicle Standards' (July 2020) published under s.177(1) Policing and Crime Act 2017

<sup>72</sup> s.55A of Local Government (Miscellaneous Provisions) Act 1976

## PART H – MISCELLANEOUS PROVISIONS

### 42. *Authorised Officer, Legal Officer, and Member Training*

It is essential that individuals determining whether a Licence is issued or refused are competent to do so: Such individuals must have sufficient knowledge, experience, and training in Hackney Carriage and Private Hire Licensing matters.

Officers of this Licensing Authority, especially members of the Licensing Team, Legal Services, and all Members of the General Licensing Committee have received appropriate and documented training. Ongoing update and refresher training is provided as necessary.

### 43. *Enforcement and Complaints*

Holders of Licences must maintain a high standard at all times so as to ensure the continued promotion of public safety. This is achieved by full compliance with the Conditions attached to a Licence, as well as the various general statutory requirements: This Licensing Authority monitors compliance.

This Licensing Authority liaises with the Police and other agencies on issues of enforcement, including crime prevention, public safety, transporting and protection from harm of children and vulnerable adults. This is to continue to develop the enforcement protocol which is already in place, targeting resources at problem and high-risk issues of concern and potential harm.

This Licensing Authority conducts inspections of vehicles with ad-hoc operations as well as participating in 'Op Cabbie' and 'Op Arizona', co-ordinating with other inspection/ enforcement agencies; similarly, inspections of an Operator's booking records and drivers' professional behaviour will be made on a targeted and risk-assessed basis, or following a complaint. Complaints may be submitted to this Licensing Authority by email, in person, via the website, or by telephone.

Complaints about Licence holders are a source of intelligence when considering the renewal of a Licence, and in identifying any problems during the Licensed period: Patterns of complaints against a particular Licence holder may be indicative of characteristics that raise doubts about their suitability to hold a licence.

Details of all complaints and inspections are recorded within this Licensing Authority's electronic database and supporting document management system. The recording of subsequent investigations, visits, and actions assists this Licensing Authority in determining where a Licence holder has fallen, or is falling below the high standards expected of them.

When considering whether it is necessary to take action in relation to a particular matter, this Licensing Authority will consider each case on its merits, and in accordance with the enforcement policy. Following a complaint investigation/ inspection, this Licensing Authority may take no further action, issue a written warning, make a formal review of a Licence, or issue a Suspension or Revocation Notice.

**Note: The Police are notified of all Suspensions and Revocations.**

#### 44. **Licensing Forms**

Only current Forms will be accepted by this Licensing Authority: Obsolete Forms will be rejected.<sup>73</sup>

#### 45. **Fees and Charges**

**Fees and charges are payable at the time of Application or notification of the relevant charge:** Until all necessary fees and charges are paid, Applications/ Notifications are not complete and valid, and will not be processed. **The Application/ Notification process, together with all requirements for maintenance of all Licences, are at the expense of the Applicant/ Licence holder.**

Dependent on the Licence Type, the chargeable fees include elements for administration and maintenance, and will be reviewed annually (yearly) in accordance with the statutory provisions<sup>74</sup>: Current Fees for all Licence types are available on request, but also are published on the Chichester District Council website: <https://www.chichester.gov.uk/taxilicensingcosts>

Proportionate Fees refunds for some Licences are available to the following criteria upon application to this Licensing Authority, but only on a full calendar year basis at the time of such receipted application being made:

- For a one (1) year Licence: No refund available;
- For a three (3) year Licence: Up to first anniversary 50% of fee; up to second anniversary 25% of fee; after second anniversary, no refund available;
- For a five (5) year Licence: Up to first anniversary 75% of fee; up to second anniversary 50% of fee; up to third anniversary 25% of fee; after third anniversary, no refund available.

#### 46. **National Fraud Initiative; General Data Protection Regulations and Data Protection Act 2018**

Chichester District Council as the Licensing Authority is under a duty to protect the public funds it administers and, to this end, may use information provided for the prevention and detection of fraud. Also, it may share this information with other bodies responsible for auditing or administering public funds. For further information see <https://www.gov.uk/government/publications/fair-processing-national-fraud-initiative/fair-processing-level-3-full-text#contents>

Chichester District Council as the Licensing Authority manages personal data in accordance with the provisions contained within current data protection legislation: Information may be shared with other departments within the Council, other enforcement agencies, and consulting bodies, including the DVLA, Police, and other partners as permitted in Law. For more information see [www.chichester.gov.uk/dataprotectionandfreedomofinformation](http://www.chichester.gov.uk/dataprotectionandfreedomofinformation)

<sup>73</sup> Forms are available on application, but also are published on the Chichester District Council website: <https://www.chichester.gov.uk/taxilicence>

<sup>74</sup> s.53(2) and s.70 Local Government (Miscellaneous Provisions) Act 1976

Chichester District Council

CABINET

6 July 2021

**Contract amendments: Hyde Large Scale Voluntary Transfer (LSVT)**

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**2. Executive Summary**

<p>This report seeks delegated powers for the Director of Housing &amp; Communities following consultation with the Cabinet member to agree changes to the LSVT agreement with Hyde. Changes are summarised in para 4.7 &amp; 4.8 and appendix 1. It also seeks delegation to remove restrictive covenants from individual parcels of land where planning permission has been granted for housing .</p>
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**3. Recommendation**

- 3.1 That delegated powers are granted for the Director of Housing & Communities, following consultation with the Cabinet member for Housing, Communications, Licensing & Events, to sign a deed of release for certain clauses within the LSVT with Hyde and enter into an amended Clawback agreement and a new partnership working agreement.**
- 3.2 That delegated powers are granted for the Director of Housing & Communities, following consultation with the Cabinet member for Housing, Communications, Licensing & Events, to remove restrictive covenants from individual parcels of land owned by Hyde and transferred at LSVT upon grant of planning permission for housing.**

**4. Background**

- 4.1 In 2001 the Council set up a housing company called Chichester District Community Housing Limited and transferred its housing stock. The stock required significant investment and the resources available to the Council, to both update existing stock and build new affordable homes, were very much restricted by financial regulations**

and the resources available at the time. The Government encouraged, and the Housing Act 1980 enabled, all Councils to transfer their stock to a registered provider (RP), who would raise the funds to both purchase the stock and carry out the necessary backlog of repairs to bring the homes up to the Decent Homes Standard. The local authorities received a capital receipt that they could use to pay off any council debt and also use any remaining funds to provide grants to registered providers to deliver new affordable homes. During the last 20 years the original housing company set up by the Council has been subsumed into Hyde who are now the biggest provider of social housing in the District.

- 4.2 When the housing stock was transferred both parties entered into a Large Scale Voluntary Transfer (LSVT) Agreement, this set out obligations in respect of both parties over 30 years. These obligations included nomination rights to CDC, restrictions on the rents for the initial 5 years, the sale of properties and the development of land.
- 4.3 Over the last 20 years there have been significant changes to the way registered providers are funded which have impacted on the way in which their assets are managed. Also the stock held by Hyde since LSVT is aging, requires relatively high maintenance and will require significant investment if it is to meet the minimum energy efficiency standards introduced by the Energy Efficiency (Private Rented Property)(England and Wales) Regulations in 2015 by 2030.
- 4.4 Hyde have approached the Council with proposals, set down in their Hyde 2050 Strategy (appendix 2), to invest in the District by way of developing amenity and garage sites, potential redevelopment of older hard to let schemes, place making and investment in existing stock to meet climate change requirements and modern standards. Hyde also want to make the best use of stock by ensuring the right people are in the right homes by using a lifecycle model and flexible tenancies.
- 4.5 It should be noted that tenants that transferred at LSVT retain protected rights. Whilst these have evolved due to changes in the relevant housing statutes, these rights will be unaffected by the changes being proposed in this report. The Council will continue to receive Right to Buy receipts. Also any development or redevelopment will be subject to Planning in the usual way and any disposal proceeds will be reinvested in affordable housing in the District.
- 4.6 A summary of the key changes proposed is at Appendix 1. Officers have sought legal advice from an external barrister on the deed of release and partnership working agreement to ensure there are no unintended consequences and will await that advice prior to agreeing the document.
- 4.7 The key changes include:
  - 4.7.1 Disposal Clawback Agreement: Amended so CDC permission to sell a property is no longer required, 100% of proceeds ringfenced for spend in the District and use of the proceeds broadened to include new build, place making, energy efficiency upgrades and stock investment programmes.
  - 4.7.2 Release from various covenants largely now expired or superseded by regulatory or statutory requirements (see 8.1 below: subject to legal advice)
  - 4.7.3 Nominations: Currently CDC has 100% nomination rights on new builds and 75% on relets. This will change to 75% for both new builds and relets.



4.7.4 Garage & Amenity sites: Amended so CDC permission to sell is no longer required, 100% of proceeds ringfenced for spend in the District and use of funds broadened to include new build, place making, energy efficiency upgrades and stock investment programmes.

4.8 In addition to the clauses that Hyde wish to amend they are seeking to facilitate delivery of housing by speeding up the process of removal of restrictive covenants that were placed onto amenity sites and garage sites at LSVT. The recommendations in this report also, therefore, include a delegation for the Director of Housing & Communities, following grant of Planning permission and consultation with the Cabinet member, to remove the restrictive covenants where it will assist in the provision of housing in the district without the need for a Cabinet report.

4.9 A new partnership working agreement will be put in place setting down the obligations of each party and how we intend to work together. This will sit alongside the remaining LSVT clauses which will expire as originally intended in 2031. It is also worth noting that Hyde are subject, along with all RP's, to regulation by the Regulator of Social Housing and are bound to meet their standards of governance, viability and efficiency.

## **5. Outcomes to be Achieved**

5.1 The outcomes of these changes will be to facilitate the delivery of the Hyde 2050 Strategy (appendix 2)

## **6. Proposal**

6.1 It is proposed that delegated powers be given to the Director of Housing & Communities, following consultation with the Cabinet member for Housing, Communications, Licensing & Events, to sign the deed of release from certain clauses in the LSVT agreement.

6.2 It is also proposed that delegated powers be given to the Director of Housing & Communities, following consultation with the Cabinet member for Housing, Communications, Licensing & Events, and the grant of Planning permission for housing, to lift restrictive covenants on individual parcels of land transferred at LSVT.

## **7. Alternatives Considered**

7.1 Officers have been in negotiation with Hyde for some time over these proposals and various alternatives have been considered. The final agreement will seek to give Hyde the freedoms they need to deliver Hyde 2050, but will protect tenants, in particular tenants that transferred at LSVT.

7.2 Another alternative would be to not agree to the proposals. This could result in Hyde deciding to invest in other areas of their portfolio and the opportunity to invest in Chichester District housing could be missed or delayed.

## **8. Resource and Legal Implications**

- 8.1 The Divisional Manager for Democratic Services has been working with Hyde’s legal advisors throughout this process and has advised on all aspects of the deed of release and partnership working agreement. Additional legal advice has been procured, particularly around release of covenants, and the final report is awaited. The documents will not be signed ahead of this advice being received.
- 8.2 There are no direct financial implications for the Council as the Right to Buy receipts will continue to be paid to the Council, and other proceeds will continue to be paid into a Designated Reserve Account to be spent in the district. It is only the scope of spend that has been amended.
- 8.3 In the past a small sum has been sought from Hyde when restrictive covenants have been lifted to reflect the uplift in value of the land, however, the delegation requested includes the proviso that Planning permission for housing is in place and it seems incongruous to request a sum of money from a RP of social housing (i.e. not for profit) who may also be accessing grant funding from the Council. It must also be recognised that as a not for profit organisation Hyde may need to cross subsidise social rented housing with low cost home ownership models or market housing.

## 9. Consultation

- 9.1 The Cabinet and SLT have been consulted.

## 10. Community Impact and Corporate Risks

- 10.1 The Community impact of these changes is minimal, however, the impact of Hyde 2050 being delivered will be positive as more housing will be delivered by a RP, as well as investment in existing stock.
- 10.2 A risk of making these changes may be any unintended consequences, however, external legal advice has been procured and the Councils legal team has been involved throughout. Also the LSVT expires in 2031 and since it’s agreement no major disputes have occurred between the Council and Hyde (or it’s predecessors), and Hyde will continue to be regulated by the Regulator of Social Housing who carries out the relevant oversight role for housing providers including Hyde.

## 11. Other Implications

	Yes	No
<b>Crime and Disorder</b>		x
<b>Biodiversity and Climate Change Mitigation</b> – the proposals within this report will not have any impact, however, Hyde 2050 will have a positive impact on climate change – see appendix 3	x	
<b>Human Rights and Equality Impact</b> – the proposals within this report will not have any impact, however, Hyde 2050 will have a positive impact due to improved access to housing– see appendix 3	x	
<b>Safeguarding and Early Help</b>		x
<b>General Data Protection Regulations (GDPR)</b>		x
<b>Health and Wellbeing</b> – the proposals within this report will not have	x	

any impact, however, Hyde 2050 will have a positive impact due to improved access to housing– see appendix 3		
<b>Other</b> (please specify)		

## 12. Appendices

- 12.1 Summary of changes to LSVT
- 12.2 Hyde 2050 strategy
- 12.3 Impact assessment

## 13. Background Papers

- 13.1 None

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Appendix 1: Summary of proposals for LSVT amendments

Current key LSVT clauses.	Proposed revision;	Comments/impact
<p><u>Disposal Clawback agreement</u> This agreement (revised in 2011) ensures that proceeds from the sale of dwellings and land are put into a Designated Reserve Account (DRA) to be reinvested in the District.</p> <p>Hyde require our permission to sell properties (which we cannot unreasonably withhold) &amp; to spend the DRA which must be invested in new affordable housing in the district. The DRA currently stands at £1.2m.</p>	<p>Proceeds from all disposals of land and dwellings (including garage and amenity sites) to continue to be put into a ringfenced account for the Chichester District, however, the use of funds to be broadened to include new build, place-making, energy efficiency upgrades and stock investment programmes.</p> <p>Hyde propose that no consent is required from CDC for disposal or spend, with Hyde to provide annual summary accounts to CDC to evidence spend.</p>	<p>This clawback agreement, which was revised in 2011 and is due to expire in 2031, effectively keeps the monies from disposals in the district. Broadening the scope for spend will enable it to be used more effectively, including for energy efficiency programmes, whilst retaining the ringfence to the Chichester district.</p> <p>CDC is unable to unreasonably withhold consent for sale in the current agreement and the process for agreement of sale is seen as cumbersome and introduces delays.</p> <p>The annual reporting will ensure transparency and accountability of the disposal funds.</p>
<p><u>Right to buy (RTB) and Shared Ownership (SO) Clawback agreement</u> This agreement gives the Council a share of all RTB and SO staircasing income.</p>	<p>Following negotiation there will be no change in this position until the agreement expires in 2031.</p>	<p>This income goes directly into the Council's reserves and supports the capital programme. It totals £18.7m since stock transfer. In the last 5 years we have received £2.4m.</p>
<p><u>Various covenants including those relating to promises made to transferring tenants at LSVT</u> This includes: tenancy type, rights of successors, grounds for possession, right to consultation, registered provider status amongst others</p>	<p>Hyde is seeking to be released from all covenants. Their position is that the relevant covenants have either expired or are now protected by statutory protections.</p>	<p>Most covenants in the LSVT have already expired, e.g. rent restrictions which were put in place for 5 years. However, Hyde will be required to retain their registered provider status and we need to ensure that tenants that transferred at LSVT will continue to have the rights that transferred with them. This would include transferring tenants that are decanted for any regeneration, we need to ensure they retain the same type and security of tenure, and rent levels. <i>(We would also seek this assurance for all tenants but they will not have the protection afforded by the LSVT so this will be by negotiation and Hyde may not agree).</i> Advice from</p>

Appendix 1: Summary of proposals for LSVT amendments

<p><u>Allocations/nominations agreement</u> This currently gives CDC 100% nomination rights on new builds and 75% on relets, with 25% to Hyde.</p>	<p>Hyde propose an overarching nominations agreement for both existing and new stock: 75% of nominations to CDC on relets and new builds, 25% to Hyde.</p> <p>The Nominations Deed will be varied to reference the Tenancy Standard and bind Hyde to it.</p> <p>All new tenancies in respect of LSVT stock to be offered on a fixed term basis in line with the Council's existing Tenancy Standard and existing arrangements with our other registered provider partners.</p>	<p>Counsel is awaited.</p> <p>This change will allow Hyde to realise their lifecycle homes strategy and to allow them more flexibility in managing their stock.</p> <p>Overall there will be no less social housing in the district, and it is envisaged that many of the relets by Hyde will actually be transferring tenants who would then free up a home to be allocated by CDC.</p>
<p><u>Development of garage sites &amp; amenity land (Non-housing land)</u> Hyde is currently required to seek our approval to develop garage and amenity land, which we cannot unreasonably withhold if it is for social housing. There are two protocols to guide decision making around use of garage sites and amenity land for development. They are not legally binding.</p> <p>Where there is grant paid for a development the Council has 100% nomination rights.</p> <p>There are specific restrictive covenants on individual pieces of amenity land which prevent development.</p>	<p>Hyde will no-longer be required to seek approval to develop garage sites. Proposals will be agreed through a working group and any development or redevelopment will be subject to Planning in the usual way.</p> <p>It is proposed that a delegation is put in place for the Director of Housing &amp; Communities be given delegated powers to lift restrictive covenants on amenity sites (following consultation with the Cabinet portfolio holder) to enable housing to be delivered where a planning permission has been granted.</p> <p>Hyde propose no consent required from CDC for disposal and that any proceeds from disposals of such sites will be ringfenced for reinvestment in the district with spend monitored on an annual basis (as defined above).</p>	<p>Hyde requested that we lift all restrictive covenants en masse for all parcels of land as they wish to use their land flexibly to support the aims in Hyde 2050. They also see the current system which requires a Cabinet report each time a restrictive covenant is lifted as cumbersome and lengthy. This delegation is seen as facilitating that process but retaining the control over use of the land, i.e. on the grant of planning permission for housing. Also it should be noted that the planning system will control any undesirable development in the usual way.</p> <p>Where grant is paid by the Council towards a new development, the Council will still have the power to negotiate the level of nominations.</p> <p>In the past we have asked for a financial contribution when lifting restrictive covenants on parcels of land, however, it seems incongruous to do so when delivery of housing is one of our key aims and Hyde are a registered provider who can access grants from us.</p>



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Delivering our strategy in  
**Chichester**



# Introduction

Hyde has worked in Chichester and the surrounding areas for nearly 20 years, and over the last two years we have been working closely with Chichester District Council to discuss our plans for housing policy and provision.

Of the homes we own, our highest volume is in the Chichester District and as such, we have been working on a strategic plan for the area which focuses on energy efficiency, improving standards, placemaking and building more homes.

Our vision is to improve the quality of our existing homes, meet all building safety and decency standards, as well as enhance our offer to customers. By 2030, we would like to establish a lifecycle homes approach which gives our customers greater flexibility to move between homes in line with their changing needs. Central to our vision, is our commitment to placemaking which will ensure that the communities our customers live in benefit them as well as the wider society.

We have set out ten objectives which outline how we intend to achieve our vision.



We have amazing communities such as Chichester, where we need to ensure there is appropriate, decent, energy efficient and safe homes. Empowering customers to maximize the opportunities a permanent home delivers. We ask you to come along on that journey with us – it's a long one, but one we passionately care about.

**Peter Denton, Chief Executive Officer, the Hyde Group**





## Objective 1



### **Develop a 2050 Chichester District strategy that sets out our investment approach and objectives**

- The strategy will be agreed between Hyde and Chichester District Council and will be reviewed annually
- It captures all elements of investment in our current and future portfolio
- The strategy will be supplemented by a more detailed five-year business plan
- Key deliverables include building safety, the green agenda, placemaking and delivering lifecycle homes; all of which are interlinked with delivering new homes.

## Objective 2



### **By 2030 we will meet all standards for building safety and decency**

- Hyde is a sector leader in response to building safety following the tragedy at Grenfell. Our focus has been on buildings most at risk, but our programme of work extends across all our properties
- Building safety will be delivered in parallel with decency standards.



## Objective 3



### **By 2030 we will be on track to meet carbon neutral targets**

- We support the Government's 2050 carbon neutral plan and will play our part in delivering the targets
- The challenge is significant, and we are beginning our analysis to understand what we need to do to our homes, and how we will deliver the changes.

## Objective 4



### **By 2030 we will have a well embedded approach to lifecycle homes**

- Flexibility will be created to allow customers to move to another home within our portfolio in line with their changing needs
- We will work to align our asset management strategy with our allocation and letting model to create far greater agility and operate an equitable model.



## Objective 5



### **We will review all high priority clusters and estates identified for intervention**

- We will identify the most appropriate estates and clusters to take to the detailed assessment phase
- We will see what we can deliver in partnership with Chichester District Council, present these findings over the next year and agree next steps
- Any estates or homes with poor or outdated design will sit within our own asset management programme to drive standards up. We will review the homes and ask Chichester District Council for feedback.

