

Unconfirmed minutes – to be agreed at the next meeting of the Environmental and Community Services Select Committee

Environmental & Community Services Select Committee

17 September 2015 – At a meeting of the Select Committee held at 10.30 a.m. at County Hall, Chichester.

Present: Mr Tyler (Chairman)

Mr Barrett-Miles

Mrs Brunsdon*

Mr Circus

Dr Dennis

Mr G Jones*

Mr M Jones

Mr S Oakley

Mrs Phillips

Mr Rae

Mr J Rogers

In attendance by invitation: Ms Goldsmith (Leader), Mr Barling (Cabinet Member for Residents' Services) and Mr O'Brien (Cabinet Member for Highways and Transport)

Apologies for absence were received from Mr Whittington

* left the meeting at 12.26pm and 1.30pm respectively

Declarations of Interests

63. In accordance with the code of conduct, the following personal interests were declared:

Mrs Brunsdon as a member of Mid Sussex District Council, in relation to Developer Contributions.

Mr Circus as a member of Horsham District Council and decision maker on housing allocations, in relation to Developer Contributions and Response to Proposals for two New Railway Stations.

Mr M Jones as a member of Crawley Borough Council, in relation to Response to Proposals for two New Railway Stations.

Minutes of the last meeting of the Committee

64. a) Resolved – that the minutes of the Environmental and Community Services Select Committee held on 10 July 2015 be approved as a correct record, and that they be signed by the Chairman.

65. b) Resolved – that the minutes of the Environmental and Community Services Select Committee Call-in meeting held on 23 July 2015 be approved as a correct record, and that they be signed by the Chairman.

Cabinet Member's Response to the Committee's Recommendations on the Trading Standards Update

66. The Committee noted the Cabinet Member's response to the Committee's recommendations on the Trading Standards update (copy appended to signed

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minutes)

67. The Committee made comments including those that follow. It:

- Queried when the remaining 1.2 FTE post will be filled. Mr Barling advised that a re-evaluation of members of staff would determine whether this will be advertised as one or two posts.
- Requested that they be kept informed once re-evaluations have taken place and the decision be made.

Public Engagement and Consultation on the Future of the 3in1 Card Young Persons Travel Scheme

68. The Committee considered a report by the Director of Highways & Transport and Head of Transport & Countryside (copy appended to signed minutes).

69. Andy Ekinsmyth, Service Manager, Transport and Countryside and Bill Leath, Transport Bureau Manager introduced the report which outlined the approach taken to consult with residents and stakeholders on the 3in1 Young Persons Travel Scheme (the 3in1 Scheme). Key points included:

- The card was introduced to encourage a bus usage habit among young people through reduced bus fares, provide proof of age, and enable access to discounts in various retailers. The 3in1 scheme is an area of discretionary spend and currently costs the County Council £1.2million per annum.
- An eight-week public engagement period starting from 28th September through to 20th November will help to define the options, the results of which were likely to be brought back to the Committee in December 2015. From January to March 2016 there will be a public consultation on the various options available, with the output of the consultation expected in April 2016, along with an expected Cabinet Member decision by May 2016.
- At the time of introduction the scheme was free, with no income assessment. Since the £50 charge for the card was introduced in 2011 the number of users has dropped to approximately 6,600 users.

70. The Committee made comments including those that follow. It:

- Welcomed public engagement and supported the need to look at the expenditure for the card, but raised concerns that the questionnaire is designed more towards abolition of the card and targets current card holders rather than potential new users. The views of apprentices and their employers were also not specifically sought.
- Raised concerns that since the introduction of the £50 charge, only around 5% of the target audience is being reached. With only a small percentage of school and college attendees currently having the card, clear

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information was requested as to the reasons. These could include the introduction of the fee, a lack of communication, lack of awareness of benefits, or that the scheme doesn't meet needs. With no mention of the charge in the questionnaire, it would not be possible to determine whether more people would take up the scheme if the fee was dropped or reduced. An officer advised that the scheme was previously well marketed and showed a good take up at the start. Statistics show that proof of age and discounts were the main reason for take up and that questions can be asked within the public engagement as to what the potential barriers could be.

