

Public Document Pack

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A meeting of the **Cabinet** will be held in Committee Rooms at East Pallant House Chichester on **Monday 19 June 2017 at 10:00**

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

AGENDA

1 **Chairman's Announcements**

The chairman 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 agenda item 12 (a) or (b).

Apologies for absence will be taken at this point.

2 **Approval of Minutes** (pages 1 to 12)

The Cabinet is requested to approve as a correct record the minutes of its meeting on Tuesday 9 May 2017.

3 **Declarations of Interests**

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

4 **Public Question Time**

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

RECOMMENDATIONS TO THE COUNCIL

5 Chichester Local Plan Review: Timetable and Issues and Options Consultation (pages 13 to 21)

The Cabinet is requested to consider the agenda report and its three appendices and to make the following recommendations to the special meeting of the Council at 14:00 on Monday 19 June 2017:

RECOMMENDATIONS TO THE COUNCIL

- (1) That the published Local Development Scheme 2017-2020 be amended by adding the key dates for the Local Plan Review set out in paragraph 6.3 of this report.
- (2) That the Local Plan Review Issues and Options documents presented as appendices to this report be approved for a six-week period of public consultation from 22 June to 3 August 2017.
- (3) That the Head of Planning Services be authorised following consultation with the Cabinet Member for Planning Services to make minor amendments to the consultation documents prior to their publication.

6 Draft Statement of Community Involvement for Public Consultation (pages 22 to 24)

The Cabinet is requested to consider the agenda report and its appendix and to make the following recommendations to the special meeting of the Council at 14:00 on Monday 19 June 2017 namely that:

RECOMMENDATIONS TO THE COUNCIL

- (1) The Statement of Community Involvement be approved for a six-week public consultation.
- (2) Authority be delegated to the Head of Planning Services following consultation with the Cabinet Member for Planning Services to enable minor amendments to be made to the document prior to and following public consultation.

7 Draft Southern Gateway Masterplan for Public Consultation (pages 25 to 29)

The Cabinet is requested to consider the agenda report and its appendix and to make the following recommendations to the special meeting of the Council at 14:00 on Monday 19 June 2017 namely that:

RECOMMENDATIONS TO THE COUNCIL

- (1) The Draft Southern Gateway Masterplan (set out in the appendix to the agenda report) be approved for public consultation.
- (2) Authority be delegated to the Head of Planning Services following

consultation with the Cabinet Member for Planning Services to make minor amendments to the document prior to public consultation.

KEY DECISIONS

8 Flexible Homeless Support Grant (pages 30 to 32)

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

That authority be delegated to the Head of Housing and Environment Services to spend the Flexible Homelessness Support Grant in accordance with the proposals in section 5 of the report.

OTHER DECISIONS

9 Appointments to External Organisations 2017-2018 (pages 33 to 36)

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

That the representatives be appointed to serve on the external organisations for 2017-2018 as set out in the appendix to this report.

10 Appointments to Panels and Forums and other Groups 2017-2018 (pages 37 to 41)

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

That the membership of panels and forums for 2017-2018 as set out in the appendix to this report be approved.

11 Custom and Self-build Register (pages 42 to 47)

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

That the adoption of a two part register with local connection and resources conditions for entry to the Part 1 Register be approved as set out in appendix 2 to the report.

12 Late Items

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

13 Exclusion of the Press and Public

[**Note** There are no restricted items for consideration at this meeting]

NOTES

1. The press and public may be excluded from the meeting during any item of business wherever it is likely that there would be disclosure of “exempt information” as defined in section 100A of and Schedule 12A to the *Local Government Act 1972*.
2. The press and public may view the report appendices which are not included with their copy of the agenda on the Council’s website at [Chichester District Council - Minutes, agendas and reports](#). unless they contain exempt information.
3. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 of Chichester District Council’s *Constitution*]
4. A key decision means an executive decision which is likely to:
 - result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council’s budget for the service or function to which the decision relates or
 - be significant in terms of its effect on communities living or working in an area comprising one or more wards in the Council’s area or
 - incur expenditure, generate income, or produce savings greater than £100,000

NON-CABINET MEMBER COUNCILLORS SPEAKING AT THE CABINET

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

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



Minutes of the meeting of the **Cabinet** held in the Old Court Room The Council House (Chichester City Council) North Street Chichester on Tuesday 9 May 2017 at 09:30

Members Present

Mr A Dignum (Chairman), Mrs E Lintill (Vice-Chairman), Mr R Barrow, Mrs P Hardwick, Mrs G Keegan, Mrs P Plant, Mrs C Purnell and Mrs S Taylor

Members Absent

Officers Present

Mr S Carvell (Executive Director), Mr T Day (Environmental Coordinator), Mr M Allgrove (Planning Policy Conservation and Design Service Manager), Mr N Bennett (Legal and Democratic Services Manager), Mr J Hoole, Mr P Legood (Valuation and Estates Manager), Mr P E Over (Executive Director), Ms S Payne (Planning Policy Officer), Mr B Riley (Contracts Manager), Mrs D Shepherd (Chief Executive), Mr G Thrussell (Senior Member Services Officer) and Mr J Ward (Head of Finance and Governance Services)

354 **Chairman's Announcements**

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

The meeting was being held at an alternative venue on this occasion because the committee rooms at East Pallant House were required by CDC's Election Services following the recently held elections mentioned below.

He outlined the emergency evacuation procedure.

He congratulated Mrs Purnell on her election on Thursday 4 May 2017 as the West Sussex County Council member for the Selsey Division and Mrs Keegan on her having been chosen as the Conservative Party candidate to contest the Chichester constituency in the general election on Thursday 8 June 2017. He alluded to the election of four new Chichester District Council members at by-elections also held on 4 May 2017, who would be officially welcomed at the Annual Council meeting on Tuesday 16 May 2017.

There was one late item for consideration under agenda item 9 a) namely Carry Forward Requests, the report in respect of which had been circulated with the second agenda supplement (listed as agenda item 13) after the despatch of the main agenda.

There were no apologies for absence; all members of the Cabinet were present.

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

355 **Approval of Minutes**

The Cabinet received the minutes of its meeting on Tuesday 7 March 2017, which had been circulated with the agenda (copy attached to the official minutes).

There were no proposed changes to the minutes.

Decision

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

RESOLVED

That the minutes of the Cabinet's meeting on Tuesday 7 March 2017 be approved without amendment.

Mr Dignum then duly signed and dated the final (seventeenth) page of the official version of the aforesaid minutes as a correct record.

356 **Declarations of Interests**

The following declaration of interest was made in respect of the agenda items in general:

Mrs Purnell declared a personal interest as a member of West Sussex County Council.

357 **Public Question Time**

No questions by members of the public had been submitted for this meeting.

Three questions from Mr J Brown, one of the CDC members for the Southbourne ward, had been received in advance by Mr Dignum. They related to agenda items 5, 8 and 11. Mr Dignum took them at this stage of the meeting rather than during the respective items. He said that Mr Brown would be entitled in each case to ask a supplementary question. The questions, the officer responses and any supplementary questions and replies are set out below.

Mr Brown read out his question in each case and received from the relevant Cabinet member a response prepared by the appropriate officer.

Question (1) Agenda Item 5: Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document

'Do you have any concerns that the Supplementary Planning Document could preclude possible A27 upgrade or alternative route options? ie Is it possible that, should the new public consultation support some form of northern bypass, or alternatively, a different version of a southern upgrade, any of these proposals might be blocked by anything within the planning document?'

Response

Mrs Taylor read out the following response prepared by officers:

'I can confirm that I have no concerns that the Joint Chichester Harbour AONB SPD would preclude improvement to the A27 Chichester Bypass. The document provides guidance as to appropriate design approaches for development within the AONB. It does not set policy, but amplifies on how policy would be implemented. The impact of any new road on the AONB would have to be considered irrespective of the existence of this document.'

Mr Brown had no supplementary question in respect of this matter.

Question (2) Agenda Item 8: Recreational Disturbance at Pagham Harbour - Revision to the Joint Approach to Mitigation with Arun District Council

'Arun's projected housing numbers within the zone of influence of the Harbour have increased from 855 to 4555. Although the mitigation scheme scales up the number of contributions which will be received, is there evidence that the kind of mitigation measures which were appropriate for a much smaller number of houses remain appropriate for the larger numbers? ie is the impact of five times the number of houses going to be mitigated by five times the contribution? Or is there a 'compounding' impact from increased development which will not be addressed by the additional contributions?'

Response

Mrs Purnell read out the following response prepared by officers:

'Both for the original scheme and the updated scheme (with the increased housing figures), Natural England and RSPB have been fully involved in developing the scheme and Natural England have advised that such a scheme will be compliant with the *Habitats Regulations 2010*. The mixture of mitigation measures proposed for Pagham is based on those already in use for the Solent Recreation Mitigation Project which covers a greater area (PUSH authorities and CDC) and which is subject to significantly higher housing numbers. The Habitats Regulations Assessment of the Arun Local Plan (March 2013) concluded that the recreational disturbance associated with the increased local populace may be of significance but that the mitigation proposed was sufficient to mitigate these impacts.'

Based on the increase in housing figures in Arun, it was agreed between the partners that the provision of wardening should be increased from 0.5 FTE to 1.5 FTE and that this would be sufficient to mitigate for the increased housing numbers in Arun. This was considered by Natural England to be sufficient to meet the requirements of the regulations and allows for the cumulative impact on Pagham Harbour.

Although the housing numbers within the zone of influence for Arun has increased from 855 to 4,555 due to several major developments now planned around Bognor Regis, the figure for Chichester remains the same at 425 dwellings. Should CDC's Local Plan Review result in an increase in the number of dwellings within the zone of influence of Pagham Harbour, then the scheme may need to be revised again. This will be in consultation with all the project partners and will need agreement by Natural England.'