## Objective 6



### **We will agree the schemes to be included in the five-year business plan**

- These will be based on feasibility studies to be carried out in 2021/22 (see objective 8)
- We will present them at the partner meetings to monitor delivery of the business plan.



## Objective 7



### **Sensitively review findings from the non-housing and amenity land studies, and agree how the land should be used in the future**

- The detailed studies reviewed over 400 pieces of non-housing and amenity land
- Early findings suggest that circa 180 new homes could be built on 138 of these sites
- Where land is not suitable for development, transferring ownership to a parish council or community land trust will be considered.

## Objective 8

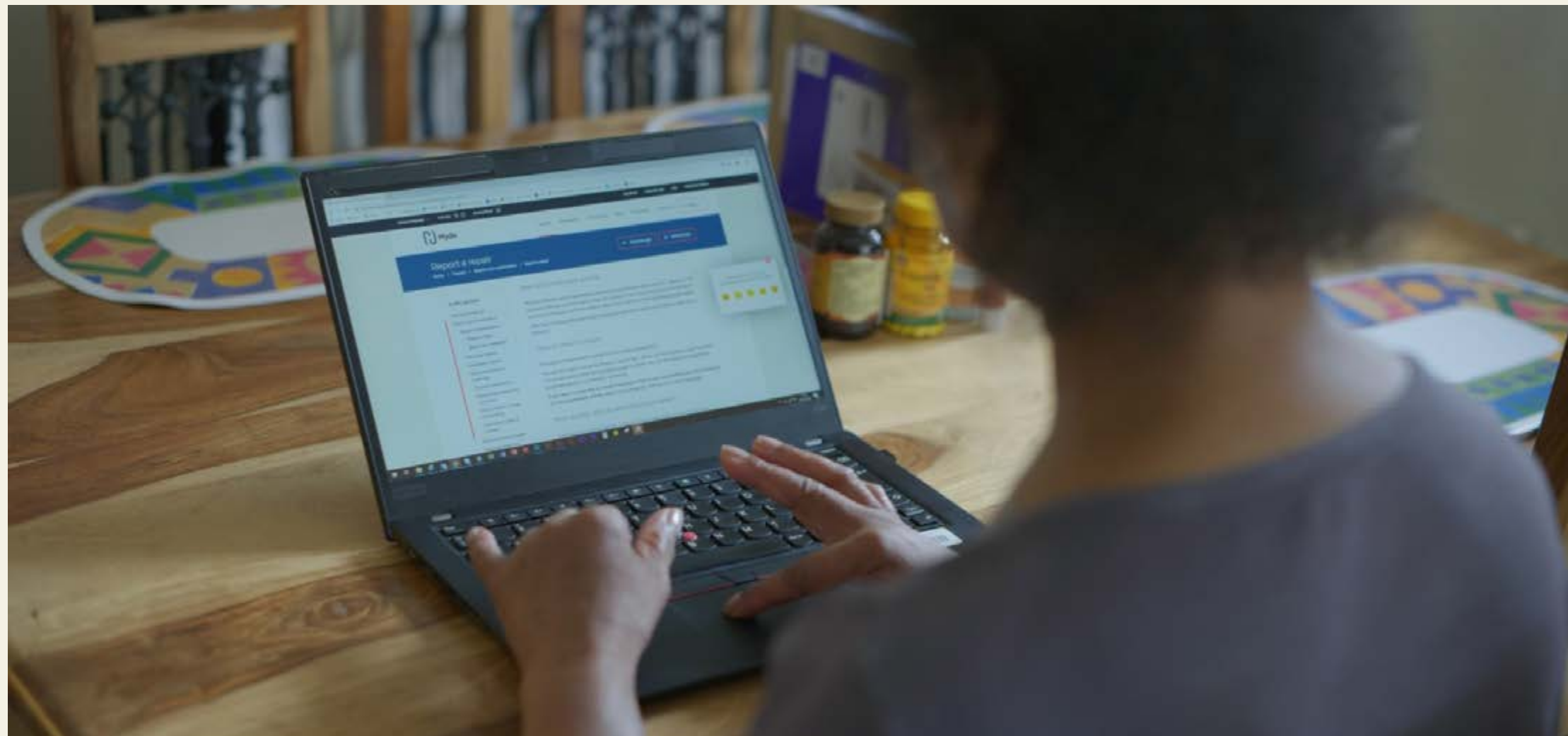


### **Complete studies across several key estates to understand what investment would be needed to make them better places to live**

- Through a targeted approach to investment and our aim to fix poor or outdated design, we can make estates better places to live and reduce social stigma
- Create detailed “Invest and Improve” feasibility studies for areas identified as high priority
- We will look at public and semi-public realm improvements.



## Objective 9



### **Find opportunities to improve connectivity to all our homes and communities to help deliver a digital customer service in the future**

- The district suffers from poor mobile network connection and we need to address this to be able to offer our customers our full digital service
- We will work with Chichester District Council as well as local organisations to support the approach to solving this challenge.

## Objective 10



### **To facilitate capital investment into the district by providing more homes**

- We intend to bring new capital into the area through our partnerships with the public and private sector
- We will continue to recycle capital from our existing estate
- To deliver lifecycle homes, we must have the ability to freely manage our portfolio, so a partnership approach with Chichester District Council will be essential.





## Contact us

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## Contract amendments to Hyde Large Scale Voluntary Transfer Impact Assessment

### 1. Equality Impact Statement

The Public Sector Equality Duty (Equality Act 2010) requires public bodies to have due regard to eliminate discrimination, advance equality of opportunity and foster good relations between people when carrying out their duties.

Author/editor/assessor	Linda Grange, Divisional Manager Housing
Partners/decision makers/implementers, etc.	<ul style="list-style-type: none"> <li>• CDC Housing Service</li> <li>• Hyde Housing Group</li> </ul>
Start date	March 2001
End date	March 2031
Relevance	The changes to the contract are specifically concerned with addressing improved access to housing and will help to address disadvantages which specific groups are likely to experience, including increasing the supply of affordable housing, improving existing housing conditions and improving energy efficiency .
Policy Aims	<p>The aim of these changes will be to facilitate the delivery of the Hyde 2050. This includes investing in the District by way of developing amenity and garage sites, potential redevelopment of older hard to let schemes, place making and investment in existing stock to meet climate change requirements and modern standards. Hyde also want to make the best use of stock by ensuring the right people are in the right homes by using a lifecycle model and flexible tenancies.</p> <p>Progress against each of the objectives set out in the Hyde 50 document will be reported to the Council on an annual basis.</p>
Available evidence	<p>Hyde and CDC have collected data to monitor the demand for and impact of services which they provide. This includes many of the groups whose status is 'protected' by the Equality Act including:</p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Gender</li> <li>• Sexual orientation</li> <li>• Disability</li> <li>• Ethnicity</li> </ul>
Evidence gaps	None identified. The Hyde 50 Strategy will help to ensure that homes are more closely matched to the particular needs of residents, including older people and people with disabilities.
Involvement and consultation	Cabinet and Senior Leadership team have been consulted and a member briefing held on the Hyde 50 Strategy.

What is the actual/likely impact?	The Hyde 50 Strategy will have a positive impact in that it will improve access to housing, including a number of specific areas groups sharing 'protected groups' within the meaning of the Equality Act. For example the lifecycle model and flexible tenancies will help to ensure the housing needs of older people and people with disabilities can be more closely met.
Monitoring and review	Implementation of the new Partnership Agreement and Hyde 50 will be subject to monitoring on a regular basis through both a working group and a strategy group, both including officer and member representation from the Council, an annual report to the Council, together with 5 yearly reviews. Hyde are also subject, along with all RP's, to regulation by the Regulator of Social Housing and are bound to meet their standards of governance, viability and efficiency.
Action Plan	A new partnership working agreement will be put in place setting down the obligations of each party and how we intend to work together. This will be in addition to the remaining LSVT clauses not in place of them. The bulk of the LSVT undertakings will remain in place until they expire in 2031.
Decision making and quality control	The LSVT contract amendment will be subject to further consideration and approval by Cabinet.

## **2. Safeguarding and Early Help**

The overall impact of the changes to the LSVT contract is to improve access to housing and the condition and energy efficiency of the housing provided for low income households including the most vulnerable households in the district. This includes:

- Delivery of additional affordable housing
- Investment in existing stock to make it more energy efficient and affordable to residents.
- The best use of stock by ensuring the right people are in the right homes by using a lifecycle model and flexible tenancies.

## **3. Health and Wellbeing**

Housing is a basic requirement and a key determinant of health and wellbeing in both a physical and social sense. Ultimately the aim of the new partnership agreement and Hyde's 2050 strategy is to improve access to good quality, energy efficient housing and with it the safety and security which a stable home provides.

## **4. Biodiversity and climate change mitigation**

The Hyde 50 Strategy will have a positive impact on climate change in that it will focus investment in existing stock to meet climate change requirements through statutory energy efficiency duties and related carbon reduction policies.

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**Chichester District Council**

**THE CABINET**

**6 July 2021**

**Local Plan Review - Budget Update**

**1. Contacts**

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**2. Recommendation**

- 2.1. That Cabinet recommends to Council to approve the release of £500,000 from the Local Plan Reserve in 2021/22 and £275,000 in 2022/23 to fund necessary Local Plan technical work, specialist advice and examination costs.**

**3. Background**

- 3.1. The Local Plan is the statutory land-use planning document that sets out the Council's policies for the determination of planning applications and appeals. It seeks to determine the amount and location for different types of new development and includes policies to ensure that development takes place in an appropriate way. The Local Plan is the mechanism where the appropriate balance between the social, economic and environmental needs and constraints of the plan area in relation to new development are determined. The plan area covers that part of Chichester District that lies outside the South Downs National Park.
- 3.2. The Local Plan Review (LPR) Project Initiation Document (PID) was approved by Cabinet on 3 May 2016. At its meeting on 17 May 2016, Council approved a total budget of £800,000 from reserves to fund this work.
- 3.3. The purpose of the PID was to set out the framework, costs and resource implications for the production of an up to date, sound Local Plan.
- 3.4. The PID explained that much of the cost of the LPR was attributed to staff costs, primarily within the Planning Policy team. These are revenue costs which are included within the existing base budget. However, the PID went on to note that there are also a number of one-off costs associated with the production of the Local Plan and these were not part of the existing budget. These are typically consultancy fees for specific, technical

studies to provide the evidence base which is used to inform the Local Plan. For the production of the previously adopted Local Plan, these costs were included in a specific capital budget.

- 3.5. The PID estimated that the additional cost of the Local Plan Review would be £785,000. A small amount of contingency was included in the recommended budget allocation, bringing it to £800,000. This was considered sufficient to deliver the LPR over the period 2016/17 to 2019/20. It was also agreed that future reviews would be funded by setting aside £160,000 per year from the base budget.
- 3.6. The costs agreed by Council in May 2016 as set out in the PID are attached at Appendix 1 of this report for reference. It should be noted that these costs were approximate as it was expected they would be refined through the production of detailed briefs and would become more certain following the procurement process.
- 3.7. Key assumptions were made in estimating these costs. Significantly, it was considered that the Council would be able to utilise the traffic modelling work commissioned by Highways England for the A27 Chichester Bypass improvements. This would reduce the need for the Council to carry out its own transport modelling, resulting in considerable savings in consultancy fees.
- 3.8. Whilst production of the Local Plan has progressed largely in accordance with the costs, there are several notable exceptions which mean that the budget for the completion of the LPR must be updated. These exceptions are detailed below.
- 3.9. Since 2016, Highways England has withdrawn its funding for the A27 Chichester By-pass. As such, this has placed an onus upon the Council to undertake significant additional work to address the impacts upon the A27 and associated roads, and to consider how they might be mitigated.
- 3.10. As well as the additional transport modelling work, without the infrastructure proposed and funded (via the Road Investment Strategy (RIS)) by Highways England, the Council has had to consider alternative measures, including an alternative to the Stockbridge Link Road (SLR) and further feasibility work to confirm that the strategic A27 works can be delivered, to support the levels of development required. It is essential to have this evidence prepared if the Plan is to be found sound.
- 3.11. In addition, Members have previously agreed the use of the Local Plan budget to fund work on the Southern Gateway regeneration project and as a contribution towards the “Build a Better A27” project. These were not part of the original estimate agreed in 2016 and has had the effect of reducing the available LPR budget by £80,000 (£65,000 and £15,000 respectively).
- 3.12. Finally, the Local Plan Review has taken longer than originally expected, again partly due to the withdrawal of Highway England’s support for the

A27 Chichester By-pass improvements through the RIS and the additional work needed around transport infrastructure has been significant. New issues have also arisen; notably the requirement for development to be nitrate neutral and other, on-going issues have not yet been resolved, including waste-water capacity. Another key assumption from the budget approved in May 2016 was that the LPR could be progressed in advance of, or in conjunction with, a full review of the Local Strategic Statement, which it is intended will deal with strategic planning issues in the Coastal West Sussex and Greater Brighton sub-region. Issues such as nitrate neutrality and wastewater are clearly strategic issues. However, given that the LPR needs to be progressed as quickly as possible, it has not been possible to take full advantage of this sub-regional mechanism to secure strategic solutions. The Council has therefore had to progress independently, which has incurred additional costs.

3.13. While progress on these matters is being made, it has extended the time required to finalise the evidence work. This has had a knock-on effect and other, key evidence base studies which were produced at the beginning of the LPR process, now need updating – including key technical assessments such as the Strategic Flood Risk Assessment (SFRA).

3.14. There is a pressing need to complete the LPR as quickly as possible so that the Plan has full statutory weight and the Council can expect decisions to be made in accordance with policies within it. In order to do this, it is estimated that as at 1 April 2021, a further £725,000 is required to be spent over the next two years. This is a best estimate as without detailed quotes, it is not possible to be precise. However, quotes for critical studies including the completion of the transport work and an update to the SFRA have been sought and these are included with the costs set out below.

**Table 1 - Local Plan Budget Estimate 2021 – 2023**

Transport modelling and feasibility work	£100,000
Transport feasibility work for A27 and Stockbridge Link Road	£250,000
Update to Strategic Flood Risk Assessment	£45,000
Minor updates to other studies and subsequent support at Examination	£60,000
Ongoing Viability Assessment	£60,000
Examination costs (PINS, venue, printing etc)	£110,000
Specialist legal advice	£100,000
Total	£725,000

3.15. It is acknowledged that these costs represent a significant increase over the original budget estimate in May 2016. The single biggest reason for this is the significant amount of transport work which is now required in the absence of a national highways scheme, to assess the impacts (and identify mitigation for) the effect of additional traffic upon the A27. The original estimate was for £75,000 which has already been significantly

exceeded and the anticipated further spend in the next two years (£350,000) is approximately half of the further identified costs anticipated.

- 3.16. In addition, the cost estimates going forward now include specialist legal support for the Local Plan through to Examination. This was not included in the original budget for the Local Plan review but as the work on the Plan has progressed, with further complex issues having become apparent and in line with current planning practice, it is recommended that specialist support is secured.
- 3.17. The anticipated spend profile of the outstanding budget requirement is £450,000 in 2021/22 and £275,000 in 2022/23. It should be noted that this spend profile is based on the current basis for bringing forward the Plan, including one further round of transport modelling and the need for detailed feasibility work on the envisaged local plan mitigation package, including Stockbridge Link Road. If progress with evidence justifies (or requires) a different approach to delivering the Plan, then these elements will require amending, with potential increases and/or reductions.
- 3.18. In addition, Cabinet had previously approved an allocation of £50,000 towards the costs of preparing a Gypsy and Traveller DPD which was to be funded out of the Local Plan budget. Those costs are expected to be incurred during 2021/22 and so they should be added to the overall budget to ensure they are provided for. Therefore, the anticipated spend in 2021/22 is £500,000.
- 3.19. As at 31 March 2021 the local plan reserve stood at £498,000. The current Council budget includes additional contributions from base budget to local plan reserves of £160,000 per annum for 2021/22 and 2022/23. Therefore, with additional payment to the local plan budget of £160,000 for the years 2021/22 and 2022/23, it is considered there is overall sufficient funding available to finalise the current local plan review.

#### **4. Proposal**

- 4.1 The proposal is for £500,000 to be released from the local plan reserve in 2021/22 to fund the anticipated spend in specialist work, with a further £275,000 released in 2022/23.
- 4.2 The experience of this Local Plan process has demonstrated that it is extremely difficult to accurately predict future costs for the local plan evidence base. The Government has published reforms to the planning system with the intention to make the local plan production process quicker and simpler. The total cost of the local plan review will be assessed in due course and any adjustment to the annual amount transferred to the local plan reserve can be addressed as part of the annual budget setting process.



## **5. Alternatives that have been considered**

- 5.1 The Council has a statutory obligation to prepare a Local Plan. The funding identified in this report is essential for the Local Plan to proceed, if it is to be supported by an appropriate evidence base.
- 5.2 The only discretionary element is considered to be the Legal support during the Examination. There have been instances of Council taking Plans through Examination without such support, but this is considered extremely high risk and it is therefore not recommended.

## **6. Resource and legal implications**

- 6.1 The resource implications for the Local Plan Review are outlined throughout this report. It is estimated that further costs of £725,000 are required to deliver the Local Plan. This amount is within the allocated budget for this work.
- 6.2 The preparation of the Local Plan Review has to follow the requirements of the 2004 Planning and Compulsory Purchase Act 2004 and associated regulations. The Town and Country Planning Act (Local Planning) (England) Regulations 2012 are of particular relevance.

## **7. Consultation**

- 7.2 No consultation on the additional estimated spending requirement is considered necessary.

## **8. Community impact and corporate risk**

- 8.1 There will be local communities that will be concerned about the impact of further development. However, the Council should ensure that the choices made are transparent and capable of withstanding scrutiny through the examination process. Furthermore, through implementing a plan-led process the Council will be more likely to be able to defend other sites from speculative market-led proposals for development.
- 8.2 There is a risk that the Local Plan will not be found sound and capable of adoption. The evidence base gathering and consultation phases of plan-making are important to help mitigate those risks, particularly with respect to constraints affecting where and how development can take place. In addition, working with neighbouring authorities should minimise potential risks associated with the Duty to Cooperate and professional development and training can minimise the risks associated with changes to government policy.
- 8.3 The Local Plan Review is likely to have benefits for mitigation of, or adaptation to climate change. This is a requirement of the National Planning Policy Framework. An equalities impact assessment will be produced at each stage of production of the Local Plan Review.

## 9. Other Implications

<b>Are there any implications for the following?</b>		
	Yes	No
<p><b>Crime and Disorder</b> The NPPF requires that local plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area, and that planning policies should ensure that developments create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.</p>	X	
<p><b>Climate Change and Biodiversity</b> The NPPF identifies the mitigation and adaptation to climate change, and improvements to biodiversity, as fundamental issues to address in order to deliver sustainable development. Local plans are expected to adopt proactive strategies to mitigate and adapt to climate change in line with the provisions and objectives of the Climate Change Act 2008, and to co-operate to deliver strategic priorities which include climate change. Plans should also seek to minimise the impacts on and provide net gains for biodiversity</p>	X	
<p><b>Human Rights and Equality Impact</b> The Equality Act 2010 sets statutory duties on public bodies such as local authorities with regard to promoting equality and reducing inequalities of outcome. To ensure that the statutory requirements are achieved, it is intended to undertake and publish an equality impact assessment which will be published as one of the supporting documents when the Local Plan Review is submitted to the Secretary of State for formal examination.</p>	X	
<b>Safeguarding and Early Help</b>		X
<b>General Data Protection Regulations (GDPR)</b>		X
<p><b>Health and Wellbeing</b> The NPPF states that planning policies and decisions should aim to achieve healthy, inclusive and safe places</p>	X	

## 10. Appendices

10.1 Local Plan Estimated Costs Approved by Cabinet 3 May 2016

## 11. Background Papers

11.1 None

## Appendix 1: Estimated Costs Approved by Cabinet 3 May 2016

<b>Table 1: Local Plan Review budget estimate</b>	
<b>Evidence Base Item</b>	<b>Cost</b>
Housing and Economic Development Needs Assessment	£75,000
Housing and Employment Land Availability Assessment	In-house
Strategic Landscape Assessment Review and Local Landscape Assessment of Sites	£100,000
Update of Settlement Capacity Profiles	In-house
Waste Water Treatment Study	£50,000
Retail Needs Assessment	£50,000
Strategic Flood Risk Assessment	£75,000
Open Space and Built Leisure Facilities Needs Assessment	£75,000
Transport Assessment	£75,000
Gypsy, Traveller and Travelling Showpeople Needs Assessment	£25,000
Infrastructure Delivery Plan	In-house
Heritage Statement	In-house
Whole Plan Viability Analysis	£50,000
Sustainability Appraisal	In-house
Habitats Regulations Assessment	£50,000
Pollution Assessment	£50,000
Green Infrastructure Study	In-house
Consultation costs – printing/venue hire	£10,000
<b>Examination Cost Estimate</b>	
Programme officer + Inspector	£100,000
<b>Total</b>	<b>£785,000</b>

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**Chichester District Council**

**THE CABINET**

**6 July 2021**

**Chichester Business Improvement District Ballot**

**1. Contacts**

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**Cabinet Member:**

Tony Dignum – Cabinet Member for Growth, Place and Regeneration

Telephone: 01243 538585 E-mail: [tdignum@chichester.gov.uk](mailto:tdignum@chichester.gov.uk)

**2. Recommendations**

- 2.1. That the 'Renewal Business Proposal' prepared by Chichester Business Improvement District (BID) be agreed and accordingly the renewal of the BID for further term of five years be supported.**
- 2.2. Subject to 2.1, that the Council be recommended to delegate to the Leader the authority to vote in accordance with Cabinet's decision in relation to the ballot to renew the BID.**
- 2.3. That the Ballot Holder (Chief Executive) be instructed to hold a BID ballot.**

**3. Background**

- 3.1. BIDs are business led partnerships operating within a defined area, in which a levy is charged on all business rate payers to fund projects and services which will benefit the BID levy paying businesses. BIDs are created through a ballot process whereby levy-rate payers vote to determine whether the BID goes ahead. The maximum period that a BID levy can be charged is 5 years. Once the term is completed the BID will automatically cease. However, if it wishes to continue its activities it can hold a new ballot to renew the BID for a further five years. The local authority covering the BID area manages the ballot process. A successful vote is one that has a simple majority both in votes cast and in rateable value of votes cast.
- 3.2. In 2011 Cabinet (Executive Board) agreed to support the establishment of a city centre BID. Members will be aware that, following a successful ballot, Chichester BID was established from April 2012, with all BID levy

payers paying a levy of 1% of their rateable value. Since this time a further successful ballot resulted in a second term of the BID (BID 2), to run from 2017 to March 2022, with the levy increasing to 1.25% of the rateable value. The BID is now established as a community interest company - Chichester City Centre Partnership CIC – trading as Chichester BID. The Council's Cabinet Member for Growth and Place has a seat on the board.