- Suggested the mechanisms of how discounts are delivered are looked at and whether bus companies will do more commercially to help support it, such as discounted zone cards or the offer of unlimited travel, which would encourage journeys outside of school hours. Concerns were also raised as to why rail travel is not currently covered under the card. An officer advised that in other local authorities, different bus companies offer different products and the reason for the review and analysis is to look at spending, and rail travel will be taken into consideration alongside this.
- Noted that the card was good value for money in terms of helping young people, but raised concerns that it wasn't meeting its objectives. It was deemed necessary to keep some service for low income families since, in the event the scheme is abolished, many young people who need the card would lose out. An officer advised that the scheme needs to be assessed to ensure it remains fit for purpose. Even if the card was abolished, monies would still need to be found to subsidise the bus companies to provide for school journey users. With a changing market and bus usage on the increase, the review allows the County Council to look again at who uses the card and what assistance they are getting.

71. Resolved – That the Committee:

- (1) Requests that the survey be redesigned to target both current users and non-users, or that two separate surveys should be run to target both types. With the Chairman, Vice Chairman and one member of the Committee (Mrs Brunsdon) to have sight of the final surveys to comment prior to publication.
- (2) Requests that the County Council enter into a study to look at the viability of a zone card or zoning scheme with relevant transport operators.
- (3) Requests that the County Council explore the opening up of the scheme to apprentices and their employers.
- (4) Requests that the Corporate Parenting Panel and the Children in Care Council be added to the list of consulters.

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Developer Contributions (including s106 agreements and the Community Infrastructure Levy)

72. The Committee considered a report by the Executive Director for Residents' Services and Strategic Planning Manager (copy appended to signed minutes)

73. Caroline West, Principal Planner and Darryl Hemmings, Planning and Policy Transport Manager introduced the report which provided a summary of the changes to the existing process of collecting funds for infrastructure and the implications for the County Council. It included the work being undertaken to update the understanding of infrastructure requirements and how this is used to inform the preparation of local plans and the setting of the Community Infrastructure Levy (CIL) by each local planning authority. Key points were:

- Recent legislation changes affect both Local Planning Authorities (LPA's) and the County Council in the collection of developer contributions. CIL will be collected in addition to Section 106 (S106) monies with the new system designed to be fairer, faster and more transparent.
- CIL will be put into place by the 'Charging Authorities' including all district and borough councils and the South Downs National Park Authority (SDNPA), with whom the County Council is currently working with in the preparation of local plans.
- The new regulations restrict the use of S106 agreements generic tariffs for items that are capable of being funded by CIL, therefore a specific project will need to be identified for each new S106 contribution sought by the County Council.

74. The Committee made comments including those that follow. It:

- Queried what work the County Council is doing with parish councils to assist and train them in gaining a robust understanding of the new system, due to the large sums of money involved in the decision making process under their control. An officer advised that the charging authorities will be supporting parish councils, but that the County Council will also aim to work collaboratively with parish councils towards outcomes. The key priority needs to be an effective way of collectively delivering the infrastructure to support growth. If there is a need to secure funding to deliver infrastructure, then parish councils will need to be convinced to invest in the project and to deliver it through the Capital Programme. The set- up of Growth Boards with Charging Authorities will assist understanding of local priorities to support planned growth.
- Raised concerns over whether CIL would be a better system than the current one and the importance of the County Council delivering its own infrastructure. An officer advised that although different, the new system will encourage closer joint working with the Charging Authorities.

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Charging Authorities will be able to adjust contribution rates in line with inflation and offer relief from the levy in exceptional circumstances.