Supplementary Question

Mr Brown asked a supplementary question. He said that his concern arose from his experience in dealing with housing projects where some consultees would enter no objection to a scheme on the basis that there was no evidence to justify an objection notwithstanding that there might in fact be reasons to object.

Response

Mrs Purnell said that the local authorities had worked closely with the RSPB and Natural England and they were all in agreement and all the requirements had been met.

Question (3) Agenda Item 11: Investment Opportunity - Part II

Before Mr Brown asked this question Mr Dignum cautioned him and everyone not to mention any details of the property the subject of this confidential Part II report.

'Although it is sensible for the Council to seek a good return on its investments, and the business case for investing in commercial property to let is well made, is there a long term danger that CDC will contribute to the wider problem of small and/or independent traders which provide much of the character of Chichester being driven out by return-maximising landlords? Has any thought been given to this potential conflict of interest ie between the desire to seek a good return on investment on behalf of the taxpayer and the desire to protect and promote the character of the city?'

Response

Mrs Keegan read out the following response prepared by officers:

'The Council has a long and successful track record of managing such potential conflicts of interest, stretching back as far as the early 1980s when it first introduced a concessionary rent programme at St James's Industrial Estate Chichester. With regard to this particular investment opportunity the conflict will only arise when there

is the potential for a change of tenant ie at lease end or assignment mid-term. There is a very strong indication, for reasons that are set out in the report, that this occurrence will not occur for at least ten years. However, in the event that this issue were to arise the Council's existing governance arrangements would manage the process. This requires any request for a concession to be considered by the Council's Grants and Concession Panel (were such a concession requested by an independent operator) with the full market rent being stated in the lease. In that way there is a transparent arrangement that ensures the Council still obtains the appropriate return on its investment while still supporting the independent sector if deemed appropriate.'

Supplementary Question

Mr Brown asked a supplementary question. He said that would like to raise with Mrs Keegan later outside this meeting his concern relating not to the specific property in this case but how that over the years properties in the city centre had closed down.

Response

Mrs Keegan said that CDC wished to retain the range of individual shops for which the city was renowned and, compared with some other centres, to maintain the balance between those independent retail businesses and the major high street retail outlets. Mr Dignum said that Mrs Keegan had made an important point and he cited Crane Street as a prime example of CDC's commitment to achieving this objective.

[**Note** Minute paras 358 to 365 below summarise the consideration of and conclusion to agenda items 5 to 12 inclusive but for full details (excluding exempt agenda items 11 and 12) please refer to the audio recording facility via this link:

<http://chichester.moderngov.co.uk/ieListDocuments.aspx?CId=135&MIId=756&Ver=4>]

358 **Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document**

The Cabinet received and considered the agenda report and its two appendices (copies attached to the official minutes). As stated in the report, the appendices were available to view online only although a hard copy of each had been placed in the Members Room at East Pallant House.

The report was presented by Mrs Taylor.

Ms Payne and Mr Allgrove were in attendance for this item.

Mrs Taylor emphasised the immense importance and value of Chichester Harbour as one of Chichester District's greatest assets. The protection and maintenance of the AONB (designated in 1964) was the responsibility of CDC, Havant Borough Council and the Chichester Harbour Conservancy. The AONB was the subject of

specific policies in the two councils' respective local plans: Policy 43 (Chichester Harbour Area of Outstanding Natural Beauty (AONB)) in the *Chichester Local Plan: Key Policies 2014-2029*. Any future development should be guided by the four principles to protect, conserve and enhance natural beauty and wildlife set out in para 2.1 of the section 2 of the *Joint Chichester Harbour Area of Outstanding Natural Beauty Draft Supplementary Planning Document (SPD)* in appendix 1. Section 3 of the report set out the timeline for the preparation of the SPD, which would replace and possess greater evidential weight than the 2007 *Design Guidelines for new dwellings and extensions (Chichester Harbour Area of Outstanding Natural Beauty)*. Appendix 1 contained the SPD proposed for adoption; appendix 2 set out the consultation representations received and CDC's proposed responses thereto. If adopted the SPD would be a material consideration in planning applications and appeals and section 4 of the report stated what outcomes its adoption would achieve.

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

Mr Allgrove responded to a question by Mrs Plant on points of detail regarding a representation about increases in the development of a property above the original footprint and silhouette and CDC's response thereto (page 121 of appendix 2).

In view of difficulties experienced by members in accessing at the venue for this meeting the online versions of the two appendices, Mrs Shepherd said that some hard copies would be made available at the Annual Council meeting on Tuesday 16 May 2017 when it considered this matter.

Decision

At the end of the discussion the Cabinet voted unanimously on a show of hands in favour of making the recommendations set out below.

RECOMMENDED TO THE COUNCIL

- (1) That the Joint Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document (as set out in appendix 1 to the agenda report) be adopted.
- (2) That the proposed responses to representations received (as set out in appendix 2 to the agenda report) be approved.

359 Procurement of New Vehicles: Chichester Contract Services

The Cabinet received and considered the agenda report and its two appendices (copies attached to the official minutes).

The report was introduced by Mr Barrow.

Mr Hole and Mr Riley were in attendance for this item.

Mr Barrow summarised sections 3, 4 and 5 of the report and referred to the two appendices for the basis on which contractor D was being recommended as the

preferred tenderer. As to the suitability of the subject vehicles for the future collection of food waste, (a) the introduction of such a service was not currently being contemplated by CDC and (b) these particular vehicles would be deployed for trade waste and so would not be used for food waste in any event. He endorsed the recommendation in para 2.1 of the report.

Mr Hoole confirmed the need to replace the existing vehicles for the reasons and within the timescale set out in the report.

Mr Riley did not wish to add to what had been sent by Mr Barrow and Mr Hoole.

Mr Hoole and Mr Riley answered members' questions on points of detail with respect to: the new vehicles' CO₂ emissions performance; how the tender bidders were identified; the Alcatel process; and the capacity of the asset replacement programme to sustain purchases of subsequent vehicles over the next few years. Mrs Hardwick said that the proposed purchases were in accordance with and would be fully funded from the current asset replacement programme.

Decision

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

RESOLVED

That the contract be awarded to Supplier D for the purchase of two x 26 tonne (Gross Vehicle Weight) refuse collection vehicles at a total cost of £317, 566 excluding VAT (chassis/body and bin lifter) funded from the Asset Replacement Reserve (as set out in para 5.1 of the agenda report).

360 **Recording of Committee Minutes - Pilot Extension**

The Cabinet considered the agenda report (copy attached to the official minutes).

The report was introduced by Mrs Hardwick.

Mr Bennett was in attendance for this item.

Mrs Hardwick explained that when the audio recording of the meetings of certain key committees was introduced in September 2015 it was on the basis of a one-year introductory trial. The pilot period was from January 2016 to January 2017. There had been certain teething problems with the system, which officers and the contractor had to address; these had related to the hardware, the Wi-Fi and the physical layout of the equipment. Consequently during the trial officers had not had complete confidence in the system and at least two meetings were not recorded at all due to problems with the system. For this reason the system had not been widely advertised to potential users such as the public, parishes etc. Inevitably the apparent use of the system during this period was unsurprisingly low. However there were benefits in terms of improving transparency, accountability and open government. The report said that it was premature to assess the trial because of the

initial difficulties that have been experienced and that to change contractor now would be costly and risk another period of adjustment to and acquaintance with a new system. Accordingly it was being recommended that the current trial be extended for one year and thereafter for a full review to be undertaken once the system was fully operational and had been appropriately advertised to potential users.

Mr Bennett did not wish to add to Mrs Hardwick's presentation.

In reply to members' questions on points of detail, Mr Bennett said that (a) there had been 101 visits to the audio recording facility, many of which would have been by CDC officers checking the recording was working and its quality and (b) the problems experienced were not the contractors' fault, who had been very helpful in seeking solutions to the technical issues. The further review would be in January 2018.

Decision

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

RESOLVED

That a one-year extension to the pilot to audio record and publish the Council, the Cabinet, the Planning Committee, the Overview and Scrutiny Committee and the Corporate Governance and Audit Committee meetings online be approved.

361 Recreational Disturbance at Pagham Harbour - Revision to the Joint Approach to Mitigation with Arun District Council

The Cabinet considered the agenda report and its three appendices (copies attached to the official minutes).

The report was presented by Mrs Purnell.

Mr Day was in attendance for this item.

Mrs Purnell referred to the internationally important status of the Pagham and Chichester Harbours. As set out in para 5.1 of the report, the significant increase in the projected housing numbers for Arun District with the consequential need for improved mitigation measures to address the greater incidence of recreational disturbance had necessitated a revision of the joint CDC/Arun District Council mitigation scheme for Pagham Harbour. As stated in paras 5.2 and 6.1, the revised scheme would adopt the Bird Aware Solent mitigation scheme's definition of the 'in perpetuity' period.

Mr Day did not wish to add to Mrs Purnell's introduction.

In reply to questions on points of detail by Mrs Taylor, Mr Day explained (a) the charging and collection arrangements where housing development would be on land within the area of both the Chichester Harbour and Pagham Harbour SPA mitigation

schemes and (b) where there were changes to housing numbers occurring in the Chichester Harbour area, this would then necessitate changes by all the signatory authorities to the Bird Aware Solent mitigation scheme.

Decision

The Cabinet voted unanimously on a show of hands in favour of the resolutions below.

RESOLVED

- (1) That the revisions to the joint scheme of mitigation for Pagham Harbour Special Protection Area in appendix 1 to this report be endorsed.
- (2) That the reduced level of developer contributions to the joint scheme set out in appendix 2 to this report be approved.
- (3) That the increased expenditure of the joint section 106 funds on the scheme of mitigation as specified in para 5.2 of this report be approved.
- (4) That the Head of Housing and Environment Services be authorised to enter into an agreement with the Royal Society for the Protection of Birds and Arun District Council to deliver mitigation measures for a five-year period, with the option to extend this to ten years.

362 Late Items

As announced by the Leader of the Council at the start of this meeting (see minute 354 above) there was one late item for consideration, namely Carry Forward Requests.

The Cabinet considered the agenda report and its appendix which had been circulated by way of the second agenda supplement (copies attached to the official minutes).

Mrs Hardwick presented the report.

Mr Ward, who did not seek to add to Mrs Hardwick's introduction, was available to answer any questions about this item.

Mrs Hardwick said that this was the standard list of budget carry over requests. The list in the appendix had already been filtered by several layers of management. The process was as follows: budget managers generated the requests, as unspent balances which they exceptionally wished to carry over in the interests of CDC; Mrs Shepherd and Mr Ward had gone through these requests and filtered any they did not support; the Corporate Governance and Audit Committee had reviewed the resulting list and supported the same as being appropriate requests. By way of clarification she explained that the Housing and Environment request was in practice a request to shift an underspend on homelessness and advice salary to fund the Corporate Policy team officer who was working on the pay review project. She was

content that the list of items totalling £120,800 was reasonable and the reasons for the requests were valid, which she commended for approval.

There was neither a discussion of nor any questions about this matter.

Decision

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

RESOLVED

That as recommended by the Corporate Governance and Audit Committee at its meeting on 30 March 2017 the requests totalling £120,800 for budgets to be carried forward in 2017-2018 be approved.

363 **Exclusion of the Press and Public**

Decision

It was proposed, seconded and unanimously supported that the following resolution should be passed to exclude the press and the public from the meeting during the consideration of agenda items 11 (Investment Opportunity) and 12 (Land in Ellis Square Selsey – Land Disposal).

RESOLVED

That the public and press be excluded from the consideration of the reports and their appendices for agenda items 11 (Investment Opportunity) and 12 (Land in Ellis Square Selsey – Land Disposal) on the grounds that it is likely that there would be in respect of that item a disclosure to the public of 'exempt information' of the description specified in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A to the *Local Government Act 1972* 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 that information.

364 **Investment Opportunity**

The Cabinet received and considered the confidential Part II report and its two appendices which were circulated to CDC members and relevant officers only.

Mrs Keegan presented the report.

Mr Legood was in attendance for this item.

Mr Legood did not add to Mrs Keegan's introduction.

During the discussion Mrs Keegan, Mr Legood, Mr Over and Mr Ward responded to members' questions on points of detail.

Decision

The Cabinet voted unanimously on a show of hands in favour of the recommendation and the resolution below.

RECOMMENDATION TO THE COUNCIL

That the release of the sum and from the funds as stated in the agenda report to make the subject acquisition be approved.

RESOLVED

That the Head of Commercial Services be authorised, following completion of due diligence and consultation with the Cabinet Member for Commercial Services, to approve the final terms of this acquisition.

365 Land in Ellis Square Selsey - Land Disposal

The Cabinet received and considered the confidential Part II report and its appendix which were circulated to CDC members and relevant officers only.

Mrs Keegan presented the report.

Mr Legood was in attendance for this item.

Mr Legood did not add to Mrs Keegan's introduction.

During the discussion Mrs Keegan, Mr Legood, Mr Over and Mr Bennett responded to members' questions on points of detail.

Decision

The Cabinet voted unanimously on a show of hands in favour of the resolutions below.

RESOLVED

- (1) That the freehold sale of the site shown on plan 5256 (attached as appendix 1 to the agenda report) be approved on the terms detailed in para 5.1 of the report.
- (2) That the Head of Commercial Services be authorised to approve the final detailed terms of disposal.
- (3) In the event that the sale recommended in para 5.1 of the report does not proceed, the Head of Commercial Services be authorised to conclude a sale to an alternative party, on terms no less favourable than those set out in the report, after consultation with the Cabinet Member for Commercial Services.

[Note The meeting ended at 10:58]

CHAIRMAN

DATE

Chichester District Council

THE CABINET

19 June 2017

THE COUNCIL (SPECIAL)

19 June 2017

**Chichester Local Plan Review: Timetable and
Issues and Options Consultation**

1. Contacts

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2. Executive Summary

This report concerns the Chichester Local Plan Review which will replace the existing Chichester Local Plan and provide an updated planning framework for the period to 2034. The report has two aims.

Firstly to agree a formal timetable for the main stages in the Local Plan Review process so that the key dates can be added to the Council's Local Development Scheme (LDS).

Secondly to seek approval to undertake a public consultation on Issues and Options as the first major stage of the Local Plan Review. The published consultation documents will include a questionnaire which will seek views on what should be included in the development strategy, which locations may be suitable for development, and what planning policies are required to deliver the strategy. It is intended to undertake the consultation over a six-week period from 22 June 2017 to 3 August 2017.

3. Recommendation

3.1 That the Cabinet recommends to the Council:

3.1.1. That the published Local Development Scheme 2017-2020 be amended by adding the key dates for the Local Plan Review set out in paragraph 6.3 of this report;

3.1.2. That the Local Plan Review Issues and Options documents presented as appendices to this report be approved for a six-week period of public consultation from 22 June to 3 August 2017; and

3.1.3 That the Head of Planning Services be authorised, following consultation with the Cabinet Member for Planning Services, to make minor amendments to the consultation documents prior to their publication.

4. Background

- 4.1 The Council has committed to reviewing the current *Chichester Local Plan: Key Policies 2014-2029* within five years of adoption (ie no later than July 2020) with the aim to ensure that the area's identified housing needs are met. It is intended that the new Local Plan will have an end date of 2034. The requirement to plan for additional housing means that the development strategy set out in the current Local Plan will need to be reviewed and updated, as will the policies to deliver supporting infrastructure and facilities. The Local Plan Review will also provide an opportunity to review other policies in the current Plan to assess whether any amendments or additions are needed.
- 4.2 The work to develop the evidence base for the Local Plan Review is at an early stage. Several key studies are now underway, including the Housing and Economic Land Availability Assessment (HELAA) which will provide a detailed analysis of all potential development sites across the Plan area and the Housing and Economic Development Needs Assessment (HEDNA), which will quantify future housing and employment requirements and provide more information on the range of needs that should be planned for. However, at this stage no decisions have been made about the scope of the Local Plan Review or which sites and locations should be allocated for new development.
- 4.3 A proposed timetable for the Local Plan Review process is set out at paragraph 6.3 of this report. The first main stage of the Local Plan Review will be an Issues and Options consultation exercise, which it is proposed will be undertaken over a six week period starting on 22 June 2017. This report seeks the Council's approval for both the Local Plan Review timetable and the proposed Issues and Options consultation.
- 4.4 The proposed Local Plan Review timetable and draft Issues and Options consultation documents were presented to the Development Plan and Infrastructure Panel for discussion at its meeting on 3 May 2017. In response to the comments received, amendments have been made to the consultation documents – see para 6.9 below.

5. Outcomes to be Achieved

- 5.1 The agreement of a Local Plan Review timetable will enable the Council to publish a timeline showing the key stages and milestones in the Local Plan process that will enable Plan adoption by 2020.

5.2 The Issues and Options consultation will enable the Council to obtain views and information from a wide range of stakeholders which will help inform the preparation of the Local Plan Review strategy and policies.

6. Proposal

Local Plan Review timetable

6.1 There is a statutory requirement for the Council to publish a Local Development Scheme (LDS) setting out its programme and timetable for producing planning policy documents over a rolling three year timeframe. An updated LDS for the period 2017-2020 was approved by the Council on 7 February 2017 and has since been published on the Council's website. However, at the time of the 7 February report, there was uncertainty about the timetable for strategic planning work to be undertaken by the Coastal West Sussex and Greater Brighton (CWS&GB) authorities to prepare a new Local Strategic Statement (LSS3). Therefore, it was agreed that the timetable for the Local Plan Review in the LDS should include proposed dates for the Issues and Options consultation, but leave the timetabling of later stages of the Plan Review process under review.

6.2 Due to delays in the Local Plan examinations underway for several of the other CWS&GB authorities, it is now clear that work to prepare LSS3 will not commence until 2018 at the earliest. Therefore, the Local Plan Review will need to run ahead of the LSS3 process in order to ensure that the new Plan is adopted within 5 years (ie by 2020).

6.3 A proposed timetable for the Local Plan Review, setting out proposed dates for the key milestones in the Review process is presented below.

<i>Key milestones</i>	<i>Dates</i>
Consultation on Issues & Options	June - August 2017 (6 weeks)
Approval of Preferred Approach Development Plan Document for consultation	Cabinet – Jan 2018 Council – Jan 2018
Consultation on Preferred Approach (Reg 18)	Feb - Mar 2018
Approval of Statutory Public Consultation DPD for consultation (Pre-Submission)	Cabinet – July 2018 Council – July 2018
Statutory Public Consultation document (Reg 19) (Pre-Submission)	July – Aug 2018
Submission to Secretary of State	October 2018
Examination hearings	February 2019
Adoption of Local Plan Review	November 2019

- 6.4 Subject to the Council agreeing this timetable, it is proposed to add these dates to the 'Local Plan Review' section in the published LDS 2017-2020.

Issues and Options consultation

- 6.5 The Issues and Options consultation will form the first main stage of the Local Plan Review. Its purpose will be to obtain comments and information that will help the Council to develop a draft strategy and policies. It is proposed to publish a consultation questionnaire and several supporting documents, appended to this report as follows:

- Appendix 1 – Local Plan Review Issues and Options consultation document including questionnaire
- Appendix 2 – Initial Sustainability Appraisal of possible development locations
- Appendix 3 – Habitat Regulation Assessment (HRA) Issues and Evidence report.

- 6.6 The main focus of the consultation will be the questionnaire (appendix 1), which seeks views and comments on the general approach that should be taken to identifying locations for further development, and the key factors that need to be taken into consideration in determining where new development should be located and how it should be planned and delivered. Within the questionnaire, the following questions are particularly relevant in helping to inform the overall development strategy that should be included in the new Local Plan:

- Q9 asks for views on the relative weight and importance that should be given to different policy considerations in preparing the new Local Plan strategy.
- Q11 seeks views on a number of broad locations within the Local Plan area that may have potential for larger scale strategic development involving 500 or more dwellings supported by local community facilities (and possibly employment uses). These are locations which are reasonably accessible and have a significant area of land which appears free from absolute development constraints (subject to further detailed investigation). In most cases, strategic developments would involve a single large site, but some of the locations could potentially include more than one site with shared facilities.
- Q14 seeks views on the amount of medium and small scale housing development that should be planned for in the different settlements throughout the Plan area.
- Q13 and Q16 ask for views on how far the Local Plan should go in identifying and allocating sites, and how much should be left for neighbourhood plans or a subsequent site allocation plan.

- 6.7 In addition to the questions highlighted above, the consultation document includes questions on a number of other areas including:

- The Vision and Objectives for the Local Plan Review.

- The settlement hierarchy and role of different settlements in terms of planning for new development and facilities.
- Policies for the economy and employment, including how planning policies can be used to promote economic growth and/or provide for a wider range of employment opportunities.
- Policies for housing and neighbourhoods, and how these may need to be changed to reflect recent and proposed changes in national policy for housing (e.g. to promote starter homes and self-build homes).
- Policies for transport and access, the environment, and health and well-being.
- The approach to planning for infrastructure provision.

6.8 Council officers have undertaken an initial sustainability appraisal of the locations under consideration for development in Q11 and Q14 (appendix 2). In addition, consultants AECOM have prepared a Habitats Regulation Assessment (HRA) Issues and Evidence Base report (appendix 3) which will provide the basis for the HRA work to be carried out as part of the Local Plan Review process. Both the sustainability appraisal and HRA report will be published alongside the consultation document.

6.9 Following the Development Plan and Infrastructure Panel meeting on 3 May 2017, some amendments and additions have been made to the consultation documents as summarised below.

Amendments to Issues and Options Consultation Document and Questionnaire (Appendix 1)

- Addition of a Foreword by Councillor Mrs Susan Taylor.
- Amendments to Q9 (spatial policy principles) – following the Panel’s comments, the question has been simplified and now asks respondents to select their ‘top 3’ priorities in terms of the spatial principles listed.
- The title of the first pie chart in the ‘Possible Strategy Options’ section has been amended to read ‘Location of housing 2011’.
- Amendments to Q11 (locations with potential for 500+ dwellings) - a map has been added showing the broad locations under consideration and the wording has been altered to “large scale (‘strategic’) development” to reflect the fact that the term ‘strategic’ is being used here as a generic description. The suggested location South of Chichester (east of Stockbridge) has been removed as an option for development since all of the potential land immediately south of the A27 between the Chichester Canal and the B2145 Selsey road is already subject to planning permission for gravel extraction (which is now being implemented) with provision for future restoration to lakes and wetland habitat.
- Addition of ‘Sidlesham’ as an option in Q14 (settlements/locations that may be suitable for development of up to 500 dwellings). Both the Sustainability Appraisal (appendix 2) and HRA Report (appendix 3) have been updated to reflect the inclusion of Sidlesham. It should be noted that Sidlesham is not currently identified as a service village or settlement. Issues around the provision of infrastructure would need to be addressed.

Amendments to Issues and Options Sustainability Appraisal (Appendix 2)

- Some amendments to the commentary and scoring against assessment criteria for the locations in Q11 and Q14 reflecting comments from members and officers in the Planning Policy team.

6.10 Prior to publication, the questionnaire in appendix 1 will be transferred into 'Objective', an online consultation interface. The questionnaire and supporting documents will be published on the Council's website. Hard copies of the consultation documents will also be available at the Council offices and public libraries. The consultation is expected to attract comments from parish councils, neighbouring local authorities, statutory bodies, key infrastructure providers, developers and site promoters, and local residents. A consultation strategy and communication strategy have been developed in liaison with the Council's Public Relations and Community Engagement teams and in line with the requirements set out in the Statement of Community Involvement.

7. Alternatives Considered

7.1 The current *Chichester Local Plan Key Policies 2014-2029* includes an explicit commitment that the Council will review the Local Plan within five years with the aim to ensure that objectively assessed housing needs (OAN) are met. Should the Council decide not to proceed with the Local Plan Review, the existing Local Plan would become out of date in July 2020. After that date, the planning weight that would be attached to policies in the current Plan would reduce and the general planning policies in the National Planning Policy Framework (NPPF) would take precedence, including the presumption in favour of sustainable development. Without an up-to-date plan, the Council would find it harder to control where development would take place and this would be left solely to the development management process. It would also become harder to manage the provision of infrastructure alongside new development. Therefore it is not considered a viable alternative not to proceed with a Local Plan Review at this stage.

7.2 The statutory regulations covering preparation of Local Plans allow local planning authorities considerable flexibility in how to carry out the early stages of plan production, although the level of consultation and publicity must be in line with the Council's Statement of Community Involvement (SCI). The Chichester SCI (which is currently being updated) commits the Council to involve people as early as possible, to notify and work with groups, organisations and residents, and to consider issues and alternatives.

7.3 Alternatives that have been considered to meet these requirements included undertaking more focused consultation with specific groups of stakeholders rather than publishing a general consultation paper. Alternatively the consultation could have covered a more limited range of questions (e.g. only including questions relating to strategy options or not including questions about potential development locations). However, it is considered that publishing a wide-ranging Issues and Options questionnaire will be more

helpful in providing evidence for the Local Plan Review and will best meet the objectives of the SCI. In particular, the Issues and Options consultation exercise will maximise the opportunity for all interested persons and organisations to submit views, comments and relevant information at an early stage before the Plan strategy and policies are developed.

8. Resource and Legal Implications

- 8.1 Preparation of a Local Plan is subject to a statutory process and carries considerable resource implications in terms of cost and staff time. The Local Plan Review is part of the Planning Policy team's work programme. A project budget of £800,000 has been agreed by Council in July 2016 to cover commissioning the evidence base and funding the planning inspector and programme officer costs associated with the Local Plan examination. A need for additional staff resources has been identified (a Principal Officer and a Planning Policy Officer). Funds available from the original project budget for the recently adopted Local Plan are sufficient to finance the additional staff resources this financial year, before they are considered as part of the base budget through the annual budget setting process.

9. Consultation

- 9.1 The Issues and Options questionnaire and supporting documents have been prepared with input from officers in other relevant services within the Council. An officer level Local Plan Review Group has been set up to meet and discuss the Plan Review process in order to ensure input and 'buy-in' to the Local Plan process from all services within the Council. In addition, a Member workshop was held on 4 April at which Planning officers outlined the broad direction of the Issues and Options consultation. The draft consultation documents were presented to the Development Plan and Infrastructure Panel on 3 May and have been amended to take account of the Panel's comments as set out in paragraph 6.9 above.

10. Community Impact and Corporate Risks

- 10.1 The Local Plan Review is likely to have significant implications for many communities in the Local Plan area. The purpose of the Review is to identify additional sites and locations to accommodate new housing and other development, and this will need to be supported by new or improved infrastructure and facilities. Preparation of the Local Plan Review will need to be handled sensitively, recognising that there may be local opposition to some proposals, particularly in areas where new development is proposed.
- 10.2 The Council has committed to working with parish councils to ascertain how they wish to plan for new development. The Issues and Options document consultation includes questions on what approach should be used to identify sites and bring forward development - whether this should primarily be Council-led through the Local Plan Review, or whether sites should be identified by parish councils reviewing or making new neighbourhood plans.

11. Other Implications

Are there any implications for the following?		
	Yes	No
<p>Crime and Disorder</p> <p>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>	✓	
<p>Climate Change</p> <p>The NPPF identifies addressing climate change as one of the core land use planning principles which should underpin plan-making. To be found sound, Local Plans will need to reflect this principle and to enable the delivery of sustainable development in accordance with the NPPF. This includes requirements for local authorities to adopt proactive strategies to mitigate and adapt to climate change in line with the provisions and objectives of the <i>Climate Change Act 2008</i>, and to co-operate to deliver strategic priorities which include climate change.</p> <p>In addition to the NPPF requirement, there is a statutory duty on local planning authorities to include policies in their Local Plan designed to tackle climate change and its impacts. This complements the sustainable development duty on plan-makers and the expectation that neighbourhood plans will contribute to the achievement of sustainable development. The NPPF emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development.</p>	✓	
<p>Human Rights and Equality Impact</p> <p>The <i>Equality Act 2010</i> 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 (EIA) 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>	✓	
<p>Safeguarding</p>		✓

Other (please specify)		✓
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12. Appendices

- 12.1 Appendix 1 – Local Plan Review Issues and Options Consultation Document and Questionnaire
- 12.2 Appendix 2 – Local Plan Review Issues and Options Sustainability Appraisal
- 12.3 Appendix 3 – Habitat Regulation Assessment (HRA) Issues and Evidence Report

13. Background Papers

- 13.1 None.

Agenda Item 6

Chichester District Council

THE CABINET

19 June 2017

THE COUNCIL (SPECIAL)

19 June 2017

Draft Statement of Community Involvement for Public Consultation

1. Contacts

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2. Recommendations

That the Cabinet recommends to the Council that:

- i) The Statement of Community Involvement be approved for a six-week public consultation.**
- ii) Authority be delegated to the Head of Planning Services, following consultation with the Cabinet Member for Planning Services to enable minor amendments to be made to the document prior to and following public consultation.**

3. Background

- 3.1** It is a requirement of the Planning and Compulsory Purchase Act 2004 for a Local Authority to produce a Statement of Community Involvement (SCI). An SCI sets out the Council's approach to engage the public and other stakeholders in all planning policy and development management matters to ensure that as many people as possible are able to have a say in planning decisions that affect them.
- 3.2** The document will provide guidance on how the planning system works and sets out how the Council will inform, consult and involve people in both the preparation of planning policy documents and decisions on planning applications. It also sets out guidance on the preparation of Neighbourhood Plans.

4. Outcomes to be Achieved

- 4.1. Engagement of the public in the preparation of an up to date Statement of Community Involvement which reflects current government guidance and provides a commitment to effective consultation.

5. Proposal

- 5.1 The current SCI was adopted in January 2013. The document has been revised factually with updated hyperlinks to appropriate guidance. It has also accounted for potential changes set out within the former Neighbourhood Planning Bill. These include that;

- Local Authorities should review (and if necessary update) their statement of community involvement at least every five years.
- Local Authorities should include their policies on providing advice or assistance to groups preparing neighbourhood plans.
- Local Authorities should include their policies for involving interested parties in the preliminary stages of plan-making.

- 5.2 The proposed SCI (appendix 1) has been updated to incorporate these likely statutory requirements and to avoid the need for a subsequent immediate update. The proposed SCI will be subject to public consultation before revision and adoption under delegated powers if only minor changes are required.

- 5.3 The proposed SCI contains:

- A demonstration in simple terms of the Council's commitment to ensure that community and stakeholder engagement is effective, involvement is genuine, and that planning decisions are accountable.
- How these principles will be applied to strategic plan-making and development management decisions.
- A description of the different types of planning policy documents and the processes involved in their adoption.
- A diagram demonstrating the three stages of planning policy document production, and explanation of the statutory regulations relating to the production process.
- A list of statutory consultees.
- Information on support provided for neighbourhood planning with referenced links to guidance documents such as 'Support for Neighbourhood Planning Groups' which has been updated accordingly.
- Development Management consultations and decision making.

6. Alternatives Considered

- 6.1 The alternative is not to proceed with updating the SCI however this may result in the document not complying with Government regulations.

7. Resource and Legal Implications

- 7.1 There are no significant resource or legal implications arising from the preparation and adoption of the SCI.

8. Consultation

- 8.1 Once approved, the draft SCI will be made available for public consultation. Consultation will be undertaken for a period of 6 weeks between 22 June 2017 and 3 August 2017.
- 8.2 Initial consultation on the draft document has been undertaken with the Communities Team and the Development Plan and Infrastructure Panel (DPIP). There were no changes made as a result of consideration at the DPIP meeting.

9. Community Impact and Corporate Risks

- 9.1 Once adopted the SCI will continue to provide transparency in the Council's approach to engaging the public and other stakeholders in all planning policy and development management matters and will form a commitment that will be taken into account when undertaking consultations.

10. Other Implications

Crime and Disorder	None
Climate Change	None
Human Rights and Equality Impact	None
Safeguarding and Early Help	None

11. Appendices

- 11.1 Revised SCI

12. Background Papers

- 12.1 None

Chichester District Council

THE CABINET

19 June 2017

THE COUNCIL (SPECIAL)

19 June 2017

Draft Southern Gateway Masterplan for Public Consultation

1. Contacts

Report Author:

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2. Recommendation

2.1. That the Council be recommended to:

- (a) Approve the Draft Southern Gateway Masterplan (set out in the appendix to this report) for public consultation; and**
- (b) Delegate authority to the Head of Planning Services following consultation with the Cabinet Member for Planning Services to make minor amendments to the document prior to public consultation.**

3. Background

- 3.1. The Cabinet approved the Southern Gateway Masterplanning Project Initiation Document and consultant's brief in June 2016. The Cabinet also approved funds of up to £50,000 from reserves to prepare a masterplan for the Southern Gateway area. David Lock Associates was subsequently appointed to prepare the masterplan.
- 3.2. During the course of the work it became apparent that a transport appraisal would be required. This was needed to support the development proposals and proposed changes to the highway network within the draft masterplan, in particular to demonstrate that they are deliverable in highways terms. In addition, the Council, following consultation with the statutory consultees, determined that a Strategic Environmental Assessment (SEA) of the proposals in the masterplan would be required. Peter Brett Associates was appointed to undertake the transport appraisal and David Lock Associates the SEA.

4. Outcomes to be Achieved

- 4.1. The main outcomes that will flow from the production of a masterplan are as follows:
- (a) The identification of opportunities for development
 - (b) The facilitation of new homes, jobs, retail and leisure facilities
 - (c) That key constraints are identified so that they are not compromised through new development
 - (d) The coordination of the development of a number of different sites
 - (e) The coordination of proposals that are the subject of different bids for funding to facilitate development
 - (f) Clear guidance to assist in the preparation and assessment of planning applications.
- 4.2. Proposals in the draft Southern Gateway Masterplan have been drawn together to deliver the follow the five key objectives:
- (a) Making sure first impression count
 - (b) Reinforcing a mix of city uses
 - (c) Contributing towards a sustainable movement strategy
 - (d) Providing a flexible framework
 - (e) Achieving design quality.

5. Proposal

- 5.1. The draft masterplan sets out a range of different land uses for development sites within the Southern Gateway area. It also provides design guidance for those sites. It sets out two potential options to change the highway network around the one-way gyratory. Descriptions of the alternative schemes are set out in more detail in appendix 1 to the masterplan (page 77). The proposals in the masterplan will provide opportunities to bring development forward, to coordinate that development and to improve the public realm, not least in the area around the railway station, leading up to South Street and the main city centre shopping area.
- 5.2. The draft masterplan provides detailed guidance to amplify and expand on how policies in the Chichester Local Plan will be implemented, both in terms of the assessment of planning applications and the Council's role in facilitating development. In particular it will supplement the following policies
- (a) Policy 10 Chichester City Development Principles – specific reference to the Southern Gateway area is made at paragraph 12.7 of the Adopted Local Plan in the text setting the context for this policy.
 - (b) Policy 13 Chichester City Transport Strategy
- 5.3. The Chichester Vision sets out the strategic direction with high level aims and objectives to guide how the city should develop and change in the future. The Southern Gateway Masterplan is the first document that has been produced to provide a set of detailed proposals that will help to achieve the aims of the Chichester Vision. In particular, part of the brief for the masterplan is to explore

options for reducing traffic congestion and improving safety at the Southgate Gyrotory.

- 5.4. The masterplan is being prepared with the intention of it having the status of a Supplementary Planning Document (SPD). This will mean that it will have weight in the planning process as a material consideration in the determination of planning applications. Public consultation and SEA are required for the masterplan to have the status as an SPD. When adopted it will replace the existing Southern Gateway Planning Framework, which was adopted in 2001 and has the status as supplementary planning guidance.
- 5.5. It is intended that the Masterplan is not prescriptive in setting out exactly how a site will be developed or the number of dwellings or amount floorspace to be achieved. It should be a flexible document that sets out design guidance and the range of uses that would be acceptable and allows potential investors and their architects a degree of certainty when designing schemes that will implement the aims and aspirations of the masterplan.

6. Alternatives Considered

- 6.1. An alternative is not to produce a masterplan and allow development proposals to come forward on a piecemeal basis without context of a masterplan. It is considered this is not an appropriate approach to guide development in the area.
- 6.2. The transport appraisal has considered a range of different options to change the highway network and these are detailed in that report, which is a background paper to this report.

7. Resource and Legal Implications

- 7.1. The cost of the transport study was not included in the report to the Cabinet in June 2016 as the need for it was not apparent at the time. The cost is approximately £50,000 and West Sussex County Council has agreed to fund £30,000 with the remainder, and the cost of £6,000 for the SEA, being funded by CDC from residual funds from the previous Local Plan capital budget.
- 7.2. The proposals within the masterplan have been assessed for economic viability as part of the commission with David Lock Associates. This has concluded that there is clear potential for delivery and a strong local market appetite for residential and mixed use development. However, in order to address the extensive relocation, site acquisition, highways and other abnormal costs, additional sources of funding will need to be explored to supplement any uplift in land values generated by the proposed masterplan developments.
- 7.3. The proposals in the masterplan have not been subject to a detailed infrastructure appraisal as to what is needed to support the proposed development. Given the location within the existing urban area, it can be assumed that services and facilities are either available or can be provided at a reasonable cost and this will be examined in detail through an Infrastructure Study that will be commissioned. The exception to this is the extremely limited capacity at the Chichester (Apuldram) Wastewater Treatment Works. The

Works will not be able to accommodate an increase in foul sewage that could be generated by development within the masterplan area. Proposed development is likely therefore to have to demonstrate ‘no net increase in flow’ to the treatment works and this will be considered as part of the infrastructure study. Additionally, there may be alternative long-term solutions established through work being carried out to support the Local Plan Review.

8. Consultation

- 8.1. The production of the masterplan and transport assessment have been guided by a project team and steering group. Membership of these groups has included representatives from West Sussex County Council, the Homes and Communities Agency, Stagecoach and Network Rail. The steering group and project team have met and agreed that the draft masterplan should now be considered by the Cabinet and the Council for approval for public consultation.
- 8.2. It is now necessary to undertake public consultation on the proposals in the masterplan so that members and those preparing the masterplan can consider the case for amendments, additions to or removal of the proposals within it. In particular the views of residents, businesses, transport operators and statutory agencies will be sought.

9. Community Impact and Corporate Risks

- 9.1. The proposals within the masterplan indicate some significant changes to the use and development of land within the masterplan area. These will be of particular interest to the communities that live or work either within or close to the masterplan area. However, the proposed changes to the highway network are likely to generate interest from those without a direct interest in the masterplan area, other than travelling through that area, either as a cyclist or pedestrian, a bus passenger or in a private vehicle.
- 9.2. Within the draft masterplan there are proposals which specifically affect individual properties, in particular the three listed buildings that in one of the options for changes to the highway network would be demolished. The owners and occupiers of these properties will be notified of the consultation on the masterplan and invited to meet with Council officers.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder It is considered that due to proposals to redevelop existing areas that detract from the appearance of the area and to bring a mix of uses that will introduce passive surveillance and increase activity outside of daytime hours, the masterplan is likely to have a positive impact on the potential for crime and disorder.	X	
Climate Change The location of development within an existing urban area, close to existing services and facilities and well located to access public transport, is one of the most sustainable options in terms of climate change.	X	

Human Rights and Equality Impact An Equality Impact Assessment has been prepared and is a background paper to this report.	X	
Safeguarding and Early Help		X
Historic Environment The masterplan will set the context for development within the Chichester City Conservation Area. A Strategic Environmental Assessment has been undertaken and is a background paper to this report. Further views on any potential impact on the historic environment are expected to be received as part of the consultation.	X	

11. Appendices

11.1. Appendix – Draft Southern Gateway Masterplan

12. Background Papers

12.1. Strategic Environmental Assessment

12.2. Equality Impact Assessment

12.3. Southern Gateway Masterplan, Chichester – Transport Appraisal

Chichester District Council

THE CABINET

19 June 2017

Flexible Homelessness Support Grant

1. Contacts

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2. Recommendation

- 2.1. That authority be delegated to the Head of Housing and Environment Services to spend the Flexible Homelessness Support Grant in accordance with the proposals in section 5 below.**

3. Background

- 3.1. In previous financial years a Temporary Accommodation Management Fee (TAMF) was payable to Local Authorities by the DWP in respect of certain temporary accommodation. This has been replaced from 1 April 2017 by the new Flexible Housing Support Grant (FHSG).
- 3.2. As the Council has its own temporary accommodation provision (Westward House), which did not attract TAMF, the loss of the fee will not have much impact. The DWP has estimated that, but for this change, the Council would have received less than £1,000 in TAMF for the 2017/18 financial year.
- 3.3. The new grant, which replaces TAMF, gives councils flexibility to spend the funds to support the full range of homelessness services. The FHSG nationally totals £402m over two years and is allocated to reflect relative homelessness pressures (number of homeless acceptances and cases prevented) with adjustments for differing private sector rental costs. There is a minimum allocation of £40,000 to individual local authorities.
- 3.4. The FHSG allocated to the Council for 2017/18 is £128,047, and for 2018/19 is £147,330. Allocations for 2019/20 will be announced during 2017/18. These funds are ring-fenced for two years to ensure it is spent on homelessness services. There is no new monitoring or reporting requirements (homeless acceptance and prevention statistics are already gathered).
- 3.5. It is worth noting that in April 2018 Universal Credit is due be rolled out across Chichester district and officers anticipate an increase in the number of residents

seeking advice and assistance as a result of rent arrears. Also the Homelessness Reduction Act 2017 is likely to be implemented in early 2018 which will require more proactive work with potentially homeless people at an earlier stage. This will place further significant demands upon the resources of the existing Housing Options Team and for which new burdens funding is anticipated. Experience of the Housing (Wales) Act 2014 has demonstrated the benefits and effectiveness of introducing a statutory prevention framework to tackle homelessness at an early stage.

- 3.6. Also Brighton and Hove Council is procuring an IT system on behalf of the Sussex Homemove Partnership to replace the Locata system, which has been in use for over 10 years. The Council has been a member of the Partnership since 2007. The new system will have increased functionality including a homelessness module and a housing options module, which will assist the Council to meet its duties under the Homelessness Reduction Act 2017. The new system will be web based and hosted externally.

4. Outcomes to be Achieved

- 4.1. The grant is intended to allow flexible support for homelessness and is ring-fenced for this purpose. It is intended that the outcomes of the grant will be to prevent homelessness by offering housing options advice at an early stage and also ensuring residents are accessing all the benefits to which they are entitled.

5. Proposal

- 5.1. The proposal is to create two new posts in the Housing Service; a Housing Welfare Officer and an additional Housing Interventions Officer.
- 5.2. The Housing Welfare Officer will be based at Westward House and will work with residents to ensure they claim at the earliest opportunity all the benefits to which they are entitled. This will reduce delay and prevent households accumulating debt which will affect their future housing options. The appointment will also assist the Homefinder Team to develop our internal lettings agency and increase the number of managed properties for the use of homeless households.
- 5.3. The appointment of an additional Housing Interventions Officer will equip the team to meet the anticipated increase in demand for the homelessness service outlined in 3.5 above.
- 5.4. Any underspend would also be used to prevent homelessness including supporting the introduction of a new and improved IT system.

6. Alternatives Considered

- 6.1. Consideration was given to appointing the two new posts on a two or three year fixed term contract. However the demand in service is not expected to decrease and permanent posts are recommended.

7. Resource and Legal Implications

- 7.1. The FHSG would adequately cover the employment costs for the proposed posts and to cover the costs of implementing the new IT system.
- 7.2. The IT Manager has confirmed that the implementation of the new IT system to replace Locata is in the IT work plan for 2017/18. The implementation process will increase the demands placed on the team during the current financial year however there should be a small reduction in its workload in future years as there will be no need to provide support for the current homelessness database.

8. Consultation

- 8.1. CMT was consulted at their meeting on 15 May 2017 and were supportive of the recruitment of the two posts on a permanent basis.

9. Community Impact and Corporate Risks

- 9.1. The impact of the proposal will benefit the residents of the district. Additional resources will enable us to provide an effective response to the additional statutory responsibilities of the Council and will permit us to deliver an efficient service.

10. Other Implications

	Yes	No
Crime and Disorder		X
Climate Change		X
Human Rights and Equality Impact A proportion of customers have 'protected characteristics' and therefore owed a duty under the Equalities Act 2010. The proposal will aid the Council to provide adequate services for those protected under the Act.	X	
Safeguarding and Early Help A proportion of customers has multiple needs and will therefore be referred for Early Help and/or safeguarding. Additional resources will enable the Council to respond to an increase in demand without compromising the level of care provided to vulnerable households	X	
Other (please specify)p: eg biodiversity		X

11. Appendices

None

12. Background Papers

None

Chichester District Council

THE CABINET

19 June 2017

Appointments to External Organisations 2017-2018

1. Contacts

Report Author:

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Cabinet Member:

Tony Dignum - Leader of the Council
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2. Recommendation

- 2.1. **That the Cabinet appoints representatives to serve on the external organisations for 2017-2018 as set out in the appendix to this report.**

3. Background

- 3.1 Appointments to some external organisations were made by the Annual Council on 16 May 2017. The remaining nominations in the appendix are dealt with by the Cabinet as they relate to the functions of the Cabinet.

4. Proposal

- 4.1 The Cabinet is asked to approve the appointments to the various external organisations set out in the appendix.
- 4.2 The list of outside organisations contains the following changes compared with last year:
- The addition of the District Councils' Network and
 - The representation on Pallant House Gallery has been reduced to one member of Chichester District Council based on the current draft revised articles of association being approved by the Pallant House Gallery Board (PHGB) following the outcome of the governance review. The revised articles will be considered by the Cabinet following approval by the PHGB.
- 4.3 Members appointed to these organisations are asked to report annually, including on whether there is continued merit in a member being appointed.

5. Appendix

- 5.1 External Body Appointments – the Cabinet

6. Background Papers

- 6.1 None

CHICHESTER DISTRICT COUNCIL

Appointments to External Organisations (number of representatives shown in brackets)

2017-2018

Organisation	Current Representatives 2016-2017	Proposed Appointments 2017-2018
1. Brandy Hole and East Broyle Copse – Local Nature Reserve Management Board (1)	Peter Budge (C)	Peter Budge (C)
2. Chichester Boys Club (1)	John Ridd (C)	John Ridd (C)
3. Chichester City Centre Partnership (1)	Gillian Keegan (C)	Tony Dignum (C)
4. Chichester Community Development Trust (1)	Pam Dignum (C)	Pam Dignum (C)
5. Chichester Festival Theatre (1)	Tricia Tull (C)	Tricia Tull (C)
6. Chichester Ship Canal Restoration Project Board (1)	Simon Oakley (C)	Simon Oakley (C)
7. Coastal West Sussex Partnership (1)	Gillian Keegan (C)	Tony Dignum (C)
8. Coastal West Sussex and Greater Brighton Strategic Planning Board (1)	Susan Taylor (C)	Susan Taylor (C)
9. Coast to Capital Joint Committee (1)	Gillian Keegan (C)	Tony Dignum (C)
10. Community Safety Partnership (1)	Eileen Lintill (C)	Eileen Lintill (C)
11. District Councils' Network (1)	-	Tony Dignum (C)
12. Goodwood Airfield Consultative Committee (1)	Mike Hall (C)	Mike Hall (C)
13. Goodwood Motor Circuit Consultative Committee (1)	Peter Budge (C)	Peter Budge (C)
14. Local Government Association – Coastal Issues Special Interest Group (1)	Carol Purnell (C)	John Connor (C)
15. Local Government Association – General Assembly (1)	Tony Dignum (C)	Tony Dignum (C)
16. Local Government Association – Sparsity Partnership for Delivering Rural Services (1)	Gillian Keegan (C)	Tony Dignum (C)
17. Manhood Peninsula Partnership (1)	Graeme Barrett (C)	Graeme Barrett (C)
18. Midhurst Community Partnership (1)	Steve Morley (IND)	Steve Morley (IND)
19. Petworth Vision Ltd (1)	Janet Duncton (C)	Janet Duncton (C)
20. Partnership for Urban South Hampshire (PUSH) (a) PUSH Joint Committee (2) (b) Solent Recreation Mitigation Partnership Project Board (1) (c) Planning & Infrastructure Panel (2)	(a) Susan Taylor (C) Diane Shepherd, Chief Executive (b) Mike Allgrove, Planning Policy, Conservation & Design Service	(a) Susan Taylor (C) Diane Shepherd, Chief Executive (b) Mike Allgrove, Planning Policy, Conservation & Design Service

	Manager	Manager
	(c) Susan Taylor (C) Mike Allgrove, Planning Policy, Conservation & Design Service Manager	(c) Susan Taylor (C) Mike Allgrove, Planning Policy, Conservation & Design Service Manager
21. Rolls Royce Liaison (1)	Francis Hobbs (C)	Francis Hobbs (C)
22. Rural Mobile Youth Trust (1)	Eileen Lintill (C)	Eileen Lintill (C)
23. Selsey Community Leisure Centre (2) <i>(Officer only appointment)</i>	Steve Hansford, Head of Community Services Mr J Ward, Head of Finance and Governance Services	Steve Hansford, Head of Community Services Mr J Ward, Head of Finance and Governance Services
24. South East Employers (1 + substitute)	Penny Plant (C) <i>Substitute – Roger Barrow (C)</i>	Peter Wilding (C) <i>Substitute – Roger Barrow (C)</i>
25. South East England Councils (1)	Vacancy (C)	Eileen Lintill (C)
26. Standing Conference on Problems Associated with the Coastline (SCOPAC) (1 + deputy)	Carol Purnell (C) <i>Deputy – John Connor (C)</i>	John Connor (C) <i>Deputy – vacant</i>
27. The Parking and Traffic Regulations Outside London Adjudication Joint Committee (1 + deputy)	Eileen Lintill (C) <i>Deputy – Peter Budge(C)</i>	Eileen Lintill (C) <i>Deputy – Peter Budge(C)</i>
28. Tourism South East (1) <i>(Officer only appointment)</i>	Mrs J Hotchkiss, Head of Commercial Services	Mrs J Hotchkiss, Head of Commercial Services
29. Visit Chichester Ltd (1)	Paul Over, Executive Director	Paul Over, Executive Director
30. West Sussex Cooperative (1)	Tony Dignum (C)	Tony Dignum (C)
31. West Sussex Civilian Military Partnership Board (1)	John Ridd (C)	John Ridd (C)
32. West Sussex Forum for Accessible Transport (1)	Bob Hayes (C)	Bob Hayes (C)
33. West Sussex Rural Partnership (1)	Gillian Keegan (C)	Tony Dignum (C)
34. West Sussex Think Family Partnership and the Local Safeguarding Children Board (2) <i>(Officer only appointment)</i>	Steve Hansford, Head of Service Community Paul Over, Executive Director	Steve Hansford, Head of Service Community Paul Over, Executive Director
35. Wey and Arun Canal Trust Completion Strategy Steering Group (1)	Janet Duncton (C)	Peter Wilding (C)
36. Wittering Youth Centre Management Committee (1)	Graeme Barrett (C)	Graeme Barrett (C)

Longer Term Appointments

Organisation	Current Representatives 2016-2017	Proposed Appointments 2017-2018
37. Pallant House Gallery – Trust and Company (2)	(Up to four-year appointment expiring on any 30 September) Pam Dignum with immediate effect (C) <i>(due for renewal 2020)</i> Mr T James <i>(appointment for one year to September 2017 pending outcome of governance review)</i>	(Up to four-year appointment expiring on any 30 September) Pam Dignum (C) <i>(due for renewal 2020)</i> <i>(This appointment is subject to the current draft revised articles of being approved by the Pallant House Gallery Board that reduces the Council's nomination to one representative)</i>

Chichester District Council

THE CABINET

19 June 2017

Appointments to Panels, Forums and other Groups 2017-2018

1. Contacts

Tony Dignum - Leader of the Council
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Bambi Jones - Principal Scrutiny Officer
 Telephone: 01243 534685 Email: bjones@chichester.gov.uk

2. Recommendations

2.1. **That the membership of Panels and Forums for 2017-2018 as set out in the appendix to this report be approved.**

3. Context

3.1. The establishment of most panels and forums and their membership is constitutionally the responsibility of the Cabinet. They are not subject to political balance.

3.2. Panels are internally constituted with specific objectives: see the *Constitution*.

3.3. Forums are used to inform on-going policy debates from an external perspective. Forums have members representing external interests, as well as the appointed members of Chichester District Council.

4. Community Impact and Corporate Risks

4.1. None

5. Other Implications

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

6. Appendices

6.1 List of Panels and Forums

7. Background Papers

7.1 None

PANELS AND FORUMS 2017-2018
(Appointed by the Cabinet)

BUSINESS ROUTEING PANEL (5)

Membership: Leader, Deputy Leader, Leader of the Opposition, Chairmen of Overview and Scrutiny Committee and Corporate Governance and Audit Committee. The Chief Executive chairs this Panel.

2016-17 membership:

2017-18 membership: No change required

Mr Tony Dignum (C)	Mr Tony Dignum (C)
Mrs E Lintill (C)	Mrs E Lintill (C)
Mr A Shaxson (IND)	Mr A Shaxson (IND)
Mrs C Apel (C)	Mrs C Apel (C)
Mrs T Tull (C)	Mrs T Tull (C)

BOUNDARY REVIEW PANEL (6)

Membership: Six elected members of the District Council

2016-17 membership:

2017-18 membership:

Mr John Ridd (C) - Chairman	Mr John Ridd (C) - Chairman
Mr Myles Cullen (C)	<i>Mrs Jane Kilby (C)</i>
Mr Simon Oakley (C)	Mr Simon Oakley (C)
Mr Josef Ransley (C)	Mr Josef Ransley (C)
Mr Simon Lloyd- Williams (C)	Mr Simon Lloyd- Williams (C)
Mr Gordon McAra (IND)	Mr Gordon McAra (IND)

DEVELOPMENT PLAN AND INFRASTRUCTURE PANEL (10)

Constitution: Cabinet Member for Planning Services (Chairman of Panel), Leader of the Council, and up to eight other District Council members

2016-17 membership:

2017-18 membership:

Mrs Susan Taylor (C) - Chairman	Mrs Susan Taylor (C) - Chairman
Mr Myles Cullen (C)	<i>Mrs Jane Kilby (C)</i>
Mr Tony Dignum (C)	Mr Tony Dignum (C)
Mrs Janet Duncton (C)	Mrs Janet Duncton (C)
Mr Mark Dunn (C)	Mr Mark Dunn (C)
Mr Bob Hayes (C)	<i>Mrs Eileen Lintill (C)</i>

Mr Simon Oakley (C)	Mr Simon Oakley (C)
Mr Richard Plowman (LD)	Mr Richard Plowman (LD)
Mrs Carol Purnell (C)	Mrs Carol Purnell (C)
Mr Darren Wakeham (C)	Mr Darren Wakeham (C)

GRANTS AND CONCESSIONS PANEL (8)

Constitution: Nominated member of the Cabinet. Five other District Council members.

2016-17 membership:

2017-18 membership:

Mrs Eileen Lintill (C) - Chairman	Mrs Eileen Lintill (C) - Chairman
Mrs Clare Apel (LD)	Mrs Clare Apel (LD)
Mr Ian Curbishley (C)	<i>Mrs Pam Dignum (C)</i>
Mr John F Elliott (C)	Mr John F Elliott (C)
Mr John W Elliott (C)	Mr John W Elliott (C)
Mrs Norma Graves (C)	Mrs Norma Graves (C)
Mr Myles Cullen (C)	<i>Mrs Penny Plant (C)</i>
Mrs Tricia Tull (C)	Mrs Tricia Tull (C)

JOINT EMPLOYEE CONSULTATIVE PANEL (5)

Constitution: Cabinet Member for Business Improvement Services and four other District Council members

2016-17 membership:

2017-18 membership:

Mrs Penny Plant (C) - Chairman	<i>Mr Peter Wilding (C) - Chairman</i>
Mr Roger Barrow (C)	Mr Roger Barrow (C)
Mr Bob Hayes (C)	Mr Bob Hayes (C)
Mr Josef Ransley (C)	Mr Josef Ransley (C)
Mrs Sandra Westacott (LD)	Mrs Sandra Westacott (LD)

STRATEGIC RISK GROUP (6)

Constitution: Three members from each of the Cabinet and the Corporate Governance and Audit Committee to meet at least twice a year with the Senior Leadership Team (SLT) to consider key strategic risks affecting the Council.

2016-17 membership:

Cabinet representatives:	CGAC representatives:
Leader – Mr Tony Dignum	Mr Graeme Barrett
Deputy Leader – Mrs Eileen Lintill	Mr Graham Hicks
Cabinet Member for Finance & Governance (with responsibility for risk management) – Mrs Philippa Hardwick - Chairman	Mrs Tricia Tull

2017-18 membership: No change required to Cabinet membership. Corporate Governance & Audit Committee membership will be sought at the first meeting of the committee on 29 June 2017.

CHICHESTER DISTRICT PARKING FORUM (6)

Membership: Cabinet Member whose portfolio includes parking and up to five other District Councillors

2016-17 membership:

2017-18 membership: No change in membership. Chairman amended.

Mrs Gillian Keegan (C) - Chairman	Mrs Gillian Keegan (C)
Mr John Connor (C)	Mr John Connor (C)
Mr Tony Dignum (C)	Mr Tony Dignum (C) - <i>Chairman</i>
Mrs Janet Duncton (C)	Mrs Janet Duncton (C)
Mr Stephen Morley (IND)	Mr Stephen Morley (IND)
Mrs Penny Plant (C)	Mrs Penny Plant (C)

WASTE AND RECYCLING PANEL (6)

Constitution: Cabinet Member for Contract Services (who serves as the chairman) and 5 other District Council members

2016-17 membership:

2017-18 membership:

Mr Roger Barrow (C) - Chairman	Mr Roger Barrow (C) - Chairman
Mr John Connor (C)	<i>Mr John W Elliott (C)</i>
Mr Francis Hobbs (C)	Mr Francis Hobbs (C)
Mrs Penny Plant (C)	Mrs Penny Plant (C)
Mr Andrew Shaxson (IND)	Mr Andrew Shaxson (IND)
Mrs Tricia Tull (C)	Mrs Tricia Tull (C)

INFRASTRUCTURE JOINT MEMBER LIAISON GROUP

Constitution: Cabinet Members for Finance and Governance Services, Planning Services plus a member from the Development Plan and Infrastructure Panel.

2016-17 membership:

2017-18 membership: No change required

Mr Tony Dignum (C)	Mr Tony Dignum (C)
Mrs Susan Taylor (C)	Mrs Susan Taylor (C)
Mr Simon Oakley (C)	Mr Simon Oakley (C)

Chichester District Council

THE CABINET

19 June 2017

Custom and Self Build Register

1. Contacts

Report Author:

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Cabinet Member:

Jane Kilby - Cabinet Member for Housing Services

Telephone: 01243 773494 E-mail: jkilby@chichester.gov.uk

2. Recommendation

2.1. That the Cabinet approves the adoption of a two part register with local connection and resources conditions for entry to the Part 1 Register as set out in appendix 2 to the report.

3. Background

- 3.1. Through the recently published Housing White Paper the Government has reaffirmed its commitment to increasing housing supply and consumer choice through custom build housing.
- 3.2. Since April 2016, under the Self-build and Custom Housebuilding Act 2015, authorities have been required to hold a register of people who want to acquire serviced plots of land in their area for self-build and custom housebuilding. Definitions are provided in appendix 1.
- 3.3. The Housing and Planning Act 2016 and The Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016 (No 1027) require local authorities to give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding on their register within three years. Accompanying planning policy guidance is expected shortly.
- 3.4. The Self-build and Custom Housebuilding Regulations 2016 (No 950) give local authorities the ability to divide the register into two parts. Part 1 is to be restricted to those with a local connection, the criteria for which is set by the local authority, and must include provision for members of the armed forces. Other applicants may join the Part 2 register subject to meeting statutory criteria.
- 3.5. People on the Part 2 register will not count towards the assessment of local demand. There are 66 entries on the current register, for plots in the Chichester Local Plan area, 27 of which live in the area.

- 3.6. Criteria may also be set so only individuals who can demonstrate they can afford the land purchase and building costs are eligible. Councils can also charge a fee for including or keeping an individual or association on the register (see para 5.3 below).

4. Outcomes to be Achieved

- 4.1. To establish a register that is reflective of genuine local demand for custom and self build serviced plots in the district. This will be used as the basis for assessing the land requirement for meeting this demand and will enable the council to fulfil its statutory duty and increase the opportunity for those wishing to self or custom build.

5. Proposals

- 5.1. It is proposed to split the register into two parts and introduce a local connection test, as set out in appendix 2.
- 5.2. Applicants for the Part 1 register will be required to provide evidence that they have sufficient resources to purchase the land, as set out in appendix 2. This is to ensure that applicants' aspirations are realistic and constitute genuine demand.
- 5.3. The Self-build and Custom Housebuilding (Time for Compliance and Fees) regulations 2016 (No 1027) allow authorities to charge fees to recover their reasonable costs of entering a person on the register, permitting them to remain on it and complying with their duty to grant planning permission to meet the demand. Where the council does not meet their full duty, (to provide sufficient plots to meet demand), only the costs of entering that person on the register can be charged. The register is currently maintained by the Housing Delivery Team and the resources and costs are minimal. They are sufficiently covered by the initial New Burdens funding received. It is therefore proposed that no fees are charged for the time being, but that this is reviewed once the planning policy guidance is received and the council is better able to assess the work involved.
- 5.4. Consideration will be given to how best the council can utilise the New Burdens funding, detailed in para 6.2 below, to fulfil our statutory duties to provide serviced plots to meet demand once the planning guidance has been received and further research has been carried out.

6. Resource and Legal Implications

- 6.1. The Government realises that these regulations create extra work for councils and so has provided New Burdens funding to support them to:
- i) set up and maintain a register of people who want to acquire serviced plots of land in their area; and
 - ii) ensure there is sufficient permissioned and serviced land to satisfy demand on the self-build and custom housebuilding register.

- 6.2. A one-off payment of £5,850 of New Burdens funding was paid to local authorities in June 2016 in respect of their new statutory duty to set up a register. A further £90,000 will be paid to authorities between 2016/17 and 2019/20 to take account of additional dedicated resources required to identify land to satisfy the demand. The funding is not ring-fenced and the first payment was received on 17 March 2017.

7. Consultation

- 7.1. This fund will help to implement the action plan set out in the Housing Strategy review, which was shaped by discussions with the Chichester Housing Delivery Partnership, members and officers across the council.
- 7.2. Further research is being undertaken and there are on-going discussions with the other West Sussex authorities as to how the council can best utilise the funds to meet our statutory duty to grant planning permission on sufficient land suitable for self and custom build housing.

8. Community impact and corporate risks

- 8.1. The government believes that self and custom build housing can play a crucial role in securing greater diversity in the housing market, and in helping to deliver the homes people want. Local authorities are expected to play a role in achieving these ambitions.

9. Other Implications

Crime and Disorder	None
Climate Change	None
Human Rights and Equality Impact see para 8.1.	None
Safeguarding and Early Help	None

10. Appendices

- 10.1. Custom and self-build definitions
- 10.2. Local Eligibility Conditions

11. Background Papers

- 11.1 None

Custom and Self-build Register – Definitions

In general terms this is where an individual builds their own home or contracts a builder to create a 'custom built' home for them.

A more detailed legal definition is set out in the Housing and Planning Act 2016. The Act defines self-build and custom housebuilding as “the building or completion by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals... [but] does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.”

It typically involves individuals or groups of individuals commissioning the construction of a new home or homes from a builder, contractor or package company or, in a modest number of cases, physically building a house for themselves or working with sub-contractors.

The term “custom build” generally describes a more “hands off” approach where a specialist developer coordinates the whole process, with a contractor or package company undertaking the design and construction incorporating clients' demands. Increasingly developers are creating large estates of individual serviced plots with outline planning permission. These are then sold to individuals who specify their own design and organise the build out of the plot.

Self build is a type of custom build and usually used to describe projects where the individuals involved play a significant part in the process including the organisation of the project, commissioning of the architect and builder or the physical construction or finishing off work.

Chichester District Local Plan Area Self-build and Custom Housebuilding Register.

Local Eligibility Conditions for the Chichester Local Plan Area.

(These apply to applicants for Part 1 of the register.)

The Chichester Local Plan area does not include that part of the District within the South Downs National Park .

The Self-build and Custom Housebuilding Regulations 2016 allows local planning authorities to set local eligibility conditions which must be satisfied in order for individuals/associations to be eligible for the council's Self-build and Custom Housebuilding Register. Legislation states that local eligibility conditions can include a local connection test and an assessment of financial resources.

The local connection test

In order to address this criterion, individuals (including associations of individuals) must demonstrate sufficient connection, as the authority reasonably considers, with the authority's area. There are exceptions for persons in the service of the regular armed forces of the Crown. Individuals may still be eligible for Part 2 of the register provided that all other eligibility requirements set out in regulations are addressed.

Consistent with the Self-build and Custom Housebuilding Regulations 2016 Regulations 5(2) and 5(3), Chichester District Council have set the following criterion, which all individuals (including associations of individuals) must satisfy in order to be eligible for entry on Part 1 of the Chichester District Local Plan Area Self-build and Custom Housebuilding Register.

1. Individuals must have been resident in the Chichester Local Plan area for a continuous period of five years, up to and including the day of their application for entry in the register.

The council will require evidence of residency in the district, for example, through submission of utility bills, council tax statements and/or lease agreements, or any other information which demonstrates residency beyond doubt. The council will ask for further information where necessary; or refuse an application for entry in the register due to lack of information. For associations, information must be provided for each individual.

Persons in the service of the regular armed forces of the Crown, as defined by section 374 of the Armed Forces Act 2006, are deemed to satisfy the 'local connection' test whilst in service and for a period of five years after leaving service. The council will require evidence of current service, or evidence of past service including the date of leaving service.

Assessment of financial resources

In order to address this criterion, individuals (including associations of individuals) must demonstrate that they will have sufficient resources to purchase land for their own self-build and custom housebuilding. This criterion will apply to Part 1 of the register. Consistent with the Self-build and Custom Housebuilding Regulations 2016

Regulation 5(4), Chichester District Council have set the following criterion, which all individuals (including associations of individuals) must satisfy in order to be eligible for entry on Part 1 of the Chichester District Local Plan Area Self-build and Custom Housebuilding Register.

1. Individuals must demonstrate that they have sufficient resources to purchase land for their own self-build and custom housebuilding.

The council will require relevant evidence of sufficient resources as follows:

- An offer for a self-build mortgage from a verifiable lender (for example, a member of the Council of Mortgage Lenders). Any evidence provided must clearly show that the release of funds for the purchase of land – which is usually the first phase of funding released – covers any proxy land value used by the council for the purposes of assessing this criterion.
- Written confirmation and evidence from a qualified financial advisor with active membership of a verifiable and appropriate professional body. This evidence should clearly outline that the applicant has sufficient readily accessible funds/equity to purchase land.
- Any other information which demonstrates, to the council's satisfaction, that the applicant has sufficient resources to purchase land for their own self-build and custom housebuilding.

Any information submitted only needs to demonstrate that sufficient resources are available to purchase land. Regulations do not require evidence of sufficient resources to cover build costs or other associated costs. Where an applicant provides information on total financial resources available for an entire project – e.g. purchase of land, build costs, fit out costs – the council may request further details such as an itemised list of funds for each phase of a project, to ensure that the land purchase costs can be met. Where multiple funding sources are utilised, evidence may be required that funds will be readily accessible for the purchase of land phase of the project.

The council may utilise information on recent land transaction costs and/or any other reasonable method of arriving at a proxy land cost to determine applications. As land values change over time we may require updated evidence of an applicant's ability to fund the purchase of the land.

The council will ask for further information where necessary; or refuse an application for entry in the register due to lack of information.

For associations, information must be provided for each individual.