- 3.3. Chichester BID is one of over 320 BIDs in place across the country. As it nears the end of its current five-year term, Chichester BID wishes to continue. Accordingly it has undertaken consultation with BID levy payers and has prepared a business plan and its Renewal Business Proposal (see Appendix one) for the next five years.
- 3.4. Each year, over the past four years, Overview and Scrutiny Committee has received a report detailing progress against the BID Business Plan. Overview and Scrutiny Committee has considered the BID proposals at its meeting in June 2021 and a summary of the considerations is included in paragraph 8.1.
- 3.5. Since 2017, Chichester BID has provided increased marketing and promotion of the City Centre and improvements to its physical organisation and general safety and security, through Christmas lights and festivities, support to projects relating to City way-finding and public realm improvements, the provision of flags and bunting, along with support to crime reduction through membership of ChiBAC and joint funding of BID Rangers in the city centre. The BID also provide a member website which includes a business directory.
- 3.6. Chichester BID has been identifying their strengths and areas to improve, through consulting with existing BID levy payers. This has helped to form the proposals for the next five years which are additional activities to current baseline statements of activities undertaken by other bodies (appendix two). If successful with the ballot, the BID is proposing to focus on the outcomes as listed in 4.1 below.
- 3.7. The BID propose to retain the levy from businesses at the existing 1.25%. The establishment and continuation of the BID supports the objective within the Corporate Plan 2018-2021 to promote the city, towns and local centres as vibrant places to do business. The BID's Renewal Business Proposal is in line with the Council's strategic objectives, and complements the aspirations of Chichester Vision.
- 3.8. If the BID is not successful in a third term the existing circa £300,000 collected from levy payers to fund the BID would not be collected. Christmas lights which are currently arranged by the BID would not be

provided along with uncertainty over the provision of the BID Rangers (who are also part funded by the City Council). The other initiatives such as the gift card, bunting, trails and map boards would require facilitation by an alternative organisation.

- 3.9. There are 642 hereditaments within the BID area which are owned and/or controlled by 589 businesses that are eligible to vote. A large proportion of these businesses have been visited to date by the BID team. Further visits and engagement with businesses will be undertaken over the coming weeks.
- 3.10. If the BID is approved, circa £1.5 million over five years will be available to deliver the administration of the BID and projects within the city centre.
- 3.11. BID Levy payers will need to consider whether they are receiving value for money for the levy which they pay, and will want to ensure that there is equitable distribution of activities and support across all sectors. Levy payers will have their own perception of success on the activities which the BID have undertaken and how visible they have felt the BID to be.
- 3.12. The retail industry is now facing its biggest challenge to date. The crisis afflicting the UK's retail sector which is symptomatic in the decline of many of our high streets was already in evidence before the pandemic. However, its effects have now been accelerated by Covid-19. A reduction in retail in the high street, an increase in working from home, and increased hot-desk office provision, will make the traditional retail funded BID model less certain.
- 3.13. According to British BIDs, there are significant concerns from BIDs across the country about the changes in planning and Permitted Development Rights, where flexibilities have been provided in the planning system which will potentially reduce the number of businesses in a BID levy area.

#### **4. Outcomes to be Achieved**

4.1 The BID Renewal Business Proposal (Appendix one) seeks to achieve a number of outcomes which can be summarised as below. The Term 3 business plan will be finalised by the BID over the summer as they undertake a final round of consultation. The three strategic priorities which will be focussed on are:

- Promoting Chichester
- Delivering an Organised and Safer City
- Developing Business Opportunities

These will be delivered through the following areas of activity:

- Year-round local and national PR campaigns
- “Dress” the city, work with stakeholders to improve the public realm
- Work in partnership to deliver key marketing and event opportunities to drive footfall and increase dwell time in the city
- Forge partnerships and alliances
- Ensure the city is safe, clean and well organised to encourage repeat visits
- Deliver timely and accurate commercial data to aid commercial decision making
- Being more visible and a hands on support to all BID levy payers as the city transforms.

The expected outcomes are as follows:

- Improved effectiveness of day to day partnerships with local authorities, local services, business groups, community organisations, city centre businesses and external agencies.
- Contribute to the increased profile of the city at a national level with higher footfall across the year and increased spend in the city.

These will be measured through the following targets:

- Footfall – both visitor and shopper
- Late night shopping footfall
- Dwell time
- Retail vacancy rates
- Safety and crime figures
- Car park occupancy
- Business and public engagement in activities.

## **5. Proposal**

5.1. The BID is proposing the following timescale:

- August 2021 – Voting list prepared
- September 2021 – Final business plan published and submitted
- 6th October 2021 - Notice of the ballot issued to the Levy Payers
- 19th October - Ballot papers sent out to eligible voters
- 18 November - Ballot Day: voting closes at 5pm
- 19 November - Ballot count and announcement of the result
- 31st March 2021 – BID 2 Term ends
- 1 April 2022 – BID 3 Term begins (for five years) if ballot successful

## **6. Alternatives Considered**

6.1 Do nothing. This is not appropriate as, under the governing regulations, the Council is required to oversee a renewal ballot and to instruct the Ballot Holder accordingly.



- 6.2 To veto the BID proposals. This is not considered necessary as the BID Renewal Business Proposals do not conflict with any Council policies
- 6.3 Not to support the BID. The Council transferred a number of city centre functions to the BID in 2012. As the BID already carries out these and other activities, and is now proposing to undertake additional activities, this is not considered appropriate.

## **7. Resource and Legal Implications**

- 7.1. The legislative framework under which Business Improvement Districts are established, renewed and governed is contained in Part 4 of Local Government Act 2003 and The Business Improvement Districts (England) Regulations 2004.
- 7.2. The Council has been working with the BID on the procedure for renewal. Under the regulations, the Council as 'relevant billing authority' is responsible for instructing the 'Ballot Holder' to hold the renewal ballot. The Ballot holder is "the person the relevant billing authority has appointed under section 35 of the Representation of the People Act 1983(a) as the returning officer for elections to that authority".
- 7.3. For the BID to proceed to another term, more than 50% of those who vote must vote 'Yes'. Of those positive votes, the total rateable value must be higher, when added together, than the rateable value of those who voted 'No'. If a 'Yes' vote is secured, all businesses within the BID levy geographical area are legally obliged to pay the BID levy for the next five year BID term.
- 7.4. Once the BID is in place neither the BID area nor the BID levy percentage can be altered during the BID Term, without an Alteration Ballot.
- 7.5. In the event that the result of the Ballot is negative, the BID will cease from 31st March 2022. A number of City Centre management, organisational and promotional functions would potentially cease or need to be re-allocated to other bodies. Such items may include Christmas lights and festivities, events and promotions, additional support to ChiBac and city centre safety, and the potential for further day to day support to businesses. In addition, the proposed activities listed in 4.1 will not be able to be delivered by the BID.
- 7.6. A 'Yes' vote will require the Council to pay an annual levy estimated at £14,000, which is already within the council's base budget (at current rates and as a non-domestic ratepayer in its own right).

- 7.7. The Council's Ballot Holder (The Chief Executive) will be required to conduct the ballot. The cost of the ballot will be met by CDC (the ballot is outsourced to an external company and will be in the region of £3,000). Should the ballot not be successful the cost will be re-charged to Chichester BID (as per the BID regulations).
- 7.8. The Chairman and Vice Chairman of Chichester BID, along with Officers of the BID meet regularly with officers within CDC on a range of matters. The council's revenues team undertake the billing and collection of BID levy payments on behalf of the BID levy payers. The Council's Elections Team assists with the ballot process for the BID.

## **8. Consultation**

- 8.1. The BID has been consulting with BID levy payers, the local authorities and other bodies. The BID's work is reviewed at the Council's Overview and Scrutiny Committee each year. At its meeting on 15<sup>th</sup> June, Overview and Scrutiny Committee voted in support of the renewal businesses proposal, welcoming the new initiatives put forward by the BID and supported the Council continuing to work in partnership with the BID. Overview and Scrutiny Committee specifically raised points relating to the need to support the night-time economy for all age groups; encouragement of independent shops; support to innovative markets and working in partnership with the University and College. However, some concerns were raised relating to whether the documents supplied by the BID as part of their renewal proposal had sufficiently demonstrated what additional value is provided by the BID being in place.
- 8.2. The BID will undertake further consultation in the period leading up to the ballot.
- 8.3. Relevant Officers within the district council have had an opportunity to consider the BID documents and have provided comments back to the BID.

## **9. Community Impact and Corporate Risks**

- 9.1. The establishment and continuation of the BID supports the objective within the corporate plan to improve and support the local economy and in particular the support to the High Street.
- 9.2. Covid 19 has had an impact on the current BID's capacity to deliver the agreed outcomes within the current BID 2 business plan. The impact may take some time for the BID to recover and may also have an impact on the funding as the amount of BID levy paid is reduced. If there is not enough BID levy funding the BID will need to adjust the level of support that they provide to the businesses within the BID levy area.

## 10. Other Implications

	Yes	No
<b>Crime and Disorder</b> – Potential impact on crime and disorder should the BID ballot not be successful as a result of the funding for the BID Rangers ceasing and potential reduction in support to ChiBAC	X	
<b>Climate Change and Biodiversity</b>		X
<b>Human Rights and Equality Impact</b>		X
<b>Safeguarding and Early Help</b>		X
<b>General Data Protection Regulations (GDPR)</b>		X
<b>Health and Wellbeing</b>		X
<b>Other</b>		

## 11. Appendices

- 11.1 Appendix 1 - Chichester BID Third Term Proposal 2022-2027
- 11.2 Appendix 2 – Chichester BID Baseline Statements – Term 3, 2022-2027

## 12. Background Papers

- 12.1 Chichester BID Members Consultation - Term 3, 2022-2027

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# Chichester BID Third Term Proposal

1 APRIL 2022 - 31 MARCH 2027



Submitted by the Chichester BID team May 2021

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## What is a BID?

Chichester BID is a business led initiative supported by government legislation which gives businesses the power “to raise funds locally to be spent locally” on improving a defined commercial area. A BID is created when the majority of business rate payers within that area vote to invest collectively in local improvements. There are now 320 BIDs across the UK and 8 within Sussex. The BID is independent from local authorities and other statutory agencies and delivers projects over and above the baseline services provided by them. Chichester BID first became operational in April 2012 and has been operating for almost ten years having been successfully renewed for a second term in 2016. Over the past 5 years, Chichester BID has invested levy payer’s money into Chichester to the tune of circa £1,500,000.

## BID Proposer – proposed change

The current BID body is Chichester City Centre Partnership CIC. To reduce complexities and cost, we are proposing for our third term we move to Chichester BID Ltd as proposer and BID body. All assets will be transferred to Chichester BID Ltd on implementation of the new BID term.

Therefore, for the third term the BID proposer is Chichester BID Ltd, a not-for-profit company limited by guarantee, registered in England and Wales company number 10689870, registered address Cawley Priory South Pallant, Chichester, West Sussex, United Kingdom PO19 1SY. The Memorandum of Association and Articles of Association and Constitution are available on request.

Chichester BID will deliver the third term business plan should the BID be voted in for a third term.

## Where will the BID operate?

Chichester BID operates within the definitive boundary shown by the map below. The area proposed is the same boundary under which Term 2 operated and is broadly within Chichester City walls including Southgate, Northgate, St Pancras and The Hornet. The following streets, either in whole or in part, are included. Please note the street list is not exhaustive and should be viewed alongside the map which shows the outline of the BID boundary.

Alderman’s Walk	Franklin Place	North Street	St John’s Street
A286 (East side of)	Friary Lane	North Walls Northgate (inc Metro House)	St Martin’s Square
Avenue de Chartres (North side)	Guildhall Street	Oaklands Way (South side of)	St Martin’s Street
Baffin’s Lane	Lancastrian Grange	Old Market Avenue	St Peter’s
Basin Road (West side of)	Lion Street	Orchard Street (South side of)	St Pancras
Canon Lane	Little London	Priory Lane	The Close
Chapel Street	Market Avenue (North side of)	Priory Road	The Hornet
Cooper Street	Market Road excluding car park and WC	Shipham Street	The Providence
Crane Street	Needlemakers (West side of)	South Pallant	The Square, Eastgate
Deanery Close	New Park Road (West side of)	South Street	The Woolstaplers
East Pallant	New Town	Southgate to North of railway line	Theatre Lane
East Row	North Pallant	St Cyriacs	Tower Close
East Street			Tower Street
East Walls			Wall Cottage Drive
Eastgate Square			West Pallant
			West Street





The indicative liability to businesses would depend on the rateable value of their premises and be as follows:

RATEABLE VALUE	ANNUAL LEVY	WEEKLY COST	DAILY COST
£5,000	£62.50	£1.20	£0.17
£10,000	£125.00	£2.40	£0.34
£20,000	£250.00	£4.81	£0.69
£50,000	£625.00	£12.02	£1.72
£100,000	£1050.00	£220.19	£2.88
£250,000	£3125.00	£60.10	£8.59
£300,000	£3750.00	£72.12	£10.30

Levy payers are able to find out the rateable value of their business by either referring to their rates bill or going to [www.voa.gov.uk](http://www.voa.gov.uk)

## BID Levy rules – detail

- The levy rate to be paid by each hereditament or rateable premises over a rateable value of £5,000 will be calculated at 1.25% of its rateable value. We wish to use the 2017 non domestic ratings list throughout the BID's third term. *Please note, this position is currently being confirmed by CDC.* Our reasons for wishing to retain the 2017 ratings list throughout the term are as follows:
  - It is administratively simpler and therefore cheaper
  - It would give the BID greater certainty on which to base its 5 year Business Plan
  - The levy payers have certainty the levy will not change over the course of the term – this is therefore an easier message to deliver during the ballot campaign
  - The exception to this will be any change of use or physical change to a property, including a new construction, merger, subdivision, extension and refurbishment where the hereditament has no entry in the 2017 listing
- The first BID levy under the third term will be due on the 1<sup>st</sup> April 2022, with subsequent levies due each year until 31<sup>st</sup> March 2027. There will be no inflation charged on the levy.
- Under current BID regulations, Chichester District Council will be responsible for collection of the levy on behalf of Chichester BID and these arrangements will be formalised within an operating agreement that both parties sign. Chichester District Council will charge a collection fee for this service of a fixed percentage of the total levy due.
- Where a hereditament is untenanted, tenanted, part occupied or vacant and is undergoing refurbishment or being demolished, the property owner or persons responsible will be entitled to vote and is obliged to pay the BID levy. When a premises becomes vacant, there is a 3 month levy holiday. After 3 months, if still vacant, the property owner or persons responsible will be liable to pay the full levy. Listed buildings, in line with business rates, when vacant are not liable to pay the levy. There are no other exemptions. Hereditaments that are let for non-commercial purposes are also liable for the levy whilst they remain listed on the non-domestic ratings listing.
- The BID levy will have to be paid by a new rate payer occupying an existing or newly rateable premises within the BID area up until the end of the five-year term on 31 March 2027, even if they did not vote on the Business Plan. Likewise, any new rateable property created during the lifetime of the BID will be obliged to pay the levy.
- The ratings list will be updated for any changes in ratepayer, appeals, additions or removals and liability will be adjusted accordingly.
- If a business rate payer occupies premises for less than a year, the amount of BID levy payable will be calculated on the number of days they occupy the property – known as daily charging.

## Governance and management of the BID

Under its Articles of Association, Chichester BID has positions on its board for no less than 11 Directors. We currently have 11 directors serving at time of writing, seven of which are drawn from BID levy payers across Chichester.

Chichester BID are proposing to employ on a part time basis: -

1. a CEO – a strategic role, responsible for the overall delivery of the Business Plan and the marketing of all activities and strategic communication to BID levy payers
2. an Operations Manager – responsible for ensuring the operation of BID activities and BID events are effective and give value for money to BID levy payers
3. a Client Relationships Manager – responsible for face to face, tactical, daily, hands on support in the city and acts as a feedback conduit for the BID levy payers
4. a Financial Administrator – responsible for bookkeeping and general admin support

The team will be responsible to the board to deliver the projects and services under the proposal of the Term 3 Business Plan.

The BID is business lead for business benefit and all members will be invited to Annual General Meetings, where past and prospective BID activities will be presented. Accounts are independently prepared each year and copies are available on request or can be found online at Companies House.

Our team can be contacted at any time and are always open to hearing feedback and ideas. We issue regular newsletters, deliver Social Media campaigns and information and updates to keep everyone informed on the status of all projects.

## Contact Details

Registered Office address:

Cawley Priory

South Pallant

Chichester

West Sussex

PO19 1SY

We additionally have an office located centrally in Chichester – a useful base for the team where we are easily accessible to BID levy payers and where we co locate with a key partner, Chichester Chamber of Commerce and Industry CCCI

82 North Street

Chichester

West Sussex

PO19 1LQ

01243 773263

[office@chichesterbid.co.uk](mailto:office@chichesterbid.co.uk)

## Timelines for ballot

August 2021

Voting list is prepared to ensure that ballot papers reach the correct recipient

September 2021

Final business plan published and circulated to all named voters of levy paying businesses

6th October 2021

Notice of Ballot issued

19th October 2021

Ballot paper to be despatched signifying the start of the 28-day postal ballot

18th November 2021

Close of postal ballot

19th November 2021

Announcement of results

1st April 2022

Third term Chichester BID commences if voting is successful

## Voter database

Chichester BID received an updated database from Chichester District Council in February 2021, April 2021 and thereafter at monthly intervals. This data included the names and addresses of all the hereditaments liable to pay the BID levy. A final update will be requested at the end of September 2021 prior to the ballot papers being issued.

We will ensure we take great care to verify the name of each voter and their correct address – ensuring we have communicated with Head Offices where the business is part of a national company.

If we cannot locate the name of the voter (e.g., for an empty premises), we are proposing to send the ballot paper to the business premises or landlord correspondence address marked for the attention of the Property manager.

A full voter's data base will be sent to the elections team by mid-September to allow enough time to issue the notice of ballot on or around the 6<sup>th</sup> October 2021 with ballot papers to be despatched on 19<sup>th</sup> October 2021. We will connect with the elections team at Chichester District Council to ensure that the democratic process can run smoothly taking into account the current ever-changing situation.

## Notice in Writing

Chichester BID will and has been complying with BID legislation in respect of the various notices required. A letter has been issued to the Secretary of State giving notification of Chichester BID's intention to go to ballot (see appendix 1).

In accordance with BID regulations, a further letter will be sent to Diane Shepherd, Chief Executive of Chichester District Council, formally requesting we put a proposal to ballot and also asking CDC to hold the ballot on Chichester BID's behalf. This letter has to be sent 84 days after the letter to the SOS. Therefore, we will be sending this letter first week in June 2021.

The next notice to be issued will be the notice of ballot on the 6<sup>th</sup> October 2021, followed by the issue of ballot papers on the 19<sup>th</sup> October 2021.