- Raised concerns over the governance of the collection and expenditure of monies and whether County Council members will be consulted on the Regulation 123 list. Local County Council members are already notified of each statutory consultation before the CIL is adopted, including consultation on the Regulation 123 list. Along with the possibility of looking to other local authorities' delivery methods and whether this will be consistent with the delivery of the County Council's priorities. An officer advised that the County Council has currently worked with Chichester District Council to put in place governance arrangements that include consultation with service providers. The idea is for all parties and members to come together and discuss before the infrastructure business plan is approved. Every area has different needs, but the Chichester model will be used as a basis which may evolve around the County.
- Queried how the County Council is spending Total Access Demand (TAD) money involved in existing S106 agreements and what will happen with such agreements whose terms are flexible and not project specific. An officer advised that, in terms of how funding is currently spent, all projects funded through S106 will be funded through the Capital Programme. Officers will look at what contributions are available in areas and whether there are some that can be directed towards funding infrastructure. Regarding the agreements that aren't project specific, the money is generally still specified to service areas such as Highways and Education.
- Raised concerns that the mechanisms needed to identify TAD type projects i.e. CLCs, local communities and local Members are not clear. An officer advised that the County Council have pulled together lists from existing programmes of work such as the Capital Programme deliveries and communities' issues lists. The issue of transparency needs to be addressed.
- Raised concerns over the identification of future projects and how the County Council will decide on which projects to spend and how the current Growth Boards and Place Plans will feed into existing strategic planning with the Local Planning Authorities. The issue was raised over possible duplication or complication and the need to ensure that the agreements were robustly worded. An officer advised that current plans are based on Strategic Infrastructure Packages prepared by the County Council to support Local Plans so this work will be complimentary. This work takes place as Local Plans are prepared by the Local Planning Authorities and involves County Council services which need to take account of planned development.
- Raised concerns over the vulnerability of older contributions, as in the government's productivity plans there is a proposal to reduce the amount of time before a developer can revisit their S106 agreement. It was noted that S106 monies received years ago are often difficult to spend. An

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officer advised that it has always been the case that developers have the ability to re-negotiate S106 agreements if they are struggling to afford it. As the economy is currently more buoyant, there is less concern over affordability for developers. The value of missed S106 monies; i.e. contributions secured in S106 agreements but not collected, will be investigated and can be shared with the Committee.

- Queried the clarity of the County Council's interests and their responsibilities regarding CIL. An officer advised that any need for CIL would need to be justified. In the case of a big development which generates the need for site-specific infrastructure such as a school, these contributions would be sought to be secured through a S106 agreement. If in the same district, smaller developments were also taking place that would cumulatively amount to the same infrastructure need, then pooling restrictions would apply so contributions from these developments may be better collected through a CIL. The pooling restrictions apply even if the requirements are non-tariff.

75. Resolved – That the Committee notes the report.

Response to Proposals for Two New Railway Stations, between Littlehaven and Ifield Stations on the Arun Valley Line

76. The Committee considered a report by the Executive Director for Residents' Services and Strategic Planning Manager (copy appended to signed minutes)

77. Caroline West, Principal Planner and Darryl Hemmings, Planning and Policy Transport Manager introduced the report which provided an overview of the proposals for two new parkway railway stations between Littlehaven and Ifield Stations on the Arun Valley Line. The proposals are at the Kilnwood Vale development site to the west of Crawley and the proposed development site on land north of Horsham.

78. The Committee made comments including those that follow. It:

- Raised concerns over the issue of parking fees at both of the proposed parkway stations and the potential removal of on-street parking and the subsequent penalisation of residents particularly on Rusper Road, which would be affected by the land north of Horsham station proposal. There were also concerns that a parkway station risked causing more parking and traffic congestion, as users would drive to a new favoured station. An officer advised that the rail franchise holder will set the parking fees. The assumed level of fees and income will be part of their franchise agreement, as yet unknown.
- Suggested that a new station should be built according to need, and cited the Kilnwood Vale as already being occupied by some residents who currently have no rail connection to Crawley. The scope for population growth adjacent to this land is deemed far greater so would potentially serve more residents. For those living near the land north of Horsham site, Littlehaven station would still remain just as near as the potential

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new station. An officer advised that although the Kilnwood Vale site has previously been supported by the County Council, this was prior to plans for development on land north of Horsham which must now be taken into account. With regard to potential for further development at Kilnwood Vale beyond that which is already permitted, the local planning authorities have not included land for further development at Kilnwood Vale in their emerging local plans so this is not envisaged in the current plan period to 2030/31. Plans for strategic development on land North of Horsham, and this site coming forward, has meant a re-evaluation in terms of support.

