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Minutes of the meeting of the **Council** held in Virtual on Tuesday 22 September 2020 at 2.00 pm

Members Present: Mrs E Hamilton (Chairman), Mrs C Apel (Vice-Chairman),
Mrs T Bangert, Mr G Barrett, Miss H Barrie, Mr M Bell,
Rev J H Bowden, Mr R Briscoe, Mr J Brown, Mr A Dignum,
Mrs J Duncton, Mr J Elliott, Mr G Evans, Mrs J Fowler, Mrs N Graves,
Mr F Hobbs, Mr K Hughes, Mrs D Johnson, Mr T Johnson, Mrs E Lintill,
Mrs S Lishman, Mr G McAra, Mr A Moss, Mr S Oakley, Dr K O'Kelly,
Mr C Page, Mr D Palmer, Mrs P Plant, Mr R Plowman, Mr H Potter,
Mrs C Purnell, Mr D Rodgers, Mrs S Sharp, Mr A Sutton, Mrs S Taylor
and Mr P Wilding

Members not present:

Officers present all items: Mr N Bennett (Divisional Manager for Democratic Services),
Mr A Frost (Director of Planning and Environment),
Miss L Higenbottam (Democratic Services Manager),
Mrs J Hotchkiss (Director of Growth and Place), Mrs L Rudziak
(Director of Housing and Communities), Mrs D Shepherd (Chief Executive) and Mr J Ward (Director of Corporate Services)

18 Minutes

Cllr Johnson requested an amendment minute to note that some members did not support the proposal as it was understood that one Parish on the Peninsula did not support the proposal.

RESOLVED

That the minutes of the Annual Council meeting held on 21 July 2020 be approved subject to the above amendment.

19 Urgent Items

The Chair confirmed that she would be accepting no late items.

20 Declarations of Interests

The following declarations of personal interest were made in respect of agenda item 7:

- Cllr Oakley as a member of West Sussex County Council, Tangmere Parish Council and a Chichester District Council appointed member of the Portsmouth Water Customer Forum.

- Cllr Duncton as a member of West Sussex County Council and as a member of the South Downs National Park Authority Planning Committee

21 Chair's Announcements

There were no apologies for absence.

The Chair on behalf of the Council sent sincere condolences to the family of Tony French who recently passed away. Tony was a long serving district councillor who demonstrated dedication to his local community. He will be remembered for his vibrant personality and for the friendship he gave to many members present today.

Cllr Duncton and Cllr Apel also paid personal tributes to Tony French.

22 Public Question Time

The following public question was submitted by Mr Oliver English:

I think it would be fair to say that we need more provisions for cyclists, so my question has more than one part

Currently the WSCC Pop up Covid Cycle Lanes are causing huge amounts of chaos around Chi, including blocking emergency vehicles in congestion, people such as myself experiencing pollution in their homes on a regular basis since the cycle lanes are causing more congestion and more cars are sitting idling in traffic jams, to the first part of my question, aren't CDC concerned about the negative impact of this poorly thought out scheme on businesses and residents and are you talking to WSCC in order for them to make some urgent safety changes. No crossings for cyclists or pedestrians to use.

Chi seems to already have some good secretions of cycle links. Is there any plans to link up the likes of Centurion Way with the canal basin, perhaps with a provision for cyclists to use the pedestrianised centre?

Is CDC adopt a joint up approach, so that in future any out of town shops such as Lidl must include provisions for cycle and public transport links, if car journeys are to be discouraged?

Cllr Plant responded as follows:

Thank you for statement and questions. The Council agrees that greater provision for walking and cycling is important given the many health, environmental and economic advantages of these active, self-propelled, travel modes. CDC is currently out to consultation on its draft Local Cycling and Walking Infrastructure Plan, which is available on the Council's 'Let's Talk' webpages. WSCC has also produced a LCWIP, Sustainable Travel Package and Local Transport Improvement Plan for Chichester. Over the years CDC has grant funded many additional bike racks in the city centre, promoted active travel to schools through grant funded Sustrans' Bike It officers and is supporting the development of the Chichester to Selsey Greenway through grant which is delivering the necessary baseline ecological surveys.

We are aware of the diversity of views on social-media and the local press that are prevalent about the WSCC pop-up cycle scheme in Chichester. The scheme has been

delivered by WSCC following a successful bid to DfT for the government's post-Covid recovery Emergency Active Travel Fund. The scheme, as with those across the UK, is designed to provide room for social-distanced cycling and walking, facilitate safer walking and cycling as a way of locking-in the increased prevalence of those modes throughout Covid Lockdown and minimising the use of public transport to enable social-distancing.