## Cost of Ballot

In line with BID legislation, the cost of the ballot will be met by Chichester District Council unless the proposals were not approved at ballot with a 20% or less turnout.

In this instance, Chichester District Council, as the ballot holder, could request the BID proposer to pay the cost of holding the ballot estimated to be £3,000. Chichester BID has sufficient funds within the existing BID term to meet this fee, if required.

## The Ballot Process

1. The person, organisation or registered company that is listed in the non-domestic ratings list as being responsible for payment of the rates of the property / hereditament within the BID boundary on the day of notice of the ballot (18<sup>th</sup> November 2021) will receive a ballot paper and ballot letter and will be entitled to vote in a secret ballot. Non levy payers are not entitled to vote. For the BID to be approved, two tests must be met:
  - a) More than 50% of those voting must vote in favour
  - b) Of the "yes" votes, they must represent more than 50% of the total rateable value of all votes cast

*(For information, in BID 2, we achieved a 43% turnout, with an 82% "yes" vote" and 93% of combined rateable value. We anticipate it being more difficult this year due to the pandemic impacts).*

Under the legislation, if these conditions are fulfilled, payment of a levy of 1.25% of rateable value each year for five years until 31<sup>st</sup> March 2027 becomes mandatory for all eligible businesses (those with a rateable value of £5,000 or more within the BID boundary) regardless of how they voted.

2. The ballot will be conducted independently by Chichester District Council and Civica and will be a confidential postal vote. Voters will have until 5pm on the close of ballot (Thursday 18th November 2021), to return their ballot paper. A proxy vote is available, and details will be sent out with the ballot papers.
3. If a business has more than one rateable property, it will receive a ballot paper for each property. Each returned paper counts as one vote.
4. If the BID is approved through both tests being met, it will operate for five years from 1st April 2022 to 31st March 2027 delivering the projects outlined within the business plan.
5. The number of hereditaments liable for the levy is circa 642 at time of writing.

## Baseline Services and Operating Agreement

Baseline services have been agreed in principle, subject to a “yes” vote, with Chichester District Council, Chichester City Council, Sussex Police and West Sussex County Council Highways. These baseline agreements are set up to ensure there is no duplication of services and the services the BID are proposing to implement are incremental to existing services. A full copy of all the Baseline agreements can be found in the appendix (see appendix 2) and a summary below:

### Summary of proposed BID baseline activities

Baseline Activity	Proposed BID additional activity	Cost of BID activity
Community Safety	<i>Resource support</i>	Staff time
Green Spaces	<i>Tree planting / replanting</i>	£5k subject to quotes
Street Scene	<i>Support with business waste / essential street cleaning</i>	£3k subject to quotes
Sussex Police	<i>Contribution to *BCRP arrangement</i>	Contribution £tbc
Christmas Lights	<i>Provision and maintenance of</i>	£50k
Floral Displays	<i>Support for local floral displays</i>	£5k
City Events	<i>Support in promoting events</i>	Staff time
Banners and Bunting	<i>None</i>	£860 for banners

### \*BCRP – Business Crime Reduction Partnership

Chichester District Council will continue to collect the levy on behalf of Chichester BID. Chichester BID pay a collection charge to Chichester District Council for this service as indicated within the outline 5-year budget for term 3. Chichester BID then receives the funds raised from the levy in monthly installments from Chichester District Council directly. These funds are then spent against the agreed annual budget outlined in the business plan, to deliver our members’ objectives. The management and rules of the BID Levy collection arrangement are set out in the Operating Agreement which will be agreed between Chichester District Council and Chichester BID. The final version of the Operating Agreement is still to be agreed at time of writing.

## Alterations Policy

The BID projects, costs, timescales and budgets can be altered subject to Board approval providing the changes fall within the income of the BID and meet the BID objectives. This enables the BID to operate flexibly to respond to changing demands of levy payers, the economic landscape and potential opportunities. Any change to the BID boundary or increase in the levy rate would require an alteration ballot. Chichester BID will adhere to the 2017 ratings list throughout the five-year term to the end of March 2027.

## Consultation Strategy

During both lockdown periods, Chichester BID has communicated to businesses to support them to get through the crisis, help them apply for grants where appropriate and support them in reopening safely.

A very important part of the ballot planning process for a new term, is ensuring feedback and consultation is very visible throughout the whole process. To mitigate the issue of reduced face to face contact, to comply with social distancing rules and to allow Chichester businesses the best opportunity and access to relevant information, we have worked hard to communicate as widely as we can via phone calls and emails. Data collection and ensuring we had relevant email addresses has been key to the success of this operation.

Chichester BID started the work for the renewal proposal for the third term in January 2021 whilst lockdown was still in place.

It should be noted that robust consultation around the third term for Chichester BID began later than originally planned due to the stated lockdown restrictions and other pressing priorities but also due to a change in leadership and the operating team.

We have planned for a 3 phase process of consultation. Results for phases 1 and 2 are present within this document and the insight gained has been fed into the draft Business Plan. Phase 3 is planned for July 2021 and the results and consequent amends to the Business Plan will be submitted to Chichester District Council for review, prior to publication of the final Business Plan to our BID levy payers in September 2021.

The methodology and purpose of the 3 phases of consultation planned are as follows:

- *Phase 1 of our planned consultation was carried out in January 2021. This initial online survey with our BID levy payers sought to gain insight on what they wanted to see from the BID, what they believe the BID brings to Chichester and an indication on how they would vote in the upcoming ballot.*
- *Phase 2 of our planned consultation is a longer, more in-depth online survey to all our levy payers, followed by virtual or face to face steering group feedback session – methodology depending on availability of levy payers and current government guidelines on social distancing. The online survey was carried out week commencing 19th April 2021 and the initial results can be found later in this document. Follow up meetings with the steering group are planned for late May 2021. The objective of this phase of the consultation process is to help inform the direction of travel across all areas of the draft Business Plan.*
- *For Phase 3 of our levy payer consultation, we are planning to publish a consultation document outlining our proposed plan and services and distribute this to all our levy payers in July 2021. We will seek feedback via a survey link and also reconvene the steering group for deeper discussion and feedback. The results will determine our final Business Plan which we will submit, along with the results of this consultation, in our second submission to Chichester District Council in August 2021.*



Throughout the whole process, Chichester BID levy payers will be receiving regular updates on the ballot process and be encouraged to engage and participate. We are keen to ensure we engage businesses from across all the sectors and our contact strategy and follow up / steering group complement reflects this aspiration.

## Overview of Consultation results phases 1 and 2

### Results of Phase 1 January 2021 consultation

Here are the key findings (sample size 30, 10% return on distribution):

- *96% said Chichester BID had made a positive difference over the last 4 years.*
- *94% felt that Chichester BID had made a positive difference during the pandemic to Chichester City centre, but only 29% said Chichester BID had made a positive difference to their business.*
- *Key activities that were liked:*
  - *Rangers – a security and information giving presence walking the streets, being the eyes and ears in the city on what’s happening*
  - *Christmas Lights*
  - *Floral hanging baskets*
  - *Flag programme in the main 3 streets – North, East and South*
  - *BID Directory – a web page on the Chichester BID website that is a BID levy payer business directory where local offers and promotions can be advertised*
- *Key activities that needed work and more focus:*
  - *Loyal free app – an app which promotes local businesses, offers and city trails*
  - *Chichester Gift Card*
- *63% said they would support a further 5-year term, 23% said they wouldn’t, 7% did not wish to comment and 7% said it was not their decision.*
- *50% are willing to give their time to help shape the next 5-year Business Plan.*
- *Comments on why some levy payers would not support a further third term:*
  1. *Too retail focused*
  2. *Does not drive footfall*
  3. *Not forthright enough in getting things done.*
  4. *Not worth the money*

### Results of Phase 2 May 2021 Consultation

Here are the key findings (sample size 380, just over 10% return on distribution but with poor completion of total survey by all respondents) – see appendix 3 for detailed results:

- *Our Strategic Priorities still resonate with the BID levy payers and seem to retain their relevance.*
- *50% said that the BID had positively impacted their business over the last year and also for the period of the third term. 50% said the BID did not.*
- *We are known for great delivery of Christmas Lights, flowers and general street decorations and being an effective communicator to the BID levy payers. Business advice / support and delivering the Ranger programme were also highly rated in terms of effective implementation.*
- *Chichester BID is least known for its accessibility and visibility and delivering effective footfall driving events. An overwhelming majority wanted to see further investment in events in the city.*
- *BID levy payers would also like to see us build more effective partnerships with relevant stakeholders – with Chichester District Council (CDC) being the most important partnership.*
- *A common theme running through the results is that planning great footfall driving events, effectively marketing the city, improving the look of the city to entice new business, having effective influence with other public bodies and providing hands on business support are what is valued most.*

- *The Rangers came out as a major plus although feedback was mixed as to their usefulness depending on the sector. Increasing the visibility of Rangers was a common theme that would seem to be as beneficial to the BID levy payers.*
- *The website as a means of communication was a very weak link and needs improving. Social media was a key asset (Facebook having the strongest engagement) that could be further potentialised. Direct email correspondence was the preferred and most effective form of communication by a long way.*
- *Loyalfree and Gift card are seen as potentially good tools and there was relatively high awareness of their existence, but there is little engagement currently with these business opportunity initiatives.*
- *There is a definite shift away from the use of printed materials to something that is more dynamic and digital. This applies to communication to both the public and to BID levy payers.*
- *There were no strong feelings either way on the strength and clarity of our more formal BID levy payer communications.*
- *Only 5 respondents were members of Chichester Business Against Crime (ChiBAC), but out of these 5 there was positive feedback especially around the effectiveness of the radio scheme, security walk arounds and training.*
- *ChiBAC members would like to see far more visibility of ChiBAC personnel and an increased opportunity for training.*
- *Seeing the public realm look exciting was important. The Christmas Lights and flowers were very valued. The flag programme was not seen as worth the investment.*
- *Car park incentives and initiatives to keep the city cleaner were highly valued and seen as worthy of levy investment.*
- *When asked how to they would vote currently – 57% said they would vote yes, 27% said they didn't know and 16% said they would vote no.*
- *Some verbatim comments on what would change their minds to vote yes:*
  - *“Working with local councils, reduction in parking fees, support for the homeless”*
  - *“Seeing an active move in filling retail spaces”*
  - *“Make a difference to the city – offering businesses support in advertising and car park charges”*
- *Some verbatim comments on why they would not vote for a third term:*
  - *“I personally do not receive any benefits except for Christmas Lights.”*
  - *“I genuinely do not see the benefit for the city – the focus needs to be on bringing new shops back into the city”*
  - *“The value for money is not clear. Too large a percentage on admin costs not actual programmes”*

# Chichester BID Draft Business Plan Term 3



Please find below the draft business plan for term 3. Please note, we will not finalise the detail of our term 3 business plan until we have been through the Phase 3 consultation period in July 2021. We will then resubmit our final draft Business Plan with any amends as a result of the feedback we receive in the final phase of consultation. We will also submit an overview and detail of the results of our final phase of consultation at the same time.

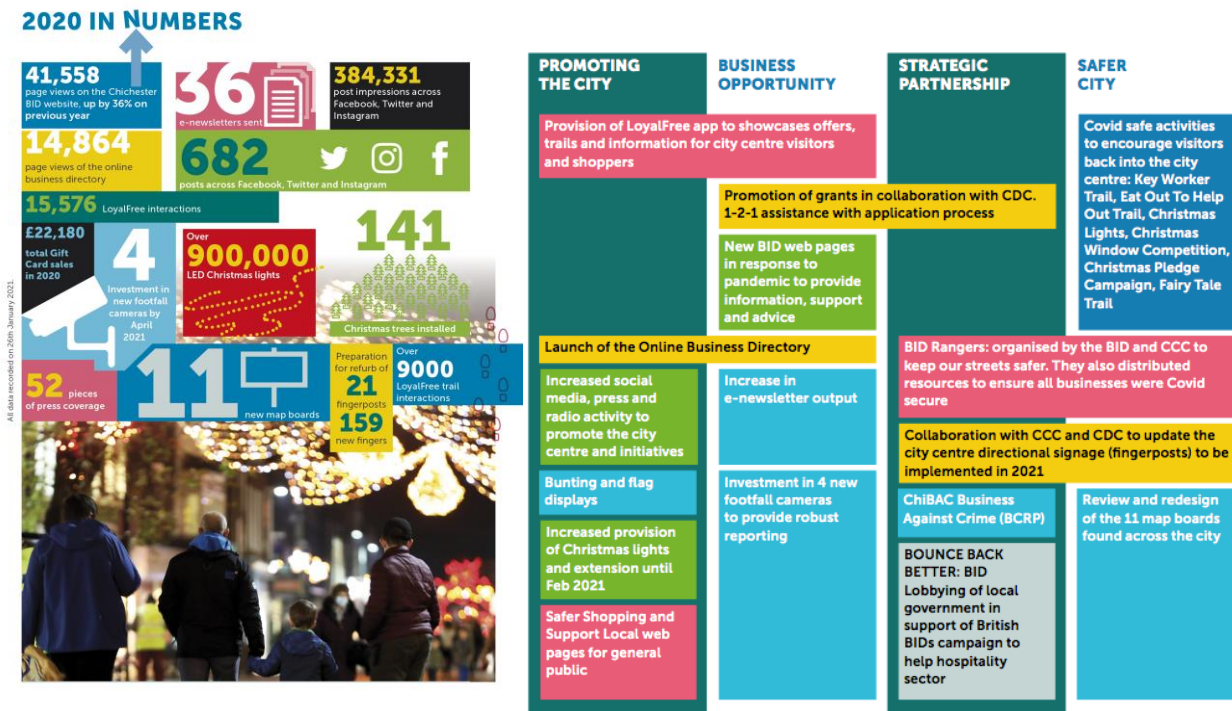
## a. Objectives, Achievements and Key Learns Term 2

### Objectives Term 2

Chichester BID term 2 outlined some very clear objectives and outcomes. BID 2 set out to be far more proactive and focus on:

1. *Strategic partnerships with CDC, Chichester Chamber of Commerce and Industry (CCCI) and Visit Chichester (now Great Sussex Way GSW)*
2. *Improved communication and advocacy on behalf of businesses*
3. *Marketing and events across the year*
4. *Developing the City's visitor economy*
5. *Better support to businesses through data provision and other activity*
6. *Public realm improvements and city centre safety*

### Snapshot of Achievements 2020



Reflecting on how the BID contributed in Term 2 - what would Chichester business life look like without a BID?

- X Investment of circa £300k every year in our city over 5 years would be lost
- X No voice for businesses to lobby the local authorities or other agencies
- X Christmas within the city would be a much darker and colourless festival
- X Advice and support for local businesses would be harder to access
- X Our streets would be less safe without the presence of rangers and the provision of radios in conjunction with ChiBAC
- X There would be no opportunity for local businesses to showcase their offers on our Web directory page
- X Children would no longer be able to explore Chichester through the inventiveness of the trails
- X Summertime in the City would be much less colourful and much less fun – no bunting, flags for example
- X There would be no key commercial data available to all local businesses
- X The ability to showcase offers and advertise on a free to download local app would be lost
- X The availability of a gift card redeemable in Chichester stores only would mean revenue could be lost outside of the city
- X Newcomers to the city may find it hard to navigate as there would be no updated map boards and fingerposts

## Key Learns Term 2

We believe our key strengths are:

1. **Dressing the City.** *The Christmas lights, Shop Local bunting, red, white and blue street bunting, flag programme and hanging basket programme in conjunction with CCC we believe are a USP of Chichester BID*

2. **Footfall Driving events** – like Super Saturday, where we engage local businesses and media to promote Chichester
3. **Building Public engagement** – through our Loyalfree trails, public Chichester BID newsletters and window competitions
4. **Marketing Campaigns** that highlight and promote across the sectors
5. A strong and consistent **Press and Social Media** presence which draws high engagement

We want to further build on:

1. **The Loyal free programme** – make it work for local businesses and drive engagement with both businesses and the public alike
2. **The Gift card programme** – increase buying points and uptake and pursue corporate sales
3. **Levy payer data management and contact strategies** – be more focused with our communication and support
4. **Our communication and transparency** – website content needs a review of overall content
5. **Providing accurate commercial data** to improve local business decision making – become a hub of knowledge for the BID levy payers
6. **Ranger programme effectiveness** – how can this valuable resource further support local businesses

We believe we need to improve the following for our third term:

1. **The Business Crime Reduction Partnership (BCRP arrangement)**. We need to offer better value for money for our members
2. Develop a more **effective relationship with Great Sussex Way** to help support the visitor economy
3. **Build more effective partnerships with key stakeholders** – for example Southern Rail, Chichester City Council (CCC), Chichester Chamber of Commerce and Industry (CCCI), Chichester District Council (CDC), West Sussex County Council (WSCC), Festival of Chichester (FOC), private sector businesses
4. **Be far more visible** in the city on a day to day basis
5. Deliver a **programme of measurement and accreditation** of our activities ongoing
6. Resolve **our complicated company structure** which is too complex and needs simplifying

## b. Chichester BID Vision Term 3




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*“We aim to ensure that Chichester remains a vibrant, fun, colourful and rewarding place to do business – a flourishing city where local businesses thrive, and visitor numbers increase.*

*Whether you work, live, shop or are simply visiting Chichester, we want to make sure every visit to the city centre is rewarding and memorable so that you look forward to returning again in the not-too-distant future”.*

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As a Business Improvement District (BID), Chichester BID will work hard to deliver practical help, support, on the ground advice and promote events and initiatives which in turn create an environment where our 600+ businesses that fund us, can thrive, grow and reach their full potential.

Chichester clearly has its challenges, like every other town and city – in terms of understanding the changes in consumer habits and the fluctuating and diverse footfall into the city.

To remain competitive, we need to challenge ourselves and the businesses within our BID area to remain competitive and proactively manage, invest, plan and deliver improvements across all sectors.

### c. Strategic Priorities for Term 3

The following 3 key Strategic Priorities will form the building blocks of our Business Plan. The priorities are:

1. *Promoting Chichester*
2. *Delivering an Organised and Safer City*
3. *Developing Business Opportunities*

We will test these are still the 3 key areas of focus throughout the consultation process, but we do not anticipate these priorities changing post final consultation.

### d. Term 3 Objectives and Anticipated Outcomes

#### Objectives Term 3

- *To help deliver Chichester as a year-round destination through local and national PR campaigns and ensure we represent the best interest and voices of our BID levy payers*
- *Continue to “dress” the city and work collaboratively with all relevant stakeholders, to ensure the public realm looks at its best for shoppers, visitors and residents alike*
- *Through close collaboration, provide key marketing and event opportunities to drive footfall and increase dwell time into the city centre and build public and business engagement through inspiring communications across all relevant channels and equitably across all sectors*
- *Develop business opportunities for BID levy payers by forging key partnerships and alliances – focusing on the unique blend and mix of independent businesses which set Chichester apart as a key destination city*
- *Ensure, in a post COVID world, the city centre is safe, clean and well organised to encourage repeat visits and foster a great place to do business*
- *Ensure we deliver timely and accurate commercial data to aid critical commercial decision making within the city*
- *Be more visible and a hands-on support to all BID levy payers as our city centre goes through inevitable transformation*

#### Anticipated Outcomes Term 3

1. *We are looking to improve the effectiveness of the day-to-day partnerships working with local authorities, local services, business groups, community organisations, city centre businesses and external agencies.*
2. *We also wish to contribute to the increased profile of the city at a national level with higher footfall across the year and increased spend in the city.*
3. *Targets by which we will measure ourselves:*
  - *Footfall – both visitor and shopper*
  - *Late night shopping footfall*
  - *Dwell time*

- *Retail vacancy rates*
- *Safety and crime figures*
- *Car park occupancy*
- *Business and public engagement in our activities*

## e. Finance and Contingency Term 3

Finance - indicative 5 year budget

Annual available revenue, post costs, sits at circa £292,400. The split of spend across the strategic priorities is a direct reflection of feedback from BID levy payers as to what is important to them, our commitment to our baseline agreements and developing a programme of activities and initiatives that support our stated objectives.

