

Chichester District Council

OVERVIEW AND SCRUTINY COMMITTEE

13 November 2018

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

1. Contacts

Report Author:

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2. Recommendation

The committee is requested to note and comment on the feedback by CDC Members in relation to communications with the SDNPA since the Overview and Scrutiny Committee meeting on 14 November 2017 and to accept the invitation of the SDNPA to hold a further meeting to address any outstanding concerns.

3. Background

3.1 At the meeting of the Overview and Scrutiny Committee (OSC) on 14 November 2017 officers presented a report setting out recent concerns raised by CDC members with regard to communication with the SDNPA. This followed a meeting between members and officers of both the SDNPA and CDC on 3 October 2017.

3.2 The papers for the meeting of OSC on 14 November 2017 reported that during the meeting on 3 October, the SDNPA made the following commitments with regard to communication with CDC members:

- a) That the relevant District Councillor(s) will be 'copied' in to all relevant correspondence from the SDNPA to Parish Councils;
- b) That District Councillors will be sent a copy of the SDNPA newsletter on a routine basis;
- c) That access to and communication with SDNPA planning officers is available and provided on an identical basis to that between CDC Members and the CDC SDNP Team officers;
- d) That the appropriate process for a member to request that a called-in application be considered by the SDNPA Planning Committee is through the CDC SDNPA Member; and that verbal representations on a planning application may be made to the SDNPA Planning Committee in a similar manner to the CDC Planning Committee;
- e) That SDNPA officers in conjunction with CDC Member Services will ensure that the database of contacts for CDC Members is up-to-date; and

- f) That SDNPA officers will in future notify parish councils and CDC Members of the relevant Policy and Resources Committee at which a Whole Estate Plan within Chichester District is to be considered.

3.3 Following the 3 October meeting the SDNPA clarified their understanding of the agreed position in relation to certain of the points at the meeting of 3 October in that:

- (a) – where the SDNPA have passed communication to CDC as an organisation there would be an expectation that this would be disseminated to relevant members internally by CDC Member Services;
- (b) – this would be sent to those district councillors that signed up to the newsletter electronically (i.e. self-service);
- (e) – the SDNPA would rely upon an up to date database of contacts for CDC Members once this had been provided by CDC;
- (f) – this was the correct process but that no WEPS had yet been put forward for endorsement in CDC area.

3.4 These additional comments were reported verbally to OSC at the meeting of 14 November 2017. The OSC resolved:

- 1) *That the outcomes from the meeting with the SDNPA, pursuant to the recommendations of the committee to the SDNPA on 13 June 2017 and Cabinet on 11 July 2017, be noted.*
- 2) *That a report comes back to the committee in 12 months' time with an update on progress.*

4. Outcomes

- 4.1 On 25 September 2018, the Divisional Manager, Development Management asked CDC members within the SDNP area to comment on their experience of communication with the SDNPA over the last 11 months. Feedback was received from 7 CDC members (Cllrs Wilding, Duncton, Graves, Shaxson, Dunn, Hardwick and Lintill).
- 4.2 No further matters were raised with regard to matters (b), (c), (d) and (e) and CDC Member Services confirmed that they will provide an up to date contact list of CDC Members as and when there is a change in membership of the Council.
- 4.3 Concern was raised by two CDC Members that they were only provided with one day notification of the consideration of the Highfield Whole Estate Plan at the SDNPA Policy and Resources Committee on 29 March 2018. SDNPA officers have confirmed that this was an oversight in this instance. Further concern was raised by the CDC Members that there should be more communication/consultation throughout the whole estate plan process, not simply at the end, however, referring back to the explanation that the SDNPA gave in the meeting of 3 October 2017, these plans are led by the estate in question and any consultation during their conception was a matter for them, not the SDNPA.

- 4.4 The remaining matter reported to OSC on 14 November 2017 was that of whether or not CDC Members are being copied in on communication sent by the SDNPA to the Parish Councils that form the wards of CDC Members (Point a) in paragraph 3.2 above). As set out in para 3.3, the SDNPA have stated that where CDC is notified of information as a District Council this will be for CDC to disseminate to its Members. CDC officers have confirmed that this has happened on several occasions over the last 11 months, the most recent of which was the notification of the SDNPA Parish Workshops on 29 November 2018, sent by the SDNPA to CDC Member Services on 25 October and relayed to CDC Members on 29 October. It is apparent from the comments provided by several CDC Members that what appears not to have been satisfactorily addressed is when and what information is not being passed to CDC, but only to Parish Councils, without copying in the local District Councillor. Several CDC Members have stated that they have not received any direct communication from the SDNPA, although the question remains as to whether this is evident of important information not being disseminated to CDC Members or whether there has not been any relevant information to impart in any event. What is clear is that there may be benefit from an improved understanding as to what CDC Members within the SDNP consider to be relevant and for the SDNPA to consider that further.
- 4.5 Correspondence has also been received from the Chief Executive of the SDNPA on this matter (copy of e-mail 12 October 2018 to Cllr Mark Dunn – attached as Appendix 1). This sets out, amongst other matters; *“Determining what is relevant correspondence is perhaps something we could benefit from better understanding CDC Members’ expectations. There is much correspondence from us to Parish Councils and I don’t think CDC Members would thank us if we forwarded all of it but we do need to get the balance right and I am not sure we are there yet. I can confirm that we have been sending all correspondence relating to the parish workshops to CDC Member Services to be circulated to CDC members (we do this with all Districts).”*
- 4.6 It is evident therefore that there is clear interest from the SDNPA to further engage with CDC Members to improve the understanding of what correspondence with Parish Councils is also likely to be of interest to CDC Members.

5. Next Steps

- 5.1 Whilst acknowledging the oversight by the SDNPA in providing only short notice of the Highfield Whole Estate Plan at the SDNPA Policy and Resources Committee in March 2018, in the absence of any further concerns being raised in relation to matters (b) to (f) previously reported to the OSC; it is considered that the only remaining matter is that set out as point (a) and the understanding of what correspondence with Parish Councils CDC Members also wish to receive. It appears that there are two options worth further consideration to address this issue:

1) That the SDNPA is requested to copy the relevant District Councillor in to communication with the Parish Councils within their ward; or

2) That the SDNPA is requested to copy CDC Member Services in to all correspondence with CDC Parish Councils, for CDC officers to then disseminate this information appropriately.

- 5.2 It is therefore proposed that CDC Members consider what further information they would want to be disseminated by the SDNPA, including the suggested options above and to accept the offer of a further meeting with the SDNPA to discuss these matters further.

Appendices

Appendix 1 – Copy of e-mail 12 October 2018 from the Chief Executive of the SDNPA to Cllr Mark Dunn

Appendix 1

Subject: FW: Communication between CDC & SDNPA

From: Trevor Beattie [mailto:Trevor.Beattie@southdowns.gov.uk]
Sent: 12 October 2018 17:02
To: Mark Dunn
Cc: Nat Belderson; Diane Shepherd; Hayley Leaver
Subject: RE: Communication between CDC & SDNPA

Dear Mark

Thank you for your email and for drawing this to my attention. In addition to your email I have also been sent a copy of a small number of emails from Chichester District Councillors on this topic which, although not addressed to me, I will also take the opportunity to respond to below.

I think it is helpful to start with the actions arising from our meeting in October 2017 as it is the implementation or otherwise of these actions that many CDC Members have commented on. In relation to these actions SDNPA clearly stated at the time (see attached emails dated 6 and 13 November 2017) that the actions had not been reported correctly for the reasons given in the attached emails. Unfortunately despite our written comments at the time no changes were made to the wording of the actions by CDC officers. This is doubly unfortunate given that i) we do not consider the actions to be what we agreed in the meeting and ii) as they now form the basis on which SDNPA appear to be judged. This is not the first time that minutes of joint meetings have had to be amended.

Taking each of the actions (as reported by CDC officers) in turn:

a) That the relevant District Councillor(s) will be 'copied' in to all relevant correspondence from the SDNPA to Parish Councils;

Reiterating the points we made back in November, where we have advised CDC as a District Council, it is for CDC Member Services to distribute as appropriate as they are best placed to know which of your Members may have an interest in a particular subject. Please bear in mind that with 15 District County and Unitary bodies to liaise with this is the only consistent approach we can make and works elsewhere

Determining what is relevant correspondence is perhaps something we could benefit from better understanding CDC Members' expectations. There is much correspondence from us to Parish Councils and I don't think CDC Members would thank us if we forwarded all of it but we do need to get the balance right and I am not sure we are there yet. I can confirm that we have been sending all correspondence relating to the parish workshops to CDC Member Services to be circulated to CDC members (we do this with all Districts).

b) That District Councillors will be sent a copy of the SDNPA newsletter on a routine basis;

We produce 2 newsletters that might be of interest to CDC members. First is our monthly newsletter which covers general National Park matters and we also produce a e-bulletin focused solely on planning matters 3 times a year. CDC Members are very welcome to receive either or both of these but they do need to sign up for them, because of data protection regulations we cannot do it for

them. This was explained when we met in October 2017 to CDC Councillors and the actions should have reflected this.

We'd welcome the opportunity to increase circulation for both newsletters and I can confirm that 51 people with a Chichester email address currently receive our newsletter. Even for our less widely circulated planning e-bulletin there are 33 recipients with an @chichester.gov.uk email address.

c) That access to and communication with SDNPA planning officers is available and provided on an identical basis to that between CDC Members and the CDC SDNP Team officers;

We all agree that this should be the case and I understand that this is happening. The process of a Ward Councillor ringing up or making enquiries on planning matters is the same inside the Park as is elsewhere within CDC area. Again if there are any concerns in respect of particular applications please let our Director of Planning, Tim Slaney, know at the time.

d) That the appropriate process for a member to request that a called-in application be considered by the SDNPA Planning Committee is through the CDC SDNPA Member; and that verbal representations on a planning application may be made to the SDNPA Planning Committee in a similar manner to the CDC Planning Committee;

This remains the case.

e) That SDNPA officers in conjunction with CDC Member Services will ensure that the database of contacts for CDC Members is up-to-date; and

We will ensure that we use the up to date contact information for CDC Councillors but obviously these details do need to be provided to us by CDC Member services.

f) That SDNPA officers will in future notify parish councils and CDC Members of the relevant Policy and Resources Committee at which a Whole Estate Plan within Chichester District is to be considered.

At the time of our meeting in October 2017 there had been no endorsed Whole Estate Plans (WEPs). It is correct that we gave this commitment and it is of course right that we do this. Unfortunately it is also the case that my officers only notified the ward councillors of the Highfield and Brookham WEP the day before Committee. This was an oversight, is not acceptable and my officers apologised at the time.

Going forward the next WEP likely to be put forward for endorsement is for the West Dean Estate in February 2019. I will ensure that Ward Councillors are notified in good time of this.

I'd also like to take the opportunity to respond to some of the other comments raised by Councillors in the small number of emails that have been provided to me.

Role of District councillors in planning applications

Questions and comments from CDC Members on planning applications are welcomed and I would expect SDNPA officers to deal with such questions politely and in a timely fashion. If you ever consider this not to have been the case please notify Tim Slaney, our Director of Planning, at the time.

Surrey and Sussex Association of Local Councils conference

Andrew Lee, our Director of Countryside Policy and Management was booked to attend a recent SALC conference. Unfortunately, due to reasons beyond his control he missed this and Andrew has already apologised to the organisers. However one of our Members, Tim Burr, attended and we understand that he was very well received. We will continue to engage with SALC going forward, as we do successfully with the Hampshire and East Sussex Parish groups.

Role of the link officer

Nat Belderson, in his role as Planning Link Officer, is very active in the Chichester area and as you know his role is crucial to communication between CDC and SDNPA. However the majority of the National Park's planning service in Chichester is discharged by CDC and where, for example, Councillors are writing on cases being handled by CDC it is for CDC officers, in the main, to reply. This is both to empower them in their own cases and a commercial expectation from our side given that we pay CDC nearly a million pounds a year for undertaking planning functions on our behalf. However where required Nat will become involved and we can point to multiple instances of this.

Officers' working relationships

I consider, and have not heard differently from CDC Members, that communication and relationships between SDNPA and CDC officers are strong and well established. In addition to the role of planning link officer there are multiple regular contacts between our officers, including:

- Quarterly meetings between myself and Diane Shepherd
- Quarterly meetings on planning performance with CDC's Director of Planning and Head of Development Management
- The longstanding engagement on our Emerging Local Plan
- CDC planning officers (along with planning officers from other host authorities) are invited to SDNPA for an all planning staff team meeting at the end of October
- Project specific work where required (e.g. CIL)
- We have regular meetings with CDC officers on affordable housing delivery
- Relevant officers are invited to our Parish workshops where required
- Discussions between senior officers and the Director of Planning with Ward Councillors on a range of matters relating to areas of mutual interest on regular occasions.

Way Forward

We obviously share a mutual desire and ambition to make the communication between CDC and SDNPA better. It is clear that we are not there yet and this will require effort from both SDNPA and CDC. I would like to pick this up in another meeting between SDNPA Members and CDC Councillors. If you are amenable we will organise this.

Regards
Trevor

Trevor Beattie
Chief Executive Officer
South Downs National Park Authority