

## **District Councillor Address**

### **Local Updates**

#### **Lagoon 3**

A meeting will take place on the 5<sup>th</sup> October at 3pm between Chichester District Council, The Environmental Agency and Kirdford Parish Council and Plaistow and Ifold Parish Council. The intention of this meeting was to provide an update since the last meeting took place in May 2021 and steps taken now that the enforcement notice has expired.

#### **Environmental Protection update from Alison Stevens, Divisional Manager for Environment**

- A site meeting was conducted on 9th September 2021 between CDC, the Environment Agency (EA) and West Sussex County Council's Emergency Planning Team.
- The EA undertakes a physical inspection of the integrity of the Lagoon's bund at these site meetings.
- The lagoon cover has been altered due to the owner collecting a content sample for analysis. At the time of the site visit it was not possible to see where the cover had been cut due to the area being underwater. The EA inspector checked for gas leaks and saw one or two bubbles. The EA are reportedly unconcerned by this.
- Alison Stevens stated that the site meeting suggested no significant change of the lagoon.
- A multi-agency meeting is to be convened in October where the EA will formally share their report from the site visit and the emergency plan will be reviewed. The minutes of this meeting will be made available to residents in due course

#### **Planning Issues update from, Tony Whitty - Divisional Manager for Development Management**

- Chichester District Council (CDC) have instructed their legal team to progress Enforcement action against the lagoon's owner.
- The case is legally complex with significant amounts of evidence and relevant case law to be considered.
- CDC have instructed a specialist barrister to review the case prior to it being lodged with the Court.
- The legal team have considered a potential statutory defence that the landowner may try to rely upon under Town and County Planning Act, s.179(3) *"In proceedings against any person for an offence under subsection (2), it shall be a defence for him to show that he did everything he could be expected to do to secure compliance with the notice."* However, CDC's legal team are satisfied that the landowner's reliance on this defence

is weak having owned/controlled the lagoon for two years yet not taken timely proactive steps to comply with the Enforcement notice.

- Once the legal papers have been submitted to Court, the matter and timescales will be determined by the Court.
- Successful Court action does not necessarily deliver compliance with the Enforcement notice. If found guilty, the landowner would have a criminal record and could face a significant fine. However, the owner may still not decommission the lagoon.
- Court action is less costly to CDC than Direct Action (bare the cost of the decommissioning themselves). The process to enact Direct Action requires Court action to be exhausted in the first instance. Seeking a prosecution is the first step in this process. If the Court action fails, or the landowner does not comply with the Court's ruling, then CDC will consider all other options at that time.

**Question from Plaistow & Ifold PC: "Does CDC know, as the LPA, if Lagoon 3s owner has done a regulated test of the lagoon's content?"**

CDC understand that the lagoon's owner may wish to seek a permit from the EA to spread the content to land. The landowner has submitted a small sample of the lagoon's content to the EA for analysis. The results have been shared with CDC without specification. A note on the sample analysis states that the sample was small, and it was difficult to complete all the requested/required testing. At the point the landowner applies to the EA for a permit to spread the lagoon's content to land, the EA is likely to request a much larger sample to test robustly before approving the application. The analysis suggests that the sample was not representative of the lagoon's contents, which will have many layers. The EA will ask the landowner all the necessary questions about how the sample was taken. A Member of Kirdford Parish Council asked CDC to notify local landowners if/when the lagoon's content is to be spread on land, due to potential water contamination. The Member indicated that adjacent landowners to the lagoon, such as himself, may wish to get the local waterways tested before the spreading begins as a point of comparison. CDC reiterated that the EA are responsible for issuing permits once they are satisfied that the content is safe for spreading. However, CDC will notify the EA of the concerns. The permit application process may be subject to publication. CDC will make enquiries and update the group. It was noted by the meeting that the lagoon's owner does not own land in the vicinity of the lagoon upon which to spread the digestate.

The next meeting will take place in January 2022 (three months after the October meeting). Despite this clearly being a complex issue, I will keep working hard and pushing this to ensure that a resolution is reached as soon as possible to clear safely clear Lagoon 3.

## **Loxwood Claypit**

The Planning Committee at WSCC have cancelled their 9<sup>th</sup> November Meeting so we know for sure that the earliest time that this will be heard will be 30<sup>th</sup> November. I believe if it does not make it to this committee that it will go into the new year.