CDC is in regular contact with WSCC who, as the local Highway Authority, have received the bulk of the feedback on the pop-up scheme and are highly aware of the many views expressed. WSCC confirm that they are liaising with Sussex Police, West Sussex Fire and Rescue and Sussex Ambulance Service to better understand any issues that may arise. There are no immediate plans to amend the scheme though a Road Safety Review is programmed for the week commencing 21 September 2020 with a wider review of the scheme to be undertaken in early October.

CDC has an air quality monitoring station on Orchard Street and we are watching the data carefully for signs that the scheme is having a significant impact which, to date, is not evident. Air quality across the city has seen improvements in recent years and in most places is compliant with UK air quality standards which are designed to protect those most vulnerable to the impact of poor air quality. Computerised air quality modelling predicts that air quality will continue to improve in the coming years. Nevertheless we are not complacent and continue to monitor air pollution in many places and are currently rewriting our Air Quality Action Plan.

There are crossing points indicated on the existing Chichester pop-up scheme. In most cases these offer a shorter pedestrian route across the road than would otherwise be the case. WSCC has bid for a second tranche of DfT monies and, should WSCC be awarded the grant, then further amendments could be made to the scheme. WSCC has set-up a member led task and finish group to agree the detail of what the second tranche monies would be spent on and crossing points is one possibility.

There are no specific plans to link Centurion Way with the canal basin. Nevertheless the Southern Gateway development includes the aspiration to make the area's regeneration walking and cycling friendly and CDC's draft LCWIP includes a route along Westgate. We are working to integrate the LCWIP into planning considerations by associating it with the emerging revised Local Plan and WSCC's Local Transport Plan rewrite. Whilst CDC is the Local Planning Authority we take our transport related advice from WSCC highways who specify what any planning application should deliver by way of infrastructure and layout that will encourage non-car mode travel. For many people cycling to a supermarket is unlikely to be a viable option for shopping trips.

23 **Council's Annual Report 2019-2020**

Cllr Lintill was invited to introduce the report. She took the opportunity to thank Mr Buckley and Mrs Westbrook for their work in producing the report. Both Cllr Lintill and the Cabinet members also gave thanks to officers and members for all the work carried out over the past year and throughout the pandemic.

Cllr Lintill moved the recommendation which was seconded by Cllr Taylor.

Cllr Lintill then invited each Cabinet member to outline their portfolio in turn.

Members made the following suggestions:

- With reference to page 49 of the agenda pack consideration to be given to widening the notification of planning applications to include a greater number of people in the local communities that are affected by applications.
 - Broadening the remit of the wellbeing service to help mitigate the effects of the pandemic.
 - Given the current use of virtual meetings consideration to be given to the flexibility they offer to consider the opportunity of more flexible meeting timings.

Further to a request for the statistics on the level of enforcement notices Mr Frost confirmed that the workload had remained similar to the previous year.

Cllr Taylor then responded to comments regarding the omission of the implications of the delay on the Local Plan. She explained that all Local Plan reports are received by the Development Plan and Infrastructure Panel. Mr Frost added that the Annual Report is not a progress report. With regard to the implications of the transport modelling work in respect of the southern link road, both Cllr Taylor and Mr Frost agreed that the wait for statutory responses had contributed to the delay.

Cllr Dignum then responded to a suggestion that the council consider offering mortgages. He explained that there is currently no policy to do so but he would work with Cllr Wilding to consider the option.

Members voted virtually on the officer recommendation which was carried.

RESOLVED

That the Annual Report 2019-2020 be received.

24 Tangmere Strategic Development Location - Chichester District Council (Tangmere) Compulsory Purchase Order

Cllr Taylor was invited to introduce the report.

Cllr Taylor then moved the recommendation which was seconded by Cllr Plant.

With regard to concerns raised about delivery in excess of 1300 homes Mr Frost sought to reassure members that officers will continue to work with Countryside Properties on the quantum, form and details of the scheme.

With regard to a suggestion as to whether more needs to be done in the future at an early stage, Mr Bennett accepted that early stage conversations are helpful. He then referred members to Robin De Wreede, the council's specialist legal advisor who provided an overview of the process. Mr De Wreede took the opportunity to clarify that the 1300 new homes figure is linked to the Compulsory Purchase Order, however any planning application for those homes should be considered at the time on its planning merits.

Members voted by roll call on the officer recommendation which was carried.

RESOLVED

1. That the Council authorises the use of Compulsory Purchase powers as set out in Section 226(1)(a) of the Town and Country Planning Act 1990 to compulsorily acquire the Order Land identified within Appendix B, and in particular that the Council makes the Order;
2. that the Director of Planning and the Environment be authorised, following consultation with the Cabinet Member for Planning Services, to:
 - a. settle the final form and content of the Order and all associated documentation and take all action needed to pursue the Order and secure its confirmation;
 - b. negotiate, agree terms and enter into agreements with interested parties including agreements for the withdrawal of objections or undertakings not to enforce the Order on specific terms including where appropriate removing land or rights from the Order or to request the modification of the Order by the Secretary of State;
 - c. implement the Order powers following confirmation of the Order and so acquire title to and/or take possession of the Order Land.

25 Committee and Outside Body Appointments

The Chair congratulated Cllr Dignum who had re-joined the Cabinet. She explained that as a result of the appointment the Council is requested to agree changes to Committee memberships in order to maintain political balance and to comply with the Constitution which does not allow a Cabinet member to sit on Overview and Scrutiny Committee or to Chair the Corporate Governance and Audit Committee.

The first recommendation to appoint Cllr Bell to replace Cllr Dignum on Overview and Scrutiny Committee was proposed by Cllr Lintill and seconded by Cllr Taylor.

Members voted virtually on the recommendation which was carried.

RESOLVED

That Cllr Bell be appointed to the Overview and Scrutiny Committee in place of Cllr Dignum

The second recommendation to appoint Cllr Dignum to replace Cllr Bell as Chichester District Council representative on the Chichester Business Improvement Board was proposed by Cllr Lintill and seconded by Cllr Taylor.

Members voted virtually on the recommendation which was carried.

RESOLVED

That Cllr Dignum be appointed as the Chichester District Council representative on the Chichester Business Improvement Board in place of Cllr Bell.

The Chair then sought nominations for the third vote to appoint a Chair for Corporate Governance and Audit Committee.

Cllr Lintill put forward Cllr Hobbs which was seconded by Cllr Taylor.

Cllr Barrie put forward Cllr O'Kelly which was seconded by Cllr Brown.

There were no further nominations.

Cllr Brown and Cllr Lintill gave reasons for their nominations.

In line with the Constitution Mr Bennett conducted a secret virtual ballot.

Cllr Hobbs received 19 votes. Cllr O'Kelly received 16 votes. There was one abstention.

RESOLVED

That Cllr Hobbs be appointed as Chair of Corporate Governance and Audit Committee.

26 Committee Calendar of Meetings May 2021 to May 2022

Cllr Wilding was invited to introduce the report. He explained there was one amendment to change the start time of Overview and Scrutiny Committee's to 2.00pm.

Cllr Wilding then moved the amended recommendation which was seconded by Cllr Lintill.

Cllr Lintill confirmed her commitment to consider meeting timings prior to the next district elections.

Members voted virtually on the officer recommendation with the amendment of a 2.00pm Overview and Scrutiny Committee start time which was carried.

RESOLVED

That the committee calendar of meetings for May 2021 to May 2022 be approved subject to the amendment of a 2.00pm start time for Overview and Scrutiny Committee.

27 Motion submitted by Cllr Oakley

The Chair explained that she had received three motions and one amendment. One motion from Cllr Tim Johnson was not allowed due to its similarity in nature to a recently debated motion. The second a motion from Cllr O'Kelly was referred directly to the Environment Panel. The third a motion from Cllr Oakley was accepted for debate. The amendment from Cllr Brown was also accepted for debate.

Cllr Oakley outlined his motion below:

This Council calls on the Government to withdraw its proposals, contained in its consultation on Changes to the Current Planning System, for altering the Standard Methodology for calculating housing delivery targets and raising the on-site Affordable

Housing provision threshold, so that full consideration of the consequences of these proposals can be considered as part of its wider Planning for the Future White Paper.

Cllr Oakley explained that he accepted the addition of Cllr Brown's amendment as follows:

In the interim, this Council calls on the Government to genuinely support local democracy by supporting rather than undermining the Local Plan and Neighbourhood Plan making processes, recognising and allowing for genuine constraints upon development and making Ministerial interventions as required to enable meaningful community involvement and influence.

Cllr Brown seconded the motion as amended.

Cllr Taylor as Cabinet portfolio holder responded and explained that housing is the priority and as such the Cabinet fully support the motion put forward.

Cllr Moss as local ward member responded by commenting on the consultation not taking account of the proximity of the Area of Outstanding Natural Beauty or the South Downs National Park. He also noted that the consultation does not address social housing and could put the Local Plan at risk.

The wider membership provided comments of support for the motion as amended.

Members voted on the motion as amended which was carried.