- Queried how much work is being done on deliverability, in terms of landownership and the area required. An officer advised that the promoters of both the Kilnwood Vale and land north of Horsham sites control the land so the availability of land is not expected to be an issue. As there is a planning application has not yet been submitted for the land north of Horsham site, the impact of a parkway station and subsequent traffic impact will need to be investigated through a Transport Assessment as per any other planning application.
- Raised concerns over whether the train operating company; Govia Thameslink Railway (GTR), will be able to meet the capacity demands and adjustment to the timetable on the existing line. An officer advised that GTR already have expectations that an additional stop for trains to a new station in this area may be required. There are currently no specific proposals but the County Council will work with GTR to look at opportunities to enhance the frequency of trains and to look at possible options to avoid restrictions on their ability to run more services.
- Raised concerns that if two stations were to be built the service will be less robust, impact the timetable, and could lead to the closure of an existing station elsewhere. An officer advised that the rail operators would need to go through the proposals for closing a station as there is a statutory process involved that sets out impact. WSCC has stated that the impact would need to be made clear.
- Queried how the provision of an alternative road route would be achieved if the removal of the Wimlands Lane level crossing went ahead within the North Horsham proposal. An officer advised that it would create an opportunity to close the crossing but that Network Rail would need to propose this and follow the relevant statutory processes.
- Questioned whether the land north of Horsham site fitted more with economic growth plans, but deemed that the existing population of residents at both sites should have a greater weight than new people attracted to the area.
- Supported the need for more information from the rail industry and the site promoters.

79. Mr S Oakley made the following proposal, seconded by Mr M Jones which the Committee considered: -

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The removal of the following recommendation in the report: -

- c) If only one new station can be accommodated on the Arun Valley Line, the County Council's current preference is for a new station adjacent to the North Horsham Business Park due to the potentially greater economic growth benefits of the proposed North Horsham Business Park.

A vote was held and the proposal was carried.

80. Resolved – That the Committee:

- 1) Notes that both station proposals would bring potential benefits to the area.
- 2) Notes that there is a need for clarity from the rail industry about (i) the impact of each proposal on the timing and frequency of services from other stations on the Arun Valley Line and (ii) whether two new stations could be accommodated on the Arun Valley Line and the potential impacts of doing so.

Cycling and Walking Task and Finish Group Update

81. The Committee considered a report by the Chairman of the Cycling and Walking Task and Finish group (TFG), (copy appended to signed minutes)

82. Andy Ekinsmyth, Service Manager, Transport and Countryside, introduced the report and provided an update on the first meeting of the Cycling and Walking TFG. Key points were:

- The TFG had its initial meeting on 22 July 2015 and considered a report concerning the engagement of a consultant to work on the framework for the production of a list of cycling and walking schemes. The appointment of a consultant is expected W/C 22 September.
- The second meeting is scheduled for October 2015, where the Group will take evidence from the stakeholder engagement. The third meeting is scheduled for November or December, where the Group will examine the outline intentions of the strategy, with a fourth meeting in early 2016 to assess a draft of that strategy. The recommendations will then be given to the Cabinet Member.

83. The Committee made comments including those that follow. It:

- Raised the issue of Governance and the integration of infrastructure planning for district and borough councils. Concerns were that the County Council could identify a list of schemes that differ, but the local planning authorities will have control of the CIL monies. An officer advised that the risk of there being too many lists will be avoided by asking stakeholders

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which projects on the existing infrastructure list they would like the County Council to support, thereby ensuring a commonality between them. Once the overall plan is seen then there will be more of an understanding.

- Suggested the need to combine questionnaire results with the local plan infrastructure delivery plans of parish councils, so that all sources feed into one plan. An officer advised that consultants have highlighted a way in which this can be done, with a particular approach suggested by one.
- Raised concerns that although the consultation process was open to a wide group of people, that it still excluded Horsham Town, neighbouring councils and local CLCs. It was suggested that cycle forums are encouraged to work through the local district and borough councils.
- Requested that when the consultant is appointed that the Committee be informed.

84. Resolved – That the Committee notes the report.

Forward Plan of Key Decisions

85. The Committee considered the Forward Plan October 2015 to January 2016 (copy appended to signed minutes).

86. Resolved – That the Forward Plan be noted.

Date of the Next Meeting

87. The Committee noted that its next scheduled meeting will take place on 18 November 2015 at 10.30am at County Hall, Chichester.

The meeting ended at 1.49pm

Chairman