## **Chichester District Updates**

### **Free Trees**

More than 8,000 free trees will be planted in the Chichester District this winter as part of a scheme to increase tree planting across the district. The scheme, which is funded by The Department for Environment, Food and Rural Affairs (DEFRA), is testing ways to increase tree cover in rural and urban areas. CDC are one of five local authorities in England taking part in the £2.5 million tree planting pilot. You can find out more here:

<https://www.chichester.gov.uk/article/35918/More-than-8000-trees-to-be-planted-in-theChichester-District-this-winter>

### **Enabling Grant 2021**

The second round of funding has now closed. CDC have received over 74 applications from across the district, which is encouraging as it shows that people are still planning to invest in their businesses. There are a good amount of varied responses between start-ups, website and capital grants. The applications will be reviewed and successful applicants informed by mid November. I can report on this in the next District Councillor update

### **Finance**

The pandemic has had a financial impact on everyone, including the council. Last year CDC, produced a three year plan to save nearly £2 million. The CEO has confirmed that this year they are making good progress towards this target. Over £900,000 has been saved this year, and CDC have a further £864,000 of planned savings to achieve over the next couple of years. This has been achieved through reducing costs and bringing in additional income.

Although this is really positive, CDC's financial situation is still very uncertain. CDC are waiting to see what their settlement will be for the next year from the Government. CDC were hoping that the Government would tell them what funding they are likely to receive over the next three years. However, it seems likely that they will only plan for one year. CDCs income levels aren't returning to the same level that they were pre-pandemic. CDC also have a pay and national insurance increase that they were not expecting. Due to all of this it is very likely that further savings will be required and I will update as I know more.

### **Test and Trace Support Scheme**

The Test and Trace Support Scheme (which pays eligible residents up to £500 to self-isolate) has been extended up to 31 March 2022. For further information please visit

<https://www.chichester.gov.uk/helpwithfinances>

## **Household Support Fund**

Vulnerable households across the country will be able to access a new £500m support fund to help them with essentials over the coming months as the country continues its recovery from the pandemic. The new Household Support Fund will support millions of households in England and will be distributed by councils in England, who know their local areas best and can directly help those who need it most, including for example, through small grants to meet daily needs such as food, clothing, and utilities.

Cash was made available to Local Authorities in October 2021. CDC are working with West Sussex County Council on the criteria for this scheme who are responsible for the administration of the Household Support Fund.

As soon as the scheme is developed our website will be updated to reflect this.

For further information in the meantime please visit

<https://www.gov.uk/government/news/governmentlaunches-500m-support-for-vulnerable-households-over-winter>

## **Financial Help for Residents**

We have been asked to share this website for anyone who may benefit from financial support and/or checking that they are receiving everything due. For further information please visit <https://www.chichester.gov.uk/helpwithfinances>

## **Gatwick Airport Consultation**

The owners of Gatwick Airport are consulting on proposals (ending 1 December 2021) to bring the existing northern runway into use for smaller aircraft alongside the main runway.

A report is going to Cabinet on 2 November 2021 with the council's suggested responses to the consultation questions. <https://www.gatwickairport.com/business-community/future-plans/northern-runway/>

## **Petworth Vision**

Petworth Vision is progressing the CDC part-funded creation of a dedicated website for the Petworth Heritage Partnership, with the design of the logo. The website is going live mid - November. The partnership comprises the following organisations: St Mary's Church; United Reformed Church; The Leconfield Hall; Sacred Heart Church; The Old Railway Station; Petworth & District Community Association; Petworth Vision CIC; The Petworth Society; Petworth Business Association; and, the Petworth Town Band.

The aim is to promote the organisations together on one dedicated website to help showcase Petworth's large number of heritage sites in a more efficient way, encourage greater community engagement and increase visitor numbers. The ongoing maintenance of the new website will be funded by donations raised during the Heritage Weekends and throughout the year. Petworth Vision is also progressing the CDC part-funded scheme of setting up and running computer training at the United Reform Church for residents of Petworth and the surrounding areas. It is being presented as an IT café and training will range from online banking and shopping, to using Zoom and Skype and IT security.

The sessions run every Tuesday morning and will finish in September 2022. The IT café is being promoted through Facebook/Instagram/leaflets/ the Petworth Business Association website and an article in the Midhurst & Petworth Observer

### Full Council Meeting

The next full council meeting will take place on Tuesday 23<sup>rd</sup> November 2021

### Surgery Dates



*Cllr. Gareth Evans  
Autumn Surgery Dates*



Sat. **18th September**, The Onslow Arms, Loxwood, 12pm - 2pm  
Sat. **2nd October**, The Forester Arms, Kirdford, 11am to 1pm  
Sat. **16th October**, The Half Moon, Northchapel, 12pm-2pm  
Sat. **30th October**, Plaistow Stores, Plaistow, 11am - 1pm  
Sat. **13th November**, Old Mill Cafe, Wisborough Green, 11am-1pm  
Sat. **27th November**, Stag Inn, Balls Cross, Ebernoe, 12pm - 2pm  
Sat. **11th December**, The Onslow Arms, Loxwood, 12pm - 2pm

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