



Minutes of the meeting of the **Overview & Scrutiny Committee** held in Council Chamber, West Sussex County Council, County Hall, West Street, Chichester on Tuesday 26 November 2019 at 9.30 am

**Members Present:** Mr A Moss (Chairman), Mrs C Apel, Mrs T Bangert, Mr A Dignum, Mr K Hughes, Mr D Palmer, Mr C Page, Mr H Potter, Mrs S Sharp and Mr A Sutton

**Members not present:** Mr T Johnson

**In attendance by invitation:**

**Officers present:** Mrs J Hotchkiss (Director of Growth and Place), Mrs T Murphy (Divisional Manager for Place) and Mr P E Over (Executive Director & Deputy Chief Executive), Mr N Bennett (Divisional Manager – Democratic Services) and Miss K Davis (Democratic Services Officer), Mrs L Rudziak (Director Housing and Communities)

1 **Chairman's Announcements**

Apologies for absence were received from Mr Johnson.

2 **Urgent Items**

There were no urgent items.

3 **Declarations of Interests**

There were no declarations of interests.

4 **Public Question Time**

There were no public questions.

5 **Parking Proposals and Off-Street Parking Charges**

The Committee considered the Parking Proposals and Off-Street Parking Charges report considered by Cabinet on 5 November 2019 and the draft resolution circulated with the agenda.

The Chairman welcomed the speakers who had been invited to today's meeting to provide their views and those of the organisations they represented on the parking

proposals. He explained that the Committee was responding to the consultation on the car parking proposals.

Mrs Murphy reported that the public consultation was currently underway and ran from 21 November 2019 until 16 December 2019. Notices had been displayed in the Council's car parks and in a local newspaper. Key stakeholders were currently being consulted and all feedback would be collated and presented to Cabinet on 7 January 2020. Once the final decision was made on the proposals, notification would take place advising the public of the changes to come into effect on 1 April 2019.

The Chairman invited the following representatives to present their views:

*Mr Hicks, Chairman, Chichester BID:* Mr Hicks commented on the concessions made in the rural towns concerning free 1 hour parking in Petworth, the 7% drop in footfall last year and the 13% drop this year and advised that the Christmas footfall increase was not guaranteed. The BID had been working with the District Council on schemes designed to improve "dwell time". The BID was aware that although there were less visitors to Chichester, retail sales were rising. Businesses felt parking should be free with 70% blaming parking charges for fewer visitors. Mr Hicks stated that 20% of car park users raise parking as an issue. The District's charges compared with some other council compared favourably.

Incentives proposed:

- Car Less: Discourage car use by increasing charges to reduce car use in Chichester City Centre. Consider effect on rural car parks as lack of public transport.
- Bike, foot, bus and train: Lack of inner city transport doesn't assist.
- Blue badge scheme extended.
- Promotion of the City: Working with visit Chichester to promote the City.
- Suggested ring fencing parking fee income.
- Free 1 hour parking at end of parking pay and display ticket period – suggested that no penalty parking charges would be issued during this time.
- Avenue de Chartres car park should be promoted more as it was underutilised.
- Season ticket scheme: Good scheme but should be promoted more efficiently. MiPermit was more popular with the younger generation.
- One off events: Free parking should be considered.

Mrs Murphy provided details of the incentives that the Council continued to promote to encourage the use of its car parks. The Council worked with Mipermit to promote the District Council's scheme nationally. The Council wanted visitors to arrive in the District with the Mipermit app already installed on their mobile phones, which would enable them to extend their stay if necessary. The Council ran a Park and Ride scheme during the Christmas period which visitors attending free events could use.

With regard to the suggestion of an extra hour granted after a parking ticket had expired without enforcement she was not aware that other councils offered such an incentive. This incentive may add confusion to users of the car parks and would need to be looked into carefully if there was a wish to take this forward. Mr Bennett added that his immediate concern if a free one hour parking was allowed was

ensuring fairness. Legal advice would be sought if this incentive was taken forward. If the Council under enforced it had to be done under a particular policy.

