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Minutes of the meeting of the **Council** held in Committee Rooms, East Pallant House on Tuesday 20 September 2016 at 2.00 pm

Members Present: Mrs E Hamilton (Chairman), Mrs N Graves (Vice-Chairman), Mrs C Apel, Mr G Barrett, Mr R Barrow, Mr P Budge, Mr J Connor, Mr M Cullen, Mr T Dempster, Mr A Dignum, Mrs P Dignum, Mrs J Duncton, Mr M Dunn, Mr J W Elliott, Mr B Finch, Mr N Galloway, Mr M Hall, Mrs P Hardwick, Mr R Hayes, Mr G Hicks, Mr L Hixson, Mr F Hobbs, Mr P Jarvis, Mrs G Keegan, Mrs E Lintill, Mr S Lloyd-Williams, Mr L Macey, Mr G McAra, Mr S Morley, Caroline Neville, Mr S Oakley, Mrs P Plant, Mr R Plowman, Mrs C Purnell, Mr J Ransley, Mr J Ridd, Mr A Shaxson, Mrs J Tassell, Mrs S Taylor, Mrs P Tull and Mr D Wakeham

Members not present: Mr I Curbishley, Mr J F Elliott, Mrs J Kilby, Mrs D Knightley, Mr H Potter, Mr N Thomas and Mrs S Westacott

Officers present all items: Mrs D Shepherd (Chief Executive), Mr P E Over (Executive Director), Mr S Carvell (Executive Director), Mr J Ward (Head of Finance and Governance Services), Mr N Bennett (Legal and Democratic Services Manager), Mr A Frost (Head of Planning Services) and Mrs B Jones (Principal Scrutiny Officer)

142 **Minutes**

RESOLVED

That the minutes of the meeting of the Council held on 19 July 2016 be signed as a correct record.

143 **Urgent Items**

There were no urgent items for consideration at this meeting.

144 **Declarations of Interests**

The Chairman read out the following statement:

The Council are debating the A27 route (agenda item 9) and I note that many members own land (including their home) or have an interest in a business affected by one of the potential highway changes being debated. There are a variety of routes which are under consideration and I note the questions which may be put before Council that may refer to other routes which are not subject to the report but which members may wish to debate.

The Monitoring Officer has written to all members providing them with his thoughts on potential interests upon the debate.

The Monitoring Officer's conclusion is that it is appropriate to grant dispensations to all members for them to speak at the debate today. The dispensation is made for a defined period being today only (20 September 2016).

145 **Chairman's announcements**

The Chairman

- 1) advised that August had been a quiet month in respect of events at which she and the Vice-Chairman were requested to represent the community;
- 2) reminded members of the All Parishes Meeting taking place on Wednesday 28 September 2016;
- 3) commented on the success of Recycling Week and invited the Cabinet Member for Environment, Mr R Barrow, to say a few words. Members and Officers were thanked for their time and attendance.

146 **Public Question Time**

Four questions about the improvement of the A27 were asked by Ms Heather McDougall, Ms Linda Boize, Ms Zoe Neal and Ms Emma Horton and answered by Mrs Susan Taylor (Cabinet Member for Housing & Planning) as follows:-

Question from Ms Heather McDougall:

Throughout this consultation, I have tried to read as much of the publicly available information as possible; I have attended the public exhibitions, where Highways England confirmed to me that Option 2 would drive more traffic into Chichester; I have emailed Highways England for more facts to help me understand, but this has yet to be answered; I have attended other Council meetings, where the options have been referred to as a bad bunch that won't solve the problem; I have heard the overwhelming views of Donnington residents about the detrimental impact Option 2 will have, and as a Donnington resident myself, I find myself analysing all these facts and wondering if saving an average 5 minutes and 40 seconds really is worth all the pain to the residents, to the environment, to our local roads? Therefore my question to you is, can you clearly articulate the benefit to local communities that Option 2 will provide and can you, in weighing up the costs and benefits, truly support this as being a good option for the people of Chichester?

Answer:

The broad arguments which are considered to justify the Council giving qualified support to Option 2 are set out in the Cabinet report, and summarised at Paragraphs 5.27 – 5.28 of the report. Based on the information available, Option 2 is considered to offer the greatest long term benefits for the Chichester area. This option performs best in terms of travel and accessibility, providing the greatest reductions in journey times, the greatest improvements in journey time reliability and the best performance in reducing accidents. These benefits would occur not only along the A27 itself, but also to/from Chichester city, whilst the Stockbridge Link Road offers potential journey improvements to/from the Manhood Peninsula. Therefore, it is considered that Option 2 (or an amended version of it) offers the

greatest potential to support economic growth and future development to meet the area's needs.

It is accepted that Option 2, as currently proposed, would have some detrimental impacts (as would any option). The report and the proposed Council response to HE in Appendix 3 make clear that further assessment will be needed through additional studies and design work to avoid or mitigate the potentially significant impacts on the landscape, natural and historic environment, and the loss of land and property. However, it also needs to be emphasised that the A27 Bypass and the existing issues of traffic congestion and safety already cause substantial detrimental impacts for local residents and the environment and that these effects will only continue to worsen unless a scheme for significant improvements is brought forward.

Question from Ms Linda Boize:

'Do you think it acceptable to support Option 2 which focuses on cars and lorries when the impact on south Chichester people will be so damaging in loss of houses and trade, loss of connectivity including cyclist, pedestrian and electric buggy connectivity, loss of local green spaces, over 3 years of construction noise, reduced access and increased pollution especially of particulates, flyovers making a concrete ugly scar and to only ask for serious consideration to the seven mitigation points listed in red in the Agenda Supplement, when at the very least implementing these mitigation points is what is needed. And do you think it is acceptable to ignore the widespread call for reopening the case for a northern alternative.'

Answer:

There are two points raised in this question. In response to the first point about the disruption and potential adverse impacts resulting from Option 2, it should be emphasised that the proposed response to Highways England (which Council is being asked to endorse) does not only include the Cabinet report recommendations themselves, but also the very detailed comments in Appendix 3 of the report which set out a range of additional work which Council officers consider that HE should undertake to develop a better A27 scheme to avoid or mitigate potential adverse impacts.

With regard to a northern bypass route, the proposed Council response seeks to respond specifically to the options proposed in the current Highways England consultation. As indicated in Paragraphs 6.5 – 6.6 of the Cabinet report, it is not considered appropriate for the Council to seek to assess options that do not form part of the current consultation, and it is clear that the Department for Transport and Highways England are now only looking to bring forward an online scheme. In any case, it is not clear that alternative offline options would perform better than Option 2 in terms of benefits weighed against environmental costs.

Question from Ms Zoe Neal, represented by Mr Christopher Hunt:

With reference the Officer's report and the last minute amendments 2.1 points C & D. What certainty do the District Council's Officers have that Highways England will deliver these uncosted amendments, untested against Highways feasibility criteria? Especially given that you would have already made it clear to Highways that you prefer Option 2. Would it not be better to negotiate for better conditions prior to settling on an option first?

Answer:

The Council's role is that of a consultee responding to the current Highways England public consultation on A27 options. The points in recommendation c) to Council, and detailed comments in Appendix 3, constitute the proposed Council's response to Highways England, which sets out additional work which it is considered should be undertaken to develop a better A27 scheme, and to avoid or mitigate potential adverse impacts. However, it will be for Highways England to decide how to respond to these comments, and to comments made by other consultees. The Council is not in a position to "negotiate" with Highways England, although it is hoped that its views will carry significant weight in representing the local community.

The recommendation to Council is to give qualified support to Option 2, for the reasons set out in the Cabinet report (summarised in paragraphs 5.27 – 5.28), which indicate that this option appears to offer the greatest long term benefits to the Chichester area in terms of improving travel and accessibility, thereby supporting economic growth and future development to meet the area's needs. However, the report makes clear that these advantages will need to be balanced against the potentially significant impacts on the landscape, natural and historic environment, and the loss of land and property and that further assessment will be needed through additional studies and design work by Highways England in developing a preferred scheme.

Questions from Ms Emma Horton:

1. Given that the Stockbridge roundabout area has been designated as an 'Air Quality Management Area' or AQMA since 2006, on account of the levels of nitrogen dioxide exceeding UK limits, how can you justify any of the options proposed by Highways England, when they will cause, according to HE, a 'deterioration in air quality around the Stockbridge AQMA'?

Answer:

The methodology for assessing air quality impacts applied by Highways England considers the net effects of all positive and negative effects within and around Chichester city. In terms of overall impact on air quality, Option 2 shows the greatest potential benefit of the options tested, although with some potential negative effects in the immediate vicinity of the Stockbridge junction. However, Highways England has not as yet carried out detailed design work of any of the possible option schemes. Once a preferred option is selected, then this will inform a detailed air quality modelling exercise. In the detailed response to Highways England included in Appendix 3 of the Cabinet report, Council officers have highlighted additional work that should be undertaken by Highways England at the scheme design stage. The Council will comment on the detailed air quality modelling work when it is made available.

2. There is no mention in the Highways England's proposals booklet of the effects and consequences of building a flyover at the Stockbridge roundabout (option 2) on air quality and travel disruption, other than it may take up to 4 years. Do councillors agree that there will be traffic chaos along the A27 for years, causing untold misery for thousands of people on a daily basis, if one of these options are chosen?

Answer:

All proposals to improve the A27 will create issues of travel disruption to a greater or lesser degree during the construction phase. Although Option 2 would require a substantial period for construction, it would provide greater long term benefit compared to the other options, which would therefore reduce the need for further improvements works in the future.

Although the consultation brochure itself provides limited information, a more detailed assessment of the potential impacts during construction is provided in Environment Study Report which has been published on Highways England's consultation website. Highways England has indicated that it will seek to minimise the disruption created during construction by phasing the proposed highways works and that it will produce a detailed Construction Environmental Management Plan. The Council will expect to have the opportunity to comment on this when it is produced before the start of construction work.

147 Surface Water and Drainage Supplementary Planning Document for Adoption

Mrs Taylor (Cabinet Member for Housing & Planning), seconded by Mrs Lintill, moved the recommendations of the Cabinet. She stated that the Surface Water and Foul Drainage Supplementary Planning Document (SPD) was a planning guidance document for developers and their agents to assist them in determining whether there was sufficient infrastructure available to meet the needs of their proposed development to ensure the safe discharge of both foul and surface waste water. It sets out the procedures to be followed prior to submitting a planning application. The SPD went out for public consultation on 28 March 2016 for a period of six weeks.

Mr Oakley welcomed the overall thrust of the document in consolidating all the guidance in one place to assist the planning process. However he was concerned at the non-requirement to carry out winter ground water monitoring before the submission of the primary application for a site as without that information it limited the Planning Committee as to whether the surface water drainage system proposed for a site could be achieved.

Mr Ransley wished to know what timescales had been set to allow the review and update of the document. Mrs Taylor undertook to provide a written response to this question.

Mr Ransley also referred members to the debate that took place on this matter during the Overview & Scrutiny Committee's review of Southern Water (SW) recently when SW undertook to take positive steps on addressing the long term issue the Council has experienced in relation to the maintenance of ditches and waterways (hence his reason to address the regularity of the reviews). He stated that if anything came out of that proposal it would bring about positive changes to the document. Mrs Apel (Chairman of the Overview & Scrutiny Committee) advised that she had received a positive email from SW following the meeting and that she hoped this now provided the basis for good communication between SW and the Council in future.

Mr Barrow requested that where a resident had taken the trouble to respond to the consultation and their response had not been taken into account, it was important to acknowledge these comments and also to pass them to SW in order that they may be addressed.

Mr Plowman commended this document for its clarity and clear flow charts, stating that it provided good help and guidance for the future. He was supported by Mrs Apel and Mr Hayes.

Mr Barrett had an issue with ground water testing, saying that the Manhood Peninsula was low lying and the water table high so there was a risk of flooding. Mrs Taylor advised that the document referred to ground water testing needing to be carried out by the developer for developments of five or more houses, with the Council arranging this testing direct for developments of under five houses. Mr Carvell advised that SW's preference was for ground water testing prior to construction rather than at the detailed planning application stage. Mr Frost continued that the question appeared not to relate so much to the SPD, which is the guidance, but to the wording and requirements of the planning conditions that might be applied to the surface water drainage, therefore enabling the construction but with conditions attached. If there was no drainage solution then it was incumbent upon the developer to come back to the Council to address the condition in an alternative manner. There was the option for interested parties to have a further discussion outside the meeting.

In putting the recommendation to the vote there were four abstentions.

RESOLVED

- 1) That the Surface Water and Foul Drainage Supplementary Planning Document be adopted.
- 2) The proposed responses to the representations received be approved.

148 Avenue de Chartres Car Park - Tender Evaluation

Mr Finch (Cabinet Member for Support Services), seconded by Mr Dignum, moved the recommendations from Cabinet. Mr Finch informed the Council that the Avenue De Chartres car park had been built in 1991 and on 7 April 2015 the Cabinet had approved a project initiation document with indicative costs for:

- essential structural and aesthetic refurbishment works
- optional flexible resurfacing of the intermediate and lower decks
- optional vehicle guidance system
- optional electric charging points
- optional refurbishment of the stairwells, five access towers, retaining walls and paved surfaces

In these cost constrained times the recommendations had been split into two parts - those which were essential to meet structural or health and safety standards and those which provided a modern, safe, car park which was aesthetically attractive to encourage greater use.

Mr. Finch did not propose to move forward with either the vehicle guidance system, as it was costly or the levels of occupancy in the car park did not justify it, or the electric charging points, as grant funding was no longer available. However the £45,000 approved in December 2015 to support this initiative would be reconsidered as part of a wider policy across the district.

Noting that the optional flexible resurfacing of the intermediate and lower decks were not required for structural reasons, Mr Ransley enquired whether the resurfacing would consist of the usual black and white surface or a multi-colour option. Mr Finch confirmed that it was most likely the black and white option saying that it was prudent to undertake this work now as it was important for the long term health of the building.

RESOLVED

- 1) That funding for the essential upgrade of the perimeter vehicle barriers, pedestrian railings and associated works be approved to achieve compliance with current health and safety standards and officers be authorised to invite invitations to tender for these works.
- 2) That funding to refurbish the 5 access towers and clean the concrete retaining wall and paved surfaces be approved and officers be authorised to invite invitations to tender for these works.
- 3) That the asset replacement programme be re-profiled to enable the replacement of the existing lighting installation with a more energy efficient LED system and officers be authorised to invite invitations to tender for these works.
- 4) That the release from capital reserves of the sum identified in the report be authorised to fund the cost of this refurbishment not provided for within the Asset Replacement Programme.

149 Deficit Reduction Strategy

Mrs Hardwick (Cabinet Member for Finance & Governance), seconded by Mr Dignum, moved this recommendation from Cabinet. She stated that in May 2013 the then Cabinet had approved a Deficit Reduction Plan to yield £2.4m of savings and income, aiming to close an anticipated deficit in the then 5 year model. Since then through the hard work of officers and members the Council had achieved savings of £3.6m (over £1.2m more than expected through both revenue savings of £2.2m and additional income of £1.4m). Despite these achievements, the financial forecast remained challenging, with ongoing risks including the full localisation of business rates by 2020, New Homes Bonus likely to be reduced, a possible general downturn in the economy which would inevitably hit income streams and challenging amended waste and recycling targets. The latest five year plan model showed a predicted £2.5m deficit by 2021/22, assuming current policies are continued. If the Council recognises the further risks and cost pressures and agrees and implements the policy decisions, the predicted deficit would grow to £3.8m by 2021/22.

However Officers and Members have continued to develop plans for more savings and yet further income generation and these policies are modelled to generate savings and further income year on year rising to just under £3.9m by 2021/22. The model had assumed modest council tax increases but the need for this would be reviewed annually. In December 2015 the Government offered the Council a specific four year financial settlement if we submitted an 'efficiency plan' demonstrating that we could achieve a balanced budget, however if we did not take up this offer we were likely to achieve worse settlements year on year.

Mr Oakley queried the tax base growth rate of 1.1% and the level of housing delivery rate this would equate to; the costs or estimates of cultural grants when they transfer from being funded from reserves to revenue; and any other 'unknown unknowns' that could undermine the Council's planned balanced budget. Mrs Hardwick advised that the model built in prudence at every level, however implicit in these figures were some uncertainties.

Mr Ward confirmed that local government finance was going through a significant period of change. Moving from 50% to 100% localisation of business rates and the Government's review of the Needs Assessment (effectively the baseline funding position) could create significant risk for the council. A prudent approach had been taken in forecasting. The tax base growth rate was not derived from housing numbers but the equivalent of band D properties and net of discounts e.g. council tax benefits. There was an item within the five year model for grants including cultural grants.

Mr Cullen queried whether it would be at the end of the four year period, when we had received our entire grant, that we could say that we hadn't achieved the savings. Mrs Shepherd (Chief Executive) responded that the model was reviewed quarterly and that there was a legal requirement that each local authority balance its books. This council had been particularly prudent. We didn't use New Homes Bonus (NHB) which was a fairly unique position and we have money in reserves. As past records show we are able to react quickly if things change significantly. Mr Dignum added that the Council was being extremely conservative on business rates. In the current year we had earned about £3m from business rates and we were projecting ahead at a much reduced figure of £2.1m. Ever since he had held the Finance portfolio the NHB had virtually all gone into reserves. Even though we expect a sharp falling off, we were not using it for day to day spending but to support our communities.

Mr Dunn was confident that the council had laid down levels of prudential reserves and that it was comfortably in excess of the minimum requirements.

Mr Ransley, referring to the planned savings, queried whether we would be able to address not only those listed but others in future. Mrs Hardwick advised that the savings were considered quarterly and the Council's Programme Boards were looking for new opportunities all the time.

Mr Oakley asked what incentive there was on local authorities to invest in the local economy if the return on business rates was negative. Mrs Shepherd replied that even if we can't retain business rates we would still want to give our full support to businesses.

RESOLVED

That the Head of Finance and Governance be authorised to submit a request to the Department of Communities and Local Government for a four-year settlement and that this Deficit Reduction Plan is used as the basis for that request.

150 A27 Chichester Bypass Improvement Scheme Response to Highways England Public Consultation

Mr Dignum (Leader of the Council), seconded by Mr Finch, moved these recommendations from the Cabinet.

He advised that in July this year Highways England (HE) published its long awaited consultation document on the proposed A27 Chichester Bypass improvement scheme. The consultation period was for a ten week period from 14 July until 22 September 2016 and contained five online options. Officers had analysed the proposals in detail having regard to the Council's corporate priorities, assessing the potential benefits and disadvantages of each of the options. They had concluded that Option 2, based on the evidence provided to date, appeared to offer the best outcome in terms of reduced journey times both for east-west through traffic as well as for local traffic, particularly to and from

the Manhood Peninsula, together with the greatest improvement in journey time reliability and reduction in accidents. However, support for Option 2 was qualified and it was recommended that HE were asked to consider a number of further measures at recommendation 3.

Only the five options that are the subject of the public consultation had been considered as these were the only options being proposed by HE. The Council was asked to support these recommendations for submission as the Council's formal response to HE.

We should recognise that whichever option was ultimately selected would have disadvantages as well as benefits and would not please everyone. But it was essential that the current levels of congestion on the A27, with the resultant adverse effects on journey times and reliability, which in turn impedes development and quality of life, does not continue. It was important therefore that the opportunity was taken to comment on the available proposals in a constructive manner to ensure that improvements to the A27 could be progressed.

Mrs Apel made a statement on behalf of the Fishbourne residents, who were not represented at this meeting, stating that Option 2 would destroy the AONB and the economy. The construction would take time and damage communities. The residents recommended that all options be ruled out and that true transparency was provided by HE in explaining why the northern route was discounted.

Mr Barrow was inclined to support officers' recommendations as Option 2 provided the best way forward for Chichester in getting traffic through and on and off the Manhood Peninsula smoothly, however he had grave concerns regarding the southern link road damaging communities, the environment and historic buildings. He claimed that the Southern Link Road would not be sustainable and could, in future, become a dual carriageway. HE had not done a particularly good job as the two northern options had got into the public domain which had raised false hope for residents of the Manhood Peninsula. He was taken aback by the massive support in the south for a northern option and suggested that HE be encouraged to look at this again and to explain the reasons why the northern routes had been rejected.

Mr Ridd commented on the huge turnout of local residents, including the views received from many in the Donnington and Appledram area. He was minded to reject Option 2 on the grounds that the overpass did not provide access to and from the A27 and required longer and more circuitous journeys, which would be compounded with further turnings from feeder routes onto the A27. He suspected that it would encourage traffic to end up in Fishbourne and then to take rat runs through the city. The ramp, which would start near shops, would have a devastating effect on residents, including the demolition of the Grade 2 Stockbridge House. The pollution as a result of this new bypass would blight the lives of residents living near it.