RESOLVED

This Council calls on the Government to withdraw its proposals, contained in its consultation on Changes to the Current Planning System, for altering the Standard Methodology for calculating housing delivery targets and raising the on-site Affordable Housing provision threshold, so that full consideration of the consequences of these proposals can be considered as part of its wider Planning for the Future White Paper.

In the interim, this Council calls on the Government to genuinely support local democracy by supporting rather than undermining the Local Plan and Neighbourhood Plan making processes, recognising and allowing for genuine constraints upon development and making Ministerial interventions as required to enable meaningful community involvement and influence.

28 Questions to the Executive

The Chair invited Questions to the Executive.

Cllr Plowman had submitted the following question in advance:

The Development Brief for the Southern Gateway quotes "This substantial largely brown field area has a site with waterside development potential and the flexible master plan covering eight key sites.

These sites will provide:

- 365 new homes, 30% affordable; Chichester enjoys a very buoyant residential market.
- Over 20,000 square metres of mixed commercial space, including the opportunity for retail, office, hotel, leisure, entertainment, visitor and night time economy. Chichester is a successful tourist destination and there is demand for new food and beverage outlets in the City as well as potentially a new arts and multipurpose entertainment facility.
- Excellent opportunity to improve the public realm and landscaping.
- Improved transport links, creating the focus on walking, cycling and the public transport interchange.”

And later in the brief:” The scheme is the flagship project for the Chichester Vision which looks ahead over the next 20 years to see how the city centre can be enhanced, while at the same time protecting our important heritage”.

Can you inform Council realistically what the Southern Gateway will deliver and by what date? Covid -19 has not changed this only delayed the discussions I understand.

I believe the Development brief was mainly put together by the advisors, Jones, Lang and LaSalle Ltd (JLL) and in view of what will now be delivered, is it time for some fresh advisors?

Cllr Dignum provided the following response:

The Covid 19 pandemic has had an inevitable impact on progress in completing the development agreement with Henry Boot the Council's selected developer. Market conditions are very different to where they were 9 months ago when the procurement process was being undertaken however HBD have confirmed they remain committed to signing the Development Agreement and progress the regeneration project.

The Development Agreement will include a 12 month pre condition period which follows the principles of the heads of terms agreed by this Council last year. This aim of this stage is to test the property market across all relevant uses post Covid 19. This will provide a better understanding of the emerging impact of Covid 19 which in turn will inform the overall scheme viability and phasing.

The master plan is a flexible plan. However there are some key delivery principles including calming the traffic, improving the public realm, especially the look and feel from the railway station to the city, and bringing forward a hotel and entertainment venue.

When land assembly is completed for each site within the Southern Gateway HBD will come forward with proposals for a viable scheme for that site.

This is a major regeneration project for the City over a number of years , the largest the City has seen for many years and every effort is being made to bring forward land assembly and to complete the Development Agreement to enable the progression of the project. Jones, Lang, Laselle , JLL, are international property advisors and have a wealth of knowledge of all of the sectors linked to the project delivery as well as a depth of knowledge of this particular project. Now as we near the signing of the Development Agreement is not the right time to be considering any changes which would slow the progress of the project.

Cllr O'Kelly asked how a no deal Brexit would affect businesses. Mrs Shepherd responded by explaining that the council is working on a multi-agency approach and that it already

had an plan in place that assessed the impact on the Council and this was being updated as new information came to light.

Cllr Bangert requested consideration be given to the housing options in the district specifically the lack of suitable properties for downsizers. Cllr Sutton explained that members influence lies in planning policy. He emphasised the importance of promoting new ideas to improve the future of housing the district.

Cllr Evans requested information regarding a planning enforcement case at Lagoon 3 - Crouchland Farm which Mr Frost agreed to respond to in writing. Cllr Palmer requested the information be shared with all members. (Post meeting note: this information was circulated to members on 29 September 2020).

Cllr Brown requested further information on the West Sussex County Council partnership work on electric charging points. Cllr Plant confirmed that the work was in hand.

Cllr Oakley requested clarification on whether the council is able to assess and monitor traffic queuing in relation to what air quality measures are in place on the Westhampnett Road. Cllr Plant confirmed that the council's officers are in contact with their counterparts at West Sussex County Council. She explained that monitoring takes place over a period of time in order to produce data that can be analysed.

Cllr Apel asked why residents would take part in local democracy if they are required to take development in their local areas. Cllr Taylor emphasised the importance of the Local Plan Review taking place as soon as possible. Mr Frost added that the council has prepared an Interim Planning Policy Statement which outlines the current position.

29 **Late Items**

There were no late items.

30 **Exclusion of the press and public**

There was no requirement to exclude the press or the public.

The meeting ended at 5.08 pm

CHAIRMAN

Date:

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