Mrs Hotchkiss informed members that a number of the incentives Mr Hicks had spoken about were welcomed and had been discussed with Chichester BID. Important aspects highlighted by Mr Hicks included increasing the 'dwell time' and the importance of events happening in the City to encourage visitors. Chichester BID and Chichester City Council had been approached to see if they would like to support the proposed parking incentives including financially. Cabinet had agreed to increase the parking charges in Little London and Baffins Lane car parks so that they could be performance managed and encourage visitors not to bring their vehicles into the city centre. As part of the Chichester Vision process and the Car Parking Strategy, the use of these car parks was being looked into and with the introduction of the Blue Badge scheme, one proposal that would be looked into was providing additional car parking spaces for blue badge holders and electric vehicles.

Mr Hicks felt that the Council should look at introducing incentives that would not affect its finances. There was a perception that parking charge prices were putting off visitors from coming into the City.

*Mrs Meddows-Smith, Chief Executive, Chichester Chamber of Commerce and Industry:* Mrs Meddows-Smith advised that as there had been a number of board member changes at the Chamber and a loss of continuity she was not in a position to present the views of the Chamber. However, she would report back to the Chamber the discussion on this item at today's meeting and would respond to the consultation currently taking place.

*Mr Sutton, Chichester District Parking Forum Member and Petworth Ward Member:* Mr Sutton referred to the extensive debate that had taken place at the Chichester District Parking Forum concerning the rationale for providing a free parking period for the rural areas, which was broadly accepted by the Forum. He referred to the absentees, but in his view he did not think that it had stifled debate as there were arguments for both sides.

He read out the comments of Mr McAra (Ward member for Midhurst) and his view over the particular issues concerning the revenue loss to the City if a free parking time was introduced. In particular the importance of the rural towns retaining the free parking periods was stressed, which were essential to the continued efforts to keep these shops solvent during increasingly hard times.

*Mrs Fowler, representing her views and those of Mr S Morley (Midhurst Town Councillor):* Parking needs for the rural car parks were different to the City and free parking in Midhurst had increased the number of visitors. If free parking was removed visitors would travel to the nearby larger towns outside of the District instead.

In response to a question from a member, Mrs Hotchkiss explained that the provision of free parking periods by other council's was dependent on the size of their parish, town and cities. The two hour free parking period incentive provided in some Bognor Regis car parks was funded by Bognor BID and Arun District Council.

*Mrs Lintill, Leader of Chichester District Council:* Mrs Lintill referred to the negative impact of removing the free hour parking in Petworth, as it may encourage visitors to park on the narrow streets. The provision of more free parking would impact on the Council's finances and may result in other services being reduced. Public transport in the rural areas was less adequate than routes to the City. She visited Chichester to buy products she was unable to buy in Petworth.

*Mrs Plant, Acting Chairman of Chichester District Car Parking Forum:* The Council's policy stated that Chichester District Council's parking charges were reasonable and adequate, and allowed a turnover of spaces. The user paid for the service and was not subsidised. It was a discretionary activity and the income raised was used to fund discretionary activities provided by the Council. Officers were aware of the different issues affecting the car parks, hence different proposals for the car parks in each locality to nudge behaviour and improve parking usage. The Parking Forum, when considering the proposals worked through all the alternatives, but ultimately did not want any increase in charges. Free periods of parking were discussed but she considered that the Parking Forum was not convinced the arguments would increase the use of the car parks. In order to protect the Council's funding streams, it was necessary to increase parking charge by the rate of inflation over a period of two years. The proposals intended to encourage visitors not to park in the central car parks so as to not to end up with queues and engines running, leading to poor air quality. She welcomed incentive schemes concerning electric charging and the blue badge scheme.

*Mr Bell, Cabinet Member for Growth, Place and Regeneration:* Mr Bell advised that he was a Director of Chichester BID. He referred to Mr Hicks' comments that the schemes Chichester BID wanted the Council to look into would not impact the Council's revenues. He welcomed the BID's suggestion that Avenue de Chartres, being underutilised, was ideal for free event parking days. He welcomed some experimentation, providing the financial impact was understood and the implementation of the charges on 1 April 2020.

During the discussion the following comments were made by members. A comment was made about the Council's reliance of the funding stream from car parking income. A point was made with regard to climate change, that a climate emergency had been declared by the Council but vehicles continued to park in the City centre. The Council should do more to promote walking, cycling and the use of public transport. This would require better public transport infrastructure to ensure it was fit for purpose. A request was made that the Council should investigate the feasibility, as well as preparing costings, for a year round park and ride scheme. The majority of Members on the whole supported a free parking period in the rural areas should remain, as they were less well served by public transport.

The Chairman commented that at the Overview and Scrutiny meeting held on 19 November 2019, Mrs Bourne, Chief Executive of Chichester Festival Theatre had advised that restaurant takings were down due to the impact of evening charges. He referred to the correspondence he had received from independent retailers in the District who were of the view that the car parking charges were seriously affecting their businesses. He believed the Council could affect behaviour, in particular the number of cars that used Little London car park. He felt that there were opportunities that would not affect the Council's budget, for example only allowing

electric vehicles and blue badge holders to park in Little London and Baffins Lane to help reduce air pollution in the City. With regard to the new Parking Strategy he suggested changing to one year parking charge increases with a review at the end of the year to look into ways of attracting visitors into the City.

Mrs Hotchkiss advised that at a meeting she and Mrs D Shepherd, Chief Executive had attended with Mrs Bourne, they were advised that evening charges had not had an effect on ticket sales. The views of retailers were a perception. Officers were aware of the impact that rents, business rates and online shopping had on retailers and advised that work was taking place with Chichester Vision and the BID on this matter. People are increasingly spending more leisure time on the high street. The parking strategy was an audit of need and was not focused on the charges. She undertook to look again at the park and ride to see if it was feasible to provide the services outside of the Christmas period, but finding the right location an issue.

Mrs Murphy and Mrs Hotchkiss outlined the timescales relating to the upcoming review of the Parking Strategy, which will set the strategic direction for parking in the Council's car parks over the coming years and that whilst any changes to charges would be closely monitored it may be difficult to introduce and proposals from the Parking Strategy review relating to charges for April 2021 given the timescales involved.

The Chairman explained that he would produce a report, to take into account today's discussion on the proposals, to feed into the council's parking charges consultation. A draft would be circulated to members of the Committee who would be given the opportunity to comment.

## **RESOLVED**

That the Overview and Scrutiny Committee uphold the decision made by Cabinet, which was as follows:

1. That the proposal be approved as set out in 5.1 of this report to increase car parking charges with the additional amendment of a £2 per hour rate for both Little London and Baffins Lane car parks, which subject to consultation responses be implemented from 1 April 2020 for a two year period.
2. That the Director of Growth and Place be authorised to give appropriate notice of any revised charges or changes as set out within this report pursuant to the Off-street Parking Places (Consolidation) Order 2018 and Road Traffic Act 1984.
3. That the consolidation of all Parking Orders since 2012 into one document be approved. This document will further clarify the provision for electric payments and the exemption from daily charges for Blue Badge holders (with the exception of Pay on Foot parking) which subject to consultation be implemented from 1 April 2020.

## **RECOMMENDED**

That the Overview and Scrutiny Committee produce a report to Cabinet with its response to the proposed car parking charges increase consultation before the closing date of 16 December 2019.

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

### **RESOLVED**

That the public, including the press, should be excluded from the meeting on the following grounds of exemption in Schedule 12A to the Local Government Act 1972, namely Paragraphs 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and 5 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

## 7 **Southern Gateway Task and Finish Group Final Report**

Members considered the confidential report circulated to officers.

