

Chichester District Council

THE CABINET

5 March 2019

Chichester Harbour Management Plan 2019-2024

1. Contacts

Report Author:

Tom Day – Environmental Co-ordinator
Telephone: 01243 534854 E-mail: tday@chichester.gov.uk

Cabinet Member:

John Connor - Cabinet Member for Environment Services
Telephone: 01243 604243 E-mail: jconnor@chichester.gov.uk

2. Recommendation

- 2.1 That the Cabinet recommends to Council the adoption of the Chichester Harbour Management Plan 2019-2024 (contained in the Appendix to this report) with the exception of the Planning Principles in Section 3**

3. Background

- 3.1 The Countryside and Rights of Way (CRoW) Act 2000 places a duty on Local Authorities to have regard to the purpose of conserving and enhancing the natural beauty of an Area of Outstanding Natural Beauty (AONB). This duty has to-date been discharged by adopting the joint Management Plan for the Harbour AONB (“the 2019-2024 Plan”) and implementing the actions within it that are relevant to our powers and responsibilities.
- 3.2 The CRoW Act also stipulates that AONB Management Plans are to be reviewed and revised every five years. Chichester Harbour Conservancy (CHC) is the Joint Advisory Committee for the AONB and so leads work on drawing up the revised Management Plan on behalf of Hampshire, West Sussex, Havant and Chichester Councils through a joint working group. The revised plan (see Appendix available electronically only) is now due for adoption by 1 April 2019.

4. Outcomes to be Achieved

- 4.1 The main outcome of the plan is to conserve and enhance Chichester Harbour AONB for residents and visitors and in approving the Plan, the Council commits to support the delivery of actions contained in the Plan within the Chichester District.
- 4.2 The action points (listed under each policy heading in the plan) will be subject to annual monitoring reports by CHC.

5. Proposal

- 5.1. The 2019-2024 Plan will replace the previous 2014-2019 and 2009-2014 versions that the Council has previously adopted. It is an entirely new plan with a different structure to its predecessors. The number of policies has been much reduced and specific actions have been re-introduced.
- 5.2 The plan is due to begin implementation from 1 April 2019, so it is proposed that it is adopted by the Council formally before the end of March.
- 5.3 Section three contains the Planning Principles (essentially planning policies) that will be applied by CHC in assessing planning proposals for development in the Chichester Harbour AONB. These are written for the specific use of CHC and it would not be appropriate for the Council to adopt them. As a local planning authority, Policy 43 of the adopted Local Plan and the adopted Supplementary Planning Document provide policy and guidance on the AONB with which to assess relevant planning applications and other proposals. It is proposed therefore that section three of the Management Plan is excluded from formal adoption by the Council.

6. Alternatives Considered

- 6.1 The duty under the CRoW Act applies to all the local authorities within the AONB area. However not to have co-operated with the preparation of a joint plan would have undermined the management of the AONB and required considerable resource to draw up a separate plan just for Chichester District.

7. Resource and Legal Implications

- 7.1 The adoption of the plan fulfils an existing statutory duty on the Council. The plan has been subject to the legal requirements of Habitats Regulations Assessment and Strategic Environmental Assessment, commissioned by CHC and overseen by the joint working group.
- 7.2 Through co-ordination of effort and policy the Council has been able to support the delivery of actions contained in the plan through existing staff resources and this will continue to be the case.
- 7.3 A small amount of officer time is also required to contribute to the annual monitoring reports.

8. Consultation

- 8.1 A working group was convened by CHC to draw up the plan. This consisted of representatives from West Sussex County Council, Hampshire County Council, Chichester District Council and Havant Borough Council, together with Natural England representing central government.
- 8.2 A full public consultation was undertaken by CHC on behalf of all the authorities between 15 August 2018 and 15 October 2018. The plan has been revised by the working group and CHC in the light of comments received (see background paper below for details).

8.3 CHC approved the Management Plan at its meeting on 28 January 2019. The other local authorities are taking the plan through their approval procedures in March.

9. Community Impact and Corporate Risks

9.1 The implementation of the previous Management Plans has led to positive community benefits for residents, visitors and businesses. The main risk associated with the plan is non-delivery of the actions. The track record of delivery on previous plans indicates that this risk is low and can be managed through the annual review and monitoring process.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder		X
Climate Change and Biodiversity Positive impacts on the management of the Harbour for Biodiversity	X	
Human Rights and Equality Impact. The Plan had been subject to an Equalities Impact Assessment which concluded “here is no evidence to indicate that the Management Plan would cause a differential impact on people defined under the nine equality characteristics.”		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing Policy within the plan on wellbeing and encouraging leisure activities within the harbour	X	
Other (please specify)		X

11. Appendix

11.1 Chichester Harbour Management Plan 2019-2024 (Third Review): An Integrated Coastal Zone Management Strategy for the Trust Port and Area of Outstanding Natural Beauty (available electronically only)

12. Background Papers

12.1 Chichester Harbour Conservancy report (12 November 2018) on the outcomes of the consultation. https://www.conservancy.co.uk/assets/files/cms_item/280/d-12_November_18_CHC_Agenda_and_Papers-AL5RGhmN6W.pdf