Mr Jarvis, Mr Barret, Mr Connor and Mr Shaxson were also not in support of Option 2 and suggested either a 'no option' response, alternative options or a re-examination of the northern routes. Mr Jarvis concurred stating that the bypass separated the through traffic from the local traffic, building a damn around the city and cutting the city off from the peninsula. Mr Barrett was concerned that the contribution the economy made to the district would be severely disrupted during the construction process if Option 2 were to go ahead.

Mrs Tull stated that the methodology and data used by the HE appeared to be flawed and therefore the consultation was ultimately flawed. No meetings had been held by the HE with Donnington, Stockbridge, North Mundham and the other affected villages. There was no acknowledgement of the peak summer traffic or of Goodwood event traffic and the gridlock which normally occurred on the A27 and surrounding feeder roads which could be solved by access from the north. Option 2 encroached on the Harbour and the Area of Outstanding Natural Beauty (AONB) trapping 25,000 residents on the peninsula. Consideration of the present population should take preference over any housing which was not yet built. She stated that Option 2 should be ruled out. Mrs Purnell moved that a recorded vote be taken, which was supported by more than four members. On a vote being taken, it was declared carried.

Mr Connor, representing Selsey, had met with HE and consultants in 2014 to discuss the A27 improvements and at that time had suggested a grade separated route on the existing lines which would resolve the overcapacity issues. This had been turned down as the route did not have enough space at each junction to create the access slip roads. As through traffic only accounted for 20% of the total it was considered too costly. Since then the through traffic figures had been adjusted to 42% of all users. The A27 route was currently operating at about 50% over design capacity. He proposed an alternative option which offered a lower cost, lower environmental impact northern route with a two way single carriageway northern bypass for through traffic with grade separated roundabouts at Lavant and at Goodwood and built to the same standard as the Bognor relief road.

Mr Oakley questioned the aim of spending thousands of tax payers money on a bypass which would need to be reviewed in 2035. None of the options include the significant upgrade of Portfield roundabout which would become a bottleneck with the increase in housing in Chichester and Arun. HE's ambition to remove the Oving lights would exacerbate the problem. The uncoded shopping list of additional recommendations would push this project above the funding costs. However cheaper options could be suggested by saying to Government that the northern options needed to be looked at in full. The northern options also came with environmental impacts however the bypass could run on the edge of Goodwood and be buried in the landscape. It was evident that Goodwood Estate's case was built on sentiment that would not merit the status of material considerations in planning applications. The northern options represented a long term solution for the district, county and regions road transport networks.

Mr Hall, in response to the request for reconsideration of the northern bypass, commented that this option had been removed by the Secretary of State on a number of sound policy reasons, namely Section 85 of the Countryside Act 2000 - Conserving and Enhancing the Natural Beauty in AONBs. The proposed northern routes would run from the existing A27 new interchange just west of Boxgrove to Lavant, creating noise and light pollution along the entire length of the South Downs National Park's southern boundary. The compensation to the Goodwood Estate with the loss of its motor sport events had been estimated to be in excess of £30m because the proposed route ran through their car park. This would have been far greater than the building of the road, therefore exceeding the budget that HE had for upgrading the A27. He called upon the Council to protect its own policies and to protect its own AONBs and the thriving rural economy in the district. Mr Hall supported Option 2.

Mr Budge advised that the area was suffering due to the lack of progress on a bypass at the last consultation in 2003 and supported Option 2. He was concerned that in following

the northern route the Council may not then be able to build the houses which had been committed for development.

Mr Dunn stated that the Council was one of many consultees to this proposal; part of a hierarchy of consultees. He was concerned that if an option was not supported fully at this time that the proposal would be put to the back of the queue and that other road schemes would come forward and take precedence as had happened in the past. He supported Option 2 and approved the comments set out in point 3; however he proposed an additional recommendation that the Council request the Secretary of State to explain in more detail the reasons for the rejection of the northern route.

Mr Hobbs, Mr Barrow and Mr Plowman supported Mr Dunn stating that the Council needed to understand why the northern routes had been dismissed.

Mr Oakley proposed that this Council's response to the consultation be as follows:

1. Takes the form of a commentary on the proposed options, enhancing concerns and highlighting risks.
2. Does not implicitly or formally support any of them.
3. Recommends a re-examination of the northern options given the magnitude of their additional benefits and the need to provide high quality road transport connectivity to support growth for all over the long term, hence fully meeting all strategic objectives.
4. Given the short timescale for response, retain Cabinet recommendation D, so that amendments commensurate with the above can be made in time.

Mr Cullen seconded Mr Oakley's proposal, which was also supported by Mr Connor.

The Chairman turned to Mr Oakley's motion. The result of the recorded vote was as follows:

For the recommendations: Mrs Apel, Mr Barrett, Mr Connor, Mr Cullen, Mr J W E Elliott, Mr Galloway, Mrs Hamilton, Mr Jarvis, Mr Macey, Mr Morley, Mr Oakley, Mr Ridd, Mr Shaxson and Mrs Tull (14)

Against the recommendations: Mr Barrow, Mr Budge, Mr Dempster, Mrs Dignum, Mr Dignum, Mrs Duncton, Mr Dunn, Mr Finch, Mrs Graves, Mr Hall, Mrs Hardwick, Mr Hayes, Mr Hicks, Mr Hixson, Mr Hobbs, Mrs Keegan, Mr Lloyd-Williams, Mr McAra, Ms Neville, Ms Plant, Mr Plowman, Mrs Purnell, Mr Ransley, Mrs Tassell, Mrs Taylor and Mr Wakeham (26)

Abstained: None

(Mrs Lintill had left the meeting before this vote)

The motion was declared not carried.

Mr Ransley then moved, duly seconded that Option 2 be supported with an additional recommendation: That for the purpose of transparency and community cohesion the Secretary of State provides this Council with the justification for discounting the previously prepared two offline routes to the north of the city.

The Chairman then asked the Council to consider the Cabinet's recommendations with the addition of the further recommendation from Mr Ransley. The result of the recorded vote was:

For the recommendations: Mr Barrow, Mr Budge, Mr Dempster, Mrs Dignum, Mr Dignum, Mrs Duncton, Mr Dunn, Mr Finch, Mrs Graves, Mr Hall, Mrs Hardwick, Mr Hayes, Mr Hicks, Mr Hixson, Mr Hobbs, Mrs Keegan, Mr Lloyd-Williams, Mr McAra, Ms Plant, Mr Plowman, Mrs Purnell, Mr Ransley, Mrs Tassell, Mrs Taylor and Mr Wakeham (25)

Against the recommendations: Mrs Apel, Mr Barrett, Mr Cullen, Mr Elliott, Mr Galloway, Mrs Hamilton, Mr Jarvis, Mr Macey, Mr Morley, Ms Neville, Mr Oakley, Mr Ridd, Mr Shaxson and Mrs Tull (14)

Abstained: Mr Connor (1)

RESOLVED

- 1) That the overall conclusions of this report set out in Paragraphs 5.27 – 5.29, providing qualified support for Option 2 and based on the information published by Highways England at this stage, be agreed.
- 2) That the comments set out in Appendix 3 (including the Annex) for submission as the Council's formal response to the Highways England consultation on options for the A27 Chichester Bypass Improvement scheme be agreed.
- 3) That Highways England be advised that the Council is only minded to support Option 2, provided that Highways England gives serious consideration to the following:
 - a) Strategic improvements to the Portfield roundabout to increase east-west capacity, possibly including an eastbound flyover for cars and light vans only using the A27;
 - b) The provision of good access for traffic going from the B2145 to the east of Chichester without impeding through east-west traffic (possibly by a slip road from the Whyke Road flyover down to the A27 or a right turn from the flyover down to the A27);
 - c) The reduction of the length of the Stockbridge Link Road, either to only a section from the A286 to the Fishbourne roundabout or to the two sections from the B2201 via the A286 to the Fishbourne roundabout;
 - d) The provision of safe, segregated crossings of the A27 for cyclists and pedestrians at the Bognor Road, Whyke Road, Stockbridge Road and Fishbourne Roundabout junctions;
 - e) The installation of noise abatement screens on the flyovers;
 - f) The examination of the scope for lowering the roundabouts and flyovers at the Bognor Road and, especially, Fishbourne junctions to reduce visual impact; and
 - g) The use of Highways England's Designated Fund to finance the mitigation measures listed above.
- 4) Delegated authority be given to the Head of Planning Services, in consultation with the Cabinet Member for Planning and Housing, to make any consequential amendments to Appendix 3.
- 5) For purposes of transparency and community cohesion that the Secretary of State be requested to provide this Council with the justification for discounting the previously prepared two offline routes to the north of the city.

151 **Making the Chidham and Hambrook Neighbourhood Development Plan**

Mrs Taylor (Cabinet Member for Housing & Planning), seconded by Mrs Duncton, moved the recommendations from Cabinet.

Mr Cullen requested that the volunteers, who had put in a lot of hard work, should be congratulated on a successful outcome. It was noticeable that six/seven years ago the turnout for the Parish Plan was around 90% but for this Neighbourhood Development Plan the turnout had been 30% which was significantly lower.

RESOLVED

That the Chidham & Hambrook Neighbourhood Development Plan be made part of the Development Plan for Chichester District (excluding the area within the South Downs National Park).

152 **Approval of the Infrastructure Business Plan 2017-22 for consultation with the City, Town and Parish Councils and key Infrastructure Delivery Commissioners**

Mrs Taylor (Cabinet Member for Housing & Planning), seconded by Mr Dignum, moved these recommendations from Cabinet. She explained that the purpose of the Infrastructure Business Plan (IBP) was to enable the Council to prioritise and select the infrastructure that was most needed; when and where it was needed. Projects selected from the IBP would aid the cumulative growth of the area and ensure that the Community Infrastructure Levy (CIL) was spent to best effect; that a transparent prioritised approach was taken to selecting projects to be funded and that all sources of funding infrastructure were taken into account including S106 monies.

In September 2015 the first draft IBP was reported to Cabinet and subsequently to Council for consultation with WSCC and other Stakeholders. It was emphasised that it was a living document and would be reviewed annually. In February 2016 CIL was adopted by the Council thus giving greater certainty about future funding for infrastructure to support development in the Local Plan. The Council was now beginning to receive income from CIL, although future years' receipts were still estimated.

In assessing the infrastructure requirements and means of meeting those requirements, collaboration would be essential. In April this year a workshop was held with stakeholders and projects identified. The proposed Cashflow and Spending Plan was discussed at a meeting of the Joint Liaison Group, comprising officers and members from West Sussex County Council (WSCC) and the Council, and it was agreed that the Smarter Choices proposals and the Primary School places projects, together with the requested funding for the new Medical Centre on the West of Chichester Strategic Development Location should be subject to further detail and evaluation.