Revenue	Year 1	Year 2	Year 3	Year 4	Year 5	Total
BID 3 Levy	£339,500	£339,500	£339,500	£339,500	£339,500	£1,697,500
Additional Income	£15,000	£15,000	£15,000	£15,000	£15,000	£75,000
<b>Total Term 3 Levy income</b>	<b>£354,500</b>	<b>£354,500</b>	<b>£354,500</b>	<b>£354,500</b>	<b>£354,500</b>	<b>£1,772,500</b>

Delivery Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Collection Costs	£17,100	£17,100	£17,100	£17,100	£17,100	£85,500
Renewal Process	£5,000	£5,000	£5,000	£5,000	£5,000	£25,000
Administration and professional fees	£24,000	£24,000	£24,000	£24,000	£24,000	£120,000
Staffing cost (not project related)	£16,000	£16,000	£16,000	£16,000	£16,000	£80,000
<b>Total costs</b>	<b>£62,100</b>	<b>£62,100</b>	<b>£62,100</b>	<b>£62,100</b>	<b>£62,100</b>	<b>£310,500</b>

<b>Available Revenue</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£1,462,000</b>
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Expenditure	Year 1	Year 2	Year 3	Year 4	Year 5	Total
<b>Term 3 Strategic Priorities</b>						
a. Promoting Chichester 49%	£143,200	£143,200	£143,200	£143,200	£143,200	£716,000
b. Organised & Safer City 35%	£102,000	£102,000	£102,000	£102,000	£102,000	£510,000
c. Business Opportunities 11%	£32,400	£32,400	£32,400	£32,400	£32,400	£162,000
<b>CONTINGENCY 5%</b>	<b>£14,800</b>	<b>£14,800</b>	<b>£14,800</b>	<b>£14,800</b>	<b>£14,800</b>	<b>£74,000</b>
<b>Term 3 EXPENDITURE</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£292,400</b>	<b>£1,462,000</b>

Note 1: BID 3 levy as advised by CDC - set at 95% collection rate to allow for 5% appeals provision

Note 2: Additional income is rental and Ranger contributions

Note 3: Staffing costs

Total staffing costs budgeted at £70,000, attributed as follows:

1. £16,000 attributed to non project related costs – composed of 100% of Financial Admin role, 33% of CEO role
2. Across the 3 Strategic Priorities
  - a. £21,500 attributed to Promoting Chichester – composed of 33% of Operations Manager and Client Relationship Manager, 33% of CEO role



- b. £21,500 attributed to Organised & Safer City – composed of 33% Operations Manager and Client Relationship Manager role, 33% of CEO role
- c. £11,000 attributed to Business Opportunities – composed of both 33% of Operations Manager and Client Relationship manager role

### Contingency arrangements term 3

The BID sets aside sums per annum for the following:

1. *5% levy contingency will be invested in the 4th quarter of each year if not required*
2. *Levy refund (appeals provision) contingency of 5%*
3. *Renewal process, £5k per annum – to be spent in 5th year if a 4th term is sought*

## f. Term 3 Services and Activities by each Strategic Priority

The provision of services by Chichester BID are essentially similar to BID 2 – with the following notable exceptions.

What's new?

- *The Crime Prevention arrangement will offer a broader, more holistic and more relevant range of services. Membership will be actively encouraged, and we will place more emphasis on the visibility of the Rangers*
- *Chichester BID will provide a business focused suite of information and support through the supply of accurate data. To aid business planning and strategizing, we are also looking to initiate a Quarterly Business Review process and Business Excellence Awards*
- *A more proactive, collaborative and beneficial arrangement will be in place with key partner organisations – to benefit the local businesses by increasing their networks and connections*
- *We are proposing we use a nationally regarded BID accreditation scheme to monitor all BID activities and encourage transparency and engagement*
- *Fixed costs will lessen as we seek to streamline business processes and company structure*
- *We will operate a more outwardly facing team set up to increase levels of engagement and involvement with BID levy payers*
- *There will be a renewed focus on delivering footfall driving events on a regular basis – either in partnership or solo*

Expenditure and focus within each Strategic Priority for Term 3:

### 1. Promoting Chichester                      49% of levy

The provision for this priority enables Chichester BID to advertise and market Chichester outside the BID area across all channels and for all sectors. This priority is key to our members and as such has the highest spend. Chichester BID will offer a strengthened programme of support for BID member events to drive footfall into the city, increase dwell time for both day and night economies. Chichester BID will also build stronger alliances with our major attractions and heritage partners to build variety and broad interest to the event programme.

Proposed expenditure within this priority will provide for:

- *Summer and Winter campaigns – including social media campaigns, marketing trails and local competitions to promote footfall and engagement*
- *Marketing and advertising of Chichester’s event and the city as a key destination to shop, work and visit, to attract visitors and investment from outside the BID area*
- *To ensure Chichester BID have a credible print and virtual media presence to increase brand elevation and recognition of Chichester BID*
- *To provide top quality marketing materials and paraphernalia for our members and the public, promoting local businesses and activities*
- *Investment in a city-wide flag and street bunting programme for the entire Summer season*
- *To collaborate with key stakeholders and initiate fun and memorable family events to drive local footfall and to give the opportunity for local businesses to showcase their proposition*
- *To work in collaboration with other key stakeholders to deliver green and restful spaces within the city to act as pause points and social media friendly meeting points*
- *To promote late night shopping and other night-time initiatives to support the night-time economy*
- *To solely provide the Christmas lights infrastructure, lighting displays and lights switch on events and festivities*
- *To partner with the local authority to promote initiatives to drive footfall and increase dwell time in the city – for example, supporting car parking incentives*

## **2. Delivering an Organised and Safer city 35% of levy**

The provision for this priority enables Chichester BID to provide focused street cleaning, floral displays and planting, business signage support, wayfinding signage and maintenance to enable the city to be more welcoming to visitors and residents alike. Chichester BID also work in partnership with a BCRP to deliver a safe and secure city – for both the daytime and nighttime economies. Additional support for all local businesses is given through the Ranger programme, who are the eyes and ears on the street.

Proposed expenditure within this priority will provide for:

- *Delivering a robust reporting and intelligence service for members and providing training and back up support where needed in the area of loss prevention. Services to our members also include a quick response radio link scheme and a representation on all Security walk rounds and police briefings*
- *A highly visible Ranger team – who patrol the city streets, build relationships with the local businesses and report any incidents to the relevant authorities.*
- *Hanging baskets (in conjunction with CCC), floral displays and planters in all the key areas of the city*
- *Intensive chewing gum, graffiti removal and deep clean street clean where necessary in key parts of the city*
- *Maintenance of wayfinding tools within the BID area*
- *The provision of a data base management tool, which allows Chichester BID to manage feedback, keep up to date records and contacts to enable swift, accurate and productive communication*
- *The provision of a commercial data base and footfall measuring service to our members and local authorities to enable the business community to be kept up to date with all relevant commercial data, for example footfall measurement, which aid better planning and commercial decision making*
- *Delivering a void retail space visual programme that both enhances the city scape and also gives an opportunity to promote local businesses /organisations*

### 3. Business Opportunities

11% of levy

The provision for this priority enables Chichester BID to increase our partnership impact by focusing on strategic alliances with vital key organisations, that in turn can facilitate growth and profitable networking within the local business community. This will also ensure that Chichester is attractive to skilled employees that are seeking a progressive, career enhancing environment in which to work. Stronger alliances within the business community will create opportunities for members to connect with each other, in turn promoting Chichester as a key place to do business.

Proposed expenditure within this priority will provide for:

- *Management of the Chichester Gift card – keeping local spend within the local area*
- *Management of Loyalfree app - a free to download app which serves all local businesses an opportunity to promote their individual offer and proposition*
- *The introduction of quarterly business reviews and a Business Excellence awards initiative to highlight and share best practice*
- *The formation of key alliances and partnerships with pivotal local business organisations for the benefit of our BID levy payers – local organisations like Great Sussex Way, CCCI, Festival of Chichester, where an alignment of strategy and thinking can be a benefit to all in the short and long term*
- *To encourage BID levy voluntary membership with larger organisations currently not within the BID boundary*

### g. Communication of the final Business Plan

The proposed activities outlined above to deliver our Vision for our Third Term are both broad and diverse across all sectors - we aim to deliver for all our BID Levy payers.

We will set out our planned priorities and activities across the 3 Strategic Priorities – ensuring the following 3 key value messages, which sum how we will achieve our Vision, are loud and clear and form a consistent backdrop within all our communication:

**ENHANCE & EXCITE** Ensure the place where our businesses do business is fit for purpose, safe, green, fun, inclusive, clean and colourful

**INFORM & COMMUNICATE** Ensure both the public and the BID levy players are fully in tune with all of the benefits of doing business in Chichester or visiting in Chichester

**PARTNER & PROSPER** Build proactive and profitable alliances with key strategic partners that will benefit all levy payers and broaden customer reach

Clear, concise and motivational delivery of the Business Plan to the BID Levy payers in September 2021 will be key to success in the ballot in November 2021. There needs to be clear messaging on what the BID offers each BID levy payer as an individual business, so the clear benefit of the BID's presence can be fully understood.

We will launch the Business Plan at the AGM in early September 2021 and subsequently produce a glossy pamphlet of the Business Plan which we will distribute to all BID levy payers post launch as well as publish across Social Media and within our newsletters. We are also looking at producing a video campaign to sit alongside the launch of the Business Plan.



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# Appendix A

# Baseline Statements

# Term 3 2022 – 2027

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### Introduction

#### Baseline and continuation of existing services

It is the intention that the Chichester BID may bring new initiatives to the City Centre and build on existing public sector service provision. The BID may enhance existing services but not replace them.

Where new public sector services are contracted by Chichester BID, appropriate service level agreements will be sought prior to the commitment of expenditure.



**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

**Baseline Activity**  
**Parking Services**

**Head of Service**  
**Tania Murphy**

**Date**  
**March 2021**

<b>Service Provided, Location, Number of Staff &amp; Equipment</b>	<b>Location</b>	<b>Opening</b>	<b>Spaces</b>
	Little London Car Park	24 Hr	81
	Baffins Lane	24 Hr	86
	St Cyriacs	24 Hr	50
	South Pallant	24 Hr	52
	East Pallant / Cawley Priory	24 Hr	165 +81
	St Johns Street	24 Hr	29
	Market Road	Saturdays only	50
	Market Avenue	24 Hr (Saturdays and Sundays only – season tickets all other times)	75
	New Park Road	24 Hr	95
	Orchard Street	24 Hr (Saturdays and Sundays only – season tickets all other times)	25
	Basin Road	24 Hr	115
<b>Outside BID area</b>	Avenue de Chartres	24 Hr	890
	Northgate	24 Hr	836
	Cattle Market	24 Hr	907
<b>Specification</b>	There are 17 members of staff in the Parking Services team, 9 of these are Civil Enforcement Officers, who work seven days per week (including Bank Holidays) on a rotational basis to cover the district's car parks and on-street restrictions.		
<b>Performance Measure</b>	Receipts from car parking, number of penalty charge notices issued, number of public helped and supported, management of complaints process		
<b>Non -Compliance Procedure</b>	This is a public sector service that receives no reward or censure		
<b>Existing Value of Contract/Service in Boundary Area</b>	The City is part of an overall District wide service		

<b>BID Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	Encourage parking improvement schemes such as 'pay on exit' and use of digital payment facilities.
<b>Cost of BIDs Additional Activity</b>	None

**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

**Baseline Activity**  
**CCTV**

**Head of Service**  
**Pam Bushby**

**Date**  
**March 2021**

<b>Service Provided, Number of Staff &amp; Equipment</b>	CCTV office uses 65 CCTV cameras to cover the Chichester City Centre and District. From 1 <sup>st</sup> April 2021 Sussex Police will be monitoring the cameras 24/7.
<b>Specification</b>	To monitor and manage CCTV in the District to protect, service and assist the public, ChiBAC and the Police.
<b>Performance Measure</b>	Number of arrests and successful prosecutions using CCTV footage, customer satisfaction and complaints procedure, intelligence gained to assist in Police operations, protection of public and assistance in incidents.
<b>Non - Compliance Procedure</b>	This is a public sector service that receives no reward or censure.
<b>Existing Value of Contract/Service in Boundary Area</b>	Total Budget £134,000 including all on costs Divided by 65 cameras = £2062 per camera
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Community Safety</b>	<b>Pam Bushby</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	<b>Community Safety</b> 1.8 FTE staff support a range of partnership activities and deliver specific projects aimed at reducing Crime and Disorder, Anti-Social Behaviour and Substance Misuse. Crime Prevention and deterrent materials include covert CCTV, property marking equipment and high profile campaign material. Also includes: Multi-agency security inspections/ walks and work with the homeless sector.
<b>Specification</b>	A solution focused service provision that is flexible and responsive to predictable and emerging trends within a standard 5 day week but will include evenings and weekends for specific preplanned activities. Anti-Social Behaviour Policy sets out service specification and standards.
<b>Performance Measure</b>	Operates to a Community Safety Business Plan through the Community Safety Partnership which specifies projects, activities and targets. This is a public document.
<b>Non - Compliance Procedure</b>	Response to reported incidents and public enquiries are subject to standard complaints procedures. Business Plan targets are not subject to reward or censure.
<b>Existing Value of Contract/Service in Boundary Area</b>	It is estimated that 30% of the team's time is spent on activity relating to the City centre.
<b>Boundary Area</b>	City centre
<b>Proposed BIDs Additional Activity</b>	Support for Community safety
<b>Cost of BIDs Additional Activity</b>	Staff time

**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Green Spaces</b>	<b>Andy Howard</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Green space management and grounds maintenance of 95 sites across the district. Includes, parks, play areas, wildlife habitats, formal gardens, cemeteries and open spaces. 0.3 x Operations Manager 1 x Green spaces Lead 0.5 x Admin officer 1 x grounds maintenance supervisor 8 x grounds maintenance operatives
<b>Specification</b>	Ensure sites are safe, well maintained and welcoming to visitors.
<b>Performance Measure</b>	Proactive work schedules in place. Inspection schedule in place. Case management system for reactive works. Compliments and complaints register maintained by customer services.
<b>Non - Compliance Procedure</b>	N/A
<b>Existing Value of Contract/Service in Boundary Area</b>	Approx £250k.
<b>Boundary Area</b>	City Parish
<b>Proposed BIDs Additional Activity</b>	Support for street planting Replacement of City trees if necessary
<b>Cost of BIDs Additional Activity</b>	£5,000 subject to quotations and relevant permissions

**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Streetscene</b>	<b>Andy Howard</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	<p>Districtwide litter picking, bin emptying and highway sweeping. 0.3 x Operations Manager 1 x Street Cleansing Lead 1 x Street Cleansing Coordinator 0.5 x Admin officer 2 x Streetscene supervisors 19 x Streetscene operatives</p> <p>The city centre team comprises 6 full time operatives with support from other members of the team as required. Graffiti removal contract</p>
<b>Specification</b>	Requirement to maintain levels of cleanliness as specified in the Environmental Protection Act 1990 and the Code of Practice on Litter and Refuse.
<b>Performance Measure</b>	<p>Proactive work schedules in place. Inspection schedule in place. Case management system for reactive works. Compliments and complaints register maintained by customer services.</p>
<b>Non - Compliance Procedure</b>	Prosecution in event of failure to comply with the Environmental Protection Act.
<b>Existing Value of Contract/Service in Boundary Area</b>	£250,000 of the District cleaning budget (approximately £1 Million for the whole District) would be spent on maintaining cleaning standards within this area, with the City receiving the most intense operation within the contract due to the nature of the area.
<b>Boundary Area</b>	City Parish
<b>Proposed BIDs Additional Activity</b>	<p>Street Focus (walk about to identify and raise issues) Support to CDC when having issues with business waste Deep street clean were essential</p>

<b>Cost of BIDs Additional Activity</b>	£3,000 subject to quotations and relevant permissions
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**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Public Conveniences</b>	<b>Tania Murphy / Kevin Carter</b>	<b>March 2021</b>

<b>Service Provided, Location, Number of Staff &amp; Equipment</b>	<b>Location</b>	<b>Opening Times</b>	<b>Staff Number</b>	<b>Disabled Facilities</b>	<b>Baby Changing</b>
	Little London	07.00 – 19.30	1	Yes	Yes
	Priory Park	Park opening hours	Nil	Yes	Yes
	Tower Street	07.00 – 19.30	Nil	Yes	No
	Northgate Car Park	07.00 – 19.30	Nil	Yes	Yes
	Avenue De Chartres	07.00 – 19.30	Nil	Yes	Yes
	Market Road	07.00 – 19.30	Nil	Yes	Yes
<b>Specification</b>	All cleaned under contract, currently held by Wettons Little London has a full time attendant Mon – Sat All other sites cleaned 3 / 4 times per day Opening Times above are shown for Summer season. Sites close at 18.00 in Winter season.				
<b>Performance Measure</b>	Open 7 days per week / 364 days per year				
<b>Non -Compliance Procedure</b>	Contractor would be required to return and rectify omission The contract does allow for financial penalties for non-compliance				
<b>Existing Value of Contract in Boundary Area</b>	Cleaning costs – approximately £88,000 pa Not included in above (maintenance, water, electricity, NNDR, etc.)				
<b>Boundary Area</b>	City Centre				
<b>Proposed BIDs Additional Activity</b>	None				
<b>Cost of BIDs Additional Activity</b>	None				

**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

**Baseline Activity**                      **Head of Service**                      **Date**  
**Community Facilities**                      **Pam Bushby**                      **March 2021**

<b>Service Provided, Number of Staff &amp; Equipment</b>	<p>0.2 FTE equivalent (currently under review) maintains the Community Facilities Audit which maintains a record of the Community Facilities in the City, including specifically the buildings in community or public ownership, their capacity and usage, and their needs for future enhancement.</p> <p>A full list of “Halls for Hire” is maintained on the CDC website to assist with people finding venues for a range of needs.</p>
<b>Specification</b>	<p>Facilitating residents needs for appropriate space for activity and social activity, and community’s needs for public assembly, cohesion and local democracy. Also providing similar facilities for the public and private sector in providing suitable space to meet with and engage with residents or customers.</p>
<b>Performance Measure</b>	<p>Public requests for details regarding Halls for hire. Venue participation in bi-annual refresh of Audit, interim requests from halls and venues for listings to be included or updated.</p>
<b>Non - Compliance Procedure</b>	<p>Requests for information or updates are subject to the Council’s advertised commitment to response times, and would be subject to the standard complaints procedure.</p>
<b>Existing Value of Contract/Service in Boundary Area</b>	<p>It is estimated that 20% of the officer’s time relates to activity relating to the City of Chichester.</p>
<b>Boundary Area</b>	<p>Chichester City.</p>
<b>Proposed BIDs Additional Activity</b>	<p>None</p>
<b>Cost of BIDs Additional Activity</b>	<p>None</p>

**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Community Right to Bid/ Register of Assets of Community Value</b>	<b>Pam Bushby</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	1 member of staff, within their role, considers nominations of “Assets of Community Value”, maintains the register of approved nominations, and deals with any ensuing matters if owners of properties subsequently look to sell. Full details are maintained on the Council’s website.
<b>Specification</b>	The Community Right to Bid is one of a number of “Community Rights” enshrined within the Localism Act. Properties or land that contribute to the social wellbeing of the local community can be nominated. If listed, then the owner would be required to advise the Council of their intention to sell, and if the community were interesting in bidding to buy the property then a moratorium on sale of up to 6 months could be enforced to give the community time to fundraise.
<b>Performance Measure</b>	All nominations must be determined within 8 weeks, and a publically accessible Register of Community Assets must Be maintained. With effect from July 2016, CDC will need to address a number of related enquiries in all Property Searches.
<b>Non - Compliance Procedure</b>	Nominations can be appealed by property owners at two stages. Declined nominations cannot be appealed, but revised nominations can be considered if new information can be presented.
<b>Existing Value of Contract/Service in Boundary Area</b>	Of the 53 nominations currently detailed in the register, 3 are within the City.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester District Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

**Baseline Activity**  
**Discretionary Grants**  
**and Concessions**

**Head of Service**  
**Pam Bushby**

**Date**  
**March 2021**

<b>Service Provided, Number of Staff &amp; Equipment</b>	Chichester District Council offers Grants to community groups and organisations, and local businesses, to further advertised annual priorities. The Council employs four staff who act as Funding Advisers (as part of their wider roles), and bids are approved through the Council’s Grants and Concession Panel that meets quarterly. The Panel also oversees rent concessions on commercial or community properties owned by the Council, to either support new businesses or the community benefit. The Panel can also confer discretionary rate relief in line with the Council’s Policy, or in exceptional circumstances. Chichester District Council also offers New Homes Bonus to Parish Town and City Councils to facilitate projects that address the impact of local development. As one of the main locations of housing development in the District, Chichester City is eligible for significant proportions of this fund. NHB is administered separately by two staff (PT) and bids are approved through a separate annual meeting of the Grants and Concessions Panel.
<b>Specification</b>	Economic Development, Environmental enhancement, Community development, Health and Wellbeing.
<b>Performance Measure</b>	<ul style="list-style-type: none"> <li>-Regular review of the Council’s Grants and Concessions Policy, and New Homes Bonus (Parish Allocations) Policy</li> <li>-Annual refreshment of the Councils advertised “Priorities and Principles of Funding”</li> <li>-Quarterly meetings of the Grants and Concessions Panel</li> <li>-Annual meeting of the Panel to consider NHB applications</li> <li>-Annual production of a Report regarding all grants and concessions provided in the previous financial year.</li> </ul>
<b>Non - Compliance Procedure</b>	Advice to applicants is subject to guidance approved by Council, so complaints could be made via the line management route. Grant giving is discretionary, but applicants who were unhappy with the Panel’s decision could appeal the decision to Council Cabinet.
<b>Existing Value of Contract/Service in Boundary Area</b>	The annual Grants budget is £175,000 across the District. The annual budget for New Homes Bonus in 2020/21 was £250,000, of which Chichester City was eligible for £49,549. NHB reduced to £125k for this financial year.
<b>Boundary Area</b>	Chichester District
<b>Proposed BIDs Additional Activity</b>	None

