

# Public Document Pack



Minutes of the meeting of the **Council** held in the Committee Rooms, East Pallant House on Tuesday 19 July 2022 at 2.00 pm

**Members Present:** Mrs E Hamilton (Chairman), Mr H Potter (Vice-Chairman), Mrs C Apel, Mrs T Bangert, Mr M Bell, Mr B Brisbane, Mr R Briscoe, Mr J Brown, Mr A Dignum, Mrs J Duncton, Mr J Elliott, Mr G Evans, Mrs N Graves, Mr F Hobbs, Mrs D Johnson, Mr T Johnson, Mrs E Lintill, 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, Mrs C Purnell, Mr D Rodgers, Mrs S Sharp, Mr A Sutton, Mrs S Taylor and Mr P Wilding

**Members not present:** Mr G Barrett, Miss H Barrie, Rev J H Bowden, Mrs J Fowler and Mrs S Lishman

**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), Mr J Ward (Director of Corporate Services) and Mr T Whitty (Divisional Manager for Planning Policy)

## 135 **Minutes**

### **RESOLVED**

That the minutes of the Annual Council meeting held on 17 May 2022 be approved.

## 136 **Urgent Items**

There were no urgent items.

## 137 **Declarations of Interests**

Cllr Apel declared a personal interest as a volunteer at Chichester Festival Theatre and as a trustee of Pallant House Gallery in relation to agenda item 10.

Cllr Bangert declared a personal interest as a member of the Southbourne Neighbourhood Plan Steering Group in relation to agenda item 12.

Cllr Brown declared a personal interest as the Chair of the Southbourne Neighbourhood Plan Steering Group in relation to agenda item 12.

Cllr Duncton declared a personal interest as a member of West Sussex County Council in relation to agenda items 8, 9 and 11.

Cllr Donna Johnson declared a personal interest as a member of West Sussex County Council in relation to agenda items 8, 9 and 11.

Cllr O'Kelly declared a personal interest as a member of West Sussex County Council in relation to agenda items 8, 9 and 11.

Cllr Oakley declared a personal interest as a member of West Sussex County Council in relation to agenda items 8, 9 and 11.

Cllr Plowman declared a personal interest in relation to agenda item 9 as Director and General Manager of Second Chance Chichester (CIC).

Cllr Sharp declared a personal interest as a member of West Sussex County Council in relation to agenda items 8, 9 and 11.

### 138 **Chair's Announcements**

Apologies for absence were received from Cllr Barrett, Cllr Barrie, Cllr Bowden and Cllr Lishman.

The Chair also made the following announcements:

*It is with great sadness I announce that Anna Hayward-Strange from the Economic Development Team passed away last week. Anna was a joy to be around and our thoughts are with her family, friends and team at this time.*

*Unfortunately we also received further sad news yesterday of the passing of John Lynch, the Finance Director for the Association of Democratic Services (ADSO). John provided help and advice to our officers and members. We also send our thoughts to John's family, friends and ADSO colleagues.*

### 139 **Public Question Time**

The following public questions and answers were read out:

#### **Question from Oliver English (read by Democratic Services):**

*Chair, Thank you for giving me the opportunity to ask my question. For some time I have been working in the community to encourage local shops and businesses to "switch off their Lights" to save energy and encourage dark skies. I have been conducting an effective campaign on social media, e-mail and by visiting local shops. I have had support from several local councillors.*

*Initially I concentrated this in central Chichester, which is well served by extensive street lighting. Speaking to independent shops, such as: St Wilfred's, Kim's Bookshop, Present Surprise, all have gone dark at my request.*

*After reaching out to others, several chains have joined my campaign Chichester's Montezumas, Paperchase, White Stuff, Crew Clothing, Robert Dyas, Charles Clinkard and I have started conversations with others. So this has already extended far beyond our borders and over 350 shops have now gone dark.*

*Some companies I have approached have not responded to me directly, but I have noticed that their local shops have now gone dark, these include The Entertainer and Mistral. The brightest shops locally are Space NK and Lakeland, all banks aside from Barclays also burn lots of lights and estate agents all have very bright window displays.*

*\* One councillor has already described this as small beers compared to other issues, but this is still some action, rather than no action, enough small beers and we have a party.*

*Indeed Chichester's own astronaut Tim Peake commented in response to me: "Great idea, hopefully it will catch on. The lights of cities at night was very dominant from the station"*

*Ideally I would like to see this expanded across the District on the coast, in Midhurst, Petworth and all our towns and villages, as both The Harbour Conservancy and South Downs National Park have a dark skies policy and it would be very helpful if the District Council could also provide their positive support.*

*Can I ask this Council to add their support via their economic development team and ask all councillors to promote the campaign. Would it also be possible to include a policy in the new local plan?*

**Answer from Cllr Susan Taylor:**

Thank you for your question.

When talking with businesses, the Economic Development team is making them aware of where they can access support on their journey to carbon neutral and the funding that is available via the 'Low Carbon Across the South and East (LoCASE)' programme. Conversations often include saving energy through different approaches to lighting. The use of modern efficient LED lighting is important to minimise costs and carbon emissions

In a high street setting, we would be encouraging businesses to set their window lights on a timer so that they go off after 11pm. A more vibrant street scene is needed in the evenings to support our evening and nighttime economy. For many businesses who may not be open in the evening, lighting their window displays is a key marketing tool, however we would discourage lighting other than in display windows. During the Christmas season, this would be particularly important and we understand that the Chichester BiD encourage businesses to keep their display window lights on in the evening at that time of year.

The 2018 Preferred Approach Local Plan incorporates a lighting policy and the need to ensure that light spill is minimised in sensitive areas, which include areas designated for Dark Night Skies and those locations where there are likely to be sensitive ecological receptors. This policy will be developed through the Local Plan Review to continue to provide protection to those sensitive designations within the Chichester Plan Area. Towns such as Midhurst and Petworth are the subject of policies within the South Downs National Park Local Plan.

Cllr Moss requested to comment. Cllr Moss asked the Leader and other opposition leaders to join in sending a letter of support for the campaign. Cllr Sharp also wished to give her support to the campaign.

### **Question from Andrew Kerry-Bedell (read by Democratic Services):**

*Chichester Council levies a 100% Council Tax Premium on homes left empty for two years at 100%, five years at 200% and 10 years at 300%. However, Government legislation is changing so Councils can implement a 200% Council Tax premium for homes left empty for more than a year (see background below).*

*However, Chichester Council does not levy a Council Tax premium on second homes as a disincentive to non-residents owning or buying a second home in the area, despite many other Councils have done this.*

- 1. How many properties are A) empty and B) second homes in the Chichester Area*
- 2. How many properties are A) empty and B) second homes in the following areas and what percentage is that of all homes?
  - 1. Bosham Parish*
  - 2. Chidham, Hambrook and Nutbourne Parish*
  - 3. Southbourne Parish**
- 3. How many properties had the empty homes Council Tax Premium in each bracket levied in FY 2021/22, and what is the change on 2020/21?*
- 4. Will the Council implement a 200% Council Tax premium for homes left empty for more than a year from 2022/23 as Government legislation will allow?*

*Some second homeowners are also getting their properties reclassified as a business or as 'self-catering holiday units' to avoid Council Tax. They can then deduct all property expenses and also get all of the Government's COVID relief etc, as well as getting Small Business Rates relief by declaring an 'intention to let' for at least 140 days, in reality putting their houses on sites like Airbnb, but with no intention at all of renting them out.*

- 5. How many properties have applied to be reclassified as a 'self-catering holiday unit'?*
- 6. Will the Council implement a 100% Council Tax premium charge for second homeowners from 2022/23?*

### **Answer from Cllr Peter Wilding:**

Thank you for your question. I will now address each question in the order they have been asked.

Firstly, you say that "Chichester Council does not levy a Council Tax premium on second homes". Currently in England the maximum that can be charged for a second home is 100%. Legislation does not currently allow a premium to be charged on second homes, however, the Levelling up and Regeneration Bill currently going through the parliamentary process does include proposals to allow a 100% premium on Second Homes, effectively making the charge payable twice the normal Council Tax rate. The Council will make a decision on this proposal once the final regulations have been set by Government.

In answer to your further questions

- There are at present 405 empty properties and 2,660 second homes within the Chichester district out of a total of 59,736 properties.
- In Bosham Parish there are 8 empty properties (0.5%) and 155 second homes (10%) out of a total 1,553 properties

- In Chidham, Hambrook and Nutbourne Parish there are 8 empty properties (0.8%) and 18 second homes (1.8%) out of a total 1,023 properties
- In Southbourne Parish there are 17 empty properties (0.5%) and 75 second homes (2.4%) out of a total 3,153 properties

You have asked how many properties had the empty homes Council Tax Premium in each bracket levied in 2021/22, and how that changed from 21/21.

In 21/22 we had 373 properties which were empty for less than two years, 46 properties that were empty between 2 and 5 years, 16 properties that were empty between 5 and 10 years, and 15 properties empty over 10 years. A total of 450 properties.

In 20/21 we had 431 properties which were empty for less than two years, 54 properties that were empty between 2 and 5 years, 31 properties that were empty between 5 and 10 years, and 0 properties empty over 10 years. A total of 516 properties.

Overall the number of empty properties fell from 516 to 450 over 20/21 to 21/22 and I can confirm the number has reduced further in 22/23 to 405.

Regarding your question about whether the Council will implement a premium for homes left empty for more than one year from 2022/23 I can confirm that the regulations to allow this in the Levelling up & Regeneration bill are not currently finalised or passed through Parliament. Also the premiums have already been set at maximum allowable levels for 22/23. A decision about future financial years will be made in the Autumn as part of the Council's usual tax base setting process.

You then raise the issue of second homeowners seeking to have their properties reclassified as a business rather than a domestic dwelling to avoid paying Council Tax then claiming small business rate relief. There are currently 310 properties across the Chichester district that are classified as holiday units, up from 186 in 2017. The government are aware of this issue and from April 2023, second homeowners will have to prove holiday lets are actually being rented out for a minimum of 70 days a year to access small business rates relief, not just available for rent. Holiday let owners will have to provide evidence such as the website or brochure used to advertise the property, letting details and receipts. Properties will also have to be available to be rented out for 140 days a year to qualify for this relief.

Finally you ask whether the Council will implement a 100% Council Tax premium charge for second homeowners from 2022/23. As mentioned earlier the legislation to allow this premium is not yet passed through Parliament and our level of Council Tax has already been set for 22/23. A decision on future years Council Tax premiums will be made in the Autumn.

**Question from Maddie Hickman:**

*I live on a new development in Hambrook with my young family. In the past five years the new build estate management company First Port have made £219,203 alone from our private development off Kiln Drive in Hambrook. There are 112 of us homeowners stuck in a trap of fees (paid in addition to council tax) that have increased 108% in the five years since the development completed. We did not sign up for these prices and were coerced by government schemes like help to buy and now we have unsellable homes. From my recent research this is not a unique issue. This is an unsustainable situation caused by*

*planning policy that enables developers to build new sites with un-adopted roads and un-regulated management companies where owners and tenants have no control.*

*How can CDC help us residents?*

**Answer from Cllr Susan Taylor:**

Thank you for your question.

I sympathise with the scenario that is set out within the question, particularly at a time when I know that the increased cost of living is a concern for many, however Chichester District Council is not responsible for the regulation of service charges set by developers, and nor is it responsible for whether a road is adopted. In considering a planning application, the CDC as Local Planning Authority is required by planning policy to ensure the development would not have an adverse impact in terms of highway safety or the operation of the highway network, as advised by West Sussex County Council as Local Highway Authority and National Highways. The Local Planning Authority is not however required to consider whether a road is to be maintained by a developer or adopted by the Local Highway Authority in the future.

WSCC as Local Highway Authority has advised that any roads serving more than 6 dwellings are usually deemed to serve sufficient public utility, and provided they are designed to adoptable standards, which are standards required by WSCC, the County Council will agree to adopt the roads. There is however no legislative requirement for developers to enter into adoption agreements with the Local Highway Authority. Therefore, developers can make the decision as to whether they wish to offer roads for adoption, or to retain the roads, with a management company to manage them.

The ability for developers to choose to have their roads adopted or not, or indeed what charges they seek as part of a management agreement, is therefore not a matter that is controlled by planning policy. Whilst WSCC is able to adopt roads and maintain them, there is no statutory requirement for the developer to follow this approach. Therefore, whilst I understand the concern raised, I am afraid it is a matter that is outside of the Council's control, and it would not be possible to overcome the concerns raised through either planning or Council policy.

Cllr Moss raised a point of order asking the Chair to give members the opportunity to follow up. The Chair confirmed that due to the number of questions she would not allow follow up questions at this meeting.

**Question from Andy Sargent:**

*There is no date for the completion of the Local Plan. Discussions with National Highways on significant road improvements are never ending. Without a Local Plan, property developers are submitting a lot of large planning applications. CDC residents do not want hundreds of new houses built every year. What is CDC doing to stop excessive house building in the small area of the District outside the National Park and AONB?*

**Answer from Cllr Susan Taylor:**

Thank you for your question. The first thing to say is that the Council is acutely aware of the impacts and uncertainty arising from the extended timescale required to finalise the

Pre-Submission Local Plan. On a positive note, the Development Management Policies which are a key part of the plan have been largely drafted, taking into account responses received to the Preferred Approach Local Plan, national policy, local evidence, the sustainability appraisal process and ongoing member engagement.

However, the plan strategy, quantum and distribution of development across the plan area are dependent on the Council being able to conclude ongoing work with National Highways and West Sussex County Council in respect of the capacity of the A27 and local road network to accommodate further growth with limited highway improvements. This evidence-based work is now at an advanced stage and we do expect to agree a way forward shortly. Progress is not however wholly with the District Council's control and so a degree of uncertainty as to the likely outcome and timescale remains. In addition, the northern part of the plan area is affected by the requirement for water consuming development to demonstrate it is water neutral. The Council is working with the other affected local authorities, Southern Water, Natural England and DEFRA on a strategy to identify potential short and long term solutions to this which we anticipate to receive later this year. We will publish an updated local plan timetable as soon as possible and once we have an agreed way forward on the matters I have referred to.

Regarding the consideration of planning applications; the Local Planning Authority has a statutory duty to determine submitted applications, and there is a need to ensure a supply of housing is maintained in the Local Plan Area. Each planning application received is assessed against relevant policies within the adopted Local Plan and other material considerations, including the National Planning Policy Framework. A material consideration at this time is the Council's Interim Position Statement for Housing Delivery, known as the IPS. This document provides guidance for the assessment of applications for housing development submitted in advance of the Local Plan Review, and it only supports housing in the most sustainable locations and without harm to the environment, landscape and ecology, amongst other considerations. In applying the guidance contained within the IPS, the Council has resisted new development in unacceptable locations, including sites that are not within the AONB or the South Downs National Park.

It is also important to note that the Council continues to defend its housing supply position, which it considers to be above 5 years. This means the 'tilted balance', that makes it harder to resist new development, is not engaged. Therefore, whilst it must be recognised that it is important to provide new housing, the Council seeks to ensure high quality developments are provided in the most sustainable locations to minimise harm to the character of the area.

**Question from Jane Towers:**

*You will know that Chidham & Hambrook have had a significant amount of speculative planning applications. Currently permissions, appeals and live applications amount to 495 units.*

*Each application has referenced specific factors to support their proposals*

*Firstly that Chidham & Hambrook have an allocation of 500 houses.*

*The Local Plan Preferred Approach gave an allocation of 500. Since that time we have been advised that the figure of 400 and then 300 would be tested against other policies. However the only published figure is still 500.*

*To enable us to move forward with our Neighbourhood Plan ahead of the Local Plan we need certainty of the figure. We cannot plan for 500 if the final number might be 300 or less. That would be irresponsible to our residents. If we wait for the iteration of the Local Plan we could have many more applications. When will the actual number be clarified and published to enable us to move on? Or can it be made clear to developers that the 500 number is no longer confirmed and likely to be substantially reduced?*

*The second point developers reference is our position as 5<sup>th</sup> out of 16 service villages in the settlement hierarchy, dated 2018, therefore having the amenities to support a large increase in population. It is our contention that this is misleading as the methodology takes no account of the size or extent of a facility. For example, a small play park for under 10's is ranked equal to a recreation ground with tennis courts, pitches and changing rooms. This gives a false impression of the amenities on offer.*

*When will a reassessment of the settlement hierarchy take place? Or are we to wait until it is too late?*

**Answer from Cllr Susan Taylor:**

Thank you for your question.

You are correct that the Local Plan Preferred Approach referenced 500 dwellings at Chidham and Hambrook. However, this document has no weight in the determination of current planning applications and appeals. As the formation of the Local Plan Review progresses there has been the need to test alternative housing numbers, which we have kept the Parish Council aware of. The pre-submission consultation of the Local Plan Review will be the appropriate point at which to publish an updated housing number, to do so beforehand would risk prejudging the ongoing strategic work in developing the plan and would be premature.

The settlement hierarchy is derived from an assessment of facilities within any given settlement. This scores the settlements in order to form 3 groupings of settlement types (Sub-Regional Centre, Settlement Hubs and Service Villages). The detail required to make the assessment is broad and high level, and appropriate to the purpose of identifying which classification a settlement falls within. The background scoring information is not an appropriate evidence base on which to justify a differentiation of sustainability between different service villages, as part of a planning application or appeal. I therefore understand the concerns of the Parish Council, if developers are seeking to use the background study information in this way, and I would reassure you that officers will make clear the inappropriateness of such assessments both in the determination of applications, and at appeal.

**Question from Ceri Stunt on behalf of some residents of Inlands Road, Nutbourne (read by Democratic Services):**

*The background information and evidence provided for CDC's recommendation to agree a BLD for Southbourne Parish is substantially incorrect.*

*The settlement of Southbourne (village) has been defined as a settlement hub within the existing Local Plan and the Local Plan Preferred Approach. As recently as January 2022,*



*Mr Ayling confirmed in his evidence to the Examiner the status of Southbourne as an identified settlement hub.*

*Section 5 and Policy 2 of the Local Plan set out the development and settlement hierarchy for Southbourne. The table at section 7.2 confirms the strategic allocation of 300 homes at Southbourne Village. The term 'village' in relation to Southbourne is therefore specified.*

*Policy 20 required that the development 'be planned as an extension to Southbourne.'*

*Section 7.24 proposes sites suitable for small scale housing will be identified at Parish Level. The entry at Southbourne Parish indicates a total of 50, and specifically excludes Southbourne Village.*

*The distinction between Southbourne Village as the settlement hub and the rest of the Parish in terms of housing allocation has been set by Policies 2 and importantly Policy 5 of the Chichester Local Plan.*

*Policy AL13 of the CLP Preferred Approach continues to reinforce the settlement hub designation of Southbourne. As clarified above, the hub is the village, and not the wider Parish. Service villages are designated at Policy 2, including that of the village of Nutbourne. Point 1 of AL13 underscores the development of 1250 homes as an extension to Southbourne. The village of Nutbourne is NOT an extension of Southbourne.*

*Appendix A CDC Evidence from DPIP Panel cites information promoted through HELAA 2021, specifically Land to the East of Southbourne. The evidence contained in HELAA is factually incorrect, and we have written to the Chief Executive, the Principal Planning Officer and our District Councillor asking for corrections. The settlement designations for many parcels of land are incorrect, being classed as Southbourne when they are in fact Nutbourne. Our concerns expressed included decisions such as the one proposed in the DPIP recommendation would be based on incorrect information.*

*Appendix B provides detail of options, termed Land to the West and Land to the East of Southbourne. The majority of the Land to the East of Southbourne is within the village of Nutbourne, and as demonstrated above, should be excluded from any consideration of allocation under the settlement hub designation.*

*The correct figure for preference of Option C is 48%. We draw Council's attention to the Examiner's comments at point 15 of his report.*

*This is a complex issue and we agree with Councillor Brown that the residents and Councillors of Southbourne Parish should be treated equally and fairly within the LPR, and not be singled out for a Broad Location for Development.*

*We trust that CDC would not wish to make such a strategic decision based on the factually incorrect evidence contained in the HELAA, and therefore misinterpret the area designated as a settlement hub. Correction of HELAA would provide conformity with both the existing Local Plan and Local Plan Preferred Approach.*

*Can CDC therefore withdraw this recommendation and correct the misinformation provided, as the first step in aligning evidence with both existing, preferred and emerging policies?*

## **Answer from Cllr Susan Taylor:**

I have reviewed the documentation provided to inform the Motion to be discussed under Item 12, and I am satisfied that the information is factual and correct. I note that the majority of the sites put forward for Southbourne Parish within the Housing and Economic Land Availability Assessment are contiguous with the existing built form of Southbourne Village and the assessment of the location of development as part of the Local Plan Review relies on spatial analysis, rather than postal address points and descriptions. It will be for the Local Plan Review (and/or any subsequent housing allocation or neighbourhood plan) to determine the appropriate spatial distribution of development on this basis, including the debate of this Council on the motion put forward under Item 12.

## **140 Annual Governance Statement and Corporate Governance Report 2020-21**

Cllr Hobbs proposed the recommendation which was seconded by Cllr Wilding.

Cllr Hobbs introduced the item.

Cllr Sharp asked why climate change had not been included. Mr Ward explained that at the time the report was put together it had not been listed. Cllr Sharp asked if it would be included as a high risk in the future. Cllr Hobbs explained that this was discussed in detail at Corporate Governance and Audit Committee. He explained the Committee had agreed to take an approach to react to those things outside of the council's control. He sought to reassure Cllr Sharp that it was being taken seriously.

Cllr Brisbane with reference to pages 13 and 33 asked what work is being undertaken on the visions. Cllr Dignum responded. He explained that there is a Chichester District Steering Group which is focused on delivery which is detailed in the minutes of the Group. Cllr McAra explained that he would be willing to share the vision work in Midhurst.

Cllr Oakley with reference to page 13 asked if there are any external parties providing risk of delay to the Local Plan Review and Southern Gateway. Cllr Dignum explained the importance of the Stagecoach negotiations. Cllr Lintill explained that National Highways and water authorities re water neutrality in the north. Cllr Oakley clarified that the biggest risks to the project related to external parties.

In a vote the following resolution was agreed:

**That the draft Annual Report on Corporate Governance at appendix 1, the Annual Governance Statement 2020-2021 (appendix 2), and Internal Audit and Corporate Investigations Annual Report 2020-2021 (appendix 3) be approved by Full Council.**

## **141 OSC Annual Report**

Cllr Apel proposed the recommendation which was seconded by Cllr Bangert.

Cllr Apel introduced the item.

Cllr Sharp asked if there was an update on the Housing Task and Finish Group. It was agreed to provide an update offline.

Cllr Moss thanked the Chair, Vice-Chair and officers for their work over the past year. He drew attention to the scrutiny of external bodies that had taken place.

In a vote the following resolution was agreed:

**That the Overview and Scrutiny Committee Annual Report attached to the agenda and its appendix the Overview and Scrutiny Committee Work Programme be noted.**

## 142 Chichester District Council Annual Report 2021-22

Cllr Lintill proposed the recommendation as amended by the supplement which was seconded by Cllr Taylor.

Cllr Lintill introduced the item. She thanked Cllr McAra for spotting what has subsequently been included in the supplement pack.

Cllr O'Kelly raised concerns over delays to the Southern Gateway project. With reference to page 15 and the support for Ukrainian refugees plans going forwards she asked what will happen next. With regard to page 19 she drew attention to the daily issue of rural crime in the district. With reference to page 21 she also drew attention to the possibility of improving connectivity to Northgate car park. With regard to page 22 Cllr O'Kelly asked why there is no mention of the City Council. In relation to page 33 she asked if food waste and electric charging points could both be included. She also acknowledged the challenges associated with staff turnover as detailed on page 42.

Cllr Moss wished to thank officers at the council for their work this year and for the support that has been provided to residents including Ukrainian refugees. He also wished to congratulate the Novium team for their successful birthday event. He thanked the Chichester Festival Theatre for their work on the Cultural Spark. He then raised a number of concerns; the delay to Southern Gateway, the Brick Pavillion in Priory Park remaining out of use, provision for a skatepark in Petworth and delays on the Local Plan Review. He explained that he would not be supporting the report. Cllr Lintill responded. She explained that a number of risks outside of the councils control have caused delays in the Local Plan Review. She added that the Petworth Skatepark continues to be looked into but the right location and land is required.

Cllr Oakley asked Cllr Moss to consider the aim of moving forward the Local Plan Review noting the planning complexities of the Review. He also wished to note the progress of the council putting electrical vehicle charging points in its car parks ahead of the West Sussex County Council programme.

Cllr Brisbane with reference to page 40 asked why application determination times measured against the previous year (2020/21) were lower. Cllr Taylor explained that the targets are set nationally. Mr Frost added that the outturns for major, minor and other applications were still above the national targets. Applications received were significantly up on the previous year at the same time as an increase in staff turnover.

Cllr Sharp with regard to community engagement events asked Cllr Plant for more information. She requested more support for community groups to have more permanent sites provided.

Cllr Apel with regard to staff sickness levels asked whether the figures have improved. Mr Ward confirmed the current monthly figures are 8.37 days which is back to the levels pre pandemic. He added that 2021 was a low year as most staff worked from home and Covid was not counted as sick leave. The HR team have been asked to take a report to the next Corporate Governance and Audit Committee.

Cllr Duncton wished to clarify that there are two electric charging points in every district council car park. She also wished to reiterate that a skatepark for Petworth is being worked on.

Cllr Hobbs declared an interest as the Chair of the Great Sussex Way. He asked whether a bid had been put forward for investment into the area. Mrs Shepherd explained that the Levelling Up Fund second round portal was not up and running on 6 July 2022 as expected. The information on the bids will be out in the public domain shortly. She added that the Leader and Leader of the Opposition did not agree on one scheme which was removed. The decision statement will be made available to members.

Cllr Plowman requested greater analysis of footfall. Cllr Dignum explained that the BID already analyse footfall regularly which is made available to officer. Cllr Sutton added that for events such as Market and More the BID will provide footfall figures for the event. Cllr Bell declared a personal interest as a former director of Halfords. He commented that the success of the out of town shopping on offer on the edge of Chichester means there is an impact on the city centre footfall. He asked members to consider both together. Cllr Purnell asked members to remember that the district council is not responsible for every town centre and as such should not be responsible for the outturn reports on every towns footfall.

In a vote the following resolution was agreed:

**That the Annual report 2021-2022 be received by the Council and amended as outlined in the supplementary agenda pack.**

143      **Community Support for Ukrainian Refugees as part of the Homes for Ukraine Scheme**

Cllr Briscoe proposed the recommendation which was seconded by Cllr Lintill.

Cllr Briscoe introduced the item.

Cllr Apel asked what the situation is in the district for any families where it has not worked out with their hosts. Mrs Rudziak explained that there is high level of success in the district. She outlined that West Sussex County Council have a rematching scheme in those situations. There is also temporary accommodation from the County Council to prevent homelessness in this situation.

Cllr Brown wished to recognise Cllr Briscoe and Mrs Rudziak for their work.

Cllr Duncton wished to declare a pecuniary interest as she supports Petworth Ukrainian Relief.

Cllr Bangert asked what was being done to liaise with local schools for children who have suffered trauma as a result of the war in the Ukraine. Mrs Rudziak explained that would be

a provision from the County Council however the Social Prescriber would assist where possible if there were a referral.

Cllr O'Kelly wished to note that the funding would be upfront. She wished to highlight that a number of children now at Bishop Luffa had yet to receive the government funding.

Cllr Sharp declared a personal interest as a host to a Ukrainian guest. She noted the support provided to hosts by the charity Sanctuary. She drew attention to the future support that would be needed.

Cllr Briscoe clarified that guests would be entitled to claim benefits.

Cllr Donna Johnson noted the firsthand support she had experienced in helping families be rematched and rehoused by the County Council.

Cllr Plowman wished to note the level of support from the residents of the district.

In a vote the following resolutions were agreed:

- 1. That WSCC funding of £1,000 per refugee be accepted.**
- 2. That Council delegates authority to allocate these funds to the Divisional Manager for Communities and Customer Services as set out in para 5.2 to 5.4 to provide community support.**

#### 144 **Cultural Grants Funding Agreement Extension**

Cllr Briscoe proposed the recommendation which was seconded by Cllr Lintill.

Cllr Briscoe introduced the item.

Cllr Tim Johnson asked if it was possible to receive a percentage on the spend on the city and the rest of the district as two separate figures. Mr Ward explained that this would be difficult for some services particularly where some services are for specific locations. He agreed to look into this further.

Cllr Apel noted that the Chichester Festival Theatre provides activities for young people across the district.

Cllr Oakley drew members attention to the Chichester Festival Theatre accounts and the senior staff pay. He asked members to consider where best to spend resources.

Cllr Plowman explained that the Chichester Festival Theatre had not seen a full return to pre-pandemic audience numbers and also has the cost of living impact.

Cllr Moss gave his support to Chichester Festival Theatres work on the Carnival of Lights and asked members to review the funding at the appropriate time.

Cllr Duncton asked members to support the cultural grants proposed in particular because it is the cultural year.

Cllr Sharp gave her support to the work on Culture Spark.

Cllr Bangert wished to note thanks for Mrs Peyman's work on Culture Spark.

In a vote the following resolutions were agreed:

- 1. That a further extension of support of £187,500 for one year be awarded to Chichester Festival Theatre to be funded from the existing revenue budget.**
- 2. That a further extension of support of £130,000 for one year be awarded to Pallant House Gallery to be funded from the existing revenue budget.**

145      **Supporting You - a proposal for a holistic support service for residents in the Chichester district**

Cllr Briscoe proposed the recommendation which was seconded by Cllr Lintill.

Cllr Wilding introduced the item.

Cllr Brown asked whether the service had been included in the Future Services Framework and whether the council would be recruiting externally. Cllr Lintill confirmed that this had not been part of the Future Services Framework as the idea had come after that piece of work. Mr Ward added that if agreed it would be added to the discretionary spend on the Future Services Framework. Cllr Wilding explained that recruitment would be external but would therefore be available to internal staff too. Mrs Rudziak added that if internal staff were appointed the funding would be used to backfill their posts.

Cllr Plowman gave his support.

Cllr Donna Johnson gave her support and drew members attention to the 'full-up' in scheme in Selsey providing ingredients to children during the school holidays. She added that the local Foodbanks had recently run out of food.

Cllr Bangert asked if the support would be face to face. Cllr Wilding explained that a dedicated worker would be allocated with face to face meetings where possible.

Cllr O'Kelly asked members to consider how the County Council Community Hub would continue to work alongside this service so they align.

Cllr Sharp thanked officers and members for bringing this forward. She drew attention to the work of UK Harvest and face to face discussions with residents. She raised concerns about services being offered online to those who do not access online.

Cllr Oakley noted that this discretionary spend would help those most vulnerable. He asked members to ensure that there is no duplication of support offered by others. Cllr Briscoe clarified that this had been considered to ensure there is no duplication.

Cllr Sutton wished to reassure Cllr Sharp that there is the offer of services not online for those who do not have online access.

Mrs Rudziak added that this is the design stage so members feedback would be taken on board.

Cllr Purnell asked members to look across the board at where support is being offered. She gave the example of the Community Hub in Selsey offering debt advice.

Cllr Moss gave support to the service. He asked Cabinet members to talk to the government about the cost of living crisis. He gave support for the service being face to face. Cllr Lintill confirmed that the Cabinet have been speaking to the government and that the project was a Cabinet initiative.

In a vote the following resolutions were agreed:

- 1. To create a help and support service for residents facing cumulative problems of financial, debt and other cost of living issues, run as a 2-year pilot with a review built in 6 months after going live and subject to on-going and final evaluation.**
- 2. That £300,000 be allocated to come from the General Fund Reserves for staffing and operational costs for up to 2 years.**
- 3. That the further detail including allocation of funding to the various elements of the proposal is delegated to the Divisional Manager Housing, Revenues and Benefits in consultation with the Director of Housing and Communities and Cabinet Members set out in section 1 above.**

#### 146 **Motion from Cllr Brown**

Cllr Oakley requested an update from the Chair on the Motion he had submitted relating to the lease on a site on Florence Road. The Chair explained that the item will be on the agenda for the Cabinet meeting in September instead.

Mr Bennett was invited to clarify the position for members relating to interests. He explained that where members are appointed to other bodies they should declare a personal interest but are entitled to stay in the room, fully debate the item and vote so long as they are content that a member of the public would not deem them to have an interest which will bear weight on their decision. Cllr Sutton asked whether a position on a council would make a difference to that advice. Mr Bennett explained that members are entitled to speak on behalf of their parish council. Members can choose to step away if they feel their role was prejudicial to their decision making.

Cllr Brown proposed his motion. This was seconded by Cllr Bangert. The Motion was as follows:

*Following the withdrawal of Southbourne's Neighbourhood Plan Review from examination, and with only a marginal 5 Year Housing Land Supply, Chichester District Councillors are deeply concerned at the prospect of unplanned development being permitted in Southbourne Parish.*

*Councillors believe that all parts of the District should be treated equally and fairly within the Local Plan Review (LPR) and that Southbourne should not – along among the Parishes in the Development Plan area – be identified as a 'Broad Location for Development'. Rather, this Council resolves to progress a strategic allocation for development at Southbourne within the LPR.*

*To avoid unnecessary delay to the LPR, work on this allocation should take place in parallel with other work on the LPR wherever possible and should seek to incorporate, update and reconsult on the Neighbourhood Plan evidence base wherever appropriate. Whichever location or locations may ultimately be selected for development, this should*

*maximise the chances of any and all development in Southbourne over the life of the fifteen-year LPR being properly master planned.*

*While the Development Plan and Infrastructure Panel (DPIP) regularly considers evidence and options and makes recommendations on the way forward, this is a decision of such importance that it is appropriate that it be made by Full Council and be subject to public scrutiny.*

***It is therefore recommended that: Council resolves to progress a strategic allocation for development at Southbourne within the LPR.***

Cllr Brown outlined his Motion. He clarified that his Motion was not about a site or housing numbers but how sites are selected. He drew attention to the evidence base that had been used for the withdrawn Southbourne Neighbourhood Plan and asked officers to consider its use. He explained that he did not wish Southbourne to lose the option of a bridge over the railway line. He explained that his Motion set out to provide Southbourne with the ability to plan for future growth and defend against speculative applications.

As Cabinet member, Cllr Taylor was invited to respond first. Cllr Taylor requested a recorded vote. Cllr Lintill, Cllr Plant, Cllr Oakley and Cllr Sutton provided the required number of supporters for the request.

Cllr Taylor responded by explaining that the Motion would delay the Local Plan Review by adding a site allocation. She added that officers do not have the capacity to work on the Local Plan Review and on the evidence base for a site allocation. She clarified that the evidence collected to date only relates to the eastern side and further evidence collection would require a further consultation. With regard to the submission of evidence to support the Local Plan, Cllr Taylor advised that all major evidence would have to be included at the point the plan is submitted for examination. She added that the additional detailed evidence required by a site allocation at Southbourne would add approximately 6-8 months to the overall programme.

Peter Home, External Consultant was invited to speak by the Chair. He explained the nature of the Broad Location for Development (BLD) can be substituted in place of a site allocation. It must come forward as a policy but does not have to be included in a policies map. Once adopted it carries as much weight as any other strategic policy in the Local Plan.

Cllr Purnell asked members to listen to the planning officers advice to avoid delay to the Local Plan Review. She asked members to consider how they would defend a decision to support the Motion if it led to speculative application in their ward.

Cllr Bangert drew members to the work of the Southbourne Neighbourhood Plan Steering Group and asked them to look at this work to see how the Group would like development to be planned.

Cllr Oakley asked members to consider whether the Local Plan Review timetable would be extended by supporting the Motion. He concluded that additional evidence gathering would be required. He asked officers if a separate consultation would be required for a site allocation. If that is the case, it would extend the process further.



Mr Frost explained that the BLD could be worked in with existing work and cause no significant delay. However, a site allocation would cause a long delay due to site identification and selection, technical studies as the Neighbourhood Plan studies are for the site to the east only and consultation. A consultation would be required along with a viability assessment and a sustainability appraisal. The series of milestones could take 10-12 months which would be a significant delay.

Cllr Brisbane asked if there is evidence elsewhere for council's to defend a broad location of development approach. He also suggested the use of consultants could speed up the additional work required.

Mr Home clarified that the BLD approach is widely used across other local authorities.

Cllr Hobbs wished to note previous criticism about delaying the Local Plan Review when the Motion could cause delay. He explained he would not be able to support the Motion.

Cllr Sutton addressed the issue of speculative development. He raised concerns that the Motion would cause a greater level of speculative development during the delay in the Local Plan Review outlined by officers.

Cllr Sharp asked which option provides the best infrastructure long term. Mr Whitty explained that the BLD would allow the Masterplan process after the Local Plan Review. He explained that would be the best option in his professional opinion. He added that officers were proposing to add the allocation to Southbourne via the BLD with the detail to then be decided following the Local Plan Review.

Cllr Moss explained that he had sought advice (this was later clarified to be informal advice following a clarification request from the Monitoring Officer). He asked if the officers had read all the Southbourne Neighbourhood Plan documents, what else is required and have officers met with prospective developers. Mr Whitty explained that he was familiar with the documentation. He explained that there are a number of technical documents which only cover land to the east. The other sites would need to have the same level of technical documents. In addition some of the technical documents such as ecology would need updating. He added that officers have met with prospective developers to the east and west setting out the BLD option.

Cllr Briscoe asked members to consider the district as a whole and how the BLD could reduce the timescale for speculative applications before the new local plan is adopted. He explained he could not support the Motion.

Cllr Plant explained she could not support the Motion following all that she had read.

Cllr Lintill explained that she could not support the Motion raising concerns of speculative development to the whole of the district for a longer period.

Cllr Brown in summary noted a third of the overall housing to be provided by the Local Plan Review falls in Southbourne. He raised concerns that the BLD policy does not have as much detail as a Masterplan and therefore would be easier for developers to comply. He also questioned officers support during the Southbourne Neighbourhood Plan examination.

Mr Bennett drew attention to Cllr Taylor to be able to sum up as portfolio holder.

The Chair allowed Cllr Taylor the opportunity to comment. Cllr Taylor in response to Cllr Brown refuted the comments relating to officers support during the Southbourne Neighbourhood Plan examination quoting officer advice that any Neighbourhood Plan proceeding ahead of the Local Plan Review was at risk.

Cllr Tim Johnson raised a point of order to allow Cllr Brown to respond. This was confirmed by Mr Bennett as Monitoring Officer.

Cllr Brown clarified that he felt that officers had given support up until the point of the examination. This was in relation to backing up comments made leading up to examination.

Members requested a recorded vote as follows:

Cllr Apel – For  
Cllr Bangert – For  
Cllr Barrett – Absent  
Cllr Barrie – Absent  
Cllr Bell - Against  
Cllr Bowden - Absent  
Cllr Brisbane – For  
Cllr Briscoe – Against  
Cllr Brown – For  
Cllr Dignum – Against  
Cllr Duncton – Against  
Cllr Elliott – Against  
Cllr Evans – For  
Cllr Fowler – Absent  
Cllr Graves – Against  
Cllr Hamilton – Against  
Cllr Hobbs – Against  
Cllr D Johnson – For  
Cllr T Johnson – For  
Cllr Lintill – Against  
Cllr Lishman – Absent  
Cllr McAra – Absent from vote  
Cllr Moss - For  
Cllr Oakley – Against  
Cllr O’Kelly – For  
Cllr Palmer – Against  
Cllr Page – Against  
Cllr Plant – Against  
Cllr Plowman – Absent from vote  
Cllr Potter – Against  
Cllr Purnell – Against  
Cllr Rodgers – For  
Cllr Sharp – For  
Cllr Sutton – Against  
Cllr Taylor – Against  
Cllr Wilding – Against

Totals:

For = 11

Against = 18

Abstentions = 0

Absent = 7

The Motion was therefore not carried.

147      **Urgent Decision Notice - Planning Performance Agreement for West of Chichester Phase 2**

On behalf of the Council the Chair noted the Urgent Decision Notice relating to the Planning Performance Agreement for West of Chichester Phase 2.

148      **Questions to the Executive**

Due to the time the Chair accepted a question from Cllr Page. Cllr Page asked the Leader and Chief Executive to press National Highways to respond to MP Gillian Keegan's letter requesting an all options consultation on the A27 instead of waiting for approximately 30 other schemes nationally to reach the same stage for consideration. Mrs Shepherd responded and explained that National Highways have requested that all schemes reach the same stage. The Leader and Chief Executive had already met with National Highways to share their concerns and MP Gillian Keegan had also requested a meeting.

Cllr Sharp offered to send her question in for a written response.

The Chair advised all members to send their questions into Democratic Services.

149      **Late Items**

There were no late items.

150      **Exclusion of the press and public**

There was no requirement to exclude the press and public.

The meeting ended at 5.53 pm

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CHAIRMAN

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Date:

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