For the period 2016–2021 there would be a projected shortfall of £2,503,870 on the total costs of projects proposed for CIL funding. Therefore it was important that projects were prioritised that would meet the infrastructure needs of development.

The draft IBP would go out for consultation for a period of 6 weeks from 3 October to the 14 November. The results of the consultation would be discussed by the Joint Liaison Group before being reported back to Cabinet.

Mr Shaxson suggested that the foreword be amended to add a sentence to indicate that this plan covered all areas excluding the South Downs National Park (SDNP) and that the Park Authority had its own CIL arrangements. Mrs Taylor advised that the SDNP was referred to as one of the consultees but that this could be included.

Mr Oakley endorsed the comments on Smarter Choices, education and health projects. However he was concerned that the Council was looking to spend this amount of money on projects which would be very difficult to measure. Mrs Taylor advised that further details and an explanation were currently awaited and that all stakeholders agreed that nothing should be spent without good evidence.

Mr Ransley stated that it was essential to know that the infrastructure would be available in order to be able to support development. There would need to be some clarity as to how this was being funded and residents needed to fully understand this. Mrs Taylor replied that the purpose of the IBP was to give that clarity; there must be prioritisation and projects needed to be chosen wisely. Mrs Shepherd said that as there was a major funding gap in the district, the Council was going to have to look for other funding for necessary infrastructure. The prioritisation process within CIL would need to be used wisely, challenging the projects we were going to fund to ensure they were of the highest priority. Parishes which had taken growth would receive their share of the CIL which is paid twice a year as set out in the regulations. The Council is the responsible authority for the distribution of CIL.

Mr Plowman was happy that the document went out to consultation but requested more discussion on it following consultation.

Mrs Plant stated that most of high/essential priorities seemed to be with transport but queried the inclusion of a library at Southbourne and asked for clarification as to how the list had been created. Mrs Taylor confirmed that the library was possibly included during a workshop with residents at Southbourne and that it was considered the highest need in that area.

Responding to a question from Mr Shaxson, Mrs Purnell advised that the reason Selsey was showing no CIL receipt was that all accounting had been through S106 agreements before CIL started.

Mrs Hardwick suggested that in order not to raise expectations on proposed sites the phrasing in the document might be amended. Mrs Taylor noted the concern and would make the amendment.

To a question from Mr Ransley on the final short list Mrs Taylor responded that we were only certain about the first year and that subsequent years were estimates. Mr Dignum suggested that the Cabinet Member go through the document with officers before publication to ensure that it was as user-friendly as possible.

Mrs Purnell moved an amendment that a further recommendation be added: To allow the Head of Planning Services, in consultation with the Cabinet Member for Housing & Planning to correct minor and typographical errors before publication. This was seconded by Mr Dignum.

On the motion being put to the vote, this amendment was carried.

RESOLVED

That the Infrastructure Business Plan 2017-2022 be approved for consultation with the city, town and parish councils, neighbouring local authorities including the South Downs National Park Authority and key infrastructure delivery commissioners for a period of six weeks from 3 October to 14 November 2016.

That the Head of Planning Services, in consultation with the Cabinet Member for Housing & Planning, be authorised to make minor editorial and typographical amendments to the document before publication.

153 **Chichester Electoral Review: Draft Recommendations**

Mr Ridd (Chairman of the Boundary Review Panel), seconded by Mr McAra, moved these recommendations.

Mr Ridd advised that the Local Government Boundary Commission for England (LGBCE) published its recommendations for ward names and boundaries for the Council to take effect in May 2019. The consultation period runs until 10 October.

A small number of recommendations contained within this Council's original submission to the LGBCE were not agreed and the LGBCE had instead devised their own different proposals for those areas. The Council's Boundary Review Panel had focussed on these differences, and had not considered matters where the LGBCE had simply accepted the Council's original submission. Firstly, the Harting ward, to include the parishes of Elsted and Treyford, were not agreed by the Commission who thought that they more realistically sat with Midhurst. Mr Shaxson had submitted his defence of the original recommendation on the basis of community identity and of convenient and effective local government. The panel had considered this and now recommended this option. Both parishes had also submitted their recommendations to the LGBCE.

Secondly the LGBCE had not accepted the whole swathe of parishes from Bosham to Tangmere due to the variances proposed. They reconsidered the whole group and proposed a three member ward with Bosham in the west stretching across to Donnington via Fishbourne in the centre and south of the city and this three member ward also included Chidham and Hambrook and Donnington. The panel considered this revised proposal and as there was no overwhelming evidence to overcome this it was accepted with a change of name to Harbour Ward. This then threw up problems to the east because Hunston (which was to be included with Donnington) then had to be accommodated with the eastern ward. The Commission then came back with a two member North Mundham and Tangmere ward (consisting of the parishes Hunston, North Mundham, Oving and Tangmere) with a variance of 4% and again there was no overwhelming evidence to counter that and it was accepted by the panel.

There were some minor changes in Chichester City which the LGBCE discussed directly with the City Council. Finally the panel recommended that name of the proposed Chichester Portfield Ward be changed to Chichester Arundel Park Ward.

Mr Oakley advised that in his view the best way of representing wards was by single member wards. There was an issue with development at Shopwyke which would increase the numbers by 2021. The Council's estimates had been very conservative and at variance with what developers were saying. He didn't support the revised LGBCE

recommendation as there would be issues with community identity, no co-terminosity with County divisions and ineffective local government.

Mr Ridd, along with Mr Ransley and Mr Cullen, also members of the panel, confirmed that Mr Oakley's views had been considered by the panel, however after a lengthy debate it had been agreed to stick to the LGBCE's recommendations.

Mrs Purnell and Mr Connor were concerned that the LGBCE was driven by numbers in determining boundaries and did not take into account the best scenario for communities and they would not be supporting the recommendations. Mr Ridd accepted the comments made by the Selsey members, stating that the panel had not revisited any recommendations that had previously been successfully approved through Cabinet and Council and where the LGBCE had accepted those recommendations.

Mr Dignum referring to recommendations 3, 4 and 5, stated that Chichester City Council would be liaising with the LGBCE in respect of redrawing the city wards.

RESOLVED

That the Council informs the Local Government Boundary Commission for England (LGBCE) that it supports the Commission's draft recommendations for new electoral arrangements for Chichester District Council, with the following exceptions:

- 1) Its proposal to include the parish of Elsted & Treyford in Midhurst Ward. Instead this parish should be included in Harting Ward, as in the Council's original submission, on the grounds that in this case the criteria of community identity and effective and convenient local government should outweigh the fairly marginal electoral inequality.
- 2) Its proposals for the proposed Bosham & Donnington and North Mundham & Tangmere wards are accepted, but the wards should be named respectively Harbour and Tangmere Wards.
- 3) Its proposal to transfer Velyn Avenue from Chichester South Ward to Chichester Central Ward; the flats on the western side of Velyn Avenue, with Peter Weston Close should be so transferred but the eastern and southern sides of Velyn Avenue should remain with the rest of Whyke in Chichester South Ward with which it has more community identity.
- 4) Its proposal to transfer the Pound Farm area from Chichester South Ward to Chichester East Ward, thus creating a very small and unviable city council ward. Under the Commission's proposal, electors in this area will be in Chichester South for County Council elections, Chichester East for District Council elections and Chichester Pound Farm for City Council elections. This will be confusing for electors, and is not conducive to convenient and effective local government.
- 5) The name of its proposed Chichester Portfield Ward; Chichester Arundel Park Ward is preferred.

154 **Questions to the Executive**

Questions to members of the Cabinet and responses given were as follows:

- a) *Question: Rapid transport in the city*

Mr Dunn requested the Leader to give mind to the need for rapid transport in Chichester City.

Response:

Mr Dignum advised that Chichester Vision and the WSCC's road space audit took account of journeys into and out of the city. There was a need to make it safer and more comfortable for people to be able to cycle in and consider a way of routing buses through Chichester. Trams were expensive and very few had broken even.

b) Question: West Sussex Collective's funding for EU Funding Officer

Mr Oakley queried the recent suggestion on pooling of business rates and the desire to allocate a sum of money to fund an EU Funding Officer.

Response:

Mrs Shepherd (Chief Executive) replied that the proposal was not going ahead and that there were no alternatives.

c) Question: Road quality of A27 through Chichester

Mr Oakley queried whether the WSCC or the Council was responsible for cleaning the road surface through Chichester. He was particularly concerned at the unkempt condition of the verges, central reservations etc. between Crockherhill and Fishbourne.

Response:

Mr Carvell, Executive Director, advised that the Council had responsibility for litter picking on the A27 and Highways England had responsibility for maintenance but that in practical terms there may be some overlap of functions. A meeting was shortly to take place with Highways England and a written response would be provided to Mr Oakley following the meeting.

The meeting ended at 5.48 pm

CHAIRMAN

Date:

WRITTEN ANSWERS TO QUESTIONS

Minute 154 Questions to the Executive

c) Question: Road quality of A27 through Chichester

Mr Oakley queried whether the WSCC or the Council was responsible for cleaning the road surface through Chichester. He was particularly concerned at the unkempt condition of the verges, central reservations etc. between Crockherhill and Fishbourne.

Written response:

Under the Environmental Protection Act 1990 the Council is legally required to ensure that the A27 trunk road and other adopted highways are, so far as is practicable, kept clean. The Act states:

In determining what standard is required, as respects any description of land, highway or road, for compliance with subsections (1) and (2), regard shall be had to the character and use of the land, highway or road as well as the measures which are practicable in the circumstances.

Until recently the Council employed contractors to litter pick the A27 six times a year. Reactive cleaning was also completed as required i.e. in the event of an accident or spillage. The contractors cleaned the highway verges, whilst any debris accumulating in the central reservations was cleared by Highway England when carrying out their annual maintenance work. Traffic management legislation (which dictates the way in which work should be undertaken safely) was previously applied to highway works such as road surface repairs and lamp or barrier replacement. However, in the past couple of years, and following a series of accidents involving street cleaners, this legislation has been applied to the street cleaning industry as well.

A review of practices determined that, to comply with the regulations, the Council would have to operate road closures and work at night when traffic levels are lower. Specialist contractors are required to put traffic management in place which means the cost of completing the task has risen considerably. The central reservation was cleaned using this method in May 2016 and quotes have been invited from four companies to complete a thorough clean of the A27 from Crockerhill to Emsworth between January and March 2017. This is considered to be the best time of year as roadside vegetation will have died back thereby exposing the litter to be collected. Once costs for this have been confirmed the Council will need to consider the standard and frequency of this work, providing a solution that is practicable and affordable whilst maintaining a satisfactory environment.