Mr Palmer, Chairman of the Southern Gateway Task and Finish Group, introduced the item and presented the findings of the Task and Finish Group on the progress of the Southern Gateway project and the final submissions in respect of a development partner.

He stated that it was important that going forward members should have a handle on progress of the Southern Gateway project going forward, which was likely to last eight years. It was considered that there had not been sufficient engagement with members during the process. With regard to the future roll of the Committee in the Southern Gateway process, he suggested quarterly progress meetings should take place between the developer and the Overview and Scrutiny Committee.

He thanked the members of the Task and Finish Group for their contribution and congratulated officers on the work they had carried out, as well as the quality of Developer A's bid.

Mr Sutton thanked Mr Palmer for taking on board all the views of the Task and Finish Group members in the final report.

### **RESOLVED**

That the findings of the Southern Gateway Task and Finish Group be noted.

## 8 **Southern Gateway - Appointment of a development partner**

Members considered the confidential report circulated to officers.

Mr Bell, Cabinet Member for Growth, Place and Regeneration, introduced the report.

The Council's consultants Mr Roberts of Jones Lang LeSalle and Mr Matthew of Browne Jacobson LLP were in attendance to provide advice concerning the property and legal aspects.

Mr Over presented the report and took members through the Final Tender Evaluation (appendix 2) and the reasons for recommending preferred Developer A. The Evaluation before the Committee today differed slightly to the report being presented to Cabinet, but were solely presentational changes with the scores remaining the same. He explained the differences between the final bidders in their approach and the reasons for how each of the scores were reached. He advised that 'appendix 8' referred to in paragraph 4.25 of the report should read 'appendix 2'. A lengthy background to the project had been included in the report due to the number of new members following the District Council election, which set out all the previous approaches and the delegated powers given to officers with full consultation with the Leader of the Council. It was important not to lose sight of the objective to deliver jobs, housing, business space and public realm. Officers would, through dialogue, be flexible when working with the chosen developer on their proposals and want to provide something that the Council can be proud of.

During the ensuing discussion Mr Over, Mr Roberts and Mr Matthew answered members' questions. If for any reason it was not possible to reach agreement with the chosen developer on the development agreement, including the land values then a further report would be considered by members. However, dialogue meetings had concluded with the bidders to resolve any issues and the next stage would be to negotiate the terms once the bidder was chosen. To ensure a Design Panel was provided by the preferred developer if chosen, this could be made a requirement in the development agreement. With regard to zero hours contracts, the preliminary questionnaire completed by the bidders concerning equal opportunities and employment matters had been addressed. With regard to the nature of the role the Overview and Scrutiny Committee's wished to play in the future monitoring of the project, there would be a whole consultation process designed with the developer. The Committee must clearly have a role but it should be proportionate.

Mr Bennett reminded members that the scrutiny function, under the Local Government Act 2000, was primarily to hold the executive to account by developing and reviewing council policies. Section 9F(5) of the Act specifically prohibited scrutiny committees from trying to discharge executive functions.

As requested by the Southern Gateway Task and Finish Group, it was agreed that the Committee should receive quarterly progress meetings on the project with the selected developer.

## **RECOMMENDED**

1. That Cabinet are recommended following "standstill" and dealing with any issues arising, and confirmation that West Sussex County Council have cleared their own governance processes, including call-in, that the Council select Developer A on Heads of Terms shown in Appendix 1 to deliver the Southern Gateway Masterplan regeneration project pursuant to the outcome of the Evaluation Report at Appendix 2 once matters of detail are finalised with the bidder.
2. That Cabinet are recommended to liaise and agree with the selected developer an appropriate means of consultation so as to engage and involve both Councillors and the community as detailed design and other proposals are developed.

**RESOLVED**

That the Overview & Scrutiny Committee should have quarterly progress meetings on the project with the selected developer.

The meeting ended at 1.00 pm

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CHAIRMAN

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Date: