

Chichester District Association of Local Councils

Chair: Cllr Andrew Shaxson (Harting & Elsted and Treyford Parish Councils)
Clerk: Anna Beams, c/o Mulberry & Co, Eastgate House, Dogflud Way, Farnham, GU9 7UD
Tel: 03303 450597
Email: admin@wsalc.co.uk

Minutes of a Meeting of Chichester District Association of Local Councils held on Tuesday 27th February 2024 at 7pm via Zoom.

Present:

Cllr Timothy Firmston	Birdham PC
Cllr Stephen Johnson	Chidham & Hambrook PC
Cllr Anna Gaymer	Donnington PC
Cllr Charles Britton	East Lavington PC (Vice Chair)
Cllr Helen Marshall	Fishbourne PC
Cllr Andrew Shaxson	Harting / Elsted and Treyford PCs (Chair)
Cllr Caroline Neville	Lodsworth PC
Cllr Jane Price	Plaistow & Ifold Parish Council
Cllr Martin Mellodey	Sidlesham PC
Cllr Richard Hitchcock	Westbourne PC
Cllr Christopher Mead-Briggs	West Itchenor PC
Cllr Nicolette Pike	West Wittering PC
Cllr Sophie Winship	Wisborough Green PC
Trevor Leggo	WSALC, CEO
Anna Beams	Secretary

1. Chair's welcome & apologies

The Chair welcomed all to the meeting.

Apologies were received and accepted from Cllrs Alun Alesbury (Stoughton PC) and Amanda Tait (Southbourne PC).

2. Approval of the minutes of the previous meeting held on 29th June 2023

The minutes were **APPROVED** as a correct record.

3. To discuss offer extended by the WSALC Board to incorporate and centralise DALC bank accounts within WSALC and, if necessary to appoint 2 x bank account signatories to CDALC.

Trevor Leggo (CEO, WSALC) explained that each of the four district associations (DALCs) has experienced difficulties in the past with recruiting and maintaining bank account signatories and continuous access to the accounts resulting in them being unable to progress the associations and that, in some cases, WSALC has subsidised the DALCs.

He explained that, following discussions, the Board proposed that in order to support the DALCs, the accounts and administration are incorporated into WSALC, with the individual DALC funds being issued their own cost centre. Signatories would therefore be appointed by WSALC with any payments approved by the individual district association Chair and Vice Chair.

He explained that WSALC would have no power to spend the funds without CDALC approval, could pull out of the arrangement at any time and that there would be no change to audit arrangements.

On a proposal by Cllr Charles Britton and seconded by Cllr Nicolette Pike, it was agreed to transfer the accounts and administration to WSALC – all in favour.

As a result of the above decision, no appointment of bank signatories was made.

4. To receive and discuss update on a meeting held by the Chair and Trevor Leggo with Chichester District Council (CDC) on 29th January.

The Chair referred to the briefing note previously circulated to all clerks ([appendix A](#)).

He explained that the meeting attended by the Leader and three senior officers was scheduled for an hour and that there was a lot to address within that timeframe. A response was received to the five strategic questions put to the representatives from CDC and most of the questions received from parishes were addressed.

Trevor Leggo added that the three senior officers in attendance along with the Leader were the Director of Communications, Monitoring Officer and Head of Planning. He advised that a face to face all parishes conference will be held in September and it is important that as many parishes as possible attend.

The Chair added that he hopes that CDC now have an understanding that CDALC has a presence and represents all parishes within the district and that this initial meeting can be used as a foundation on which to build future meetings.

5. Update on CDALC Steering Group

The Chair apologised for not arranging a Steering Group meeting since the last CDALC meeting. He asked for thoughts on how to effectively move the association forward and the possibility of forming smaller, localised groups of parishes with common issues with the support of CDALC and WSALC.

The consensus was that it was important not to dilute the association and that perhaps more groups and more meetings could have a negative impact.

Following discussions, it was agreed that the Chair will call a meeting of the Steering Group by Zoom as soon as possible to discuss ways of re-invigorating the association and will report back with ideas and proposals. Cllr Charles Britton offered his assistance.

6. WSALC update – Trevor Leggo, CEO WSALC

- Following the unfortunate and sudden passing away of the WSALC Vice Chair, Cllr Andrew Shaxson was elected Vice Chair at the last WSALC meeting in January.

- With an increasing number of troubled councils, often caused by an individual councillor, it is clear that these councils would benefit from closer support. Whilst the Monitoring Officer exists to deal with Code of Conduct complaints, there are no effective remedies.

It was agreed by the WSALC Board that a task force of two Board Members along with officer support meet with the Chairman of Councils requiring support to offer advice and guidance.

- Guidance on the health and safety of councillors was recently circulated following recent examples of threatening behaviour towards councillors. There is however conflict in the guidance whereby councillors should complete a Register of Interest which includes their home address.

It was suggested that a solution needs to be found to deter threatening behaviour towards councillors.

Trevor is meeting with the Chairman and Chief Executive of NALC to discuss.

7. SDNP Report – Cllr Andrew Shaxson, Chair & SDNPA representative

- The five years of the Local plan run out in July 2024. It will not be revised before then and probably not before 2027. It is hoped this is not a problem as housing land supply issues not applicable to the National Park Authority (NPA). The cost and lack of planning officers is the major reason for the delay.
- A new interim Chief Executive has been appointed (Tim Slaney), other appointments are interim Director of Planning (Mike Hughes) and Director of Landscaping Strategy (Anita Kerwin-Nye, ex YHA). Andrew Lee has retired.
- CDC are continuing with their agency arrangement for planning delivery, but some local planning authorities are looking hard at this matter. There is concern that the SDNPA will become top heavy with planning rather than a balanced organisation.
- Budgeting is a challenge. Assuming a freeze on grants from Defra this coming year, yet to be announced, there is uncertainty whether there will be a reduction in future and plans are in place for that possibility. Uncertainty does not help.
- The NPA are working with farmers and land managers who are wrestling with changes to the payments, rewarding good environmental stewardship. If farmers do not carry out this work, no one else can and the National Park as a whole will suffer.
- Recent large planning application in Lewes permitted 685 homes and businesses.
- A vacancy has arisen for East Sussex parish councils to have a representative on SDNPA. Seven people have put their names forward for election which is the equivalent of twenty in West Sussex when the number of parishes in each count is taken into account.
- An online parishes meeting will be held on 13th of March. The format provides some updates but much of the meeting will be an opportunity the parish councillors to ask questions and make comments.

8. CHC Report – Cllr Nicolette Pike, CHC representative

Cllr Pike referred to her report circulated with the agenda ([appendix B](#))

She highlighted that shortages of money is causing concern and is an issue in general and that there is a concern regarding a lack of planning strategy. She added that is anyone is interested in being part of Friends of Chichester Harbour to consider joining.

Councillor Christopher Mead-Briggs expressed concern that CDALC had not been asked to engage on the Marine Management Organisation (MMO) consultation for the new Itchenor jetty and were therefore not included within the 50 objections. He requested that the CHC are made aware of WIPCs objection. Cllr Pike agreed to pass on the information.

Councillor Richard Hitchcock queried why the CHC is not a statutory consultee, Cllr Pike responded that they are pushing for statutory status.

9. Matter of concern to your council

Councillor Richard Hitchcock asked whether there has been any further movement on hybrid meetings, Trevor responded that NALC continue to lobby Government and informed Cllr Hitchcock that a councillor may attend a meeting remotely but cannot vote.

The meeting closed at 8.33pm

Signed: Andrew Shaxson
Andrew Shaxson (Jun 28, 2024 10:17 GMT+1)

Dated: 28/06/2024

Chairman

Appendix A

Meeting between CDALC and CDC, 29 January 2024

The following questions were sent in advance to CDC officers. They consequently had the opportunity to consider how to address the points raised. Their responses and our observations on their reactions are in blue: -In attendance were Andrew Shaxson (AS) and Trevor Leggo (TL), the Council leader Adrian Moss (AM), Nick Bennett (NB), Louise Rudziak(LR), and Andrew Frost (AF)

AM commenced by saying that “Parishes are really, really, really important to CDC” He followed by saying that District Councillors are “really important”. Read what you may into the relative emphasis!

Immediately below are 5 fundamental issues we wished to explore. Below them are more specific issues that some parish councils have asked us to raise. Though raised by an individual parish, they touch on issues other PCs experience from time to time.

- 1) explore ways how we (CDALC and individual parishes) can help you, and how CDC can help us? (see Chi City Council comments). This issue was considered at some length, and whilst CDC reckon their budget is balanced for 2024/25 and 2025/26 the longer term future is less sure. We emphasised need for as much fore-warning as possible, and they noted that.
- 2) identify things that are going well, and conversely things that are not or could be done better. Consider how improvements, understanding and enhancement could be carried out? No specific discussion – or outcomes
- 3) consider the issue of bad behaviour both by parish councillors and the public towards parish councils - and how CDC could help address this. Nick Bennett said that in the last year 64 ‘complaints’ involving 26 parishes in the District have passed over his desk. This indicates that 38% of Parishes in the District have problems; these are not isolated or unusual cases. Re-emphasises need, in absence of means to take meaningful action, for Parishes to sign up to Civility and Respect Code
- 4) Consider whether current forms of communication between CDC and parishes and vice versa are adequate, how they might be enhanced, and generally the best use of all our time? The current plan is to hold two All Parishes Meetings a year, the winter one being via Zoom and the summer one in person – possibly with that meeting occasionally held ‘north of the Downs’ . The ‘summer’ meeting has been pencilled in for September. It was decided that there will be a ‘wash-up’ virtual meeting involving CDC and CDALC after All Parishes Meetings – currently not after the one that is to take place on 19th Feb. And see list of ‘actions’ at end of this in red. We emphasise need to ensure All Parishes meetings have sufficient time for both specific and general questions.
- 5) Are there ways of bridging ‘gaps’ between parishes in and out of SDNP? Noted that although whilst it is only aspects of planning that are different, there are so many differences. Creation of SDNPA has exacerbated the long existing north / south problem, which CDALC are well aware of.

Wisborough Green PC

We have recently raised several concerns with CDC about lack of communication and transparency with us, in fact we had to reluctantly submit FOI requests to get the information. This was flagged up; officers said that they were quite happy to provide all information implying FOI unnecessary. One for WG to ponder on?

Birdham PC

Could the CDC planning dept consider allowing 31 days for Parish Councils to respond to planning applications instead of the current 21 days. The current position puts a lot of pressure on PCs - especially in areas where planning is rife - such as Birdham . The council currently has only 6 out of its 9 possible members, and 3 of those work full time. Calling extraordinary meetings is therefore virtually impossible. Whilst the Council anticipate that it will be said that it is not possible to make this change because the determination periods are shorter than before they still exceed by a fair margin the 31 days we are asking for. Birdham frequently asks for an Extension Of Time (EOT) for comments so that the applications can be reviewed at the next meeting. This is nearly always given, there was just one refusal in 2023. [Birdham is not alone, almost all parishes request and being given EOTs] [Noted, but CDC / SDNPA like all LPAs are required to work to ever-tighter timetables. Also, extensions are almost given if the case is made when requesting them. Parish Council planning committees might have to accept that on occasions they will have to convene away from the Council meeting.](#)

Can Parish Council be given a clearer breakdown of how CDC comes to the final tax base figure for a parish. Is a reduction in tax base due only to more residents being on benefits for example? [Will this be answered by reaction 1\) in red below? There is detailed information regarding this within reports to Cabinet and then Council when they consider and set precepts.](#)

At a strategic level is any thought being given to have one new council comprising the current district councils and the current county council within West Sussex. There may be a need to create some unitary authorities for the larger population areas. There would be cost savings, clearer accountabilities to residents and one less level of local government. This arrangement has been introduced in many parts of the country during the past few years. [Whilst indeed happening in many areas, there is no appetite for this to happen in West Sussex](#)

Fishbourne PC

1. The A27 road improvements – what is the current position. [Watch the emerging Local Plan](#)
2. Concerns regarding housing numbers along A259 corridor [See Local Plan – there would be more houses allocated in this part of District had not greater number been allocated in NW adjacent to Horsham District \(see Wisborough Green concern\).](#)
3. The Inspector's view of the Highgrove Appeal which seems to throw out the window many of the NFPPF reasons for rejection of development such as local views, nitrate production and loss of good agricultural farmland. How does CDC feel about this? [This wasn't specifically discussed \(we were tight on time\)](#)

Chichester City

Main question is that given the budgetary constraints that CDC are facing to balance their budget beyond the next Financial Year, what discretionary services are they most likely to ask the parishes to take on board or co-fund? [These paragraphs from CCC proved very useful in expanding on Question 1 above – message firmly delivered. It was made clear that whilst bigger parishes might be in a position to allocated both money and knowledgeable staff to addressing an issue, smaller parishes would struggle unless there was meaningful partnership.](#)

If there is a potential requirement for parishes to take on some of the district council functions, early engagement is going to be essential. If we will need to significantly increase our precept over the next 2-4 years, we need to start early consultation with residents to understand what their priorities

are, what their tolerance/appetite is for increased precept demands and understand what additional resources we will require to deliver this .

Equally, if CDC are going to ask the parishes to provide additional funding to support their ongoing delivery of existing services, then an understanding of how this will be reflected in service levels, delivery models and responsiveness from CDC needs to be thought about and discussed now, so that all parties understand what they will be committing to and receiving in return for their investment. The last thing we want is to be faced with an ultimatum that we either cough up or a service is lost for good without the time to adequately assess the pros and cons of different funding and delivery models.

Understanding what our residents value and want to keep and delivering a smooth hand over of services/ moving to new models of delivery will only happen if we have plenty of time to lay the groundwork; if we get it wrong, or it is rushed, essential community resources may be lost entirely as Parishes will deem it all 'too hard' and just say no.

We would also like to see the Parishes make it clear from the outset that if CDC are likely to be needing more support from us to maintain their services, then they need to start working more collaboratively and developing genuine two-way partnerships. We are concerned that they could end up treating us as an easy source of additional income due to our uncapped precept raising potential without giving us any real say in how services are prioritised and delivered, so a framework needs to be developed now for how services will be co-designed and delivered in a potentially very different future funding landscape.

Sidlesham PC

With regard to planning – a) The seemingly considerable disparity between the policy for local (Parish) councils, mainly dealing with individual applicants, and other applications from major developers who seem to achieve their aims with relative impunity, or is it just easier for the local District Authority to approve the applications because they help meet the “Government’s targets” regardless of the lack of supporting infrastructure, eg. new roads, surgeries and schools and

b) to explain the impact of the new planning legislation CDC received just before Christmas especially if it does indicate that we no longer need a 5-year land supply – how will this effect potential developments in Earnley/Bracklesham, Birdham, at Farmfields, and more. This topic should also address the current thinking on the need, or otherwise, for “local plans and or statements”.

A further related planning topic might be how CDC intends to implement it’s 2022 Chichester District Council Gypsy & Traveller Pitch Capacity Assessment to prevent further gypsy/traveller sites in the Parish (*and wider area*); and what CDC is doing to enforce the timely removal of mobile homes when illegally pitched. [This is being looked into – and we were told is a topic for the 19th Feb meeting. Hopefully answers will be forthcoming.](#)

Southbourne PC – [the meeting being just 1hour long, we ran out of time to address these three questions, but have subsequently been sent the written responses \(attached below\) by AF](#)

1. Notifications to parishes of planning consultations, planning notices to residents etc. are not consistent and can be a little haphazard. Could this be more improved? [The Planning Admin manager, Sam Carter has been asked to check this but has not so far identified any error in our processes which are guided by legislative requirements.](#)

2. Notifications of which applications are pending for consideration by the CDC Planning committee - could Officers give the Parishes more notification than the week before?

As briefly mentioned at the meeting, planning committee agendas are now published as far as possible on the Friday of the week before the week they have traditionally been published. We think this is the maximum possible within a 4 week committee cycle.

3. Can there be more open communication between Officers and Parishes on the larger applications? Could the parishes be involved sooner in the process as they have more local and NP knowledge.

As the pre planning application stage is confidential, it is not possible for the LPA to engage directly with parishes although we do encourage developer led consultation on larger schemes which can be beneficial in providing early engagement on initial planning proposals. The Council's recently updated Statement of Community Involvement provides further details:

All planning applications are publicised and parishes consulted once they have been confirmed as valid. In general terms, it is important that parishes submit their comments on an application as soon as possible and within any agreed extension of time. Parishes may also wish to contact the case officer or relevant team manager if they have specific queries about an application. Southbourne may wish to elaborate on their particular concerns if they have not been fully addressed in my response.

North West area Parishes

Rural parishes in the NW part of the district have met Hyde to raise concerns about the sale of their properties that are uneconomic to bring up to the EPC rating standards. Their understanding is that the sale receipt of these properties must be reinvested in replacement housing but they will most likely be built in larger settlements. Rural parishes are subsequently most concerned that application of the criteria would lead to many sub-standard rural properties being sold and affordable housing lost in those areas. This issue was requested to be put on CDC All Parishes meeting on 19th Feb agenda – and is there. Officers seemed not to have specifically noted that replacement homes, whilst built in Chichester District, were not replacing homes sold in rural areas. Officers also believing there was a moratorium on sales by Hyde at present. This issue will hopefully be clarified at meeting on the 19th Feb.

The following are the outcomes sent to TL and AS by NB

1. I shall shortly send out some information on the District to all clerks. I note that Trevor will look to update me when new clerks are appointed if he knows, so that I can send the updated list at any particular time to him.
2. I agreed to send a follow up to Gillian Keegan MP as to sanctions (*against councillors who misbehave*) following a long gap since previous correspondence on that topic. I shall do that this week and copy in Diane Shepherd.
3. I have discussed with colleagues making arrangements to hold a clerks session immediately prior to the September "All Parishes" meeting. That is underway. I will also seek input from clerks when sending out note (1) above.
4. I also agreed to meet up with Trevor / AS after September All Parishes meeting, which we will organise "offline".
5. Finally, I confirm that I have emailed colleague Monitoring Officers for West Sussex and Surrey about them encouraging their parishes signing up for the Civility and Respect Code.

Appendix B

CDALC Report on Chichester Harbour Conservancy – October 2023 – January 2024

Nicolette Pike – West Wittering Parish Councillor and CDALC Representative on Chichester Harbour Conservancy

There have been two meetings (October and January) of the Chichester Harbour Conservancy since CDALC last met. I set out below the main points arising from them both.

On 22nd November the AONB was rebranded as a “National Landscape”. This is being required at a National level and covers the whole country. A virtual meeting was held with Therese Coffey MP, SoS, who confirmed that it was not the government’s intention to make AONBs statutory consultees.

The State of Nature Report 2023 published in September with the recent results of monitoring our country’s biodiversity assets since 1970 and finds that the UK has less than half its biodiversity remaining due to human activity. This makes the UK one of the world’s most depleted countries.

Chichester Harbour’s environment is deemed to be “unfavourable and declining”. To address this unacceptable situation, Coastal Partners are developing a programme for Chichester Harbour Investment and Adaptation Plan (CHIAP), which will require approval from both local authorities. It is hoped that this project will unlock funds for coastal flooding remediation from the Environment Agency.

CHC Advisory Committee met on 6th October, the first meeting since early summer. Both the new CEO Matt Briers and the Harbourmaster Jo Cox have bedded in and gave their reports about the status of issues in the harbour. Alison Wakelin is the new chair.

The draft budget was recommended to the Conservancy (which met on 13th November) with an overall budget increase of 6.8%, including harbour dues. There was some pushback from the harbour users, wanting the harbour dues only to increase in line with whatever the contribution was to be from the Local Authorities (which are expected to be in the region of 5%).

There are less vessels paying harbour dues this year, leading to a £35,000 shortfall. CHC is in the process of taking enforcement action against non-payers. 24 vessels were impounded. It is thought that there are still about 65 vessels in the harbour that have not paid their dues. Enforcement and prosecutions are also being taken against owners who are caught speeding, three court actions are underway.

There have been two fatalities in the harbour since July, one suicide and one heart attack. The harbour master is concentrating on speed limit reductions for navigational safety in certain areas, as well as to protect vulnerable habitats, to reduce anchoring areas to protect the sea grass and to prohibit black water discharges from vessels using the harbour.

A review is being carried out about small craft safety in Itchenor Reach. The MMO consultation for the new Itchenor jetty finished on 26th October with more than 50 objections.

There are considerable numbers of casual visitors who are not paying harbour dues, including kayaks and paddleboards and a system is being put in place to enable such users to pay harbour dues before the 2024 season.

CHC is considering the way to deal with the collapse of the footpath at Fishbourne and the wall at Langstone Harbour between Langstone Mill pond and Wade Lane. A technical report is now in the public domain looking at the issues at Langstone. There is a community drop in was on the 12th December for the Langstone project.

Planning

CHC officers have been spending large amount of time scrutinising and where necessary raising objections to inappropriate development within the AONB. Morale has been low of late as there have been some significant developments allowed such as the wedding venue for up to 500 at Tournerbury Woods on the SSSI/SPA on the harbour edge at Hayling Island. This is a site which CHC officers have been strenuously defending for more than five years.

Further CHC chose to take Rule 6 status for the planning Inquiry at Chidham for a 200 dwelling greenfield development next to Drift Lane . It ended up costing CHC £48,000 and sadly the Inspector found in favour of the developer. Again the Officers gave this exercise a significant amount of their time and resources. Questions have to be asked about the value of taking Rule 6 status in the future. It was agreed that the dire situation would continue until CDC could show a five year land supply, which is unlikely to happen in the near future.

The number of staff are being increased to facilitate the operational requirements of CHC. The CEO has written his promised 100 day report, but this has not been made available to members of the Advisory Committee.

The second meeting took place on 22nd January, I was voted as a deputy onto the Conservancy Board so that I can deputise for one of the three members of the Advisory Committee should they not be able to attend a Conservancy meeting.

The main item was an annual report from the education manager telling us how successful the education centre is and how it supports and promotes inclusion and raises awareness for the next generation. Sadly funding is causing some schools to cancel their trips due to the inability of the children to pay the costs and cover the coach fees. Last year 560 children were not able to come due to financial constraints. The centre runs at a loss and is reliant on the precept, so it is under a lot of financial pressure. Friends of Chichester Harbour gave a £500 grant to CHC to help subsidise the costs of coaches.

Matt Briers, CEO gave his report and mentioned Salterns Lock and disputes over ownership and WSCC responsibility, therefore until this is resolved nobody will commit to the survey. There is to be a new harbour user survey during February 2024, the last was done in 2018.

There is also a Harbour Management Plan Review underway to cover the next year (2025) and a new 5 year strategy is to be devised soon (2025-2030)

Langstone Sea wall strategy was discussed and recommendation made to the Conservancy (sitting on 29th January). It is a difficult decision as there is considerable public and political interest. It is hoped that an interim solution can be agreed which supports the preservation of the wall until 2050, however, this can only be an interim solution, the Environment Agency was not happy as the solution is not aligned with current thinking in the EA and Natural England. At best they will only

agree to the walls being maintained at the same height, which will lead to the loss of the mill pond in due course. There was discussion about funding for a new bridge as part of the scheme, which at present needs to be paid for by CHC.

There is still no net zero strategy in place, hence no spending of the funds set aside. EA made it clear that they are not happy with the lack of progress.

It is necessary for Highway Authority to undertake some materials surveying of Langstone Bridge, so a works licence was granted so this work can be undertaken to check that the bridge is not failing

Itchenor Jetty decisions still not concluded. The Maritime and Coastal Agency (MCA) have been consulted and are happy that there are not any safety issues that cannot be resolved. A final answer is still awaited from the Maritime Management Organisation (MMO) who had consulted the MCA.

There was discussion concerning breaches of planning and other regulations around the harbour and the lack of enforcement being undertaken. It is a desire of the new CEO to undertake more prosecutions

In short, there is a lot to do and funding is tight, the officers spend a good amount of their time looking for additional funding and continue to push for statutory consultee status. They are doing their best to defend the harbour, both the land and sea.

Nicolette Pike

West Wittering Parish Council

7th November 2023

29th January 2024






CDALC Minutes 27 February 2024

Final Audit Report

2024-06-28

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