<b>Cost of BIDs Additional Activity</b>	None
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### BASELINE STATEMENT FOR: CHICHESTER BID AREA

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Sussex Police</b>	<b>CI John Carter</b>	<b>April 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Provision of Police service across West Sussex including Chichester District area and within the defined area of Chichester City. Service response available 24hrs/day 7days/week 365days /year. The neighborhood policing team is combined with Arun enabling resources to be deployed based on Threat Harm Risk and Vulnerability. Officers are based at Chichester and Bognor Police Stations. The teams are comprised of 2 Inspectors, 7 Sgts, PCs and a team of 27 PCSOS. 12 of the PCSOS will be based at Chichester police station but flex across the hub where required. Their Core Mission is The Prevention of crime. In addition, centralized services such as Divisional Response Team, CID, Crime Prevention and Licensing are available by Police request to assist in the BID area on a needs basis.
<b>Specification</b>	The prevention and detection of crime
<b>Performance Measure</b>	Sussex Police has targets from the Home Office with national, regional and local performance targets. Crime Reduction, Crime Outcomes and Public Satisfaction. Complaints and customer feedback.
<b>Non -Compliance Procedure</b>	Targets are not subject to reward or censure.
<b>Existing Value of Contract/Service in Boundary Area</b>	Unable to identify value within City Centre BID area as expenditure is targeted at need and varies from year to year. - Sussex Police are 100% committed to supporting ChiBAC.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	Still in discussions re a proposal for a BCRP for the new term
<b>Cost of BIDs Additional Activity</b>	Contribution to a BCRP partnership – amount still to be determined

## BASELINE STATEMENT FOR: CHICHESTER BID AREA

**Baseline Activity**

**Head of Service**

**Date**

**WSCC Highways Maintenance**

**Michele Hulme**

**March 2021**

<b>Service Provided, Number of Staff &amp; Equipment</b>	Provision of Highway maintenance and network management service across West Sussex including Chichester District area and within the defined area of Chichester City. Service response available 24hrs/day 7days/week 365days /year.
<b>Specification</b>	Maintenance of all public areas of highway to defined standards identified in the West Sussex Highway Maintenance and Asset Management Strategy. Ensuring highway safety in accordance with defined standards and criteria as identified in West Sussex Safety Plus Plan plus Highway Inspection and Management regime. Currently the managing authority for the co-ordination and booking of street activity.
<b>Performance Measure</b>	Maintain public highways and regulate activities undertaken within the highway and deliver it in accordance with defined performance measures, criteria and relevant legislation.
<b>Non - Compliance Procedure</b>	Service Level Agreements and Performance Standards identified within Highway Maintenance contracts with clearly identified procedures for dealing with non-compliance.
<b>Existing Value of Contract/Service in Boundary Area</b>	Unable to identify value within City Centre area as expenditure is targeted at need and varies from year to year. No fixed amount of expenditure set aside for identified areas within West Sussex.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Street Furniture</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Provision of benches in the City Centre, bike racks, fingerposts and floral planter surrounds. Bike racks remain under CDC ownership subject, but subject to further discussions with Chichester District Council may be transferred to CCC. Managed by the Property Manager and maintained by the CCC Property Maintenance Officers.
<b>Specification</b>	To ensure the benches, floral planter surrounds and bike racks are regularly inspected, cleaned and maintained and replaced as necessary.
<b>Performance Measure</b>	Maintained as required
<b>Non - Compliance Procedure</b>	Complaints are responded to.
<b>Existing Value of Contract/Service in Boundary Area</b>	Benches £32,433, Bike Racks and Fingerposts £20,000
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None



**Chichester City Council  
BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Christmas Lights</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	This Baseline Statement is no longer applicable to Chichester City Council because the responsibility is now with Chichester BID. However, Chichester City Council own the original anchor points but Chichester BID took over responsibility for testing them and adding new ones for the heavier lights.
<b>Specification</b>	
<b>Performance Measure</b>	
<b>Non - Compliance Procedure</b>	
<b>Existing Value of Contract/Service in Boundary Area</b>	
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	Provision and maintenance of Christmas Lights and Infrastructure, organization and delivery of Lights Switch-on event or similar activities
<b>Cost of BIDs Additional Activity</b>	£50,000

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Street Naming and Numbering</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Provision of street naming and numbering services within Chichester City parish under delegated powers from Chichester District Council. Managed by Property Manager.
<b>Specification</b>	To liaise with Royal Mail and Chichester City Council’s Planning and Conservation Committee in processing street naming and numbering applications from developers and private individuals. Services to be provided in accordance with the Chichester City Council’s Street Naming and Numbering Policy. The name plates, posts and back boards follow an approved specification and includes City Council’s Coat of Arms and are maintained by the CCC Property Maintenance Officers.
<b>Performance Measure</b>	Public Safety and community well-being.
<b>Non - Compliance Procedure</b>	Action taken to replace as required.
<b>Existing Value of Contract/Service in Boundary Area</b>	£4,000 pro rata for the BID area.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council  
BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Floral Displays in the City Centre and other landscaped Areas in the City Centre (Formerly Chichester in Bloom)</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Provision of seasonal flower displays within the City Centre and other landscaped areas including Cathedral Beds. The City Council is responsible for the 11 flowers tower bases. Managed by the Finance Manager and Finance Assistant.
<b>Specification</b>	To provide seasonal flower displays within the City Centre.
<b>Performance Measure</b>	Controlled by Chichester City Council and horticultural specialists.
<b>Non - Compliance Procedure</b>	It would be detrimental to the tourism and well-being in the City.
<b>Existing Value of Contract/Service in Boundary Area</b>	£15,000
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	Support for floral displays
<b>Cost of BIDs Additional Activity</b>	£5k

**Chichester City Council  
BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>City Events</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Eg. Gala, Freedom and Military Parades Managed by appropriate City Council staff.
<b>Specification</b>	Varied to meet requirements.
<b>Performance Measure</b>	Economic, tourism and general well-being of the City.
<b>Non - Compliance Procedure</b>	Public disappointment and detrimental impact on the footfall of the City.
<b>Existing Value of Contract/Service in Boundary Area</b>	As required according to the event.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	Support promotion of City Events as required.
<b>Cost of BIDs Additional Activity</b>	Staff time.

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

**Baseline Activity**

**Head of Service**

**Date**

**Footpath Lighting**

**Rodney Duggua**

**March 2021**

<b>Service Provided, Number of Staff &amp; Equipment</b>	Provision of footpath lighting in certain areas of the City Boundary. Managed by the Property Manager.
<b>Specification</b>	In accordance with PFI contract with West Sussex County Council.
<b>Performance Measure</b>	In accordance with PFI contract with West Sussex County Council.
<b>Non - Compliance Procedure</b>	Public safety.
<b>Existing Value of Contract/Service in Boundary Area</b>	£3,000 for lighting the footpaths £2,300 for maintenance of the footpath lighting
<b>Boundary Area</b>	City Boundary
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council  
BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Heritage Awards and Blue Plaques</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	To provide commemoration examples of good architecture and commemoration of historic events, people or places.
<b>Specification</b>	As required.
<b>Performance Measure</b>	Increase historic interest in the City Centre.
<b>Non - Compliance Procedure</b>	N/A
<b>Existing Value of Contract/Service in Boundary Area</b>	Blue Plaque budget £600. Civic & Heritage Awards budget £2,000
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Market Cross &amp; Market Cross Clock</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Managed by the Property Manager in liaison with Historic England. All maintenance and repair work to be carried out by approved specialist contractors and where appropriate CCC Property Maintenance Officers.
<b>Specification</b>	To maintain and preserve the structure of the Market Cross and to maintain the Clock in good working order. Liaison with Historic England and the use of approved specialist contractors is essential when working on the historic structure of this Scheduled Monument.
<b>Performance Measure</b>	As required.
<b>Non - Compliance Procedure</b>	Complaints are responded to.
<b>Existing Value of Contract/Service in Boundary Area</b>	Maintenance/Repair of Clock £3,500
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None



**Chichester City Council  
BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Conference Facility/ Community Centres/Tourism</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Use of hire facilities. Visitor Information Point at the Council House. Managed by appropriate City Council staff.
<b>Specification</b>	Community Engagement and local knowledge.
<b>Performance Measure</b>	Income generation, promotion and Civic Pride.
<b>Non - Compliance Procedure</b>	Loss of income.
<b>Existing Value of Contract/Service in Boundary Area</b>	Specific budgets for repairs, maintenance and specialist work.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Crime Prevention</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	
<b>Specification</b>	Financial support of Community Wardens. Active member of ChiBAC.
<b>Performance Measure</b>	Reduction in crime in the City Centre.
<b>Non - Compliance Procedure</b>	Increase in crime in the City Centre.
<b>Existing Value of Contract/Service in Boundary Area</b>	£40,800 contribution to Community Wardens pro rata.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	BCRP proposal still in discussion
<b>Cost of BIDs Additional Activity</b>	£35,000 contribution to BCRP relationship

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Newsletter</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Chichester City Council produce a monthly ' <i>Chichester Matters</i> ' newsletter which is displayed on all City Council Noticeboards and the website.
<b>Specification</b>	Promoting Chichester City Council.
<b>Performance Measure</b>	N/A
<b>Non - Compliance Procedure</b>	N/A
<b>Existing Value of Contract/Service in Boundary Area</b>	N/A
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Town &amp; Country Planning</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Managed by Planning Adviser
<b>Specification</b>	The ability to comment on Planning Applications. An average of 450 received annually.
<b>Performance Measure</b>	To ensure the City remains uniformed and in keeping with the character and historic nature of the environs.
<b>Non - Compliance Procedure</b>	Loss of character and appearance of the City.
<b>Existing Value of Contract/Service in Boundary Area</b>	N/A
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Closed Churchyard/ Disused Burial Grounds</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	St Martin’s Garden, St Paul’s Churchyard and All Saints, Portfield. Managed by the Property Manager, supported by 2 CCC Property Maintenance Officers.
<b>Specification</b>	To maintain the grounds and boundaries of St Martin’s Garden. St Paul’s and All Saints, Portfield. In the case of All Saints the maintenance is carried out under a Memorandum of Understanding with Chichester District Council.
<b>Performance Measure</b>	Regular maintenance to keep grounds and boundaries tidy, boundary walls stable and St Martin’s Garden secure.
<b>Non - Compliance Procedure</b>	Complaints are responded to.
<b>Existing Value of Contract/Service in Boundary Area</b>	£2,200 pro rata over BID area.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Street Banners and Bunting</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	<p>The administration of Street Banners in the City Centre under an Agreement with West Sussex County Council. Banners are displayed in North and East Streets between the months of May and September, managed by the Member Services Support Officer at CCC</p> <p>The administration of bunting in the City Centre is undertaken by the BID who store the bunting owned by CCC.</p>
<b>Specification</b>	To ensure the correct administration procedures are followed by organisations wishing to display a street banner and the safety of the eye-bolts for the banners to be hung from.
<b>Performance Measure</b>	Promotion of events.
<b>Non - Compliance Procedure</b>	Loss of publicity for local organisations.
<b>Existing Value of Contract/Service in Boundary Area</b>	Street Banners – self funding.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	£860 for bunting display.

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

**Baseline Activity**

**Head of Service**

**Date**

**War Memorials**

**Rodney Duggua**

**March 2021**

<b>Service Provided, Number of Staff &amp; Equipment</b>	The maintenance, repair and protection of War Memorials under the War Memorial Act 1923. Managed by the Property Manager.
<b>Specification</b>	Preservation of the Grade II Listed War Memorial in Litten Gardens in liaison with Historic England, War Memorials Trust and CDC Historic Buildings Officer. All work to the structure of the memorial is carried out by specialist approved contractors using approved methods.
<b>Performance Measure</b>	This is a Discretionary Power available to the City Council.
<b>Non - Compliance Procedure</b>	This is a sensitive area and complaints would be undesirable.
<b>Existing Value of Contract/Service in Boundary Area</b>	Repairs and Maintenance Budget £2,000.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None



**Chichester City Council  
BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Discretionary Grants</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	
<b>Specification</b>	The City Council have the Power of Well-Being under the Localism Act 2011.
<b>Performance Measure</b>	To assist non-profit making community organisations.
<b>Non - Compliance Procedure</b>	Projects may not proceed.
<b>Existing Value of Contract/Service in Boundary Area</b>	£35,000
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Public Conveniences in Priory Park.</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	
<b>Specification</b>	To financially contribute towards the public conveniences in Priory Park.
<b>Performance Measure</b>	N/A
<b>Non - Compliance Procedure</b>	N/A
<b>Existing Value of Contract/Service in Boundary Area</b>	£12,256 contribution to Chichester District Council for the public conveniences in Priory Park.
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

**Chichester City Council**  
**BASELINE STATEMENT FOR: CHICHESTER BID AREA**

<b>Baseline Activity</b>	<b>Head of Service</b>	<b>Date</b>
<b>Bus Shelters</b>	<b>Rodney Duggua</b>	<b>March 2021</b>

<b>Service Provided, Number of Staff &amp; Equipment</b>	Provision of five RTP1 ready bus shelters with integrated seating (via West Sussex County Council Section 106 funding) in Market Road, Broyle Road and Lavant Road. Managed by the Property Manager in partnership with CDC, Clear Channel and GW Shelters. Day to day cleaning and maintenance to be undertaken by CCC Property Maintenance Officers. Discussions are ongoing regarding a further shelter in Swanfield Drive to be funded by WSCC S.106 money, subject to grant of land by CDC A2/Dominion.
<b>Specification</b>	The shelters are regularly inspected and maintained under contract with Clear Channel (Market Road) and GW Shelters (Broyle and Lavant Road).
<b>Performance Measure</b>	Maintained as appropriate.
<b>Non - Compliance Procedure</b>	Complaints are responded to.
<b>Existing Value of Contract/Service in Boundary Area</b>	£10,758
<b>Boundary Area</b>	City Centre
<b>Proposed BIDs Additional Activity</b>	None
<b>Cost of BIDs Additional Activity</b>	None

## **Chichester City Council BASELINE STATEMENT FOR: CHICHESTER BID AREA**

**Please note:** None of the Chichester City Council's budgets quoted include staff costs or to her related on-costs.

Budget figures are for 2021/22 financial year.

### **Other services provided by the City Council outside the BID area include:**

Mayoralty

Allotments

European Twinning

Neighbourhood Plan

**Chichester District Council**

**THE CABINET**

**6 July 2021**

**Economic Development Panel**

**1. Contacts**

**Report Authors**

Jane Hotchkiss – Director Growth and Place  
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**Cabinet Member**

Tony Dignum – Cabinet Member for Growth, Place and Regeneration  
Telephone: 01243 538585 E-mail: [tdignum@chichester.gov.uk](mailto:tdignum@chichester.gov.uk)

**2. Recommendations Cabinet approves :**

**2.1 The formation of an Economic Development Panel and agrees the terms of reference for the panel as set out in appendix one.**

**2.2 To merge the work of the Growth Board into the Economic Development Panel and to have informal meetings with WSCC Members and Officers, if required, to inform the process.**

**2.3 For the Infrastructure Business Plan consultation to continue through Development Plan and Infrastructure Panel (DPIP).**

**3.0 Background**

3.1 In May 2020 the Chief Executive reported to Cabinet the Council's response to the Covid 19 crisis and Cabinet resolved that a report on the financial implications for the Council is prepared for consideration by Corporate Governance and Audit Committee, Cabinet and Council. It also resolved that a Recovery Framework is developed to enable members to shape the future priorities for its communities, businesses and the Council for consideration by Overview and Scrutiny Committee, Cabinet and Council.

3.2 In July 2020 following OSC, Cabinet agreed the recovery framework and Council approved the recovery plans in July 2020. Four recovery teams were set up as follows:

- Housing and Community Recovery Group

- Economic Recovery Group
- Planning, Health and Environmental Protection Recovery Group
- Organisational Recovery Group

Each recovery group was led by the appropriate director and the relevant Cabinet members with the recovery process overseen by OSC, CGA Cabinet and/Council.

- 3.3 The Recovery Groups were intended to be short-term groups focused on the delivery of the Covid Recovery Actions Plans approved by Council. The majority of the actions within the Housing and Community, Organisational and the Planning, Health and Environmental Protection recovery plans have either been completed or at an advanced stage of progress. In respect of Planning, Health and Environmental Protection those that are not yet fully completed include the preparation of policies for the Local Plan Review which will be finalised as part of the plan making process; the Climate Change Action Plan which includes actions not yet due and the Air Quality Action Plan and review of the Scheme of Delegation/Red Card procedure which are both well advanced.
- 3.4 On this basis, it is considered that three out of the four groups have substantially fulfilled their purpose and should come to an end possibly with a final meeting. Progress on the remaining actions within the Planning, Health and Environmental Protection can be reported to DPIP and Environment Panel as appropriate
- 3.5 The Economic Recovery Group still has a number of major projects and actions to oversee. The impact of COVID 19 on the Chichester economy is difficult to assess at present and is likely to change over time. We are also waiting for the Government plans for economic recovery. It is therefore recommended that a politically balanced Economic Development Panel is formed to continue to oversee the Economic Recovery Action Plan and to advise Cabinet on economic strategy and policy.
- 3.6 The draft terms of reference are set out in appendix one, it is proposed that the panel is politically balanced and has geographically spread representation across the district and is chaired by the Cabinet Member for Growth, Place and Regeneration with seven members appointed by the Cabinet on the recommendation of the Cabinet Member for Growth, Place and Regeneration. Any action or recommendation will be reported through the appropriate CDC decision making process for approval i.e. Cabinet and or Full Council.
- 3.7 In order to avoid duplication of reporting of Growth Plan items (projects agreed between WSCC and CDC as priority projects currently; Southern Gateway Regeneration Project, Chichester Vision, Northern Gyatory and Gigabit West Sussex Fibre Broadband) following discussion with WSCC it has been agreed to disband the Growth Board and that the work associated with the Growth Board be merged into Economic Development Panel. Informal meetings are still to take place with WSCC Members and Officers to inform the process, with WSCC

Officers being invited to attend the Economic Development Panel as and when required.

- 3.8 The Infrastructure Business Plan consultation would continue through DPIP, Cabinet and Council following an informal consultation meeting with WSCC Officers and nominated Members.

#### **4.0 Outcomes to be achieved**

- 4.1 The establishment of an Economic Development Panel to oversee the Economic Recovery Action Plan and to advise Cabinet on economic strategy and policy.

#### **5.0 Proposal**

- 5.1 To agree to the formation of an Economic Development Panel and agree the draft terms of reference as set out in appendix one.
- 5.2 To merge the work of the Growth Board into the Economic Development Panel and to invite the WSCC Officers as and when required.
- 5.3 To move the Infrastructure Business Plan consultation process from the Growth Board to DPIP and to have an informal consultation meeting with WSCC Officers and Members to inform the process in advance of the DPIP meeting.

#### **6.0 Alternatives Considered**

- 6.1 Not to form a panel and to continue to work through the Economic recovery plans and service action plans. Due to the fact that we are still in the recovery phase from the pandemic, we are awaiting further Government announcements on the support to the economy and we are in the process of delivering some major projects it is felt that there is still a need to focus on the support that the Council directly or indirectly provides to support the local business community.

#### **7.0 Resources and Legal implications**

- 7.1 Currently there are no additional resource requirements to establish an Economic Development Panel. As it is proposed to merge the work of the growth deal into this group to avoid duplication of reporting, and the Infrastructure Business Plan work into DIPP, member services will be able to provide the administration support to the panel.

- 7.2 There are no legal implications.

#### **8.0 Consultation**

- 8.1 The formation of an Economic Development Panel was discussed at the Economic Recovery group on the 24 May 2021 and at Overview and Scrutiny Committee (OSC) on the 15 June 2021.



## **9.0 Community Impact and Corporate Risks**

**9.1** The formation of an Economic Development Panel does not change any corporate risks associated with the projects which are assessed individually. There are no community impacts in forming a panel.

## **10.0 Other Implications associated with forming a panel.**

<b>Crime and Disorder</b>	None
<b>Climate Change and Biodiversity -</b>	None
<b>Human Rights and Equality Impact</b>	None
<b>Safeguarding</b>	None
<b>Health and Wellbeing</b>	None
<b>General Data Protection Regulations (GDPR)</b>	None

## **11.0 Appendices**

11.1 Appendix one: Draft Terms of reference for Economic Development Panel

## **12.0 Background Papers**

12.1 None

**Jane Hotchkiss**  
Director Growth and Place

Contact: Katherine Davis  
[Tel:01243 534674](tel:01243534674)

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## **Draft Economic Development Panel – Terms of Reference**

**Membership:** Politically balanced and geographically spread representation across the district consisting of:

Chairman – Cabinet Member for Growth, Place and Regeneration.

Other Members - Seven members appointed by the Cabinet on the recommendation of the Cabinet Member for Growth, Place and Regeneration.

WSSC Officers to be invited when information on joint economic projects/Growth Deal projects are on the Economic Development Panel agenda.

**Frequency of meetings :**

Quarterly and at other times as necessary in agreement with the Chairman.

**Purpose:**

The Economic Development Panel was established by the Cabinet in July 2021. The panel aims to oversee the Economic Recovery Action Plan and to advise cabinet on Economic Strategy and Policy.

**Objectives:**

- Advise the Cabinet on; progress of the Economic Development Strategy, Inward Investment Strategy and regeneration projects, local Economic data and new economic projects.
- To monitor the progress of the Economic Recovery Plan linked to the pandemic and agree any remedial action if required.
- To monitor the agreed projects with WSSC as part of the 'Growth Deal' currently a) Southern Gateway Regeneration Project b) the Chichester Vision c) Northern Gyrotory Project d) Gigabit West Sussex Fibre Broadband.
- To agree any future WSSC 'Growth Deal' projects and recommend these to Cabinet for approval.
- To consider opportunities for joint initiatives and partnership working.

**Jane Hotchkiss**  
Director Growth and Place

Contact: Katherine Davis  
[Tel:01243 534674](tel:01243534674)

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- Examine any appropriate new funding opportunities to progress projects.

The panel will liaise closely with the Chichester City Vision Delivery Steering Group with member and officer representation between the two groups.

**Accountability:** Any action or recommendation will be reported through the appropriate CDC decision making process for approval i.e. Cabinet and or Full Council

**Review:** The terms of reference will be reviewed on an annual basis by the panel and any recommended changes will be referred to Cabinet for approval.

**Chichester District Council**

**CABINET**

**6 July 2021**

**Project Initiation Document Season of Culture 2022**

**1. Contacts**

**Report Author:**

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**Cabinet Member:**

Roy Briscoe - Cabinet Member for Community Services and Culture  
Telephone: 07877 070591 E-mail: [rbriscoe@chichester.gov.uk](mailto:rbriscoe@chichester.gov.uk)

**2. Recommendation**

**2.1 That Cabinet reviews the Project Initiation Document as set out in Appendix 1 and agree the release of £50,000 from the approved capital programme to support the Season of Culture 2022 project.**

**3. Background**

- 3.1 2022 is a significant year for anniversaries for many of our Cultural Organisations including Chichester Canal Trust (200<sup>th</sup>), Chichester Festival Theatre (60<sup>th</sup>), Pallant House Gallery (40<sup>th</sup>), Chichester International Film Festival (30<sup>th</sup>), Novium Museum (10<sup>th</sup>) and the Festival of Chichester (10<sup>th</sup>). Discussions have been held regarding celebrating these and other cultural organisations in the district with a district wide Season of Culture in 2022.
- 3.2 Everyone is aware of the benefits culture can bring to communities in addition to the economic benefits that can be brought through tourism, employment and the economy. 2022 offers an opportunity to celebrate and support the cultural organisations within the district which is even more important now, following the impact covid has had on the cultural organisations, local business' and the local community. This will give the district the opportunity to celebrate its cultural achievements whilst engaging more local people in a diverse range of activities and events.
- 3.3 To date £5,000 has been released from the Chichester Vision budget and has been matched funded by Chichester Festival Theatre and Pallant House Gallery, totalling £15,000 to appoint a Project Manager. The freelance project manager has been developing the project brief and programme, continuing the consultation process with cultural partners and investigating opportunities for funding to support the delivery of the Season of Culture.

- 3.4 The aims of the Season of Culture are:
- To showcase the district's cultural offer, supporting and promoting local cultural organisations and instilling a sense of civic pride across our communities
  - To drive Chichester's creative economy
  - To engage with and involve young people in order to ensure that Chichester continues to develop culturally, both in terms of maintaining existing assets and to bring in fresh, new ideas
  - To support Chichester district's recovery from Covid-19, offering an enriching and accessible season for the enjoyment and wellbeing of all residents and visitors alike.

#### **4. Outcomes to be Achieved**

- 4.1 The aim of the project is to provide an enhanced and co-ordinated programme of activities and events throughout the district, supporting local cultural organisations whilst celebrating the history and significant milestones of some. This should result in an increase in local community engagement with culture and promote the future support of these organisations.
- 4.2 Local organisations will be encouraged to stage their own events and activities that will be co-ordinated and centrally promoted through a season of culture brochure/webpage.
- 4.3 A number of partnership events will be hosted with some central resource to deliver these and it is hoped that the formation of a Cultural Partnership will continue the co-ordinated promotion, delivery and support for culture in the future.

#### **5. Proposal**

- 5.1 The significant anniversaries for many of our Cultural Organisations in 2022 provides an opportunity to showcase the district to the local community and tourists. It is also a project which will promote partnership working within the cultural sector and act as a stimulus for future collaboration.
- 5.2 It is felt the timing of this project is even more relevant following the covid pandemic which has seen a huge economic impact for the tourism and cultural sector and provides an opportunity for the local community to celebrate the recovery from this time.
- 5.3 The project is very dependent on partnership working and the enthusiasm received to date from cultural partners has been exceptional. We are very keen to ensure that the celebrations are district wide and are not just about our large cultural organisations and therefore engagement at local community level is also very important.
- 5.4 One aim of the project is to ensure that there is at least one cultural activity/event as part of the season that will take place in every ward of the district and subject to an arts council funding application, we would also like to give every child in the district the opportunity to take part in at least one activity during the season.
- 5.5 The current Project Manager and Co-ordinator are appointed until the end of July 2021. We propose to appoint the Project Co-ordinator for 3 days per week between August 2021 and September 2022 to continue the project planning, fundraising and

delivery of the season. We would also like to employ a Creative Director for 1-2 days per month between August 2021 and September 2022 to assist with the project.

## 6. Alternatives Considered

- 6.1 There is the option of doing nothing but the enthusiasm shown by all cultural partners currently involved in the planning phase of this project would be lost.
- 6.2 Originally it was hoped that large grants may be available from Arts Council England to deliver a large Season of Culture but due to redirecting of a number of the funding schemes to focus on preventing closures as a result of covid lockdown there are only very limited funds available.
- 6.3 The scale of delivery will be very dependent on the funding available at the time and therefore we are being flexible in our planning to request that proposals coming forward from partners are fully funding through their own means or fundraising.

## 7. Resource and Legal Implications

- 7.1 As requested at January Cabinet through the IPPD, £50,000 is being requested from Council reserves to support the delivery of this project. A Project Initiation Document has been developed and is appended to this report.
- 7.2 A request for £35-40k of funding has also been made to the Welcome Back fund to deliver launch events in four High Street locations around the district in March 2022. A decision on whether funding is available to support this will be made shortly.
- 7.3 Staff from the Sport and leisure, Novium Museum and Events and Communications team will support the delivery of the project through close partnership working with the project co-ordinator and cultural partners.

## 8. Consultation

- 8.1 A Members Briefing was held on 25<sup>th</sup> May and further contact is now taking place with the City, Parish and Town Councils. Contact has also been made with local Business Partnerships, the Southdowns National Park and the education establishments in the district.

## 9. Community Impact and Corporate Risks

- 9.1 It is hoped that the programme of events and activities will have a positive impact on the local community providing additional opportunities for people to connect with culture in the district.
- 9.2 The main risk for the project is the scale on which the project can be delivered as this will be very dependent on available funding. This risk however will be managed by being flexible in our planning and regularly reviewing the project against available budget. No activities or events will be delivered if they are not fully funded.

## 10. Other Implications

	Yes	No
--	-----	----

<b>Crime and Disorder</b> The activities could have a positive impact on crime and disorder due to the community involvement and co-ordination of the project		X
<b>Biodiversity and Climate Change Mitigation</b> All events and activities will be mindful of climate change and biodiversity and some activities such as the proposed Big Pick-nicking event will promote the green agenda.		X
<b>Human Rights and Equality Impact</b> All activities will be as inclusive as possible and we are also considering a digital element which may make some activities even more accessible.		X
<b>Safeguarding and Early Help</b>		X
<b>General Data Protection Regulations (GDPR)</b>		X
<b>Health and Wellbeing</b> Many of the events and activities can have a positive impact on both physical and mental health of the community.		X
<b>Other</b> (please specify)		

## 11. Appendices

11.1 Appendix 1 - Project Initiation Document

## 12. Background Papers

12.1 None

**Project Documentation**

**PROJECT INITIATION DOCUMENT  
(PID)**

**Season of Culture 2022**

<b>Release:</b>	Draft
<b>Date:</b>	
<b>Author:</b>	Sarah Peyman
<b>Approved by:</b>	Jane Hotchkiss



**Document History**

Revision Date	Version	Summary of Changes	Reviewer(s)

**Consideration by the Corporate Improvement Team**

Date	Reviewing Officer	Comments for Consideration
9 June 2021	Jenny Westbrook	Comments ref dis-benefits and funding risk, plus other minor comments fed back to Author.

**Approvals**

This document requires the following approvals:

SLT
Cabinet

**Distribution**

A final copy of the approved document will be distributed to:

Name	Job Title
Jane Hotchkiss	Director Growth and Place

**Glossary of Terms**

CFT \_ Chichester Festival Theatre

PHG – Pallant House Gallery

**1. PURPOSE OF DOCUMENT**

This Project Initiation Document (PID) defines the Season of Culture 2022 project. It builds upon the Initial Project Proposal document and sets out the aims of the project, why the project should go ahead, who is involved and their responsibilities. This PID will provide the baseline for the project's management and for an assessment of its overall success.

**2. PROJECT DESCRIPTION**

2022 is a significant year for anniversaries for many of our Cultural Organisations including Chichester Canal Trust (200<sup>th</sup>), Chichester Festival Theatre (60<sup>th</sup>), Pallant House Gallery (40<sup>th</sup>), Chichester International Film Festival (30<sup>th</sup>), Novium Museum (10<sup>th</sup>) and the Festival of Chichester (10<sup>th</sup>).

Discussions are being held regarding celebrating these and other cultural organisations in the district with a district wide Season of Culture in 2022.

**3. BACKGROUND**

Everyone is aware of the benefits culture can bring to communities in addition to the economic benefits that can be brought through tourism, employment and the economy. 2022 offers an opportunity to celebrate and support the cultural organisations within the district which is even more important now, following the impact covid has had on the cultural organisations, local business' and the local

community. This will give the district the opportunity to celebrate its cultural achievements whilst engaging more local people in a diverse range of activities and events.

To date £5,000 has been released from the Chichester Vision budget and has been matched funded by Chichester Festival Theatre and Pallant House Gallery, totalling £15,000 to appoint a Project Manager. The freelance project manager has been developing the project brief and programme, continuing the consultation process with cultural partners and investigating opportunities for funding to support the delivery of the Season of Culture.

The aims of the Season of Culture are:

- To showcase the district's cultural offer, supporting and promoting local cultural organisations and instilling a sense of civic pride across our communities
- To drive Chichester's creative economy
- To engage with and involve young people in order to ensure that Chichester continues to develop culturally, both in terms of maintaining existing assets and to bring in fresh, new ideas
- To support Chichester district's recovery from Covid-19, offering an enriching and accessible season for the enjoyment and wellbeing of all residents and visitors alike.

#### **4. PROJECT OBJECTIVES AND SUCCESS CRITERIA**

##### **4.1. Outputs**

Continuation of the appointment of a Project Manager/Co-ordinator to continue with the project development and delivery of the Season of Culture 2022 event.

##### **4.2. Outcomes**

- An enhanced and co-ordinated programme of activities and events.
- Support local cultural organisations whilst celebrating the history and significant milestones of some.
- Increase local community engagement with culture and promote the future support of these organisations.
- Local organisations will be encouraged to stage their own events and activities that will be co-ordinated and centrally promoted through a season of culture brochure/webpage.
- A number of partnership events will be hosted with some central resource to deliver these.
- Formation of a Cultural Partnership to continue the co-ordinated promotion, delivery and support for culture in the future.

##### **4.3. Outcome Measures**

Delivery of a Season of Culture with joint working and marketing across the sector, and celebrations around significant anniversaries within the district.

We would work with University of Chichester or another local University to undertake a full qualitative and quantitative evaluation of the project and attempt to collect any measureable data relating to the economic impact of the season. This evaluation will also be the requirement of any core grant funding that may be achieved.

The establishment of legacy projects and formation of a sustainable cultural partnership would also be a measure of the success of the project.

##### **4.4. Dis-benefits**

With the Jubilee celebrations and a number of other large events planned next year, it is important that the programme of events and activities is carefully planned so

there is no conflict of events competing for attendees or resources, but a joined up promoted series of events and activities.

#### **4.5. Out of Scope**

The project will not include an operational budget for organisations to apply to for supporting their activities and events although they will be encouraged to look at both the CDC grants, WSCC grants and any other relevant funding organisations.

### **5. PROJECT IMPLICATIONS**

This project will have a positive impact on the Health and Wellbeing of attendees both from the local community or visitors to the seasons. There are also opportunities for the season to have a positive impact on the local economy and the sustainability of local organisations. There will be a number of green themes during the season including litter picks and other environmental links and the season will be inclusive, with additional work undertaken in order to reach the hard to reach individuals within the community. It is hoped that elements of the season will also be available online to again encourage inclusivity. I believe there are no implications in terms of Data Protection Impact Assessment (DPIA) or the Criminal Finance Act 2017 for this project.

### **6. PROJECT CONSTRAINTS**

Constraints for this project are definitely financial as there is much enthusiasm but the season will need to be planned based on the financial resource available. Funding applications will be made as will requests for sponsorship but there is no guarantee of funds to support this project.

### **7. PROJECT ASSUMPTIONS**

CDC will continue to lead this project but will need the support of other cultural partners in the district to deliver the season.

### **8. PROJECT COSTS**

#### **8.1. Project Delivery Costs**

Following the initial seed funding from CDC, CFT and PHG, the preferred option for project delivery is to continue to appoint a project co-ordinator/manager for 3 days per week from August 21 to September 22. This would be at a cost of £250 per day. A Creative Director or Advisor would also be employed for 1-2 days per month to assist with the development of the season at an estimated cost of £500 per day. It is estimated that a full programme of activity and staffing could cost up to £250k but this PID is requesting £50k for the appointment of the core staff, estimated to be £48k which will enable the momentum of the project to continue whilst further funding is sought through partner funding, grant applications, sponsorship and in-kind contributions to cover any additional costs. If the additional funding cannot be raised then the programme will be adjusted to only deliver the elements that are affordable at the time with partner organisations fundraising or supporting projects directly. We are confident that funding can be attracted through sponsorship and grants but cannot confirm the amounts until we have been through the application process. Conversations are ongoing with funding bodies to ensure the projects align with the grant criteria where possible to achieve the greatest success in applications.

#### **8.2. On-going Costs Following Project Completion**

There are no ongoing costs to this project however further projects may come from this project which may result in officer time required to continue to support the

Cultural Partnership, or a further one off budget to deliver a Partnership Cultural Strategy which may be beneficial for future cultural support.

## 9. OPTIONS SUMMARY

**Do Nothing** – The option to do nothing is still available however much enthusiasm and support has been generated for this project from local cultural organisations and individuals. By doing nothing we will not provide any further support for our cultural organisation or tourism sector to assist with the recovery from the impact of covid on our local community. This would result in no additional spend over and above the initial £5k committed by CDC and match funding from both CFT and PHG for the phase 1 of the project.

**Do Minimum** – We could progress with a season which is just about rebranding and marketing existing activities and events within the district. This however would not bring any additional opportunities for the local community and is unlikely to have a further positive impact on the economy or tourism sector.

**Deliver Season of Culture** – Delivery of a well-co-ordinated and creative season can be a significant project for the district resulting in increased engagement of the local community with culture in addition to a large marketing event to attract tourists to the district. The season can be scaled according to availability of funding but needs to be large enough to have a noticeable impact and opportunity for marketing and generation of interest outside of the district boundaries. The structure of the season development and the buy in from local organisations is a stepping stone to an on-going legacy which will see future partnership working for the benefit of culture and the local community.

## 10. PROJECT APPROACH

The project is currently supported through the appointment of a freelance Project Manager and a Co-ordinator. The initial phase of the project on scoping and estimated budgeting has been completed through partnership funding from CDC, CFT and PHG. It is proposed that we continue to employ a freelance project co-ordinator for 3 days per week from August 2021 – September 2022 to conclude the planning phase, fundraising and oversee the delivery of the season with the buy in of a few days of a Creative Director to help steer and pull together the project. Grant applications and partnership working will continue be investigated with the ambition to appoint further support for the project should the opportunity arise to support marketing and promotion, an every child project and evaluation for the project.

## 11. PROJECT PLAN

Task No.	Task / milestone	Completion Date	Responsible Owner	Dependency
<b>Stage 1</b>				
1	Project scoping and budgeting	31 July 21	Sarah Peyman	
<b>Stage 2</b>				
1	Fundraising applications submitted	31 October 21	Project Co-ordinator	Relevant timescales for funding panels
2	Final Branding/Naming of	31	CDC, CFT,	Co-ordination

	Season	December 21	PHG, Project Co-ordinator, Creative Director	through development panel
3	Project Launch	31 March 22	Project Co-ordinator, Creative Director	Funding availability
<b>Stage 3</b>				
1	Delivery of Season	30 September 22	Project Co-ordinator	Funding availability
2	Project Evaluation	30 November 22	TBC	Funding availability
3	Legacy – Establishment of a cultural partnership and creation of an associated action plan for the partnership	30 September 23	Sarah Peyman	

## 12. PROJECT TEAM

There is currently a project board consisting of CDC, CFT, PHG and the Project Manager who meet on a fortnightly basis. There are also 3 working groups focussing on Marketing & Communications, Development and Partnership. These are attended by relevant officers from CDC and other interested partners and are managed by a lead from either CFT or PHG. It is proposed that these meetings continue with the project co-ordinator until the project has been completed.

## 13. COMMUNICATION

Currently a fortnightly update report is received from the Project Manager and the Board meet on a fortnightly basis to discuss these and future work. The working groups meet on a regular basis and feedback on a monthly basis to an overall Partners Group meeting where all interested parties are invited to attend and discuss proposals being developed. If funding is approved to progress with this project then it is proposed that this will continue up to the delivery phase of the project. A Slack account has been established for ongoing daily communication between partners and this will continue as it has worked well to continue conversations and partnership working opportunities. The project itself will be promoted and marketed by The Great Sussex Way on their website with links from partners' websites.

## 14. RISK LOG

The following risks have been identified together with an assessment of their severity and actions that can be taken to mitigate/reduce the risk. Details of all project risks will be recorded as and when they are identified.

Risk No	Risk Description	Impact Minor Moderate Substantial Major	Likelihood Unlikely Possible Probable Almost Certain	Planned Actions to Reduce Risk	Responsible Officer
1	CDC do not	Major	Possible	Members briefing	Sarah

	commit further funding towards project			occurred to inform Members about the proposed project	Peyman
2	Additional funding not secured	Major	Possible	Development Group created to look at opportunities for funding and regular communication taking place with Art Council England	Sarah Peyman
3	Further Covid measures resulting in restrictions / lockdowns happening in the lead up or during the proposed season	Substantial	Unlikely	Online communications in place and planning digital online element to the season for inclusivity	Sarah Peyman
4	Limited support from community organisations	Substantial	Unlikely	Liaised with Ward Members and further discussions to take place with Parish, Town and City Councils. Already direct engagement with a number of community groups to involve them in the programming and delivery of the season.	Sarah Peyman

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**Chichester District Council**

**THE CABINET**

**6 July 2021**

**Enabling the Delivery of Affordable Housing on the Crooked Lane,  
Birdham Exception Site**

**1. Contacts**

**Report Authors:**

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Alan Sutton - Cabinet Member for Housing Services

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**2. Executive Summary**

Approval is sought from the Cabinet to carry out all necessary preparatory work in advance of using its Compulsory Purchase Order powers under Section 226(1)(a) of the Town and Country Planning Act 1990 to acquire the unregistered access track (identified in appendix 1) along with all other necessary rights and interests to enable the delivery of an affordable housing development at the Field North West of the Saltings, Crooked Lane, Birdham.

**3. Recommendation**

**3.1 That the Cabinet notes the progress made to date at section 4 of this report and approves:**

- 1) That officers be authorised to carry out all necessary preparatory work for the making of a Compulsory Purchase Order (CPO) along with all supporting documentation for submission, on the basis that a decision to make the CPO be deferred to a later cabinet.**
- 2) That officers are authorised to have the draft CPO documentation reviewed by an independent legal advisor prior to submitting for a preliminary review by the Secretary of State ready for final submission, on the basis that this will be reimbursed by Hyde pursuant to an indemnity agreement.**
- 3) That officers are authorised to enter into such legal agreements with affected third parties and other relevant stakeholders as deemed appropriate, in preparing for a CPO, and prior to the actual making of a CPO.**



- 4) That officers are authorised to extend the indemnity agreement with Hyde to cover all costs incurred by CDC in relation to the preparatory work and making of the CPO including, for the avoidance of doubt, the appointment of a CPO surveyor.**

#### **4. Background**

- 4.1 In April 2018 Cabinet agreed to investigate Hyde's formal request to the Council to use its Compulsory Purchase Order powers to purchase the access track (Appendix 1) to the development site on the field North West of the Salting's, Crooked Lane, Birdham to enable the delivery of 15 affordable rented homes.
- 4.2 Given the length of time since the previous Cabinet report, it was deemed prudent to update members on the progress made to date on the preparation of the CPO as well as obtain a resolution to proceed with the next steps to move the CPO and permitted affordable dwellings onto completion.
- 4.3 Since the approval:
- A land referencing exercise has been undertaken which has identified those with a statutory or reputed interest in the access land to the Field North West of the Salting's. The interests identified cover 5 plots of land leading from Crooked Lane to the development site, of which 4 are within the limits of the CPO. The remaining plot is located outside of the access track and can be dealt with through agreement with the local highways authority. The purported interests in the 4 plots of land would need to be acquired and extinguished or renegotiated to enable consistent access to the permitted development. A CPO map and schedule detailing the interests are shown in appendix 2 (part II exempt).
  - A detailed housing needs assessment has been undertaken by the council's Housing Delivery Team, illustrating a significant need for affordable rented housing to come forward at the larger district level and more locally at the Manhood Peninsula and Parish level.
  - A valuation of the access land has been undertaken.
  - Hyde and the Council's appointed CPO valuer have been in dialogue with relevant landowners who are claiming rights and or interests in the land. Formal offers to acquire such interests were originally made in October 2014. The offers were re-issued in May 2018 following the grant of the certificate of lawful development and again in January 2020. Discussions with the parties are ongoing but the offers have not yet been accepted by any of the relevant landowners. A review of the offers and negotiations will be carried out along with further negotiations with the relevant parties and other stakeholders.
  - Further external specialist CPO legal advice has been sought, which confirms the most appropriate compulsory purchase power is Section 226(1)(a) of the Town and Country Planning Act 1990, and that there is a compelling case in the public interest for the Council to implement its CPO

powers, meeting all the statutory tests. A summary of the legal advice received can be found in appendix 3 (part II exempt).

- A CPO specialist surveyor will be appointed to act on behalf of the Council to conduct further negotiations with landowners and carry out the work.

4.4 The site benefits from planning permission granted on 29 November 2013 (ref BI/13/01391/FUL) for the “development of 15 new affordable dwellings and associated external works”. The approved site plan is included in appendix 5. A certificate of lawful development was granted on 25 July 2017 (ref BI/17/01163/PLD). This confirmed the development permitted by the planning permission could be lawfully carried out.

4.5 This scheme was brought forward through the Chichester Rural Partnership and £305,840 of the partnership money has been allocated towards the delivery of the scheme. Grant funding has also been secured through Hyde’s Homes England Strategic Partnership.

## **5. Outcomes to be Achieved**

5.1 Development of 15 social rented homes on the Field North West of the Saltings in accordance with implemented permission, to meet the identified local need.

## **6. Proposal**

6.1 This report proposes that the Cabinet authorises officers to continue with the preparation of the documentation necessary to allow the use of its powers of compulsory purchase under Section 226(1)(a) of the Town and Country Planning Act 1990 to acquire the land for the purpose of providing an access to the development as shown in appendix 1 to facilitate the delivery of affordable housing at the permitted site.

6.2 The making of a CPO under the Town and Country Planning Act 1990 and the Acquisition of Land Act 1981 (along with other powers) is a function, which can be undertaken on behalf of the Council. The power must be exercised in line with the statutory requirements and the national policy and guidance.

6.2.1 Section 226 of the Town and Country Planning Act 1990 enables a local authority to exercise its compulsory purchase powers:

- if it considers that acquiring the land in question will facilitate the carrying out of development, redevelopment, or improvement on, or in relation to the land being acquired; and
- provided that it considers that the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of its area (S226 (1A)).

6.2.2 Any CPO made by the Council will require confirmation by the Secretary of State in accordance with the statutory requirements.

6.2.3 The Council is entitled to acquire relevant sites through negotiation with third parties before or after the making of the CPO as well as its confirmation by the Secretary of State.

6.3 A draft Statement of Reasons will be prepared which shall set out the full justification for the use of CPO powers. This will demonstrate to the Secretary of State that CDC has:

- A proper statutory and policy basis for making the CPO;
- There is a compelling case in the public interest for the land affected by the proposed CPO to be acquired;
- That the CPO is necessary to achieve that purpose;
- That sufficient resources are likely to be available to implement the CPO within a reasonable time frame;

The CPO, which will be subject to a further resolution, will be consistent with Article 6 of the Human Rights Act 1998. All those who may be affected will be informed and advised of a right to make representations to the Secretary of State, to be heard at a public inquiry and have a fair entitlement to compensation within the statutory provisions; and officers will ensure that the CPO complies with the Public Sector Equality Duty (s149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups has been and will be complied with as part of the CPO process.

6.4 The Council shall enter into a further indemnity and disposal agreement with Hyde to underwrite the costs of making the CPO.

6.5 **Extent of the Land subject to the CPO** The boundary of the land which will be subject to any CPO has been refined in accordance with the land referencing exercise completed by Dalcour Maclaren on behalf of the Council in June 2019. The subsequent extent of the land to be compulsory purchased is shown at appendix 1. A further review of this land and the need for additional land and or rights in land will be carried out as part of the preparatory work for the CPO.

6.6 **Justification for the CPO** The above points and justification for the making of a CPO will be set out in the draft Statement of Reasons. The Council will need to demonstrate that there is a compelling case in the public interest for the acquisition of the land and interests in land to enable the access to the field North West of The Saltings, Crooked Lane along with any other rights necessary for the development is in the public interest.

6.7 **Timescale to Delivery** The CPO process from the point at which the Council makes the Order to the Secretary of State confirming the Order is likely to take between 6 to 18 months to conclude. An approximate indicative timescale is set out in appendix 4. This is a cautious programme that does not allow for significant time savings if elements become settled by negotiation or similar scenarios.

## 7. Alternatives Considered

7.1 On 11 January 2018 CDC planning officers gave pre application advice to Hyde on the viability of an alternative access route into the site. It was concluded that

there are fundamental concerns with the proposed alternative access and it would be unlikely to receive officer support.

7.2 The Council could cease consideration of making a CPO. However, this option would prevent the delivery of 15 much needed social rented homes for local people.

7.3 In addition, negotiations to acquire the land and interests will continue as an alternative to the use of powers of compulsory acquisition. However, the nature and extent of the negotiations will be governed by the need to deliver the much needed social rented homes for local people.

## 8. Resource and Legal Implications

8.1 **Financial Implications** There are significant up front financial and resourcing implications arising from the proposals in this report, and it will be necessary to prepare a detailed programme of work and resourcing plan to take this process forward. Hyde has and will continue to be underwriting all costs of the compulsory purchase process. As with any land transaction, there are potential implications for the Council's VAT position and the Council must therefore protect its ability to opt to tax any or all of this land at any stage during the process. This potential impact of this contingency for Hyde will be the subject of ongoing discussions with them. The detailed financial implications of making a CPO will be the subject of a further report and resolution to Members at a later date.

8.2 **Resource implications** The CPO process will continue to be managed internally, requiring use of existing staff resources within the Housing Delivery and Legal Teams.

8.3 **Legal implications** There is a significant risk that affected landowners will challenge the decision of the Council to 'make' the CPO. If the Council decides to make the CPO, parties will have 21 days to provide a formal objection. If objections are received, the Secretary of State may deem it necessary to hold a public inquiry into the CPO, conducted by an independent government-appointed inspector.

8.4 It is anticipated that objections to the CPO will be received, however officers, along with the Council's external legal advisors consider that the Council are in a robust position to defend such challenge through an inquiry.

8.5 Following a potential inquiry and a decision on the CPO by Secretary of State, the Council is required to publicise the decision in local newspapers as soon as possible. The validity of the CPO can be challenged through a judicial review within 6 weeks of the first newspaper notice.

## 9. Consultation

9.1 The Council's Legal Services and external advisors, including solicitors with a specialisation in CPO procedures, have been consulted about this complex matter.

9.2 The local members have been made aware of the work being undertaken in relation to the use of CPO powers.

## 10. Community Impact and Corporate Risks

10.1 There are potential risks arising from the CPO process to deliver the field North West of The Saltings, such as negative publicity. However, these have been weighted against the reputational risks to the Council of being perceived as not supporting an affordable housing scheme for local people.

## 11. Other Implications

<b>Are there any implications for the following?</b>		
	Yes	No
<p><b>Crime and Disorder</b></p> <p>The proposals in the planning applications should ensure that at the very least there is no negative impact on the potential for crime and disorder and that there should be a positive impact in reducing the potential for crime and disorder.</p>		X
<p><b>Climate Change</b></p> <p>The planning permission should ensure that at the very least there should be no negative impact for climate change and that there should be a positive impact by including mitigation or adaption measures.</p>	X	
<p><b>Human Rights and Equality Impact</b></p> <p>An equalities impact assessment (EqIA) has been undertaken to assess the potential impacts of the CPO and the proposed development of the Field to the North West of the Saltings, Crooked Lane, Birdham. The land being acquired is agricultural and does not require the relocation of, or affect any protected groups. The considerable public benefits to be derived from the implementation of the scheme outweigh the harm caused by interference with the human rights of those likely to be affected by Compulsory Purchase.</p>	X	
<p><b>Safeguarding and Early Help</b></p>		X
<p><b>Other</b></p>		X

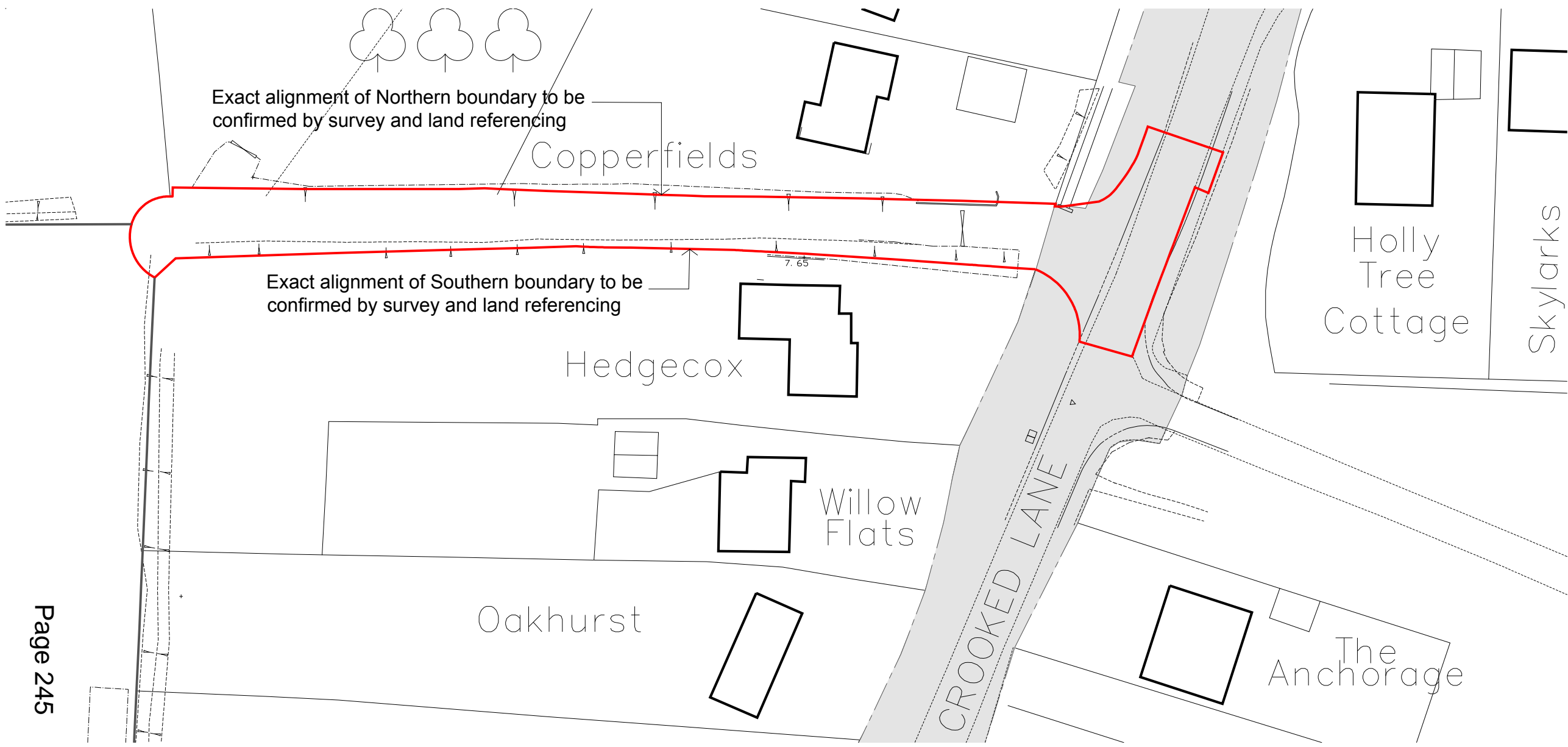
## 12. Appendices

- 12.1 Appendix 1: Plan of access land subject to CPO
- 12.2 Appendix 2: CPO schedule & map (part II exempt)
- 12.3 Appendix 3: Summary of legal advice inclusive of enabling powers (part II exempt)
- 12.4 Appendix 4: Timescale to delivery

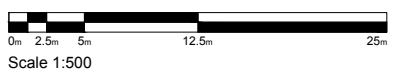
### **13. Background Papers**

Cabinet Paper – Enabling the Delivery of Affordable Housing on the Crooked Lane,  
Birdham Exception Site – 10 April 2018

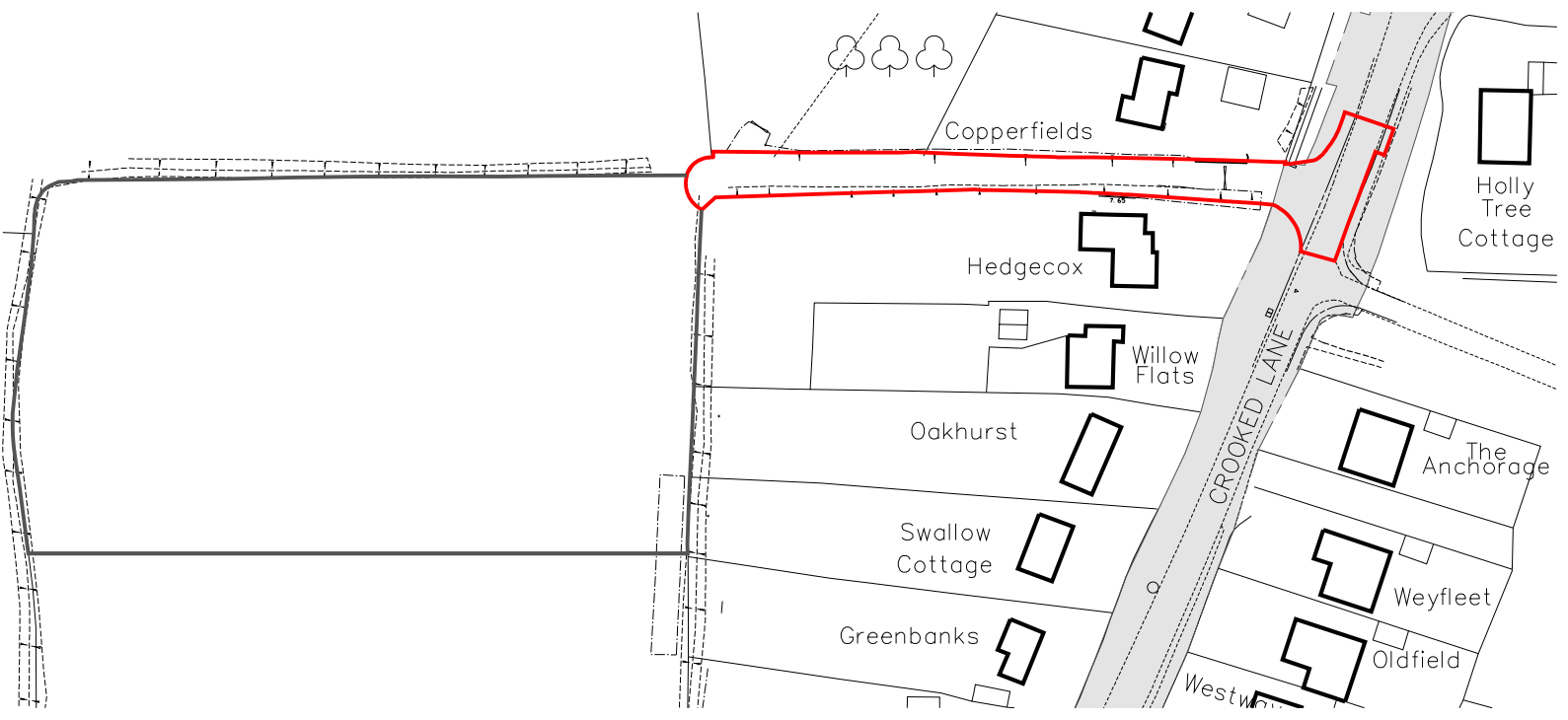
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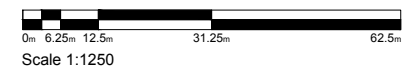
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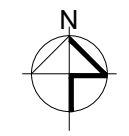
Location Plan 1:1250



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Rev	Amendments	By	Chkd	Date

Adopted Highway



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Project  
**Proposed Housing**  
**Crooked Lane**  
**Birdham**

Drawing Title  
**Access Track**  
**Site Plan and Location Plan**

Drawing Status	Project No.
<b>PLANNING</b>	<b>10032</b>
Scale	Revision
A3 - 1:500/ 1:1250	
Drawn By	Checked By
CG	DS
	Date
	JAN 2018

Drawing Name  
**P903**

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<b>Indicative Dates</b>	<b>Milestone</b>	<b>Summary</b>
October 2021	Report to Cabinet / Council and resolution to use CPO powers	Cabinet – 5 <sup>th</sup> October 2021 Council – 23 <sup>rd</sup> November 2021
November 2021	Make the CPO	A notice will be served by the council regarding the CPO to all parties with 'qualifying interests. Notices will be erected on site and it will be published in the local newspaper. The CPO, CPO plan and statement of reason are made available for inspections
December 2021	Statutory period for objection	The period for objections will be set out in the notice and is a minimum of 21 days from the date the notice is served, displayed or first published (as the case may be). Objections must be in writing. If there are other orders required, the objection period may be longer.
January 2021	Objections received	Where relevant objections are received, the Secretary of State will order a public local inquiry into the CPO. Objections to level of compensation payable will not be considered. Where no objections are received (or objections are resolved), the CPO can be confirmed without the need for an inquiry.
February 2022	Secretary of State issues 'relevant date' letter	The 'relevant date' letter sets the date for the inquiry and sets out the deadline for the acquiring authority to serve its statement of case.
March 2022	Deadline for lodging 'statement of case' for public local inquiry	The deadline for lodging the statement of case is usually 6 weeks after the date of the 'relevant date' letter. Remaining objectors may also be asked to provide a statement of case prior to the inquiry.
June 2022	Inquiry and site visit	The inquiry should normally be held 22 weeks after the relevant date. The date will depend on likely duration of the inquiry and the availability of an inspector. An inspector will hear evidence from the acquiring authority and the remaining objectors. A pre-inquiry meeting may also be held. The inspector will usually visit the site.
July 2022	Inspector's report	The inspector to the inquiry issues his/her written report setting out conclusions and recommendations for consideration by the Secretary of State.
October 2022	Secretary of State decision	After considering the inspector's report, the Secretary of State issues a decision to either confirm, modify or reject the CPO. The decision letter, setting out his/her reasons for the decision, is sent to the council and any remaining objectors and other persons who requested notification.
January 2023	CPO confirmed	The council will need to publicise the decision in the local newspapers as soon as possible after receipt of the decision letter.
March 2023	Judicial review challenge period	The validity of a CPO can be challenged within six weeks of the date of the first newspaper notice.
April 2023	Implementation of CPO	The CPO can be implemented, and land acquired following publication. This process usually takes about three months. Development contracts etc need to be signed and agreed.

September 2023	Start on site	Development can start – estimated 15month build programme
January 2025	Completion	Properties let to local households on the housing register.