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Minutes of the meeting of the **Cabinet** held in Committee Rooms, East Pallant House on Tuesday 11 January 2022 at 9.30 am

Members Present Mrs E Lintill (Chairman), Mrs S Taylor (Vice-Chairman), Mr R Briscoe, Mr A Dignum, Mrs P Plant, Mr A Sutton and Mr P Wilding

Members Absent

In attendance by invitation

Officers Present Mr S Ballard (Senior Environmental Protection Officer), Mr N Bennett (Divisional Manager for Democratic Services), Mr A Buckley (Corporate Improvement and Facilities Manager), Mr T Day (Environmental Coordinator), Mr T Whitty (Divisional Manager for Planning Policy), Mr A Frost (Director of Planning and Environment), Miss L Higenbottam (Democratic Services Manager), Mrs D Shepherd (Chief Executive), Mr J Ward (Director of Corporate Services) and Mrs J Westbrook (Corporate Improvement Officer)

106 **Chair's Announcements**

Cllr Lintill welcomed everyone to the meeting and read the fire evacuation procedure.

There were no apologies for absence.

107 **Approval of Minutes**

RESOLVED

That the minutes of the Cabinet meeting held on 7 December 2021 be approved as a correct record.

108 **Declarations of Interests**

There were no declarations of interest.

109 **Public Question Time**

The Cabinet received the following public questions in advance of the meeting which were read out:

Question from Ian Sumnall:

1. Can you explain why you are supporting the National Highways proposals when they actually increase the amount of road space for the exclusive use of motorised vehicles at the expense of active travel users? This is being proposed by removing cycle lanes on both sides of the road for instance in Chidham and many parts of Southbourne. This will only increase vehicles use and speed. How will this improve safety and the environment for communities alongside the A259?
2. Reference is made in Section 10 to the Equality Impact of the proposals. How can it be stated that the combining of pedestrians and cyclists moving both ways on one pavement is an improvement. Has an Equality Impact Assessment been carried out to be able to make this statement?

Answer from Cllr Plant:

1. *Chichester District Council supports the proposed scheme and the significant investment for local infrastructure because National Highways have provided reassurance that it presents a coherent, consistent and safer route than exists at present. It is not within Chichester District Councils remit to consider road safety aspects and therefore the Council does not have the expertise in-house to consider such matters in detail. In such circumstances, the Council looks to partner organisations, whose remit it is, to provide technical advice. National Highways and locally WSCC Highways are the authorities whose remit includes road safety and Chichester District Council has sought assurances from these agencies on road safety matters. WSCC will separately be considering the National Highways proposals. Chichester District Councils has not designed the scheme but is being consulted by National Highways. The Councils remit remains to consider the proposals against proposed Local Plan policies around sustainable transport and other relevant corporate policies and strategies as outlined in the report to Cabinet.*
2. *NH confirms that it has carried out an Equality Impact Assessment on the scheme. That assessment will form part of the Preliminary Design Report which will be publicly available for review in due course.*

Question from Andrew Gould on behalf of Chichester Cycling Forum (read by Democratic Services):

The National Highways proposals involve removing 3000m of existing cycle lane and replacing them with a shared pavement plan. It also involves the removal of cyclist's existing priority over motorists at 22 minor side roads. The Chichester and District Cycle Forum believes this will result in a downgrade to cycling facilities along the A259 and the majority of cyclists will remain on the road where they have priority. Given that the loss of priority at side roads will result in severe delays to cyclists' journey times, does the cabinet believe that the majority of cyclists will actually use this new facility?

Answer from Cllr Plant:

Following assurances from National Highways, the Council is comfortable that the proposed scheme is compliant with Local Transport note 1/20, which sets out five principles representing the essential requirements to achieve more people travelling by cycle or on foot. WSCC and National Highways state that the route aims to create a high-quality and inclusive walking and cycling infrastructure between Chichester and Emsworth where shared sections occur only where physical and operational constraints determine this. Individuals will decide whether or not to use the route and given the various types of cyclists such as leisure or commuting, it is not possible to predict which will be the majority group. However, the public engagement responses indicates that the route will be an improvement to many cyclists in encouraging modal-shift for shorter journeys in particular.

Question from Mark Record:

Why are our local authorities wasting public money on a scheme that departs entirely from national highway standards and follows a design strategy that is universally acknowledged to be unsuccessful wherever it has been implemented?

Answer from Cllr Plant:

The Council's understanding, informed by discussions with professional officers at NH and WSCC is that, despite the constraints to developing the route, it is compliant with LTN1/20 which is the current DfT guidance for cycling infrastructure. The District Council does not employ highways qualified professionals but takes all such advice (not just on this occasion) from either WSCC, NH or external consultants. The Council's role here is as a consultee to this proposal and is seeking to indicate to NH whether it supports the scheme in principle or not. The design and its success are in the domain of both NH and WSCC but officers of CDC are supportive of the principle of improving the safety, coherency and consistency of the route in line with the NH design and as per both NH and WSCC's indication to the Council.

No supplementary questions were permitted. The Chairman took advice from the Monitoring Officer on the public question process during this item.

110 Corporate Plan 2022/25 - Cllr Sharp Recommendation from the Overview and Scrutiny Committee

Cllr Dignum explained he had reviewed Cllr Sharp's proposal. He explained the following proposal. Cllr Lintill confirmed that Cllr Sharp had been made aware of the amendment.

In a vote the following resolution was made.

RESOLVED

That when considering the recommendation to Full Council relating to the Corporate Plan 2022-25 that under the 'Thriving Economy' section of the Plan 2.6 it be amended to read:

Provide support to businesses in the sectors of renewable, retrofitting and the circular economy.

The target should be set at 10 businesses per annum.

111 **Corporate Plan 2022-25**

Cllr Lintill introduced the item and outlined the proposed amendments as stated below.

In a vote the following recommendations and resolution were agreed:

***RECOMMENDED TO FULL COUNCIL**

1. That the Council be recommended to approve the Corporate Plan for 2022-2025 as set out in appendix 1 subject to the following amendments:
 - a. That under the 'Thriving Economy' section 2.6 to be amended to read: *provide support to businesses in the sectors of renewable, retrofitting and the circular economy.* The associated target to be 10 businesses per annum.
 - b. That under the 'Thriving Economy' bullet point 4 of the section 'How will we achieve this' to be amended to read: *develop cultural partnerships that coordinate the culture offer throughout the district.*
 - c. That under 'Supported Communities' section 3.7 to be amended to read: *to work with partners to create an action delivery plan for the cultural partnerships.*

RESOLVED

2. That the new project proposals for 2022-2023, as set out in appendices 2 and 3 be agreed.

***RECOMMENDED TO FULL COUNCIL**

3. That, subject to the Cabinet's agreement in para 2.2 to approve the new project proposals for 2022-2023, the Council be recommended to approve expenditure of £273,000 for the projects set out in para 5.6 of this report, of which £245,000 will be funded through the efficiencies programme and £28,000 from the Council's General Fund Reserve.

112 **Chichester District Council Equality Strategy 2022-26**

Cllr Wilding introduced the item.

Cllr Sharp was invited to speak. She thanked members and officers for including the following sentence in the Equalities Strategy:

We will explore all opportunities to celebrate diversity and support campaigns and events that promote inclusivity and tolerance in our communities.

Cllr Sharp asked what resources of staff and staff time will be required. Cllr Lintill confirmed that a response would be provided outside of the meeting.

Members of the Cabinet then spoke in favour of the Strategy.

In a vote the following recommendation was agreed:

***RECOMMENDED TO COUNCIL**

That the Council be recommended to adopt the Chichester District Council Equality Strategy 2022-26 (including the Council's equality objectives).

113 Planting Trees Outside of Woodlands Project - DEFRA Funding

Cllr Plant introduced the item.

Members spoke in favour of the Project.

Cllr Sutton also drew attention to the positive feedback received from the Parish Council's.

In a vote the following recommendations and resolutions were agreed:

***RECOMMENDED TO COUNCIL**

1. That Cabinet recommend to Council that a budget of £290,240 is approved for the DEFRA funded Trees Outside Woodland Project.
2. That, subject to Council approving recommendation 3.1, Cabinet approves expenditure for the project officer and the following two pilot projects:
 - a. £116,450 for the project officer
 - b. £60,040 for the Subsidised Trees pilot
 - c. £28,500 for the Urban Tree pilot.

RESOLVED

That Cabinet delegates authority to the Director of Planning and Environment, following consultation with the Cabinet Member for the Environment and Chichester Contract Services, to accept an increase in the approved budget and expenditure for any of the four pilot projects up to a total of £50,000 per pilot if additional funding is offered by DEFRA or by another participating local authority.

114 South Downs National Park Authority Renewal of Development Management Agency Agreement

Cllr Taylor introduced the item.

Members spoke in support of the Agreement.

In a vote the following resolutions were agreed:

RESOLVED

1. To approve the Council entering into a new Agreement with the South Downs National Park Authority (SDNPA) under section 101 of the Local Government Act 1972 to enable the Council to continue to provide a development management service to the SDNPA for up to two years initially, until 30 September 2024.
2. To delegate authority to the Director of Planning and Environment to agree an extension of the Section 101 Agreement for a further two years up until 30 September 2026 if the arrangements are working effectively and agreeable to both authorities.
3. To authorise the Director of Planning and Environment to conclude negotiations on the Section 101 Agreement including the Service Level Agreement, related Protocols and proposed basis for payments set out in Appendix 1; and then to complete the Agreement.

115 Draft for adoption revised Air Quality Action Plan

Cllr Plant introduced the item.

Mr Ballard provided an update to members. He explained that since the Cabinet report was published the Orchard Street air quality monitoring station stopped working, though it is currently being 'propped up' by equipment on loan from the council's service and maintenance contractor. The cost of repair is £2,200. Statutory guidance indicates that 'diffusion tube' monitoring gives adequate data in the circumstances of Orchard Street where air quality is highly compliant and predicted to continue to be so. As such it is proposed that the station is decommissioned once the loan equipment is returned.

Mr Ballard also provided the following updates to Appendix 1 to the report:

- Page 201, Point 15 – Orchard St Air Quality Management Area, third paragraph replaced with:
- *Given the length of time that air quality at Orchard Street has been compliant and the margin of compliance currently and predicted for the future then this AQMA will be undeclared.*
- Page 202, Point 15 – Stockbridge A27 Roundabout AQMA, third paragraph to be replaced with:
- *Given the length of time that air quality at Stockbridge has been compliant and the comfortable degree of compliance currently and predicted for the future then this AQMA will be undeclared.*
- Update point 17 from conclusions and recommendations from the Monitoring and Modelling and add to the bullet point list: *Keep Orchard St monitoring station until such time its equipment fails and then it will be decommissioned.*

Cllr Dignum with reference to section 3.7 of the report regarding increasing air quality standards asked if there were a requirement of reinstallation of air quality management areas or new AQMA would grants available to cover the cost. Mr

Ballard explained that in the past there have been funding opportunities but that cannot be guaranteed in the future.

Cllr Lintill requested clarification of whether there will still be monitoring where equipment is decommissioned. Mr Ballard explained that Orchard Street would continue to be monitored using the diffusion tube method. At Stockbridge the Stockbridge Monitoring Station will remain functional as it monitors particulates and nitrogen dioxide and will allow for fine particulates to be monitored should the Council be required to do so under the Environment Act 2021.

Cllr Briscoe asked why air quality has improved in some places. Mr Ballard explained that the improvements are through international and national improving background air quality schemes and improvements in engine and fuel technology and the increasing penetration of zero emission vehicles into the fleet.

Cllr Plant drew attention to the graph on page 188 which showed a decline in the nitrogen dioxide levels.

In a vote the following resolutions were agreed:

RESOLVED

1. That Cabinet notes the public consultation responses and approves the revised Air Quality Action Plan for adoption.
2. That Cabinet approves the revocation of the Stockbridge and Orchard Street Air Quality Management Areas and the decommissioning of the Lodsworth air quality monitoring station and Orchard Street Air Quality Monitoring Station once the equipment fails.

116 Engagement Response to National Highways A259 Chichester to Emsworth Cycling and Walking Route

Cllr Lintill welcomed a representative from Highways England and from West Sussex County Council Highways team. She explained that there was a proposed amended set of resolutions before members which had also been discussed with Cllr Moss.

Cllr Plant then introduced the item.

Cllr Sutton highlighted that the council is a consultee in the process.

Cllr Moss was invited to speak. He thanked Cllr Lintill and Cllr Plant for discussing and agreeing the amended recommendations. He spoke of the importance of continued ongoing discussion with all parties involved. He also highlighted that the A259 could be a road to encourage safe cycling.

Members discussed safe road spaces for both cyclists and motorists to use together.

Mr Ballard also confirmed that the council is a consultee in the process. He explained that the improvements proposed fit with a number of council's policies.

Edgar Vila-Pouca, National Highways Programme Manager was invited to speak. He outlined the approach of National Highways.

In a vote the following revised resolutions were agreed:

RESOLVED

Cabinet indicates the Council's support in principle for National Highways' proposed walking and cycling improvements to the A259 Chichester to Emsworth subject to:

1. Further consideration is given to the shared-use proposals through the village centres as recommended by the Environment Panel.
2. Further discussions are noted as being undertaken between West Sussex County Council and National Highways.
3. Final consultation with Chichester District Council following any changes to the proposals.

117 Late Items

There were no late items.

118 Exclusion of the Press and Public

There was no requirement to exclude the press or public.

The meeting ended at 10.46 am

CHAIRMAN

Date: